

MINUTES

ORDINARY MEETING OF COUNCIL

Tuesday, 18 March 2014

Held at the Ultima Public Hall
15 Dillon Street, Ultima
Commenced at 7:00 PM

COUNCIL:

Cr LT McPhee – Mayor

Cr JN Katis

Cr GW Norton

Cr GI Cruickshank

Cr JA Kiley

Cr CM Adamson

Cr JB Crowe

SECTION A – PROCEDURAL MATTERS3
Nil3
SECTION B – REPORTS.....5
B.14.11 KEY STRATEGIC INITIATIVES FOR 2013/14 STATUS
REPORT FOR THE SECOND QUARTER5
B.14.14 MOTION TO LIFT A REPORT OFF THE TABLE9
B.14.12 REQUEST TO INSTALL TURF ON NATURE STRIPS,
VILLAGE WAY SWAN HILL 11
B.14.13 PETITION TO IMPROVE PARK IN ROWE STREET
ROBINVALE 14
SECTION C – DECISIONS WHICH NEED ACTION/RATIFICATION 19
C.14.3 SIGN AND SEAL REPORT 19
C.14.4 COUNCILLOR ASSEMBLIES - RECORD OF ATTENDANCE
AND AGENDA ITEMS22
SECTION D – NOTICES OF MOTION.....28
SECTION E – URGENT ITEMS NOT INCLUDED IN AGENDA.....28
SECTION F – TO CONSIDER & ORDER ON COUNCILLOR REPORTS28
SECTION G – IN CAMERA ITEMS29

SECTION A – PROCEDURAL MATTERS

- **Open**

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

- **Acknowledgement to Country**

Cr McPhee read the Acknowledgement to Country

- **Prayer**

Cr Crowe read the prayer.

- **Apologies**

Nil

- **Confirmation of Minutes**

- 1) Ordinary Meeting held on 18 February 2014

5/14 Motion

MOVED Cr Norton

That the minutes be confirmed.

SECONDED Cr Cruickshank

The Motion was put and CARRIED

- **Declarations of Pecuniary Interest**

Nil

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

Nil

6/14 Recommendations

MOVED Cr Kiley

That standing orders be suspended.

SECONDED Cr Adamson

The Motion was put and CARRIED

• **Public Question Time**

Question 1

Mr Tim Williams (on behalf of the friends of Bromley Road Group) – When will the friends of Bromley Road Group get a response to their letter of the 24 February requesting a meeting with all Councillors and an explanation of the Katis press release about the public meeting held on February 13?

Response – Mayor, Cr Les McPhee advised that a response will be sent this week.

7/14 Recommendations

MOVED Cr Katis

That Standing Orders be resumed.

SECONDED Cr Norton

The Motion was put and CARRIED

SECTION B – REPORTS

B.14.11 KEY STRATEGIC INITIATIVES FOR 2013/14 STATUS REPORT FOR THE SECOND QUARTER

Responsible Officer: Director Corporate Services
File Number: 22-23-08
Attachments: 1 KSI Second Quarter Status Report

Declarations of Interest: Officer

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

Summary

This is the second quarterly report identifying the status of the Key Strategic Initiatives from the Council Plan for 2013/14 to 2016/17 financial years.

Discussion

The Council Plan 2013/17 includes 77 initiatives and 235 actions, through which the achievement of the Council Plan may be measured over its four-year term.

There are 73 actions in total identified for the 2013/14 period and each action has a nominated responsible officer. In each case, the responsible officer is a member of the Executive Management Team, reflecting the importance placed on achieving targets.

Thirty actions were completed during the second quarter of the 2013/14 financial year.

For the six months until 31 December 2013 a total of 35 actions have been completed.

There were 24 actions carried over from Council's previous Council Plan. Of these actions, 6 have been completed or are now ongoing, 12 have been included in the new Council Plan and 6 remain outstanding.

The progress of all actions is outlined in the comments section of the attachment to this report.

Consultation

Council consulted the community during the development of the Council Plan 2013/17. The Council Plan was adopted at the June Council Meeting 2013.

Financial Implications

The implementation of the 2013/14 Key Strategic Initiatives was included in the budget.

Social Implications

Not applicable.

Economic Implications

Not applicable.

Environmental Implications

Not applicable.

Risk Management Implications

Monitoring of Council's progress to implement the Council Plan helps to reduce risks associated with governance and reputation.

Council Plan Strategy Addressed

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

Options

Not applicable.

Recommendation

That Council adopt the Key Strategic Initiatives status report for the second quarter 2013/2014.

8/14 Motion

MOVED Cr Cruickshank

That Council adopt the Key Strategic Initiatives status report for the second quarter 2013/2014.

SECONDED Cr Kiley

The Motion was put and CARRIED

Attachment

- KSI Second Quarter Status Report

B.14.14 MOTION TO LIFT A REPORT OFF THE TABLE

Responsible Officer: Director Infrastructure
File Number: 79-22-46
Attachments: Nil

Declarations of Interest: Officer

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

Summary

At the Ordinary Meeting of Council held on 18 February 2014, the “*Request to Install Turf on Nature Strips, Village Way Swan Hill Report*” was laid on the table.

Discussion

Nil

Consultation

Nil

Financial Implications

Nil

Social Implications

Nil

Economic Implications

Nil

Environmental Implications

Nil

Risk Management Implications

Nil

Council Plan Strategy Addressed

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

Options

Council has the option to either lift the report off the table or continue to have it lay on the table.

Recommendation

That Council lift the report on the “*Request to Install Turf on Nature Strips, Village Way Swan Hill Report*” off the table.

9/14 Motion

MOVED Cr Norton

That Council lift the report on the “*Request to Install Turf on Nature Strips, Village Way Swan Hill Report*” off the table.

SECONDED Cr Katis

The Motion was put and CARRIED

B.14.12 REQUEST TO INSTALL TURF ON NATURE STRIPS, VILLAGE WAY
SWAN HILL

Responsible Officer: Director Infrastructure
File Number: 79-22-46
Attachments: Nil
Declarations of Interest: Officer

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

Summary

The following report provides Councillors with information on actions taken as a result of a petition from the residents of Village Way, Swan Hill (Tower Hill), requesting that turf be installed in some nature strips of their street, with all costs to be borne by Council.

Discussion

Village Way was constructed in 2004 as part of Stage 1 of the Tower Hill development. At that time, Vic Urban installed turf landscaping to all properties in accordance with the planning conditions of the development.

In the succeeding years, drought conditions in Swan Hill made it necessary for water restrictions to be put in place and many gardens suffered as a result. Also at that time, Council introduced the *Alternative Water Wise Nature Strip Treatments Policy* that encouraged residents to consider alternatives to the traditional turf nature strip. As a result, many streets no longer have uniform nature strip landscapes.

Subsequent stages of Tower Hill have had turf installed on nature strips as part of the landscaping design. The residents of Village Way believe that their street does not fit in with the aesthetic of the Tower hill development as a result of imposed water restrictions, leading to dead grassed areas. Consequently a petition was submitted to Council in December 2012 expressing their concern.

Consultation

Council sent a letter to all residents of Village Way asking that they stipulate whether or not they wanted turf to be installed on their nature strips. Summary results are listed below.

Residents who do not require turf include those that are satisfied with their current treatment, own vacant blocks or their property faces parkland, making turf inappropriate.

Request turf	9
Do not require turf	11
Unable to contact	1

Financial Implications

Estimated cost to supply and install turf on one nature strip has been quoted as follows:

14x3mtr = 42sqm

Nature strip to be excavated, rotary hoed, new turf laid.

\$550 incl GST

\$550 per nature strip for nine nature strips = \$4,950 approximate total project cost.

Social Implications

The proposal would improve the amenity of Village Way for residents and visitors alike. It may also serve as an act of good relations between Council and the ratepayers.

Economic Implications

Nil.

Environmental Implications

The proposal would improve the visual environment of this street and any vegetation is more favourable than none. However, alternative treatments are preferred, as a method of conserving water.

Risk Management Implications

Nil

Council Plan Strategy Addressed

Regulation and management of the built environment - We will ensure appropriate control and oversight of areas where we have a regulatory responsibility and provide services to ensure impacts of people in our municipality on the environment and are managed appropriately.

Options

1. Council installs turf on the nature strips of the nine properties as requested; or
2. Council do not support the request to turf the nine properties.
3. Council officers approach residents with respect to sharing the cost of the works.

Recommendation

That Council chose an option from the above list.

10/14 Motion

MOVED Cr Norton

That Council does not turf the nine properties.

SECONDED Cr Crowe

The Motion was put and CARRIED

B.14.13 PETITION TO IMPROVE PARK IN ROWE STREET ROBINVALE

Responsible Officer: Director Infrastructure
File Number: 79-79-38
Attachments: 1 Rowe Street Park Redevelopment Robinvale

Declarations of Interest: Officer

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

Summary

At the Ordinary Council Meeting on 18 February 2014, Council received a petition signed by 154 people requesting improvements to the vacant park land at 24 Rowe Street, Robinvale. This report discusses the petition and outlines the work undertaken with the community to date.

Discussion

At the Ordinary Council Meeting on 18 February 2014 Council moved a motion accepting a petition relating to the vacant park land at 24 Rowe Street, Robinvale. The petition, signed by 154 people, requests that Council not sell the land and seeks Council support to “fix up the park” and provide a space for young children in the neighbouring streets to play.

Prior to becoming aware of the petition, Council Officers had commenced engaging with the community to identify if there was any local support to improve the land. This engagement followed a meeting with a local resident. He stated that the community was against Council selling the land and sought support to reinstate elements of the park.

Council's Community Engagement team coordinated a meeting with 30 local residents on 11 February 2014 to understand their aspirations for the land. On Tuesday 18 February 2014, another meeting was held near the site to present a concept plan to the community, which was formulated from the ideas gathered at the first meeting. There were 20 local residents at the second meeting with an additional 10 apologies.

A report on the community engagement process, a copy of the concept plan and a draft budget for the park improvements is included as an attachment to this report. The concept plan received strong support from the local community.

The land in Rowe Street, Robinvale, consists of two house blocks that have frontage to both Rowe Street and Morris Street. Council's *2004 Parks and Reserves Management Strategy* identified Rowe Street as an area for play spaces, as none serviced that area at that time. With the creation of a playground in Ronald Street it was considered that the need to create a park in Rowe Street was diminished and that the land may be surplus to the needs of Council. Council has not formally

resolved to dispose of the land however the local community is fearful that this may occur and that they may lose a local asset.

The distance from the Rowe Street Park to Ronald Street is approximately 430 metres. Pedestrians from the Rowe Street area must cross George Street to access the Ronald Street playground.

As can be seen from the photographs contained in the report, the land is not maintained to a high standard and there are significant issues with weeds and graffiti. The local community uses the space as an informal meeting area and an unmade walking path across the site highlights the connector role the park plays. There are no facilities for rubbish collection however the local community improvises with a cardboard box used to identify a point to place litter.

Consultation with the community has highlighted that while the Ronald Street playground is seen as an asset in the area, there are a number of young children that are unable to access the playground. Young children cannot cross George Street unaccompanied and it is often difficult for parents to take the children to the playground.

Since the first meeting of the community on 11 February 2014, a group has formed calling themselves the "Rowe Street Friends of Park Group". Through the community consultation it was identified that there is opportunity for Council to work with the local community in implementing the actions identified in the concept plan which would improve local community 'ownership' of the park.

There is also an opportunity to implement some of the actions identified in the concept plan through recurrent maintenance and playground improvements budgets.

Consultation

Significant community consultation has taken place and is described above and in the attached report.

Financial Implications

The attached concept plan, supported by the local community, identifies approximately \$45,000 - \$48,500 in work. Some of this funding may come from existing recurrent budgets aimed at improvements to parks and community spaces. Other funding would need to be obtained in order to complete the works.

Social Implications

The work undertaken with the local community to date has identified significant social benefits that may be obtained through the redevelopment of the land in partnership with local residents.

Economic Implications

The improvement to the land may positively impact on neighbouring land values.

Environmental Implications

Proposed works will reduce the potential for weed infestation in the area and enhance the local environment.

Risk Management Implications

The land is zoned Public Park Recreation Zone (PPRZ) and prior to any sale of the land a rezoning would need to take place. Council would also have to comply with Section 20 of the Subdivision Act 1988. This requires Council to provide replacement public open space.

Council Plan Strategy Addressed

Building community capacity - We seek to connect members of our community and to provide leadership to bring people together to find solutions to community problems.

Options

1. Accept the recommendations contained in this report and seek to work with the community to identify an alternative design for the park that may result in a lesser cost to Council.
2. Retain the land and do nothing with it; or
3. Identify the land as surplus to the needs of Council and sell the land.

Recommendations

That Council:

1. Re-establish a park at 24 Rowe Street, Robinvale; and
2. Include the project in the Robinvale District Community Plan.

11/14 Motion

MOVED Cr Norton

That Council:

1. In the immediate future, start a weed eradication program and the reconnection of the watering system at the Rowe Street Park.
2. Work with the residents in and around Rowe Street to put forward a proposal on the Rowe St Park to the Major Projects Plan or if they wish the Robinvale Community Plan.

SECONDED Cr Adamson

The Motion was DEFEATED

12/14 Motion

MOVED Cr Katis

That Council work with the community through the Robinvale District Community Plan to re-establish the park at 24 Rowe Street.

SECONDED Cr Cruickshank

The Motion was put and CARRIED

Attachment

- Rowe Street Park Redevelopment Park

SECTION C – DECISIONS WHICH NEED ACTION/RATIFICATION

C.14.3 SIGN AND SEAL REPORT

Responsible Officer: Chief Executive Officer

Attachments: Nil.

Declarations of Interest: Officer

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

Summary

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

Discussion

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

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

Consultation

Nil

Financial Implications

Nil

Social Implications

Nil

Economic Implications

Nil

Environmental Implications

Nil

Risk Management Implications

Nil

Issues

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

No.	Document Type	Document Description	Date signed/sealed
<i>Documents from previous 18 February 2014 Ordinary Meeting</i>			
568	Transfer of Land Vol 11371 Fol 459 Lot 265 Saltbush Drive Tower Hill	Between: <ul style="list-style-type: none"> • Swan Hill Rural City Council • Massara 	20/01/14
569	Transfer of Land Vol 5901 Fol 062 59 Perrin Street Robinvale	Between : <ul style="list-style-type: none"> • Swan Hill Rural City Council • Stagias 	20/01/14
<i>Documents for 18 March 2014 Ordinary Meeting</i>			
580	Transfer of Land Vol 11371 Folio 447 Lot 253 Acacia Street Tower Hill	Between: <ul style="list-style-type: none"> • Swan Hill Rural City Council • Faraci 	13/02/14
581	S6 Instrument of Delegation	S6 Instrument of Delegation to Members of Staff	21/02/14
582	S5 Instrument of Delegation	S5 Instrument of Delegation to Chief Executive Officer	21/02/14
583	Contract 14 3614 02 Mundara St and Murrell Ave Reconstruction Works	Between: <ul style="list-style-type: none"> • Swan Hill Rural City Council • Whitfield Excavations Pty Ltd 	25/02/14
584	Section 173 Agreement Farming Zone 576A and 594B Tol Tol Road, Tol Tol	Between: <ul style="list-style-type: none"> • Swan Hill Rural City Council • Conner • Lazzara 	28/02/14
585	Creation of Easement Vol 11346 Fol 567	Swan Hill Industrial Land – Jennings Road Swan Hill	11/03/14
586	Transfer of Land – Stage 7 Lot 282 Stringybark Drive Tower Hill	Between: <ul style="list-style-type: none"> • Swan Hill Rural City Council • Carmichael 	11/03/14

Conclusion

Council authorise the signing and sealing of the above documents.

Recommendations

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

13/14 Motion

MOVED Cr Norton

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

SECONDED Cr Adamson

The Motion was put and CARRIED

C.14.4 COUNCILLOR ASSEMBLIES - RECORD OF ATTENDANCE AND AGENDA ITEMS

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

Declarations of Interest: Officer

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

Summary

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

Discussion

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

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

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

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

Details of the most recent assemblies of Council are attached.

Consultation

Nil

Financial Implications

Nil

Social Implications

Nil

Economic Implications

Nil

Environmental Implications

Nil

Risk Management Implications

Nil

Council Plan Strategy Addressed

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

Options

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

Recommendation

That Council note the contents of the report.

14/14 Motion

MOVED Cr Cruickshank

That Council note the contents of the report.

SECONDED Cr Katis

The Motion was put and CARRIED

COUNCILLOR ASSEMBLIES ATTENDANCE AND AGENDA
25 February 2014 at 2.00pm
TOWN HALL (COUNCIL CHAMBERS), SWAN HILL

AGENDA ITEMS

- Medicare Local presentation
- Closure of Boundary Bend Transfer Station
- Advancing Country Towns presentation
- New Regional Waste Management Groups structure

ADDITIONAL ITEMS DISCUSSED

- -

ATTENDANCE

Councillors

- Councillor Jessie Kiley
- Councillor Les McPhee
- Councillor Michael Adamson (phone link up)
- Councillor John Katis
- Councillor Greg Cruickshank

Apologies

- Councillor Jim Crowe

Officers

- Dean Miller, Chief Executive Officer
- Bruce Myers, Director Community & Cultural Services
- David Lenton, Director Corporate Services
- Brett Luxford, Director of Development and Planning
- Mazen Aldaghstani, Manager Major Projects & Waste

Other

- Matt Jones, Medicare Local
- Glenn Stewart, Advancing Country Towns
- Peter Crisp, MLA Member for Mildura
- Karen Fazzani, Executive Officer, Central Mallee Regional Waste Management Group

CONFLICT OF INTEREST

Nil

COUNCILLOR ASSEMBLIES ATTENDANCE AND AGENDA
4 March 2014 at 1.00pm
TOWN HALL (COUNCIL CHAMBERS), SWAN HILL

AGENDA ITEMS

- Piangil Multi-Purpose Tender outcome
- Request to install Turf on Nature Strips, Village Way Tower Hill
- Rowe Street parkland petition
- Sportsground naming rights
- Swan Hill Indoor sport and recreation COM
- Key Strategic Initiatives Second Quarter Update
- Councillor Monthly Bulletin

ADDITIONAL ITEMS DISCUSSED

- -

ATTENDANCE

Councillors

- Councillor Jessie Kiley
- Councillor Les McPhee
- Councillor Michael Adamson
- Councillor John Katis
- Councillor Greg Cruickshank
- Councillor Gary Norton

Apologies

- Councillor Jim Crowe

Officers

- Dean Miller, Chief Executive Officer
- Bruce Myers, Director Community & Cultural Services
- David Lenton, Director Corporate Services
- Brett Luxford, Director of Development and Planning
- Ken Symons, Commercial Services Manager
- Steve Matthews, Community Facilitation Manager
- Helen Morris, Human Resources Manager

Other

- Cameron Whitlock, Committee of Management
- Max Baldwinson, Swan Hill Basketball Stadium Centre Manager
- Dean Farrell, Committee of Management

CONFLICT OF INTEREST

Nil

**COUNCILLOR ASSEMBLIES ATTENDANCE AND AGENDA
11 March 2014 at 1.00pm
TOWN HALL (COUNCIL CHAMBERS), SWAN HILL**

Cancelled due to Special Assembly of Councillors (13th and 14th March 2014)

SECTION D – NOTICES OF MOTION

Nil

SECTION E – URGENT ITEMS NOT INCLUDED IN AGENDA

Nil

SECTION F – TO CONSIDER & ORDER ON COUNCILLOR REPORTS

Cr Cruickshank

Chisholm Reserve User Group meeting
Chisholm Reserve User Group meeting
Civic Reception, Fire Brigade Junior Championships
Council Retreat

Cr Norton

Civic Reception, Fire Brigade Junior Championships
Manangatang VFF meeting
North West Municipalities Association meeting in Yarriambiack
Boundary Bend Progress Association meeting
MAV Board meeting
Council Plan review

Cr Katis

Driving Forum in Robinvale
Meeting with Council Officers on storm water issues
Asset Naming Sub Committee meeting
Welcomed Ski Racing Victoria to Robinvale during muster evening
Council Retreat

Cr Kiley

Woorinen & District Progress Association Meeting
SH Fire Brigade Junior Championships Civic Reception
Building a Child Friendly Community Advisory Committee
Swan Hill Primary School Leadership Talk (Grade 6 girls)
SuniTAFE Rural Campuses Award Night
Alan Garden Reserve Committee of Management
Swan Hill Inc.
Council Retreat

Cr Adamson

LLEN urgent meeting

Asset Naming Committee meeting
Anzac Commemorative project
Sunraysia Institute of Tafe awards night
LLEN Committee of Management meeting
Council Retreat

Cr McPhee

ABC Radio minute with Mayor
Kerang Council meeting
Community Issues Group meeting
Mayoral Reception – Junior Fire Brigade Championships
Opening - Junior Fire Brigade Championships
Presentation - Junior Fire Brigade Championships
Ultima Community Plan and Progress Association meeting
3SH Radio interview
Mayor/CEO meeting
VLGA CEO Andrew Hollows
Red Cross media
Anglican Minister induction
ABC radio MWM
Meeting with Guardian
Dinner with Mark Francis, MRTB CEO
Robinvale Business breakfast
Robinvale visit with CEO
Woorinen Primary School – presentation of leadership badges
Mayor/CEO meeting
Meeting wire-proposed child care facility in Yana Street
Yamagata Club AGM
ABC Radio MWM
Food and Wine Festival – cruise on Pyap
Food and Wine Festival – Pioneer Settlement
Opening of Ultima Lions Club Park
Community House meeting
MWM
Meeting with Deputy Premier, Peter Ryan regarding Advancing Country Towns funding
Council Retreat
Mayor/CEO meeting
Meeting with Morwell Primary School children at Pioneer Settlement.

SECTION G – IN CAMERA ITEMS

Nil

There being no further business the Mayor, Cr Les McPhee closed the meeting at 7:52pm