

AGENDA

ORDINARY MEETING OF COUNCIL

Tuesday, 15 November 2016

To be held Swan Hill Town Hall Council Chambers, McCallum Street, Swan Hill Commencing at 2:00 PM

> **COUNCIL:** Cr LT McPhee – Mayor

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

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SECTION A – PROCEDURAL MATTERS

- Open
- Acknowledgement to Country
- Prayer
- Apologies

• Confirmation of Minutes

- 1) Ordinary Meeting held on 18 October 2016
- 2) Extraordinary Council Meeting held on 9 November 2016
- Declarations of Conflict of Interest
- Receptions and Reading of Petitions, Memorials, Joint Letters and Deputations
- Public Question Time

SECTION B – REPORTS

B.16.136 INSTRUMENT OF APPOINTMENT AND AUTHORISATION

Responsible Officer:	Director Development and Planning
File Number:	S16-08-02-04
Attachments:	1 Instrument of Appointment and Authorisation

Declarations of Interest:

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

Summary

Many of the functions and powers of Council staff stem from their appointment as Authorised Officers. Awais Sadiq has recently been appointed as a Planning Officer within the planning team and requires Council approval to be an Authorised Officer.

Discussion

Council's Chief Executive Officer has the power to authorise various members of Council staff under the instrument of delegation issued by Council. However, advice from Council's solicitors recommends the Appointment of Planning Officers as Authorised Officers by Council under section 147(4) of the *Planning and Environment Act* 1987.

As a result, this report seeks Council approval for Awais Sadiq to be appointed as an Authorised Officer.

Awais commenced in Councils planning team on Wednesday, 2 November 2016. Awais has a planning qualification and previous experience working as a planner in Local Government.

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 - Effective and efficient utilisation of resources.

Options

Recommendations

That Council:

- 1. Appoint Awais Sadiq as an authorised officer as set out in the attached instrument.
- 2. Resolve that the instrument takes effect upon signing and sealing and remains in force until varied or revoked.
- 3. Sign and seal the instrument as soon as possible.

Instrument of Appointment and Authorisation (Planning and Environment Act 1987)

In this instrument "officer" means -

Awais Sadiq

By this instrument of appointment and authorisation Swan Hill Rural City Council -

- 1. under section 147(4) of the *Planning and Environment Act* 1987 appoints the officer to be an authorised officer for the purposes of the *Planning and Environment Act* 1987 and the regulations made under that Act; and
- under section 232 of the Local Government Act 1989 authorises the officer generally to institute proceedings for offences against the Acts and regulations described in this instrument.

It is declared that this instrument -

- (a) comes into force immediately upon its execution;
- (b) remains in force until varied or revoked.

This instrument is authorised by a resolution of the Swan Hill Rural City Council on 15th November 2016.

THE COMMON SEAL)
SWAN HILL RURAL CITY COUNCIL)
Was hereunto affixed in the presence of:)

.....Councillor

.....Councillor

.....Chief Executive Officer

S11A. Instrument of Appointment and Authorisation (Planning and Environment Act 1987)

B.16.137 MONTHLY PLANNING AND BUILDING FIGURES - OCTOBER 2016

Responsible Officer:	Director Development and Planning
File Number:	13-05-01
Attachments:	Nil.

Declarations of Interest:

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

Summary

The purpose of this report is for Council to note the monthly planning and building figures for October 2016.

Discussion

Planning

	2016		2016 2015	
Туре	No. October	No. YTD	No. October	No. YTD
Planning Permit Applications Received	16	152	13	145
Approvals under delegation	13	114	14	124
Notice of Decision to Grant a Planning Permit	1	4	0	1
Notice of Decision to refuse a Planning Permit	0	0	0	3
Application Lapsed or Withdrawn	2	7	0	1
VCAT upheld Council decision	0	0	0	1
VCAT set aside Council decision	0	0	0	0
Total number of decisions	14	118	14	129

Monthly decision breakdown by town

	Approved October 2016	Approved YTD	Refused October 2016	Refused YTD
Swan Hill	6	44	0	0
Robinvale	6	35	0	0
Lake Boga	0	5	0	0
Nyah	1	5	0	0
Nyah West	0	1	0	0

Building October – Comparisons

	2	016	2	2015	
TYPE	No.	VALUE	No.	VALUE	
Dwelling	3	1,175,439	4	1,103,696	
Dwelling additions	5	314,000	13	225,902	
Unit Developments	0*(0)	0	1*(1)	9,800	
Shops	2	105,000	1	750,000	
Offices	0	0	1	15,000	
Warehouses	3	853,460	1	19,500	
Factories	3	507,662	0	0	
Public Buildings	0	0	1	90,000	
Out Buildings	11	625,050	14	274,414	
Other	10	215,818	4	46,625	
Total	37	\$4,336,429	40	\$2,534,937	
*() denotes total number of Dwelling Units					

New Dwellings - October

2016
2015

Swan Hill
1

Tol Tol
1

Bannerton
1

Image: Second S

Year to Date – Comparisons

Ī	1/01/2016	to 31/10/2016	1/01/2015	to 31/10/2015
ТҮРЕ	No.	VALUE	No.	VALUE
Dwelling	45	15,691,974	51	15,475,022
Dwelling additions	67	3,864,063	73	2,337,209
Unit Developments	4*(12)	1,011,800	4*(4)	188,500
Shops (1)	6	231,000	11	5,873,824
Offices	2	2,213,711	7	827,500
Warehouses (2)	11	1,898,460	8	2,595,084
Factories (3)	16	4,201,481	5	722,288
Public Buildings (4)	6	1,024,654	15	14,422,402
Out Buildings	91	2,496,629	120	2,773,182
Other	47	1,052,649	48	1,298,199
Total	295	\$33,686,422	342	\$46,513,211

*() denotes total number of Dwelling Units

(1) The majority of the 2015 'Shops' amount relates to the Bunnings Store development valued at \$4.5M (Stage 3);

(2) The majority of the 2016 'Offices' amount relates to the Kyndalyn Park Administration Building at Bannerton valued at \$2.069M

(3) The majority of the 2015 'Warehouses' amount relates to Workshop at 18 Aerodrome Road, Swan Hill at \$1.5M;

⁽⁴⁾ The majority of the 2016 'Factories' amount relates to Kyndalyn Park Factory (Stage 1) at Bannerton valued at \$1.68M and Kyndalyn Park Factory (Stage 2) valued at \$600,000 and a Factory at 180 Karinie Street, Swan Hill valued at \$619,000;

(5) The majority of the 2015 'Public Buildings' amount relates to the Swan Hill Hospital Aged Care Facility valued at \$9.8M and the SuniTAFE Extensions valued at \$2.16M;

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

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

Options

Not applicable

Recommendation

That Council note the Planning and Building figures for October and the Year to Date comparisons as reported.

B.16.138 QUARTERLY REVIEW OF FINANCIAL PERFORMANCE AND FINANCIAL POSITION TO 30 SEPTEMBER 2016

Responsible Officer:	Director Corporate Services			
File Number:	42-20-00			
Attachments:	1	Statement of Income & Expenditure for 3 months ending 30-9-16		
	2	Summarised Balance Sheet as at 30-9-16		

Declarations of Interest:

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

Summary

A review of Council's Financial Performance (Income and Expenditure) and Financial Position (balance sheet) to the adopted Budget for the three months to 30 September 2016 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 3 months ended 30 September 2016 are included with this report.

Major variations to budget as at 30 September 2016 are explained by way of notes on the attached report.

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

Significant forecast variations to budget include:

	Current Fore	cast Variances
Rates	\$20,200	Favourable
Grants Commission	\$56,600	Favourable
Grants expected 2015/16, received 2016/17	\$1,182,100	Favourable
Rates Discount	\$5,000	Unfavourable
Insurance (Incl Fire Service Levy) net	\$20,000	Favourable
Livestock Exchange (net result)	\$15,000	Favourable
Public Lighting maintenance	\$8,000	Unfavourable
Employee Costs	\$30,000	Favourable
Parking Fines and fees	\$15,000	Favourable
Elected Member Allowance	\$8,500	Favourable
Building & Planning Permit Income	\$40,000	Favourable
Pioneer Settlement net operating result	\$90,000	Unfavourable
Workcover Premiums (net)	\$30,000	Favourable
\$1,314,400 Favou		Favourable

Less: Income owing from 2015/16	\$1,227,700	Unfavourable
Net Variation to 2016/17 Budget	\$86,700	Favourable

Consultation

Consultation occurred as part of the Budget preparation process.

Financial Implications

The report shows a predicted rates determination surplus \$86,700 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 nine months of the year. In particular the anticipated surplus relies on the success of the Heartbeat of the Murray Experience and completion of Major Projects within budget.

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 \$86,700 better than budget at this stage.

SWAN HILL RURAL CITY COUNCIL STATEMENT OF INCOME & EXPENDITURE FOR THE 3 MONTHS ENDING 30/09/2016

	Actual Year To Date 30/09/2016 \$000	Budget Year To Date 30/09/2016 \$000	\$ Variance To Budget \$000	% Variance To Budget	Original Annual Budget 2016/17 \$000	Notes
OPERATING INCOME :-						
Rates, garbage charges and marketing levy	25,723	25,824	(101)	-0.4%	25,824	
Statutory fees & fines	389	200	189	94.5%	745	1
User fees	1,364	1,536	(172)	-11.2%	5,722	2
Grants - Operating (recurrent)	3,258	3,437	(179)	-5.2%	13,663	
Grants - operating (non-recurrent)	343	130	213	163.8%	521	3
Grants - capital (recurrent)	278	832	(554)	-66.6%	3,327	4
Grants - capital (non-recurrent)	91	511	(420)	-82.2%	2,335	5
Contributions - cash non recurrent	85	1,020	(935)	-91.7%	1,581	6
Interest income	51	120	(69)	-57.5%	520	7
Proceeds from disposal of assets	81	121	(40)	-33.1%	486	
Other revenue	530	410	120	29.3%	1,640	8
TOTAL INCOME	32,193	34,141	(1,948)	-5.7%	56,364	
OPERATING EXPENSES (Excluding Depreciation) Employee benefits Contract payments materials & services Bad & doubtful debts Finance costs Other expenses TOTAL OPERATING EXPENSES (Excl. Depn.)	:- 4,926 3,867 - 9 265 9,067	5,724 5,323 - 57 <u>242</u> 11,346	(798) (1,456) 0 (48) <u>23</u> (2,279)	-13.9% -27.4% 0.0% -84.2% 9.5% -20.1%	19,891 19,594 2 407 <u>968</u> 40,862	9 10 11
OPERATING RESULT (Excl. Depn.)	23,126	22,795	331	1.5%	15,502	
CAPITAL ITEMS :- Capital works/asset purchases - funding sourced	1,553	3,615	(2,062)	-57%	15,880	12
SURPLUS (DEFICIT) AFTER CAPITAL ITEMS	21,573	19,180	2,393	12.5%	(378)	
ADD FINANCING TRANSACTIONS						
Loan principal redemption	(218)	(190)	(28)	14.7%	(759)	
Transfers to/from reserves	(200)	(364)	(28)	-45.1%	668	
Proceeds from loans	(200)	(304)	104	-45.1%	500	
TOTAL FINANCING TRANSACTIONS	(418)	(554)	- 136	-24.5%	409	
	(410)	(554)	130	-24.3%	409	
BUDGET RESULT SURPLUS	21,155	18,626	2,529	13.6%	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 had not been forecast to be received until November.

2 User fees at the Pioneer Settlement were \$108K below budget mainly due to the Heartbeat show cancellations. Administration fees for the packaged care program were \$57K below forecast due to delays in consortium members returns.

3 Grants for the Roadside Weeds and Pests (\$75K) and L2P program (\$48K) and been forecast to be received over the year but have been paid in full. Council received \$25K for Engaging Audiences at the Art Gallery grant which had not been forecast.

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 (\$1.1M) had been forecast to be received throughout the year. No funds have been received to date.

6 Contributions towards the next stage of the Tower Hill Development had been budgeted to be received in 2016/17 but were received last year.

7 As at 31 March 2016 Council had accrued \$59K of interest income in addition to the \$51K already received.

- 8 Tower Hill land sales are \$120K greater than forecast.
- 9 Significant savings have been made in Council's workcover premiums, and to date this cost is \$250K 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 and \$125K of design and supervision charges which had been forecast for capital works projects are yet to be realised.
- 10 The majority of this variance relates to the payment of Aged Care Packaged costs to members of the Consortium. The year to date variance of \$760K is due to the changes in claims processes for the use of services. This has resulted in payments to member Councils being deferred. Other significant variances are for development costs at Tower Hill (\$164K), Waste management contractor payments (\$133K) and Grants and Contributions (\$93K). These are timing issues.

11 Council's interest only loans have accrued \$61K in interest costs. The next installments are due in November and December.

12 The forecast had allowed for significant capital works projects such as Tower Hill Stage 9 (\$375K), Riverfront enhancement trail (\$342K) and Catalina Park Activation (\$427K) to have begun. To date there are only minimal expenses incurred.

SWAN HILL RURAL CITY COUNCIL SUMMARISED BALANCE SHEET AS AT 30/09/2016

	This Year Actual As At 30/09/2016 \$000	Last Year Actual As At 30/09/2015 \$000	\$ Movement Y.T.D. \$000	% Movement Y.T.D.	Budget As At End 2016/17 \$000
CURRENT ASSETS:-					
Cash and Cash Equivalents	23,309	21,224	2,085	9.8%	15,156
Trade & Other Receivables	16,025	15,282	743	4.9%	2,141
Inventories	142	108	34	31.5%	235
Other Assets	112	211	(99)	-46.9%	127
TOTAL CURRENT ASSETS	39,588	36,825	2,763	7.5%	17,659
CURRENT LIABILITIES:-					
Trade & Other Payables	2,537	1,130	1,407	124.5%	3,947
Trust Funds & Deposits	1,599	1,669	(70)	-4.2%	394
Provisions	4,948	4,961	(13)	-0.3%	5,089
Interest Bearing Loans & Borrowings	745	759	(14)	-1.8%	974
TOTAL CURRENT LIABILITIES	9,829	8,519	1,310	15.4%	10,404
NET CURRENT ASSETS	29,759	28,306	1,453	5.1%	7,255
NON-CURRENT ASSETS:-					
Trade & Other Receivables	151	91	60	65.9%	91
Property, Plant, Equipment & Infrastructure	440,951	442,687	(1,736)	-0.4%	474,194
Intangible Assets	720	720	0	0.0%	720
TOTAL NON-CURRENT ASSETS	441,822	443,498	(1,676)	-0.4%	475,005
NON-CURRENT LIABILITIES:-					
Interest Bearing Loans & Borrowings	7,336	7,581	(245)	-3.2%	7,035
Provisions	1,995	1,769	226	12.8%	1,776
TOTAL NON-CURRENT LIABILITIES	9,331	9,350	(19)	-0.2%	8,811
TOTAL NET ASSETS	462,250	462,454	(204)	0.0%	473,449
EQUITY:-					
Accumulated Surplus & Reserves	299,704	294,460	5,244	1.8%	279,886
Asset Revaluation Reserve	162,546	167,994	(5,448)	-3.2%	193,563
TOTAL EQUITY	462,250	462,454	(204)	0.0%	473,449

B.16.139 ALAN GARDEN NETBALL & SWAN HILL SOCCER CLUB LIGHTING PROJECT

Responsible Officer:	Director Infrastructure
File Number:	S15-06-03
Attachments:	Nil

Declarations of Interest:

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

Summary

This report seeks to inform Council of the projected shortfall in funding for the Alan Garden Reserve and Ken Harrison Soccer Fields' lighting projects. The report also requests that Council approve the transfer of \$135,000 in funding from the Art Gallery Extension - Design Project into these projects to enable the lighting works to proceed.

Discussion

Both the Alan Garden Reserve project and the Ken Harrison Soccer field project were developed in consultation with user groups in 2014. Each of these projects was scoped to include lighting to enable the community better use of the facilities in the evenings. Council officers discussed the proposed scope with local contractors and electricians in 2014, and from these discussion budget estimates were developed.

Council allocated \$308,055 for the implementation of those two projects over two consecutive financial years, being 2015-16 & 2016-17. This included contributions from the sports reserves user groups and also from state funding as summarised in Table 1 below, current funding allocation.

In 2016 these projects proceeded to detailed design. At this stage it was decided that due to the similarity between the two projects, it would be more economic to deliver the two projects through one tender.

The elements that were reviewed as part of detailed design include:

- Project scope
- Compliance with the Community Sporting Facility Guideline, Design & Costing
- Cost estimates taking into account current construction rates
- A review of the project in line with recently implemented lighting project at the Swan Hill Show ground (lessons learnt)

Through this review it was identified that not having full detailed designs and specifications from a lighting consultant was a major risk for this project.

Council appointed a consultant and detailed designs were completed for each location. This process identified an anticipated shortfall in funding for the project. The detailed designs anticipated that the project would cost in the region of approx \$420,000 with a projected shortfall of approx \$135,000.

Project Status

Detailed designs and specifications are completed for this project. All documentation is in place to enable Council to proceed to tender for the project subject to identifying additional funding. Council has received 90% of the grant funding allocation. Remaining grant funds will be received upon acquittal of the project.

	Budgeted	Fun	ding	Expenditure to Date	Expected Actual Cost	Shortfall
		Grant	100,000			
KEN HARRISON LIGHTING	165,000	User Groups	15,000	14,650		
		Council	50,000	-		
KEN HARRISON SWITCH- BOARD	25,000	Council	25,000	0	246,830.50	71,480
ALAN GARDEN	119.055	Grant	75,409	0.050	170 020 50	61.026
RESERVE	118,055	User Groups	42,646	9,050	170,930.50	61,926
TOTAL	308,055	308,055		23,700	417,761	133,406
		Remaining funding balance \$284,355				

Table 1- Current Funding Allocation

Expenses to date:

The remaining available funding for these projects is \$284,355. The specialist lighting consultants have estimated that this project will cost in the region of \$417,761. This is an anticipated funding shortfall of \$133,406 across the two projects.

Funding option:

Council allocated \$165,000 towards the initial design of the upgrade of the Swan Hill Art Gallery in 2016/17. This project will not commence in 2016/17 as it has been identified that this project should not proceed until the completion of the Riverfront Commercial Development Strategy. This strategy is due to commence and may identify alternate solutions to the proposed works at the Gallery.

Council can consider funding for the proposed works to the Art Gallery as part of their review of the 10 Year Major Projects plan which will be undertaken as part of the development of the 2017/18 budget.

Consultation

All user groups involved in the project have been consulted by Council's Community Planning staff. Internal consultation has taken place between Councils Economic and Community Development Team and the Engineering team to ensure the project meets the funding requirements.

Financial Implications

Council can reallocate funding identified for the redevelopment of the Swan Hill gallery towards these community projects. This will ensure that the identified monies are spent in 2016/17. The upgrade of the lighting will provide efficiencies for Council due to the reduced maintenance cost of the proposed new lighting and electrical boards.

Social Implications

Completion of the project will encourage the community to use this facility throughout the year, promoting the health and well being for all users.

Economic Implications

Not applicable

Environmental Implications

Not applicable

Risk Management Implications

Inability to meet funding deadlines would damage Councils reputation of being a reliable project manager.

Dissatisfaction of local community and user groups if this project does not proceed.

Council Plan Strategy Addressed

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

Options

- 1. Do not approve the reallocation of budget from the Gallery project. (*This is not the recommended option*)
- 2. Approve the reallocation of funding from the galley project towards the lighting project (*This is the recommended option*)

Recommendations

That Council:

- 1. Approve the deferral of the Art Gallery Extension project to the next financial year to enable the funds of \$135,000 is transferred to the lighting projects to enable them to proceed.
- 2. Note that upon completion of this project any surplus funding will be transferred to the next financial year to enable reallocation.

SECTION C – DECISIONS WHICH NEED ACTION/RATIFICATION

C.16.20 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
775	Transfer of Land Lot 309 Sandlewood Avenue- Tower Hill Vol 11643 Folio 220	Between SHRCC and Hinton Building Pty Ltd	18/10/16

Conclusion

Council authorise the signing and sealing of the above documents.

Recommendation

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

SECTION D – NOTICES OF MOTION

SECTION E – URGENT ITEMS NOT INCLUDED IN AGENDA

SECTION F - TO CONSIDER & ORDER ON COUNCILLOR REPORTS

SECTION G – IN CAMERA ITEMS