

MINUTES

ORDINARY MEETING OF COUNCIL

Tuesday, 20 May 2014

Held at
Swan Hill Town Hall
Council Chambers
McCallum Street, Swan Hill
Commencing at 7:00 PM

COUNCIL:

Cr LT McPhee – Mayor

Cr JN Katis

Cr GW Norton

Cr GI Cruickshank

Cr JA Kiley

Cr CM Adamson

Cr JB Crowe

SECTION A – PROCEDURAL MATTERS3
SECTION B – REPORTS.....4
B.14.25 PLANNING PERMIT APPLICATION 2014/24 - PROPOSED
CHILD CARE CENTRE AND BUSINESS IDENTIFICATION
SIGNAGE - 24 YANA STREET SWAN HILL4
B.14.26 MAV DEBT PROCUREMENT PROJECT.....18
B.14.27 PROPOSED CHANGE TO JUNE 2014 COUNCIL MEETING
DATE27
B.14.28 REVIEW OF COUNCIL POLICY - INTERSTATE AND
OVERSEAS TRAVEL BY COUNCILLORS29
SECTION C – DECISIONS WHICH NEED ACTION/RATIFICATION37
C.14.7 SIGN AND SEAL REPORT37
C.14.8 COUNCILLOR ASSEMBLIES - RECORD OF ATTENDANCE
AND AGENDA ITEMS40
SECTION D – NOTICES OF MOTION.....47
SECTION E – URGENT ITEMS NOT INCLUDED IN AGENDA.....47
SECTION F – TO CONSIDER & ORDER ON COUNCILLOR REPORTS47
SECTION G – IN CAMERA ITEMS49
B.14.29 IN CAMERA CONSIDERATION OF CONFIDENTIAL REPORT49
SECTION H – DECISIONS MADE IN CAMERA50
B.14.29 CEO PERFORMANCE REVIEW50

SECTION A – PROCEDURAL MATTERS

- **Open**

Mayor, Cr Les McPhee assumed the chair and declared the meeting open at 7:00pm.

- **Acknowledgement of Country**

Mayor, Cr Les McPhee read the Acknowledgement to Country.

- **Prayer**

Cr Katis read the prayer.

- **Apologies**

Nil

Recommendations

That the apologies be accepted.

- **Confirmation of Minutes**

- 1) Ordinary Meeting held on 15 April 2014

1/14 Motion

MOVED Cr Katis

That the minutes be confirmed with the following amendment:

That it be noted at what part of the meeting Cr Katis entered the Council Chamber.

SECONDED Cr Norton

The Motion was put and CARRIED

- **Declarations of Conflict of Interest**

Cr Norton – declared a conflict of interest as an MAV board member for item B14.26 MAV Debt Procurement Project.

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

- **Public Question Time**

SECTION B – REPORTS

B.14.25 PLANNING PERMIT APPLICATION 2014/24 - PROPOSED CHILD CARE CENTRE AND BUSINESS IDENTIFICATION SIGNAGE - 24 YANA STREET SWAN HILL

Responsible Officer: Director Development and Planning

File Number: 2014/24

Attachments: Nil

Declarations of Interest: Officer

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

Summary

This report seeks a Council resolution to grant a planning permit subject to conditions for the use and development of a 40 place child care centre and a business identification sign for No. 24 Yana Street, Swan Hill (Lot 5 on Plan of Subdivision 132556).

Discussion

Location and existing conditions

The subject site is located on the west side of Yana Street and is one of seven existing Low Density Residential Zoned properties that currently contain single dwellings with access to Yana Street which is a Road Zone Category 2 road. The land is about 7,810m² in size, rectangular in shape, with a frontage of 39.90m and depth of 195.74m². The land contains an existing dwelling, shed, vegetation and a dam.

The land is located approximately 1.5km from the Swan Hill CBD. The Swan Hill Primary School (to the north), Swan Hill Specialist School (directly across Yana Street) and the Ken Harrison Sporting Complex (to the south) are located within 150m of the land.

Background

The application for planning permit was received on 13 March 2014 for the use and development of a 40 place child care centre and business identification sign.

The definition of a Child Care Centre in accordance with Clause 74 of the Swan Hill Planning Scheme is *'Land used to care for five or more children who are not permanently resident on the land'* and includes kindergarten.

A previous planning permit application for the same use was approved by Council in October 2012. Objectors appealed Council's decision and Council's decision was overturned by VCAT.

The applicants have resubmitted the application addressing the issues raised by VCAT in the new application.

Purpose of the zone

Clause 32.03 of the Swan Hill Planning Scheme outlines the purpose of LDRZ as follows:

- To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- To provide for low-density residential development on lots which, in the absence of reticulated sewerage, can treat and retain all wastewater.

The proposed child care centre is a Section 2 Use within LDRZ (a permit required use). Buildings and works associated with a Section 2 Use also require a planning permit.

State and local policies

The State and local planning policies have been considered as part of this application.

Clause 11 Settlement:

Planning is to anticipate and respond to the needs of existing and future communities through provision of zoned and serviced land for housing, employment, recreation and open space, commercial and community facilities and infrastructure.

Clause 17.01-1 Business:

To encourage development which meet the communities' needs for retail, entertainment office and other commercial services and provides net community benefit in relation to accessibility, efficient infrastructure use and the aggregation and sustainability of commercial facilities.

Clause 21.08 Economic development:

This clause provides local content to support Clause 17 (Economic Development) of the State Planning Policy Framework.

The Council Plan 2013-2017 is committed to the following in terms of economic development (as relevant):

- Supporting the development of a prosperous, growing, vibrant and diverse economy.

- Encouraging development and new business establishment based on the region's comparative and competitive advantages.
- Promoting an economy that consists of a number of diverse sustainable small and medium industries.
- Providing infrastructure and a range of services that makes us a "region of choice".
- Supporting existing businesses to be sustainable and expand.
- Actively engaging in economic development through council's own practices.
- Supporting local employment opportunities.

Particular provisions

Clause 52.05 Advertising signage:

A permit is required for the proposed 900mm x 900mm business identification sign that is to be located at the front entrance of the subject land.

The sign is considered appropriate for the location and is compatible with the existing character of the area. Considering the size of the sign (small 900mm X 900mm), setback of the frontage from the road and the existing vegetation located within the front setback, it is considered the sign will not have negative impact on the visual amenity nor the character of the area. The sign will not be illuminated.

Clause 52.06 Car parking:

12 car parking spaces are proposed including one disabled space. In accordance with the Table to Clause 52.06, 0.22 car parking spaces are required to each child. In this instance 40 children are proposed which results in 8.8 car parking spaces being required and this is rounded down to the nearest whole number to eight in accordance with Clause 52.06-5.

The proponent has exceeded the minimum number of car parking spaces by four and satisfies the planning scheme requirements.

Previous VCAT decision - Donnan v Swan Hill RCC [2013] VCAT 1356 (1 August 2013)

The above VCAT decision was also for a 40 place child care centre on the subject land. VCAT Order dated 01 August 2013 stated that 'no permit is granted'.

The original applicant has resubmitted the application and has stated they have addressed the concerns raised by VCAT in their new planning permit application.

The main issues raised by VCAT are as follows:

1. Appropriateness of the use in the Low Density Residential Zone
2. Amenity impacts including:

- a. Location of outdoor play areas and outdoor staff area should be further away from neighbouring outdoor areas
- b. Acoustic treatment to reduce amenity impact on adjoining properties
- c. Reconfiguration of the car parking.

In relation to the appropriateness of a child care centre in the Low Density Residential Zone, VCAT commented that there is limited specific policy guidance for the establishment of child care facilities, however mentioned statewide policy recognises the importance of planning for social and physical infrastructure that enables it to be provided in a way that is efficient, equitable and timely. Policy also provides that planning is to recognise social needs by providing land for a range of accessible community resources, such as education, cultural, health and community support facilities including family services.

Given the above, VCAT commented that the site *“might well be regarded as suited to a child care centre. Its location near existing educational and community based facilities including two other schools in Yana Street, a kindergarten in Gray Street (700m to the north-east) and the Glenvale School in Cutrie Drive (650m to the north-east) may well produce synergies with this proposal”*.

It is considered the application has addressed the VCAT concerns in an appropriate manner as detailed below.

The revised plans submitted with the application locate the outdoor play areas further away from the existing boundary of 26 Yana Street that was proposed in the previous application.

The acoustic report requires an acoustic fence to be erected between 24 and 26 Yana Street and a garden area is to be located abutting the fence setting the 4-6 year (10 children) play area further away from the boundary of 26 Yana Street.

The western outdoor play area has been moved further to the north of the subject site. The proposed area will accommodate 0-4 year old children and the proponent has provided a buffer between 24 and 26 Yana Street.

The acoustic engineers report provided recommendations regarding noise attenuation measures. The report is summarised below:

- *“We view the proposed fence as adequate for the requirements of acoustic fences. The design is such that the fence will not provide silence, but will significantly attenuate the noise from the children at play in adjacent properties*
- *We view the design of the fence as quite reasonable for the residents adjacent to the play areas of the centre. However the limitations of all well constructed fencing is caused by the sound waves which pass over the top of the fence and bend downwards on the far side*

- *It is considered that the child care centre would not result in any significant noise disturbance to the adjoining neighbours*
- *Acoustic fencing is proposed on the southern boundary of the application site around the outdoor play area where it adjoins residential properties, which will mitigate to some extent any adverse effects associated from possible exceeding maximum noise levels."*

It is recommended that should a permit be granted a condition be placed on the permit to ensure the proposal is undertaken in accordance with the findings and recommendations of the acoustic report submitted with the application.

In the current application, the car parking has been reconfigured and two additional spaces have been provided to total 12 (including one disabled space). This satisfies the requirements of the Swan Hill Planning Scheme. The accessways and car parking areas will be 'all-weather sealed' which will reduce vehicle noise and the existing vegetation will provide an adequate buffer to the residence at 22 Yana Street.

VCAT also commented on car parking, traffic and pedestrian and cyclist safety within the site and surrounding area.

VCAT stated that *"Clause 52.06 of the planning scheme sets out the car parking requirements for various uses including a 'child care centre'. For each child, the standard requirement is 0.22 car spaces, which equates to 8 spaces (rounded down from 8.8 spaces as per Clause 52.06-5). With 10 publically available (parent) spaces on the site and additional staff parking proposed, no permit is required for his aspect of the proposal. Thus, issues in relation to overflow parking in Yana Street are not before me"*.

In regards to traffic in the local area (Yana Street) VCAT stated *"In relation to traffic impacts, I note that Yana Street is within a Road Zone Category 2 and it was common ground that the street is a busy one that attracts school and through traffic. While it would have been helpful to have some information about existing traffic volumes, I am doubtful that this proposal would exceed the road carrying capacity of Yana Street or the surrounding road network"*.

A traffic count was undertaken during the processing of planning permit application 2014/24 on Yana Street and Cutri Drive by Swan Hill Rural City Council during the week commencing Monday 14 April 2014 to Monday 28 April 2014 as part of regular traffic count recording and to assist in Council's assessment of this application.

The week commencing 14 April 2014 was during school holidays and the week commencing 21 April 2014 was when school returned but included public holidays on 21 and 25 April 2014.

The traffic counters were set up along Yana Street to the north and south of 24 Yana Street at the following locations:

1. Yana Street near the corner of Gray Street
2. 25 Yana Street
3. 45 Yana Street
4. South of Ken Harrison sporting grounds entrance
5. 1 Cutri Drive.

A summary of the traffic count results found that during normal school days, the traffic count increased by an average of 9.9% along Yana Street in comparison to the school holiday period. It is noted the Swan Hill Primary School has approximately 530 enrolments and the Swan Hill Specialist School has 110 enrolments.

It can be concluded from the traffic count that on average an additional 9.9% of traffic is generated during school days to cater for an additional 640 students that enter the Yana Street precinct for educational purposes. For example, on Wednesday 16 April 2014 (school holiday period) the traffic counter set up at 25 Yana Street recorded 2,316 vehicle movements and on Wednesday 23 April 2014 (normal school day) recorded 2,557 which is a 9.5% increase in traffic volume catering for approximately 640 students.

It is noted and recognised that not all students travel to school via a car and do use other modes of transport but the traffic count illustrates that approximately 640 students only increases traffic within Yana Street by an average of 9.9%.

Given the above, it is considered a 40 place child care centre will have an increase on existing traffic volumes in the area but will not exceed the road carrying capacity in Yana Street and will only result in a minor percentage increase in traffic volumes.

In relation to pedestrian and cyclist safety, VCAT stated *"I accept that the additional traffic generated by this proposal will necessitate a degree of caution by all road users. There is however no traffic engineering evidence before me to indicate that this proposal should be refused on this basis"*.

Given the above comments from VCAT, it is considered the proposal will not cause detriment to the surrounding area in relation to car parking, traffic and pedestrian and cyclist safety.

Consultation

Public notification:

The application was notified to the affected landowners and occupiers from 21 March 2014 to 04 April 2014. 14 objections were received during the notification.

A mediation meeting was held on 29 April 2014 in Swan Hill with Councillors, Council Planning Staff, the applicants and objectors. After the mediation process, the objections still remained and none were withdrawn.

It is noted that eight supportive submissions were also received from residents and businesses as part of the planning permit application process.

Concerns raised by objectors

The key objections points are:

- Increase in traffic and traffic congestion
- Increase in vehicle traffic effect on pedestrians is an unacceptable risk
- Safety of those with limited mobility using Yana Street and walking track
- Car parking is insufficient
- Parking and driving on walking track
- Increased traffic in shared driveway
- Not suitable location in residential area
- Other suitable locations in Swan Hill
- Devaluation of property values (cannot be considered as a planning matter)
- Detract from amenity of area
- Concerns of increase in traffic along Cutrie Drive as vehicles look to bypass Gray Street and Yana Street intersection

Copies of the objections circulated to Councillors prior to this Council meeting have the full details of the objections. Planning related concerns have been considered during the assessment of the application, and necessary conditions have been included in this report to ensure the proposed use will not cause negative impacts to the amenity and safety of the surrounding.

Referrals

Under Section 52 of the Planning and Environment Act 1987, the application was notified to Lower Murray Water. The authority has no objection to the proposed use.

The application was internally consulted with the following departments:

1. Building Department - No objection subject to note requiring building permit
2. Engineering Department - No objection subject to conditions relating to:
 - a. New vehicle crossover to Yana Street
 - b. Stormwater to be retained onsite
 - c. Car parking and accessways to conform to relevant standards
3. Health Department – No objection subject to a note relating to food preparation facilities and registration.

Financial Implications

There are no adverse financial implications at this stage. The determination of the planning permit application may result in an application for review being lodged with the Victorian Civil and Administrative Tribunal (VCAT). Any costs would be borne by each party subject to the VCAT application for review.

Social Implications

There are no known negative social implications of the proposed use. However, the proposed child care centre is expected to improve the shortage in child care facilities in Swan Hill. Availability of additional child care places will enable and improve parents wishing to return-to- work after having children. It will also improve parents, single parents and parents from socially and economically disadvantaged backgrounds participating community programs.

The above will have direct and indirect positive social outcomes.

Economic Implications

There are no known negative economic implications of the proposed use. However, the planning report submitted with the application indicates the proposed child care facility is expected to employ 8 full-time and 6 part-time staff to operate the centre. This ongoing employment will have direct positive impact on the local economy.

In addition, the proposed use is expected to generate ongoing indirect employment opportunities associated with the ongoing maintenance of the centre.

Environmental Implications

There are no known negative environmental implications of the proposed use. No native vegetation is to be removed to facilitate the proposed use. However, more landscaping is proposed to beautify the site.

Further, permit conditions have been included to ensure stormwater and waste from the site are appropriately managed.

Risk Management Implications

There are no known risk management implications

Council Plan Strategy Addressed

Attracting new business - We will encourage new business development and will provide support to attract new business investment and expansion in the community.

Options

Nil

Recommendation

That Council issue a Notice of Decision to Grant a Permit subject to the draft conditions listed in this report.

DRAFT CONDITIONS:

Amended Plans

1. Prior to the commencement of any works on the land, amended plans to the satisfaction of the Responsible Authority, must be submitted for approval by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale (minimum 1:200) with dimensions, and three copies must be provided. The plans must be generally in accordance with the plans submitted with the application, except modified to include the following requirements:
 - a. A separate driveway to the subject land as specified in Condition No.17 of this permit.
 - b. The acoustic fence shown on the submitted plan to be extended to the eastern boundary on both sides of the subject land.
2. The use and development hereby permitted shall be generally in accordance with the endorsed plans and shall not be modified without the prior written approval of the Responsible Authority.
3. The use hereby permitted must only operate between the hours of 8:00am to 6:00pm Monday to Friday to the satisfaction of the Responsible Authority.
4. No more than 40 children may use the facility at any one time without the prior written approval of the Responsible Authority.

Amenity

5. The use hereby permitted must be managed so that the amenity of the area is not detrimentally affected, through the:
 - a. transport of materials, goods or commodities to or from the land
 - b. appearance of any building, works or materials

- c. emission of vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, grit or oil
- d. presence of vermin

all the above to the satisfaction of the Responsible Authority.

6. All external lighting of the site must be located, directed, shielded and of such intensity so that no nuisance is caused to nearby residents and users of the street and footpath to the satisfaction of the Responsible Authority.
7. All goods, materials and waste stored on the site must be stored out of view in an appropriate place of storage and in such a manner so as not to cause unsightliness to persons on nearby land to the satisfaction of the Responsible Authority.
8. All wastes and the remnants of solid waste materials used or produced on the site must be stored and removed from the site and disposed of in such a manner as to avoid any nuisance, pollution or offence to the surrounding area to the satisfaction of the Responsible Authority.
9. All bins and receptacles used for the collection and storage of garbage and other wastes must be kept in a storage area to the satisfaction of the Responsible Authority. The storage area must be:
 - a. properly paved and drained to a legal point of discharge
 - b. screened from public view with a suitable designed enclosure
 - c. maintained in a clean and tidy condition free from offensive odours

all the above to the satisfaction of the Responsible Authority.

10. All buildings, works and the site associated with the use must be maintained in good order and appearance at all times to the satisfaction of the Responsible Authority.

Noise attenuation

11. Prior to the commencement of the use a Noise Management Plan (NMP) consisting of but not limited to the following information must be submitted and approved by the Responsible Authority. The approved NMP will then form part of this permit, and should be implemented to the satisfaction of the Responsible Authority:
 - Staffing and other measures which are designed to ensure orderly arrival and departure of parents, children and others using and visiting the child care centre;
 - Signage to be used to encourage responsible off-site patron behaviour;

- Measures to control noise emissions from the use, including staff training.
12. Prior to the commencement of the use, the permit holder must implement the recommendations of the acoustic report (prepared by Audiometric and Acoustic Services, reference number 3112.4 dated 07 February 2014 as revised on 18 March 2014) together with the changes made in the endorsed plan in relation to the acoustic fencing to the satisfaction of the Responsible Authority.
 13. Noise emanating from the site must not cause a nuisance to the surrounding dwellings to the satisfaction of the Responsible Authority.

Car parking and access

14. Prior to the commencement of the use, no fewer than 12 car parking spaces as shown on the endorsed plan must be provided and constructed on the land for the use and development including one car parking space clearly marked for use by disabled persons to the satisfaction of the Responsible Authority.
15. The layout and access arrangements for all off-street parking areas shall conform to the standards as set out in Austroads publication "Guide to Traffic Management: Part 11 Parking" or Australian Standard AS2890.1 – 2004 Off Street Parking, AS2890.2 – 2002 Off Street Commercial Vehicle Parking, AS2890.3 Bicycle Parking Facilities, Australian Standard AS2890.5 -1993.On Street Parking and AS2890.6 Off Street Parking for People with Disabilities to the satisfaction of the Responsible Authority.
16. Prior to the commencement of the use, the areas set aside for the parking of vehicles and access lanes as shown on the endorsed plans must be:
 - a. Constructed
 - b. Properly formed to such levels that they can be used in accordance with the plans
 - c. Surfaced with a bitumen seal or greater
 - d. Drained
 - e. Line marked to show the direction of traffic along access lanes and drivewaysto the satisfaction of the Responsible Authority.
17. Prior to the commencement of the use, a separate new driveway crossover to the subject land must be constructed with a minimum of bitumen seal or greater to the satisfaction of the Responsible Authority.
18. Prior to the commencement of the use the permit holder must provide a 3.5m wide crushed gravel driveway and crossover to 22 Yana Street by widening the

existing crossover. Bollards are to be erected to separate the crossover from the 24 Yana Street crossover to the satisfaction of the Responsible Authority.

19. All vehicles entering and leaving the subject land must use the new separate driveway.
20. All vehicles drop off and pick up of children and others to and from the child care centre must be conducted within the designated parking area on the land to the satisfaction of the Responsible Authority.
21. The area set aside for car parking as shown on the endorsed plans must be used for the parking of vehicles and for no other purpose to the satisfaction of the Responsible Authority.
22. All vehicles must enter and exit the site in a forward direction to the satisfaction of the Responsible Authority.

Stormwater

23. All stormwater is to be retained and disposed of onsite to the satisfaction of the Responsible Authority.
24. The existing dam on the subject land should be fenced appropriately to ensure the safety of children and others on site.

Landscaping

24. Prior to the commencement of the use, the landscaping as shown on the endorsed plans must be carried out and completed to the satisfaction of the Responsible Authority.
25. The landscaping as shown on the endorsed plans must be maintained to the satisfaction of the Responsible Authority.

Safety measures

26. Prior to the commencement of the use, clearly visible traffic warning signs are to be installed between the Yana Street frontage and the subject site displaying a "Children Ahead" symbol and a speed sign indicating 10km per hour speed limit to the satisfaction of the Responsible Authority.
27. Prior to the commencement of the use, clearly visible pedestrian warning signs are to be installed both at the Yana Street frontage and the shared path between the entrance to the subject site and Yana Street. The signs must alert and warn users of "Vehicles entering and exiting" the site to the satisfaction of the Responsible Authority.

Permit expiry

28. This permit will expire if one of the following circumstances applies:

- a) The development is not started within **two years** of the date of this permit.
- b) The development is not completed within **four years** of the date of this permit.
- c) The use of the land for a child care centre has not commenced within **four years** of the date of this permit.
- d) The signage expires **15 years** from the date of this permit.

If the use or development allowed by this permit has not commenced by the date the permit lapses, the permit holder may apply to the responsible authority before or within 6 months after the expiry date of the permit for an extension of time.

If the development allowed by this permit has lawfully commenced before the permit expiry date and has not been completed, the permit holder may apply to the responsible authority for an extension of time within 12 months after the permit expiry date.

If a request is made outside of the above time(s), the responsible authority cannot consider the request and the holder of this permit cannot apply to the Victorian Civil and Administrative Tribunal for a review of this matter.

NOTES FROM THE RESPONSIBLE AUTHORITY:

- a) A Building Permit shall be obtained prior to the construction of the development. All work to comply with the requirements of the Building Code of Australia and Council Local Laws.
- b) The development shall comply with and be registered under the Food Act 1984 to the satisfaction of Council's Public Health Services Department.
- c) Prior to undertaking any construction works on the proposed food preparation area, approval must be obtained from Council's Public Health Services Department. A copy of a detailed plan of the layout of the premises, which adequately shows compliance with the Food Safety Standard 3.2.3 Food Premises and Equipment, must be submitted to the satisfaction of a Council Environmental Health Officer.

- d) All works carried out within the road reserve associated with this approval require a "Consent to the Conduct of Proposed Work on a Road" from the Responsible Authority. The developer must obtain this consent prior to the commencement of works. A financial penalty under the Council's Local Laws will be imposed for non-compliance with this condition.

2/14 Motion

MOVED Cr Cruickshank

That Council issue a Notice of Decision to Grant a Permit subject to the draft conditions listed in this report.

SECONDED Cr Adamson

The Motion was put and CARRIED

Cr Norton left the chambers at 7:18pm due to a conflict of interest in the next item B.14.26 MAV Debt Procurement Project.

B.14.26 MAV DEBT PROCUREMENT PROJECT

Responsible Officer: Director Corporate Services
File Number: 65-06-00
Attachments:
1 LG Funding Vehicle Participation
2 Victorian LG Funding Vehicle Term Sheet

Declarations of Interest: Officer

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

Summary

The Municipal Association of Victoria (“MAV”) is establishing a pooled borrowing vehicle on behalf of its 79 Victorian member Councils, the “Local Government Funding Vehicle” (LGFV). The objective of the LGFV is to raise funds from the public bond market on behalf of participating councils, providing a more cost-competitive financing solution to Victorian councils.

The key benefits of the LGFV for councils include significant savings, diversification of funding source, low cost, transparency and best practice.

This report seeks Council’s endorsement to participate in the LGFV as a source of future borrowing requirements for the 2014/15 financial year onwards.

Discussion

The LGFV initiative arose following the Vision Super defined benefit superannuation shortfall. An evaluation of funding options was undertaken to review the debt procurement model of the sector. The purpose of this review was to determine the optimal funding platform to address the defined benefit shortfall and ongoing borrowing requirements of the sector.

The MAV engaged Ernst and Young’s (EY) independent Debt and Capital Advisory team to evaluate available funding sources and structures to determine the optimal funding platform for Victorian councils. The EY report identified that significant savings could be achieved through aggregating council borrowings, obtaining a credit rating on a pooled basis and subsequently issuing a bond into the wholesale bond market. Savings identified were approximately 100 basis points (i.e. 1% point) reduction in the interest rate when compared to borrowing directly from banks through a tender process.

EY assisted MAV in establishing an interim funding facility in June 2013, through a competitive tender on behalf of 23 councils. The tender was highly successful and confirmed the benefits of scale and collective borrowing. The LGFV long term financing strategy was presented to councils in November 2013, with 56 councils responding positively to the expressions of interest totalling in excess of \$450m of borrowing requirements. Based on the widespread council support, the MAV made the decision to proceed with the LGFV financing strategy on behalf of the sector.

The Commonwealth Bank of Australia and the National Australia Bank were appointed by the MAV as co-arrangers for the LGFV bond issuance following an expression of interest. The MAV has worked with EY and the banks to finalise the LGFV financing structure. MAV presented the final structure to councils at the end of March 2014 advising that council commitments for the inaugural July 2014 bond issuance were required by the end of May 2014.

A bond is simply a loan from another source – the wholesale bond market. Cheaper funding is available in the wholesale bond market than from banks for highly rated borrowers such as councils. The investors (or lenders) in the bond market are institutional investors such as superannuation funds, banks and foreign governments. The bond market is a key source of funding for the Commonwealth Government of Australia, State Governments and major corporations. There are numerous examples of local government bonds in other jurisdictions such as New Zealand, USA, Canada and Europe. The LGFV transaction is a market standard structure of “pooling” loans to access the bond market and is considered tried and tested.

The LGFV represents a change in the debt procurement model which “cuts out the middle person” to deliver cheaper funding costs by going direct to the wholesale bond market. Banks currently borrow money from the wholesale bond market and on-lend these funds to councils but in the process add in a profit margin. Access to the wholesale bond market is achieved through the credit strength, collective bargaining, scale and diversification that the LGFV delivers.

The savings are estimated at approximately 100 basis points (i.e. 1% point), with pricing savings expected to improve over time. The final pricing will be determined at the time of the first bond issuance via a wholesale market bidding process to ensure transparency, probity and best price.

The first bond issue will be on a 5 and/or 7 year basis with a fixed interest rate and repayment of interest only over the term.

Other terms and conditions such as security, conditions precedent, representations and warranties, covenants and undertakings, event of default and reporting requirements will be in line with existing standard terms in the bank market.

While the LGFV first bond issuance necessitates a change in how councils borrow, the standardised terms proposed will drive an optimal pricing outcome and will be the most advantageous solution for the sector.

The borrowing process for councils will be simplified under the LGFV. Councils submit a drawdown notice to the LGFV, with no requirement to undertake a tender or quote to determine best price. Debt is available on an “as-needs” basis during the year through a combination of regular bond issuances (annual or more frequently based on demand by councils) and an ongoing interim finance facility which provides short term funding which will be refinanced through subsequent bond issuances.

A one-off LGFV establishment fee of \$4,000 is payable by councils following confirmation of participation.

The LGFV will be governed by a small board comprising of representative and independent skills based members, likely to include council CEOs, or nominees, the MAV and independent financial market experts. The skills possessed by board members will include technical expertise relevant to bond insurance.

The LGFV Board will be appointed by the MAV Board for a period of two years.

The role of the LGFV Board will include:

- i. Reporting to councils
- ii. Risk management
- iii. Market review and analysis
- iv. Management / selection of service providers
- v. Future and ongoing strategic decision making

The LGFV Board terms of reference and composition will be finalised by the MAV prior to the first bond issuance in July 2014.

Consultation

Not applicable

Financial Implications

Analysis suggests that the LGFV will provide councils with an approximately 100 basis points reduction in the interest rate when compared to a tender process undertaken individually by each council. This saving is significant when the borrowing amounts are considered. There is a one-off \$4,000 establishment fee payable to the MAV.

Social Implications

Reduced borrowing costs will have a minor benefit to inter-generated equity.

Economic Implications

Not applicable

Environmental Implications

Not applicable

Risk Management Implications

Reduces procurement risk through pooling all the resources of councils.

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

The alternative to participation in the LGFV is for councils to solely source funds via a tender process with the major banks on a bilateral basis, as the sector has done historically.

Recommendations

That Council:

- 1. Approve Council's participation in the LGFV as a new source of funding for future borrowing requirements; and**
- 2. Participate in the first LGFV bond issuance in the 2014/15 financial year for an amount up to \$4,795,000.**

3/14 Motion

MOVED Cr Katis

That Council:

- 1. Approve Council's participation in the LGFV as a new source of funding for future borrowing requirements; and**
- 2. Participate in the first LGFV bond issuance in the 2014/15 financial year for an amount up to \$4,795,000.**

SECONDED Cr Kiley

The Motion was put and CARRIED

Cr Norton returned to the Chamber at 7:32pm and was informed of the decision.



4th April 2014

By signing a copy of this correspondence, _____ Council hereby accepts the conditions outlined in this letter and attached term sheet acknowledges and agrees to participate in the inaugural issuance of the Local Government Funding Vehicle (LGFV).

X _____

Signed for and on behalf of _____ Council by its authorised representative

Dated (dd/mm/yy)

Borrowing requirements (councils can select one or both 5 and 7 year tenor):

Total amount: _____

of which

5 year tenor amount: _____

7 year tenor amount: _____

NB. If insufficient funds are allocated to either tenor (i.e. <\$100m), the tenor of the first issuance will be determined based upon the majority requirement of councils.

Upon receipt of this agreement, MAV will raise an invoice to your council for a one off LGFV establishment fee of \$4,000 (excluding GST).

Primary Council Contact for LGFV:

Name: _____

Phone: _____

Position: _____

Email: _____

Secondary Contact for LGFV:

Name: _____

Phone: _____

Position: _____

Email: _____

Local Government Funding Vehicle (LGFV) Participation Please return this form including a copy of an approved council resolution for participation in the LGFV **ASAP following May**

council meeting but no later than 30 May 2014 - to Cameron Spence, Manager
Commercial Services, cspence@mav.asn.au

[Attachment 2]

Victorian Local Government Funding Vehicle Term Sheet

Borrowing structure	Councils will borrow on an individual and standalone basis (i.e. no cross guarantee)
Lender	Victorian Local Government Funding Vehicle ("LGFV")
Tenor	5 and/or 7 years
Repayment structure	Interest only
Interest Rate	Fixed interest rate, indicative pricing as follows: 5 years 4.4% to 4.5% 7 years 4.9% to 5.0%
Fees	A one off LGFV establishment fee of \$4,000 is payable by Councils
Documentation	Standardised bilateral loan documentation with common terms and conditions for each individual Council. The terms will be in line with existing customary terms in the bank market.
Security	Security is to comprise a mortgage over the rates of each individual Council
<p><i>The initial structure has been determined based on bank advice to maximize the probability of a successful inaugural issuance and drive an optimal pricing. Increased flexibility is envisaged over time through:</i></p> <ul style="list-style-type: none"> <i>i. adjusted terms (e.g. tenor, interest rate)</i> <i>ii. incorporating debt amortization through various bond maturities</i> <i>iii. supplementary arrangements for individual councils (e.g. P&I bank debt, sinking funds)</i> 	

B.14.27 PROPOSED CHANGE TO JUNE 2014 COUNCIL MEETING DATE

Responsible Officer: Chief Executive Officer
File Number: 22-13-00
Attachments: Nil

Declarations of Interest: Officer

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

Summary

The purpose of this report is to recommend to Council a change the date of the June 2014 Ordinary Council meeting from 17 June 2014 to 10 June 2014.

Discussion

Council is scheduled to meet on the 17 June 2014 at Swan Hill however the Chief Executive Officer, Mayor and Cr Kiley will be involved in the National General Assembly of Local Government in Canberra during the week that Council is scheduled to meet.

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 could:

1. Proceed as per the adopted meeting schedule but would not have two Councillors and the Chief Executive Officer in attendance.
2. Agree to a change the date to 10 June 2014.

Recommendation

That Council select option 2 to enable all Councillors and the Chief Executive Officer to be in attendance for the June 2014 Ordinary Council meeting.

4/14 Motion

MOVED Cr Cruickshank

That Council select option 2 to enable all Councillors and the Chief Executive Officer to be in attendance for the June 2014 Ordinary Council meeting.

SECONDED Cr Katis

The Motion was put and CARRIED

B.14.28 REVIEW OF COUNCIL POLICY - INTERSTATE AND OVERSEAS TRAVEL BY COUNCILLORS

Responsible Officer: Chief Executive Officer
File Number: 22-69-03
Attachments: 1 Travel by Councillor Policy and Procedure

Declarations of Interest: Officer

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

Summary

The Council policy and procedures concerning travel by Councillors has been reviewed; the review process to date has resulted in major changes. This policy was presented at Councillor Assembly on 4 February 2014 and was approved for progression to the 20 May 2014 Ordinary Council meeting.

Discussion

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

The following changes have been made including a name change to "Travel by Councillors".

PROCEDURES:

Procedures

Petty Cash advance – "Councillors may request a cash advance from the CEO prior to travelling" has been added.

The following dot points have been removed:

- In the case where the Mayor or Deputy Mayor is seeking approval for interstate or overseas travel, approval shall be sought from the immediate past Mayor and CEO or by a Councillor nominated by Council.
- When a decision has been made it shall then be ratified at the next ordinary meeting of Council.
- If approval for Interstate or overseas travel is refused the requesting Councillor shall have the right to appeal the decision by taking the item as an agenda item to the next ordinary meeting of Council for open debate to occur.

Reimbursement of Necessary and Reasonable Expense

This paragraph has been deleted.

Reporting Requirements

This paragraph has been deleted.

Appendices

The following appendices have been deleted:

Appendix 2 – Report to apply to undertake interstate travel template

Appendix 3 – Report on interstate travel template

POLICY:

“Application” heading has been changed to “Scope” with the following added:

Scope:

1. This policy applies to all Councillors of Swan Hill Rural City Council.
2. This policy only applies if the Councillor uses Council resources for travel (including but not limited to, a Council car, reimbursement of private car expenses, overnight accommodation, taxi fares and airfares).
3. This policy applies where overnight accommodation is required or private car expenses are claimed, irrespective of the total distance travelled.
4. Subject to (3) above, this policy does not apply if the total distance travelled is less than 500km.

Policy:

1. Travel by Councillors within the above-mentioned scope can only be undertaken if:
 - a. The travel has been approved in advance by the Mayor or CEO, or
 - b. A Councillor has made every reasonable effort to obtain prior approval but has not been able to do so.
2. The Mayor and CEO must not unreasonably withhold approval of travel by a Councillor
3. Overseas travel by Councillors must be approved in advance by resolution of Council.

4. Overseas travel will only be by economy class unless the Councillor can demonstrate exceptional circumstances to justify business class travel.
5. In considering a request for travel by a Councillor, the Mayor and CEO must have regard to:
 - a. The purpose of the travel;
 - b. Other Council representatives that may be attending the same event;
 - c. Council's objectives as laid out in the Council Plan.
 - d. How the travel will benefit Council or the municipality.
 - e. The estimated cost of the travel, and any budget implication; and
 - f. The implications to Council of the Councillor not travelling.
6. If a Councillor's request for travel is not approved by the Mayor or CEO, then the Councillor may appeal the decision to the next Ordinary Meeting or Assembly of Council.
7. Councillors' private cars will be used as a last resort. Councillors and the CEO must make every endeavour to obtain a Council vehicle for travel. Reimbursement of a Councillor for the private use of a vehicle will only be approved by the CEO after all reasonable attempts to obtain a Council vehicle have failed.
8. Councillors must comply with the "Travel by Councillors Procedure".
9. Councillors are encouraged to report their travel to Council either verbally or in writing, but this is not mandatory.
10. In the case of overseas or interstate travel, Councillors must provide all of the necessary information to the CEO to enable compliance with the Local Government Act and associated regulations.

Consultation

Discussions held at 4 February Council 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

Nil

Recommendations

That Council:

- 1. Note the contents of this report.**
- 2. Accept the name change and adopt the policy document "Travel by Councillors".**

5/14 Motion

MOVED Cr Kiley

That Council:

- 1. Note the contents of this report.**
- 2. Accept the name change and adopt the policy document "Travel by Councillors".**

SECONDED Cr Katis

The Motion was put and CARRIED

POLICY TITLE TRAVEL BY COUNCILLORS**POLICY NUMBER POL/GOV013****PURPOSE**

The purpose of this policy is:

- To identify the conditions under which Council resources may be used for travel by Councillors;
- To ensure that Council complies with its Statutory obligations.

SCOPE

1. This policy applies to all Councillors of Swan Hill Rural City Council.
2. This policy only applies if the Councillor uses Council resources for travel (including, but not limited to, a Council car, reimbursement of private car expenses, overnight accommodation, taxi fares, and airfares).
3. This policy applies where overnight accommodation is required, or private car expenses are claimed, irrespective of the total distance travelled.
4. Subject to (3) above, this policy does not apply if the total distance travelled is less than 500km.

POLICY

1. Travel by Councillors within the above-mentioned scope can only be undertaken if
 - a. The travel has been approved in advance by the Mayor or CEO, or
 - b. A Councillor has made every reasonable effort to obtain prior approval but has not been able to do so.
2. The Mayor and CEO must not unreasonably withhold approval of travel by a Councillor.
3. Overseas travel by Councillors must be approved in advance by resolution of Council.
4. Overseas travel will only be by economy class unless the Councillor can demonstrate exceptional circumstances to justify business class travel.
5. In considering a request for travel by a Councillor, the Mayor and CEO must have regard to:
 - a. The purpose of the travel;
 - b. Other Council representatives that may be attending the same event;
 - c. Council's objectives as laid out in the Council Plan;
 - d. How the travel will benefit Council or the municipality;
 - e. The estimated cost of the travel, and any budget implications; and
 - f. The implications to Council of the Councillor not travelling.
6. If a Councillor's request for travel is not approved by the Mayor or CEO, then the Councillor may appeal the decision at the next Ordinary Meeting or Assembly of Council.
7. Councillors' private cars will be used as a last resort. Councillors and the CEO must make every endeavour to obtain a Council vehicle for travel. Reimbursement to a

Councillor for the private use of a vehicle will only be approved by the CEO after all reasonable attempts to obtain a Council vehicle have failed.

- 8. Councillors must comply with the “Travel by Councillors Procedure”.
- 9. Councillors are encouraged to report their travel to Council either verbally or in writing, but this is not mandatory.
- 10. In the case of overseas or interstate travel, Councillors must provide all of the necessary information to the CEO to enable compliance with the Local Government Act and associated regulations.

RELATED POLICIES

Councillor Expense Reimbursement and Support – POL/GOV004

RELATED LEGISLATION

Local Government Act 1989

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

PROCEDURE TITLE TRAVEL BY COUNCILLORS**PROCEDURE NUMBER PRO/GOV013****ENABLING POLICY/DIRECTIVE**

Travel by Councillors – POL/GOV013

ENABLING LEGISLATION

Local Government Act 1989

PURPOSE

The purpose of this procedure is to provide guidelines for Councillors when travelling at Council's expense.

SCOPE

This procedure applies to all Councillors of Swan Hill Rural City Council.

PROCEDURE**Approval in Advance**

Requests for travel approval must be made on the "Councillor Travel Form" (Appendix 1). The form must contain the following information:

- Intended dates of travel;
- Intended destination;
- Purpose of the travel;
- How the travel meets Council's objectives as outlined in the Council Plan;
- How the travel will benefit Council or the municipality;
- Estimated costs of the travel (including airfares, accommodation, conference fees, meals, taxis, private car reimbursement, etc).

Petty Cash Advance

Councillors may request a cash advance from the CEO prior to travelling.

Reimbursement of Expenses

Reimbursement for reasonable out of pocket expenses by the CEO will be made after substantiation of expenditure including tax invoices and receipts in accordance with the Councillors' Expense Reimbursement and Support Policy – POL/GOV004.

Details of all expenses and receipts should be listed on the 'Councillors' Expense and Allowance Form', for reimbursement at the conclusion of the period of travel.

Statutory Register of Interstate and Overseas Travel

In accordance with regulation 11(c) of the *Local Government (General) Regulations 2004*, a Statutory Register of Overseas or Interstate Travel must be maintained and made available for public inspection. The Councillor must provide all of the necessary information to ensure compliance with the Local Government Act 1989 and with regulation 11(c) of the Local Government (General) Regulations 2004.

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

COUNCILLOR TRAVEL FORM

Councillor's Name: _____

Intended dates of travel: From: _____
To: _____

Destination: _____

Reason for Travel: _____

How the travel will meet Council's objectives: _____

Benefits to Council or the municipality : _____

Estimated Costs:	Airfares	\$	_____
	Accommodation	\$	_____
	Car Hire / Taxis	\$	_____
	Conference Fees	\$	_____
	Meals and Incidentals	\$	_____
	Reimbursement for Private Car use	\$	_____
	Other	\$	_____
	Total Cost	\$	_____
	Less Councillor's contribution	-\$	_____
	Net cost to Council	\$	_____

Councillor's signature: _____

Date: _____

Approved: Not Approved: **Signed:** _____ **Mayor**

Approved: Not Approved: **Signed:** _____ **CEO**

Please note: If overseas travel, attach a copy of the Council resolution.

SECTION C – DECISIONS WHICH NEED ACTION/RATIFICATION

C.14.7 SIGN AND SEAL REPORT

Responsible Officer: Chief Executive Officer

Attachments: Nil.

Declarations of Interest: Officer

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

Summary

The following documents and agreements have been signed and sealed by the Councillors and the Chief Executive Officer on the respective dates. Those actions require the ratification of the Council.

Discussion

During the course of any month Council is required to sign and seal a range of documents arising from decisions made on a previous occasion(s). Examples include sale of land, entering into funding arrangements for Council programs etc.

As the decision to enter into these agreements has already been made, these documents are signed and sealed when received, with Council ratifying the signing and sealing at the next Council meeting.

Consultation

Nil

Financial Implications

Nil

Social Implications

Nil

Economic Implications

Nil

Environmental Implications

Nil

Risk Management Implications

Nil

Issues

The following documents were signed and sealed since the last Council meeting:

No.	Document Type	Document Description	Date signed/sealed
605	Section 173 Agreement Murray Valley Highway Tyntynder South, Ballif and River Roads Murraydale.	Between: <ul style="list-style-type: none"> • Swan Hill Rural City Council • Symway Pty Ltd • Durden • Macumber 	14/04/14
606	Section 17D Crown Land Lease McLennan Drive Robinvale.	Between: <ul style="list-style-type: none"> • Swan Hill Rural City Council • Robinvale Rowing & Youth Association Inc 	29/04/14
607	Application to amend the Register - Cocamba-Miralie Road.	Between: <ul style="list-style-type: none"> • Swan Hill Rural City Council • Agricultural Company of Australia Pty Ltd 	02/05/14
608	Section 173 Agreement Willoughby Rd, Tyntynder West.	Between: <ul style="list-style-type: none"> • Swan Hill Rural City Council • Boulton 	09/05/14
609	Sub Lease – Swan Hill Region Information Centre.	Between: <ul style="list-style-type: none"> • Swan Hill Rural City Council • MEGT Australia Ltd 	09/05/14
610	Transfer of Lot 273 Tower Hill Stage 7.	Between: <ul style="list-style-type: none"> • Swan Hill Rural City Council • Hinton 	09/05/14
611	Transfer of Lot 274 Tower Hill Stage 7.	Between: <ul style="list-style-type: none"> • Swan Hill Rural City Council • Hinton 	09/05/14
612	Contract 14 3614 04 Tower Hill Estate Stage 8	Between <ul style="list-style-type: none"> • Swan Hill Rural City Council • Whitfield Excavations P/L 	09/05/14

Conclusion

Council authorise the signing and sealing of the above documents.

Recommendations

That Council ratify the actions of signing and sealing the documents under delegation as scheduled.

6/14 Motion

MOVED Cr Katis

That Council ratify the actions of signing and sealing the documents under delegation as scheduled.

SECONDED Cr Norton

The Motion was put and CARRIED

C.14.8 COUNCILLOR ASSEMBLIES - RECORD OF ATTENDANCE AND AGENDA ITEMS

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

Declarations of Interest: Officer

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.

7/14 Motion

MOVED Cr Kiley

That Council note the contents of the report.

SECONDED Cr Norton

The Motion was put and CARRIED

COUNCILLOR ASSEMBLIES ATTENDANCE AND AGENDA
22 April 2014 at 9am
TOWN HALL (COUNCIL CHAMBERS), SWAN HILL

AGENDA ITEMS

- 2014/15 Budget Review

ADDITIONAL ITEMS DISCUSSED

- Nil

ATTENDANCE

Councillors

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

Apologies

- Cr Gary Norton

Officers

- Dean Miller, Chief Executive Officer
- Bruce Myers, Director Community & Cultural Services
- David Lenton, Director Corporate Services
- Brett Luxford, Director of Development and Planning
- Warren Snyder, Finance Manager

Other

- Nil

CONFLICT OF INTEREST

Nil

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

AGENDA ITEMS

- IT Update
- Friends of Bromley Rd update
- Farmers Market Feasibility Study
- Retail Development Initiative
- Restructure
- Aged Care Reform
- Friends of Bromley Road presentation

ADDITIONAL ITEMS DISCUSSED

- Nil

ATTENDANCE

Councillors

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

Apologies

- Cr Michael Adamson

Officers

- Dean Miller, Chief Executive Officer
- Bruce Myers, Director Community & Cultural Services
- David Lenton, Director Corporate Services
- David Leahy, Director Infrastructure
- Brett Luxford, Director of Development and Planning
- Warren Taylor, IT Manager
- Janelle Earle, Economic Development Manager
- Christine Bennett, Regional Packaged Care Co-ordinator
- Helen Morris, HR Manager

Other

- Doug Faircloth, Verso Consulting Director
- Bev Harbinson, Jim Holland, Tim Williams, Len O'Brien and Santina Zappia – Friends of Bromley Road

CONFLICT OF INTEREST

- Nil

COUNCILLOR ASSEMBLIES ATTENDANCE AND AGENDA

6 May 2014 at 1:30

TOWN HALL (COUNCIL CHAMBERS), SWAN HILL

AGENDA ITEMS

- Murray Malley LLEN update
- 2014/15 Budget Review

ADDITIONAL ITEMS DISCUSSED

- Nil

ATTENDANCE

Councillors

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

Apologies

- Cr Jessie Kiley

Officers

- Dean Miller, Chief Executive Officer
- Bruce Myers, Director Community & Cultural Services
- Brett Luxford, Director of Development and Planning
- David Leahy, Director of Infrastructure
- David Lenton, Director Corporate Services
- Warren Snyder, Finance Manager

Other

- Alan Davies, Acting Executive Officer, Murray Mallee LLEN

CONFLICT OF INTEREST

- Nil

COUNCILLOR ASSEMBLIES ATTENDANCE AND AGENDA
13 May 2014 at 1:30
TOWN HALL (COUNCIL CHAMBERS), SWAN HILL

AGENDA ITEMS

- South West Development update
- Yana Street Childcare Centre planning application
- 2014/15 Budget Review
- Bromley Road Masterplan

ADDITIONAL ITEMS DISCUSSED

- Nil

ATTENDANCE

Councillors

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

Apologies

- Jessie Kiley

Officers

- Dean Miller, Chief Executive Officer
- Bruce Myers, Director Community & Cultural Services
- Brett Luxford, Director of Development and Planning
- David Leahy, Director of Infrastructure
- David Lenton, Director Corporate Services
- Vige Satkunrajah, Development Manager
- Warren Snyder, Finance Manager

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

Cr Norton

Mediation Meeting (Child Care)
Region 3 MDA Meeting
MAV Board Meeting
MAV Rural & Regional Forum
MAV Transport and Infrastructure Committee Meeting
Nyah District Action Group
MAV Rural Councils Victoria
MAV State Council

Cr Cruickshank

Loddon Mallee Waste Forum
Alliance of Councils for Rail Freight
Swan Hill Inc Board restructure planning session
Mediation Meeting Yana Street Childcare application
Central Murray Regional Waste Management

Cr Kiley

Swan Hill Regional Art Gallery Advisory Committee
Mediation for 24 Yana Street
Scouts Meeting
Swan Hill Inc Board Meeting

Cr Katis

Ministers visit in Robinvale (Announcement of Grant)
Anzac March Robinvale
Mediation Meeting Yana St Childcare
Road Inspection with David Leahy and Grower of Table Grape Committee
Northern Mallee Leadership Euston Forum

Cr Crowe

Nil

Cr Adamson

Anzac Day memorial wreath laying ceremony deputation for the mayor
Yana St childcare mediation meeting
Meeting to discuss scout hall relocation
Swan hill Basketball stadium committee meeting

Cr McPhee

ABC Radio interview
Funding Announcement Robinvale P12 College
Lake Boga Yacht Club Regatta presentations
3SH Radio interview
Budget Review
CEO/Mayor meeting
Mayor/CEO meeting
Mediation for Childcare centre in Yana St, Swan Hill
ABC Radio interview
MEMPC Meeting
Reception at Art Gallery for 75th anniversary of Rotary in Swan Hill
Opening Swan Hill Bowls Club Autumn Carnival
Rotary Club of Swan Hill 75th anniversary dinner
Swan Hill Specialist School presentation of leadership badges
BPAC meeting
Mayor/CEO meeting
ABC Radio interview
Red Cross 100th year in Australia celebration
Tim Johnston funeral
Mayor/CEO meeting
Community House meeting
ABC Radio interview
Young Professionals Cadetship Program launch
Opening Vietnam Veterans Association State Council Meeting
Million Paws walk
Mayor/CEO meeting
Budget Review
Youth Council meeting

Cr McPhee also advised he attended the funeral of one of our employees, Mr. Tim Johnston from the Pioneer Settlement and spoke about the sad passing of one so young. Mr. Johnston was a valued employee at the Pioneer Settlement and it was great to see the attendance from Settlement and Council staff at his funeral service.

Cr Adamson noted that he was not in attendance on the 29 April Council Assembly.

SECTION G – IN CAMERA ITEMS

8/14 Motion

MOVED Cr Norton

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

SECONDED Cr Adamson

The Motion was put and CARRIED

B.14.29 IN CAMERA CONSIDERATION OF CONFIDENTIAL REPORT

9/14 Motion

MOVED Cr Cruickshank

That the meeting move out of closed session

SECONDED Cr Norton

The Motion was put and CARRIED

SECTION H – DECISIONS MADE IN CAMERA

B.14.29 CEO PERFORMANCE REVIEW

Recommendations

That Council:

1. Endorse the CEO Performance Review process undertaken in accordance with Council's policy and procedure, and with the Contract of Employment.
2. Adopt the Specific Performance Criteria set for achievement by the CEO for the period from June 2014 – May 2015.
3. Adopt the recommended remuneration increase for the CEO for the coming 12 month period of 3.0%.
4. Note that the position description has been reviewed and no changes are warranted.
5. Congratulates the CEO on very good performance over a quite difficult twelve months in the position.
6. Write to Leonie Burrows and thank her for her time in preparing the report.

There being no further business the Mayor, Cr Les McPhee closed the meeting at 8:07pm.