



STRATHBOGIE SHIRE COUNCIL

**MINUTES OF THE ORDINARY MEETING OF THE STRATHBOGIE
SHIRE COUNCIL HELD ON TUESDAY 21ST AUGUST 2012,
COMMENCING AT 6.00 P.M. AT THE EUROA COMMUNITY
CONFERENCE CENTRE**

Councillors: Graeme (Mick) Williams (Chair)
Colleen Furlanetto
Malcolm Little
Neil Murray
Howard Myers
Debra Swan
Peter Woodhouse

Officers: Steve Crawcour - Chief Executive Officer
Roy Hetherington - Director, Asset Services
David Woodhams – Director, Corporate and Community

BUSINESS

1. Welcome
2. Acknowledgement of Traditional Land Owners
'In keeping with the spirit of Reconciliation, we acknowledge the traditional custodians of the land on which we are meeting today. We recognise indigenous people, their elders past and present'.
3. Apologies

Phil Howard – Director, Sustainable Development
4. Confirmation of Minutes of the Special Meeting of Council held on Tuesday 10th July 2012 and Ordinary Meeting of Council held on Tuesday 17th July 2012

77/12 **CRS. MURRAY/MYERS** : *That the Recommendation be adopted.*

CARRIED

5. Disclosure of Interests

Councillor Little declared an Interest Only in Items 9.2.3 and 9.7.7 due to having had discussions with, and supported, both groups on matters associated with the content of the reports.

6.20 p.m.

Councillor Little declared a Conflict of Interest during Public Question Time due to an objector to a planning rezoning Councillor Little has applied for wishing to address Council on the matter, and left the meeting.

6.28 p.m.

Councillor Little returned to the meeting

6. Petitions

7. Reports of Mayor and Councillors and Delegates

8. Public Question Time

The following people requested the opportunity to address Councillors on various matters -

- Michael Spencer - Planning Matters
- Robert Buchanan - Buckley Park Upgrade
- Tom Maher - Various Matters

EXCERPT FROM MEETING PROCEDURE LOCAL LAW NO. 1

CONDUCT OF PUBLIC

52. VISITORS

- (1) Visitors must not interject or take part in debate.
- (2) Silence shall be preserved in the gallery at all times.
- (3) If any visitor is called to order by the Chairperson and again acts in breach of this Local Law, the Chairperson may order that person to be removed from the gallery.

53. CALL TO ORDER

Any person who has been called to order, including any Councillor who fails to comply with the Chairperson's direction, will be guilty of an offence.

Penalty: \$500

54. REMOVAL FOR DISRUPTION

The Chairperson has discretion to cause the removal of any person, including a Councillor, who disrupts any meeting or fails to comply with a direction under the provisions of this Local Law.

9. Reports of Council Officers
 - 9.1 Climate Change
 - 9.2 Infrastructure
 - 9.3 Private Enterprise
 - 9.4 Public Institutions
 - 9.5 Housing and Recreation
 - 9.6 Tourism
 - 9.7 Organisation
10. Notices of Motion
11. Closure of Meeting to the Public to consider matters listed for consideration in accordance with Section 89(2)(d) & (h) of the Local Government Act 1989
12. Urgent Business

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9. **REPORTS**

9.1 **CLIMATE CHANGE**

9.1.1 **Goulburn-Murray Water – Nagambie Waterways Land and On-Water Management Plan**

Author & Department

Chief Executive Officer / Executive Services

File Reference

W20/0230/01

Disclosure of Conflicts of Interest in relation to advice provided in this report

The author of this report and officers/contractors providing advice in relation to this report do not have a direct or indirect interest, as provided in accordance with the Local Government Act 1989.

Summary

The Council's Nagambie Waterways Recreational and Commercial Stakeholders Advisory Committee has assisted Goulburn-Murray Water (GMW) in the development of the Draft GMW Nagambie Waterways Land and On-Water Management Plan (the Plan). The Council's Advisory group assisted in the process as they have over 15 members from all stakeholder groups represented on it. The Plan and its actions in many ways duplicates the issues already addressed in Council's own waterway plan.

To ensure both Council and GMW are consistent in their plans by addressing social, economic and environmental issues, it is recommended to endorse Goulburn-Murray Water's Draft Nagambie Waterways Land and On-Water Management Plan. A copy of the Draft Plan is tabled for information and identification purposes.

RECOMMENDATION

1. **That Council endorse Goulburn-Murray Water's Draft Nagambie Waterways Land and On-Water Management Plan including the use of the Shire Logo in the publication.**
2. **That Council's endorsement of the Plan does not incur an extra financial or resource burden on the Shire and its ratepayers.**

78/12 **CRS. SWAN/MYERS** : *That the Recommendation be adopted.*

CARRIED

9.1.1 Goulburn-Murray Water – Nagambie Waterways Land and On-Water Management Plan (cont.)

Background

The Nagambie Waterways, comprising parts of the Goulburn River, Lake Nagambie, the backwaters and the Goulburn Weir pool, are an important tourism and recreation asset in Northern Victoria. The waterways are extremely popular with both locals and tourists for a variety of boating activities and pursuits such as fishing, swimming, cycling, walking, hunting and camping. Several major sporting events are held annually on the waterways, including rowing regattas and water skiing.

The Nagambie Lakes Regatta Centre complex is home to a world class 2,000m rowing course which offers numerous events and activities including training camps and the short course events.

Both plans realise that the Nagambie Waterways need to be managed against its primary role to regulate the Goulburn River for consumptive (i.e. irrigation, urban and domestic and stock purposes) and environmental issues. In recent years, the importance of the Nagambie Waterways for environmental uses has increased, and is likely to further grow with the introduction of the proposed Basin Plan by the Murray-Darling Basin Authority.

Therefore the main objectives of the GMW Draft Plan are to:

- Recognise the diverse range of values and uses associated with the storage.
- Provide a strategic framework for management of the perimeter land adjoining the storage.
- Identify important social, economic and environmental issues and develop a series of actions to address these issues to be implemented over the next 5 years.
- Positively influence the management and development pressures around the storage to protect natural and cultural values, through agreement with other Government departments and agencies.
- Protect the long-term quality of water resource for local and downstream users.

GMW also have one additional objective and that is to achieve general acceptance of the management recommendations and responsibilities by key stakeholder and community interest groups. The plan is a dynamic document and will continue to evolve as the various actions and strategies that it identifies are developed and implemented.

Alternative Options

The author and other officers providing advice in relation to this report have considered potential alternative courses of action. No feasible alternatives have been identified.

Risk Management

The author of this report considers that there are no significant Risk Management factors relating to the report and recommendation as the three incidents reported have been addressed to the satisfaction of the community members involved.

9.1.1 Goulburn-Murray Water – Nagambie Waterways Land and On-Water Management Plan (cont.)

Strategic Links – policy implications and relevance to Council Plan

The author of this report considers that the report is consistent with Council Policies, key strategic documents, Local Government Act 1989 and the Council Plan.

Best Value / National Competition Policy (NCP / Trade Practices Act (TPA) implications

The author of this report considers that the report is consistent with Best Value, National Competition Policy and Trade Practices Act requirements.

Financial / Budgetary Implications

The author of this report considers that the recommendation has no capital or recurrent budget considerations.

Economic Implications

The author of this report considers that the recommendation has no significant economic implications for Council or the broader community.

Environmental / Amenity Implications

The author of this report considers that the recommendation has no significant environmental or amenity implications for Council or the broader community.

Community Implications

The author of this report considers that the recommendation has no significant community or social implications for Council or the broader community.

Victorian Charter of Human Rights and Responsibilities Act 2006

The author of this report considers that the recommendation does not limit any human rights under the Victorian Charter of Human Rights and Responsibilities Act 2006.

Legal / Statutory Implications

The author of this report considers that the recommendation has no legal or statutory implications which require the consideration of Council.

Consultation

The author of this report considers that the matter under consideration did not warrant a community consultation process.

Attachments

Nil.

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9.2.3	Parking - Avenel Primary School, Anderson Street, Avenel	11

9.2.1 Proposed Place Naming

Author & Department

Road Naming Officer / Asset Services Directorate

File Reference

T65/0162/02

Disclosure of Conflicts of Interest in relation to advice provided in this report

The author of this report does not have a direct or indirect interest in any of the matters referred to in this report.

Summary

A letter and multi-signed request have been received asking that Council arrange for a hill in the Gooram district, known as Wheeler Hill/Mt Cecilia to be officially named Mt Cecilia. A copy of this correspondence has been provided to Councillors.

RECOMMENDATION

That Council resolve to:

- 1. Decline to accept the proposal to rename Wheeler Hill as Mt Cecilia; and**
- 2. Write to the initiator of the proposal advising of the decision and providing the reasons for it.**

CRS. FURLANETTO/MYERS -

That Council resolve to:

- 1. Accept the proposal to rename Wheeler Hill as Mt Cecilia; and**
- 2. Write to the initiator of the proposal advising of the decision and providing the reasons for it.**

79/12

ON BEING PUT, THE MOTION WAS CARRIED

Background

In summary, the correspondence content is:

1. a change of name would preserve the history of a local pioneer family and one of its members - Cecilia Wheeler;
2. the hill has been known from pioneer times as Mount Cecilia;
3. the hill was understood to have been shown as Mount Cecilia in Army Ordnance maps of late 1800s and early 1900s;
4. the name was understood to have been changed by newcomers to the district during their ownership of the property in 1979-1982;
5. the Wheeler family has had a long association with the district since pioneer times;

9.2.1 Proposed Place Naming (cont.)

6. apart from Wheeler Hill there is a Wheeler's Swamp and Wheeler's Gap; and
7. in the event of a bushfire most people would not know where Wheeler Hill is but would know the location of Mt Cecelia.

Officer's Comment

Most of the information relating to the feature is anecdotal but the following facts have been ascertained:

1. Wheeler Hill has been recorded in State Government records as an Official Place Name since it was named on 1st April 1966; and
2. Mt Cecilia appeared in the 1986 edition of the CFA Map Book but subsequently, since at least 1990, as Wheeler Hill.

In order to give proper consideration to this request Councillors need to be aware of the following:

1. Council is the authority responsible for naming roads, places and features. On 20th December 2011 it adopted a revised Road Naming Policy, based on the principles contained in the Guidelines for Geographic Names 2010. These principles apply also to the naming of places and features;
2. Any rules that would have applied when the name of the hill was considered previously would no longer apply except insofar as they may comply with the current Guidelines;
3. Principle 1(H) "Using commemorative names" states that a commemorative name applied to a feature can use the first name and surname of a person; although it is preferred that only the surname be used. Wheeler Hill already commemorates the Wheeler family;
4. The general public may initiate a proposal which should include, among other things,
 - the reason for the proposal and why the current name is considered to be less appropriate;
 - why the proposed name would be appropriate; and
 - an indication that the proposed name conforms to the principles of the guidelines; and
5. When considering the naming of roads Council has consistently applied the rule that there should be no change for change sake and it is suggested that this rule should also apply in this case.

Conclusion

From experience with the Office of Geographic Names it is considered that the proposal does not meet its requirements and would fail. In the circumstances, therefore, it is recommended that the proposal be rejected and the proposer be advised accordingly.

Alternative options

The author has considered potential alternative courses of action. No feasible alternatives have been identified.

Risk Management

The author considers that there are no significant Risk Management factors relating to the report and recommendation.

9.2.1 Proposed Place Naming (cont.)

Strategic links - policy implications and relevance to Council Plan

The author considers that this report is consistent with Council policies, key strategic documents and the Council Plan.

Best Value/National Competition Policy (NCP) / Trade Practices Act (TPA) implications

The author considers that the report is consistent with Best Value, National Competition Policy and Trade Practices Act requirements.

Financial/Budgetary implications

The author considers that the recommendation has no capital or recurrent budget implications.

Economic implications

The author considers that the recommendation has no significant economic implications for Council or the broader community.

Environmental/Amenity implications

The author considers that the recommendation has no significant environmental or amenity implications for Council or the broader community.

Community implications

The author considers that the recommendation has no significant community or social implications for Council or the broader community.

Victorian Charter of Human Rights and Responsibilities Act 2006

The author considers that the recommendation does not limit any human rights under the Victorian Charter of Human Rights and Responsibilities Act 2006.

Legal/Statutory implications

The author considers that the recommendation has no legal or statutory implications which require the consideration of Council.

Consultation

The author advises that other than advice to the applicant, consultation will not be required if Council accepts the recommendation.

Attachments

Nil.

9.2.2 Birkett Street, Euroa – Cul-de-sac Treatment

Author and Department

Director Asset Services

File Reference

1057

Disclosure of Conflicts of Interest in relation to advice provided in this report

The author of this report and officers/contractors providing advice in relation to this report do not have a direct or indirect interest, as provided in accordance with the Local Government Act 1989

Summary

This report considers the content of the submission received by Council at its Special Council meeting of July 10, 2012. It also considers the request of a landowner adjoining the proposed court bowl, made at the meeting, for the relocation of a vehicle crossing.

RECOMMENDATION

1. That in relation to submissions received, Council resolve to proceed with the proposed construction of a cul-de-sac in Birkett Street and to take the following actions;
 - a) Include in the construction project:
 - Improved turning radius at Brock Street/Birkett Street and Brock Street/Campbell Street intersections.
 - Truck advisory signage
 - Drainage improvements at the Brock Street/Birkett Street intersections.
 - b) Discontinue the issue of B Double use permits for Campbell Street between Brock Street and Clifton Street.
2. That Council consider, as a high priority within the 2013/14 budget, a strategic footpath extension connecting Clifton Street to Brock Street, East Side (330M).
3. That Council seek to achieve railway crossing pavement widening via Railway Safety Interface Agreement with Australian Rail Track Corporation

80/12 **CRS. MURRAY/FURLANETTO** : *That the Recommendation be adopted.*

CARRIED

9.2.2 Birkett Street, Euroa – Cul-de-sac Treatment (cont.)

Background

- Construction of the proposed cul-de-sac and associated work is funded in Council's 2012/13 budget
- The proposal required a Local Government Act Section 223 consultation and submission process because of the inherent changes to traffic arrangements
- Council received one submission and one email in support of the submission, and one request for relocation of a vehicle crossing
- Council, at its meeting of 10th July 2012, resolved to formally consider the matter at the meeting of 21st August 2012
- A Councillors inspection of the site occurred on Tuesday 24th July 2012

Officer's Assessment

The matters raised can be categorized as relating to:

- Heavy vehicle movement
- Property access off proposed court bowl, and
- Pedestrian safety

Councillors have also identified the need for drainage improvement at the Brock Street / Birkett Street intersection and for pavement widening at the railway crossing.

All of the issues raised can be resolved, some during construction of the cul-de-sac and some at a later time. It is suggested that Council proceed with the cul-de-sac proposal taking the following actions:

1. Changes to heavy vehicle routes

- Improve ease of turning for heavy vehicles at Brock Street / Birkett Street / Campbell Street between Brock Street and Clifton Street.
- Permits not to be issued for B Double access in Campbell Street, between Brock Street and Clifton Street.
- Advisory signage to be provided to clarify routes for heavy traffic and to deter use of Campbell Street

eg. School Zone Ahead
 Heavy Vehicles Turn Right

2. Access into agricultural machinery depot off proposed court bowl

- Replacement crossing to be provided off end of court bowl

3. Pedestrian Safety at School

- Consider as a high priority within the 2013/14 budget a strategic footpath extension connecting Clifton Street to Brock Street, East Side (330M). (11-15 Campbell Street has been constructed). The footpath is identified in the 2009 Nolker Walking Path Strategy as high priority.

9.2.2 Birkett Street, Euroa – Cul-de-sac Treatment (cont.)

4. Design

- Include drainage improvements in the scope of works

5. Rail Crossing

- Seek to achieve pavement widening via Railway Safety Interface agreement with Australian Rail Track Corporation

Alternative Options

The author and other officers providing advice in relation to this report have considered potential alternative courses of action. No feasible alternatives have been identified

Risk Management

The author considers that there are no significant Risk Management factors relating to the report and recommendation.

Strategic Links – policy implications and relevance to Council Plan

The author of this report considers that the report is consistent with Council Policies, key strategic documents and the Council Plan

Best Value / National Competition Policy (NCP / Trade Practices Act (TPA) implications

The author of this report considers that the report is consistent with Best Value, National Competition Policy and Trade Practices Act requirements.

Financial / Budgetary Implications

The author of this report considers that the recommendation has no capital or recurrent budget considerations.

Economic Implications

The author of this report considers that the recommendation has no significant economic implications for Council or the broader community.

Environmental / Amenity

The author of this report considers that the recommendation has no significant environmental or amenity implications for Council or the broader community.

Community Implications

The author of this report considers that the recommendation has no significant community or social implications for Council or the broader community other than identified in the report.

Victorian Charter of Human Rights and Responsibilities Act 2006

The author of this report considers that the recommendation does not limit any human rights under the Victorian Charter of Human Rights and Responsibilities Act 2006.

Legal / Statutory Implications

The author of this report considers that the recommendation has no legal or statutory implications which require the consideration of Council.

9.2.2 Birkett Street, Euroa – Cul-de-sac Treatment (cont.)

Consultation

The author of this report considers that the Section 223 process of inviting submission to the proposal gave community members the opportunity to provide input and feedback to the proposal.

Attachments

Nil

9.2.3 Parking - Avenel Primary School, Anderson Street, Avenel

Author and Department

Director, Asset Services, Asset Services Directorate

File Reference

1009

Disclosure of Conflicts of Interest in relation to advice provided in this report

The author of this report and officers/contractors providing advice in relation to this report do not have a direct or indirect interest, as provided in accordance with the Local Government Act 1989

Summary

Council's 2012/13 Council Plan and Budget provides for the construction of car parking at the Avenel Primary School, Anderson Street, Avenel.

Community representatives have indicated their preference for the parking to be provided off cul-de-sac treatments as shown on the attachment A.

RECOMMENDATION

That Council

- 1. Accept the proposal to provide parking off cul-de-sac treatments**
- 2. Authorise an application being made to VicRoads for consent, and the giving of Public notice under Section 207, Schedule 11, Clause 9 of the Local Government Act 1989, and**
- 3. Invite submission under Section 223 of the Local Government Act 1989 to be heard by Council at a date to be fixed.**

81/13 **CRS. SWAN/MYERS** : *That the Recommendation be adopted.*

CARRIED

Background

The parking proposal developed for budget purposes is shown in attachment B. Following adoption of the budget, consultation has occurred with the School Principal and the facility's sub-committee of the School Council, and members of the Avenel Action Group/Avenel Traders.

The consultation has identified a strong desire to improve parking arrangements and pedestrian safety, on a whole of precinct basis. i.e. designing for best effect within the combined Recreation Reserve and School precinct.

The school principal is seeking Education Department grant funding to match Council funding to enhance the project.

9.2.3 Parking - Avenel Primary School, Anderson Street, Avenel (cont.)

The benefits of the parking in cul-de-sacs include:

1. Improved pedestrian safety between School and Recreation Reserve, and between facilities and car parks by:
 - a) Creating a pedestrian only zone and
 - b) Eliminating through traffic.
2. Reducing cost.
The parking service lane shown on attachment 2 can be deleted if through traffic is eliminated. This may mean that sufficient funding will be available to provide both parking spaces and cul-de-sac treatments.

Statutory requirements

The proposal will see Anderson Street discontinued as a through road, and trigger a requirement for VicRoads approval and Section 223 consultation. The Section 223 process will be beneficial to Council in testing wider Community support.

Alternative Options

The alternative treatments of:

- road closure, and
- one way traffic

have been discussed with community representatives who have found them less attractive.

Risk Management

The author considers that there are no significant Risk Management factors relating to the report and recommendation.

Strategic Links – policy implications and relevance to Council Plan

The author of this report considers that the report is consistent with Council Policies, key strategic documents and the Council Plan

Best Value / National Competition Policy (NCP / Trade Practices Act (TPA) implications

The author of this report considers that the report is consistent with Best Value, National Competition Policy and Trade Practices Act requirements.

Financial / Budgetary Implications

The author of this report considers that the recommendation has no capital or recurrent budget considerations.

Economic Implications

The author of this report considers that the recommendation has no significant economic implications for Council or the broader community.

Environmental / Amenity

The author of this report considers that the recommendation has no significant environmental or amenity implications for Council or the broader community.

9.2.3 Parking - Avenel Primary School, Anderson Street, Avenel (cont.)

Community Implications

The author of this report considers that the recommendation has no significant community or social implications for Council or the broader community.

Victorian Charter of Human Rights and Responsibilities Act 2006

The author of this report considers that the recommendation does not limit any human rights under the Victorian Charter of Human Rights and Responsibilities Act 2006.

Legal / Statutory Implications

The author of this report considers that the recommendation has no legal or statutory implications which require the consideration of Council.

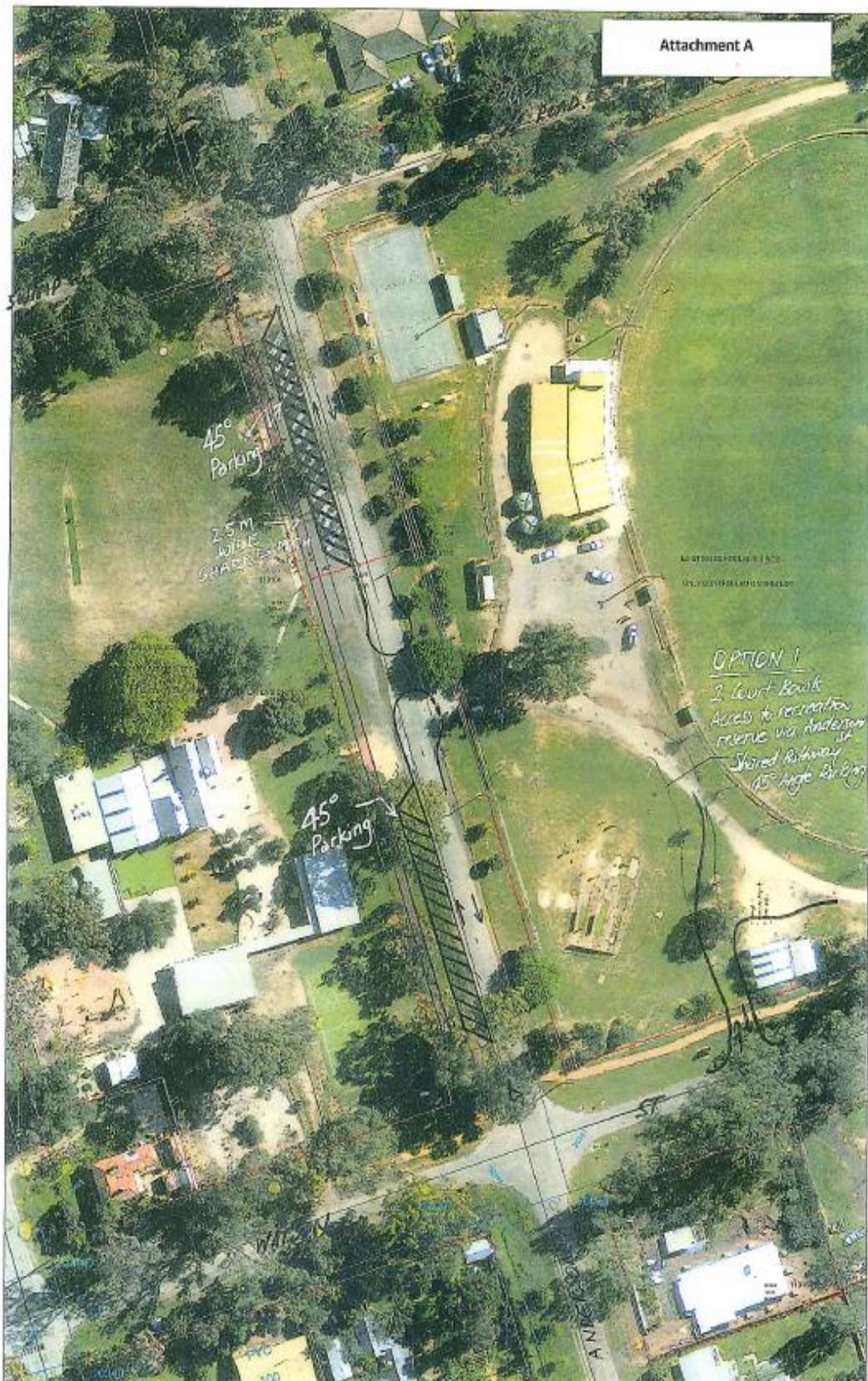
Consultation

The author of this report considers that the matter under consideration does warrant a Section 223 community consultation process.

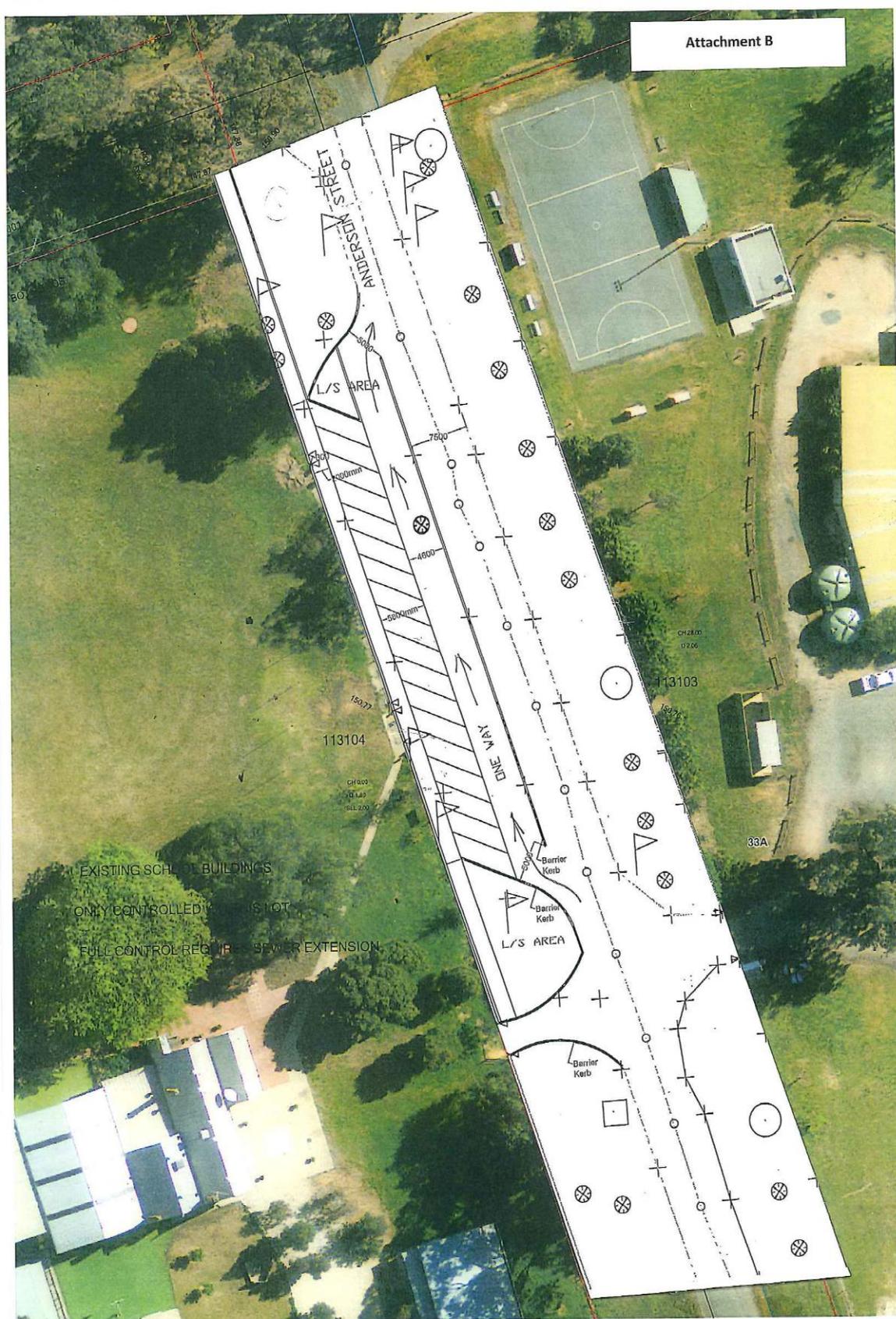
Attachments

Attachment A – Parking and cul-de-sac treatment

Attachment B – Original budget proposal



SCALE - 1:400 OPTION 1 for ANDERSON ST Avenue



9.6	Tourism Reports Index	
9.6.1	Nagambie Waterways Recreational and Commercial Stakeholders Advisory Committee – Draft Minutes of the Meeting held on 19 th July 2012	16

9.6 TOURISM

9.6.1 Nagambie Waterways Recreational and Commercial Stakeholders Advisory Committee – Draft Minutes of the Meeting held on 19th July 2012

Author (Position Title) & Department

Event Development Officer / Sustainable Development Directorate

File Reference

W20/0120/01 (09)

Disclosure of Conflicts of Interest in relation to advice provided in this report

The author of this report and officers/contractors providing advice in relation to this report do not have a direct or indirect interest, as provided in accordance with the Local Government Act 1989.

Summary

Attached are the draft minutes of the Nagambie Waterways and Commercial Stakeholders Advisory Committee held on 19th July 2012 for Council's endorsement.

RECOMMENDATION

That the draft Minutes of the Nagambie Waterways Recreational and Commercial Stakeholders Advisory Committee held on 19th July 2012 be endorsed.

CRS. SWAN/MURRAY –

That the draft Minutes, as amended (refer to strikethrough and italics in Item 8) of the Nagambie Waterways Recreational and Commercial Stakeholders Advisory Committee held on 19th July 2012 be endorsed.

82/12

ON BEING PUT, THE MOTION WAS CARRIED

Background

The Strathbogie Shire Council has resolved to appoint a Special Committee to set policy and direction for the Nagambie Waterways Recreational and Commercial Users, to ensure that the activities on the Nagambie Waterways meet the objectives and the vision of Council as set out in the Council Plan.

Alternative options

The author and other officers providing advice in relation to this report have considered potential alternative courses of action. No feasible alternatives have been identified.

Risk Management

The author of this report considers that there are no significant Risk Management factors relating to the report and recommendation.

9.6.1 Nagambie Waterways Recreational and Commercial Stakeholders Advisory Committee – Draft Minutes of the Meeting held on 19th July 2012 (cont.)

Strategic links - policy implications and relevance to Council Plan

The author of this report considers that the report is consistent with Council Policies, key strategic documents and the Council Plan as per 6.1.1 of the 2009 - 2013 Council Plan, updated May 2012.

Best Value/National Competition Policy (NCP)/Trade Practices Act (TPA) Implications

The author of this report considers that the report is consistent with Best Value, National Competition Policy and Trade Practices Act requirements.

Financial/Budgetary implications

The author of this report considers that the recommendation has no capital or recurrent budget considerations.

Economic implications

The author of this report considers that the recommendation has no significant economic implications for Council or the broader community.

Environmental/Amenity implications

The author of this report considers that the recommendation has no significant environmental or amenity implications for Council or the broader community.

Community implications

The author of this report considers that the recommendation has no significant environmental or amenity implications for Council or the broader community.

Victorian Charter of Human Rights and Responsibilities Act 2006

The author considers that the recommendation does not limit any human rights under the Victorian Charter of Human Rights and Responsibilities Act 2006.

Legal/Statutory implications

The author of this report considers that the recommendation has no legal or statutory implications which require the consideration of Council

Consultation

The author of this report consulted the community at the recent meeting – see attached copy of minutes.

Attachments

Draft Minutes of the Nagambie Waterways Recreational and Commercial Stakeholders Advisory Committee Meeting held on 19th July 2012.

**MINUTES OF THE NAGAMBIE WATERWAYS RECREATIONAL AND
COMMERCIAL STAKEHOLDERS ADVISORY COMMITTEE MEETING
REGATTA CENTRE, LODDINGS LANE, NAGAMBIE
ON THURSDAY 19 July 2012 AT 6PM**

Present:	Cr. Debra Swan	Strathbogie Shire Council
	Steve Crawcour	Chief Executive Officer
	Libby Webster	Strathbogie Shire Council
	Wally Cubbin	Nagambie Angling Club
	Craig Stewart	Commercial Operators
	Jeff Harrison	Goulburn-Murray Water (GMW)
	Henry Moss	Nagambie Rowing Club
	Beth Walter	Nagambie Action Group
	Bruce Hammond	Goulburn Valley Water
	Tony Hammond	Nagambie Riparians Groups
	Bill Day	Rowing Victoria
	Robert Kean	Nagambie Riparians Group
	Brett Tanian	Victoria Water Police
Guest:	David Hodgkins	WaterWatch (Goulburn Valley Water)

1. Welcome

Cr. Deb Swan (Chairperson) welcomed the members to the meeting.

2. Apologies

Cr. Graeme Williams	Strathbogie Shire Council
Tony Spiteri	Nagambie Waterski Club
Graeme Callaghan	Nagambie Police
Pat McNamara	Nagambie Rowing Club
Nick Gall	Rowing Victoria
Peter Lacey	Nagambie Lakes Leisure Park
Ron Loccisano	Lockland Group

3. Minutes of previous meeting

Wally moved they be accepted as tabled, seconded by Tony Hammond, all agreed.

4. WaterWatch studies on Lake Nagambie and the Goulburn River

Cr. Swan handed over to David Hodgkins from Water Watch Victoria who gave an outline of the programs in Victoria. Waterwatch Victoria is a community engagement program connecting local communities with river health and sustainable water management issues. It is funded by the CMA and GVW and Local Government. They run a schools program and various data gathering assisted by community groups. Data is available on the waterwatch website <http://www.vic.waterwatch.org.au/> including the report on the data collected at the River Street site on Lake Nagambie from 1995 – 2010.

5. Proposed new boat ramp

Steve Crawcour reported that there has been extensive investigation undertaken into possible sites for a new deep water boat ramp. To date, no final decision has been made. Picnic Point, Mitchellstown Bridge, Chinamen's Bridge have all been investigated. All of these sites have major issues with the large number of stakeholders (including government authorities and adjacent landowners) traffic management, parking of cars and trailers. Privately owned land has been offered and is currently being assessed.

Grants from DPI and TSV are on offer to fund the project, thereby not creating an impost on ratepayers funds.

Once the draft plans are developed, they will be brought to the Advisory Committee for comment.

6. Draft on land, on water management report progress

Jeff Harrison reported that the final draft report was with the Council and other agencies for endorsement. It is envisaged that the report will go public in September, and then an implementation group will be established.

7. Progress on Boating Safety Officers Contract

The tender for the Boating Safety Officers contract has been released with tenders due mid August. There are a number of issues to be resolved including the level of service.

8. General Business

Beth Walter thanked the Council for the ~~new jetty~~ *landing* that has been installed below the Rowing Club building in Buckley Park. The Rowing Club was very pleased with the result, the quality of the ramp and the timely manner with which it was installed.

Meeting closed 8.15pm

**Next meeting 20th September
2012**

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9.7 ORGANISATION

9.7.1 Review of Instrument of Delegation – Council to Members of Council Staff

Author & Department

Governance Officer / Corporate and Community Directorate

File Reference

C70/0040/02

Disclosure of Conflicts of Interest in relation to advice provided in this report

The author of this report and officers/contractors providing advice in relation to this report do not have a direct or indirect interest, as provided in accordance with the Local Government Act 1989.

Summary

The current Instrument of Delegation from Council to Council Staff (S6) was signed and sealed by Council on the 21 February 2012. Since that time the Local Government Act 1989 and a number of pieces of legislation have been amended necessitating this review of the current Delegations. A new Instrument of Delegation (S6) has been prepared for adoption, signing and sealing by Council incorporating all changes.

Requirement for a Delegation from Council to Members of Council Staff

There are currently a number of provisions within current legislation (Acts and Regulations) which cannot be sub-delegated by the Chief Executive Officer (CEO) to members of Council Staff and these are listed in the attached Instrument of Delegation (S6) presented to Council for adoption. These delegations must be made direct from Council to the staff positions named.

In order to avoid all matters requiring a decision to go to formal Council meetings a good system of delegation to the Chief Executive Officer, and further sub-delegation to other staff positions ensures that Council can deal with business in an efficient manner. This means greater customer satisfaction in a quicker turn around time of ratepayer applications and enquiries. Delegation legally allows staff other than the Chief Executive Officer to enforce provisions of legislation under conditions and limitations imposed by Council.

Council must review its Delegations at least once each year. This enables the incorporation of new legislation and Council to review its conditions of approval if required. Delegations can be revoked at any time by Council or the Chief Executive Officer where that Officer has sub-delegated.

This amended delegation once approved by Council will remain in force until further reviews are conducted.

9.7.1 Review of Instrument of Delegation – Council to Members of Council Staff (cont.)

RECOMMENDATION

That, in the exercise of the powers conferred by section 98(1), 224 and 232 of the *Local Government Act 1989*, (the Act) and other legislation referred to in the Instrument of Delegation (S6), Strathbogie Shire Council resolves that:-

- **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 *Instrument of Delegation to Members of Council Staff* the powers, duties and functions set out in the instrument, subject to the conditions and limitations specified in that Instrument;**
- **The instrument comes into force immediately the Common Seal of Council is affixed to the instrument.**
- **On the coming into force of the instrument, all previous delegations from Council to Members of Council Staff (S6) are revoked.**
- **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.**
- **It is noted that the instrument includes a power of delegation to members of Council staff, in accordance with Section 98(3) of the Act.**
- **Council agree to sign and seal Instrument of Delegation from Council to Members of Council Staff (S6) and affix the Common Seal to this Instrument.**

83/12 CRS. MYERS/SWAN : That the Recommendation be adopted.

CARRIED

Background

Council is a subscriber to Maddocks Lawyers Delegations and Authorisations service in preparing Instruments of Delegation to the Chief Executive Officer and other staff. Advice is received after each sitting of Parliament on the changes to legislation affecting Local Government. The Local Government Act 1989 requires that council at least once annually review its authorisations and delegations as a good risk management practice.

In the most recent advice amendments to legislation have occurred and the Council to Council Staff Delegation now must be amended.

Councillors have been briefed on the changes at a recent Assembly of Councillors.

9.7.1 Review of Instrument of Delegation – Council to Members of Council Staff (cont.)

Alternative Options

The author and other officers providing advice in relation to this report have considered potential alternative courses of action. No feasible alternatives have been identified.

Risk Management

The author of this report considers that there are no significant Risk Management factors relating to the report and recommendation.”

Strategic Links – policy implications and relevance to Council Plan

The author of this report considers that the report is consistent with Council Policies, key strategic documents and the Council Plan.

Best Value / National Competition Policy (NCP / Trade Practices Act (TPA) implications

The author of this report considers that the report is consistent with Best Value, National Competition Policy and Trade Practices Act requirements.”

Financial / Budgetary Implications

The author of this report considers that the recommendation has no capital or recurrent budget considerations.

Economic Implications

The author of this report considers that the recommendation has no significant economic implications for Council or the broader community.

Environmental / Amenity Implications

The author of this report considers that the recommendation has no significant environmental or amenity implications for Council or the broader community.

Community Implications

The author of this report considers that the recommendation has no significant community or social implications for Council or the broader community.

Victorian Charter of Human Rights and Responsibilities Act 2006

The author of this report considers that the recommendation does not limit any human rights under the Victorian Charter of Human Rights and Responsibilities Act 2006.

Legal / Statutory Implications

The author of this report considers that the recommendation has no legal or statutory implications which require the consideration of Council.

Consultation

The author of this report considers that the matter under consideration did not warrant a community consultation process.

Attachments

Summary of amendments.

Review of Instrument of Delegation – Council to Members of Council Staff

Relevant pages are extracted from the Instrument of Delegation and attached for your information.

The changes in summary are:

- Environment Protection Act 1970 – New conditions/limitations noted (page 2);
- Marine Act 1988 – Removal of Boating Safety Officer (BSO) delegation and addition of new conditions/limitations noted (Page 11);
- Residential Tenancies Act 1997 – Previously unproclaimed provisions now in force (page 33);
- Planning and Environment (Fees) Interim Regulations 2011 – extension of regulation expiry from 23 July 2012 to 22 April 2013 (page 45).



ENVIRONMENT PROTECTION ACT 1970			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.53M(3)	power to require further information	DSD;MSS;EHO	
s.53M(4)	duty to advise applicant that application is not to be dealt with	DSD;MSS;EHO	
s.53M(5)	duty to approve plans, issue permit or refuse permit	DSD;MSS;EHO	refusal must be ratified by council or it is of no effect as per s.53M(9)
s.53M(6)	power to refuse to issue septic tank permit	DSD;MSS;EHO	refusal must be ratified by council or it is of no effect as per s.53M(9)
s.53M(7)	duty to refuse to issue a permit in circumstances in (a)-(c)	DSD;MSS;EHO	refusal must be ratified by council or it is of no effect as per s.53M(9)



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MARINE ACT 1988			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.13(1)(d)	Power to inspect vessels	DSD;MSS	Council may delegate this power to an authorised officer
Part 7	Power to serve marine infringement notices	DSD;MSS	Council may delegate this power to an authorised officer



RESIDENTIAL TENANCIES ACT 1997			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.142D	function of receiving notice regarding an unregistered rooming house	DSD;MSS;EHO	
s.252	power to give tenant a notice to vacate rented premises if subsection (1) applies	DSD;MSS;EHO	where council is the landlord
s.262(1)	power to give tenant a notice to vacate rented premises	DSD;MSS;EHO	where council is the landlord
s.262(3)	power to publish its criteria for eligibility for the provision of housing by council	DSD;MSS;EHO	
s.518F	power to issue notice to caravan park regarding emergency management plan if determined that the plan does not comply with the requirements	DSD;MSS;EHO	
s.522(1)	power to give a compliance notice to a person	EHO	
s.525(2)	power to authorise an officer to exercise powers in section 526 (either generally or in a particular case)	DAS;DC&C;DSD	
s.525(4)	duty to issue identity card to authorised officers	DSD;MOD;MSS	
s.526(5)	duty to keep record of entry by authorised officer under section 526	DSD;MSS;EHO	
s.526A(3)	function of receiving report of inspection	DSD;MSS;EHO	
s.527	power to authorise a person to institute proceedings (either generally or in a particular case)	DSD;MSS;EHO	



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PLANNING AND ENVIRONMENT (FEES) INTERIM REGULATIONS 2011			
* These regulations expire on 22 April 2013			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS AND LIMITATIONS
r.16	power to waive or rebate fee in prescribed circumstances	DSD,MEG,MSS	where Council is the responsible authority
r.17	power to waive or rebate fee for amendment to a planning scheme in prescribed circumstances	DSD,MEG,MSS	where Council is the planning authority
r.18	duty if fee waived or rebated to record in writing the matters taken into account and which formed the basis of the decision	DSD,MEG,MSS	where Council is the responsible authority or planning authority

**9.7.2 Creightons Creek Recreation Reserve
– Request Waiving of Building Fees for Storage Shed**

Author (Position Title) & Department

Manager, Statutory Support / Sustainable Development Directorate

File Reference

20090016.1000

Disclosure of Conflicts of Interest in relation to advice provided in this report

The author of this report and officers/contractors providing advice in relation to this report do not have a direct or indirect interest, as provided in accordance with the *Local Government Act 1989*.

Summary

The subject of the report is the Creightons Creek Reserve Storage Shed, proposed to be situated within the reserve at 1489 Creightons Creek Road, Creightons Creek.

Council has received a written request from the Creightons Creek Reserve Committee for the reimbursement of building fees.

The officer's recommendation considers that the request by Creightons Creek Reserve Committee for reimbursement of building fees can be supported. The fees place an added burden on the facilities improvement for a 'not for profit organisation' which provides a community service for the Creightons Creek district.

RECOMMENDATION

That Council;

- 1. Cover the costs of the applicable statutory building fee of \$750 (GST inclusive), including the Building Commission fee, from the Community Grant budget.**
- 2. Advise the Creightons Creek Reserve Committee of Council's decision.**

84/12 CRS. MURRAY/LITTLE : That the Recommendation be adopted.

CARRIED

Background

Council issued planning permit P2012/045, for the development of a storage shed on the subject site. The application included a request to waive the relevant planning fees. The site currently contains a CFA Fire Station, Community Hall and playground and sporting facilities. The proposed shed is for general storage.

Creightons Creek Reserve Committee has written to Council requesting that the relevant building fees be waived.

9.7.2 Creightons Creek Recreation Reserve
– Request Waiving of Building Fees for Storage Shed (cont.)

Discussion

Building considerations:

Building fees are set by statute and are part of the legal process for building applications. From a statutory viewpoint the fees are mandatory and are required to be paid by the applicant. The fees also include the building permit levy payment to the Building Commission. Therefore, it is suggested that Council's power to waive the building fees must be by an internal payment process to meet statutory requirements.

The following points are put forward in support of the waiving of the fees:

- The project provides social and community benefits for members of the Creightons Creek community.
- The group is a 'not for profit organisation'.

After due consideration and in support of the Creightons Creek Reserve Committee, it is recommended to Council cover the applicable statutory building fees from the Community Grant budget.

Alternative Options

The author and other officers providing advice in relation to this report have considered potential alternative courses of action. No feasible alternatives have been identified.

Risk Management

The author of this report considers that there are no significant Risk Management factors relating to the report and recommendation.

Strategic Links – policy implications and relevance to Council Plan

The author of this report considers that the report is consistent with Council Policies, key strategic documents and the Council Plan.

Best Value / National Competition Policy (NCP / Trade Practices Act (TPA) implications

The author of this report considers that the report is consistent with Best Value, National Competition Policy and Trade Practices Act requirements.

Financial / Budgetary Implications

Payment of relevant building fees and levies;

- Total Building fees of \$750.00 GST inclusive

All other financial implications will be absorbed by staff rates. In summary, costs contained within current budget allocations with no major variance.

Economic Implications

The author of this report considers that the recommendation has no significant economic implications for Council or the broader community.

Environmental / Amenity Implications

The author of this report considers that the recommendation has no significant environmental or amenity implications for Council or the broader community.

9.7.2 Creightons Creek Recreation Reserve
– Request Waiving of Building Fees for Storage Shed (cont.)

Community Implications

The author of this report considers that the recommendation has no significant community or social implications for Council or the broader community.

Victorian Charter of Human Rights and Responsibilities Act 2006

The author of this report considers that the recommendation does not limit any human rights under the Victorian Charter of Human Rights and *Responsibilities Act 2006*.

Legal / Statutory Implications

There are not considered to be any legal or statutory implications.

Consultation

The author of this report considers that the matter under consideration did not warrant a community consultation process.

Attachments

Nil.

**9.7.3 Community Grants Program 2012-2013 Allocations
- Community Matching Grant, Events Grants, William Pearson Bequest and
Community Action Groups Grants**

Author (Position Title) & Department

Community Development Officer / Community Development Department

File Reference

F30/0070/03(02) and F30/0070/11(02)

Disclosure of Conflicts of Interest in relation to advice provided in this report

The Community Development Officer has a direct conflict of interest with regard the application from the Violet Town Recreation Reserve Committee of Management. The officer is the secretary of this group, has declared the conflict of interest and was excluded from all assessments of this application.

Summary

Council has approved \$150,000 in the 2012/2013 budget towards the Events Grants, Community Matching Grants, Quick Response Grant, Under 18's Grant, Action Groups Funding Program. There is also an additional \$2,500 under the William Pearson Bequest.

The Events Grants, Community Matching Grants, and William Pearson Bequest application period closed on 6 July, 2012. Funding for Quick Response Grant, Under 18's and sponsorships is set aside for future applications received during the funding period.

All eligible applications have been assessed and meet the funding criteria and program goals as set out in the Community Grants 2012 Information Kit and are therefore recommended to be fully funded.

RECOMMENDATION

That Council adopt the 2012/2013 Events Grants, Community Matching Grants, William Pearson Bequest and Community Action Groups Allocations of Funding listed below.

85/12 **CRS. FURLANETTO/SWAN** : *That the Recommendation be adopted.*

CARRIED

9.7.3 Community Grants Program 2012-2013 Allocations
- Community Matching Grant, Events Grants, William Pearson Bequest and
Community Action Groups Grants (cont.)

Community Action Groups

The following Action Group allocations were approved by Council in the 2012/2013 budget:

Action Group	Approved Allocation (\$)
Avenel	7,210
Euroa	9,270
Graytown	5,150
Longwood	6,180
Nagambie	9,270
Ruffy	6,180
Strathbogie Tablelands	6,180
Violet Town	7,210
Total	56,650

Events Grants

The total amount of eligible grants applied for was \$17,300. The following applications to the Events Grants are funded;

APPLICANT	EVENT	AMOUNT
Athletics Euroa Committee	Athletics Euroa 'Strathbogie Gift'	\$2,000
Euroa Citizens' Band	Euroa Carols By Candlelight	\$1,000
Euroa Wool Week Festival Committee	Euroa Wool Week Spring Festival	\$2,000
Honouring Our Heroes Committee	Rededication Service of the Euroa & District Avenue of Honour	\$2,000
NOW Committee	Nagambie on Water Festival	\$2,000
Rotary Club of Euroa	Ride the Ranges Euroa	\$1,500
Rotary Club of Euroa	Show and Shine Euroa	\$3,000
Ruffy Art Show & Sale Committee	RUFFARTZ	\$1,800
Strathbogie 535m Music & Arts with Altitude Committee	535m Music & Arts with Altitude	\$2,000

Community Matching Grants

The total amount of eligible grants applied for was \$25,332. The following applications to the Community Matching Grants are funded;

APPLICANT	PROJECT	AMOUNT
Avenel Jubilee Park	Avenel Market & other events Power Supply	\$1,480
Avenel Cricket Club	New cricket pitch	\$1,500
Euroa Community Education Centre	Commercial Coffee Maker	\$2,669

9.7.3 Community Grants Program 2012-2013 Allocations
- Community Matching Grant, Events Grants, William Pearson Bequest and
Community Action Groups Grants (cont.)

APPLICANT	PROJECT	AMOUNT
Euroa Friendlies Reserve COM	Multipurpose Room and Disabled Toilets - Seed funding	\$5,000
Euroa Little Theatre Inc	Minor refurbishments	\$850
Euroa Third Age Club	Environmental retrofitting – heating/cooling	\$3,498
Moglonemby Community Hall	Upgrade of Kitchen Appliances	\$923
Nagambie Historical Society	Archival Storage boxes	\$865
Nagambie Senior Citizen Club	New large LED TV, DVD & antenna	\$1,450
Strathbogie Recreation Reserve COM	Cool Room	\$3,822
Violet Town Recreation Reserve Committee of Management	Two Defibrillators	\$2,900

William Pearson Bequest

The following application to the William Pearson Bequest is funded;

APPLICANT	AMOUNT
Euroa Citizen's Band	\$2 500

Background

The Community Grants Program and Action Group Funding Program underwent a major review in 2011 resulting in a new Community Grants Program Framework being adopted by Council.

The programs have seen Council commit to ensuring that the community has support in activities that bring about long term sustainable activities, projects and improvements in community assets/livability.

Alternative Options

Officers providing advice in relation to this report have considered potential alternative courses of action. No feasible alternatives have been identified.

Risk Management

A risk assessment has been undertaken and it is considered that there are no significant Risk Management factors relating to the report and recommendation.

Strategic Links – policy implications and relevance to Council Plan

The report is consistent with Council Policies, key strategic documents and the Council Plan.

9.7.3 Community Grants Program 2012-2013 Allocations
- Community Matching Grant, Events Grants, William Pearson Bequest and
Community Action Groups Grants (cont.)

Best Value / National Competition Policy (NCP / Trade Practices Act (TPA) implications

The report is consistent with Best Value, National Competition Policy and Trade Practices Act requirements.

Financial / Budgetary Implications

There are no capital or recurrent budget implications, other than those originally budgeted for.

Environmental / Amenity Implications

There are no significant environmental or amenity implications for Council or the broader community.

Community Implications

There are significant positive community and social implications for Council and the broader community.

Victorian Charter of Human Rights and Responsibilities Act 2006

The recommendation does not limit any human rights under the Victorian Charter of Human Rights and Responsibilities Act 2006.

Legal / Statutory Implications

There are no legal or statutory implications.

Consultation

Council invited community groups to apply for funding under the Community Grants program.

Attachments

Nil

**9.7.4 Football/Netball Clubs and Reserve Committees
– Request Waiving Food Registration Fees**

Author & Department

Manager, Statutory Support / Sustainable Development Directorate

File Reference

L25/0060/01

Disclosure of Conflicts of Interest in relation to advice provided in this report

The author of this report and officers/contractors providing advice in relation to this report do not have a direct or indirect interest, as provided in accordance with the *Local Government Act 1989*.

Summary

The subject of the report is the football/netball clubs and reserve committees which are recognized as forming a critical part of the communities' social fabric. These clubs are generally classified as Class 2 food premises. This is considered a high risk food classification and premises must be registered under the *Food Act 1984 (Act)*.

Council has previously had a mixed approach in dealing with groups of this class and many are currently not registered. Council has received a number of requests in writing to waive fees from sporting clubs and reserve committees.

This report seeks to meet Council's obligations in ensuring statutory compliance with the *Food Act 1984* in a fair and equitable way.

The officer's recommendation considers that Council support the wavier of food registration fees for the following reasons:-

- The criteria for eligibility is that groups are not for profit organisations that rely on income primarily through fundraising and available grants.
- The fees could be considered to place an added burden on the ability to fund equipment and provide for maintenance and facilities improvement for a 'not for profit organisation' which provides a community service.
- The waiving of the fee also recognises the ongoing cost of maintaining and upgrading facilities to remain compliant with the requirements of the Act.

RECOMMENDATION

That Council;

- 1. Resolve to waive the applicable food registration fee for eligible not for profit groups.**
- 2. Advise the Clubs and Committees of Council's decision.**

86/12 **CRS. WOODHOUSE/MURRAY** : *That the Recommendation be adopted.*

CARRIED

9.7.4 Football/Netball Clubs and Reserve Committees
– Request Waiving Food Registration Fees (cont.)

Background

Football Netball Clubs and Recreation Reserve Committees:

These groups are generally classified as Class 2 food premises. This is considered a high risk food classification and premises must be registered under the *Food Act 1984*. It is classified as Class 2 premises because high risk unpackaged food is handled and then served to the public.

Under the 2012/13 Council budget the fee schedule for Class 2 food premises registration is set at \$460 annually.

Discussion

Many of the communities sporting groups activities in fundraising revolve around a sausage sizzle and the sale of packaged drinks. These are considered low risk activities and are categorized as Class 4 temporary food premises. There is no fee applicable to these groups.

The activity generated by a football/netball club can involve a kiosk, the serving of formal meals at functions and licensing for the serving of alcohol. These are categorized Class 2 food premises and are considered a high risk food classification and premises must be registered under the *Food Act 1984*.

Changes introduced in 2010 by the Department of Health, Victoria reviewed the class of premises based on risk and the average fee for these groups increased from \$75 to \$460. Since the introduction of the increased fee many of the groups have not renewed their registrations and or have made submissions to waive the fee.

The objective of this report is to meet Council's obligations in ensuring statutory compliance with the *Food Act 1984* and to work with these groups in achieving safe food handling practices.

The waiving of the fee also recognises the ongoing cost of maintaining and upgrading facilities to remain compliant with the requirements of the Act.

The report is particularly focussing on the following groups but is not exclusive;

- Avenel Football Netball Club
- Balmattum Recreation Reserve
- Euroa Football Netball Club
- Nagambie Football Netball Club
- Violet Town Football Netball Club

In setting the criteria for eligible groups it is recognized that these are not for profit organisations and rely on income primarily through volunteer fundraising and available grants.

The annual fees are set by Council. Therefore, it is within Council's power to waive the relevant fees.

9.7.4 Football/Netball Clubs and Reserve Committees
– Request Waiving Food Registration Fees (cont.)

The following points are put forward in support of the waiving of the fees:

- Many of the Football Netball Clubs within the Shire are not for profit organizations with volunteers working in their kiosks and for club events. They are also not operational for the whole year as they are seasonal sports.
- Many of the Recreation Reserves are run by a volunteer committee to hold meetings for small community groups and organizations free of charge. They have little or no income and find paying the fee an additional burden on limited funds.

It must be noted that although the fee is proposed to be waived, Council will still require an annual renewal application and will carry out its functions including inspections to ensure compliance with the *Food Act 1984*.

After due consideration and in support of the Shire's various clubs and committees; it is recommended to Council cover the applicable food registration fees.

Alternative Options

The author and other officers providing advice in relation to this report have considered potential alternative courses of action. No feasible alternatives have been identified.

Risk Management

The author of this report considers that there are no significant Risk Management factors relating to the report and recommendation.

Strategic Links – policy implications and relevance to Council Plan

The author of this report considers that the report is consistent with Council Policies, key strategic documents and the Council Plan.

Best Value / National Competition Policy (NCP / Trade Practices Act (TPA) implications

The author of this report considers that the report is consistent with Best Value, National Competition Policy and Trade Practices Act requirements.

Financial / Budgetary Implications

The loss of applicable food registration fees;

- Total annual fee of \$460.00 per premises

All other financial implications will be absorbed by staff rates. In summary, costs contained within current budget allocations with no major variance.

Economic Implications

The author of this report considers that the recommendation has no significant economic implications for Council or the broader community.

Environmental / Amenity Implications

The author of this report considers that the recommendation has no significant environmental or amenity implications for Council or the broader community.

9.7.4 Football/Netball Clubs and Reserve Committees
– Request Waiving Food Registration Fees (cont.)

Community Implications

The author of this report considers that the recommendation has no significant community or social implications for Council or the broader community.

Victorian Charter of Human Rights and Responsibilities Act 2006

The author of this report considers that the recommendation does not limit any human rights under the Victorian Charter of Human Rights and *Responsibilities Act 2006*.

Legal / Statutory Implications

There are not considered to be any legal or statutory implications.

Consultation

The author of this report considers that the matter under consideration did not warrant a community consultation process.

Attachments

Nil.

9.7.5 Appointment of Section 86 Committees of Management members

Author (Position Title) & Department

Community Development Officer/ Corporate and Community Directorate

File Reference

L10/V180/01, L10/S160/01, L10/L160/01 and C70/0030/17

Disclosure of Conflicts of Interest in relation to advice provided in this report

The Community Development Officer has a direct conflict of interest with regard to the Violet Town Recreation Reserve Committee of Management as she is the elected secretary of this group.

Summary

Appointment of Section 86 Committees of Management as per Section 86 of the Local Government Act 1989.

The Committees of Management members are community volunteers duly elected except the Violet Town Recreation Reserve Committee of Management which is made up of one representative from each user group of the recreation reserve.

RECOMMENDATION

1. Violet Town Recreation Reserve

That Council appoints the following persons to the Committee of Management for the term of three years, expiring on 30 June, 2015:

<u>Position</u>	<u>Name</u>
Chairperson	Robbie Rae - Friends of the Pool & HREP
Secretary	Annette Ross - Strathbogie Shire Council - Community Member
General Member	John Trotter - Football/Netball Club
General Member	Gary Abley - Cricket Club
General Member	Donald Piper - Tennis Club
General Member	Cath Marriott - Market Committee
General Member	John Broadhurst - Men's Shed
General Member	Rolly Holmes - Bowls Club

Each club/group is entitled to a deputized representative on the committee.

2. Strathbogie Memorial Hall

That Council appoints the following persons to the Committee of Management for the term of two years, expiring on 30 June, 2014:

<u>Position</u>	<u>Name</u>
Chairperson	David Hamilton
Vice-Chairperson	Andrew Townsend

9.7.5 Appointment of Section 86 Committees of Management members (cont.)

3. Longwood Community Centre

That Council appoints the following persons to the Committee of Management for the term of three years, expiring on 30 June, 2015:

<u>Position</u>	<u>Name</u>
Chairperson	Tom Brodie
Vice-Chair	Max Cox
Secretary	Judi Hanlon
Treasurer	Peter Bjorksten
General Member	Jean Hamilton
General Member	Barbara Porter
General Member	Richard Naughton
General Member	Tony Court
General Member	Margaret Berry
General Member	Kevin Kennedy
General Member	Shona Guest
General Member	Neil Tubb
General Member	Jenny Martin

4. Euroa Community Action Group

That Council appoints the following persons to the Committee of Management for the term of one year, expiring on 30 June, 2013

<u>Position</u>	<u>Name</u>
Chairperson	Neville Harris
Vice-Chair	Charles Arnold
Secretary	Heather Bamford
General Member	Robert Asquith
General Member	Andrew Cameron

5. That Council thanks the retiring members of all the committees for their contribution to our community during their term of office.

87/12 **CRS. FURLANETTO/MURRAY** : *That the Recommendation be adopted, subject to the Secretary of the Violet Town Recreation Reserve being listed as a Community Member, not a representative of Council*

CARRIED

Background

The Violet Town Recreation Reserve, Strathbogie Memorial Hall and Longwood Community Centre Committees have been formed to protect, promote and develop their facilities for the use and enjoyment of the local community.

At the recent Annual General Meeting of the Strathbogie Memorial Hall Committee, the Chairperson, Sim Ayre, and Committee Member, Peter Durston, resigned and committee of management members, David Hamilton and Andrew Townsend were nominated and elected Chairperson and Vice-Chairperson, respectively, for the remainder of term of office

9.7.5 Appointment of Section 86 Committees of Management members (cont.)

The Euroa Community Action group has been formed to implement the Euroa Community Action Plan.

The formal appointment by Council also ensures clarity and assurance for committee members regarding coverage from Council's insurance in undertaking activities under the Instrument of Delegation.

Alternative Options

Officers providing advice in relation to this report have considered potential alternative courses of action. No feasible alternatives have been identified.

Risk Management

A risk assessment has been undertaken and it is considered that there are no significant Risk Management factors relating to the report and recommendation.

Strategic Links – policy implications and relevance to Council Plan

The report is consistent with Council Policies, key strategic documents and the Council Plan.

Best Value / National Competition Policy (NCP / Trade Practices Act (TPA) implications

The report is consistent with Best Value, National Competition Policy and Trade Practices Act requirements.

Financial / Budgetary Implications

There are no capital or recurrent budget implications.

Environmental / Amenity Implications

The recommendation has no significant environmental or amenity implications for Council or the broader community.

Community Implications

The committees comprise persons sourced from the community and the Instrument of Delegation guides the committee in undertaking their activities for the benefit of the broader community.

Victorian Charter of Human Rights and Responsibilities Act 2006

The recommendation does not limit any human rights under the Victorian Charter of Human Rights and Responsibilities Act 2006.

Legal / Statutory Implications

There are no legal or statutory implications which require the consideration of Council.

Consultation

The Committees of Management invited community members, via public notice, to nominate for membership on the Committees of Management

Attachments

Nil.

9.7.6 Domestic Animals Act 1994 Section 84Y Agreements

Author & Department

Manager, Statutory Support / Sustainable Development Directorate

File Reference

L25/0010/01

Disclosure of Conflicts of Interest in relation to advice provided in this report

The author of this report and officers/contractors providing advice in relation to this report do not have a direct or indirect interest, as provided in accordance with the *Local Government Act 1989*.

Summary

As per *Section 84Y* of the *Domestic Animals Act 1994*, it is proposed that Council enter into agreements with a number of animal shelters to facilitate the rehoming of dogs and cats that are impounded by Council and not claimed.

This report seeks to meet Council's obligations in ensuring statutory compliance with the *Domestic Animals Act 1994*, the *Code of Practice for the Management of Dogs and Cats in Shelters and Pounds* whilst providing options for increasing the number of animals successfully rehomed.

The officer's recommendation considers that entering into Section 84Y agreements with an animal shelter would provide the following benefits;

- The effective potential market for rehoming animals is expanded through the use of an animal shelter.
- Through the increased potential of rehoming animals in establishing the agreement, Council is proactively seeking to reduce the number of animals that need to be destroyed.
- The transfer of animals to the care of an animal shelter reduces administrative burden and costs to Council.

RECOMMENDATION

That Council;

- 1. Resolve to enter into an agreement in writing to give a seized dog or cat to an animal shelter under *Section 84Y, Domestic Animals Act 1994*;**
- 2. That the decision to enter into an agreement may be reviewed by Council and withdrawn in writing;**
- 3. Resolve to consider further applications for agreements from suitable animal shelters as required.**

88/12 **CRS. SWAN/MURRAY** : *That the Recommendation be adopted.*

CARRIED

9.7.6 Domestic Animals Act 1994 Section 84Y Agreements (cont.)

Background

The following is an extract from the *Domestic Animals Act 1994*, Section 84Y Agreements:

84Y Agreements to seize, retain or dispose of dogs or cats

A Council may enter into an agreement in writing with a person or body under which the person or body may be able to do all or any of the following in accordance with the provisions of this Part—

- a) seize any dog or cat under section 84;*
- b) retain custody of any seized dog or cat;*
- c) sell or destroy any seized dog or cat;*
- d) give a seized dog or cat to a community foster care network, on the condition that the dog or cat is desexed and implanted with a permanent identification device before it is given;*
- e) give a seized dog or cat to an animal shelter;*
- f) charge fees for any of the above*

Where Section 3, *Definitions*, states;

(1) In this Act—

animal shelter means any premises maintained for the purpose of providing shelter to, or finding new homes for, stray, abandoned or unwanted dogs or cats but does not include premises that are part of a community foster care network;

Discussion

Council currently euthanises the majority of impounded dogs and cats that are unclaimed beyond the statutory holding period. Many of these animals may be suitable for rehoming. In the 2011-12 financial year, approximately 65% of the dogs potentially eligible for rehoming were euthanized. In the same period over 90% of cats were euthanized. The cost of euthanising and disposing of these animals is currently met by Council through the agreed charges set out in Council's veterinary agreement.

Council endeavours to rehome all animals deemed eligible as per the *Code of Practice for the Management of Dogs and Cats in Shelters and Pounds*. Currently the supply of animals requiring rehoming exceeds the domestic demand within the geographic limits of Strathbogie Shire. Animals that are suitable for rehoming must be micro-chipped, wormed, vaccinated and desexed prior to release (as per *Code of Practice for the Management of Dogs and Cats in Shelters and Pounds*) and any costs associated are passed on to potential owners. Without a Section 84Y Agreement, it is seen as unviable for animal shelters seeking to rehome animals.

Alternative Options

The author and other officers providing advice in relation to this report have considered potential alternative courses of action. No feasible alternatives have been identified.

Risk Management

The author of this report considers that there are no significant Risk Management factors relating to the report and recommendation.

9.7.6 Domestic Animals Act 1994 Section 84Y Agreements (cont.)

Strategic Links – policy implications and relevance to Council Plan

The author of this report considers that the report is consistent with Council Policies, key strategic documents and the Council Plan.

Best Value / National Competition Policy (NCP / Trade Practices Act (TPA) implications

The author of this report considers that the report is consistent with Best Value, National Competition Policy and Trade Practices Act requirements.

Financial / Budgetary Implications

The reduced need to euthanise unclaimed animals results in a small budgetary saving over the financial year. The exact amount is indeterminate as the number of impounded and unclaimed animals processed cannot be estimated.

Economic Implications

The author of this report considers that the recommendation has no significant economic implications for Council or the broader community.

Environmental / Amenity Implications

The author of this report considers that the recommendation has no significant environmental or amenity implications for Council or the broader community.

Community Implications

The author of this report considers that the recommendation has no significant community or social implications for Council or the broader community.

Victorian Charter of Human Rights and Responsibilities Act 2006

The author of this report considers that the recommendation does not limit any human rights under the Victorian Charter of Human Rights and *Responsibilities Act 2006*.

Legal / Statutory Implications

There are not considered to be any legal or statutory implications.

Consultation

The author of this report considers that the matter under consideration did not warrant a community consultation process.

Attachments

Nil.

9.7.7 Contract No. 12/13-02
- Design and Construction of Netball Clubrooms – Avenel Recreation Reserve

Author / Department

John Owen / Asset Services

File Reference

Contract No 12/13-02

Disclosure of Conflicts of Interest in relation to advice provided in this report

The author of this report and officers/contractors providing advice in relation to this report do not have a direct or indirect interest, as provided in accordance with the Local Government Act 1989.

Background

This Contract is for the design and construction of the Avenel Netball Clubrooms which are located at the Avenel Recreation Reserve in Anderson Street. The funding of \$400,000 has been provided by the Department of Planning and Community Development, and is to be utilised on construction of the new building, and also other works as part of the Avenel Recreation Reserve complex upgrade. The new building will provide the Netball club with upgraded facilities and a major improvement for the participants within the club.

The works will involve the design and construction of a new building that will be attached to the existing clubrooms. Connection of the new building to the existing structure will provide a larger covered area enabling protection from bad weather and also suit deliveries to the building. The new structure will form part of the overall plan from upgrading of the precinct. Other works will be carried out as part of the grant of which individual contractors will be utilised including; painting, hot water service, veranda, bore, concrete flooring, kitchen upgrade, carpet, air conditioning, plumbing and a new coolroom.

Tender Process

Tenders were invited for the Design and Construction of the Avenel Netball Clubrooms, and advertisements were placed in the following newspapers:

- Shepparton News
- Euroa Gazette
- Benalla Ensign
- Seymour Telegraph

The tender process included a compulsory pretender site meeting at the Avenel recreation Reserve.

26 requests for tender documentation were received, and 10 companies attended the pretender meeting.

Tenders closed at 4.00pm on Wednesday 1st August 2012 and were opened at 4.15pm on the same day by John Owen, Project Engineer and Hussain AL Rammahi, Contracts and Leases Officer.

5 companies attended the pretender meeting and submitted tenders for the works. Details regarding their submissions are listed below.

9.7.7 Contract No. 12/13-02
- Design and Construction of Netball Clubrooms – Avenel Recreation Reserve
(cont.)

Tender Evaluation

Tenders were evaluated by a Panel consisting of Peterson Asante, Manager Projects and Works; John Owen, Project Engineer and Hussain AL Rammahi, Contracts and Leases Officer.

Tenders were evaluated in general accordance with the criteria set out below. The evaluation criteria were stated in the Tender documentation. The criteria are listed in order of importance but are not necessarily exhaustive:-

1. Lowest conforming bid (40%)
2. Tender specification compliance (10%)
3. Previous relevant experience and past performance (20%)
4. Availability (20%)
5. Financial capability (10%)

Tenderer 1:

This company is well known throughout Euroa and have the capabilities to carry out the works. The price is competitive and they have allowed sufficient time to complete the project. The concept plan suits the recommendations required by the Recreation Reserve Committee.

Tenderer 2:

This company provided a plan indicating a connection to the existing building with overarching veranda. The concept plan suits the requirements of the Avenel Recreation Reserve Committee and also suits the characteristics of the existing structure. The price suits the budget constraints, and offers excellent value to council.

Tenderer 3:

This company provided a plan connecting the proposed building to the existing structure extending from the wall of the existing clubrooms. The new facility is not aligned parallel to the netball courts, which detracts from this proposal. The price was relatively high compared to other tenderers, however this company is highly recommended from previous works.

Tenderer 4:

This company provided a tender price that is extremely high and well above budget constraints. The company is reputable and could carry out the works, however the price does not allow Council to consider this proposal.

Tenderer 5:

This company has carried out many works in the local area and have provided a plan indicating a narrow walkway with an open area for tables and chairs between the two buildings. The price is also high compared to other tenderers.

9.7.7 Contract No. 12/13-02
- Design and Construction of Netball Clubrooms – Avenel Recreation Reserve
(cont.)

Conclusion

Based on the evaluation ratings applied it is considered that:

- the preferred tenderer's quote for the Design and Construction of the Netball Clubrooms in Avenel offers the best value to Council.
- The building design will provide a significant benefit to the Avenel Netball Club and meets the Shire's budget requirements.

Budget/Finance

An amount of \$400,000.00 has been included in the 2012/2013 Budget for the project which was allocated from the Department of Planning and Community Development. The allowance for the clubrooms was \$178,000, and lower than proposed tenderer's quote, however the submitted price includes the covered walkway veranda, flooring in this area, and also the connecting of the new building to the existing structure. The additional funds will be spent on other items around the original clubrooms and will also be carried out this financial year.

RECOMMENDATION

1. That the Tender received from SouthernVale Constructions for the Design and Construction of the Avenel Netball Clubrooms for the total amount of \$215,541 be accepted.
2. That council approves that the preferred tenderer be utilised where possible to carry out any additional works relating to this project within the current budget constraints.
3. That the associated Confidential report provided to Councillors for their consideration be noted.
4. That the unsuccessful Tenderers be advised.

89/12 **CRS. MYERS/MURRAY** : *That the Recommendation be adopted.*

CARRIED

9.7.8 Sustainable Professional Local Government – Regional Service Delivery

Author & Department

Chief Executive Officer / Executive Services Directorate

File Reference

C70/0190/05

Disclosure of Conflicts of Interest in relation to advice provided in this report

The author of this report and officers/contractors providing advice in relation to this report do not have a direct or indirect interest, as provided in accordance with the Local Government Act 1989.

Summary

There are increasing expectations upon the Local Government sector to reform business practices, improve the quality of Council services and to reduce costs.

There is diversity across the sector in business systems, business processes, data schemes and reporting. The Local Government sector faces unprecedented change from exponential change drivers:

- World is being transformed by growth, globalisation and technology;
- Complexity is significantly increasing;
- Digital government is fast approaching;
- Community desire for lower rate increases;
- An ageing workforce with the prospect of loss of knowledge;
- Growing infrastructure gap;
- Rising expectations in communities; and
- Increasing pressure on our budgets.

Corporate systems and processes are only partially managing the large amounts of community knowledge that is held in the minds of our ageing workforce. The sector is exposed over the next decade to an irretrievable loss of corporate and community knowledge which will have impacts on service delivery and decision making.

Victorian Councils, in that timeframe, are also looking at a \$2.5 billion unfunded community infrastructure gap that will have significant impact on their service levels. Also much regional / rural Council's continue to operate with underlying operating deficits that are not sustainable in the longer term.

In fact in the last four years 67 per cent of Councils have reported underlying operating deficits. These factors are, and will continue, to put pressure on rates, debt levels, service levels, capital programs; and lead to increasing dependency on the State and Federal Governments.

The Strathbogie Shire Council in partnership with Greater Shepparton City Council and Moira Shire Council wish to develop a *Business Plan* for a *Regional Services Delivery Model*, exploring opportunities to collaborate to provide more efficient cost effective services to our collective communities.

9.7.8 Sustainable Professional Local Government – Regional Service Delivery (cont.)

RECOMMENDATION

That Council:

- (a) **Participate in a Goulburn Valley Regional Collaborative Alliance (GVRCA) with Greater Shepparton City Council and Moira Shire Council.**
- (b) **Authorise the Chief Executive Officer to sign the *Statement of Intent* (Attachment 1).**

90/12 **CRS. SWAN/FURLANETTO** : *That the Recommendation be adopted.*

CARRIED

Background

Objectives of a Regional Services Delivery Model

In contemplating a *Regional Services Delivery Model* we believe the following mutual objectives are relevant:

- Reform the way services are delivered to our communities providing more channels, greater flexibility, more integration improving our effectiveness and efficiency utilising our collective resources in the most prudent way;
- Transform the quality and responsiveness of information and services provided to customers;
- Become employers of choice, providing improved career paths, better process and modern business systems;
- Provide a platform for continued further reform of other core services;
- Breakdown the barriers to collaboration, develop common business processes and reporting, introduce more standardised ways of working across the three Councils;
- Leverage innovative developments as a Pilot for the sector, using our collective resources to translate innovative ideas into real projects.
- Use our collective capability to build better more responsive solutions that are able to meet the needs of our communities into the future.

Strategic collaboration with Greater Shepparton City Council and Moira Shire Shire's is not just about savings and sharing resources it is also about maximising capacity in addressing community expectations. Collaboration between Councils should also enhance staff skills and experience. Collaboration is not necessarily about reducing staff numbers or Council autonomy.

The forming of a collaborative arrangement will allow the three Councils to pool resources reduce duplication and form a common platform to develop initiatives. Benefits includes economies of scale and scope, streamlined business processes and improved service delivery.

9.7.8 Sustainable Professional Local Government – Regional Service Delivery (cont.)

The question could be asked why Greater Shepparton City Council and Moira Shire Council's. This is due to the fact that we already collaborate, or in part, on a number of initiatives. These include:

- Goulburn Valley Library Corporation
- Infrastructure Design Manual
- Goulburn Valley Regional Waste Management Group
- Goulburn Broken Greenhouse Alliance
- Regional Rural Land Use Strategy
- North East Regional Development Scheme (NERDS)

This proposed project will enable us to look at other services we may be able to collaborate in delivery.

Business Plan

The *Municipal Association of Victoria* has agreed to partially fund to develop a *Business Plan* for a *Pilot Regional Services Model* identifying:

- Services that would be appropriate to operate in a regional collaborative services environment;
- Governance arrangements between the Councils in the Regional Group;
- Communications options between the Councils;
- Opportunities for improved use of I.T. applications across the region;
- Establishment costs for the *Regional Collaborative Service*; and
- Quantification of potential savings arising from collaboration.

This project will be a Pilot for future opportunities for regional / rural Councils to collaborate in the delivery of services to their communities. Each Council is proposed to contribute **\$10,000** with the MAV funding **\$32,000** a total Budget of **\$62,000**. The *Business Plan* project will be undertaken by *CT Management* who has detailed knowledge of all three Councils having undertaken organisation reviews at Shepparton and Strathbogie and significant work at Moira Shire Council.

The MAV has also agreed to *CT Management* undertaking this project as part of the 2012/13 STEP Program.

The Chief Executive Officers of the three Councils believe that the first step in this process would be the development of a Statement of Intent (SOI) as there are a number of different structures that Councils can apply to formalise an agreement between them to undertake joint projects or resource sharing activities.

These range from entering into a *Memorandum of Understanding* to document the intentions of the parties through to the formation of a separate corporate entity.

The recommended form of structure to formalise the arrangements between the three Councils is the attached *Statement of Intent*.

9.7.8 Sustainable Professional Local Government – Regional Service Delivery (cont.)

This SOI is a simple document that indicates that each Council will have a commitment to commence the process and provide the funding and in-kind support with officer resources to fully develop the Business Plan as detailed above. It also becomes a statement to each community that each Council wants to execute different ways to deliver both effective and efficient services to the community.

It is envisaged that the Business Plan would consider the following matters and provide the required detail to enable a formal Council decision on the merits or otherwise of continuing to explore collaborative services.

The *Business Plan* will detail:

- The scope, level and method of delivery of services;
- Proposed budget including start up costs;
- Funding options, including a breakdown of contributions from participating Councils and financial analysis including best and worst case scenarios;
- Establishment of required management and business model and operating procedures;
- Staffing arrangements – Taking account issues for staff that may be required to work across Council boundaries. These issues need to be carefully considered and negotiated with relevant industrial organisations
- Required Industrial Agreements.
- Required contracts for the supply of services.
- Statutory requirements and how they will be addressed.
- Risk Assessment – identify, analyse, prioritise and manage risks.
- Assumptions underpinning the plan;
- Conflict resolution procedures;
- Advertising and community information;
- Evaluation criteria and processes;
- Implementation schedule detailing timeframes, tasks and responsibilities; and
- Exit strategies.

Alternative Options

There are two options to consider:

1. Do nothing
Not recommended - as Council needs to develop service delivery to ensure that it provides the best possible services that are the most cost effective and efficient to our community.
2. Sign the Statement of Intent
Recommended – the Statement of Intent is not a legally binding agreement but provides an organisational commitment to the process of examination of regional collaboration of service delivery.

Risk Management

The author of this report considers that there are no significant Risk Management factors relating to the report and recommendation as the three incidents reported have been addressed to the satisfaction of the community members involved.

9.7.8 Sustainable Professional Local Government – Regional Service Delivery (cont.)

Strategic Links – policy implications and relevance to Council Plan

The author of this report considers that the report is consistent with Council Policies, key strategic documents, Local Government Act 1989 and the Council Plan.

Best Value / National Competition Policy (NCP / Trade Practices Act (TPA) implications

The author of this report considers that the report is consistent with Best Value, National Competition Policy and Trade Practices Act requirements.

Financial / Budgetary Implications

The author of this report considers that the recommendation has no capital or recurrent budget considerations apart from the initial \$10,000 share of the project costs by each Council.

Economic Implications

The author of this report considers that the recommendation has no significant economic implications for Council or the broader community. However, the purpose of the signing of the Statement of Intent is that a Business Plan will be developed to explore the ability of the Council to deliver a better quality service via the regional collaboration model.

Environmental / Amenity Implications

The author of this report considers that the recommendation has no significant environmental or amenity implications for Council or the broader community.

Community Implications

The author of this report considers that the recommendation has no significant community or social implications for Council or the broader community.

Victorian Charter of Human Rights and Responsibilities Act 2006

The author of this report considers that the recommendation does not limit any human rights under the Victorian Charter of Human Rights and Responsibilities Act 2006.

Legal / Statutory Implications

There is no legal or statutory implications of the Council to prevent the execution of a regional collaborative model as referred to in this report.

The Business Plan, when completed, will provide the possibilities, with a future recommendation for the Council to consider including the legal requirements of the preferred model, at a later Council meeting.

Consultation

The Councillors and staff have been briefed by the CEO at an all staff / Councillor briefing. At this stage no further consultation is required.

Attachments

Statement of Intent – Goulburn Valley Regional Collaborative Alliance (GVRCA)



STATEMENT OF INTENT

Goulburn Valley Regional Collaborative Alliance (GVRCA)



AS ADOPTED BY MEMBER COUNCILS

Greater Shepparton City Council, Strathbogie Shire Council and Moira Shire Council (member Councils) face increasing demands and complex community expectations.

With limited resources and competing demands it is critical that Council's find new ways to plan and deliver services so that Local Government is sustainable and able to flourish. Strategic collaboration is an umbrella term for how Councils work together. Collaboration may take many forms including alliances, partnerships, etc.

The **Statement of Intent** defines intent between the member Councils of the **Goulburn Valley Regional Collaborative Alliance (GVRCA)**.

- The vision for Local Government is to facilitate the building of strong and successful communities.
- Given the significant change occurring in the global context, the local government sector needs to gain as much control over its own destiny as possible by driving reform and leading change from within, without the need for intervention. To do this the sector needs to significantly improve its capability to manage strategic change.
- Local Government is the agent for the community and the voice of the community needs to influence council decision-making as much as possible. However, the role of local government is also to actively lead community change towards the achievement of sustainable goals and to broker or advocate for outcomes that reflect priority community aspirations.
- There is a need for stronger collaboration between councils to capture the economies of regional scale operations and to create the added value and opportunity regions provide while ensuring local democracy is maintained. Collaboration enables this opportunity and improves the ability to transform service delivery. In addition, there is a need for improved cross-boundary cooperation between neighbouring councils, as well as the development of more common specifications and standards.
- Ratepayer expectations need to be managed to ensure an understanding of the requirement for financially sustainable councils and communities.
- Local government should play a role in improving the design and delivery of government services, via co-design activities, as well as supporting the transition to digital government.
- All Councils need to be involved in the immediate development and implementation of a strategic plan for the sector to demonstrate to all stakeholders that local government can manage its own affairs and broker effective and efficient outcomes for its communities. Victorian councils, with the support of the MAV, need to commit the time and resources to make this a reality.

This **Statement of Intent** seeks to define the agreement between the participant Councils to further these objectives and achieve savings in service delivery and consistent service levels across the region.

The members agree to prepare a Business Plan in co-operation with the MAV which will in part, examine:

- Sharing of highly skilled staff;
- Common approach to policy, planning and local laws;
- Process that will identify possible GVRCA 'shared services';
- Legislative hurdles;
- Communication options;
- Opportunities for shared services;
- Establishment costs for the GVRCA;
- Quantification of potential savings; and
- Any other item considered necessary.

Greater Shepparton City Council

Signature

Name (please print)

Date: _____

Moira Shire Council

Signature

Name (please print)

Date: _____

Strathbogie Shire Council

Signature

Name (please print)

Date: _____

9.7.9 Contract No. 12/13-01 - Boating Safety Operations

Author (Position Title) & Department

Manager, Statutory Support / Sustainable Development Directorate

File Reference

W20/0180/01

Disclosure of Conflicts of Interest in relation to advice provided in this report

The author of this report and officers/contractors providing advice in relation to this report do not have a direct or indirect interest, as provided in accordance with the *Local Government Act 1989*.

Summary

Council has undertaken a review of Waterway Management and Boating Safety.

The purpose of the review was to investigate opportunities for Boating Safety to improve service delivery, facilitate sustainable waterway management and address Council's obligations and reporting as Waterway Manager under the *Marine Act* (now superseded by the *Marine Safety Act 2010*) through acquired skill sets and resource capacity.

The above reviews supported and informed Council Plan actions;

- 6.1.1.2 Assist G-MW to develop On Land and On Water Strategy for Lake Nagambie and Goulburn River
- 6.1.1.5 Conduct an Economic Benefit Analysis of past and future use of waterways around Lake Nagambie and Goulburn River/Weir

As part of the review Strathbogie Shire Council invited tenders from suitably qualified and experienced contractors to undertake boating safety operations as per Council's obligations as Waterway Manager under the *Marine Safety Act 2010* for the waterways including Lake Nagambie, Goulburn Weir and part Goulburn River.

The review process has been in consultation with, and is supported by, Transport Safety Victoria, the Government body responsible for overseeing Waterway Management.

Tender Process

Tenders were invited for the Boating Safety Operations Contract 12/13-01, and advertisements were placed in the following newspapers:

- Shepparton News
- Euroa Gazette
- Benalla Ensign
- Seymour Telegraph

6 requests for tender documentation were received.

Tenders closed at 4.00pm on Monday 13th August 2012 and were opened at 5:00pm on the same day by Phil Howard, Director Sustainable Development and Steven Hicks, Manager Statutory Support.

One (1) company submitted a tender for the contract. Details regarding their submission are listed below.

9.7.9 Contract No. 12/13-01
- Boating Safety Operations (cont.)

Tender Evaluation

Tenders were evaluated by a Panel consisting of Phil Howard, Director Sustainable Development; Steven Hicks, Manager Statutory Support and Peterson Asante, Manager Projects and Works.

Tenders were evaluated in general accordance with the criteria set out below. The evaluation criteria were stated in the Tender documentation. The criteria are listed in order of importance but are not necessarily exhaustive:-

1. Lowest conforming bid (40%)
2. Tender specification compliance (10%)
3. Previous relevant experience and past performance (20%)
4. Availability (20%)
5. Financial capability (10%)

Tenderer 1;

This company currently undertakes the contract for the provision of Ranger and Local Law Services for Strathbogie Shire Council. The price is competitive and they have demonstrated through the provision of their current contract services that they have the necessary resources, skill base and professionalism to undertake the role competently.

Conclusion

Based on the evaluation ratings applied it is considered that:

- The preferred tenderer's quote for the Boating Safety Operations Contract 12/13-01 offers the best value to Council.
- The tender pricing schedule over the term of three (3) years meets the Council's budget requirements.

Budget/Finance

The contracted annual amount is less than the amount included in the 2012/2013 Budget for staffing provision of equivalent services and will reduce Council's longer term capital expenditure through the contract provision of vehicles and associated equipment.

RECOMMENDATION

That the Tender received from 4SITE Australia Pty Ltd for the Strathbogie Shire Council Boating Safety Operations Contract for the total amount of \$158,699.00 over three (3) years be accepted.

91/12 CRS. SWAN/FURLANETTO : That the Recommendation be adopted.

CARRIED

9.7.9 Contract No. 12/13-01
- Boating Safety Operations (cont.)

Alternative Options

The author and other officers providing advice in relation to this report have considered potential alternative courses of action. No feasible alternatives have been identified.

Risk Management

The author of this report considers that there are no significant Risk Management factors relating to the report and recommendation.

Strategic Links – policy implications and relevance to Council Plan

The author of this report considers that the report is consistent with Council Policies, key strategic documents and the Council Plan.

Best Value / National Competition Policy (NCP / Trade Practices Act (TPA) implications

The author of this report considers that the report is consistent with Best Value, National Competition Policy and Trade Practices Act requirements.

Financial / Budgetary Implications

The contracted annual amount is less than the amount included in the 2012/2013 Budget for staffing provision of equivalent services.

Economic Implications

The author of this report considers that the recommendation has no significant economic implications for Council or the broader community.

Environmental / Amenity Implications

The author of this report considers that the recommendation has no significant environmental or amenity implications for Council or the broader community.

Community Implications

The author of this report considers that the recommendation has no significant community or social implications for Council or the broader community.

Victorian Charter of Human Rights and Responsibilities Act 2006

The author of this report considers that the recommendation does not limit any human rights under the Victorian Charter of Human Rights and *Responsibilities Act 2006*.

Legal / Statutory Implications

There are not considered to be any legal or statutory implications.

Consultation

The author of this report considers that the matter under consideration did not warrant a community consultation process.

Attachments

Nil

9.7.10 Documents for Signing and Sealing

Documents are submitted for Council signing and sealing.

The details are as follows and are also included in Council's Seal Register:-

FILE NO.	DOCUMENT DESCRIPTION	NO. OF COPIES
Contract No. 11/12-16	Deed of Agreement between Strathbogie Shire Council and Morrisy Civil Works Pty Ltd for Violet Town Transfer Station Construction	2

RECOMMENDATION

That the Documents be signed and affixed with the Common Seal of Strathbogie Shire Council.

92/12 CRS. LITTLE/MYERS : That the Recommendation be adopted.

CARRIED

9.7.11 Business Management System

The August 2012 Business Management System Report includes reports as follows:-

- Building Department – July 2012 Statistics
- Planning Department – July 2012 Statistics
- Asset Services – Customer Service System Statistics – July. 2012
- Actioning of Council Resolutions – Status Report
- Outstanding Actions of Council Resolutions to 31st July. 2012
- Review of Council Policies – July/August 2012
- Record of Assemblies of Councillors
- Record of Meetings of Section 86 Committees of Council received / held in the past month

By reporting on a monthly basis, Council can effectively manage any risks that may arise. The Business Management System will also incorporate Council's corporate goals and objectives.

RECOMMENDATION

That the report be noted.

93/12 CRS. MURRAY/SWAN : That the Recommendation be adopted.

CARRIED

BUILDING APPROVALS

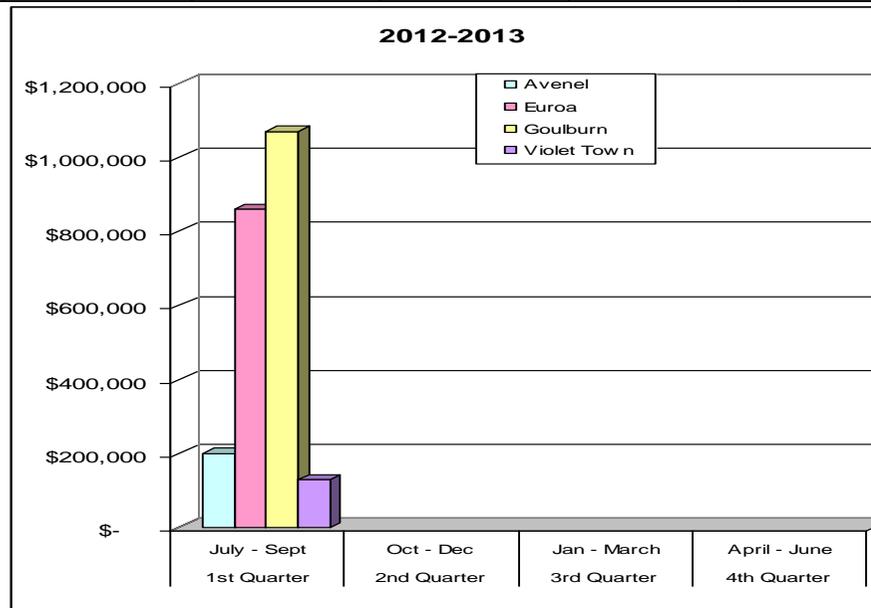
JULY 2012

The value of Building approvals within the Shire of Strathbogrie for the month of July totaled **\$2,255,905**.

Expenditure involved largely works in the domestic sector with the majority of permits issued for dwellings and domestic sheds, 22 permits have been issued for the month.

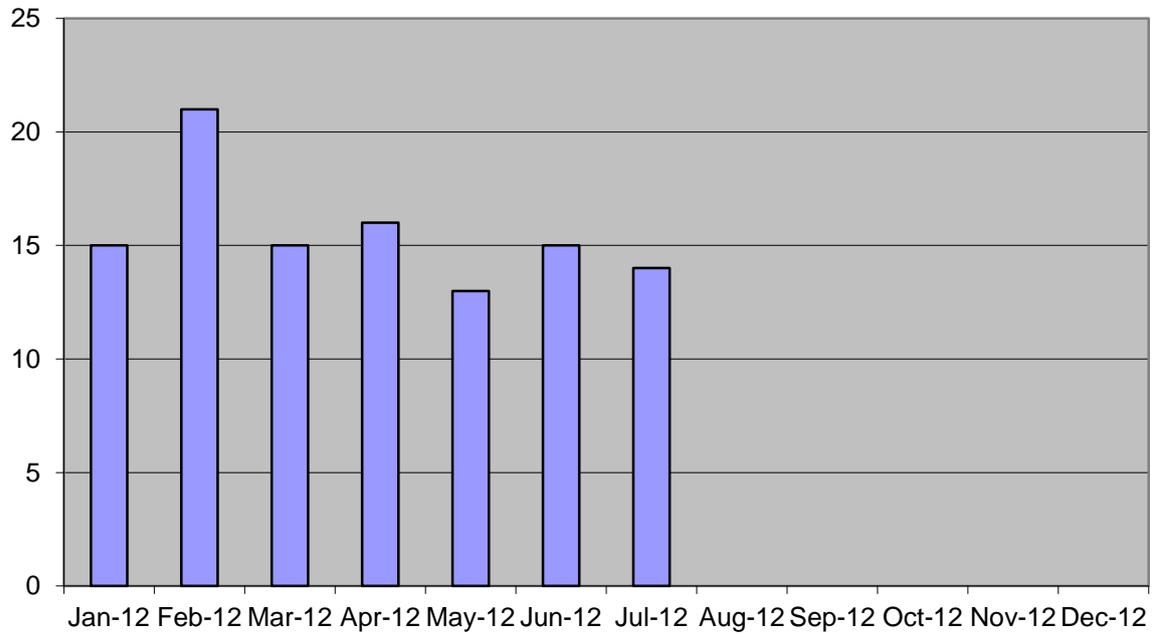
Charts illustrating the distribution of building permit expenditure for 2012-2013 over the four localities within the Shire are below.

	2011-2012				
	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter	Totals
	July - Sept	Oct - Dec	Jan - March	April - June	
Avenel	\$ 200,000				\$ 200,000
Euroa	\$ 858,551				\$ 858,551
Goulburn	\$ 1,069,325				\$ 1,069,325
Violet Town	\$ 128,029				\$ 128,029
Totals	\$ 2,255,905				\$ 2,255,905

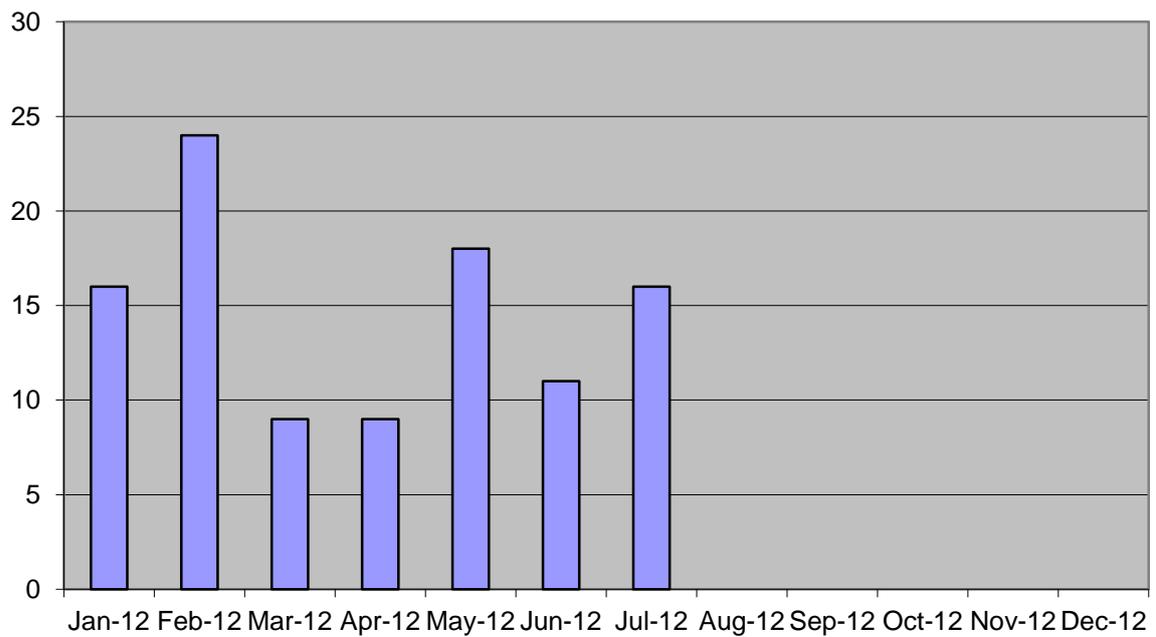


PLANNING PERMIT APPLICATIONS
RECEIVED / ISSUED – 2012
MONTHLY COMPARISONS

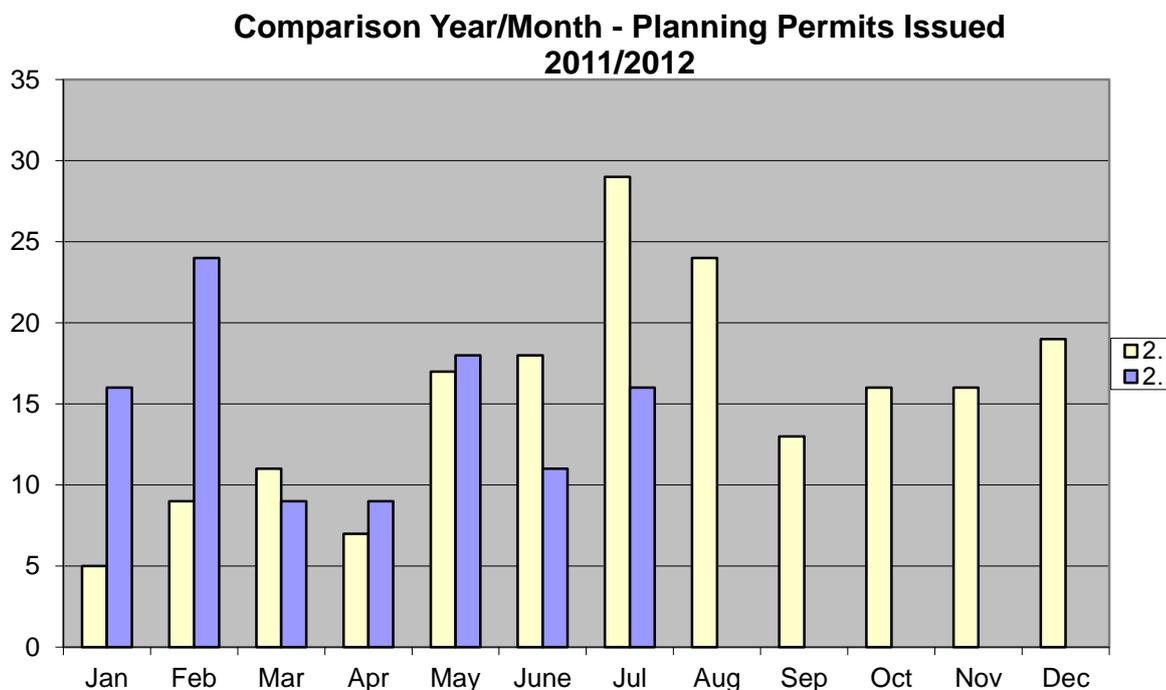
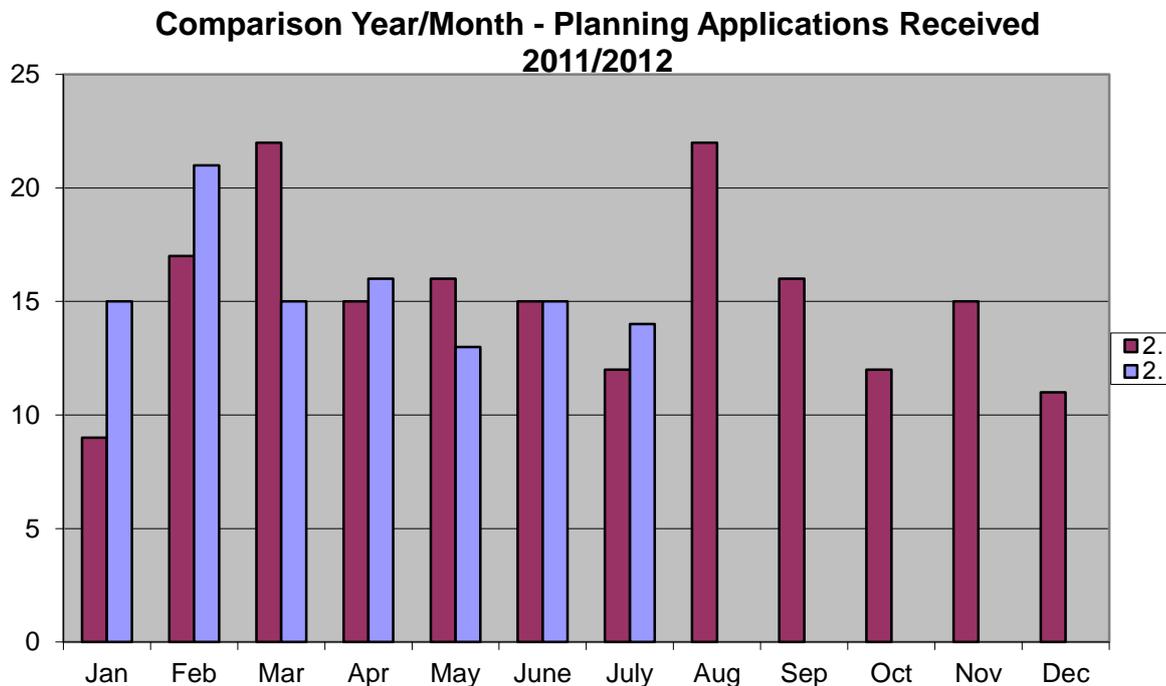
Planning Applications Received 2012



Planning Permits Issued 2012

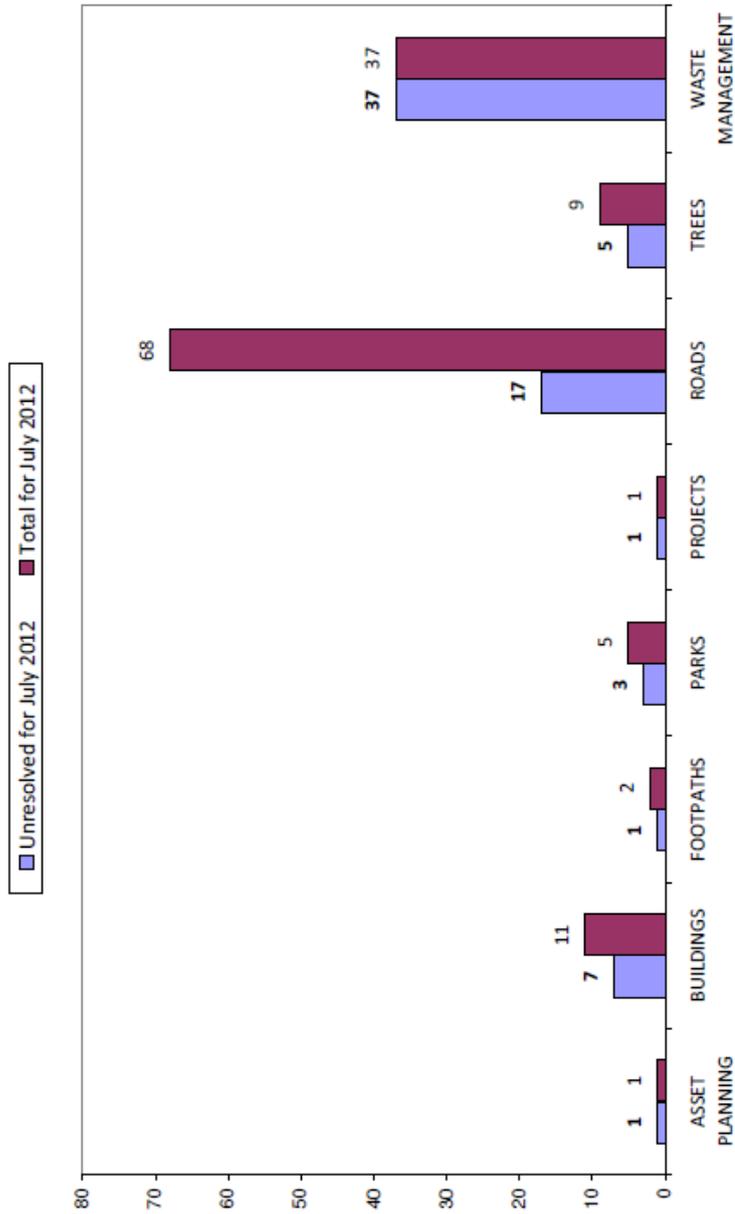


**PLANNING PERMIT APPLICATIONS
RECEIVED / ISSUED
2011/2012 MONTHLY COMPARISONS**



ASSET SERVICES CUSTOMER SERVICE SYSTEM STATISTICS - REPORTS FOR THE MONTH OF JULY 2012

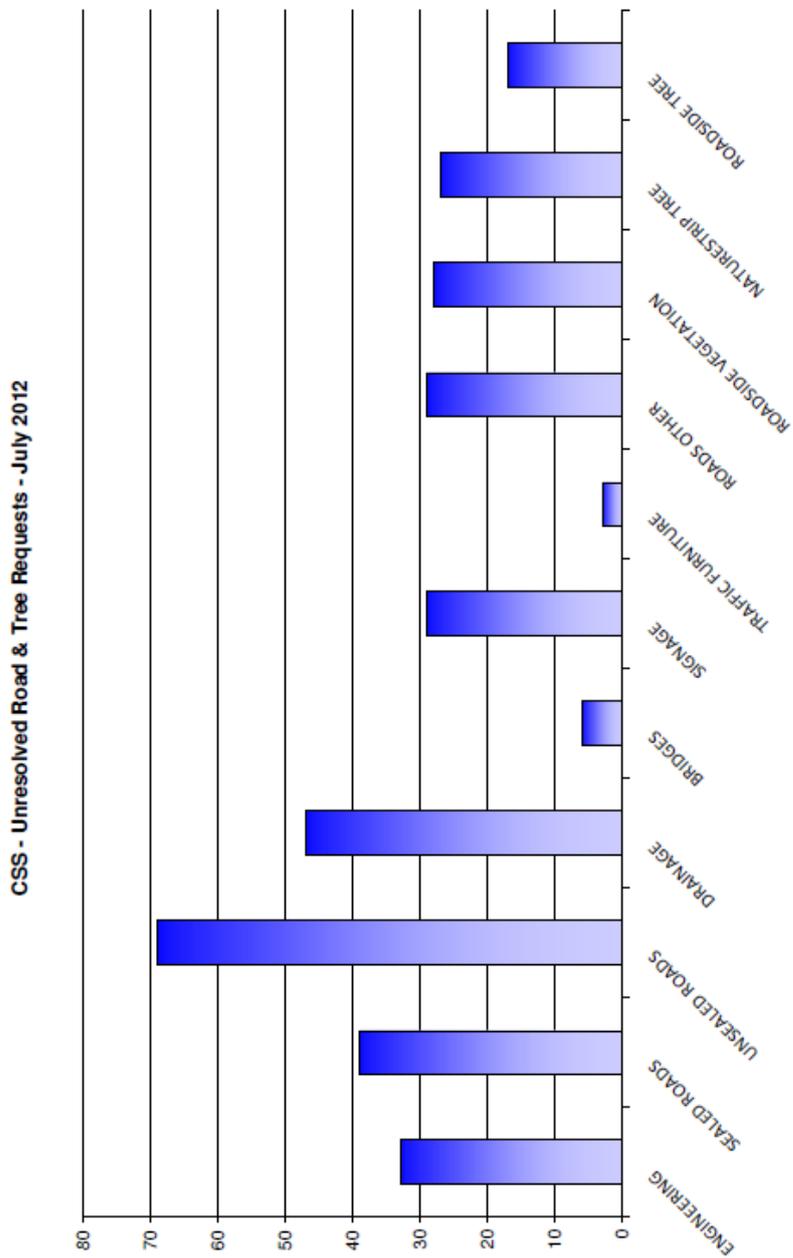
Customer Service Requests - July 2012



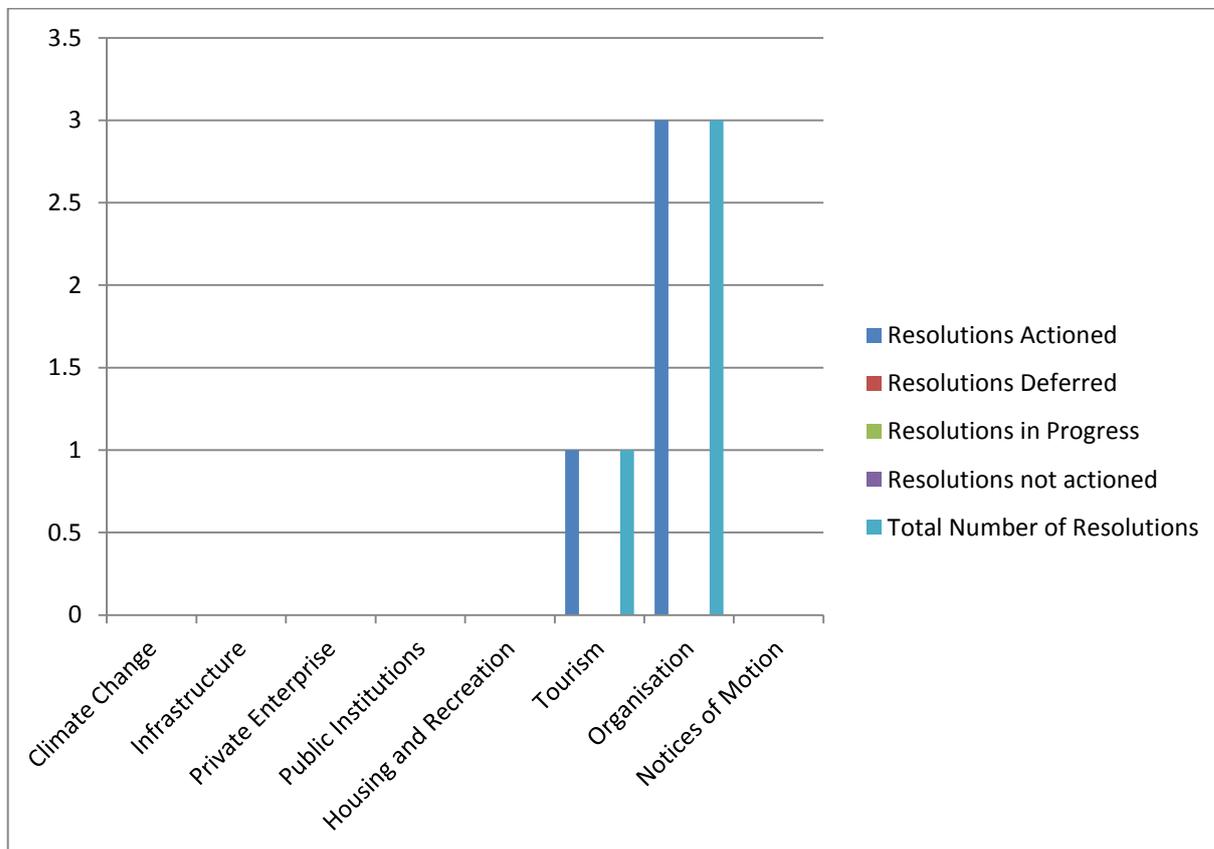
Strathbogie Shire Council

UNCOMPLETED EVENTS by Mode for July 2012

Mode	Unresolved for July 2012	Total for Jul-12	Unresolved for 2011-2012	Total for 2012-2013	Unresolved 30 Day	Unresolved 60 Days	Unresolved 90 Days
ASSET PLANNING	1	1	1	1	0	0	0
BUILDINGS	7	11	7	11	5	4	21
FOOTPATHS	1	2	1	2	5	0	19
PARKS	3	5	3	5	2	5	18
PROJECTS	1	1	1	1	0	2	1
ROADS	17	68	17	68	22	16	168
TREES	5	9	5	9	1	3	34
WASTE MANAGEMENT	37	37	37	37	1	0	5
Totals	72	134	72	134	36	30	266



ACTIONING OF COUNCIL RESOLUTIONS
COUNCIL MEETING – 17TH JULY 2012



**OUTSTANDING ACTIONS OF COUNCIL RESOLUTIONS TO
31st July 2012**

This Report is to advise the Senior Management Team, Councillors and the community of the status of previous Council resolutions which are in progress but are yet to be finalised.

Council Meeting Date	Item No. Description & Recommendation	Action to Date
<i>There are no report resolutions with outstanding actions yet to be finalised</i>		

**REVIEW OF EXISTING COUNCIL POLICIES
AND ADOPTION OF NEW POLICIES**

Period of Review	Policy Name	Policy Number	Outcome
<i>There were no new Policies prepared or Policy reviews in the July / August period</i>			

RECORDS OF ASSEMBLIES OF COUNCILLORS

For period 7th July to 10th August 2012

Record in accordance with sections 77 and 80A(1) of the *Local Government Act 1989*

Note: Details of matters discussed at the meeting that have been designated confidential under section 77 of the Local Government Act 1989 are described in a separate "confidential addendum" that will be reported to the next closed Council meeting]

Name of Meeting: Councillors Forum

Date of Meeting: 10th July 2012

Time: 2.00 p.m. to 5.30 p.m.

Attendees:

Councillors

Graeme Williams
Malcolm Little
Neil Murray
Debra Swan
Peter Woodhouse

Officer/s

Chief Executive Officer
Director, Asset Services
Director, Corporate and Community
Community Development Co-Ordinator (Items 1 & 2)

Apologies

Councillor Howard Myers
Councillor Colleen Furlanetto
Director, Sustainable Development

Matters discussed:

Declaration of Interests

1. Ride Share Funding Program
2. Scooter Recharge Scheme
3. Assembly of Councillors
 - 3.1 Mayor & Chief Executive Officer Meetings Update
 - 3.2 Councillors Issues Raised
 - 3.3 Councillors Meetings Attendances
 - 3.4 Indigenous Artifacts Event at Arboretum
 - 3.5 Goulburn Broken Greenhouse Alliance – letter to Minister for Environment and Climate Change
 - 3.6 Proposed date for official opening of SES headquarters - Wednesday 22nd August 2012, at 6pm.
 - 3.7 Euroa Apex Club – request for Family Pass to Cinema for fundraising event
 - 3.8 Goulburn River Valley Tourism – letter of thanks for Council's continued support
 - 3.9 Christmas / New Year Office Closure
 - 3.10 Avenel Action Group / Business Group Meeting – 30th July 2012
4. Customer Service Mobile Trial - Manager, Customer Service
5. Special Council Meeting
 - Hearing / Consideration of Submissions to Birkett Street Reconstruction / Cul-de-Sac
 - Adoption of 2012/2013 Budget

Record of Assembly of Councillors

Record in accordance with sections 77 and 80A(1) of the *Local Government Act 1989*

Note: Details of matters discussed at the meeting that have been designated confidential under section 77 of the Local Government Act 1989 are described in a separate "confidential addendum" that will be reported to the next closed Council meeting]

Name of Meeting: Councillors Forum
Date of Meeting: 17th July 2012
Time: 2.00 p.m. to 6.30 p.m.

Attendees:

Councillors

Graeme Williams
Malcolm Little
Neil Murray
Howard Myers
Peter Woodhouse

Officer/s

Chief Executive Officer
Director, Asset Services
Director, Corporate and Community
Manager, Economic Growth (Item 1)
Governance Officer (Item 4)

Apologies

Councillor Colleen Furlanetto
Councillor Debra Swan
Director, Sustainable Development

Matters discussed:

Declaration of Interests

1. Municipal Strategic Statement ~ Update
2. Agenda Review
3. Citizenship Ceremonies - Ms Eileen Klein, Mrs Dawn Parsons-Brown
4. 2012 Council Elections
5. Assembly of Councillors
 - 5.1 Mayor & Chief Executive Officer Meetings Update
 - 5.2 Councillors Issues Raised
 - 5.3 Councillors Meetings Attendances
 - 5.4 Indigenous Artifacts Event at Arboretum
 - 5.5 Chief Executive Officer Performance Review
 - 5.6 North East Thoroughbreds 2012 Annual Awards Dinner - Saturday 4th August 2012
 - 5.7 Announcement of funding for the Boho Fire Station Multi-Use Community Meeting Space Extension by Dr Bill Sykes – Sunday 29th July 2012, at 9.30 a.m.
6. Council Meeting

Record of Assembly of Councillors

Record in accordance with sections 77 and 80A(1) of the *Local Government Act 1989*

Note: Details of matters discussed at the meeting that have been designated confidential under section 77 of the Local Government Act 1989 are described in a separate "confidential addendum" that will be reported to the next closed Council meeting]

Name of Meeting: Councillors Forum
Date of Meeting: 24th July 2012
Time: 9.30 p.m. to 5.00 p.m.

Attendees:

Councillors

Graeme Williams
Colleen Furlanetto
Malcolm Little
Neil Murray
Howard Myers
Debra Swan

Officer/s

Chief Executive Officer
Director, Asset Services
Director, Corporate and Community
Director, Sustainable Development
Community Development Co-Ordinator & Community Development Officer (Item 2)
Corporate Risk Officer (Item 5)

Apologies

Councillor Peter Woodhouse

Matters discussed:

Declaration of Interests

1. On Site Inspections - Birkett Street and Euroa Caravan Park
2. Community Grants Funding
3. Councillors / EMT Discussions
4. Planning Agenda Review
5. Municipal Fire Management Plan
6. Assembly of Councillors
 - 6.1 Mayor & Chief Executive Officer Meetings Update
 - 6.2 Councillors Issues Raised
 - 6.3 Councillors Meetings Attendances
 - 6.4 Indigenous Artifacts Event at Arboretum
 - 6.5 Morning Tea with Staff – Tuesday 14th August
 - 6.6 Birkett Street, Euroa
 - 6.7 2012 Community Satisfaction Survey
7. Planning Committee

Declaration of Interest/s / Direct or Indirect

Matter No.	Names of Councillor/s who disclosed interest	Did the Councillor/s leave the meeting?
Item 7 ~ 7.2	Councillor Little (Interest only)	No

Record of Assembly of Councillors

Record in accordance with sections 77 and 80A(1) of the *Local Government Act 1989*

Note: Details of matters discussed at the meeting that have been designated confidential under section 77 of the Local Government Act 1989 are described in a separate "confidential addendum" that will be reported to the next closed Council meeting]

Name of Meeting: Councillors Forum
Date of Meeting: 31st July 2012
Time: 2.00 p.m. to 4.00 p.m.

Attendees:

Councillors

Graeme Williams
Colleen Furlanetto
Malcolm Little
Neil Murray
Howard Myers
Debra Swan

Officer/s

Chief Executive Officer
Director, Asset Services
Director, Corporate and Community
Director, Sustainable Development
Technical Officer – Road Naming (Item 1)

Matters discussed:

Declaration of Interests

1. Wheeler Hill / Mt Cecilia
2. Confidential Discussions – Councillors / Chief Executive Officer / Director, Sustainable Development
3. Strathbogie Recreation Reserve
4. Assembly of Councillors
 - 4.1 Mayor & Chief Executive Officer Meetings Update
 - 4.2 Councillors Issues Raised
 - 4.3 Councillors Meetings Attendances
 - 4.4 Euroa Cup
 - 4.5 MAV – invitation to attend Forum with Minister for Higher Education and Skills, Peter Hall – re: TAFE funding cuts
 - 4.6 Opening Times for Waste Transfer Stations
 - 4.7 2012 Regional Living Expo Report / dates for 2013 Regional Living Expo
 - 4.8 Euroa Memorial Oval
 - 4.9 Friends of the Sevens
 - 4.10 Wesley Hall

Record of Meetings of Section 86 Committees of Council

**Advice of Meetings held, and signed Minutes received, in the July / August 2012
Period**

Name of Committee	Date of Meeting
Creightons Creek Hall	12/03/12
Violet Town Recreation Reserve	09/05/12
Boho South Hall	03/07/12
Strathbogie Memorial Hall	24/07/12
Longwood Community Centre	24/07/12
Euroa Community Action Group	25/07/12

10. NOTICES OF MOTION

11. CLOSURE OF MEETING TO THE PUBLIC

7.20 P.M.

CRS. LITTLE/MYERS -

That Council, in conformance with Section 89(2) of the Local Government Act 1989, resolve to close the meeting to members of the public for the purpose of considering items relating to:-

- Ground(s) under section 89(2):
 - 89(2)(d): *Contractual Matters*
 - 89(2)(h): *Any other matter which the Council or Special Committee considers would prejudice the Council or any person*

94/12

ON BEING PUT, THE MOTION WAS CARRIED

7.29 P.M.

CRS. SWAN/LITTLE -

That Council open the meeting to members of the public and resume normal business.

98/12

ON BEING PUT, THE MOTION WAS CARRIED

12. URGENT BUSINESS

THERE BEING NO FURTHER BUSINESS, THE MEETING CLOSED AT 7.29 P.M.

Confirmed as being a true and accurate record of the Meeting

.....
Chair

.....
Date