



STRATHBOGIE SHIRE COUNCIL

MINUTES OF A SPECIAL MEETING OF THE STRATHBOGIE SHIRE COUNCIL HELD ON TUESDAY 10TH JULY 2012 AT THE EUROA COMMUNITY CONFERENCE CENTRE COMMENCING AT 5.00 P.M.

Councillors: Graeme (Mick) Williams (Chair)
Malcolm Little
Neil Murray
Debra Swan
Peter Woodhouse

Officers: Steve Crawcour - Chief Executive Officer
Roy Hetherington - Director, Asset Services
David Woodhams – Director, Corporate and Community

BUSINESS

1. Welcome
2. Acknowledgement of Traditional Land Owners
'In keeping with the spirit of Reconciliation, we acknowledge the traditional custodians of the land on which we are meeting today. We recognise indigenous people, their elders past and present'.

3. Apologies

Councillor Colleen Furlanetto
Councillor Howard Myers
Phil Howard – Director, Sustainable Development

4. Disclosure of Interests

Nil

EXCERPT FROM MEETING PROCEDURE LOCAL LAW NO. 1

CONDUCT OF PUBLIC

52. VISITORS

- (1) Visitors must not interject or take part in debate.
- (2) Silence shall be preserved in the gallery at all times.
- (3) If any visitor is called to order by the Chairperson and again acts in breach of this Local Law, the Chairperson may order that person to be removed from the gallery.

53. CALL TO ORDER

Any person who has been called to order, including any Councillor who fails to comply with the Chairperson's direction, will be guilty of an offence.

Penalty: \$500

54. REMOVAL FOR DISRUPTION

The Chairperson has discretion to cause the removal of any person, including a Councillor, who disrupts any meeting or fails to comply with a direction under the provisions of this Local Law.

5. Reports

5.2 Infrastructure

5.7 Organisation

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5. REPORTS

5.2 INFRASTRUCTURE

5.2.1 Birkett Street, Euroa - Cul-de-Sac Treatment

Author & Department

Director, Asset Services / Asset Services Directorate

File Reference

1057

Disclosure of Conflicts of Interest in relation to advice provided in this report

The author of this report and officers/contractors providing advice in relation to this report do not have a direct or indirect interest, as provided in accordance with the Local Government Act 1989

Summary

The purpose of this report is to receive submissions made under Section 223 of the Local Government Act 1989 ("The Act") in relation to the proposal to reconstruct Birkett Street, Euroa, south of the railway line, as a cul-de-sac and to divert traffic along Brock and Campbell Streets.

Submissions were invited to the proposal, with the closing date for submissions being Tuesday 22nd June 2012 at 5.00pm. One submission was received. A copy of the submission was provided to Councillors for their information. An email was also received from another party after the closing date, in support of a letter published in the Euroa Gazette on 26th June 2012. This was also provided to Councillors.

The submitter's concerns were primarily in relation to increased traffic volumes, including heavy vehicles (e.g. stock transports, farm machinery, etc., which currently use the southern side of Birkett Street to access the continuation of Birkett Street over the railway line) which would be required to use Brock Street and/or Campbell Street as a main thoroughfare for vehicles from the southern end of town traveling to, for example, Drysdale Road, Shepparton Road, Euroa Saleyards, etc., and areas to the western side of the township. This traffic diversion would necessitate traffic to pass the Euroa Secondary College and the Child Day Care Centre. Concerns were raised with traffic accessing these facilities, e.g. cars, buses, bike riders, pedestrian traffic, etc. and the safety implications, particularly immediately before and after school hours. The lack of footpaths in the area would also be a safety risk if higher traffic levels were permitted. The condition and width of Campbell Street was also questioned as to its capability to accommodate the increased traffic volumes.

5.2.1 Birkett Street, Euroa
- Cul-de-Sac Treatment (cont.)

RECOMMENDATION

1. **That the submission in relation to the proposed reconstruction of Birkett Street, Euroa, be received.**
2. **That the matter be considered at the Ordinary Council meeting to be held on Tuesday 21st August 2012, commencing at 6.00 p.m.**

10/12 **CRS. MURRAY/SWAN** : *That the Recommendation be adopted.*

CARRIED

Background

The construction of the Birkett Street, Euroa, cul-de-sac and the associated widening and sealing of Brock Street as an alternative route, are funded in Council's 2011/2012 budget.

The Brock Street works have been completed utilizing Roads to Recovery funds within the budget. The cul-de-sac was proposed to proceed similarly, but due to the late timing of VicRoads consent, will now need to be completed in the 2012/2013 year, with funds carried forward from 2011/2012.

A plan showing the proposed cul-de-sac and section of road to be closed is attached.

Alternative Options

The author and other officers providing advice in relation to this report have considered potential alternative courses of action. No feasible alternatives have been identified.

Risk Management

The author of this report considers that there are no significant Risk Management factors relating to the report and recommendation

Strategic Links – policy implications and relevance to Council Plan

The author of this report considers that the report is consistent with Council Policies, key strategic documents and the Council Plan.

Best Value / National Competition Policy (NCP / Trade Practices Act (TPA) implications

The author of this report considers that the report is consistent with Best Value, National Competition Policy and Trade Practices Act requirements

Financial / Budgetary Implications

The author of this report considers that the recommendation has no capital or recurrent budget considerations.

5.2.1 Birkett Street, Euroa
- Cul-de-Sac Treatment (cont.)

Economic Implications

The author of this report considers that the recommendation has no significant economic implications for Council or the broader community.

Environmental / Amenity Implications

The author of this report considers that the recommendation has no significant environmental or amenity implications for Council or the broader community.

Community Implications

The author of this report considers that the recommendation has no significant community or social implications for Council or the broader community.

Victorian Charter of Human Rights and Responsibilities Act 2006

The author of this report considers that the recommendation does not limit any human rights under the Victorian Charter of Human Rights and Responsibilities Act 2006.

Legal / Statutory Implications

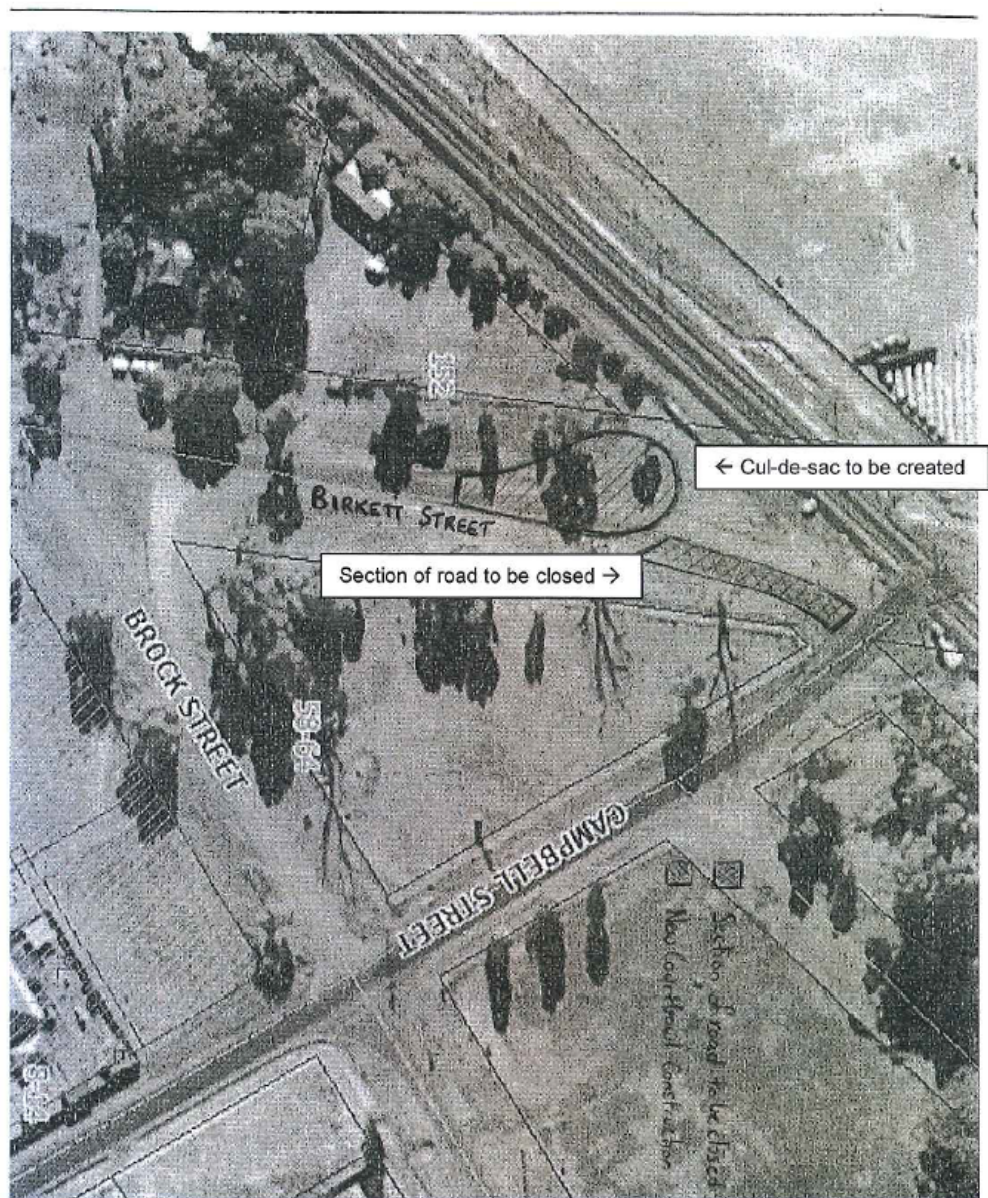
The author of this report considers that the recommendation has no legal or statutory implications which require the consideration of Council.

Consultation

The author of this report considers that the Section 223 process of inviting submissions to the proposal gave community members the opportunity to provide input and feedback to the proposal.

Attachments

Diagram of proposed cul-de-sac and section of road proposed to be closed



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5.7 ORGANISATION

5.7.1 Adoption of Budget and Declaration of Rates and Charges for the 12 Months Ending 30 June 2013

Author & Department

Chief Executive Officer / Executive Directorate

File Reference

F30/0020/10

Disclosure of Conflicts of Interest in relation to advice provided in this report

The author of this report and officers/contractors providing advice in relation to this report do not have a direct or indirect interest, as provided in accordance with the Local Government Act 1989.

Summary

Council has now complied with the legislative requirements for the preparation and public notification of its Budget for the twelve (12) months ending 30 June 2013.

In accordance with the requirements of the Local Government Act 1989, Council placed the budget on public exhibition for 28 days and sought community submissions under section 223.

No submissions to the budget were received, however a number of amendments to the advertised budget have been made and are detailed in Appendix G of the Budget Report. The amendments have been necessitated by changed circumstances following the budget advertising. The amendments are mainly of a timing nature and have resulted in favourable movements in Council's financial position and capital works program. The adjustments do not necessitate any changes to the advertised rates and charges.

In accordance with Section 130 of the Local Government Act 1989, Council is required to adopt the budget by 31 August 2012, and give public notice of its decision. A copy of the adopted Strathbogie Shire Council 2012/2013 Budget will be appended to the Minutes of the meeting for identification purposes (Addendum 1).

RECOMMENDATIONS

- 1. That the budget, amended as outlined in Appendix G of the Budget Report, for the year ending 30 June 2013, be adopted.**

5.7.1 Adoption of Budget and Declaration of Rates and Charges for the 12 Months Ending 30 June 2013 (cont.)

2. That the Rates and Charges for the year ending 30 June 2013 be declared in accordance with the following recommendations:

1. Amount Intended To Be Raised

An amount of \$14,190,203 (or such other amount as is lawfully raised as a consequence of this resolution) be declared as the amount which Council intends to raise by general rates, the municipal charge and the annual service charge (described later in this Resolution), which amount is calculated as follows:

General Rates	\$10,739,840
Municipal Charge	\$ 1,704,717
Annual Service Charges	\$ 1,745,646

2. General Rates

2.1 A general rate be declared in respect of the 2012/2013 Financial Year.

2.2 It be further declared that the general rate be raised by the application of differential rates.

2.3 A differential rate be respectively declared for rateable land having the respective characteristics specified below, which characteristics will form the criteria for each differential rate so declared:

Residential Land

All land used primarily for residential purposes or obviously adapted to being used primarily for residential purposes but excluding farm Land.

Vacant Residential Land

All vacant land which may be used primarily for residential purposes or obviously adapted to being used primarily for residential purposes but excluding farm Land.

Farm Land

Any land zoned Farming under the Strathbogie Planning Scheme which is not less than 40 hectares in area and is not classified as having a commercial or industrial use.

Land situated within the Farming zone of less than 40 hectares in area may be considered for the farm differential rate, subject to satisfying Council's criteria for recognition as a bone fide farming activity.

5.7.1 Adoption of Budget and Declaration of Rates and Charges for the 12 Months Ending 30 June 2013 (cont.)

Commercial / Industrial Land

All land used primarily for commercial or industrial purposes or obviously adapted to being used primarily for commercial/industrial purposes.

Vacant Commercial / Industrial Land

All vacant land which may be used primarily for commercial or industrial purposes or obviously adapted to being used primarily for commercial/industrial purposes.

- 2.4 Each differential rate will be determined by multiplying the Capital Improved Value of each rateable land (categorised by the characteristics described in paragraph 2.3) by the relevant percentages indicated in the following table:

<i>Category</i>	<i>Percentage</i>
Residential Land	0.470931% (or 0.470931 cents in the dollar of the Capital Improved Value)
Vacant Residential Land	0.706396% (or 0.706396 cents in the dollar of the Capital Improved Value)
Farm Land	0.400291% (or 0.400291 cents in the dollar of the Capital Improved Value)
Commercial / Industrial Land	0.541571% (or 0.541571 cents in the dollar of the Capital Improved Value)
Vacant Commercial/Industrial Land	0.812356% (or 0.812356 cents in the dollar of the Capital Improved Value)

- 2.5 It be recorded that Council considers that each differential rate will contribute to the equitable and efficient carrying of Council functions, and that:

2.5.1 the respective objectives of each differential rate be those specified in the Schedule to this Resolution

2.5.2 the respective types or classes of land which are subject to each differential rate be those defined in the Schedule to this Resolution

5.7.1 Adoption of Budget and Declaration of Rates and Charges for the 12 Months Ending 30 June 2013 (cont.)

2.5.3 the respective uses and levels of each differential rate in relation to those respective types and classes of land be those described in the Schedule to this Resolution; and

2.5.4 the relevant:

- (a) uses of;
- (b) geographical locations of;
- (c) planning scheme zoning of; and
- (d) types of buildings on

the respective types or classes of land be those identified in the Schedule to this Resolution

2.6 It be confirmed that no amount is fixed as the minimum amount payable by way of general rate in respect of each rateable land within the municipal district.

2.7 In accordance with section 4 of the *Cultural and Recreational Land Act* 1963, the amount of rates payable in respect of each rateable land to which that Act applies be determined by multiplying the Capital Improved Value of the land by 0.235465 cents in the dollar of Capital Improved Value.

3. Municipal Charge

3.1 A municipal charge be declared in respect of the 2012/2013 Financial Year.

3.2 The municipal charge be declared for the purpose of covering some of the administrative costs of Council.

3.3 The municipal charge be in the sum of \$266 for each rateable land (or part) in respect of which a municipal charge may be levied.

3.4 It be confirmed that the municipal charge is declared in respect of all rateable land within the municipal district in respect of which a municipal charge may be levied.

4. Annual Service Charge

4.1 An annual service charge be declared in respect of the 2012/2013 Financial Year.

4.2 The annual service charge be declared for the collection and disposal of refuse from land.

5.7.1 Adoption of Budget and Declaration of Rates and Charges for the 12 Months Ending 30 June 2013 (cont.)

4.3 The annual service charge be in the sum of, and be based on the criteria, set out below but dependent upon which option is chosen:

4.3.1 for the collection and disposal of domestic refuse from residential premises (120 Litre Bins), \$312 per annum;

4.3.2 for the collection and disposal of recyclables from residential premises, \$155 per annum; and

4.3.3 for the collection and disposal of waste from commercial premises (240 Litre Bins), \$624 per annum

in respect of each rateable land (or part) to which the service of collection and disposal is made available.

5. Rebates & Concessions

Pensioner Rebate

5.1 It also be recorded that Council grants to each owner of rateable land who is an "eligible recipient" within the meaning of the *State Concessions Act 1986* a rebate of \$198.00 per annum in respect of each rateable land owned by him or her.

5.2 The rebate described in paragraph 5.1 be granted to assist the proper development of the municipal district, and to achieve the following community benefit:

5.2.1 to provide a concession to ratepayers whose circumstances may limit their capacity to pay.

Elloura Resort Rebate

5.3 It be recorded that Council grants a rebate to each owner of rateable land within the Elloura Resort who qualifies for a rebate under the Elloura Resort Rebate Policy ('the Elloura Resort Rebate Policy').

5.4 The rebate be granted to assist the proper development of part of the municipal district, and to achieve the following community benefit:

5.9.1 The rebate will facilitate the demand for increased levels of service to residents of the Elloura Resort without requirement for additional or redeployed Council resources. The cost of increased service levels will be fully funded by residents of the Elloura Resort.

5.7.1 Adoption of Budget and Declaration of Rates and Charges for the 12 Months Ending 30 June 2013 (cont.)

5.5 The amount of the rebate granted to an owner of rateable land who qualifies under the Elloura Resort Rebate Policy be an amount determined in accordance with the Elloura Resort Rebate Policy.

6. Incentives

A discount of 2% of 2012/13 rates, municipal charges and service charges is declared, subject to full payment of those rates and charges before 5pm on 30 September 2012.

7. Payment

7.1 All rates and charges to be paid in four instalments, in accordance with Section 167 (1) and (2) of the Local Government Act 1989.

7.2 Unless Council resolves otherwise, no person be allowed to pay rates and charges as a lump sum other than in accordance with paragraph 6.

8. Consequential

8.1 It be confirmed that, subject to sections 171 and 172 of the *Local Government Act 1989*, Council will require a person to pay interest on any rates and charges which:

8.1.1 that person is liable to pay;

8.1.2 have not been paid by the date specified for their payment

8.2 The Manager Finance be authorised to levy and recover the general rates, municipal charge and annual service charge in accordance with the *Local Government Act 1989*.

11/12 CRS. LITTLE/MURRAY : That the Recommendation be adopted.

CARRIED

Background

The proposed budget was considered by Council at a Meeting held on 15 May 2012. Subsequent to that meeting, public notice of the proposed budget was given in local newspapers calling for submissions under S223 of the Act. The proposed budget was made available for inspection at various locations throughout the Shire and on Council's website.

No submissions were received

5.7.1 Adoption of Budget and Declaration of Rates and Charges for the 12 Months Ending 30 June 2013 (cont.)

Alternative Options

The processes undertaken in relation to the budget advertising, consideration of submissions and budget adoption are legislated under the Local Government Act 1989. There are no alternative options.

Risk Management

At the time of preparing this report all Victorian Councils are awaiting advice regarding their individual liabilities for the unfunded component of the Defined Benefits Superannuation Scheme. Based on earlier advice, Council provided an interim amount of \$400,000 in its 2012/13 budget, however recent indications suggest that Council's liability will be significantly greater. The amount currently provided will be sufficient to fund the immediate requirement without adjustment to the 2012/13 budget, however the balance of the liability will need to be funded over future budgets.

It is expected that actuarial estimates for unfunded superannuation liabilities will be supplied in late July 2012 and Council will include its liability in the financial statements for the year ended 30 June 2012. Upon receipt of that information Council will consider and implement the funding arrangements for repayment of the balance of the liability.

Strategic Links – policy implications and relevance to Council Plan

The author of this report considers that the report is consistent with Council Policies, key strategic documents and the Council Plan. Specifically, the proposed budget is prepared in the context of the Council Plan and Council's long term financial planning.

Best Value / National Competition Policy (NCP / Trade Practices Act (TPA) implications

The author of this report considers that the report is consistent with Best Value, National Competition Policy and Trade Practices Act requirements.

Financial / Budgetary Implications

No submissions to the budget were received, however a number of amendments to the advertised budget have been made and are detailed in Appendix G of the Budget Report. The amendments have been necessitated by changed circumstances following the budget advertising. The amendments are mainly of a timing nature and have resulted in favourable movements in Council's financial position and capital works program. The adjustments do not necessitate any changes to the advertised rates and charges.

Economic Implications

The author of this report considers that the recommendation has no significant economic implications for Council or the broader community.

Environmental / Amenity Implications

The author of this report considers that the recommendation has no significant environmental or amenity implications for Council or the broader community.

5.7.1 Adoption of Budget and Declaration of Rates and Charges for the 12 Months Ending 30 June 2013 (cont.)

Community Implications

The author of this report considers that the recommendation has no significant community or social implications for Council or the broader community.

Victorian Charter of Human Rights and Responsibilities Act 2006

The author of this report considers that the recommendation does not limit any human rights under the Victorian Charter of Human Rights and Responsibilities Act 2006.

Legal / Statutory Implications

The Local Government Act 1989 requires that Council adopt the budget by 31 August 2012

Consultation

Council's proposed budget has been on public exhibition for the statutory period of 28 days and submissions were invited from the community.

Attachments

The adopted Strathbogie Shire Council 2012/2013 Budget will be appended to the Minutes for identification purposes.

SCHEDULE

RESIDENTIAL LAND

Objective:

To ensure that all rateable land makes an equitable financial contribution to the cost of carrying out the functions of Council, including the:

1. Construction and maintenance of public infrastructure;
2. Development and provision of health and community services; and
3. Provision of general support services.

Types and Classes:

Rateable land having the relevant characteristics described in the Resolution.

Use and Level of Differential Rate:

The differential rate will be used to fund some of those items of expenditure described in the Budget adopted by Council.

The level of the differential rate is the level which Council considers is necessary to achieve the objectives specified above.

Geographic Location:

Wherever located within the municipal district.

Use of Land:

Any use permitted under the Strathbogie Planning Scheme.

Planning Scheme Zoning:

The zoning applicable to each rateable land within this category, as determined by consulting maps referred to in the Strathbogie Planning Scheme.

Types of Buildings:

All buildings which are now constructed on the land or which are constructed prior to the expiry of the 2012/2013 Financial Year.

SCHEDULE

VACANT RESIDENTIAL LAND

Objective:

To ensure that all rateable land makes an equitable financial contribution to the cost of carrying out the functions of Council, including the:

1. Construction and maintenance of public infrastructure;
2. Development and provision of health and community services; and
3. Provision of general support services.

Types and Classes:

Rateable land having the relevant characteristics described in the Resolution.

Use and Level of Differential Rate:

The differential rate will be used to fund some of those items of expenditure described in the Budget adopted by Council.

The level of the differential rate is the level which Council considers is necessary to achieve the objectives specified above.

Geographic Location:

Wherever located within the municipal district.

Use of Land:

Any use permitted under the Strathbogie Planning Scheme.

Planning Scheme Zoning:

The zoning applicable to each rateable land within this category, as determined by consulting maps referred to in the Strathbogie Planning Scheme.

Types of Buildings:

All buildings and other improvements which are now constructed on the land or which are constructed prior to the expiry of the 2012/2013 Financial Year and whose total value does not exceed \$20,000.

SCHEDULE

FARM LAND

Objective:

To ensure that all rateable land makes an equitable financial contribution to the cost of carrying out the functions of Council, including the:

1. Construction and maintenance of public infrastructure;
2. Development and provision of health and community services; and
3. Provision of general support services.

Types and Classes:

Rateable land having the relevant characteristics described in the Resolution.

Use and Level of Differential Rate:

The differential rate will be used to fund some of those items of expenditure described in the Budget adopted by Council.

The level of the differential rate is the level which Council considers is necessary to achieve the objectives specified above.

Geographic Location:

Wherever located within the municipal district.

Use of Land:

Any use permitted under the Strathbogie Planning Scheme.

Planning Scheme Zoning:

Rural Zone under the Strathbogie Planning Scheme.

Types of Buildings:

All buildings which are now constructed on the land or which are constructed prior to the expiry of the 2012/2013 Financial Year.

SCHEDULE

COMMERCIAL / INDUSTRIAL LAND

Objective:

To ensure that all rateable land makes an equitable financial contribution to the cost of carrying out the functions of Council, including the-

1. Construction and maintenance of public infrastructure;
2. Development and provision of health and community services; and
3. Provision of general support services.

Types and Classes:

Rateable land having the relevant characteristics described in the Resolution.

Use and Level of Differential Rate:

The differential rate will be used to fund some of those items of expenditure described in the Budget adopted by Council.

The level of the differential rate is the level which Council considers is necessary to achieve the objectives specified above.

Geographic Location:

Wherever located within the municipal district.

Use of Land:

Any use permitted under the Strathbogie Planning Scheme.

Planning Scheme Zoning:

The zoning applicable to each rateable land within this category, as determined by consulting maps referred to in the Strathbogie Planning Scheme.

Types of Buildings:

All buildings and other improvements which are now constructed on the land or which are constructed prior to the expiry of the 2012/2013 Financial Year and whose total value does not exceed \$20,000.

SCHEDULE

VACANT COMMERCIAL / INDUSTRIAL LAND

Objective:

To ensure that all rateable land makes an equitable financial contribution to the cost of carrying out the functions of Council, including the-

1. Construction and maintenance of public infrastructure;
2. Development and provision of health and community services; and
3. Provision of general support services.

Types and Classes:

Rateable land having the relevant characteristics described in the Resolution.

Use and Level of Differential Rate:

The differential rate will be used to fund some of those items of expenditure described in the Budget adopted by Council.

The level of the differential rate is the level which Council considers is necessary to achieve the objectives specified above.

Geographic Location:

Wherever located within the municipal district.

Use of Land:

Any use permitted under the Strathbogie Planning Scheme.

Planning Scheme Zoning:

The zoning applicable to each rateable land within this category, as determined by consulting maps referred to in the Strathbogie Planning Scheme.

Types of Buildings:

All buildings and other improvements which are now constructed on the land or which are constructed prior to the expiry of the 2012/2013 Financial Year and whose total value does not exceed \$20,000.

THERE BEING NO FURTHER BUSINESS, THE MEETING CLOSED AT 5.14 P.M.

Confirmed as being a true and accurate record of the Meeting

.....
Chair

.....
Date