



MINUTES

ORDINARY MEETING OF COUNCIL

Tuesday, 16 May 2017

Held at the
Swan Hill Town Hall Chambers
McCallum Street Swan Hill
Commenced at 4pm

COUNCIL:

Cr LT McPhee – Mayor

Cr JN Katis
Cr GW Norton
Cr C Jeffery
Cr L Johnson
Cr B Moar
Cr A Young

Confirmed 27 June 2017

Chairperson.....

SECTION A – PROCEDURAL MATTERS3

SECTION B – REPORTS.....5

B.17.40 PUBLIC ART POLICY5

B.17.41 COUNCIL PLAN AND STRATEGIC RESOURCE PLAN 2017-2021.....9

B.17.42 QUARTERLY REVIEW OF FINANCIAL PERFORMANCE AND FINANCIAL POSITION TO 31 MARCH 2017 12

B.17.43 BUS STOP SHELTER INFRASTRUCTURE 17

B.17.44 CATALINA MUSEUM REDEVELOPMENT21

B.17.45 SWAN HILL REGIONAL LIVESTOCK EXCHANGE (SHRLE) NEW FEES.....28

B.17.46 TO RECEIVE AND CONSIDER SUBMISSIONS FOR DRAFT LOCAL LAW NO.2.....33

B.17.47 ACTIVE PLAY PRECINCT PLAN44

SECTION C – DECISIONS WHICH NEED ACTION/RATIFICATION51

C.17.7 SIGN & SEAL REPORT51

C.17.8 COUNCILLOR ASSEMBLIES - RECORD OF ATTENDANCE AND AGENDA ITEMS53

SECTION D – NOTICES OF MOTION.....57

SECTION E – URGENT ITEMS NOT INCLUDED IN AGENDA.....57

SECTION F – TO CONSIDER & ORDER ON COUNCILLOR REPORTS57

SECTION G – IN CAMERA ITEMS59

SECTION A – PROCEDURAL MATTERS

- **Open**

Mayor, Cr Les McPhee assumed the chair and declared the meeting open at 4.00pm.

- **Acknowledgement of Country**

Mayor, Cr Les McPhee read the Acknowledgement of Country.

- **Prayer**

Cr Lea Johnson read the prayer.

- **Apologies**

Nil

Recommendations

That the apologies be accepted.

- **Confirmation of Minutes**

- 1) Ordinary Meeting held on 18 April 2017

29/17 Motion

MOVED Cr Jeffery

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**

Nil

30/17 Motion

MOVED Cr Norton

That standing orders be suspended.

SECONDED Cr Johnson

The Motion was put and CARRIED

• **Public Question Time**

Question 1

Yvonne Jennings: “In preparation of reports for formal Council Agendas, is there a process for inclusion of community key players input before the Agenda goes public?”

Chief Executive Officer, Mr John McLinden responded “There is no formalised process. If these are reports where the subject matter is being discussed with community groups (such as a number of the items are tonight on the agenda), then if we are doing our job properly then we will be well across all the facts and details, and will have had many conversations with groups. But having spoken to Ms Jennings earlier on in relation to this question, she is concerned about errors around matters of fact and typos. The example that Yvonne used where we had written north in a report when we had meant south. There is no formal process and we need to be mindful of getting those right and we should be staying connected with our community groups so the content of our reports are in-step with those that are supporting us.”

31/17 Motion

MOVED Cr Norton

That Standing Orders be resumed.

SECONDED Cr Jeffery

The Motion was put and CARRIED

SECTION B – REPORTS

B.17.40 PUBLIC ART POLICY

Responsible Officer: Director Community & Cultural Services
File Number: S04-25-01
Attachments: 1 Public Art Policy

Declarations of Interest: Officer
Bruce Myers - as the responsible officer, I declare that I have no disclosable interests in this matter.

Summary

This report details Council's first Public Art Policy.

Discussion

During the development of major infrastructure projects, Council has the opportunity to encourage the incorporation of public art. Public art has been acknowledged as important to community health and wellbeing, stimulating comment and interpretation amongst community members. Public art is also increasingly designed with a practical purpose such as seating, shade and lighting, or into streetscape redevelopments.

This Policy allows Council, where possible and appropriate, to support community initiatives to create public artworks. The development of capital works or programs of significant cost could also incorporate public art in design with cross-departmental consultation.

The Policy also provides Council with the necessary rights of approval prior to procurement of any public art, and the intention is to develop a Public Art Asset Management Plan to provide guidelines for the lifetime of public art pieces.

Consultation

The draft Policy was developed by Council's Cultural Services team, and other internal departments of Council such as Engineering and the Executive Leadership Team. It has been presented for discussion and feedback provided by Councillors on previous occasions, with a definition added following presentation to an Assembly.

Financial Implications

While an indicative figure of 2% is provided as a guideline for consideration, it is anticipated that procurement and installation costs associated with public art are

included where possible in project scoping, and that ongoing maintenance costs are budgeted and planned for appropriately.

Social Implications

The value of public art to community health and wellbeing is well documented, and large complex master plans such as the Riverfront are likely to create opportunities for elements of public art in their design.

Economic Implications

The design and installation of public art can assist local artists in showcasing their skills, providing opportunities for positive economic outcomes. Recent examples have also shown the increase in skills developed by local tradespeople in the construction and installation.

Environmental Implications

Where possible, public art will comply with relevant environmental requirements and in most cases is likely to complement the natural and built environment.

Risk Management Implications

All risk management issues will be identified and managed on a case-by-case basis, and be detailed in the Public Art Asset Management Plan.

Council Plan Strategy Addressed

Community Wellbeing - A sense of belonging, ensuring that all people have a place in our community.

Options

- 1. Council may adopt the draft Public Art Policy as presented,**
- 2. Council may modify the draft Public Art Policy prior to adoption,**
- 3. Council may decide to not adopt the Policy.**

Recommendations

That Council:

- 1. Adopt the Public Art Policy as presented.**
- 2. Receive a report on the development of a Public Art Asset Management Plan.**

32/17 Motion

MOVED Cr Jeffery

That Council:

- 1. Adopt the Public Art Policy as presented.**
- 2. Receive a report on the development of a Public Art Asset Management Plan.**

SECONDED Cr Norton

The Motion was put and CARRIED

POLICY TITLE PUBLIC ART POLICY

POLICY NUMBER POL/CULT704

PURPOSE

To provide direction for the development of public art for Council and the community.

SCOPE

This applies to all departments of the Council.

DEFINITION

Public art is art in any media that has been planned and executed with the intention of being staged in the physical public domain, usually outside and accessible to all.

POLICY

Council acknowledges the importance of public art to community health and wellbeing and actively supports the concept. Development of capital works or programs of significant cost will incorporate Public Art in design with cross-departmental consultation.

Where possible and appropriate, Council will support community initiatives to create public artworks.

Council will provide clear guidelines for community members and Council departments wishing to initiate public artworks by means of a Public Art Asset Management Plan.

Council will consider the integration of public art into council sponsored streetscape projects and other projects as directed by Council by providing 2% of those projects for provisions of public art.

Public art will be creative, enriching the natural and built assets of the Swan Hill municipality and reflect its unique character, history and future aspirations.

Council approval is required prior to the procurement of public art and Council has the opportunity to provide a councillor representative on committees created for the selection of public art.

The Public Art Asset Management Plan will provide guidelines for the lifetime of public art.

RELATED POLICIES / DOCUMENTS

Nil

RELATED LEGISLATION

Nil

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

B.17.41 COUNCIL PLAN AND STRATEGIC RESOURCE PLAN 2017-2021

Responsible Officer: Director Corporate Services

File Number: 69-99-00

Attachments: Nil

Declarations of Interest: Officer

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

Summary

The report recommends to Council that the Draft Council Plan 2017-2021 be released for Public comment.

Discussion

The Local Government Act requires Council to prepare and approve a Council Plan and Strategic Resource Plan within the period of 6 months after each general election or by the next 30 June, whichever is later.

Council is required to advertise the Council Plan in accordance with Section 223 of the Local Government Act and invite Public Submissions. These submissions will be considered at a future Council meeting.

The Draft Council Plan and Strategic Resource Plan are now ready for release.

Consultation

Councillors took part in a two day Council Planning Session with the Executive Leadership Team on 2-3 February 2017 and have been briefed on the progress of the Plan on a number of occasions at Councillor assemblies.

All members of the Executive Leadership Team have been involved in the development of the plan.

Advertising the Draft Council Plan and Strategic Resource Plan in accordance with the Section 223 of the Local Government Act allows for the public to make submissions.

The Council Plan will also be presented during the Public presentation on the Draft Budget.

Financial Implications

Initiatives in the Council Plan will be referred to the annual Budget process.

Social Implications

The Council Plan will impact on the social, economic and environment aspects of our municipality, as set out in the Council Plan.

Economic Implications

As above

Environmental Implications

As above

Risk Management Implications

The development of the Council Plan is required to comply with the Local Government Act.

Council Plan Strategy Addressed

Governance and Leadership - Positive community engagement and inclusiveness.

Options

Council can choose to make changes to the Draft Plan and then release it at a later date.

Recommendations

That Council:

- 1. Advertise the Draft Council Plan and Strategic Resource Plan for public comment for a period of 28 days, in accordance with Section 223 of Local Government Act.**
- 2. Hold a Special Council Meeting on Tuesday 27 June to hear and consider Public Submissions on Council and Strategic Resource Plans and adopt the plans.**

33/17 Motion

MOVED Cr Katis

That Council:

- 1. Advertise the Draft Council Plan and Strategic Resource Plan for public comment for a period of 28 days, in accordance with Section 223 of Local Government Act.**
- 2. Hold a Special Council Meeting on Tuesday 27 June to hear and consider Public Submissions on Council and Strategic Resource Plans and adopt the plans.**

SECONDED Cr Young

The Motion was put and CARRIED

B.17.42 QUARTERLY REVIEW OF FINANCIAL PERFORMANCE AND FINANCIAL POSITION TO 31 MARCH 2017

Responsible Officer: Director Corporate Services
File Number: 42-20-00
Attachments:
1 Balance Sheet as at 31 March 2017
2 Income Statement as at 31 March 2017

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 nine months to 31 March 2017 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 9 months ended 31 March 2017 are included with this report.

Major variations to budget as at 31 March 2017 are explained by way of notes on the attached report.

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

Significant forecast variations to budget include:

	Current Forecast Variances		Previous Forecast Variances	
Rates (including supplementary Rates)	\$34,000	Favourable	\$20,200	Favourable
Grants Commission	\$56,600	Favourable	\$56,600	Favourable
Grants expected 2015/16, rec'd 2016/17	\$1,192,100	Favourable	\$1,192,100	Favourable
Rates Discount	\$5,000	Unfavourable	\$5,000	Unfavourable
Insurance (Incl Fire Service Levy) net	\$22,500	Favourable	\$22,500	Favourable
Livestock Exchange (net result)	\$7,500	Favourable	\$7,500	Favourable
Public Lighting maintenance	\$11,000	Unfavourable	\$8,000	Unfavourable
Employee Costs	\$249,000	Favourable	\$137,000	Favourable
Parking Fines and fees	\$40,000	Favourable	\$23,000	Favourable
Elected Member Allowance	\$8,500	Favourable	\$8,500	Favourable
Building & Planning Permit Income	\$60,000	Favourable	\$80,000	Favourable
Pioneer Settlement net operating result	\$410,000	Unfavourable	\$110,000	Unfavourable
Workcover Premiums (net)	\$30,000	Favourable	\$30,000	Favourable
Public Lighting Utility Costs	\$20,000	Favourable	\$5,000	Favourable

Art Gallery Redevelopment	\$165,000	Favourable	-	-
Sports ground lighting projects	\$165,000	Unfavourable	-	-
Engineering Services Inspection Fees	\$19,000	Favourable	-	-
Natural Resource Management Consultants	\$40,000	Favourable	-	-
Intersection Investments	\$30,000	Favourable	-	-
Non Voting Fines	\$13,000	Favourable	-	-
Fuel Tax Credits	\$17,000	Favourable	-	-
Electricity Costs – Various locations	\$49,000	Favourable	-	-
Transfer from Res- Chisholm Reserve	\$250,000	Favourable	-	-
Chisholm Reserve Rectification Works	\$500,000	Unfavourable	-	-
Caravan Park – Flood effects	\$35,000	Unfavourable	\$20,000	Unfavourable
Home Care overall result	\$79,000	Favourable	\$40,000	Favourable
Municipal Office Electricity	\$10,000	Favourable	\$10,000	Favourable
Chisholm Reserve Drainage Works (net)	\$20,000	Unfavourable	\$20,000	Unfavourable
Town Hall User Fees	\$18,000	Unfavourable	\$18,000	Unfavourable
Other Variations (net)	\$33,800	Favourable	\$2,100	Favourable
	\$1,262,000	Favourable	\$1,453,500	Favourable
Less: Income owing from 2015/16	\$1,228,600	Unfavourable	\$1,228,600	Unfavourable
Net Variation to 2016/17 Budget	\$33,400	Favourable	\$224,900	Favourable

Consultation

Consultation occurred as part of the Budget preparation process.

Financial Implications

The report shows a predicted rates determination surplus \$33,400 better than budget for the 2016/17 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 three months of the year. In particular the anticipated surplus relies on the income from the Heartbeat of the Murray Experience and completion of Major Projects within budget and no significant, unbudgeted costs.

Council Plan Strategy Addressed

Governance and Leadership - Effective and efficient utilisation of resources.

Options

Nil

Recommendation

That Council note that the anticipated end of financial year result is \$33,400 better than budget at this stage.

34/17 Motion

MOVED Cr Norton

That Council note that the anticipated end of financial year result is \$33,400 better than budget at this stage.

SECONDED Cr Jeffery

The Motion was put and CARRIED

**SWAN HILL RURAL CITY COUNCIL
SUMMARISED BALANCE SHEET
AS AT 31/03/2017**

	This Year Actual As At 31/03/2017 \$000	Last Year Actual As At 31/03/2016 \$000	\$ Movement Y.T.D. \$000	% Movement Y.T.D.	Budget As At End 2016/17 \$000
CURRENT ASSETS:-					
Cash and Cash Equivalents	21,194	16,823	4,371	26.0%	15,156
Trade & Other Receivables	6,335	6,307	28	0.4%	2,141
Inventories	45	97	(52)	-53.6%	235
Other Assets	64	202	(138)	-68.3%	127
TOTAL CURRENT ASSETS	27,638	23,429	4,209	18.0%	17,659
CURRENT LIABILITIES:-					
Trade & Other Payables	1,440	1,073	367	34.2%	3,947
Trust Funds & Deposits	342	338	4	1.2%	394
Provisions	4,763	4,725	38	0.8%	5,089
Interest Bearing Loans & Borrowings	737	745	(8)	-1.1%	974
TOTAL CURRENT LIABILITIES	7,282	6,881	401	5.8%	10,404
NET CURRENT ASSETS	20,356	16,548	3,808	23.0%	7,255
NON-CURRENT ASSETS:-					
Trade & Other Receivables	146	91	55	60.4%	91
Property, Plant, Equipment & Infrastructure	441,176	442,634	(1,458)	-0.3%	474,194
Intangible Assets	720	720	0	0.0%	720
TOTAL NON-CURRENT ASSETS	442,042	443,445	(1,403)	-0.3%	475,005
NON-CURRENT LIABILITIES:-					
Interest Bearing Loans & Borrowings	6,959	7,209	(250)	-3.5%	7,035
Provisions	1,979	1,751	228	13.0%	1,776
TOTAL NON-CURRENT LIABILITIES	8,938	8,960	(22)	-0.2%	8,811
TOTAL NET ASSETS	453,460	451,033	2,427	0.5%	473,449
EQUITY:-					
Accumulated Surplus & Reserves	290,914	283,039	7,875	2.8%	279,886
Asset Revaluation Reserve	162,546	167,994	(5,448)	-3.2%	193,563
TOTAL EQUITY	453,460	451,033	2,427	0.5%	473,449

**SWAN HILL RURAL CITY COUNCIL
STATEMENT OF INCOME & EXPENDITURE
FOR THE 9 MONTHS ENDING 31/03/2017**

	Actual Year To Date 31/03/2017 \$000	Budget Year To Date 31/03/2017 \$000	\$ Variance To Budget \$000	% Variance To Budget	Original Annual Budget 2016/17 \$000	Notes
OPERATING INCOME :-						
Rates, garbage charges and marketing levy	25,842	25,824	18	0.1%	25,824	
Statutory fees & fines	744	564	180	31.9%	745	1
User fees	3,855	4,324	(469)	-10.8%	5,722	2
Grants - Operating (recurrent)	9,855	10,262	(407)	-4.0%	13,663	
Grants - operating (non-recurrent)	551	391	160	40.9%	521	3
Grants - capital (recurrent)	793	1,745	(952)	-54.6%	3,327	4
Grants - capital (non-recurrent)	189	1,924	(1,735)	-90.2%	2,335	5
Contributions - cash non recurrent	599	1,061	(462)	-43.5%	1,581	6
Interest income	335	387	(52)	-13.4%	520	
Proceeds from disposal of assets	385	364	21	5.8%	486	
Other revenue	2,005	1,231	774	62.9%	1,640	7
TOTAL INCOME	45,153	48,077	(2,924)	-6.1%	56,364	
OPERATING EXPENSES (Excluding Depreciation) :-						
Employee benefits	14,111	15,405	(1,294)	-8.4%	19,891	8
Contract payments materials & services	12,712	14,789	(2,077)	-14.0%	19,594	9
Bad & doubtful debts	1	1	0	0.0%	2	
Finance costs	213	260	(47)	-18.1%	407	
Other expenses	800	763	37	4.8%	968	
TOTAL OPERATING EXPENSES (Excl. Depn.)	27,837	31,218	(3,381)	-10.8%	40,862	
OPERATING RESULT (Excl. Depn.)	17,316	16,859	457	2.7%	15,502	
CAPITAL ITEMS :-						
Capital works/asset purchases - funding sourced	4,760	6,046	(1,286)	-21%	12,091	10
Capital works/asset purchases - funding not sourced	0	0	0	0%	3,789	
SURPLUS (DEFICIT) AFTER CAPITAL ITEMS	12,556	10,814	1,743	16%	(378)	
ADD FINANCING TRANSACTIONS						
Loan principal redemption	(604)	(570)	(34)	6.0%	(759)	
Transfers to/from reserves	(1,090)	(1,090)	0	0.0%	668	
Proceeds from loans	0	0	0	0.0%	500	
TOTAL FINANCING TRANSACTIONS	(1,694)	(1,660)	(34)	2.0%	409	
BUDGET RESULT SURPLUS	10,862	9,154	1,709	18.7%	31	

- 1 Valuation data fees of \$91K had been forecast to be received last year and Food Premises and Public Health registrations of \$107K have been raised but the forecast allows for them to be raised throughout the year.
- 2 Income for the Heartbeat of the Murray and Pyap are \$385K below forecast due to the high river in October to December. During this time the Heartbeat show was unable to run and this had a flow on effect to Pyap attendances.
- 3 Grants owed from 2015/16 have been received totalling \$61K. Council also received additional operational grants which had not been forecast: \$25K Engaging Audiences at the Art Gallery, Municipality VMS project \$29K, various programs at the Library \$20k.
- 4 Council's Roads to Recovery funding has been reduced by \$1M in 2016/17 and deferred to 2017/18.
- 5 Grants for the Swan Hill Riverfront Masterplan projects (\$1.1M) had been forecast to be received throughout the year along with \$179K for the Catalina Park Activation. No funds have been received to date. The forecast has allowed for \$300K for the Robinvale Levy project to be received. This grant is yet to be sourced.
- 6 Contributions towards stage 9B of the Tower Hill Development will be paid as the lots are sold.
- 7 Tower Hill Stage 9A land sales are \$345K greater than forecast. Funds from the transfer of SupportFirst aged care of \$500K had not been forecast.
- 8 Significant savings have been made in Council's workcover premiums, and to date this cost is \$268K below forecast. \$200K of this saving will be transferred to a reserve to stabilise future premiums. A number of vacant positions will result in savings over the year.
- 9 The majority of this variance relates to the Packaged Aged Care services (\$1,203K). These packages were transferred to Uniting AgeWell effective 15 December 2016. Other significant variances are for increased development costs at Tower Hill (\$147K) in line with the increased number of lot sales, Waste management contractor payments (\$297K) and Strategic Planning projects (\$72K). These are timing issues.
- 10 The forecast had allowed for significant capital works projects such as Tower Hill Stage 9B some of these costs were incurred in 2015/16, Riverfront enhancement trail (\$342K), Catalina Park Activation (\$427K) and Swan Hill CBD drainage project (\$808K). To date these projects have only incurred minimal costs.

B.17.43 BUS STOP SHELTER INFRASTRUCTURE

Responsible Officer: Director Infrastructure
File Number: 84-28-00
Attachments: Nil

Declarations of Interest: Officer

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

Summary

This report seeks Council direction in relation to the ongoing delivery of bus shelters within Swan Hill CBD.

Discussion

The public transport bus service within the city of Swan Hill is operated by Swan Hill Bus Lines on behalf of Public Transport Victoria (PTV). The service runs Monday – Friday (full days) each week and Saturday mornings. It is an important service and the number one source of transport for many people.

Historically the community has raised concerns regarding the lack of shelters at bus stops in the Swan Hill Township and requested that bus shelters be placed along the town bus routes to provide protection due to the extreme heat in summer months.

A report in relation to the design and installation of bus shelters within the Swan Hill CBD was presented to Council on 16 December 2014. At this meeting, Council resolved to:

“Refer the installation of bus shelters at selected bus stops to the 2015/16 Major Projects Plan.”

A report was also presented to Council at this time outlining proposed locations and the process of how these locations were picked, as well as the recommended style. Locations highlighted as having the most frequent use were Boree Drive, Coronation Avenue, Thurla Street, Chapman Street, Palaroo Street, Yana Street, McCrae Street and Campbell Street.

Consultation

Prior to the development of the original bus shelter report, a consultation process was completed. This process was carried out on the 10 September 2014 and included questions such as:

- Was there a need for bus shelters?
- Where should these shelters be located?

SECTION B - REPORTS

16 May 2017

- What is the typical waiting time for a bus?
- Any other issues?

A survey was conducted of passengers and bus drivers and it was identified that there was a need for bus shelters and seating. It was also identified that the shelters be transparent to enable drivers see if someone is waiting, sitting or sleeping in the shelters.

Feedback was sought from the local police into the provision of bus shelters. Their preference was shelters that are transparent so that officers could see when the shelters were in use both day and night.

These items were discussed with Council in 2014. Other issues that were discussed were that the shelters be:

- Of the same style
- Of a design that would not date and easily maintained at minimal cost to Council.
- Consistent throughout Swan Hill.

The shelters selected and sourced through Polite Enterprises based in Melbourne. The shelter selected met all the criteria.

Project Status

Funding of \$60,000 was received from PTV in 2015 towards the installation of the bus shelters. Council committed \$50,000 in 2015/16.

To date, shelters have been completed at Boree Drive, Coronation Avenue, McCrae Street and Yana Street.

In 2016/17, Council committed a further \$20,000 towards completing a further four bus shelters and officers have secured funding through PTV for the amount of \$68,000 (GST excl) at the following locations:

- Thurla St
- Chapman St
- Palaroo St
- Werril St

Officers have discussed the issue of a bus shelter on Campbell St with PTV and suggested that their preferred location for this shelter would be on McCallum Street adjacent to Café Allure. PTV is open to this suggestion as there is currently an interstate bus stop at this location. Officers are seeking construction approval from PTV and VicRoads in order to progress works at this location.

Further discussions have taken place with the community and they have outlined that they would like Council to consider a Bus Shelter at High Street adjacent to the Hospital entrance.

Bus Shelter Style

No formal community consultation has taken place in relation to the selected style of the bus shelters. Several options were discussed with Council and the bus shelters met the requirements in relation to a modern style with good clear visibility. Feedback has been sought from bus drivers and bus users in relation to this project. The majority of this feedback has been positive.

Funding Opportunity

Council has successfully applied for funding through PTV to the amount of \$68,000 (excl GST).

Financial Implications

Council has committed \$20,000 in the 2016/17 budget. This with the funds from PTV should be sufficient to complete the final four shelters.

Social Implications

Completion of the remaining locations is highly recommended. Stops are used frequently by the elderly and young families. This will have a positive community benefit.

Economic Implications

N/A

Environmental Implications

N/A

Risk Management Implications

Dissatisfaction of local community and user groups if project is not completed.

Council Plan Strategy Addressed

Built and Natural Environment - Infrastructure that is provided and appropriately maintained in accordance with agreed standards.

Options

1. Complete the current project to install the Polite Industries Bell Design shelters at the location in line with the current work plan.

Or

2. Do not complete the installation of Bus Shelters at this time.

Recommendations

That Council:

- 1. Adopt Polite Industries Bell Design of Bus Shelters as the preferred design for bus shelters across Swan Hill Rural City Council.**
- 2. Complete new Bus Shelters at Thurla St, Chapman St, Palaroo St, Werril St in line with the approved style.**
- 3. Seek funding to install a Bus Shelter at High St adjacent to the hospital entrance.**
- 4. Continue to work with VicRoads and PTV to locate a Bus Shelter on McCallum St that will service Campbell St.**

35/17 Motion

MOVED Cr Jeffery

That Council:

- 1. Adopt Polite Industries Bell Design of Bus Shelters as the preferred design for bus shelters across Swan Hill Rural City Council.**
- 2. Complete new Bus Shelters at Thurla St, Chapman St, Palaroo St, Werril St in line with the approved style.**
- 3. Seek funding to install a Bus Shelter at High St adjacent to the hospital entrance.**
- 4. Continue to work with VicRoads and PTV to locate a Bus Shelter on McCallum St that will service Campbell St.**

SECONDED Cr Moar

The Motion was put and CARRIED

Mayor, Councillor Les McPhee then stated that he wished to nominate Deputy Mayor, Councillor Ann Young to Chair the meeting for the next item as he wished to enter in the debate. He then asked if there were any objections to that, to which there were none.

Mayor, Councillor Les McPhee vacated the Chair at 4.19pm and Deputy Mayor, Councillor Ann Young assumed the Chair.

B.17.44 CATALINA MUSEUM REDEVELOPMENT

Responsible Officer: Director Infrastructure
File Number: S17-02-97
Attachments: 1 Lions Club Letter

Declarations of Interest:

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

Summary

This report seeks Council's direction into the progression of the Catalina Museum Redevelopment Project.

Discussion

The Catalina Museum is a Council owned building leased and operated by the Lake Boga Lions Club. The Club was successful in obtaining a variety of government grants to build a Flying Boat museum to house a Catalina Flying Boat Aircraft and associated memorabilia commemorating the usage of the site at Lake Boga for the repair and servicing of Catalinas during World War II. The museum was opened in 2012.

The Catalina project stemmed from an approach from the Lake Boga Lions Club who sought assistance in identifying funding opportunities to improve the facilities at the Museum.

Council Economic Development team met with the Lions Club to discuss their proposal. A concept plan was developed with the following elements;

- Creation of a coffee shop including the relocation of the commercial kitchen
- Creation of a deck overlooking the lake for alfresco dining
- Adventure play park with aquatic theme
- Removal of unsightly infrastructure
- Formalise carparking
- Signage from the highway
- Connections to the existing footpath network

The proposed plan was costed and an application was made to Regional Development Victoria (RDV) under the Regional Jobs and Infrastructure Fund, Stronger Regional Communities Plan in late 2015.

This application was successful and Council received a grant for \$297,000 towards this project from RDV.

The breakdown of the budget proposal submitted to RDV and approved was:

Expenditure Breakdown of Projects Costs		
Cost Item	Estimated Cost	Explanation
Preliminaries	\$17,000	
Site preparation and Framework	\$154,000	This included for works to building and decking
Furniture and Equipment	\$26,000	This included for fit-out of building
Site beautification and Foreshore work	\$108,000	This included for footpath and car-park
Adventure Park Equipment	\$122,000	
Total Project Cost	\$427,000	

Council's contribution to the project is \$120,000.

The Lions club have donated \$5,000 cash and \$5,000 in kind work.

The balance of \$297,000 was funded through the grant.

The funding agreement outlined that the works were due to commence in February 2016 with an expected completion in December 2016. The completion date has subsequently been extended to March 2018

Through the design process some additional works were identified.

The work to the museum was tendered in November 2016. It was anticipated that this would enable the project to proceed on site after the holiday period in April 2016. It would also enable a separate design and tender process to proceed for the proposed play area.

The tender period closed in December 2016 and Council had received two compliant tenders. Each of these was well in excess of the proposed budget of \$190,000.

Council Officers met with the Museum committee to discuss options on how to progress the project. Officers had identified areas that had been included in the final detailed design which was not considered in the original project scope.

This included items such as;

- The extension of the deck to the west of the museum.
- Bifold glass doors on the west elevation
- A roofed area of the deck
- A glass screen around the elevation of the deck looking out onto the lake.

It was discussed with the committee that if these elements were removed that it would be possible to deliver the project for a cost of approximately \$220,000. This

SECTION B - REPORTS

16 May 2017

would mean that Council would have to deliver a reduced play area as well as limited works externally.

The project was retendered in February 2017 and Council received two tender submissions. The tender prices received again were well in excess of the anticipated budget which was set this time as \$225,500. Through a review of the tenders submitted it was identified that the original works excluding the items listed above could be completed within the available budget.

Officers completed a review of the costs associated with the project to date to understand options prior to meeting the Museum Committee.

This is summarised below

Total original budget	\$427,000
Budget spent to date on design and required civil works	<u>\$38,000</u>
Total current project balance remaining	\$388,000
Additional costs identified to be included	
CHMP	\$20,000
Design and PM costs	<u>\$10,000</u>
Balance left for total project	\$358,000
Minimum budget required for play area	\$80,000- \$100,000

The balance remaining within the current budget to complete the redevelopment of the museum is **\$258,000**.

A meeting was held with the committee members on the 12th of April 2017 to discuss options to enable this project to proceed. These were to reduce the scope back to that as originally submitted for funding or alternatively to seek additional funding.

The committee outlined that they could provide an additional \$10,000 towards the project on condition that Council found the balance to complete the entire extended building works.

Consultation

Consultation has taken place throughout the design and tender stages of this project with the Catalina Museum Committee. This report has also been discussed with Council at an Assembly.

Financial Implications

The balance remaining in the budget for the total project is approximately \$388,000. As set out above allowing for the play area and elements of design

to be completed there is a balance of **\$258,000** left for the redevelopment of the museum building as well as some limited external works.

Through the Tender review process it has been identified that in order for the project to proceed with the additional items not included within the original scope of the project there is a shortfall of approximately \$35,000. This shortfall does not allow for the additional \$10,000 that the Lions club would be in a position to commit to the project. The short fall could potentially be funded from the anticipated 2016/17 surplus.

Council is currently reviewing the lease with the Lions club for the facility. Discussion has taken place with the Lions club committee to determine if it would be possible to increase their monthly lease to offset the additional funding provided by Council towards this project. This matter remains unresolved.

Social Implications

Nil.

Economic Implications

It is proposed that the completed works will generate part time employment in Lake Boga.

Environmental Implications

Nil.

Risk Management Implications

Nil.

Council Plan Strategy Addressed

Economic Growth - A prosperous, growing and diverse local and regional economy.

Options

1. Inform the Catalina Museum Committee that the project must be completed within the original scope and with the budget available.
2. That Council agrees to fund the additional \$35,000 towards the extended project scope as requested by the committee.

Recommendation

That Council approves the allocation of \$35,000 from the anticipated surplus of the 2016/17 budget towards the redevelopment of the Catalina Museum.

Councillor Gary Norton called for a division

For: Crs Les McPhee, John Katis, Chris Jeffery, Lea Johnson, Bill Moar and Ann Young

Against: Cr Gary Norton

36/17 Motion

MOVED Cr Katis


That Council approves the allocation of \$35,000 from the anticipated surplus of the 2016/17 budget towards the redevelopment of the Catalina Museum.

SECONDED Cr McPhee

The Motion was put and CARRIED

Mayor Councillor Les McPhee then resumed the Chair at 4.38pm.

Date Rec'd:	629-
File #:	C-2019 17-02
Doc #:	
Workflow:	D1
Copies:	
Security:	
BW / Col:	
Comments:	




LAKE BOGA LIONS CLUB

P.O. Box 288
Lake Boga,
Victoria 3584
27 April, 2017.

President: Ian Nancarrow
Secretary: Nola Bruton

Oliver McNulty,
Swan Hill Rural City Council,
P.O.Box 488,
Swan Hill, 3585.

Re: Catalina Café:
Dear sir,

On 1st June, 2015, the Lions Club of Lake Boga Incorporated, through the Flying Boat Museum registered an expression of interest with the Regional Jobs Infrastructure Fund – Stronger Communities Plan to renovate the Flying Boat Museum building to include a Café. On 14th September, 2015, Muriel Scholz attended our meeting and reported to us that an application for a grant had been submitted with SHRCC contributing \$120k, the Lake Boga Lions contributing \$5k cash and \$5k in kind, and RDV contributing \$297k to the project, including an adventure playground, which the SHRCC had already earmarked \$80k towards. We believe that the application was submitted on 30th September, 2015. The Lions Club paid for McKnight and Bray to draw the concept plan.

On 20th April, 2016, Minister Martin Paluka MP announced that the grant had been approved for a project worth \$427k. Since 4th September, 2015, the draft plan approved by the Lions Club has undergone a series of amendments, mostly initiated by the Council to comply with a variety of issues raised by various departments within the Council. The Lions Club never forced the changes to the plan and we conceded amendments time after time to progress the project. On 24th June, 2016, McKnight and Bray drew another plan, which was also amended several times prior to going for tender in October or November 2016. There were no tenders that were within the budget for the project, so on 24th January, 2017, it was decided to re-tender the project. The later process also failed to obtain a tender within the budget.

The grant application was submitted by SHRCC on estimates obtained internally by SHRCC and not the Lions Club of Lake Boga Incorporated. Car parking was never included in the original discussions with the Lions Club for the grant, as the Council had already been working on alternative plans for the car park prior to the Café being proposed. We note that \$28k has now been earmarked for car park alterations.

Grant money has already been spent on employing a consultant, Steve Walsh, and moving a water main to accommodate the external deck. As the project was to allow the Lions club to increase jobs in the area, a café that does not allow us to cater for 100+ patrons simply will not be viable. We are very eager to move the project forward and are willing to increase our cash contribution by \$10k to \$15k if we will have a viable Café, substantially similar to the plan that went to tender, at the end of the project.

Yours sincerely,



David Mark,
Flying Boat Museum Committee.

B.17.45 SWAN HILL REGIONAL LIVESTOCK EXCHANGE (SHRLE) NEW FEES

Responsible Officer: Director Infrastructure
File Number: S15-06-06
Attachments: 1 Summary of Proposed Fee Charge

Declarations of Interest: Officer
Oliver McNulty - as the responsible officer, I declare that I have no disclosable interests in this matter.

Summary

This report seeks Council approval to introduce a fee for the current practice of using the Swan Hill Regional Livestock Exchange (SHRLE) to draft, treat and assemble livestock without going through the formal sales process.

Discussion

The livestock exchange has been experiencing an increasing number of livestock passing through the SHRLE but bypassing the fortnightly sale process and in turn avoiding any fees for the use of our yards. As a result this livestock movement is not being fully advised to the National Livestock Identification System (NLIS) database.

In the 10 months July 2016 through April 2017, 2098 head of livestock were observed as having entered and departed the yards without fees.

Discussion with some livestock agents reveals they are buying livestock out of other, particularly interstate, yards, transporting to the SHRLE and in a number of instances drenching, marking, etc, then drafting into saleable lots and allocating to pre orders or spot selling.

Apart from the avoidance of fees, the livestock movement is not recorded within the national database as having been at the SHRLE. This is a direct contravention of the regulations which requires all movement of livestock between properties to be entered into the national system.

There is a significant bio security risk associated with animals being transported and transferred across numerous locations with no record of the movement. The Department of Agriculture and NLIS regulations require all stock movements to be recorded and registered within the national database. This allows the accurate identification of animals and their locations, both pre and post movement in the event of a disease outbreak. This was demonstrated most recently with the local anthrax outbreak. Department of Agriculture staff were able to identify that some of the animals that could have been infected had recently been traded locally, and a check of the national database and conversation with Livestock Exchange staff established the movements, the health of the animals and the elimination of the risk.

Costs associated with any wear and tear on equipment, e.g. drafts, gates, ramps, crush etc, and clean up after the event is not being recovered. There have been

occasions where drenching paraphernalia and other rubbish has been scattered around the area as well as repairs to the crush and re-cleaning of lanes and pens etc.

The potential risk exposure to the SHRLE is significant, both physical risk to personnel working in the yards unsupervised and the financial and reputation risk of exposure for not complying with regulatory requirements. There is also the risk, as has been demonstrated recently of animal activists observing suspect animal welfare issues. Unless SHRLE know and record the livestock within the yards, welfare issues can go unnoticed and the SHRLE becoming caught up in adverse media exposure and possible prosecution with significant financial penalties.

Agents argue that they buy livestock from other properties and sale venues to satisfy orders from local properties in order to build or restock the local regions herd. They further argue they do this free of charge and that the SHRLE should also provide the yard services free of charge as the income will come once the livestock is resold through the yards.

Consultation

Consultation with other district saleyards has confirmed that the practice of non sale day use of yards is reasonably widespread. However, charges are generally applied for this activity.

Bendigo – full sale day charges are applied to any user of the yards for livestock transfer. No use of other facilities or feeding.

Echuca – fee per head applied for stock in transit (no other use of facilities or feeding). Currently considering an substantial increase to this fee due to the number of livestock being passed through the yards.

Ouyen - per head per day plus feeding fee. (sheep only)

Kerang – No staff on-site. Honour system applies. Livestock recorded in an exercise book.

Financial Implications

Scanning of livestock, as required under the NLIS regulations, incurs a direct cost on the SHRLE. Fees are payable to the scanning software company for each head of stock scanned. Additional costs are incurred in staff time to operate the scanners, collect data and completed transaction to the national database.

The costs of providing the current infrastructure and the staff required to clean, maintain and operate the facility is increasing.

Non compliance of regulations may involve direct costs of fines and indirectly through reputational damage.

Social Implications

Nil.

Economic Implications

Nil.

Environmental Implications

Nil

Risk Management Implications

Bio security risk of stock movements not recorded within the national data base.
SHRLE must be aware of what stock is in the yards and comply with the regulatory requirements for recording and notifying through the national database.

Unsupervised workers presenting an OH&S risk.

Council Plan Strategy Addressed

Economic Growth - A prosperous, growing and diverse local and regional economy.

Options

1. Introduce two new fees for use of the SHRLE facilities outside sale days, with descriptions that better reflect the nature of the activity:
 - a. Private Use – Sheep; with a flat fee of \$0.65 per head.
 - b. Private Use – Cattle; with a flat fee of \$4.00 per head.

Refer attached

2. Provide the Livestock Exchange facility to agents and other users outside sale days, at no cost. This would include the provision of scanning and recording where required.
3. Restrict the use of the SHRLE to only those activities directly associated with scheduled sales.

Recommendation

That Council endorse the introduction of two new fees for use of the Swan Hill Regional Livestock Exchange facilities outside sale days, with descriptions that better reflect the nature of the activity:

- a. **Private Use – Sheep; with a flat fee of \$0.65 per head.**
- b. **Private Use – Cattle; with a flat fee of \$4.00 per head.**

37/17 Motion

MOVED Cr Norton

That Council endorse the introduction of two new fees for use of the Swan Hill Regional Livestock Exchange facilities outside sale days, with descriptions that better reflect the nature of the activity:

- a. Private Use – Sheep; with a flat fee of \$0.65 per head.**
- b. Private Use – Cattle; with a flat fee of \$4.00 per head.**

SECONDED Cr Young

The Motion was put and CARRIED

Proposed New Fee and description

Program	GL Number	Director	Manager	Sub Type	Service/Fee Type	2016/17 Unit Fee \$	Proposed 2017/18 Unit Fee \$	Change to Fee %	GST Status (F) Free (T) Taxable	Comments
160	1160.110.216	Oliver McNully	Pat Ahern	Private Use - Sheep	Per head. Use of yards (scanning, draft, race, crush, ramps etc) for the treatment or assembly of livestock into lots for distribution. Stock required to be scanned and/or transferred within the NUIS database. Applies to stock not immediately being or having been sold through a scheduled SHRLE sale.		0.65	#DIV/0!	T	
160	1160.110.216	Oliver McNully	Pat Ahern	Private Use - Cattle	Per head. Use of yards (scanning, draft, race, crush, ramps etc) for the treatment or assembly of livestock into lots for distribution. Stock required to be scanned and/or transferred within the NUIS database. Applies to stock not immediately being or having been sold through a scheduled SHRLE sale.		4.00	#DIV/0!	T	

B.17.46 TO RECEIVE AND CONSIDER SUBMISSIONS FOR DRAFT LOCAL LAW NO.2

Responsible Officer: Chief Executive Officer
File Number: S16-06P-01
Attachments: 1 Submissions to Local Law No.2
2 Draft Local Law No .2

Declarations of Interest: Officer

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

Summary

The current Local Law No. 2 sunsets on 26 July 2017. Local Law No. 2 is also known as the Community Local Law as it regulates certain behaviours of community members on issues such as the use of public spaces, the keeping of animals and the amenity of land within the Municipality.

Council has prepared a new Local Law No. 2 to replace the current Local Law No. 2. The new draft Local Law No. 2 has been made available for public inspection and comment through a formal submission process.

Council must now receive, hear and consider the formal submissions to the Draft Local Law No. 2.

Discussion

Section 119 of the Local Government Act prescribes the procedure for Council to make a Local Law. Council must give notice stating the purpose and general purport of the proposed local law. The Public Notice was published in the Guardian Newspaper on 24 February 2017 and the Notice was published in Government Gazette on 2 March 2017.

Section 223 of the Local Government Act prescribes the procedure for the right to make a submission to the proposed Local Law. A minimum of 28 days is required for the submission process to be open for a person to make a submission; a person making a submission is entitled to request to speak to their submission.

Council received a total of four submissions including one late submission, and none of the submitters requested to speak to their submission. Below is a summary of each submission. The full submissions are attachment to this report.

Submission One

Name: Gavin Quinn

Received: 16/03/17

Speak to Submission: No

Submission Overview: A request for Council to use Smart Phone apps in order to improve communication for jobs logged for local law issues.

Officers Response: Council's record System Sysaid captures all Local law complaints and officer comment/investigation. Council will investigate new technology.

Submission Two

Name: Fred Turner

Received: 21/03/17

Speak to Submission: No

Submission Overview: The resident is concerned about the inclusion of the law *Leashed Areas* as he feels he has never had an issue with dogs off leash, he feels it should be the owner's responsibility to manage their animal safely.

Officers Response: Currently the Local Law states an animal must be under effective control. The proposed law states that animals must be on a lead in high risk areas to minimise the risk of harm.

Submission Three

Name: Christine Plant

Received: 26/03/17

Speak to Submission: No

Submission Overview: The resident is not concerned about the local laws themselves, more about the enforcement of the dog at large law under the Domestic Animals Act 1994 which is separate to this local law.

Officers Response: Dog at large issues are appropriately dealt with by the Authorised officers under the Domestic Animals Act 1994.

Submission Four

Name: Allan Ridgeway

Received: 02/04/17-LATE

Speak to Submission: No

Submission Overview: In this submission the resident has expressed a number of issues that are not directly related to the draft local law No.2. He has made reference to, in theory, agreeing with local law number 43. *Consumption and possession of liquor in a public place*, as long as this is appropriately managed by Council's Authorised Officers.

Officers Response: Currently the prescribed time is 11pm-6am. It is proposed that the new prescribed time will be 9pm-10am to prevent drunk and disorderly behaviour.

Draft Local Law Amendment

At Council Assembly on 2 May 2017 a typing error was found in clause 81 (3) Bee's Wasps and Fruit Fly. The error has been rectified to the following:

For the prevention of fruit fly, each owner and occupier of land;

- a) who leaves, or allows to remain any fruit on the ground of the land; or
- b) does not annually prune and maintain any fruit trees on the land;

Is guilty of an offence and must dispose of any fruit that lies on the ground by sealing the fruit in a receptacle or container such as a plastic bag and placing it in a rubbish bin.

Consultation

The draft Local Law No. 2 and the Community Impact Statement were available for inspection for a period of thirty-four days at the Swan Hill and Robinvale Service Centres. During that time Council hosted two community consultation sessions in Swan Hill and Robinvale with a total of nine community members attending. Council actively promoted the draft Local Law No. 2 and the submission process through media releases, newspaper articles, the Mayoral columns and social media posts.

Financial Implications

It is intended the existing Regulatory Services Team would continue to enforce Local Law No. 2.

An off-leash dog park may be required in the future.

Social Implications

The purpose of Local Law No. 2 is to improve the overall living conditions and amenity of the Municipality by regulating certain behaviours or activities that often cause nuisance to the neighbours or the general public.

Economic Implications

Not applicable for this item.

Environmental Implications

Local Law No. 2 regulates certain behaviours or activities to help enhance the natural and built environment.

Risk Management Implications

Local Law No. 2 reduces Council's risk by enforcing the laws to mitigate any potential impact of breaches on ratepayers and residents.

Council Plan Strategy Addressed

Built and Natural Environment - Sound policies and practices that protect and enhance our natural and built environment.

Options

Having received, heard and considered submissions Council will need to determine whether to adopt or amend the draft Local Law No. 2.

Recommendations

That Council:

- 1. Receives and considers this report regarding the submissions received by Council in relation to the Draft Local Law No. 2.**
- 2. Receives and considers the submissions received in response to the public exhibition of the Draft Local Law No. 2 pursuant to Section 223 of the Local Government Act 1989.**
- 3. Pursuant to the Local Government Act 1989, having considered this report and the submissions received in relation to Draft Local Law No. 2, adopts Local Law No. 2 as attached to this report.**
- 4. Authorises Council's Public Health and Regulatory Services Coordinator to publish the notices required by Section 119 of the Local Government Act 1989 to give effect to Council's adoption of Local Law No. 2.**

38/17 Motion

MOVED Cr Jeffery

That Council:

- 1. Receives and considers this report regarding the submissions received by Council in relation to the Draft Local Law No. 2.**
- 2. Receives and considers the submissions received in response to the public exhibition of the Draft Local Law No. 2 pursuant to Section 223 of the Local Government Act 1989.**
- 3. Pursuant to the Local Government Act 1989, having considered this report and the submissions received in relation to Draft Local Law No. 2, adopts Local Law No. 2 as attached to this report.**
- 4. Authorises Council's Public Health and Regulatory Services Coordinator to publish the notices required by Section 119 of the Local Government Act 1989 to give effect to Council's adoption of Local Law No. 2.**

SECONDED Cr Norton

The Motion was put and CARRIED

Timestamp: 16-03-2017 16:41:50
From: donotreply@swanhill.vic.gov.au
To: enquiry@swanhill.vic.gov.au
CC:
Subject: Submission - Community Local Law No 2
Body: FROM: Gavin Quinn
[REDACTED]

SUBMISSION:

Just to back up further look at easier smartphone apps to report issues, with a back end system that you can track if your issue is being reviewed or closed. this will help me with dogs loose on the street, potholes, cars parking over crossovers, dog mess and littering.

unregistered cars also need to be addressed where they are taking parking spaces up

SPEAK TO SUBMISSION?

nope


--

This e-mail was sent from a contact form on at:
<http://www.swanhill.vic.gov.au/2017/02/community-local-law-no-2/>

Dear Sirs, I make the following submission regarding proposed dog off/on leash areas. Thank you. Fred Turner

[REDACTED]
Swan Hill
[REDACTED]

21 MAR 2017

		501-03-05	
ADVISOR	PARSO		
DATE	SAO-DR, AO-LB		
SW/CO			
COMMENTS			

For the past forty two years my wife and I have had the pleasure of walking our dogs (usually two) to the river for a swim and games of fetch the stick or frisbee. We only put them on the lead as a precaution when we see a dog approaching that we don't know, or a dog we know to be not properly socialized. At all times they are totally under our control, and over all these years they have never attacked or even approached anyone uninvited. Now it seems that certain people (dogs on leash always campaigners) who may have had a bad dog experience, want to punish everybody for the sins of a few, and put a stop to our fun of fetch run and swim. This would spoil our dogs greatest pleasure in life. It is now compulsory to clean up after your dog and I would suggest that dogs are cleaner than the people who leave their takeaway food rubbish and empty bottles lying all along the riverfront. We sincerely hope that extreme views will not prevail in this debate. Yours faithfully Fred Turner.

Timestamp: 26-03-2017 13:04:17
From: donotreply@swanhill.vic.gov.au
To: enquiry@swanhill.vic.gov.au
CC:
Subject: Submission - Community Local Law No 2
Body: FROM: Christine Plant
[REDACTED] Manangatang, Vic,3546

SUBMISSION:

Good afternoon

My concern is not about the laws themselves but about the enforcement of the laws, especially regarding dogs.

The rules are clear about dogs being required to be put on a leash at all times within residential areas and that a person in charge of a dog on a road or in a municipal place must not permit the excrement of the dog to remain on that road or in that municipal place.

Unfortunately in our experience, the enforcement of the policy tends to be rather lax and after several complaints about a roaming dog we were told is up to the person complaining to say when the owners should get fined, rather than the Council Officer. If the law is clearly being broken then it is not fair to the residents who are doing the right thing to indicate to Council staff when a penalty should be applied.

If there was a '3 strike' policy....so after the first 2 reports the owners are spoken to about the issue and then if it happens a third time (& any subsequent infringements), there is an automatic penalty applied. This approach would take the emotion out of the situation as it is clear to all parties when a penalty is to be applied.

Perhaps the person leaving signs around town has had a similar situation where Council has been notified several times about an issue but nothing seems to happen and there is no follow up to see if the situation has improved.

If people get too many chances then often the behaviour does not improve and other residents get sick of informing Council only to find there are no consequences being applied to continual law breaking and no change to the situation. If a penalty is applied quicker then it sends the message that Council is willing to work with people to rectify the situation (as they get 2 chances first) but after that any repeat offence attracts an automatic penalty and hopefully people will change their behaviour.

Kind regards
Christine & Keith Plant

SPEAK TO SUBMISSION?

No thank you. I mentioned this issue at the Manangatang Improvement Group meeting last wed and CEO John McLinden, Adam McSwain & Cnr Norton were in attendance.

--

This e-mail was sent from a contact form on at:
<http://www.swanhill.vic.gov.au/2017/02/community-local-law-no-2/>

council@swanhill.vic.gov.au

From: allen.ridgeway [REDACTED]
Sent: Sunday, 2 April 2017 7:07 PM
To: Records
Subject: By-Laws

i write in regard to by-laws in swan hill. laws to be change and complaint as well. in the time Denis Hoverden was CEO of swan hill rural city council, he brought on a whole lot of rurals and laws i feel we as a community do not need or want in place. not doing swan hill any good at all. Denis hovenden was out to punish anyone who dare spit on the sidewalk. we have got a name for our-self, from the area with police on the roads to council and by-laws. now i am not say we do not have to have a few rurals and laws, but there's a thing called over the top. i once live and worked in a very high security area in the middle of Australia, when i was there i was in be-leaf i was assisting Australia to be a free country, as apposed to the USSR, Russia, not free and never has been free, but i feel some time they won, with there bullshit laws and dictatorship that have crept in here. in this time in the high security area in the middle of Australia we achieved the fall of the Communist block, and the wall came down in Berlin, the world though it was wonderful feel to achieve this, all good. now if i go back to Denis hoverden, i know he was not the loved one in NSW where he had worked as CEO, nor was he or his mate, (David Leahy) he brought over from south Australia, they weren't loved there as well, but swan hill coped it from them both. they sold north park off, that belonged to the people, and the people said so. bunning isn't going that well there, where they presently are, isn't the big one they wanted to build, and they would have been better off out next to swan hill Toyota. north park left to the school, but would say what bunnings has built would, i feel turn nicely into school, even now. bicycle laws, living in the northern territory, (Alice springs), and act. Canberra, to ridging a bike and helmet laws. i love ridging a push bike, but won't anymore because of this helmet law, just like everyone else. this law was first introduced in Canberra mainly for young people going to and from school. when the law was being presented to Parliament. one young lad said to his dad, who was a politician at the time, that is discriminatory dad, towards us kids, his dads said your right son, it should be everyone, and so it was everyone. so now the politician, the medical profession, and the police beleave what a wonderful law, save lives. the fact is no one rides a bike anymore, take a good look around any day, there's no bikes to be seen. take a look at the bicycle racks at the schools as well, that not how it once was before that law came about. out of the 7.5 billion people in this world, and all the other countries, Australia at 23 million people, on the largest continent, is the only country to dictate to it's population, you must put a helmet on you head to ride a bike down the road. there a thing with people, it's call sex and everything else on earth is sex, with people the helmet messes the hair up and your not seen the way you want to be seen. if you going around to the corner shop for an ice-cream, i will go on the bike, it's where's the helmet, can't find it, buggger-it we'll go in the car to the supermarket and get a few more things as well. no one rides a bike anymore in Australia, where as in Holland half the car park at the super market is taken up with bicycle racks, because that's how it's done there, but not in Australia, it's the fine for not wearing a helmet riding a bike. now i am not saying don't wear a helmet if you feel you need one on you head riding a bike, but don't tell me and everyone else you must put a helmet on you head to ride a bike, piss-off, won't have it. so in the northern territory and the act. if you ride a bike down a designated bicycle track or trail, away from powered motor vehicles, the laws there is you DO NOT HAVE TO WEAR a Helmet. i feel there should be riding trail around swan hill marked as such, no helmet required, free not to wear if you so desire, that is Freedom to choice. in south austraila you once could ride a motor bike down the road, no helmet on, under 25 kilometers per hour, and that was ok to do once. by-laws officers in swan hill, the story i have herd, enough to make you choke on. dragging a dog over a fence with a las-sue loop on a pole, in front of a family, trying to stop there dog for being taken away from them, and abusing a every young boy at the time but the by-laws officers. putting cameras over peoples front fencers, and back fencers, and from nabouring properties to take photos. i got one of these once, it was said to be a picture of my place at woorinen south, in regard to fire prevention before summer,in fact,the

photos in my letter was of Khan's place in Chapman street swan hill. i spoke to Harold Rover about this and he said it was a clerical error, i put it down to brain faded. i ask, is there a aptitude test to be a by-laws officer, just like a policeman, and many other government jobs, to fine out just how smart you are before you take on the job in hand. i feel the Harold Rover ray-scheme in the swan hill by-laws office should end, and once. i asked David Leahy to do so at one time, didn't happen though. another story, there was a small white dog running around the streets of swan hill almost cause car accidents, by the name of carrot, the dog belonged to aboriginal people. i spoke to Harold about this, i told him how my late father, who was a dog inspector many many years ago now, and for 10 to 15 years he did this job, how he would go about catching the likes of carrot the dog. but Harold told me he had a thing called a Ruger to catch the likes of carrot. i am sorry but i personally don't think to much of people who want to do this in a built up community area, and i don't care who your are, not on. my father had to do this, very rarely though, i beleave, and he would always take a policeman with him to do this, to make it right, that was the law then, and should be now. my father told a story of a savage dog under a house in thurla street, he had the policeman with him at this time. the policeman was watching my father lay on the ground with a single shot 22 rifle with a short bullet in it , from behind. father had the savage dog lined up read to fire, he then see 2 people, 4 legs walking around the other side of the house. he said he relaxed his finger off the trigger of the gun, his head fell on to the rifle, the then told the cop off, who was watching him. who was there to make sure nothing went wrong and there was no one around at this time, and i don't think there was any other way of catching this dog that was biting people, that was the problem with this dog. i personal don't like hearing of cowboy stuff coming for By-Laws Officers with guns around town ever. by-laws officer walking on to private property, private property is private, people have saved to own there land or property and it is there's, minimal access only to the front and leave is the one, not walk around the yard like you own the place, not on. if you are a police officer and there is good reason they have to do this well and good, but not a By-Laws Officer, who hasn't done an aptitude test of any kind, just jobs for mates. i have also heard the by-laws have got others to come in of a weekend to do there job when there away from town on the weekends, not good i feel as well. i see k9 dog catcher vehicle driven by Darren Rover at Aldi and Coles super market with family on board many time, well after 6 pm., also another time, to me it looked like a council 4 wheel quad motor bike, on a trailer behind a private vehicle Friday night before a long weekend this year, getting petrol at bob burns' servo. is this abuse of council vehicles etc., i and the rest of the community is witnessing to this here, rate payers money getting burnt up. i feel all council vehicle should have GPS Tracking fitted to them to stop this, Lindsay Fox has this, at the touch of a button he know where his truck are anywhere in Australia, and where they have been, no fudge stuff. Harold Rover with k9 dog catcher vehicle at Holts servo one Sunday morning with rusty old tandem trailer on behind, filled with yellow sand and pavors in it, looked like he just been to bunning hardware, going to do a job at home, i beleave.

have a barque say in the park, an eski with some alcohol in it in a family gathering situation, i see nothing wrong with this, everyone happy our culture, and our way of life, like riding a bike is too. i don't like seeing this taken away from us. in the same breath don't want to seeing a whole heap of people just drink and coursing menise to other passing by of no reason but drunken-es, sore enough of this in alice springs to last me a life time. Denis Hovenden would have you fine \$200 for a can in the hand, and a sandwich in the other. if you want to make swan hill look good to the rest of Australia and World, must get it right, friendly laws, not chase them away laws, showing how mean swan hill is with bad by-laws, and bad By-Laws Officers, to the people. will make comments to this letter, by email, but must send this letter now, as the solar power battery is going down i can tell, sun has gone down as well to, thats the sorce of power here Thankyou: Allen Ridgeway

Message protected by MailGuard: e-mail anti-virus, anti-spam and content filtering.
<http://www.mailguard.com.au/mg>

[Report this message as spam](#)

Attachment

- Draft Local Law No .2

B.17.47 ACTIVE PLAY PRECINCT PLAN

Responsible Officer: Chief Executive Officer
File Number: S01-24-01-15
Attachments:
1 Active Play Precinct Plan Maps
2 Opinion of Probable Costs

Declarations of Interest: Officer

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

Summary

This report is to update Council about the Riverfront – Active Play Precinct Plan undertaken by Jeavons Landscape Architects. The report discusses finalised plans and a consultation process to be undertaken with the local community. The Economic and Community Development department are keen to position Council to apply for grant opportunities such as the Regional Development Australia – Building Better Regions Fund Round 2 and to inform a Design and Contract tender process once adequate funds are secured.

Discussion

The Active Play Precinct Plans and budget have been modified by Jeavons Landscape Architects as suggested by Council at Assembly on the 21 February 2017. This included removal of the water play area and ensuring that the budget does not exceed \$1.2 million. The water play will be revisited within the Aquatic Master Plan to determine the most cost effective location and long term management processes. Updated landscape designs including an overall site plan and opinion of probable costs, are attached.

Jeavons Landscape Architects were engaged to complete a detailed precinct plan and concept design for the 'Active Play' elements of the Swan Hill Riverfront Masterplan. The elements included in the Active Play Precinct Plan are the adventure play park, skate and active play area and associated landscaping inclusive of shade and seating.

The Active Play area is envisioned as a regional level play space. It will offer greater interaction and opportunities for active play by people of all ages and abilities within Riverside Park. It will provide a safe and stimulating environment which meets the various requirements identified during the community consultation.

The project vision was to develop this active play precinct as a key community asset. It is intended that this project will lead to a Design and Construct tender for the construction of each stage and/or play element. As such, through this project Council

is not seeking detailed designs for each play element, but a concept design that provides sufficient detail for this purpose.

There is still additional work to be completed on the skate park element to ensure all Active Play elements are shovel ready and that we have adequate detail to apply for the Regional Development Australia Building Better Regions Grant. These elements are listed below

Skate Park – Council is seeking suitable parties to complete a skate park design ready for construction. The key elements will include extensive consultation with youth and adult skaters residing in our municipality, and other key stakeholders such as the Loddon/Mallee Hume Skate League. All design specifications including drainage, ongoing maintenance and risk management are to be considered and included.

Consultation

In addition to the public consultation conducted during the development of the Swan Hill Riverfront Masterplan, the consultants have provided detailed designs suitable for public display to inform the community of Council's progress in delivering this priority. A number of consultation activities have been planned to inform the community on Council's progress as listed below.

- An open house at the Swan Hill Region Information Centre
- An open house at the Community Tree (on Campbell Street)
- Radio and newspaper ads to inform people of the open houses
- An editorial in the Swan Hill Guardian
- Information in the Mayoral Column
- Information packs provided for our Town Representative Groups via Council senior managers.

The additional design work being undertaken for the skate park will require further consultation with key stakeholders and the community, and will be carried out using a similar process as listed above.

Financial Implications

Through previous discussion with Council, the overall costs of the implementation of the Active Play Precinct Plan are not to exceed \$1.2 million.

The Opinion of Probable Costs Option 1 is attached which details costs for each item identified in the plan.

Round two of the Building Better Regions Fund – Infrastructure Projects Stream has been identified as a possible funding stream for this project. This is a \$297.7M program to run over four years from 2016-2017 to 2019-2020 with minimum grant

SECTION B - REPORTS

16 May 2017

amounts of \$20K and a maximum of \$10M, to be allocated to projects that cost: under \$1m, \$1m - \$5m or over \$5m.

Funding for the Swan Hill region is based on 1:1 (up to 50% of project cost) and the project must be a capital project involving construction of new infrastructure / upgrade or extension of existing.

Riverfront Masterplan funds available to purchase the GrainCorp site and possible contribution to the Active Play Precinct Plan implementation:

Ten Year Major Project Plan allocation as per draft plan

Year	Rates Allocation
2017/18	\$450,000.00
2018/19	\$350,000.00
2019/20	\$150,000.00
2020/21	\$450,000.00
2021/22	\$450,000.00
2022/23	\$600,000.00
2023/24	\$600,000.00
2024/25	\$600,000.00
2025/26	\$760,000.00
2026/27	\$162,500.00
Unallocated	\$750,000.00

2016/17 allocated projects

Project	Amount
Active Play Design	\$17,500.00
Traffic Management Plan	\$11,085.00
Graincorp Site	\$297,535.00
Cultural Centre	\$20,000.00
Sculpture Park	\$25,000.00
Riverwalk Enhancement	\$85,500.00

2016/17 Carry forward

Project	Carry forward
Unallocated funds	\$397,185.00
Graincorp savings	\$297,535.00
	\$694,720.00

2017/18 Budget

Project	Carry forward
New rates	\$450,000.00
2016/17 Carry forward	\$694,720.00
Total 2017/18 Riverfront Budget	\$1,144,720

Possible 2017/18 Riverfront Projects

Project	Rates	Comment
Active Play Precinct	\$558,895.00	50% of full project cost
Graincorp	\$500,000.00	Includes \$297,535 from 2016/17 and \$202,465 additional to total \$500,000
Riverwalk Enhancement	\$50,000.00	Notional allocation in case required for Gem deck project
Graincorp site work – fee to obtain quotation on demolition and remediation works	\$10,000	These works may be completed by end 2016/2017 budget period
Graincorp further access design work	\$10,000	
Total	\$1,128,895	
Minus Budget Available	(\$15,825)	

Possible 2018/19 Riverfront Projects

Project	Rates	Comment
Boat Ramp	\$120,000.00	Contribution confirmed and applications submitted
Cultural Centre	\$280,000.00	May not be required given current project and discussions about funding for further investigation as part of Art Gallery in 2017/18
Total	\$400,000.00	

Social Implications

N/A

Economic Implications

N/A

Environmental Implications

N/A

Risk Management Implications

A Risk Management Plan has been developed for each of the elements of the plan including prior, during and post construction.

A *whole of life* document has also been developed which identified ongoing costs and replacement costs calculated on an annual basis.

Council Plan Strategy Addressed

Economic Growth - A prosperous, growing and diverse local and regional economy.

Options

Nil

Recommendations

That Council:

- 1. Adopt the Active Play Precinct Plan prepared by Jeavons Landscape.**
- 2. Approve the Active Play Precinct plans for public display through a Riverfront Masterplan open house process as discussed above.**
- 3. Note further work is required to the Active Play Precinct elements to enable these to be Shovel Ready and to be ready to apply for grant opportunities.**
- 4. Consider the addition of the 9m high pyramid net climb element to the Adventure and Active Play area which would lift the experience of the precinct and bring the total budget for the Active Play Precinct to \$1,215,790.00.**

39/17 Motion

MOVED Cr Katis

That Council:

- 1. Adopt the Active Play Precinct Plan prepared by Jeavons Landscape.**
- 2. Approve the Active Play Precinct plans for public display through a Riverfront Masterplan open house process as discussed above.**
- 3. Note further work is required to the Active Play Precinct elements to enable these to be Shovel Ready and to be ready to apply for grant opportunities.**
- 4. Consider the addition of the 9m high pyramid net climb element to the Adventure and Active Play area which would lift the experience of the precinct and bring the total budget for the Active Play Precinct to \$1,215,790.00.**

SECONDED Cr Young

The Motion was put and CARRIED

Attachment

- Active Play Precinct Plan Maps

Project Title: Swan Hill Riverfront - Active Play

Project Number: 2453

Date: 20 December 2016

Revision: Design & Construct

Opinion of Probable Costs

No.	Item	Unit	Qty	Rate	Estimated Budget	Stage 1	Stage 2
1.00	PRELIMINARIES & EARTHWORKS						
1.01	Project Management	Allow	1	\$80,000.00	\$80,000.00	\$80,000.00	
1.02	• Removal of existing equipment & trees as required • Excavation, drainage and earthworks as required	Allow	1	\$70,000.00	\$70,000.00	\$70,000.00	
1.03	Modifications to existing irrigation system.	Allow	1	\$80,000.00	\$80,000.00	\$80,000.00	
2.00	SKATEPARK AREA						
2.01	Junior,Intermediate and advanced skatepark areas	m2	600	\$500.00	\$300,000.00	\$300,000.00	
2.02	Skatepark area contingency	Allow	1	\$30,000.00	\$30,000.00	\$30,000.00	
3.00	ADVENTURE & ACTIVE PLAY AREA						
3.01	Supply & install Multi-directional Whirl Swing	Allow	1	\$11,500.00	\$11,500.00	\$11,500.00	
3.02	Supply & install 9m high pyramidal net climb with accessible pods	Allow	1	\$98,000.00	\$98,000.00		\$98,000.00
3.03	Junior Play Area: including mound,decks (approx 9m2), infill, curved mound slide 2100mm, double slide 1800mm, rock boulders and natural elements	Allow	1	\$65,000.00	\$65,000.00	\$65,000.00	
3.04	Toddler Play Area: with deck platforms (4.5m2) slide to 1500mm high deck (\$1,700) and 4 way rocker	Allow	1	\$15,000.00	\$15,000.00	\$15,000.00	
3.05	Ephemeral Sandplay stream: with rocks boulders (approx 100), logs (approx 20), mimi camps, net bridges, canoes, etc	m2	200	\$300.00	\$60,000.00	\$60,000.00	
3.06	Sandplay digger	Allow	1	\$4,500.00	\$4,500.00		\$4,500.00
3.07	Sandplay bench - wheelchair accessible	Allow	1	\$2,500.00	\$3,500.00	\$2,500.00	
3.08	Supply & install senior birds nest Swing	Allow	1	\$4,200.00	\$4,200.00	\$4,200.00	
3.09	Supply & install junior swing with cradle seat and strap	Allow	1	\$2,400.00	\$2,400.00	\$2,400.00	
3.10	Supply & install senior swing with adult cradle seat and strap seat	Allow	1	\$3,000.00	\$3,000.00	\$3,000.00	
3.11	Supply & install Hip Hop J2410	Allow	1	\$8,600.00	\$8,600.00	\$8,600.00	
3.12	Supply & install Skysurf J3505	Allow	1	\$25,751.00	\$25,751.00	\$25,750.00	
3.13	Supply & install Sandfactory J5001	Allow	1	\$32,652.00	\$32,652.00		\$32,652.00
3.14	Supply & install Double Flying Fox 25m long	Allow	1	\$27,000.00	\$27,000.00	\$27,000.00	
3.15	Supply & install inground trampolines	unit	1	\$12,000.00	\$12,000.00		\$12,000.00
3.16	Supply & install accessible Spinner (1474mm diameter)	unit	1	\$10,000.00	\$10,000.00		\$10,000.00
3.17	Impact attenuating mulch surfaces	m2	400	\$25.00	\$10,000.00	\$5,250.00	\$4,750.00
3.18	Impact attenuating synthetic surfaces	m2	353	\$250.00	\$88,250.00	\$45,000.00	\$43,250.00
3.19	Edging to impact attenuating surfaces	lm	200	\$50.00	\$10,000.00	\$10,000.00	
3.20	Adventure & Active Play contingency	Allow	1	\$73,000.00	\$73,000.00	\$73,000.00	
4.00	WATERPLAY AREA						
4.01	Design & construct water play area including reticulation system, water treatment plant, pump room, elements, excavation, subgrade base, concrete, jointing, waterproofing, exposed mix, etc (approx 280-300m2) Total budget \$360,000	Allow	1	\$360,000.00	\$360,000.00		\$360,000.00
4.02	Waterplay area contingency	Allow	1	\$40,000.00	\$40,000.00		\$40,000.00
5.00	MISCELLANEOUS ITEMS						
5.01	Shelters- based on a 10 x4m skillion roof, seats and tables	Allow	2	\$35,000.00	\$70,000.00	\$35,000.00	\$35,000.00
5.02	BBQ - unit module - 2 hotplates + 1 bench, electric connection & installation	unit	2	\$10,000.00	\$20,000.00	\$10,000.00	\$10,000.00
5.03	Shelters - seating (waterplay & skatepark)	Allow	2	\$15,000.00	\$30,000.00	\$15,000.00	\$15,000.00
5.04	Paving - concrete paths (proposed)	m ²	440	\$120.00	\$52,800.00	\$52,800.00	
5.05	Paving - granitic gravel paving	m2	350	\$45.00	\$15,750.00	\$15,750.00	
5.06	Picnic tables	unit	4	\$3,130.00	\$12,520.00	\$12,520.00	\$6,260.00
5.07	Bench seats with back & arms	unit	9	\$1,730.00	\$15,570.00	\$6,920.00	
5.08	Planting Areas	m2	600	\$45.00	\$27,000.00	\$13,500.00	\$13,500.00
5.09	Tree Planting	unit	45	\$180.00	\$8,100.00	\$8,100.00	
5.10	Shade sails	Allow	3	\$10,000.00	\$30,000.00	\$30,000.00	
5.11	Pergola structure adjacent swings with seating	Allow	1	\$15,000.00	\$15,000.00		\$15,000.00
5.12	Interactive kinetic sculptures (by artists) - includes musical elements, connecting speaker tubes	Allow	2	\$20,000.00	\$40,000.00		\$40,000.00
6.00	SUBTOTAL						
6.01	Subtotal				\$1,861,093.00	\$1,117,790.00	\$739,912.00
7.00	GST						
7.01	10% Of Subtotal				\$186,109.30	\$111,779.00	\$73,991.20
7.02	TOTAL				\$2,047,202.30	\$1,229,569.00	

SECTION C – DECISIONS WHICH NEED ACTION/RATIFICATION

C.17.7 SIGN & SEAL REPORT

Responsible Officer: Chief Executive Officer

Attachments: Nil.

Declarations of Interest:

John McLinden - 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

Not applicable

Financial Implications

Not applicable

Social Implications

Not applicable

Economic Implications

Not applicable

Environmental Implications

Not applicable

Risk Management Implications

Not applicable

Background

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.

Issues

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

No.	Document Type	Document Description	Date signed/ sealed
812	Section 173 Agreement Planning Permit 2016/28 condition 8 to secure an offset for the removal of native vegetation.	Between Swan Hill Rural City Council , Mildura Rural City Council and Brownport Almonds Pty Ltd	2-05-17
813	Contract: Nyah Road reconstruction	Between Swan Hill Rural City Council and Whitfield Excavations	2-05-17
814	Cancelled Bank Guarantee	Between Swan Hill Rural City Council and ANZ Bank	9-05-17

Conclusion

Council authorise the signing and sealing of the above documents.

Recommendation

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

40/17 Motion

MOVED Cr Katis

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

SECONDED Cr Norton

The Motion was put and CARRIED

C.17.8 COUNCILLOR ASSEMBLIES - RECORD OF ATTENDANCE AND AGENDA ITEMS

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

Declarations of Interest:

John McLinden - 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

Not applicable.

Financial Implications

Not applicable.

Social Implications

Not applicable.

Economic Implications

Not applicable.

Environmental Implications

Not applicable.

Risk Management Implications

Not applicable.

Council Plan Strategy Addressed

Governance and Leadership - Community leadership through effective strategic planning.

Options

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

Recommendation

That Council note the contents of the report.

41/17 Motion

MOVED Cr Katis

That Council note the contents of the report.

SECONDED Cr Norton

The Motion was put and CARRIED

COUNCILLOR ASSEMBLIES ATTENDANCE AND AGENDA

2 May 2017 at 1.00pm

Swan Hill Town Hall, Council Chambers

AGENDA ITEMS

- Councillor only session
- Grampians Wimmera Mallee Water (GWM)
- Agribusiness Advisory Committee – Application for new Membership
- Communications Strategy Review
- “Know Your Council”
- Local Law No 2 Submissions
- Nyah Recreation Reserve Waste Management
- The Catalina Upgrade Project
- Livestock Yard Charges
- Emergency Management
- Mallee Eagles Oval Usage

ADDITIONAL ITEMS DISCUSSED

- Nil

ATTENDANCE

Councillors

- Cr Les McPhee
- Cr Chris Jeffery
- Cr Gary Norton
- Cr John Katis
- Cr Bill Moar
- Cr Lea Johnson
- Cr Ann Young

Apologies

OFFICERS

- John McLinden, Chief Executive Officer
- Bruce Myers, Director Community & Cultural Services
- David Lenton, Director Corporate Services
- Oliver McNulty, Director Infrastructure
- Felicia Chalmers, Media Officer
- Emma Cramer, Economic & Community Development Manager
- Muriel Scholz, Senior Economic Development Officer
- Meagan Monk, Community Recreation & Grants Officer
- Andrew Abbott, Parks & Gardens Coordinator
- Trish Ficarra, Public Health and Regulatory Services Coordinator
- Mazen Aldaghstani, Engineering Projects & Assets Manager
- Dallas Free, Works Manager
- Pat Ahern, Fleet Operations and Livestock Exchange Coordinator

Other

- Mark Williams, GMW Managing Director
- Peter Vogal, GMW Chair of Board

CONFLICT OF INTEREST

- David Lenton Agenda item 7 – Nyah Recreation Reserve Waste Management due to an indirect interest due to a close association

COUNCILLOR ASSEMBLIES ATTENDANCE AND AGENDA

9 May 2017 at 1.00pm

Swan Hill Town Hall, Council Chambers

AGENDA ITEMS

- Final Draft Council Plan and SRP
- Active Play Precinct
- Sports Marketing
- Instrument of Delegation and Netball Fees for Alan Garden
- Public Art Policy
- Introduction to Local Law No1
- Potential Purchase of land in Swan Hill
-

ADDITIONAL ITEMS DISCUSSED

- Nil

ATTENDANCE

Councillors

- Cr Les McPhee
- Cr Chris Jeffery
- Cr Gary Norton
- Cr John Katis
- Cr Bill Moar
- Cr Ann Young

Apologies

- Cr Lea Johnson

OFFICERS

- John McLinden, Chief Executive Officer
- Bruce Myers, Director Community & Cultural Services
- David Lenton, Director Corporate Services
- Oliver McNulty, Director Infrastructure
- Helen Morris, Human Resources Manager
- Emma Cramer, Economic & Community Development Manager
- Fiona Gormann, Community Planning & Development

Other

- Nil

CONFLICT OF INTEREST

SECTION D – NOTICES OF MOTION

Nil

SECTION E – URGENT ITEMS NOT INCLUDED IN AGENDA

The Mayor, Councillor Les declared a couple of items the first one Australian Local Government Association (ALGA), Council needs to nominate a delegate to vote at the ALGA conference which has to be a motion from Council.

42/17 Motion

MOVED Cr Norton

That Council nominate the Mayor, Councillor Les McPhee to exercise Councils vote at the Australian Local Government Association (ALGA) conference.

SECONDED Cr Jeffery

The Motion was put and CARRIED

The second item of urgent business is the itinerary of The Governors visit this Thursday 18 May and Friday 19 May which has just been finalized, if all Councillors are happy to talk to this item in urgent business, all Councillors were in favour.

The Chief Executive Officer then handed out the itinerary and talked Councillors through the running sheet for those two days.

SECTION F – TO CONSIDER & ORDER ON COUNCILLOR REPORTS

Councillor Gary Norton

MAV Rural and Regional Forum
Boundary Bend Progress Association
MAV Board Meeting
Nyah District Action Group Meeting
MAV Planning Session
Rural Councils Victoria Forum
MAV State Council Meeting

Councillor Chris Jeffery

Chisholm Reserve User Group Meeting
Swan Hill Residents and Ratepayers Association Meeting
Swan Hill Indoor and Recreational Meeting
Swan Hill Colour Your Run

Councillor Bill Moar

Woorinen Progress Association
Motor Sports Complex Users Group
Residents and Ratepayers Association

Councillor Ann Young

Woorinen South Progress Association
Woorinen RSL “First ever” ANZAC Dawn Service
Chisholm Reserve User Group
Swan Hill Regional Art Gallery
Uniting Church
Rural Councils Victoria
Municipal Association of Victoria
Murray Darling Association

Councillor Lea Johnson

Woorinen Progress Association
Chisholm Reserve User Group
Residents and Ratepayers Association
Hospital Golf Day

Councillor John Katis

ANZAC Day at Robinvale
Robinvale Football/Netball Dinner
Meeting with CEO and netball Club Representative in Robinvale
Asset Naming Committee Meeting

Councillor Les McPhee

Depot Meeting
DHHS Mallee Area Community Sector Forum in Mildura
Mayor/CEO Meeting
Meeting with Andrew Broad and Samantha Stitt
Dawn Service and Memorial Service
MESS meeting
Chisholm User Group Meeting
Guest speaker Murray Downs Bowls Presentation night
Mayor/CEO meeting
Swan Hill Hospital Charity Golf Day
Opening of Swan Hill Bowls Club May Carnival
Mayor/CEO meeting
Lake Boga Land and On Water Management Plan meeting
Goschen Hall Committee AGM
Rural Council Victoria Forum in Melbourne
Mallee Regional Partnership meeting in Charlton
Mayor/CEO meeting

SECTION G – IN CAMERA ITEMS

Nil

There being no further business the meeting was closed at 5.12pm