



AGENDA

ORDINARY MEETING OF COUNCIL

Tuesday, 18 November 2014

To be held Swan Hill Town Hall Council Chambers
McCallum Street, Swan Hill
Commencing at 7:00 PM

COUNCIL:

Cr CM Adamson – Mayor

Cr JN Katis

Cr GW Norton

Cr GI Cruickshank

Cr JA Kiley

Cr LT McPhee

Cr JB Crowe

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SECTION A – PROCEDURAL MATTERS

- **Open**

- **Acknowledgement to Country**

- **Prayer**

- **Apologies**

- **Confirmation of Minutes**
 - 1) Ordinary Meeting held on 21 October 2014

- **Declarations of Conflict of Interest**

- **Receptions and Reading of Petitions, Memorials, Joint Letters and Deputations**

- **Public Question Time**

SECTION B – REPORTS

B.14.82 FRIENDS OF BROMLEY ROAD PETITION

Responsible Officer: Director Development and Planning
File Number: C11347701/22-13-11
Attachments: 1 Petition

Declarations of Interest:

Brett Luxford - as the responsible officer, I declare that I have no disclosable interests in this matter.

Summary

At the October Ordinary Meeting, Council received a petition from a group known as the 'Friends of Bromley Road' requesting "to replace the Bromley Road Master Plan...with a more cost-effective, user-friendly Beautification Plan, suitable for the residents of Robinvale and welcoming to all visitors to our Town." This report outlines that work that has already been undertaken by Council with the 'Friends of Bromley Road' and recommends continuing to work with the Robinvale Community on reviewing the Bromley Road Master Plan.

Discussion

The Bromley Road Master Plan was adopted by Council at its Ordinary Meeting on 19 November 2013. The Master Plan was developed through savings made in the creation of the Robinvale Economic Development Strategy and was a key initiative identified within that strategy.

The Master Plan identified a range of projects including;

- New bus stop to create more space for tourist facilities;
- New visitor car parking and street side parking to meet VicRoads' requirements;
- New Visitor Information Centre Building; and
- New Children's playground and picnic area.

The resolution, as adopted by Council at the November 2013 meeting, included that the endorsed Master Plan provide a guide to future development. It was also made clear that further detailed design would need to be undertaken on many of the projects and this would include further consultation with the community.

At the Ordinary Meeting on 21 October 2014, Council received a petition with 705 signatures. The petition concluded with the following sentence. "The Petitioners whose names, addresses and signatures appear hereunder, petition Swan Hill Rural City Council: to replace the Bromley Road Streetscape Master Plan - Robinvale, as endorsed, with a more cost effective, user-friendly Beautification Plan, suitable for the residents of Robinvale and welcoming to all visitors to our Town." The petition included a covering letter signed by a representative from the 'Friends of Bromley Road'.

It should be noted that Council Officers had already met with representatives from this group and other key stakeholders in relation to the master plan. A workshop in Robinvale with these stakeholders resulted in agreement that Council would develop a working party, including representatives from the 'Friends of Bromley Road' to review the Bromley Road Master Plan.

The review of the Master Plan will seek to address the concerns as outlined by the petitioners while at the same time ensuring that a longer term plan is in place to provide the best outcome for Robinvale. The "simple beautification" as requested in the petition can be undertaken to complement a longer term vision for the streetscape. As highlighted in the original report to Council the implementation of any projects, even simple beautification, will be subject to funding becoming available.

Consultation

In the development of the Bromley Road Master Plan there was significant consultation undertaken that helped inform the design. Some in the community feel that there needed further opportunity to provide input and the recommendation contained in this report will seek to address that concern.

Financial Implications

Any changes to the Master Plan may have financial implications for Council. The need to update the Master Plan may require professional services. Any beautification works or projects associated with the implementation of the Master Plan will require funding through either the Council budget or an alternative funding source.

Social Implications

Working with the community is likely to enhance community capacity and ownership of the outcomes of the outcomes of the Bromley Road Master Plan.

Economic Implications

The implementation of the Bromley Road Master Plan will improve the entrance to Robinvale and enhance the visitor experience which may result in further visitation.

Environmental Implications

The implementation of the Bromley Road Master Plan and the undertaking of any beautification works may improve the environmental outcomes

Risk Management Implications

The development of the working party and the commitment to work with the Robinvale Community may mitigate any risks associated with this initiative

Council Plan Strategy Addressed

Developing open community relationships - We seek to achieve greater community inclusiveness and understanding of Council's operations and decisions.

Options

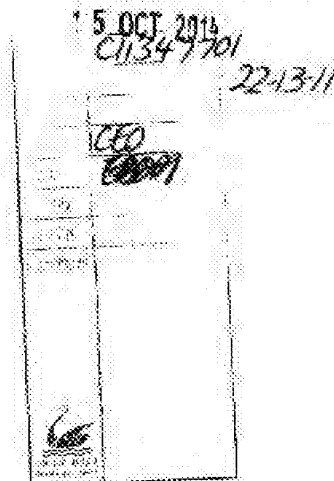
Council may accept, change or disagree with the recommendation listed below.

Recommendation

That Council continues to work with the Robinvale Community through the working party to review the Bromley Road Master Plan.

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FRIENDS OF BROMLEY ROAD



10th October, 2014

Mr Dean Miller
 Chief Executive Officer
 Swan Hill Rural City Council
 PO Box 488
 SWAN HILL VIC 3585

Dear Dean,

re: **Bromley Road Streetscape Master Plan – Petition circulated by the Friends of Bromley Road.**

At last week's Bromley Road Workshop, Members of the Friends of Bromley Road advised that a Petition, of which most attendees were already aware, had now been wound up. This Petition, which asked for the Bromley Road Streetscape Master Plan – Robinvale, as endorsed, to be replaced with a more cost-effective, user-friendly Beautification Plan, received a huge amount of support from the public. Over 700 signatures were recorded.

On behalf of the Friends of Bromley Road, I now ask that you formally accept from the Group, the enclosed original, signed Petition forms which were circulated throughout Robinvale over a 20-day period between 29th August and 17th September, 2014.

We believe that the results of this Petition indicate to us that the people of Robinvale would like to have a more user-friendly, cost effective upgrade to Bromley Road. In addition, the people would like some beautification, e.g. ground-cover and tree plantings, carried out as soon as possible.

We were pleased with the outcome of the Bromley Road Workshop and look forward to working with Council and others as part of the planned Working Group, to achieve the best possible results for our town.

On behalf of the Group, I thank you for accepting our Petition and trust that it can be presented to Council as soon as possible.

Yours sincerely,

Bev Harbinson

Bev Harbinson,
 on behalf of the Friends of Bromley Road, Robinvale.

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FRIENDS OF BROMLEY ROAD

The "BROMLEY ROAD STREETSCAPE MASTER PLAN", endorsed by Swan Hill Rural City Council, proposes major structural changes to Bromley Road. Some of these changes will mean:

- * **LOSING** at least 30 car parking spaces between Perrin and Old Streets;
- * **NO** on-street parking along the western side of Bromley Road;
- * Concern for the **SAFETY** of passengers and others at the new Bus Stops;
- * **Reducing the Size** of the **PLAYGROUND** and re-locating to an obscure position.

This Plan will rely on funding, which is unlikely to be available in the near future.

Robinvale deserves something to happen **NOW**. This area badly needs a clean-up and some simple beautification, as indicated by attendees at the February Public Meeting.

The Petitioners whose names, addresses and signatures appear hereunder, petition Swan Hill Rural City Council:

To replace the "Bromley Road Streetscape Master Plan - Robinvale", as endorsed, with a more cost-effective, user-friendly Beautification Plan, suitable for the residents of Robinvale and welcoming to all visitors to our Town.

Name - PLEASE PRINT	Address	Signature
DORIS TOLLEY		<i>D. Tolley</i>
DIANE MCKINNON		<i>Diane McKinnon</i>
BEVERLEY HARBINGSON		<i>Beverley Harbingson</i>
Helen Harris		<i>Helen Harris</i>
SUE SMITH		<i>Sue Smith</i>
Teresa Mumford		<i>Teresa Mumford</i>
ELONORA COVERLEY		<i>Elonora Coverley</i>
JOAN PITT		<i>Joan Pitt</i>
NARELLE MCCLURE		<i>Narelle McClure</i>
MARY HARBINGSON		<i>Mary Harbingson</i>
Jung Tyzen		<i>Jung Tyzen</i>
Samantha Spicer		<i>Samantha Spicer</i>
Kem Lovagore		<i>Kem Lovagore</i>
Ellie Jaensch		<i>Ellie Jaensch</i>
Uta Tolley		<i>Uta Tolley</i>
Loren Baker		<i>Loren Baker</i>
Barry Watts		<i>Barry Watts</i>
Betty Courtis		<i>Betty Courtis</i>
CATERINA DAVOLI		<i>Caterina Davoli</i>
MARGARET WASHINGTON		<i>Margaret Washington</i>
Martha Leslie		<i>Martha Leslie</i>
W. McINTOSH		<i>W. McIntosh</i>

W. McIntosh

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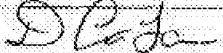



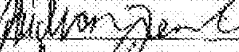
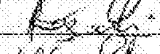

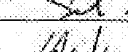
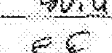






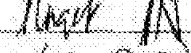
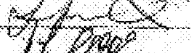
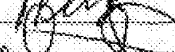



- LOSING at least 30 car parking spaces between Perrin and Old Streets;
- NO on-street parking along the western side of Bromley Road;
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- Reducing the Size of the PLAYGROUND and re-locating to an obscure position.

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D LA FAUCI		
Julie SMITH		
W. Flanner		
Cordie Bowdler		
Reid van Zanten		
P. Devoli		
LINDA KERUTKO		
Ron Coats		
MARSHALL SWAN		
Full name blank		
P. Fanning		
TEVITA ANIMANI		
Julz Gallagher		
Ravi		
Peter Brigate		
Melani van Zyl		
DUCTION		
Angela Maria		
Lisa MARTIN		
JORDAN FLEVO		
Tracey Courtney		
Treasor Wright		

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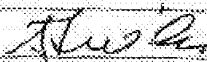

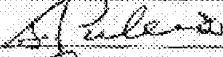
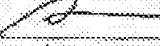

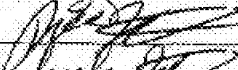
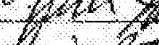
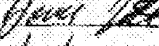
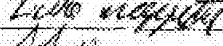
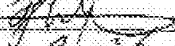
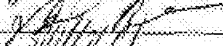


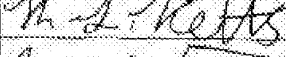


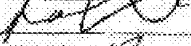
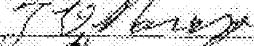

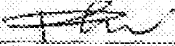


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Siosia Tuavila		
PATINYA		
SAM FALVO		
nick parker		
Les Legg		
Pat Zaffina		
Frank Zaffina		
Dominic Zaffina		
Larke Muzaldi		
Sam Nelson		
BRIAN HENSCH		
Dawn Symko		
Lorraine Phillips		
KATHY KETTS		
Ange Galoto		
Deb Adcock		
Gabri Mannix		
Tony Alanson		
STEVE PAULINE		
PENAIN SENILDCI		
Dix JARMAN		
SAM FALVO		

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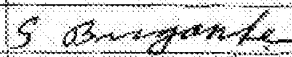
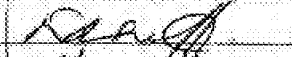
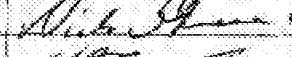

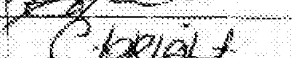
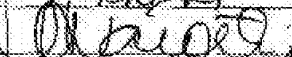

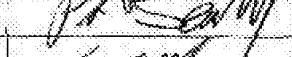
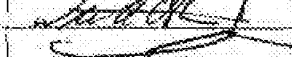
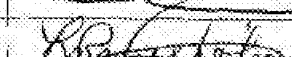

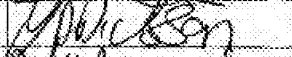
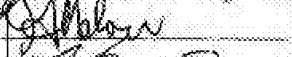
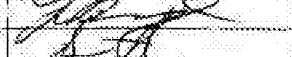
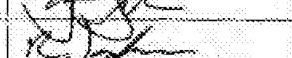
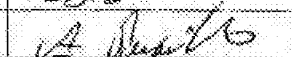

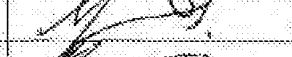




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DAVID GUERIER		
Nick MURRAY		
JOAN HARVEY		
Claudia Kente		
C BRIGHT		
H Vaioleti		
R Meadows		
P Jewell		
N OSBORNE		
M Chirchylis		
L Nicholson		
TVA SELL		
J DICKSON		
F Marlow		
T Bennett		
BRUCE SMITH		
Ronald Jackson		
JOHN PUPALLO		
Ang Noy		
STEVE SYMONS		
MURIEL McDERMOTT		

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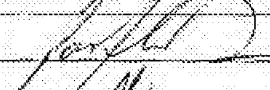

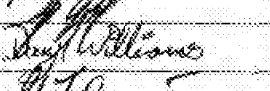

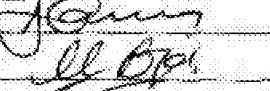
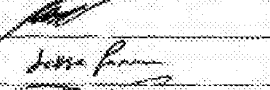
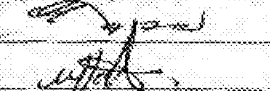
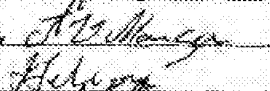
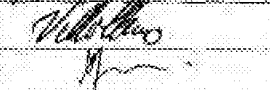
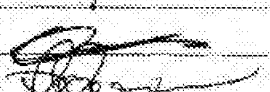







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Nick Ballas		
Steve CULANAN		
Adam Gallace		
Dave Williams		
Ross FELISE		
Blaine Kavan		
Joseph Cameron		
Meahira Boyd		
Paul Grofelo		
JESSE PARKER		
GARY LETTS		
WYNNE HATT		
Jessy MANCINI		
M. Wilson		
Peter		
Anthony Green		
Don Cameron		
Darius Newman		
Vince Natch		
Ian Boyd		



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STEVE WRIGHT		
IAN TAYLOR		
Wajid Hussain		
Debra Sprake		
Lance Krake		
Rita Taylor		
Phil Conna		
Kurt Matschoss		
(ON THALASSUS)		
Melanie Kolauet		
J. Roberts		
Daniel Ubergang		
Matt Hynes		
Cory Higgins		
W. STRANDBER		
J. Bond		
V. G'conno		
J. Wright		
		TREU (KEEP)
		Cosy Gydeke
Lucy Licenito		
Tony Cassia		

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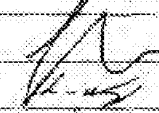
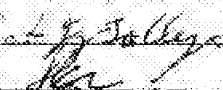

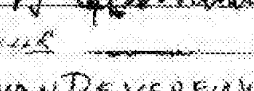
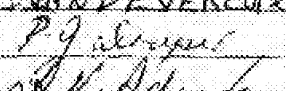
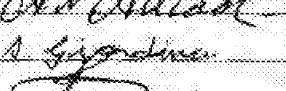
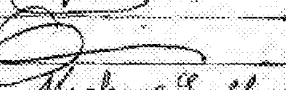
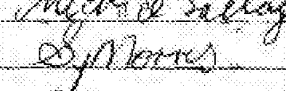
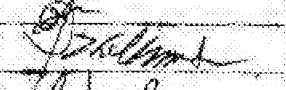
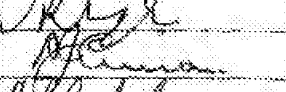
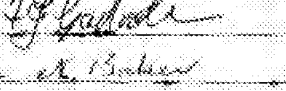
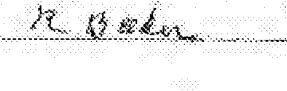




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Tom TOLLETT 127022 DIXON		
Eric Featherstone		
Brian Handreck 111 Swan		
J. Duverson		
Mr Pat Draper		
Gray Maccari		
SAM GIARDINA		
Kenel Bowden		
Connie Quinn		
Michael Gallagher		
Ed Morris		
Jocinde Audino		
Kevin Mumford		
ROBERT KNIGHT		
PAT CURRAN		
Fred Ladner		
ROBERT BAKER		
Ron BAKER		

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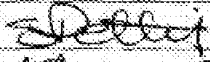

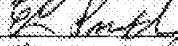



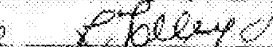
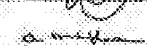



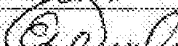



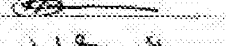

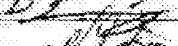

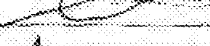
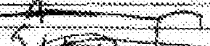

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Sissy Pettit		
Annabelle Sharman		
Pete Smith		
Shirley Irving		
Maurice J. Harris		
PETIT J. IDKBE-7		
LYNN TOLLEY		
Don Macken		
Crystal Kirby		
PETER RICHARDS		
Caillin Cocks		
Emily Davoli		
SUSAN JORGENSEN		
Fawcena Edgar		
Rachel Butcher		
Jim Henderson		
DANIEL JENNINGS		
LEANA COCKS		
LINDA VALINOT		
Leith Valinot		
Sydney Valinot		
Digby Valinot		

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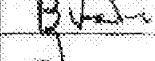
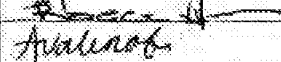
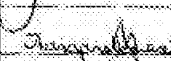
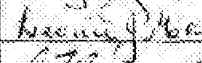
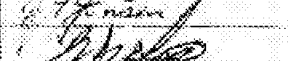
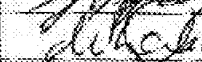
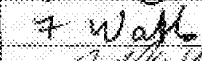
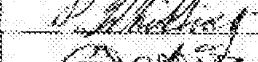

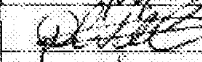


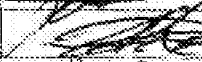
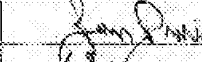
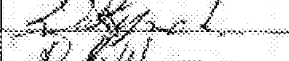
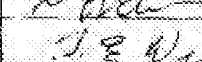





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Bryce Valinoti		
Dee Valinoti		
Ashley Valinoti		
Margaret Leslie		
Leanne McKean		
Jessie Jones		
SOR BULLCOMI		
WAYNE DONEKKE		
FAYE WATTS		
PHYLLIS WHITING		
Sue Hooley		
Greg Kelly		
Daryl Wall		
Yvonne Jagstaff		
Cliff O'Costa		
June Jones		
Chris Sade		
DIM PRIEST		
Daryl Lynch		
DEREK WILDMAN		
TREVOR WILDE		

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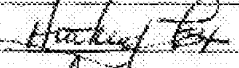


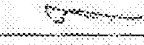
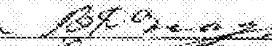
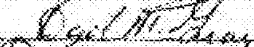









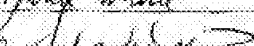



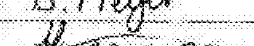
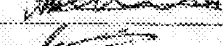
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Suzanne XHAYETOUX Pamela Dan		 
Wayne Adams		
PATRICK XHAYETOUX		
BETH LARSEN		
BIL ADAMS		
ANDREW HARDING		
TRAVIS WILKIE		
Graig Wilkie		
Jacinta Gordon		
NEIL MEYER		
Beryl Meyer		
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B. Heale		

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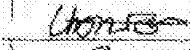
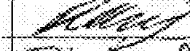
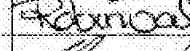
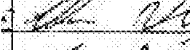
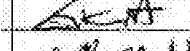
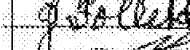

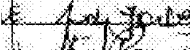


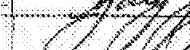
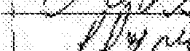

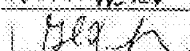
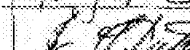
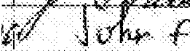

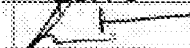

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Santina Zappia		
Jason Foster		
Kerry-Anne Jacobus		
Thomas Forbes		
PETER JEALOUS		
Heather Holland		
ADAM JEALOUS		
GEORGEY KITZ		
JEAN FOLLETT		
ENRIC RUCH		
JUDY PEROS		
Betty Romeo		
Casey Romeo		
GARY JEALOUS		
AARON TAMIA		
John ZAPPIA		
MAREE JAMES		
Hilda Milliner		
Jack Hutton		
JOHN F KENNEDY		
Leeanne Denaro		
Ab karagiannis		

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"FRIENDS OF BROMLEY ROAD"

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Don MACIARO		<i>Don Maciaro</i>
Ron CLARK		<i>Ron Clark</i>
KORRAINE BROWN		<i>Korraine Brown</i>
Roslyn McKean		<i>Roslyn McKean</i>
Sam Constantino		<i>Sam Constantino</i>
Rita Albanese		<i>Rita Albanese</i>
Marilyn Newland		<i>Marilyn Newland</i>
Joyce Joy		<i>Joyce Joy</i>
<i>Leah Phillips</i>		<i>Leah Phillips</i>
<i>Therese Jannick</i>		<i>Therese Jannick</i>
Sandra Williams		<i>Sandra Williams</i>
Rebecca Stewart		<i>Rebecca Stewart</i>
Tudie Puddagher		<i>Tudie Puddagher</i>
Pauline Edgar		<i>P.V. Edgar</i>
Tudie Kampa		<i>Tudie Kampa</i>
Steve Hestie		<i>Steve Hestie</i>
<i>Angie Raffina</i>		<i>Angie Raffina</i>
Ellen Crawford		<i>Ellen Crawford</i>
Reece Martin		<i>Reece Martin</i>
Bob's Aroschen		<i>Bob's Aroschen</i>
Sty I GINA		<i>Sty I GINA</i>
Jane Cameron		<i>Jane Cameron</i>

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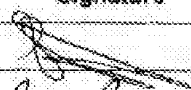
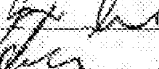
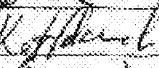

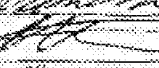
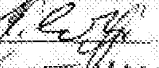
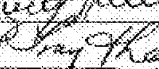

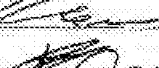
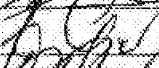
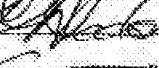
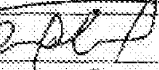
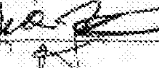

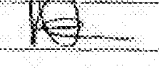


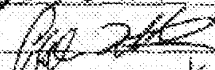




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JOHN JACKOBE		
Nathan Taylor		
Kim Adcock		
Jennie Buchanan		
Matthew Munro		
Peter Munro		
MAR LESLIE		
CAUL STEVEN'S		
PAT BRYANT		
Nathan Hines		
Carmelo Jensen		
FRANCIS ALE		
FRANK GALLO		
Christopher Hadsforth		
Brendan Simm		
DAN CARTER		
		
CATHERINE KATIS		
LEIGH NICHOLSON		
Dean Hale		

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REV BRAD HARRIS		<i>Brad Harris</i>
Tony DABY		<i>Tony Daby</i>
Helen Wiersma		<i>Helen Wiersma</i>
ANA FRANCIATUA		<i>Ana Franciatua</i>
KAY GROSE		<i>Kay Grose</i>
Lupe Taumoeftala		<i>Lupe Taumoeftala</i>
Joe Tucker		<i>Joe Tucker</i>
Seini Kanferi		<i>Seini Kanferi</i>
Sela Fanyalua		<i>Sela Fanyalua</i>
Imona Toi		<i>Imona Toi</i>
Julie Kelly		<i>Julie Kelly</i>
Tanelle Risher		<i>Tanelle Risher</i>
Bobbie Scroggie		<i>Bobbie Scroggie</i>
Elisabeth Piker		<i>Elisabeth Piker</i>
Scott Miles		<i>Scott Miles</i>
Stephen Gardwin		<i>Stephen Gardwin</i>
D. Vanden		<i>D. Vanden</i>
R McTighe		<i>R McTighe</i>
A McLeinnell		<i>A McLeinnell</i>
E. Shearer		<i>E. Shearer</i>
Linda Susan Mesre		<i>Linda Susan Mesre</i>
29/11/14		<i>29/11/14</i>

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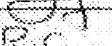

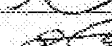




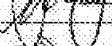
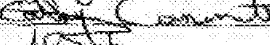
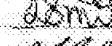

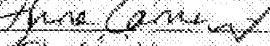


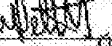



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Sueann JENNINGS		
Lynne JENNINGS		
Jessie Caminiti		
Joe Ferrara		
Pauline Clapham		
Annette Costa		
MARRICCA CAMERA		
Lindsay Caminiti		
ANTHINETTE WAUGH		
Quanda Harley		
Jean Caminiti		
SALLY CAMINITI		
Louise Smith		
Maria Mezzalana		
Bruno Caminiti		
Tyler Caminiti		
Eva Caminiti		
Whitney Pettit		
Domenica Hill		
Denise Bentham		
Hannah Brice		

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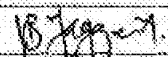
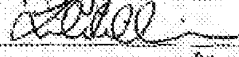

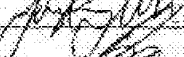
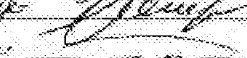

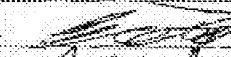
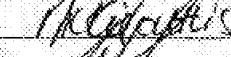


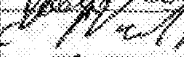
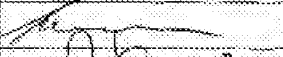
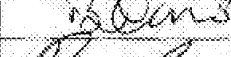
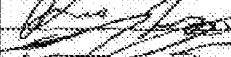
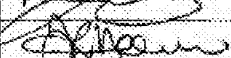
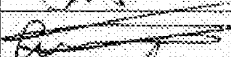
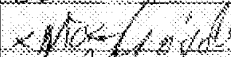
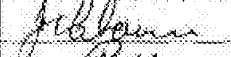




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JOSIAH BARNAGAN		
PETER CAMPLISI		
WENDY CAMPLISI		
MARK WILLIAMS		
GEORGE COULLIS		
NICKIE COULIS		
WAYNE ROGERS		
ROCKY ZAPPIN		
JUDE STEPHENSON		
NEIL GRATHAN		
Tahiemut Togo		
BARRY EWAN		
BRAD TAGGERT		
TOBI QUICK-MECKS		
JOHN HAW		
Cameron McKay		
NICK FLOODS		
JOHN CHARMAN		
B.J. PRIOR		

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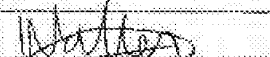
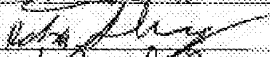
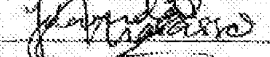
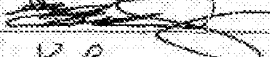
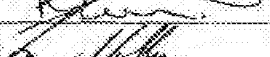
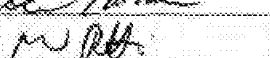


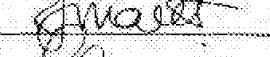
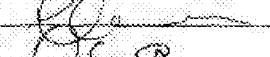

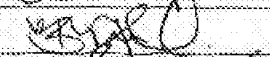
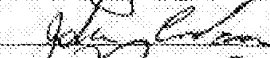

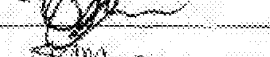
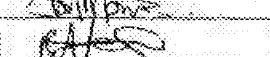
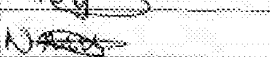
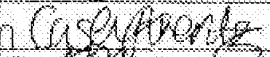
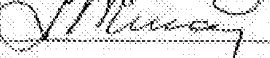



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Kaylene Connor		
Paul Miller		
Michael Pitt		
Marly Gaylor		
Benson Steere		
Josita Martin		
Jany Coe		
ANNA LANEY		
Shannon Purnell		
Raige Masarwa		
John Coe		
Karen Price		
TERRY DEE		
Shayne Morris		
Bec Harvey		
Naomi Morris		
Casely Arentz		
Lisa Murray		

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Name – PLEASE PRINT	Address	Signature
MARIA ZAPPIA		M Zappia
Palinda Zappia		Palinda Zappia
Bianca Scacallo		B Scacallo
Gene Quira		G Quira
Summer Caminiti		Summer Caminiti
ASHTON Caminiti		Ashton Caminiti
Jordan Caminiti		Jordan Caminiti
Sam Palero		Sam Palero
Belinda Cole		Belinda Cole
Jackson Brice		J Brice
Rebecca Caminiti		Rebecca Caminiti
Alan Lian		Alan Lian
John Woodhead		John Woodhead
Norman Woodhead		Norman Woodhead
Tane Hazel		Tane Hazel
Belinda Natale		Belinda Natale
Nicholas Floudas		Nicholas Floudas
Delisse Lazzara		Delisse Lazzara
Madge Lazzara		Madge Lazzara
MARY SARKIS		M. Sarkis
ROYCE LAZZARA		Royce Lazzara
Joe Zappia		Joe Zappia

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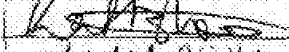



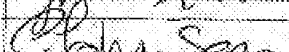
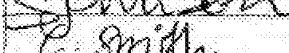
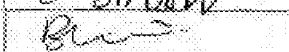
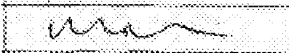

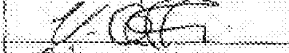
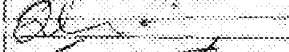
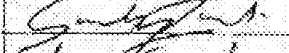

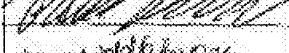
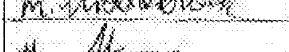



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ANNA PHILLIPS		
Sally Smith		
Juscinda Mattscho		
Kelsey mattscho		
Jada Phillips		
Bruce Rickard		
Tiffany Rainon		
GRAHAM MARKS		
Samantha Johnson		
Liara Smith		
Brendan Violi		
Mary Violi		
Luke Partrey		
Jenny Corretto		
Bruce		
Sandy Turcott		
Laura Priest		
PAULA RODGER		
Megan Middlebrook		
Alana Youngson		
John Middlebrook		

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
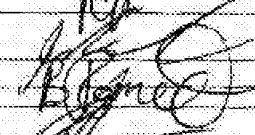
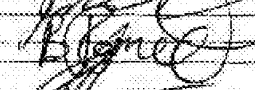
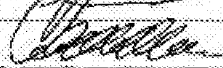






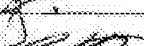
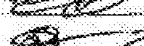

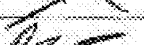
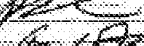
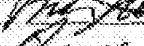
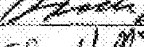




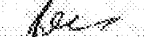
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SOLIS CORDELL		
Betty Romeo		
Anthony Saccoccia		
Anthony Maluso		
DEAN CRZNER		
Pieter van Zyl		
Brian Lazzara		
Dylan Higgins		
Charles Riddick		
JAY TONG		
DYKAL HING		
STEPHEN BATES		
Angley Doolan		
Pat Zick		
Frank Joffe		
Bennie Judd		
COLIN WASHINGTON		
COALC DRAPER		
COBY WALLACE		
Gaspere Chichigla		
Nino Violi		

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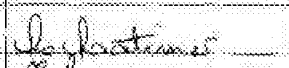

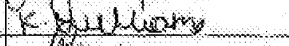
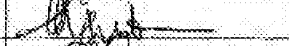
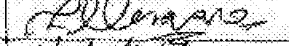
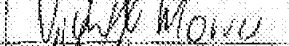





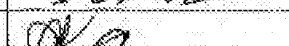

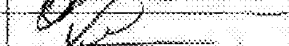
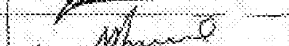
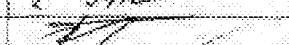
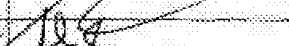
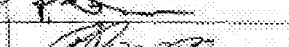


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T. SAMPOZ		
K. Williams		
U. MASASSO		
L. Masasso		
VICKI MORRIE		
SEAN SMITH		
FRED WILLIAMS		
Wayne Shawcross		
Rosemary Gurella		
NICK FOSTER		
Crystal Brown		
Bruce Sharmen		
LINDA SHARMAN		
MUKESH		
Jason Batters		
Ryan Moloney		
Ben Rogers		
Kirsty McClure		
Diana Ribby		

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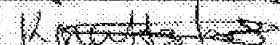


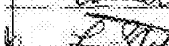

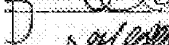
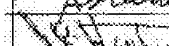
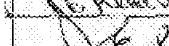

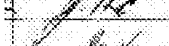

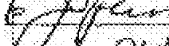
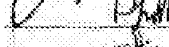
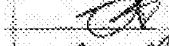

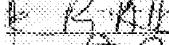
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Amanda Zappia		
Mary Iudica		
Alina Nalal		
Susan Mattschoss		
Kekey Mattschoss		
Jayne Gorman		
Annette Tugalis		
Tina Stubbs		
LIZ Glazebrook		
Adie Glazebrook		
John Keating		
JOYCE BINN		
JOE HANSEN		
John Keating		
Janice P Percell		
Patsy Zappia		
Alejo Ale		
NOEL JOHNSON		
Rita Albanese		
Angela Jatic		

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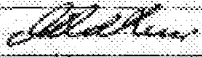

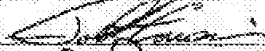

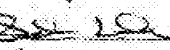
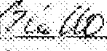

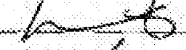
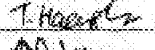

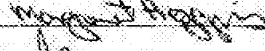


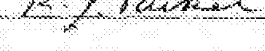
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MICHAEL LAWREN		
JOHN COUSINS		
LEO O'BRIEN		
Rae MULLER		
Brock Sells		
Bai O'Brien		
Leanne Morris		
TOM HAUSLER		
PHILIP NATALE		
Margaret Higgins		
Jeanette Hume		
Graeme HAUSLER		
ROBERT PARKER		

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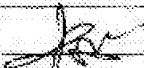
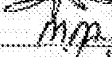

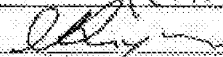


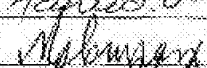
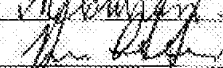

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Ka Ying Lee		
Marion Marr		
Chai Yean Law		
Glen Chapman		GLEN CHAPMAN
Alan Lyons		
No Pupillo		N.P.
Neil Wood		
Kellie Cleeland		
Margaret Cocks		Margaret Cocks
MARIE PRAGE		Marie Prage
MARY CURRAN		
Blaine Costantino		
Casey Waters		
Emily Stacey		E Stacey

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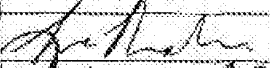
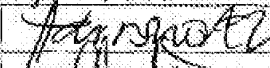
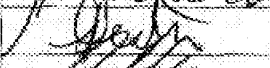
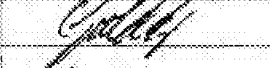
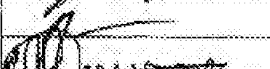
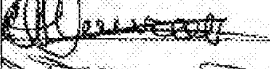
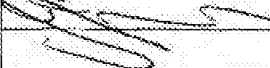
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IRENE THALASINIS		
CARAH FARNSWORTH		
A LESTER		
G. TUCKER		
Patrick O'Connell		
TRAVIS SHAWCROSS		
Joyce Indica		

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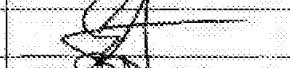

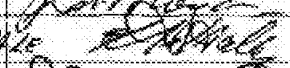

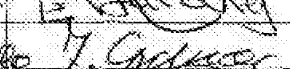
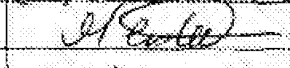

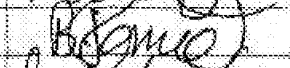

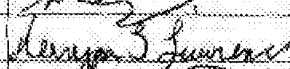
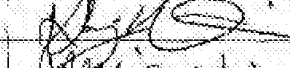
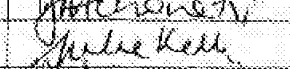

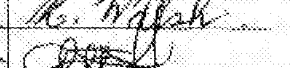
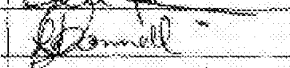
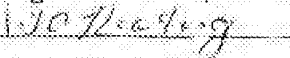






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SAREEN JURY		
ROB MORGAN		
LOIS HARRY		
PHILIP ENGLISH		
EILEEN HANDLEY		
EDUARDO GEDUJAC		
MARY ROSE COSTA		
TIM KENNEDY		
NIKETA ALLEN		
BETTY RAMEY		
SANDRA SCARLETT		
KAMIN BEEFER		
MERV LAWRENCE		
RAJ NAIR		
SCARA MINARETI		
JANE KELLY		
SUE PARKER		
MOLLIE WALSH		
MAHDI JADON		
LORNAINE CONNELL		
ALAN BOWLING		

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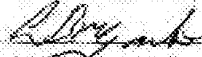

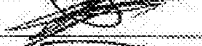



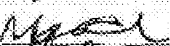



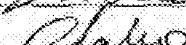
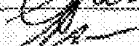

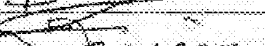



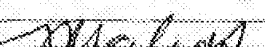

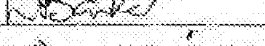
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MARIA CURRIGANA		
Joe Churchingha		
Jordan Leslie		
Zach Leslie		
Arad Leslie		
Michael Giordelle		
Marcus Andriadas		
Carmel DeLuca		
Kim Natale		
Carmel Falvo		
Janie Buchanan		
Blake Karangany		
Tracey Turegan		
Russell Ford		
* Anton Caminiti		
		
* Eithan Valmachi		
Lee Baker		
Cathy Caminiti		

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Handwritten notes:
 1/11/14
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Name - PLEASE PRINT	Address	Signature
REEVE VALIOTTI		<i>[Signature]</i>
PETER ROGERS		<i>[Signature]</i>
Paige Valines		Dublinod
NEAL PRIEST		<i>[Signature]</i>
CONNIE BRIGANTE		<i>[Signature]</i>
Robinvale CFA		<i>[Signature]</i>
Mick MILLER		<i>[Signature]</i>
SAM MEZZATESTA		<i>[Signature]</i>
DAVE CLAYTON		<i>[Signature]</i>
Scott Cameron		<i>[Signature]</i>
JOAN GRIMM		<i>[Signature]</i>
MARK BOW		<i>[Signature]</i>
Lyndon Williams		<i>[Signature]</i>
THIG		<i>[Signature]</i>
Paul ...		<i>[Signature]</i>
GINO INGALISO		<i>[Signature]</i>
Sneadwright		<i>[Signature]</i>
Dave ...		<i>[Signature]</i>
Stu Vautier		<i>[Signature]</i>
Tiffany Valinotti		Eustan ...
ERIKANT MARK		gabriel ...
bonelle Petrit		donette ...

Handwritten numbers:
 6
 7
 5
 12
 1

Handwritten signature:
 [Signature]

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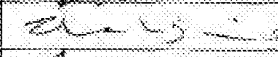

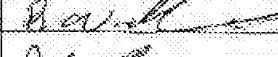
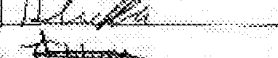
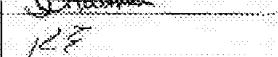


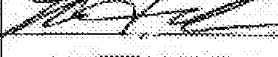
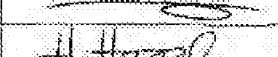

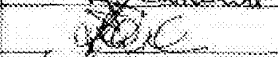
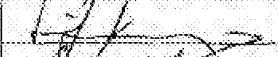
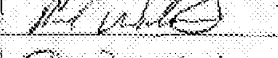
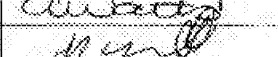

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Telesa Churchiglia		
Kiera Tomzing Bianca Williams		
Anthony Galletta		
Jacky Chinun		
Keith EDGAR		KE
Paulsen EDGAR		PE
Lizzy Toitupu		
N. Gardner		
P. W.		
Helen Hazel		H Hazel
Emma Gammitt		
Kim Lone		
Vicki Kocogianis PAUL WALKER		
Allison Watts		
R.M. Hapcrest		
BOB APOCK		
Alysha Cordia		
SHANE 607		

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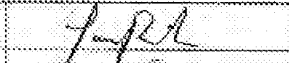
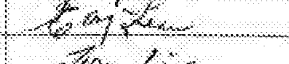
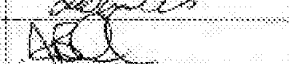
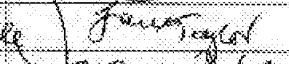
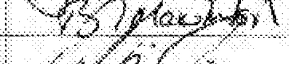
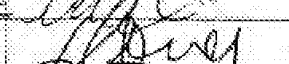

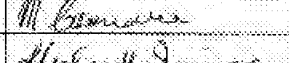
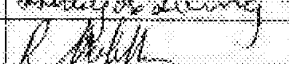
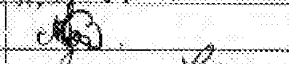
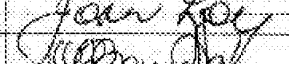
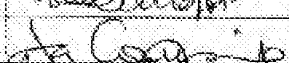
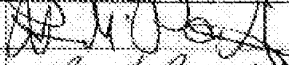
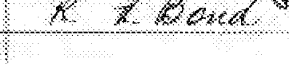
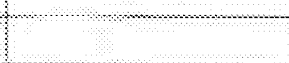
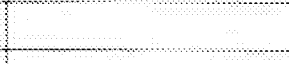
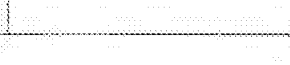

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PAULEEN WILKINS		
Jenny Blohm		
Jane Taylor		
Peter Mironov		
Alex Parish		
ROBERT BOND		
LEIGH PARISH		
M. Browne		
Shirley Irving		
Robyn Holdsworth		
Margaret Giffin		
Jean Kay		
Kathy Canessa		
JASQUELINE CONIGUE		
Aileen M. Bond		
Ruby Bond		

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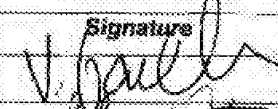
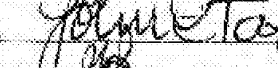
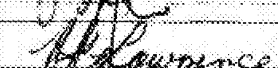

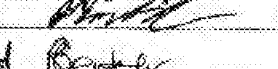
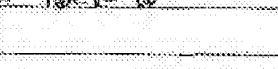
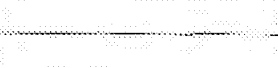
- LOSING at least 30 car parking spaces between Perrin and Old Streets;
- NO on-street parking along the western side of Bromley Road;
- Concern for the SAFETY of passengers and others at the new Bus Stops;
- Reducing the Size of the PLAYGROUND and re-locating to an obscure position.

This Plan will rely on funding, which is unlikely to be available in the near future.

Robinvale deserves something to happen NOW. This area badly needs a clean-up and some simple beautification, as indicated by attendees at the February Public Meeting.

The Petitioners whose names, addresses and signatures appear hereunder, petition Swan Hill Rural City Council:

To replace the "Bromley Road Streetscape Master Plan - Robinvale", as endorsed, with a more cost-effective, user-friendly Beautification Plan, suitable for the residents of Robinvale and welcoming to all visitors to our Town.

Name - PLEASE PRINT	Address	Signature
VISA GAIDELLI		
JOHN TATE		
JOHN GRIMM		
HEATHER LAWRENCE		
MARK TYNELL		
PAM SMITH		
PENE BARKER		

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"FRIENDS OF BROMLEY ROAD"

PETITION

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Name - PLEASE PRINT	Address	Signature
Peter Truine		<i>[Signature]</i>
Kellie Edwards		<i>[Signature]</i>
Janice Wapmouth		<i>[Signature]</i>
A. M. SMYTH		<i>[Signature]</i>
Greg 3.04		<i>[Signature]</i>
Maria Rosa Churchiglia		<i>[Signature]</i>
SHIRLEY LAURENCE		<i>[Signature]</i>
JAMIE CLAPP		<i>[Signature]</i>
Geoff Medina		<i>[Signature]</i>
J. Jankla		<i>[Signature]</i>
A. R. Lankes		<i>[Signature]</i>
DAVID LOAN		<i>[Signature]</i>
M. G. LAWRENCE		<i>[Signature]</i>
LINDA JAMIESON		<i>[Signature]</i>
JOHN JAMIESON		<i>[Signature]</i>

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Name – PLEASE PRINT	Address	Signature
TOEVER-G SMITH		<i>[Signature]</i>
PAULINE W. STRELL		<i>[Signature]</i>
Debra Dignall		<i>[Signature]</i>
BEAN DANVERS		<i>[Signature]</i>
REBECCA WILLIAMS		<i>[Signature]</i>
RENEE KENNEDY		<i>[Signature]</i>
DECLAN KENNEDY		<i>[Signature]</i>
Wendy Bell		<i>[Signature]</i>
John C. Brown		<i>[Signature]</i>
Bernada Campisi		<i>[Signature]</i>
JOHN ENING		<i>[Signature]</i>
SUZANNE ENING		<i>[Signature]</i>
ROBERT LOWE		<i>[Signature]</i>
L. E. LOWE		<i>[Signature]</i>
TOM GANCI		<i>[Signature]</i>
ARMANDO GANCI		<i>[Signature]</i>
Nancy GIANU		<i>[Signature]</i>

B.14.83 QUARTERLY REVIEW OF FINANCIAL PERFORMANCE AND FINANCIAL POSITION TO 30 SEPTEMBER 2014

Responsible Officer: Director Corporate Services
File Number: 42-20-00
Attachments: 1 Statement of Income & Expenditure 30/9/14
 2 Summarised Balance Sheet as at 30/9/14

Declarations of Interest:

David Lenton - as the responsible officer, I declare that I have no disclosable interests in this matter.

Summary

A review of Council's Financial Performance (income and expenditure) and Financial Position (balance sheet) to the adopted Budget for the three months to 30 September 2014 has been conducted and the results are summarised in this report.

Discussion

A summarised Statement of Income and Expenditure and a summarised Balance Sheet for the three months ended 30 September 2014 are included with this report.

Major variations to budget as at 30 September 2014 are explained by way of notes on the attached report.

The forecast result is expected to be better than budget. The predicted surplus assumes that Major Projects and Capital Works during the last nine months of the financial year will be within budget.

Significant forecast variations to budget include:

	Current Forecast Variances	
Rates	\$48,500	Favourable
Grants Commission	\$25,600	Favourable
Grants expected 2013/14, received 2014/15	\$193,700	Favourable
Loans Budgeted 2013/14, taken-up 2014/15	\$3,500,000	Favourable
Rates Discount	\$30,000	Favourable
Interest on Rates and Investments	\$25,000	Unfavourable
Loan Interest and Repayment	\$30,000	Favourable
Pioneer Settlement Results (net)	\$19,000	Unfavourable
Maternal & Child Health Grant	\$45,000	Unfavourable
Insurance (net)	\$79,700	Favourable
Livestock Exchange Income	\$70,000	Favourable
Public Lighting conversion to L.E.D.'s	\$86,000	Unfavourable
Workcover	\$26,900	Unfavourable

Grant for administration officer of Fire Services Levy	\$21,900	Unfavourable
Fuel Tax Credits	\$10,000	Favourable
	\$3,763,700	Favourable
Less: Income/Loans owing from 2013/14	\$3,693,700	Unfavourable
Net Variation to 2014/15 Budget	\$70,000	Favourable

Consultation

Consultation occurred as part of the Budget preparation process.

Financial Implications

The report shows a predicted rates determination surplus \$70,000 better than budget for the 2014/15 financial year.

Social Implications

Not relevant to this item.

Economic Implications

Not relevant to this item.

Environmental Implications

Not relevant to this item.

Risk Management Implications

The anticipated surplus is subject to income and costs trending as expected over the final nine months of the year.

Council Plan Strategy Addressed

Responsible management of resources - We will continually improve the management of our finances, assets, systems and technology to achieve and maintain Best Value in our operations.

Options

Nil

Recommendation

That Council note the contents of this report.

**SWAN HILL RURAL CITY COUNCIL
STATEMENT OF INCOME & EXPENDITURE
FOR THE 3 MONTHS ENDING 30/09/2014**

	Actual Year To Date 30/09/2014 \$000	Budget Year To Date 30/09/2014 \$000	\$ Variance To Budget \$000	% Variance To Budget	Original Annual Budget 2014/15 \$000	Notes
OPERATING INCOME :-						
Rates, garbage charges and marketing levy	24,115	24,146	(31)	-0.1%	24,146	
Statutory fees & fines	417	255	162	63.5%	1,019	1
User fees	939	1,250	(311)	-24.9%	5,000	2
Grants - operating (recurrent)	2,880	3,314	(434)	-13.1%	13,256	3
Grants - operating (non-recurrent)	456	100	356	356.0%	399	4
Grants - capital (recurrent)	1,000	495	505	102.0%	1,980	5
Grants - capital (non-recurrent)	130	1,324	(1,194)	-90.2%	5,297	6
Contributions - cash non recurrent	31	56	(25)	-44.6%	224	7
Reimbursements	68	84	4	6.3%	255	
Interest income	55	180	(125)	-69.4%	720	8
Proceeds from disposal of assets	34	188	(154)	-81.9%	752	9
Other revenue	224	308	(84)	-27.3%	1,231	10
TOTAL INCOME	30,349	31,680	(1,331)	-4.2%	54,278	
OPERATING EXPENSES (Excluding Depreciation) :-						
Employee benefits	4,979	4,943	36	0.7%	19,771	
Contract payments materials & services	3,292	3,134	158	5.0%	12,535	
Agency payments and community grants	550	1,427	(877)	-61.5%	5,708	11
Bad & doubtful debts	-	1	(1)	-100.0%	4	
Finance costs	60	125	(65)	-52.0%	499	12
Other expenses	360	258	104	40.6%	1,022	13
TOTAL OPERATING EXPENSES (Excl. Depn.)	9,241	9,886	(645)	-6.5%	39,539	
OPERATING RESULT (Excl. Depn.)	21,108	21,794	(686)	-3.1%	14,740	
CAPITAL ITEMS :-						
Capital works/asset purchases - funding sourced	2,012	2,923	(911)	-31%	11,692	14
Capital works/asset purchases - funding not sourced	105	-	105	0.0%	4,337	
	2,117	2,923	(806)	-28%	16,029	
SURPLUS (DEFICIT) AFTER CAPITAL ITEMS	18,991	18,871	120	0.6%	(1,289)	
ADD FINANCING TRANSACTIONS						
Loan principal redemption	(281)	(282)	1	-0.4%	(1,128)	
Transfers to/from reserves	0	-	0	0.0%	1,180	
Proceeds from loans	-	-	-	0.0%	1,295	
TOTAL FINANCING TRANSACTIONS	(281)	(282)	1	-0.4%	1,347	
BUDGET RESULT SURPLUS	18,710	18,589	121	0.7%	58	

- 1 Food and Health premises registrations for the 2014/15 year were raised in August. The forecast allows for the recognition of these funds over the financial year. An additional \$91,000 for valuation data fees has been received which had been forecast to be received in 2013/14.
- 2 User Fees for the Packaged Care programs were yet to be processed for August and September.
- 3 Recurrent operating grants for the Packaged Care programs have not been received for August and September.
- 4 Grants - operating (non-recurrent) were above forecast due the receipt of funds forecast to be received last financial year (Piangi Consolidated Building Project \$150K), projects which have had grants paid early in the year whilst the forecast had allowed for them over the 12 month period or new grants not forecast (Communities for Children \$30K, Youth support programs \$39K, Economic Development projects \$47K).
- 5 The Country Roads and Bridges program funding of \$1M was paid in full in July.
- 6 Grants - capital (non-recurrent) includes funding for the Chisholm Reserve Upgrade (\$2.0M) and Pioneer Settlement Heartbeat of the Murray project (\$2.5M). The forecast allows for these to be received throughout the year, but these grants are yet to be received.
- 7 Contributions - cash non-recurrent is currently below forecast due to user group contributions for a number of capital works projects which were not yet due.
- 8 As at 30 September 2014 Council had accrued \$84K of interest income in addition to the \$55K already received.
- 9 Proceeds from the sale of plant and equipment are \$154K below forecast due to a number of vehicle replacements yet to take place in 2014/15. It is anticipated that the majority of plant and equipment replacement will occur later in the year.
- 10 Tower Hill land sales are currently \$99K below forecast.
- 11 The payments to the CACP and EACH consortium members for August and September were yet to be paid. Refer notes 2 & 3.
- 12 The loan budgeted to be borrowed in June 2014 was deferred until October 2014, resulting in a lower than forecast interest expense for the first quarter.
- 13 Licence fees for computer software were paid upfront at the beginning of the year.
- 14 Expenditure on significant capital works projects for the Chisholm Reserve drag strip (\$2.25M), Robinvale stormwater pipeline (\$0.9M) and sealed road reseals (\$0.9M) were forecast over the year, however works on these projects are due to commence in the second quarter.

**SWAN HILL RURAL CITY COUNCIL
SUMMARISED BALANCE SHEET
AS AT 30/09/2014**

	This Year Actual As At 30/09/2014 \$000	Last Year Actual As At 30/09/2013 \$000	\$ Movement Y.T.D. \$000	% Movement Y.T.D.	Budget As At End 2014/15 \$000	Notes
CURRENT ASSETS:-						
Cash and Cash Equivalents	14,701	16,028	(1,327)	-8.3%	8,667	
Trade & Other Receivables	16,256	14,539	1,717	11.8%	1,821	1
Inventories	61	54	7	13.0%	39	
Non Current Assets Classified as held for sale	76	102	(26)	-25.5%	110	2
Other Assets	125	201	(76)	-37.8%	270	3
TOTAL CURRENT ASSETS	31,219	30,924	295	1.0%	10,907	
CURRENT LIABILITIES:-						
Trade & Other Payables	1,506	1,429	77	5.4%	2,871	
Trust Funds & Deposits	365	404	(39)	-9.7%	0	
Provisions	4,720	4,609	111	2.4%	5,058	4
Interest Bearing Loans & Borrowings	923	2,522	(1,599)	-63.4%	1,143	5
TOTAL CURRENT LIABILITIES	7,514	8,964	(1,450)	-16.2%	9,072	
NET CURRENT ASSETS	23,705	21,960	1,745	7.9%	1,835	
NON-CURRENT ASSETS:-						
Trade & Other Receivables	131	118	13	11.0%	118	
Property, Plant, Equipment & Infrastructure	405,642	406,536	(894)	-0.2%	439,196	
Intangible Assets	726	768	(42)	-5.5%	768	
TOTAL NON-CURRENT ASSETS	406,499	407,422	(923)	-0.2%	440,082	
NON-CURRENT LIABILITIES:-						
Interest Bearing Loans & Borrowings	3,499	3,014	485	16.1%	7,117	6
Provisions	1,693	1,749	(56)	-3.2%	1,718	
TOTAL NON-CURRENT LIABILITIES	5,192	4,763	429	9.0%	8,835	
TOTAL NET ASSETS	425,012	424,619	393	0.1%	433,082	
EQUITY:-						
Accumulated Surplus & Reserves	288,393	287,038	1,355	0.5%	278,116	
Asset Revaluation Reserve	136,619	137,581	(962)	-0.7%	154,966	
TOTAL EQUITY	425,012	424,619	393	0.1%	433,082	

- 1 Trade and other receivables are \$1.7M higher than last year, however \$560K was received in the first two days of October as the 30 September rate payment processing was finalised.
- 2 The continued sales of Tower Hill land has reduced the value of land held for sale.
- 3 Other Assets represents GST due to Council.
- 4 The increase in provisions is primarily due to the EBA increase effective from July 2014.
- 5 Council had two loans that were due for renegotiation during 2013/14. One loan for \$701K was renegotiated for a further 8 years and the other loan of \$821K was renegotiated for a further 5 years. These loans were reported as current liabilities last year, however now that the terms have been renegotiated, only the upcoming 12 months are reported as a current liability and the remainder of the loan is reported as non-current.
- 6 Refer note 5.

B.14.84 DEBT COLLECTION POLICY

Responsible Officer: Director Corporate Services
File Number: 69-99-00
Attachments: 1 Debt Collection Policy

Declarations of Interest:

David Lenton - as the responsible officer, I declare that I have no disclosable interests in this matter.

Summary

The Debt Collection Policy has been reviewed and is presented for the approval of Council.

Discussion

Council has a range of policies that guide how Council operates to deliver services and its dealings with the community. These policies are periodically reviewed to ensure that they are still appropriate.

For annual rates, charges and levies, the Debt Collection Policy has been altered to include two additional steps prior to proceeding to Summons. The two steps are to attempt to make telephone contact and to issue a Solicitors Demand letter. In addition, for pension concession rate debtors, we will incorporate a more intensive follow up procedure, prior to the issue of a Summons.

The Policy statement has been made clearer with the inclusion of an additional sentence which was previously part of the directive.

The policy should be read in conjunction with the proposed Financial Hardship Policy.

Consultation

No community consultation has been undertaken in relation to this policy. All members of the Executive Leadership Team, together with relevant staff, have reviewed the policy.

The Policy was also presented at a Councillor Assembly which resulted in the Policy statement being made clearer.

Financial Implications

The policy ensures monies owed to Council are collected in a timely manner.

Social Implications

The policy acknowledges that on occasion some flexibility is required to enable customers to pay amounts owed to Council.

Economic Implications

Nil

Environmental Implications

Nil

Risk Management Implications

Mitigates against potential non-collection of debts.

Council Plan Strategy Addressed

Councillor and Staff accountability - We will represent the interests of our community and will conduct our affairs openly and with integrity, reflecting high levels of good governance.

Options

Council may approve the policy as recommended or make changes.

Recommendation

That Council adopt the Debt Collection Policy as presented.

POLICY TITLE DEBT COLLECTION

POLICY NUMBER POL/CORP204

PURPOSE

The purpose of this policy is to establish a clear and concise framework in which to pursue outstanding debts owed to Council, thereby ensuring reliability of revenue collection.

SCOPE

This policy applies to all Council employees with responsibility to ensure collection of monies on behalf of Council.

POLICY

Council will collect outstanding monies owed to it, using all possible legal means and having due regard to genuine applications for financial hardship.

Council will undertake legal action only once all other collection avenues have been exhausted.

Council will develop and implement procedures to ensure reliable revenue collection. Outstanding debts owed to Council shall be followed up in accordance with the Debt Collection Procedure – PRO/CORP204D.

The Debt Collection Procedure will:

- (a) Identify the debt collection methods to be utilised when collecting amounts owed to Council
- (b) Establish and confirm timeframes and associated actions in pursuit of outstanding debts owed to Council
- (c) Provide defined protocols when negotiating with Council clients on debt collection issues.

RELATED POLICIES/DOCUMENTS

Financial Hardship Policy

RELATED LEGISLATION

The Local Government Act 1989

Signed: _____ **Mayor** **Date:** _____

PROCEDURE TITLE DEBT COLLECTION**PROCEDURE NUMBER PRO/CORP204D****ENABLING POLICY/DIRECTIVE**

DEBT COLLECTION POLICY – DIR/CORP204

ENABLING LEGISLATION

The Local Government Act 1989, as amended.

PROCEDURE PURPOSE

The purpose of this procedure is to establish a clear and concise framework by which collection of outstanding debts owed to Council can be maximised.

SCOPE

This procedure applies to all Council employees with responsibility to ensure collection of monies on behalf of Council.

PROCEDURE**Employee Responsibilities**

This procedure seeks to maintain and enhance Council's integrity and standing in its dealings with its debtors. Therefore, in all dealings that Council employees have with Council's debtors it is expected that:

- All debtors are shown respect, courtesy, and diligence in all dealings.
- Maximum possible collection targets are sought by Council.
- Any negotiated arrangements conform to the documented guidelines stipulated in this procedure.
- High levels of ethics are adhered to, particularly when dealing with those clients regarded as in financial hardship.
- All debt collection arrangements are treated as strictly confidential.

Debt Groupings

Amounts owed to Council can be categorised into several broad based groups. The groupings are designated as follows:

- Rates, Service Charges and Levies.
- Special Rates and Charges (e.g., Private Schemes).
- Loans/Lease Agreements.
- Sundry Debtors – Aged and Disability.
- Sundry Debtors – Child Care Services.
- Sundry Debtors – Other.

Each grouping, by its particular nature, requires distinct methods of debt collection. Each grouping is considered below.

1. RATES, SERVICE CHARGES AND LEVIES

1.1 Standard Collection Procedure

Issue of an Annual Notice

As per section 158 (4)(d) of the Local Government Act 1989, Council must allow a minimum of 14 days from the issue of an Annual Rate Notice to the first payment due date.

Council Payment Dates

Council currently offers instalment payments by 30 September, 30 November, 28 February and 31 May each year. Council also provides a discount on rates and service charges for payments made in full by 30 September. Statutory interest charges are raised in accordance with Section 172 of the Local Government Act for payments made after the specified dates. The rate of Penalty Interest is reviewed regularly by the Victorian Government and any changes to the rate are published in the Victorian Government Gazette.

Payment Methods

(a) Negotiated Payment Arrangements

Ratepayers may negotiate a suitable repayment arrangement to clear their indebtedness. Any such arrangement must clear the debt within a maximum 12 month period, while taking into account any current amounts that accrue during the repayment period. The repayment period may be lengthened on the approval of the Customer Services and Revenue Co-ordinator or the Director Corporate Services.

Failure to adhere to an agreed repayment arrangement will result in a reminder letter being issued. Subsequently, if no contact is made within 10 clear business days, the next stage of collection procedures will be initiated.

Adherence to an agreed repayment arrangement, at this or any stage in the collection process, will immediately stay any collection legal proceedings. However, a stay of collection will only be allowed once for properties that are scheduled for rate recovery sale.

The Debt Collection Contractor, on a weekly basis or, as repayment arrangement dictates, monitors the arrangement negotiated until the account is paid in full.

(b) Centrelink Arrangements

At the initiation of the ratepayer, Council will accept Centrelink Centrepay deductions into its General Bank Account for those ratepayers whom are in arrears.

(c) Direct Debit

Fortnightly, monthly, and quarterly direct debit payments are available to all ratepayers.

Reminder Notices

Reminder Notices for all unpaid rates accounts to be forwarded by 15 March and 15 June each year. Forwarding of Reminder Notices will not be considered for ratepayers in arrears of their first or second instalments.

Final Notices

Preparation and forwarding, by Council's Debt Collection Contractor, of Final Notices to all ratepayers with an outstanding rates balance of \$50.00 or above. Final Notices to be sent by 30 June each year.

Statutory interest charges will continue to be raised despite any repayment arrangement negotiated unless otherwise determined by the Director of Corporate Services.

Magistrates Court Actions

Ratepayers who do not respond to Final Notice issue are subject to the following formal collection processes:

- Attempted phone contact by Council's Debt Collection Contractor. If no resolution is achieved a Solicitors Demand letter will be issued.
- If debt is not resolved, then attempted telephone contact by Council's Debt Collection Contractor will be made. If no resolution is achieved after 14 days, a Summons of Complaint is issued.
- If the debt is still not settled or negotiated, an Issue of Judgement Order is made.

For Pension Concession holders, before a Summons of Complaint is issued, Council's Debt Collection contractors 'Extended Services' option should be used. This option incorporates intensive telephone follow-ups, negotiations of an automated repayment arrangement or field calls. This option should prevent the necessity to issue a summons in some instances.

- Issue of Rent Orders, Summons for Oral Examination, Attachment of Earnings Application, Bank Garnishee Report and/or Warrant to Seize Property.

The majority of the above actions incur the Magistrates Court Civil Procedures – Scale of Costs, all of which are recoverable from the debtor.

Due to the cost of issuing a Summons of Complaint, debts of less than \$1000 will not be pursued through the courts without prior approval from the Director Corporate Services.

Discretion by the Customer Services and Revenue Co-ordinator is exercised in proceeding with any of the above actions, dependent upon size of debt, length of debt accrual and past history of debtor. This discretion incorporates the formal resolution of Council of 8 February 2000, wherein:

“that in the event of a sole proprietor of a property in Council's municipal district dying in the rate year prior to the due date for payment of rates for that rating year, with rates owing on the property for that year, the estate of the deceased ratepayer will have an extension of up to 3 months from the due date for payment of rates for that rating year without penalty”.

1.2 Rate Recovery Sales

By the March Council meeting every second year (the first being 2015), the Customer Services and Revenue Co-ordinator will prepare for the Chief Executive Officer's approval, a report of properties proposed for sale to recover unpaid rates and charges.

Council will be kept informed by the Chief Executive Officer of any potential damage to its public image. This may include sensitive, contentious, staff owned or Councillor owned properties.

The report is to reflect those properties where all other measures to collect the debt have been unsuccessful and employees believe proceeding to a Rate Recovery Sale process is justified and worthwhile.

The report will be supported by a confidential listing of all required details for Council to make an informed determination on each individual debtor, including the debtor's financial

circumstances if known, debt history, debt collection costs, sale costs, expected proceeds and any other relevant matters.

Where the Capital Improved Value is below \$6000, the Director Corporate Services may choose to abandon the outstanding rates as the cost of recovery may make a Rate Recovery Sale not worthwhile.

The Customer Services and Revenue Co-ordinator is to prepare a report for Council's determination of those properties which are of such low value as to warrant consolidation with adjoining landowners. Such properties would usually have owners that have been deceased for a number of years, are not required by the owners or their beneficiaries, or are uncontactable.

2. SPECIAL RATES AND CHARGES

2.1 Council Payment Dates

Initial accounts, for special rates and charges, are forwarded once the special rate or charge has been formally declared. For those debtors whom choose to pay the special rate or charge by instalments, accounts for such instalments are issued at the end of each quarter, being 30 September, 31 December, 31 March and 30 June.

2.2 Reminder Notices

Reminder notices are forwarded via subsequent quarterly instalment notices whereon arrears amounts are shown.

2.3 Telephone Contact

After 14 days, prior to issue of Final Notice, debtor telephoned by Revenue Department employees to negotiate payment arrangement.

2.4 Final Notices

Preparation and forwarding, by Debt Collection Contractor, of Final Notices for special rates and charges debtors following non-payment of any arrears, is performed on a quarterly basis.

2.5 Payment Methods

Negotiated payment arrangements, Centrelink arrangements and direct debits apply in the same manner as Rates, Service Charges and Levies.

2.6 Formal Collection Procedures

Follow-up call after Final Notice, Magistrates Court Actions, Financial Hardship Provisions and Rate Recovery Sales are applicable to Special Rates and Charges in the same manner as the Rates, Service Charges and Levies.

3. LOANS/LEASE AGREEMENTS

3.1 Council Payment Dates

Council has several loans or lease agreements with community organisations and businesses. Repayments are identified in the agreement and a repayment schedule is provided. Notices for these debts are forwarded one month prior to the due dates.

3.2 Reminder Notices

Due to the relatively small number of accounts of this type of debt, reminders to debtors are effected by correspondence.

3.3 Final Notices

To be prepared and forwarded by Council's Debt Collection Contractor at the direction of the Director Corporate Services.

3.4 Telephone Contact

Attempted telephone contact made by Finance Department employees.

3.5 Formal Collection Procedures

Collection of payments for these types of debts will be enforced by application of a negotiated agreement between Council and the respective debtors followed by such action through the courts system as required. This action will be consistent with the form of security held by Council. Where a loan/lease is with a not-for-profit or community group, the matter will be referred to Council prior to legal action.

4. SUNDRY DEBTORS – AGED AND DISABILITY

4.1 Council Payment Dates

Statement accounts are forwarded on a monthly basis, accounts are due 30 days from statement date.

4.2 Reminder Accounts

Statement account incorporating arrears outstanding will be sent in following month.

4.3 Telephone Contact

After 14 days from issue of reminder statement account, the debtor will be telephoned by Aged and Disability Services Department employees to negotiate payment arrangement.

4.4 Payment Methods

Negotiated payment arrangements, Centrelink arrangements and direct debits apply in the same manner as Rates, Service Charges and Levies.

4.5 Final Notices

Correspondence will be sent accompanying statement account if in arrears of greater than 60 days.

4.6 Formal Collection Procedures

- Recommendation to the Director Corporate Services that the debt be written off as uncollectible or formal collection processes commenced.
- Solicitors letter of demand sent from Council's Debt Collection Contractor.
- Attempted telephone contact by Council's Debt Collection Contractor.

4.7 Magistrate Court actions

- Issue a Summons of Complaint.
- Contact made by Debt Collection Contractor on a weekly basis, or as repayment arrangements dictate.
- Issue of Judgement Order.
- Issue of Summons for Oral Examination, Attachment of Earnings Application or Warrant to Seize Property.

Discretion by the Director Corporate Services is to be exercised in proceeding with any of the above actions, dependent upon size of debt, length of debt accrual and past history of debtor. Discretion is also exercised by the Director Corporate Services in any repayment arrangement negotiated.

5. SUNDRY DEBTORS – CHILD CARE SERVICES

5.1 Council Payment Dates

Statement accounts are forwarded on a fortnightly basis and are due for payment 7 days after issue.

5.2 Reminder Accounts

Statement Accounts, incorporating arrears outstanding, will be sent in following fortnight. Initial notification of cancellation of service will occur, if not paid within 7 days.

5.3 Telephone contact

Debtor telephoned by Revenue Department employees if account is 21 days overdue.

5.4 Final Notices

Correspondence accompanying statement account, if in arrears of greater than 30 days. This correspondence also notifies service withdrawal if not paid within 7 days.

5.5 Formal Collection Procedures

- Recommendation by the Director Corporate Services that the debt be written off as uncollectible or that formal collection processes commence.
- Solicitor's letter of demand sent from Council's Debt Collection contractor.
- Attempted telephone contact by Council's Debt Collection Contractor.

5.6 Magistrate Court Actions

- Issue of a Summons of Complaint.
- Contact made by Debt Collection Contractor on a weekly basis, or as repayment arrangement dictates.
- Issue of Judgement Order.
- Issue of Summons for Oral Examination, Attachment of Earnings Application or Warrant to Seize Property.

Discretion by the Director Corporate Services is to be exercised in proceeding with any of the above actions, dependent upon size of debt, length of debt accrual and past history of debtor. Discretion is also exercised by the Director Corporate Services in any repayment arrangement negotiated.

6. SUNDRY DEBTORS – OTHER

6.1 Council Payment Dates

Statement accounts are forwarded on a monthly basis and are due 30 days after issue.

6.2 Reminder Accounts

Statement accounts incorporating arrears outstanding will be sent in following month, accompanied by correspondence.

6.3 Final Notices

If in arrears of greater than 60 days, a second item of correspondence accompanying statement account will be sent.

6.4 Telephone Contact

After 14 days from issue of final statement accounts, selected debtors telephoned by Revenue Department, or other associated department employees, to negotiate payment arrangements.

6.5 Formal Collection Procedures

- Recommendation to the Director Corporate Services that debt be written off as uncollectible or that formal collection processes commence.
- Solicitor’s letter of demand sent from Council’s Debt Collection contractor.
- Attempted telephone contact by Council’s Debt Collection Contractor.

6.6 Magistrate Court Actions

- Issue of a Summons of Complaint.
- Contact made by Debt collection Contractor on a weekly basis, or as repayment arrangement dictates.
- Issue of Judgement Order.
- Issue of Summons for Oral Examination, Attachment of Earnings Application or Warrant to Seize Property.

Discretion by the Director Corporate Services is to be exercised in proceeding with any of the above actions, dependent upon size of debt, length of debt accrual and past history of debtor. Discretion is also exercised in any repayment arrangement negotiated.

7. FINANCIAL HARDSHIP PROVISION

Council is able to waive or defer any debt, which upon application by a ratepayer, would cause financial hardship to the applicant.

Applications of this nature are processed under the provisions of Council’s Financial Hardship Policy.

Signed: _____

CEO

Date: _____

B.14.85 FINANCIAL HARDSHIP POLICY

Responsible Officer:	Director Corporate Services
File Number:	69-99-00
Attachments:	1 Financial Hardship Policy 2 Financial Hardship Attachment A 3 Financial Hardship Attachment B 4 Financial Hardship Attachment C

Declarations of Interest:

David Lenton - as the responsible officer, I declare that I have no disclosable interests in this matter.

Summary

The Financial Hardship Policy is presented for the approval of Council. The policy establishes the principles for Council staff to follow when addressing financial hardship applications.

Discussion

Council has a range of policies that guide how Council operates to deliver services and its dealings with the community. This policy is a new policy.

The Local Government industry is coming under increasing scrutiny, by sections of the legal fraternity, about the level of issue of Summons of Complaint for unpaid rates, charges and levies. Compared to all other Councils in Victoria, Swan Hill is mid-range when summons rates per 1,000 of population are considered.

This policy will provide a framework for dealing with any customer who may find themselves in genuine financial hardship, thereby reducing the need to use formal legal proceedings to collect debts.

The policy provides a clear set of guidelines for Council staff to follow when administering an application for financial hardship.

Most importantly, the policy will aid those Council customers approved for assistance under the policy.

The policy should be read in conjunction with the proposed Debt Collection Policy.

Consultation

The Municipal Authority of Victoria, the Revenue Management Association of Victoria, revenue staff of most Councils in north and central Victoria, the Consumer

Action Law Centre, Financial Counselling Australia, Mallee Family Care and Rural Financial Counselling Services – Murray Mallee Region have provided input via consultation on this policy. All members of the Executive Leadership Team, have reviewed the policy.

The policy was also presented at Councillor Assembly, resulting in minor changes being made.

Financial Implications

There is the possibility of a minor negative financial implications from this policy.

Social Implications

The policy provides a clear and transparent set of guidelines for when Council staff are dealing with customers in financial hardship.

Economic Implications

Nil

Environmental Implications

Nil

Risk Management Implications

Acknowledges the minor risk of not collecting an entire outstanding debt.

Council Plan Strategy Addressed

Councillor and Staff accountability - We will represent the interests of our community and will conduct our affairs openly and with integrity, reflecting high levels of good governance.

Options

Council may approve the policy as recommended or make changes.

Recommendation

That Council adopt the Financial Hardship Policy.

POLICY TITLE FINANCIAL HARDSHIP POLICY

POLICY NUMBER POL/CORP234

PURPOSE

This policy provides a set of guidelines for the treatment of those customers whom are experiencing genuine financial hardship or are clearly having difficulty in meeting their financial obligations to Council.

SCOPE

This policy applies to Council employees whom have responsibility to consider applications for financial hardship.

POLICY

Council will consider all applications for Financial Hardship in a respectful, compassionate, fair and sensitive manner. Criteria for genuine financial hardship or a customer clearly experiencing difficulty in meeting their financial obligations to Council, is detailed in the Financial Hardship Procedure-PRO/CORP234

Decisions made on applications are subject to review by the Chief Executive Officer.

Where appropriate Council will refer customers to relevant counselling services for assistance.

RELATED POLICIES/DOCUMENTS

Debt Collection Policy- POL/CORP204

RELATED LEGISLATION

Local Government Act 1989

ATTACHMENTS

- Financial Hardship Application Form
- Financial Hardship Application - Appeal Form

Signed: _____ **Mayor** **Date:** _____

PROCEDURE TITLE FINANCIAL HARDSHIP PROCEDURE

PROCEDURE NUMBER PRO/CORP234

ENABLING POLICY/DIRECTIVE

FINANCIAL HARDSHIP POLICY- POL/CORP234

ENABLING LEGISLATION

Local Government Act 1989

PURPOSE

Provide a broad definition for genuine financial hardship.

Stipulate the processes to be followed in actioning applications for Financial Hardship.

SCOPE

This procedure applies to all Council employees whom may receive applications for financial hardship.

OBJECTIVES

- Provide assistance to customers, experiencing genuine financial hardship.
- Provide clearly defined guidelines for Council employees to effectively and consistently manage customer financial hardship applications.
- Detail a framework of available assistance options for financial hardship applications.

PROCEDURE**Employee Responsibilities**

Employee responsibilities in Council's Debt Collection Policy and Procedure also apply to this procedure.

In addition, when assessing Financial Hardship Applications, employees must be extremely aware of the probable financial, emotional, physical or psychological difficulties that the Council client may be experiencing.

Definition of Financial Hardship

A Council customer is regarded to be in financial hardship if their intention is to pay their Council debt but they do not have the financial capacity to make the payment(s) within the timeframe specified by Council.

The assessment may be made by Council employees, but will usually be supported by advice from an independent financial counsellor (e.g. Mallee Family Care).

Financial Hardship may arise as a result of unemployment, ill health, separation, a family death, serious accident, substance abuse, gambling addiction, sudden income reduction, substantial unexpected expenses etc.

Management of Applications

All Financial Hardship applications, whether referred from a Council employee or an independent financial counsellor, are assessed in the first instance, by the relevant program manager and approved by the relevant Director. The assessment of the application should be actioned within 14 days of receipt. The result of the application is to be conveyed in writing to the applicant and the Customer Services and Revenue Co-ordinator.

The written response is to detail the appeal provision to the Chief Executive Officer. Determination of any appeal also needs to be actioned within 14 days of receipt. (Examples of the Hardship Application and Appeal document are provided as Attachments A & B).

Rates and Special Charges Scheme Debts

It is anticipated that financial hardship assistance will only be granted to individuals on their primary residence however, specific circumstances may arise where additional assistance is considered (i.e. flooding of farm land).

Types of assistance available

Existing Payment Arrangements

Renegotiate the amount, incidence or length of existing instalment arrangements. Interest amounts, if applicable, would continue to accrue.

Interest Reduction

Penalty interest on outstanding rate amounts is set by the Penalty Interest Act 1983. Interest on Special Rates and Charges and Loan/Lease Agreements are set at the time of raising these changes. No interest is charged on sundry debtors accounts.

Provide interest amount reductions, either in part or in full, for interest amounts raised.

Provide for an agreed interest free period until payment is made.

Assistance for interest reduction would have regard to the demonstrated efforts of the ratepayer to meet past and current payment obligations. Assistance may be granted for short or long term cases.

Deferral of Payment

An account may be placed on hold for a set or indefinite period. This option would generally apply to long term cases of extreme financial hardship. There would need to be demonstrated long term issues which may affect the customer's ability to meet current and future commitments.

Any deferred payments are to be reviewed on a quarterly basis.

Waiver of Account

Section 117A of the Local Government Act 1989 allows Council to waive, in part, or in whole any rate or charge, or any interest imposed for late payment. For all other accounts, the waiver is authorised as per Council's Debt Collection Policy.

This provision is generally only used in circumstances of dire financial hardship, or where a commercial decision is made not to pursue a debt.

Formal Debt Collection Action

Formal debt collection actions are to be suspended during the financial hardship application and approval periods.

External Referral Services

Council employees are able to direct ratepayers to online information services.

The Consumer Action Law Centre (www.consumeraction.org.au) is a not for profit provider of phone based financial counselling services. The financial counselling hotline can be reached on 1800 007 007. This free hotline is open from 09.30am to 4.00pm, Monday to Friday. The centre can also direct callers to their closest local in-person service.

Financial Counselling Australia has developed the www.debtselphelp.org.au/index website. The website provides letter templates, fact sheets, information on financial counselling services and a debt management self help tool.

Mallee Family Care, 229-235 Beveridge Street, Swan Hill, VIC, 3585, 5032 4946, provide a telephone financial hardship counselling service with their Mildura Office. Personal visitations may be arranged in Swan Hill depending on client requirements.

Rural Financial Counselling Service, Murray Mallee Region, Suite 5/194 Beveridge Street, Swan Hill, VIC, 3585, 5032 2562, provide a personal contact financial hardship counselling service which is available on appointment.

RELATED POLICIES/DOCUMENTS

Debt Collection Policy- POL/CORP204

Signed: _____ **CEO** **Date:** _____



SWAN HILL RURAL CITY COUNCIL

Financial Hardship Application Form

1. Applicant Details

Name(s): _____

Mailing address: _____

Date(s) of Birth: ____/____/____ ____/____/____

Telephone contact: Home _____ Work: _____

Mobile: _____

Occupation: _____

Employer: _____

Employer address: _____

_____ Postcode: _____

Marital status: single married de facto separated

Dependents: dependent wife/husband/de facto (# of) dependent children

neither

Concession card holder: Yes No

Card type (if applicable): _____

Card number: _____

Card expiry: _____

2. Property details (if applicable):

Assessment number: _____

Property address: _____

Property description: Lot No(s): _____

 Plan No(s): _____

 Crown Allotment(s): _____

 Section(s): _____

 Town/Parish: _____

3. Debt details

Total amount of debt: \$ _____

Period of debt: ____/____/____ to ____/____/____

Type of debt (please tick):

Rates, Garbage Charge and Fire Service Levy

Private Street Schemes

Home Help

Family Day Care

Loan/Lease Agreement

Other Sundry Debtor Account

4. Financial Details

Annual Income Details			
Income (net)	Self \$	Spouse/De facto \$	TOTAL \$
<input type="checkbox"/> wage/salary <input type="checkbox"/> benefit			
Income in bank/other financial institution			
Income from investments			
Other income			
Money owed to you			
TOTAL INCOME (A):			

Annual Expenditure Details			
Expenditure	Self \$	Spouse/De facto \$	TOTAL \$
Rent/board			
Mortgage repayments			
Maintenance for dependents			
Food			
Utilities			
Telephone			
Water			
Insurances			
Motor vehicle payments/expenses			
Other debts (provide details) _____			
TOTAL INCOME (B):			

Assets: my assets and liabilities are as follows:	\$
Current bank balance	
Shares	
House or other property (please provide addresses) _____ _____	
Life assurance/superannuation policies	
Motor vehicle (car, utility, motorcycle, truck, etc) Year: _____ Make: _____ Model: _____	
TOTAL ASSET VALUE (C):	

Liabilities	\$
Mortgage	
Credit cards/other loans	
Other	
TOTAL LIABILITIES (D):	

Financial Position	\$
Income (A)	
Expenditure (B)	
Assets (C)	
Liabilities (D)	
TOTAL (A+C-B-D):	

5. Reasons and additional information
<p>(a) Please list all reasons for the request for financial hardship consideration:</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p>
<p>(b) Please detail any other pertinent information relevant to your application:</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p>
<p>(c) Please attach any other relevant information to this application that you feel may support your application. (e.g. Financial statements, bank records, taxation returns etc)</p>

6. Signature

SIGN AND DATE HERE:	
<p>I declare that the above information and disclosures are true and correct and declare the same through the attached Statutory Declaration (Attachment C).</p>	
<div style="border: 1px solid black; width: 100%; height: 20px; margin-bottom: 5px;"></div> <p><i>Applicant signature(s)</i></p>	<div style="border: 1px solid black; width: 100%; height: 20px; margin-bottom: 5px;"></div> <p><i>Date</i></p>

<i>(Council office use only):</i> Application No: ____/20____	
7. Application Assessment: (a) Financial Assessment	
(b) Type of assistance to be considered:	
(c) Recommendation:	
Signed:	Date:/...../.....
Customer Services and Revenue Co-ordinator	
(d) Recommendation Approved/Not approved/Amended to:	
Signed:	Date:/...../.....
Director Corporate Services	



SWAN HILL RURAL CITY COUNCIL

Financial Hardship Application - Appeal Form

If you do not agree with the decision made about your financial hardship application, you can appeal by completing this form.

I/we hereby lodge an appeal against the original decision made about my/our Financial Hardship Application. This appeal is made in accordance with the Financial Hardship Procedure PRO/CORP234.

Appellant Details
Name(s): _____
Mailing Address: _____ _____
Property Address: _____ _____

Type of debt (please tick)
<input type="checkbox"/> Rates, Garbage Charge and Fire Services Levy
<input type="checkbox"/> Private Street Schemes
<input type="checkbox"/> Home Help
<input type="checkbox"/> Family Day Care
<input type="checkbox"/> Loan/Lease agreement
<input type="checkbox"/> Other sundry debtor account

Reasons why I/we disagree with the original decision:
.....
.....
.....
.....
.....
.....
.....
.....

Sign and date here:

Appellant signature

Date

Appellant signature

Date

(Council use only)

Determination of appeal:

.....
.....
.....
.....
.....

Reasons for determination:

.....
.....
.....
.....
.....

Signed:
Chief Executive Officer

Date:/...../.....

State of Victoria

Statutory Declaration

I, _____
[full name]

of _____
[address]

_____, do solemnly and sincerely declare that:-
[occupation]

I acknowledge that this declaration is true and correct, and I make it with the understanding and

Declared at _____

this _____ day of _____ 20____

.....
Signature of person making this declaration
[to be signed in front of an authorised witness]

Before me,

.....
Signature of Authorised Witness

The authorised witness must print or stamp his or her name, address and title under section 107A of the *Evidence (Miscellaneous Provisions) Act 1958* (as of 1 January 2010), (previously *Evidence Act 1958*), (eg. Justice of the Peace, Pharmacist, Police Officer, Court Registrar, Bank Manager, Medical Practitioner, Dentist)

B.14.86 FINANCIAL INVESTMENTS POLICY REVIEW

Responsible Officer: Director Corporate Services
File Number: 69-99-00
Attachments: 1 Financial Investments Policy

Declarations of Interest:

David Lenton - as the responsible officer, I declare that I have no disclosable interests in this matter.

Summary

The Financial Investments Policy has been reviewed and is presented for the approval of Council. The policy details the guidelines for the investment of surplus funds.

Discussion

Council currently has processes in place for investing surplus funds. This Policy was developed to guide and document how Council invests these funds.

The review process resulted in the following minor changes:

- The removal of the need to obtain a Guarantee and Security from ADI's, as this is no longer required.
- Altered the need to compile monthly reports to Council – this is now prepared as required and reported in the Councillor Bulletin.
- Extended the review period of the Policy from one to four years.

Consultation

All members of the Executive Leadership Team and the Finance Manager have reviewed the policy. The Policy was also presented at Councillor Assembly.

Financial Implications

This Policy ensures that financial investments are managed in a manner that allows Council to meet its daily cash flow requirements and maximise return on investments within an acceptable level of risk.

Social Implications

Nil

Economic Implications

Nil

Environmental Implications

Nil

Risk Management Implications

Nil

Council Plan Strategy Addressed

Councillor and Staff accountability - We will represent the interests of our community and will conduct our affairs openly and with integrity, reflecting high levels of good governance.

Options

Council may approve the policy as recommended or make changes.

Recommendation

That Council adopt the Financial Investments Policy as presented.

FINANCIAL INVESTMENTS POLICY

POLICY TITLE

POLICY NUMBER **POL/CORP227**

PURPOSE

This policy sets out Council's guidelines for the investment of surplus funds.

SCOPE

This policy applies to employees authorised to deal with Council investments.

POLICY

Council will manage its financial investments in a manner that allows it to meet daily cash flow requirements and maximize its return on investments within an acceptable level of risk. An acceptable level of risk means surplus funds will only be invested in Approved Deposit-taking Institutions (ADIs) approved by the Australian Prudential Regulation Authority (APRA) with a credit rating of at least A- (long term) or BBB for investments less than 90 days as assessed by Standard and Poor's Financial Services.

RELATED POLICIES/DOCUMENTS

Delegation of Financial Authority Directive DIR/CORP206

RELATED LEGISLATION

Local Government Act 1989 – Section 143

Signed: _____ **Mayor** **Date:** _____

PROCEDURE TITLE FINANCIAL INVESTMENTS PROCEDURE**PROCEDURE NUMBER PRO/CORP227P****ENABLING POLICY/DIRECTIVE**

FINANCIAL INVESTMENTS POLICY – POL/CORP227

ENABLING LEGISLATION

Local Government Act 1989 – Section 143

PURPOSE

This procedure provides guidelines for making investment decisions that will maximize return on investments within an acceptable level of risk.

SCOPE

This procedure applies to ELT, Finance Manager and Financial Accountant. All investments must be approved by either the CEO, Director Corporate Services, Finance Manager, Financial Accountant and one of the other bank account signatories.

PROCEDURE

Council employees must take into consideration all of the following factors when carrying out investment functions:

1. Daily cash flow requirements
2. Compliance with legislative requirements
3. Credit Rating of Institution
4. Interest Rate
5. Need to spread risk over a range of Approved Deposit-taking Institutions (ADI's)
6. APRA approved

1. Daily cash flow requirements

Before any investment choice can be made, it must be determined that current cash flow requirements can be met and remaining funds in Council's various bank accounts are surplus to immediate needs.

2. Compliance with legislative requirements

All investments must comply with the Local Government Act 1989 – Section 143. See Attachment A.

3.

Credit Rating of Institution

Funds will be invested with an institution based on its Standard and Poor's (S&P) credit rating. See Attachment B.

The minimum credit rating Council will accept from a Bank or Non-bank Financial Institution will be:

- Short Term investments with a term to maturity of no more than 90 days, where Long Term rating of BBB is an acceptable risk.
- Long Term investments are those with term to maturity of greater than 90 days, and must have a rating of no less than A -.

Any ratings below these levels are considered too uncertain, and not to be used.

No investment will be placed with a term greater than 2 years.

Refer to Attachment B for a summary of the S&P rating marks and their assessed risk.

4. Interest Rate

Assess the return on investment offered compared to other eligible institutions and determine the best value at that time.

Consideration must be given to any bank fees applicable to transferring funds between ADI's.

5. Need to spread risk over a range of issuing entities

Council may not invest greater than 40% of its annual average investments in one financial institution.

Not less than three quotations shall be obtained from financial institutions in order to make investment decisions.

Council may invest in the following:

Short Term:

- At Call Account
- Term Deposits
- Certificate of Deposit
- Promissory Notes
- Floating Rate Notes

Long Term:

- Floating Rate Notes
- Medium Term Notes
- Managed Bond Funds
- Government Bonds

6. APRA approved

All institutions must be Australian Prudential Regulation Authority (APRA) Approved Deposit-taking Institutions (ADI's).

MONITORING AND REPORTING

Council’s Investment Policy and Strategy should be reviewed at least once each financial year or more frequently where legislation changes or circumstances warrant.

Council’s Financial Services Department will maintain a current list (not more than six months old) of Long Term Investment Institution ratings. If any of the funds/securities held are downgraded, such that they no longer fall within the guidelines to this policy, the investment will be divested within 30 days or as soon as practicable.

Council’s Financial Services Department shall maintain monthly summary reports and provide such information to Council as required, including:

- Maturity profile of current investments.
- Interest rates earned on current investments.
- Total value of investments held compared to forecast.
- Investment portfolio balances compared to prior year.
- Risk ratings of the investments within the current portfolio.

LEGISLATION AND OTHER REFERENCES

Legislation

Local Government Act 1989 – Section 143 (See Attachment A)

Documents

This Policy is implemented in conjunction with the Standard and Poor’s Ratings Levels (see Attachment B).

Signed: _____ CEO Date: _____

ATTACHMENT A

LOCAL GOVERNMENT ACT 1989 – INVESTMENTS

Section 143 of the Local Government Act states:

A Council may invest any money:

- (a) in Government securities of the Commonwealth;
- (b) in securities guaranteed by the Government of Victoria;
- (c) with an authorised deposit-taking institution;
- (d) with any financial institution guaranteed by the Government of Victoria;
- (e) on deposit with an eligible money market dealer within the meaning of the Corporations Act;
- (f) in any other manner approved by the Minister after consultation with the Treasurer either generally or specifically, to be an authorised manner of investment for the purposes of this sub-section.

ATTACHMENT B**STANDARD AND POOR'S RATINGS LEVELS****LONG TERM:**

AAA Extremely Strong Capacity to Pay

AA+
AA
AA- } Very Strong Capacity to Pay

A+
A
A- } Strong Capacity to Pay

BBB+
BBB
BBB- } Adequate Capacity to Pay

BB+
BB
BB- } Uncertainties or Adverse Conditions could lead to Inadequate Capacity to Pay

B+
B
B- } Adverse Conditions Likely to Impair Capacity to Pay

CCC Vulnerable to Default

C High Risk of Default

D Default

B.14.87 FRAUD CONTROL POLICY

Responsible Officer: Director Corporate Services
File Number: 69-99-00
Attachments: 1 Fraud Control Policy

Declarations of Interest:

David Lenton - as the responsible officer, I declare that I have no disclosable interests in this matter.

Summary

Council has a range of policies that guide how Council operates to deliver services and its dealings with the community. These policies are periodically reviewed to ensure that they are still applicable.

This policy aims to identify procedures and programs, to protect the Council's assets, integrity and security in order to maintain a high level of service to and reputation with the community.

Discussion

The Fraud Control Policy is presented for the approval of Council. The review process has resulted in the following changes:

- Amendment to the definition of Fraud in accordance with the Australian Standard Fraud and Corruption Control (AS 8001-2008).
- Amendment to the reporting process to allow reporting suspected fraud under the Protected Disclosure Directive.
- Amendment to the external notification clause – it is now required that all reports of suspected fraud must be assessed by the Protected Disclosures Co-ordinator
- Reference to the Independent Broad-Based Anti-Corruption Commission (IBAC)
- Inclusion of IBAC as an option available for reporting suspected fraudulent behaviour in Local Government

Consultation

All members of the Executive Leadership Team have reviewed the policy.

The Policy was also presented at Councillor Assembly.

Financial Implications

The Policy aims to reduce the likelihood of financial loss through fraud.

Social Implications

Nil

Economic Implications

Nil

Environmental Implications

Nil

Risk Management Implications

The Policy is an important component of Council's risk management processes.

Council Plan Strategy Addressed

Councillor and Staff accountability - We will represent the interests of our community and will conduct our affairs openly and with integrity, reflecting high levels of good governance.

Options

Council may approve the policy as recommended or make changes.

Recommendation

That Council adopt the Fraud Control Policy as presented.

POLICY TITLE FRAUD CONTROL POLICY

POLICY NUMBER POL/CORP226

PURPOSE

This policy requires the organisation to identify procedures and programs to protect Council's assets, integrity and security in order to maintain a high level of service to, and reputation with, the community.

SCOPE

This policy applies to all contractors, Councillors, committee members, volunteers and employees of Council and should be read in conjunction with Council's Staff Code of Conduct.

DEFINITION

Fraud is defined as a dishonest activity causing actual or potential financial loss to any person or entity including theft of moneys or other property by employees or persons external to the entity and whether or not deception is used at the time, immediately before or immediately following the activity. This also includes the deliberate falsification, concealment, destruction or use of falsified documentation used or intended for use for a normal business purpose or the improper use of information or position.

Standards Australia 2008, Fraud and Corruption Control (AS 8001–2008)

Gift is defined as any item or service which could be perceived to influence decision-making.

POLICY

Council will:

- Promote and guide Council's commitment to protecting itself against any form of fraudulent behaviour which could lead to a financial or property loss, or loss of public confidence.
- Establish the elements of the fraud prevention and control measures Council will take to prevent, detect, investigate and manage fraudulent activity or suspected fraudulent activity.
- Create and promote a culture of strong and consistent ethical organisational behaviour which effectively reduces Council's fraud risks.
- Provide clear responsibilities at all levels.
- Develop and enforce procedures to:
 - Prevent, detect and respond to fraud in a systematic and timely manner.
 - Ensure appropriate investigation of all suspected acts of fraud.
 - Protect Council's assets and reputation.
 - Establish a culture of sound ethics and integrity at Council.
 - Support Council's Code of Conduct.

RELATED POLICIES/DOCUMENTS

Protected Disclosures Directive – DIR/GOV018

Staff Code of Conduct - POL/STAFF100

Attractive Assets Directive - DIR/CORP221

Tendering Directive - DIR/CORP217

Procurement Policy - POL/CORP229
Police and Working with Children Check – DIR/STAFF 119
Serious Misconduct, Negligence and Fraud Directive – DIR/STAFF123

RELATED LEGISLATION

Protected Disclosure Act 2012 (replaces Whistle Blowers Act 2001)
Local Government Act 1989
Victorian Charter of Human Rights and Responsibilities Act 2006
Standards Australia 2008, Fraud and Corruption Control (AS 8001–2008)

Signed: _____ **Mayor** **Date:** _____

DIRECTIVE TITLE FRAUD CONTROL

DIRECTIVE NUMBER DIR/CORP226

PURPOSE

This directive is designed to identify procedures and programs, to protect Council's assets, integrity and security in order to maintain a high level of service to, and reputation with, the community.

SCOPE

This directive applies to all contractors, committee members, volunteers, and employees of Council and should be read in conjunction with Council's Staff Code of Conduct.

DEFINITION

Fraud is defined as a dishonest activity causing actual or potential financial loss to any person or entity including theft of moneys or other property by employees or persons external to the entity and whether or not deception is used at the time, immediately before or immediately following the activity. This also includes the deliberate falsification, concealment, destruction or use of falsified documentation used or intended for use for a normal business purpose or the improper use of information or position.

Standards Australia 2008, *Fraud and Corruption Control* (AS 8001–2008)

Gift is defined as any gift or service which could be perceived to influence decision-making. Some examples are: golf days, race days, event tickets, presents

Token Gift is defined as gifts such as chocolates or flowers, single bottles of wine, free or modestly subsidised meals, beverages or refreshments provided in conjunction with official business or networking events i.e., training, conferences, or small office or business accessories i.e., pens, calendars, notepads.

RESPONSIBILITIES

Chief Executive Officer (CEO)

The CEO has principal responsibility for ensuring there are adequate fraud controls in place to ensure compliance with the Policy and appropriate governance structures are in place

Executive Leadership Team (ELT)

ELT is responsible for:

- Ensuring there are adequate internal controls to provide reasonable assurance for the prevention and detection of fraud and corruption.
- Supporting an effective internal Audit function and Audit Committee.
- Ensuring that the Risk Register identifies fraud exposures and that fraud risks are reviewed at least annually.
- Complying with Council policies, rules and regulations.
- Ensuring employees are aware of their responsibilities through adequate training, supervision and written procedures.
- Responding to issues raised by the internal audit or Audit Committee and the external auditor.
- In the event of an incident of fraud, conduct a fraud incident analysis.
- Setting an example and advising employees of the acceptability, or otherwise, of their conduct.

Audit Committee

The role of the Audit Committee is to assist Management and Council to achieve sound managerial review and control over all Council activities. This process can aid fraud control.

Employees

Employees are responsible for acting with propriety in all Council activities.

Employees must:

- Act in accordance with the Staff Code of Conduct at all times.
- Not use their position with Council to gain personal advantage, or to confer advantage, or disadvantage, on any other person.
- Be responsible for the safeguard of Council assets against theft, misuse or improper use.
- Report any suspicion of fraud.
- Report all gifts to the Executive Support Officer as per the fraud control procedure.

Contractors/Volunteers/Consultants

Must act with propriety in all Council activities

Contractors/Volunteers/Consultants must:

- Be responsible for the safeguard of Council assets against theft, misuse or improper use.
- Report any suspicion of fraud.

RELATED POLICIES/DOCUMENTS

- Staff Code of Conduct - POL/STAFF100
- Protected Disclosures Directive – DIR/GOV018
- Attractive Assets Directive - DIR/CORP221
- Tendering Directive - DIR/CORP217
- Procurement Policy - DIR/CORP229
- Police and Working with Children Check – DIR/STAFF 119
- Recruitment Directive – DIR/STAFF110
- Serious Misconduct, Negligence and Fraud Directive – DIR/STAFF123

RELATED LEGISLATION

- Standards Australia 2008, Fraud and Corruption Control (AS 8001–2008)
- Protected Disclosures Act 2012
- Local Government Act 1989
- Victorian Charter of Human Rights and Responsibilities Act 2006

Signed: _____ CEO Date: _____

PROCEDURE TITLE FRAUD CONTROL

PROCEDURE NUMBER PRO/CORP226

ENABLING POLICY/DIRECTIVE

- FRAUD CONTROL POLICY – POL/CORP226
- FRAUD CONTROL DIRECTIVE – DIR/CORP226

ENABLING LEGISLATION

Nil

PURPOSE

The purpose of this procedure is to protect Council's assets, integrity and security in order to maintain a high level of service to, and reputation with, the community.

SCOPE

This procedure applies to all contractors, Councillors, committee members, volunteers and employees of Council and should be read in conjunction with Council's Staff Code of Conduct.

DEFINITION

Fraud is defined as a dishonest activity causing actual or potential financial loss to any person or entity including theft of moneys or other property by employees or persons external to the entity and whether or not deception is used at the time, immediately before or immediately following the activity. This also includes the deliberate falsification, concealment, destruction or use of falsified documentation used or intended for use for a normal business purpose or the improper use of information or position.

Standards Australia 2008, *Fraud and Corruption Control* (AS 8001–2008)

Gift is defined as any item or service which could be perceived to influence decision-making.

Senior Officer is defined in section 3 of the Local Government Act 1989.

Program Manager is any officer with budgetary responsibility.

Token Gift is defined as gifts such as chocolates or flowers, single bottles of wine, free or modestly subsidised meals, beverages or refreshments provided in conjunction with official business or networking events i.e., training, conferences, or small office or business accessories i.e., pens, calendars, notepads.

PROCEDURE

The following fraud minimisation procedures are to be performed:

- (a) Accountability of management for the results and deviations from budget in the reporting for departments. Further independent detailed reviews of significant variances that may arise will be arranged by the CEO or the relevant Directors.
- (b) Periodic review of Council operations and an assessment of Council's exposure to the risk of fraud.
- (c) An ongoing internal audit process. Internal controls supported by internal audit reviews on a regular basis will minimise the exposure to fraud risk and minimise the occurrence of new fraud risks arising.
- (d) External audit review with the focus on accountability of financial systems and reporting processes.
- (e) Maintain strict pre-employment and recruitment practices, including the confirmation of all relevant employment, qualifications, credit, criminal history and reference checks and the promotion of this policy to all new Council employees.
- (f) All assets are properly recorded and regular checks are performed to ensure significant items are present.
- (g) Close relatives do not have a direct line of reporting, especially in financial, accounting and cash handling areas.
- (h) Set a standard of conduct for suppliers and contractors.
- (i) Review work practices open to collusion or manipulation.
- (j) Penalties are in place should an employee be found guilty of fraud.

- (k) Ensure that Council's management team have been trained in identifying indicators of fraud.
- (l) Having procedures in place relating to the private use of Council assets/equipment by employees.
- (m) All new Senior Officers, Managers, and those involved in financial transaction processing are subject to a satisfactory police check assessed against the criteria listed in the Police and Working with Children Check Directive DIR/STAFF 119.
- (n) The procedure can only be varied with the discretion of the Executive Leadership Team, with any changes reported to Council.

Fraudulent behaviour includes but is not limited to:

- Theft or misappropriation of Council funds including cash, property, plant and equipment.
- Obtaining any financial benefit, or other benefit, by deception.
- False invoicing and making false claims.
- Unlawful or unauthorised use of Council's credit cards, computers, vehicles, telephones or any other item of Council property.
- Bribery, corruption or abuse of office to gain some form of financial advantage.
- Theft or misuse of intellectual property, or other confidential information.
- Providing false or misleading information, or failing to provide information, when an obligation exists to do so.
- Financial reporting fraud.
- Making, using or possessing forged or falsified documents.
- Falsification of time records.
- Making false claims for allowances.
- Failure to declare a conflict of interest.
- Misrepresentation of qualifications or experience.

Early warning signs of fraud

The following are behavioural warning signs all employees and managers need to be aware of relating to potential fraudulent behaviour:

- Refusing to take leave.
- Resigning suddenly or failing to attend work for no apparent reason.
- Drug or alcohol abuse.
- A Manager/employee who takes an unusual interest in certain elements of the organisation's business.
- A Manager/employee who over rides internal controls.
- Habitual gambling.
- Persistent anomalies in work practices.
- Excessive generosity towards other employees.
- Borrowing from other employees.
- Character changes.
- Obvious lifestyle changes that are in conflict with employees normal financial position.

Fraud training

The induction process for new employees will include Council's Fraud Policy, Directive and Procedure, highlighting fraud awareness and Council's process for the reporting of fraud.

All existing employees will also be required to undertake policy and procedure training every three years covering the same topics.

REPORTING OF FRAUD

Reporting systems

Where an employee suspects that fraud is being committed against Council, the employee must report the matter. The employee may report the matter to their immediate Supervisor, Manager, Director or the Chief Executive Officer. Alternatively, employees may opt to make a disclosure in accordance with the Protected Disclosure Directive – DIR/GOV018. The employee making the complaint will be requested to do so in writing or, at a minimum, provide sufficient detailed information to enable a comprehensive summary to be prepared by the Manager or CEO. Statements by the complainant, where known or possible, should identify the following:

- Name and contact details of complainant (optional).
- Names of the parties involved.
- How they became aware of the matter.
- A summary of the matter including names, any relevant dates, locations and all other relevant information.
- Names of other people aware of the matter.
- Other organisations contacted.
- Any documentary evidence to support their suspicions.

On receipt of the alleged fraud the CEO, depending on the alleged nature of the fraud, shall:

-
- Appoint a Fraud Officer or Director to investigate the alleged fraud. The Fraud Officer or Director will then present their findings to CEO, and/or

- Take advice from the Independent Broad-Based Anti-Corruption Commission (IBAC) and/or Victoria Police for an appropriate course of action so as to not damage any future potential criminal investigation or charges.

All employees are required to maintain confidentiality with respect to matters referred to them. Instances of suspected fraud should be reported promptly and without delay.

It is preferred that employees do not make anonymous reports as such reports cannot be pursued if further information is required. However, anonymous complainants will receive due and proper consideration.

Where employees do not wish to report to their immediate Supervisor, they should go directly to the next level of management within the organisation. If the matter involves the CEO it should be reported to the Mayor and/or IBAC.

External notification

All reports of suspected fraud must be assessed by the Protected Disclosure Co-ordinator. If there is evidence or considerable suspicion that a significant fraud against Council has been committed, the matter will be referred to IBAC and Victoria Police for investigation.

Investigation standards

Council will treat reported cases of suspected fraud with seriousness and confidentiality at all times.

Complainants will not be victimised or disadvantaged.

The alleged employee will be treated with procedural fairness.

Prosecution, recovery and disciplinary action

Council will not tolerate fraudulent behaviour and will institute the necessary disciplinary procedures in respect of any employee found guilty of committing fraud.

In accordance with the Serious Misconduct, Negligence and Fraud Directive any employee found guilty of significant theft of Council property, or any type of fraud, will be dismissed.

An employment reference will not be provided to an employee found guilty of a fraud.

Prosecution in the Civil or Criminal Courts may be undertaken to recover losses incurred by Council where deemed appropriate.

Fraud Incident Analysis

In the event of an incident of fraud, the appointed Director is to initiate a Fraud Incident Analysis. This analysis is to commence immediately with an interim report being provided to the CEO within seven (7) days. A final report will then be provided at the conclusion of the investigation.

The findings, and any remedial actions detailing who is responsible for the actions, are to be reported to ELT and the Audit Committee as soon as practical. This report will not contain the name of the complainant or any other information which may lead to the identification of the complainant.

Gifts

Employees may not receive additional payments or rewards from external sources for work which they are paid as part of their regular duties, or where it could be seen or perceived to induce a favourable outcome.

If an employee receives a series of gifts from one individual or agency, even if only of nominal value, they must consider whether the receipt of those gifts is an attempt to influence their behaviour. If an employee receives a series of gifts that are accumulatively valued at or over \$50, they must become property of council.

Under no circumstances should cash ever be accepted as a gift. Under this procedure gift cards are considered to be the equivalent to cash.

Acceptance and declaration of gifts

A declaration of all gifts, other than token gifts, must be made to the Executive Support Officer for recording on Councils Gift register using the Gifts and Benefits Register Form.

Where employees receive gifts with an estimated value of more than \$50, the gift will become the property of Council. Council may choose to retain the gift for Council use or to dispose of the gift in accordance with this procedure.

Disposal of gifts

When a gift is received that is above Council's stipulated value, and Council does not wish to retain the gift, the gift will be disposed of by donating the gift to charity or by arranging to conduct a raffle, with the gift as a prize and the proceeds being donated to charity.

Meals and entertainment/Corporate hospitality

While Council recognises the benefits of social interaction to aid in maintaining relationships with other organisations, corporate hospitality should not be accepted where it could be seen or perceived to induce a favourable outcome.

Under no circumstances should corporate hospitality be accepted when a tender or quotation process is ongoing. This includes the development stage of tender or quotation documentation.

Conflicts of Duty/Pecuniary interests

Council officers must give notification in writing of any other outside involvement that may reasonably relate to their Council duties. If outside involvement, whether paid employment or not, is considered likely to create conflicts of interest, or conflicts of duty, the employee's manager should determine whether the conflicts can be appropriately managed. If they cannot be managed, the employee must choose between the outside involvement and their Council employment.

More information can be found in Council's Staff Code of Conduct.

RELATED POLICIES/DOCUMENTS

Staff Code of Conduct - POL/STAFF100
Protected Disclosures Directive – DIR/GOV018
Attractive Assets Directive - DIR/CORP221
Tendering Directive- DIR/CORP217
Procurement Policy - POL/CORP229
Recruitment Directive – DIR/STAFF110
Police and Working with Children Check – DIR/STAFF 119
Serious Misconduct, Negligence and Fraud Directive DIR/STAFF123

RELATED LEGISLATION

Protected Disclosures Act 2012
Local Government Act 1989
Victorian Charter of Human Rights and Responsibilities Act 2006
Standards Australia 2008, Fraud and Corruption Control (AS 8001–2008)

Signed: _____

CEO

Date: _____

B.14.88 NATIONAL COMPETITION POLICY

Responsible Officer: Director Corporate Services
File Number: 69-99-00
Attachments: 1 National Competition Policy

Declarations of Interest:

David Lenton - as the responsible officer, I declare that I have no disclosable interests in this matter.

Summary

The National Competition Policy is presented for the approval of Council. This policy will ensure that Council complies with National Competition Principles on an ongoing basis.

Discussion

This policy is a new policy that details the requirements of Council to maintain National Competition compliance.

To enable compliance, Council must:

- Comply with requirements of the National Competition Policy (NCP) in respect of the following three elements relevant to Local Government:
 - Trade Practices
 - Local Laws
 - Competitive Neutrality
- Annually, certify its compliance with NCP for the financial year.
- Comply with Competition and Consumer Legislation, which prohibits certain forms of anti-competitive behaviour, or risk severe penalties for breaches.

Consultation

All members of the Executive Leadership Team have reviewed the policy.

The Policy was also presented at Councillor Assembly.

Financial Implications

Nil

Social Implications

Nil

Economic Implications

Nil

Environmental Implications

Nil

Risk Management Implications

Nil

Council Plan Strategy Addressed

Councillor and Staff accountability - We will represent the interests of our community and will conduct our affairs openly and with integrity, reflecting high levels of good governance.

Options

Council may approve the policy as recommended or make changes.

Recommendation

That Council adopt the National Competition Policy as presented.

POLICY TITLE NATIONAL COMPETITION POLICY

POLICY NUMBER POL/GOV019

PURPOSE

The purpose of this policy is to ensure that Council complies with national competition principles on an ongoing basis.

To enable compliance, Council must:

- Comply with requirements of the National Competition Policy (NCP) in respect of the following three elements relevant to Local Government:
 - Trade Practices
 - Local Laws
 - Competitive Neutrality
- Annually, certify its compliance with NCP for the financial year.
- Comply with Competition and Consumer Legislation, which prohibits certain forms of anti-competitive behaviour, or risk severe penalties for breaches.

SCOPE

All operations of Council. Maniacal

POLICY

Council will:

1. Conduct an NCP awareness program throughout the organisation every three years.
2. Local Laws Compliance
 - (a) Review the Local Laws of Council every four years to ensure the Local Laws do not restrict competition.
 - (b) Identify any restriction on competition from any Local Law made or amended. If competition is restricted, Council will identify whether the benefits of the restriction to competition outweigh the costs and whether the objectives of the local law can only be achieved by restricting competition.
3. Competitive Neutrality Compliance
 - (a) Remove or offset any net advantages arising from the Council control of significant business activities that may compete with the private sector.
 - (b) Record whether any competitive neutrality complaints were made to the Victorian Competition and Efficiency Commission (VCEC) or Council during each year.
 - (c) Attempt to resolve a Competitive Neutrality complaint early to prevent a form complaint being made to the VCEC.
4. Complete Compliance Statement

Complete an NCP Statement annually.

RELATED POLICIES/DOCUMENTS

Procurement Policy POL/CORP229

RELATED LEGISLATION

Trade Practices Act 1974

Signed: _____ **Mayor** **Date:** _____

SECTION C – DECISIONS WHICH NEED ACTION/RATIFICATION

C.14.15 COUNCILLOR ASSEMBLIES - RECORD OF ATTENDANCE AND AGENDA ITEMS

Responsible Officer: Chief Executive Officer
File Number: 22-13-12
Attachments: 1 Councillor Assemblies Attendance and Agenda

Declarations of Interest:

Dean Miller - as the responsible officer, I declare that I have no disclosable interests in this matter.

Summary

The Local Government Act 1989 requires that the details of Councillor Assemblies be reported to Council meetings on a monthly basis.

Discussion

The State Government has amended the Local Government Act 1989 which requires Council to report on Councillor Assemblies.

Whilst Minutes do not have to be recorded, Agenda items and those in attendance must be, and a report presented to Council.

An assembly of Councillors is defined as a meeting that is planned or scheduled at which at least half of the Council and one Officer are in attendance, and where the matters being considered that are intended or likely to be the subject of a Council decision.

No formal decisions can be made at an assembly but rather direction can be given that is likely to lead to a formal decision of Council.

Details of the most recent assemblies of Council are attached.

Consultation

Nil

Financial Implications

Nil

Social Implications

Nil

Economic Implications

Nil

Environmental Implications

Nil

Risk Management Implications

Nil

Council Plan Strategy Addressed

Councillor and Staff accountability - We will represent the interests of our community and will conduct our affairs openly and with integrity, reflecting high levels of good governance.

Options

Council must comply with the requirements of the Local Government Act 1989.

Recommendation

That Council note the contents of the report.

COUNCILLOR ASSEMBLIES ATTENDANCE AND AGENDA
28 October 2014 at 1pm
TOWN HALL (COUNCIL CHAMBERS), SWAN HILL

AGENDA ITEMS

- Marg Lewis (ALP) Member for Northern Victoria
- Swan Hill Senior Citizens building
- Lloyd Street, Nyah West units
- Raw Talent Program – Presentation of Project

ADDITIONAL ITEMS DISCUSSED

- Nil

ATTENDANCE

Councillors

- Cr Jessie Kiley
- Cr John Katis
- Cr Jim Crowe
- Cr Les McPhee
- Cr Gary Norton
- Cr Michael Adamson
- Cr Greg Cruickshank

Apologies

- Nil

Officers

- Brett Luxford, Director Development and Planning
- Bruce Myers, Director Community & Cultural Services
- David Leahy, Director Infrastructure
- Kimmly Johnston, Projects Officer
- Darren Rovere, Regulatory Services - Authorised Officer - Senior
- Douglas Warren, Design Engineer

Other

- Nil

CONFLICT OF INTEREST

- Nil

COUNCILLOR ASSEMBLIES ATTENDANCE AND AGENDA
11 November 2014 at 1:00pm
TOWN HALL (COUNCIL CHAMBERS), SWAN HILL

AGENDA ITEMS

- Solar on Council Buildings – business case presentation
- 85 Hayes Road Lake Boga Development5 Plan & Subdivision Application
- Swan Hill Region Retail Strategy
- Bromley Road Street Trees and Memorial Park
- Grant Application for the Saleyards
- Tower Hill Up-date and Stages 9 & 10

ADDITIONAL ITEMS DISCUSSED

- Nil

ATTENDANCE

Councillors

- Cr Jessie Kiley
- Cr John Katis
- Cr Jim Crowe
- Cr Gary Norton
- Cr Greg Cruickshank
- Cr Michael Adamson
- Cr Les McPhee

Apologies

- Nil

Officers

- Dean Miller, Chief Executive Officer
- David Lenton, Director Corporate Services
- Brett Luxford, Director Development and Planning
- David Leahy, Director Infrastructure
- Vige Satkunarajah, Development Manager
- Stefan Louw, Planning Team Leader
- Pat Ahern, Fleet Officer
- Tammy Herne, Environment Officer
- Steve Matthews, Economic & Community Development Manager
- Muriel Scholz, Senior Economic Development Officer
- Ken Symons, Commercial Services Coordinator
- Amanda Young, Economic Development Officer
- Trent Goodman, Planning Officer

Other

- Nil

CONFLICT OF INTEREST

Nil

SECTION D – NOTICES OF MOTION

SECTION E – URGENT ITEMS NOT INCLUDED IN AGENDA

SECTION F – TO CONSIDER & ORDER ON COUNCILLOR REPORTS

SECTION G – IN CAMERA ITEMS

Recommendation

That Council close the meeting to the public on the grounds that the following report(s) include is a resolution to close the meeting to members of the public and is a resolution to close the meeting to members of the public

- B.14.89 IN CAMERA CONSIDERATION OF CONFIDENTIAL REPORT**
- B.14.90 IN CAMERA CONSIDERATION OF CONFIDENTIAL REPORT**