

MINUTES

ORDINARY MEETING OF COUNCIL

Tuesday, 18 November 2014

Held at the 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

Confirmed 16 December 2014

Chairperson.....

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18 November 2014

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SECTION A – PROCEDURAL MATTERS

• Open

Mayor, Cr Michael Adamson assumed the chair and declared the meeting open at 7pm.

• Acknowledgement of Country

Mayor, Cr Michael Adamson read the Acknowledgement to Country.

• Prayer

Cr McPhee read the prayer

• Apologies

Nil

Recommendations

That the apologies be accepted.

• Confirmation of Minutes

1) Ordinary Meeting held on 21 October 2014

34/14 Motion MOVED Cr Kiley

That the minutes be confirmed.

SECONDED Cr Katis

The Motion was put and CARRIED

• Declarations of Conflict of Interest

Nil

• Receptions and Reading of Petitions, Memorials, Joint Letters and Deputations

Chief Executive Officer Dean Miller declared that there was a petition which would be covered in item 14.82 in the agenda.

35/14 Motion MOVED Cr Crowe That standing orders be suspended for Public Question Time. SECONDED Cr Kiley

The Motion was put and CARRIED

• Public Question Time

Question 1

Joan Slater: I honestly feel something should be done regarding the speed limit in McCallum Street as mileage is 60 speed limit up to the bridge, even in built up areas. Can Council do something to reduce speed limit?

Mayor Cr Michael Adamson replied: Unfortunately speed limits are a VicRoads issue, however, Council can put in a request or write to VicRoads with a recommendation with what we would like to see happen. But unfortunately it is not an issue that we can deal with. We will take it on notice and have a discussion about that option.

36/14 Motion MOVED Cr Katis That Standing Orders be resumed. SECONDED Cr Crowe

The Motion was put and CARRIED

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 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.

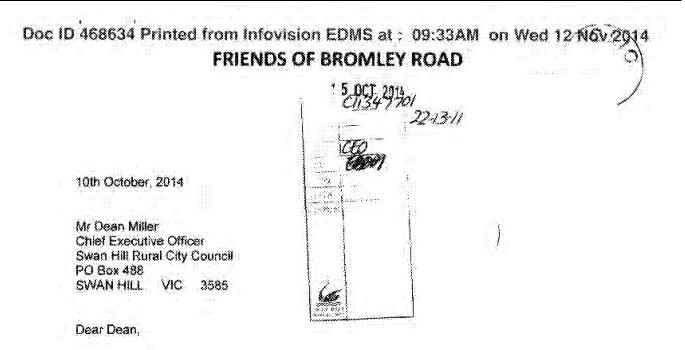
37/14 Motion

MOVED Cr Katis

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

SECONDED Cr Norton

The Motion was put and CARRIED



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,

Backabus Bev Harbinson.

on behalf of the Friends of Bromley Road, Robinvale.

Doc ID 468634 Printed from Intovision EDWS at ROAD 33AM On Wed 12 Nov 2014

The "BROMLEY ROAD STREETSCAPE MASTER PLAN", endorsed by Swan Hill Rural City Council, proposes major structural changes to Bromley Road. <u>Some</u> 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 <u>NOW</u>. 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
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Ron CLARK=		Date
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Mitchell Watts		Mitte
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Hannah Brill		JARN'

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JOHN TAGGER		18799-71.
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KARMEN WILLIAMS		Varmen Wullien
Joseph Haragacu		Avf Mr_
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Niketa Allen		Watter
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Michael Pitt.		MRH.
Marly Gaylor		wfr .
Benjon Steere		Billare .
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GARPY MANNIX		
INNA OHILLIPS		Hade
Sept & Brackton		- Coll
Juscinda Mattscher		Altatsta
Leisey Mattscho		Kattan
Jada Sphillips		Jadal Phillips
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samantha bhrish		Sphison
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T. Sampsonz		A. Jasseppen
K. Williams		K Hullions
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ROBERS PARKER		R. J. Parken

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IRENT THALASINGS		Arthan
CARAH FARNSNOFTH		Hangarth
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Name – PLEASE PRINT	Address	Signature
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Doc ID 468634 Printed from Infovision EDMS at : 09:33AM on Wed 12 Nov 2014 PETITION

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Name - PLEASE PRINT	Address	Signature
V.M. SINITI		Meter Standy
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JACK FORGES		Anda
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MARY PATRICIA REEDY		db. I Reedy
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Name – PLEASE PRINT	Address	Signature
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Name - PLEASE PRINT	Address	Signature
Geraldize Johnson		6 Jack man
<u>n - L</u>		W Hannah
Margaret Harmah Roge Kusy SElvina Wighton		M Hannall
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Doc ID 468634 Printed from Infovision EDMS at : 09:33AM on Wed 12 Nov 2014 "FRIENDS OF BROMLEY ROAD" "PETTITION"

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Name PLEASE PRINT	Address	Signature
MICHAEL KRASMA	*	M.M
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Name – PLEASE PRINT	Address	Sjgnature
Norman Parese		The section
Bret Hammel		2000
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Name – PLEASE PRINT	Address	Signature
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Jenei Taylor		le Farringlod
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Ruby Bond		R. T. Bond
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Name – PLEASE PRINT	Address	Signature
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Name - PLEASE PRINT	Address	Signature
Paul Costra	••••••••••••••••••••••••••••••••••••••	r DU
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Name – PLEASE PRINT	Address	Signature
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Kellie Edwards		Velles Glown
Farmer Weignouth		Dennet-
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Maria Rosa Chirchiglia		MRUGGEn
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The "BROMLEY ROAD STREETSCAPE MASTER PLAN", endorsed by Swan Hill Rural City Council, proposes major structural changes to Bromley Road. <u>Some</u> 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 <u>NOW</u>. 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:

Name - PLEASE PRINT	Address	Signature
WELOR & Smith		e 51 Chauth
PAUL THE SHRELL		Dyney
jewo Dogwall		312 1
RAN DANNERS		Jun Ellewing
REBELCA WILLIAMS		1 millin
RENER KENNEDY		Referredit
DECLAN KENNEDY		Telay hte als
has fell		fille
Vilana Roll		442 84
John C. B. A. C. L.		Man
Bernova Campisi		Khin
JENN EINSTRIC		
SUZANINE ENDING		Stewing
ROBERT LOWE		RC. Low
L.E. LOWE		I. Enlowe
Toni GANCI		Ma
NEWED CANCI		Etni
Mancer GANU		Plani

B.14.83 QUARTERLY REVIEW OF FINANCIAL PEFORMANCE 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 30/9/1	4

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.

38/14 Motion

MOVED Cr Norton

That Council note the contents of this report.

SECONDED Cr Kiley

The Motion was put and CARRIED

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

	Actuel 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	5
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	Š
Other revenue	224	308	(84)	-27.3%	1,231	10
TOTAL INCOME	30,349	31,680	(1,331)	-4.2%	54,279	
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	(845)	-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 sourced	105	2,020	105	0.0%	4,337	1.44
Section Representation building and animality the postation	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	(~~)/	(202)	0	0.0%	1,180	
Proceeds from loans				0.0%	1,295	
TOTAL FINANCING TRANSACTIONS	(281)	(282)	1	-0.4%	1,347	
			·····	-9.77	1,047	
BUDGET RESULT SURPLUS	18,710	18,589	121	0.7%	58	
		****		*********		

Food and Heakh 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. 1

2 3

User Fees for the Packaged Care programs were yet to be processed for August and September. Recurrent operating grants for the Packaged Care programs were yet to be processed for August and September. Recurrent operating grants for the Packaged Care programs have not been received for August and September. 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 \$38K, Economic Development projects \$47K). ۵

5 The Country Roads and Bridges program funding of \$1M was peid in full in July.

Grants - capital (non-recurrent) includes funding for the Chisholm Reserve Upgrade (\$2.0M) and Ptoneer 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. 6

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.

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.

The payments to the CACP and EACH consortium members for August and September were yet to be paid. Refer notes 2 & 3. 11

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 12 quarter.

13

Licence fees for computer software were paid upfront at the beginning of the year. Expenditure on significant capital works projects for the Chisholm Reserve drag strip (\$2.25M), Robinvate stormwater pipeline (\$0.9M) and sealed road resears (\$0.9M) were forecast over the year, however works on these projects are due to commence in the second guarter. 14

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	8,984	(1,450)	-16.2%	9,072	
NET CURRENT ASSETS	23,705	21,980	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	Ŷ.
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.

September hat payment processing was infalsed.
The continued sales of Tower Hill land has reduced the value of land held for sale.
Other Assets represents GST due to Council.
The increase in provisions is primarily due to the EBA increase effective from July 2014.
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.

39/14 Motion

MOVED Cr Katis

That Council adopt the Debt Collection Policy as presented.

SECONDED Cr Cruickshank

The Motion was put and CARRIED

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:

B.14.85 FINANCIAL HARDSHIP POLICY

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

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.

40/14 Motion

MOVED Cr Cruickshank

That Council adopt the Financial Hardship Policy.

SECONDED Cr McPhee

The Motion was put and CARRIED

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

ned:	Mayor	Date:	
ned:	Mayor	Date:	

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.

41/14 Motion

MOVED Cr Kiley

That Council adopt the Financial Investments Policy as presented.

SECONDED Cr Katis

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:	

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 Coordinator
- 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.

42/14 Motion

MOVED Cr Cruickshank

That Council adopt the Fraud Control Policy as presented.

SECONDED Cr Crowe

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:

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.

43/14 Motion

MOVED Cr Cruickshank

That Council adopt the National Competition Policy as presented.

SECONDED Cr Katis

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:	Chie	ef Executive Officer
File Number:	22-1	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.

44/14 Motion

MOVED Cr Katis

That Council note the contents of the report.

SECONDED Cr Crowe

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

Nil

SECTION E - URGENT ITEMS NOT INCLUDED IN AGENDA

Nil

SECTION F – TO CONSIDER & ORDER ON COUNCILLOR REPORTS

<u>Cr Kiley</u>

Market Day Farmers Market Feasibility Study Alan Garden Reserve Committee of Management AGM Swan Hill Inc. Board Meeting

Cr McPhee

ABC Radio Interview Opening Nyah West Family Services Market Day Celebrations 3SH Radio Interview Mayor/CEO meeting Community House AGM Aerodrome Inspection ABC Radio Interview ABC Radio Interview Peace Run presentation at St Mary's Primary School Audit Committee Interviews Statutory Council Meeting Remembrance Day Service

Cr Katis

Opening of Nyah West Family Service Building by M.P. Peter Walsh Official raising of the Aboriginal Flag at R.D.H.S Robinswood AGM Motorcycling Club for announcement of \$68,663 grant from M.P. Peter Crisp Dinner with Villers Bretonneux at Euston Club Remembrance Day at Robinvale Cenotaph and laid a wreath of behalf of Council

Cr Cruickshank

Funding announcement – Heartbeat of the Murray – Lower Murray Inn Meeting with Politicians from the National Party Raw Talent Graduation lunch and presented certificates Loddon Mallee Resource and Recovery Forum Bunnings – ground breaking Loddon Mallee Regional Strategic Plan workshop meeting

Cr Crowe

VCAT Hearing (Swan Hill) in regards to Child Care Centre in Yana Street Market Day Show and Shine MEMP Committee

Cr Norton

Rural Council Victoria Forum MAV Annual Conference MAV State Council MAV Special Board Meeting Funding announcement – Lower Murray Inn "Heartbeat of the Murray" Funding announcement – Ken Harrison Reserve Funding announcement – Koondrook Wharf MAV Board Meeting Meeting with RMS re: Tooleybuc Bridge

Cr Adamson

Lighting for the Leisure Centre meeting Nyah West Family Centre Opening Basketball Stadium meeting Playgroup Victoria awards night Funding Announcement - Heartbeat of the Murray Meeting with Peter Walsh MP and Andrew Broad Funding announcements - Ken Harrison Reserve Funding announcement - Chisholm Park Speedway Funding announcement - Woorinen Football Club Headspace information session Swan Hill Youth Mental Health Executive Coalition meeting SECTION G – IN CAMERA ITEMS

45/14 Motion

MOVED Cr Katis

That Council close the meeting to the public at 7.32pm on the grounds that the reports included are a resolution to close the meeting to members of the public.

SECONDED Cr McPhee

The Motion was put and CARRIED

B.14.89 IN CAMERA CONSIDERATION OF CONFIDENTIAL REPORT

B.14.90 IN CAMERA CONSIDERATION OF CONFIDENTIAL REPORT

46/14 Motion MOVED Cr Crowe

That the meeting move out of closed session

SECONDED Cr Cruickshank

The Motion was put and CARRIED

There being no further business, Mayor Cr Michael Adamson closed the meeting at 7.42pm.