Meeting to be held at
Port Of Sale Civic Centre
Foster Street, Sale
Tuesday 17 March 2015, commencing at 6pm

or join Wellington on the Web:
www.wellington.vic.gov.au
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## Agenda - Ordinary Council Meeting of 17 March 2015

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Members of the Public Gallery should note that the Council records and publishes Council meetings via Webcast to enhance the accessibility of Council meetings to the broader Wellington community. These recordings are also archived and may be published on Council's Website for viewing by the public or used for publicity or information purposes. At the appropriate times during the meeting, members of the gallery may address the Council at which time their image, comments or submissions will be recorded.

Members of the public who are not in attendance at the Council meeting but who wish to communicate with the Council via the webcasting chat room should lodge their questions or comments early in the meeting to ensure that their submissions can be dealt with at the end of the meeting.

Please could gallery visitors and Councillors ensure that mobile phones and other electronic devices are turned off or in silent mode for the duration of the meeting.
STATEMENT OF ACKNOWLEDGEMENT

“We acknowledge the traditional custodians
of this land the Gunaikurnai people,
and pay respects to their elders past and present”

PRAYER

“Almighty God, we ask your blessing upon the Wellington
Shire Council, its Councillors, officers, staff and their families.
We pray for your guidance in our decisions so that the
true good of the Wellington Shire Council may result to
the benefit of all residents and community groups.”

Amen
A - PROCEDURAL

A4 CONFIRMATION OF MINUTES OF PREVIOUS COUNCIL MEETING/S
OBJECTIVE
To adopt the minutes of the Ordinary Council Meeting of 3 March 2015 as tabled.

CONFLICT OF INTEREST
No staff and/or contractors involved in the compilation of this report have declared a Conflict of Interest.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

RECOMMENDATION
That Council adopt the minutes and resolutions of the Ordinary Council Meeting of 3 March 2015 as tabled.
A5 BUSINESS ARISING FROM PREVIOUS MEETING/S
Item 1 Gippsland Lakes

That Council write a letter of support and budget submission to the Hon. Lisa Neville, Minister for Environment Water and Climate Change, outlining the outstanding work completed by the Gippsland Lakes Ministerial Advisory Committee (GLMAC) over the past two years. In recognising the enormous economic, social and environmental impact the health of the Gippsland Lakes has for all Victorians, Council urges the Andrews Labor Government to:

1. Allocate $8.5m to the health, management and sustainable development of the Gippsland Lakes through the Gippsland Lakes Environment Fund;

2. Continue to improve the model of local coordination through the establishment of a new Gippsland Lakes Management Committee (potentially as a stand-alone public sector entity), with a charter to advise government and coordinate action and resources for the protection, development and management of the Gippsland Lakes, and

3. Consider further advice on the evolution of the GLMAC model to improve the delivery of planning, management and community engagement for the Gippsland Lakes and ensure the coordinated delivery of government objectives for the Lakes.

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<td>Item 1 Gippsland Lakes</td>
<td>17 February 2015</td>
<td>A letter of support for the Gippsland Lakes Committee was posted to The Hon Lisa Neville MP on 23/02/2015</td>
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A6 ACCEPTANCE OF LATE ITEMS
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OBJECTIVE
To present Council with a petition requesting the sealing Carrs Creek Road, Longford.

BACKGROUND
A petition containing 38 signatures has been received by Council.
A copy of the petition is attached for Council information.

LEGISLATIVE IMPACT
Section L6.59 of Wellington Shire Council Processes of Municipal Government (Meetings and Common Seal) Local Law No 1 provides for petitions and joint letters:

“A petition or joint letter presented to the Council must lay on the table for a period determined by the Council but not exceeding the next two Council Meetings. No motion, other than to receive the petition or joint letter may be accepted by the Chairperson, unless the Council unanimously agrees to deal with it earlier.”

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

RECOMMENDATION

That Council receive the attached petition requesting the sealing of Carrs Creek Road, Longford.
Immediate Attention! To the Wellington Shire, Council regarding the appalling condition of Carrs Creek Road.

We the residents and rate payers are living on and using this badly corrugated road every day, have extremely great concerns for the safety of our families and ourselves using this road in its condition, plus the ongoing costs of repair work to our vehicles, because of its disgraceful, disgusting condition.

We lose control of our vehicles in the deep corrugated channels trying to avoid the extreme shaking of our vehicle and by trying to find a smoother part on the road to travel on, only to be thrown into another deep corrugated channel, and then trying to travel on the side of the road our vehicle loses control in the loose gravel and mud. Then in reaching the T-intersection of Carrs Creek Road and Seaspray Road there has been a patch of bitumen laid on the end of Carrs Creek Road, which has loose gravel all over it, that is very dangerous when we go to brake as the vehicle starts to skid and slide into the oncoming traffic of a busy Seaspray road.

The Wellington Shire are fully aware of the Heavy Trucks and pup trailers that are using Carrs Creek Road 7 days a week, day and night non stop.

None of the residents received a letter of approval regarding the Heavy Trucks using Carrs Creek Road, The noise, the dust and the damage to the road are extreme caused by the Trucks and pup trailers on Carrs Creek Road.  So why was there no Notice available to the residents and rate payers of Carrs Creek Road?

Where lies the responsibility for this, as it is ongoing the noise late at night from the trucks is very loud and annoying.  We are not asking!

SEAL CARRS CREEK ROAD as it is the only answer to this problem, for the safety of our families and ourselves.

Thank you for your time, and remember every year our rates have gone up and up.

We the very concerned and frustrated residents and rate payers of Carrs Creek Road in and of the Wellington Shire Council.

E. Schneider

IAN MACLEOD

Graham Brown

GEORGE FAKHR

Michael Forrest

Ray Nikolai

Shane Gunston

Carrin Gunston

Joanne Kieth

Jürgen Kieth

James Stevens

Kim Macdonald

Kelsey Roberts.

27/01/2015
Mr. Damian Hillier
Ms. Julia Clare
T. Kronnie - cce
Trevor Flint
Mrs. Sheree Moyes
Mr. Mark Moyes
Tony J. Angel
R. J. Macleod
Peter Turner

Mr. R. V. McCord
Mr. S. R. Issett
Ms. Rhonda Kemp
Ms. Ann Arney
(Working 3 days weekly, helping Kellie Wright)

Brendan Sullivan
Tony Brown
Helen Manning

David Wodnook - I use this road as my mechanics shop

Keegan McLachlan - I use this road everyday for work

Daniel Hadden - I work up this road everyday.

Lowie Mills - I work up here use road on regular basis.

Nathan Stephenson - I work on the road regularly.
A10 INVITED ADDRESSES, PRESENTATIONS OR ACKNOWLEDGEMENTS
ITEM A11  GALLERY COMMENTS

DIVISION:  CHIEF EXECUTIVE OFFICER
ACTION OFFICER:  CHIEF EXECUTIVE OFFICER
DATE:  17 MARCH 2015
A12 QUESTIONS ON NOTICE
ITEM A12(1) OUTSTANDING QUESTIONS ON NOTICE

ACTION OFFICER CHIEF EXECUTIVE OFFICER

DATE: 17 MARCH 2015

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A13 MAYOR’S REPORT
International Parks Week
Over the past few years, International Parks Week has become a favourite in Wellington’s calendar. Parks and public open spaces across the shire become hosts to parties, family fun days and wonderful events such as the Sale Music Festival, Baby’s Day Out, Project Wild Thing, and Yarram’s Community Pop-Up Produce Share.

It’s an absolute delight to see so many people out and about enjoying our glorious parks and gardens. Here in Wellington, we are fortunate to have such a wide range of well-maintained open space. Parks Week gives us a great excuse to celebrate it, and hopefully encourages us all to make even greater use of it throughout the year!

Wurruk Community Celebration
The community of Wurruk and Pearsondale hosted a very enjoyable Community Celebration on Friday 6 March. How appropriate to hold a celebration for the completion of the Shared Path and new BBQ shelter in Wurruk during International Parks Week! Congratulations to all involved it was a privilege to be part of the celebration.

This project has been a high priority of the Wurruk and Pearsondale Community Plan for a long time. It came to fruition with the hard work of the local community members, Wellington Shire Council and the support of State Government funding. These facilities will enhance the access of Wurruk to Sale and provide the residents greater opportunities to enjoy relaxed social, healthy and outdoor recreational activities.

Rosedale Community Councillor Meeting
Thanks to those residents who attended the first of our Community Councillor Meetings for 2015 on Tuesday 10 March. We highly value these meetings, the informal format lends itself to extremely worthwhile conversations with members of our community. This year we have introduced a new addition to Community Councillor Meetings, inviting the community of the town we’re visiting to present to Council.

The Rosedale Community Planning Group took the opportunity to present their Draft Community Plan 2015 – 2019. It’s an exemplary piece of work, demonstrating immense commitment of the community to the town’s future as well as a thorough exercise in community engagement. Congratulations to all involved in its development.

Port of Sale Cultural Hub Concept Design
The CEO and I met with John Leslie OBE on Thursday 5 March to personally deliver the concept design for our Cultural Hub and personally thank him on behalf of our community for his generous support of this project. Mr Leslie has long been a supporter of the arts in Wellington; his extraordinary contribution of $1.5million means that we will all benefit from what looks set to be a spectacular redevelopment at the Port of Sale.

International Women’s Day
International Women’s Day is celebrated every year in over 54 countries worldwide. It is a global day celebrating the economic, political and social achievements of women in the past, present and future. As Wellington’s second female Mayor, it is a day close to my heart.
This year I have been fortunate to attend events at Fulham Correctional Centre and here in the Wellington Room. It is positive to see so many people embrace this day each year, and so many women come together to celebrate our achievements and share inspirational stories.

**Swimming Championships**
It was a tremendous pleasure to attend the GDF SUEZ Australian Energy Gippsland Swimming Championships on Saturday 7 March. This 3 day event is the biggest swim meet on the Gippsland swim calendar. Over 350 competitors, their families and supporters gathered in Sale for this great competition.

Wellington Shire Council is proud to be able to showcase our great facilities during these regional events, especially our newly installed starting blocks. They really make a difference in attracting this type of event. Congratulations to the organisers, sponsors and competitors.

**Rotary**
I was honoured to be invited to attend a Rotary Club of Sale dinner on Monday 2 March to speak about Council, our shire and my experience so far as Mayor. This was a super opportunity to discuss a diverse range of current Council projects and how we’re progressing through the financial year as well as respond to a wide range of questions. I thank the Club for their support and warm welcome.

**Civic Reception for Peter Ryan**
On Tuesday 24 February we hosted a Civic Reception for Peter Ryan to thank him not only for being a valued Wellington Shire ratepayer since amalgamation in 1994, but also (and far more importantly!) for his incredible 23 years as the Member for Gippsland South. Wellington Shire Council has had a very strong working relationship with Peter, and appreciates his advocacy and support across the years.

COUNCILLOR CAROLYN CROSSLEY
MAYOR

_____________________________

RECOMMENDATION

*That the Mayor’s report be noted.*
Youth Council will present a report to Council at the 21 July 2015 Council meeting.
DELEGATES
CHIEF EXECUTIVE OFFICER
ITEM C1.1 FEBRUARY 2015 PERFORMANCE REPORT

DIVISION: CEO
ACTION OFFICER: CHIEF EXECUTIVE OFFICER
DATE: 17 MARCH 2015

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OBJECTIVE

For Council to receive and note the February 2015 Council Performance Report.

BACKGROUND

The February 2015 Council Performance Report comprises key highlights towards achievement of the 2013–17 Council Plan together with an overview of Council finances including an Income Statement with commentary regarding any major variances, information on cash balances, the level of rates outstanding and a progress update on Council’s Capital Works program.

OPTIONS

Following consideration of the attached February 2015 Performance Report, Council can resolve to either:

1. Receive and note the February 2015 Council Performance Report; or
2. Not receive and note the February 2015 Council Performance Report and seek further information for consideration at a later Council meeting.

PROPOSAL


CONFLICT OF INTEREST

No staff and/or contractors involved in the compilation of this report have declared a Conflict of Interest.

FINANCIAL IMPACT

Provision of a monthly financial report to the community facilitates accountability and transparency and ensures that Council and management are able to make informed decisions in a timely manner.

COMMUNICATION IMPACT

The Council Plan communicates Council’s strategic direction to the community. The Council Plan can also be used by Council to communicate its vision and direction to other tiers of government, organisations, government agencies and funding bodies.
**LEGISLATIVE IMPACT**

There is no legislative requirement for provision of a monthly Council Performance report however, Council has determined that in the interests of accountability and transparency, this report will be provided to the community.

**COUNCIL POLICY IMPACT**

The February 2015 Council Performance Report has been prepared in the context of existing Council policies.

**COUNCIL PLAN IMPACT**

Objective 2.2 states that Council will:

> “Maintain processes and systems to ensure sound financial management”

Objective 2.3 states that Council will:

> “Ensure sound governance processes that result in responsive, ethical, transparent and accountable decision making”.

**PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY**

______________________________________________________________

**RECOMMENDATION**

*That Council receive and note the February 2015 Council Performance Report as attached.*
FEBRUARY PERFORMANCE REPORT

FEBRUARY 2015 COUNCIL PLAN HIGHLIGHTS

Early Years’ Service – Yarram Hub
Forty-two people attended a community meeting in Yarram to set up the incorporated association which will manage the Early Years’ Service at the Yarram Hub. The nine committee positions have been filled and the committee will begin meeting early next month to establish the service. The position of Centre Director has been advertised and there has been strong interest. Negotiation has commenced with Uniting Care Gippsland regarding the transfer of the kindergarten to the new building.

Jooshing Up Heyfield
111 RSVPS have been received by the Jooshing Heyfield organisers for a progressive planning session on activating spaces throughout the business area of Heyfield. The planning session was held on Friday 27 February. The implementation of this plan has been made possible through a community grant. Council’s Community Planning Officer has supported the work of the planning group which has included involvement of the Heyfield Community Representative Group, the Community learning centre, local Traders group and community members. The whole process has been a fantastic display of cooperation, coordination, planning and partnerships. We look forward to the outcomes from the session.

Library: Rock Rhythm & Rhyme
In response to community demand, a Rock, Rhythm & Rhyme session for babies was introduced at the Rosedale Library in February. All Wellington Shire Council libraries now offer this valuable literacy and social development experience to parents and carers.

Library: National e-Smart Accreditation
Library accreditation as an “e-Smart Library” has been confirmed and will be promoted to the community in March. Both the organisation and the community benefit from knowing that safe online practices are observed, supported and endorsed by Council in provision of library services. Our library is the second regional library to achieve accreditation status.

Gallery 3 closed to be repurposed as a photography studio
The Gallery 3 exhibition space has been closed to the public ahead of the redevelopment of the facility to allow for large artworks to be photographed and documented. A selection of works by the local artist Annemieke Mein have been installed in the permanent collection space between Gallery 2 and the Gallery library.

New Education Coordinator
Robert Natoli has been appointed to the position of Art Gallery Education Coordinator. Robert has previously worked as the Gallery Education and Public Programs Officer at the Caloundra Regional Gallery as well as an art teacher in Queensland, Tasmania and the International School in Hanoi, Vietnam.

Sale Memorial Hall Masterplan
Insynch Consultants have been appointed to undertake the development of the Sale Memorial Hall Masterplan, with meetings between the Committee of Management, council staff and the consultants to commence late March. Further community consultation will occur after that time.
Participation Rates at Councils Health Lifestyles Facilities
Aqua Energy memberships have increased during February to 1,660 memberships and 110,759 visits from July 1 2014 – 25 February 2015. Gippsland Regional Sports Centre (GRSC) recorded 9,356 attendances for February which is an increase of 29% on the same period last year.

Gippsland Regional Sports Centre (GRSC) Smart Phone App
GRSC has introduced a smart phone app for sport court competitions which provides greater communication and access for participants. The app also provides notifications of game changes, ladders and general information can be quickly uploaded with the app delivering the information to users instantly. Since launching the app there have been 55 subscriptions, with growing interest from user groups, this number is expected to increase.

Municipal Emergency Management Plan Audit
The Municipal Emergency Management Plan Committee formally received the Municipal Emergency Management Audit Report and Certificate from Victoria’s State Emergency Service on 26 February 2015. The MEMPlan has been assessed as "Complies adequately with Guidelines".

Wellington Municipal Human Influenza Pandemic Plan
The development of the new Wellington Municipal Human Influenza Pandemic Plan is progressing well with stakeholders meeting again in February. This "all agency/organisation" approach to influenza planning is a first in the state, with a representative from the Department of Health (DH) sitting on the working group. When completed, and with DH approval, it's hoped that this model will be rolled out across the state.

Major Industry Visits
Council facilitated visits to ASH Timber Mill, GEO Fulham Correctional Centre, Covino Foods and Southern Rural Water to introduce new Regional Director for Regional Development Victoria – Gippsland.

Council Participation in Avalon International Airshow 2015
Council officers staffed the Victorian Government stand at the Avalon Airshow to promote the Eastern (Recreational Aviation) Precinct as well as the region as the natural choice for military aviation training due to the presence of RAAF Base East Sale and the potential use of West Sale Airport and other Gippsland airfields as auxiliary airfields for flying training.

Sale Business and Tourism Association/Wellington Regional Tourism Customer Service/Social Media Networking Breakfast
Council sponsored the guest speaker for a joint SBTA/WRT Customer Service/Social Media networking breakfast on 19 February 2015. Approximately 120 people attended the event, with excellent feedback received.

Council Major Events Attraction Workshop
Detailed planning on major events attraction presented at a Council workshop on 17 February 2015 with recommendations on the way forward to grow events capacity in the region.
Quick turnaround timeframes
Council continues to deliver an efficient planning permit service, with 100 per cent of planning decisions in February made within statutory timeframes.

Growth Area Planning Advancing
Detailed planning work is advancing in all of Sale's main growth areas - North Sale, Wurрук and Longford – to help facilitate future growth and development.

Domestic Animal Breeders
Information sessions were facilitated by the Manager Municipal Services and the Coordinator Local Laws regarding fee increases for Shire Domestic Animal Breeders on 26 and 27 February 2015.

Caravan Parks
Development work to be undertaken regarding the Scope of Works required for individual caravan parks. Further meetings will discuss resource impacts on both council and Park Managers/Owners.

Pound Tender
Tender process closed with interviews to be conducted early March 2015.
FEBRUARY 2015
PERFORMANCE REPORT
The financial highlight report as at 28 February 2015 provides summary information regarding Council’s operating and capital works performance for the year to date.
The percentage outstanding on rate debtors as at the end of February 2015 is slightly above February 2014 which would be partly due to the third instalment date of 28 February 2015 being a Saturday, delaying the processing of many payments until the next working day.

Council cash holdings at the end of February 2015 of $46.5 million are above the February 2014 balance of $37.0 million. The higher than expected current cash holdings includes restricted funds of $7.8 million to cash back reserves, $7.7 million to cover provisions and $8.8 million associated with the 2014/15 operating and capital carry forwards.
INCOME STATEMENT
For the period ending 28 February 2015

YEAR TO DATE 2014-15 | FULL YEAR 2014-15
---|---
| Actual $000’s | Adjusted Budget $000’s | Variance $000’s | Adjusted Budget $000’s | Achieved % | Adopted Budget $000’s |

**Income**

- **Rates**: 49,298 | 49,201 | 96 | 49,301 | 100% | 48,923
- **User Charges & Fines**: 4,483 | 4,154 | 329 | 6,640 | 68% | 6,611
- **Contributions - Operating**: 200 | 188 | 12 | 247 | 81% | 228
- **Contributions - Capital**: 34 | 10 | 24 | 707 | 5% | 773
- **Contributions - Capital (non cash)**: 692 | 613 | 79 | 613 | 113% | -
- **Grants - Operating (recurrent)**: 10,229 | 10,230 | (1) | 13,504 | 76% | 13,427
- **Grants - Operating (non-recurrent)**: 304 | 301 | 3 | 1,003 | 30% | 783
- **Grants - Capital (recurrent)**: - | - | - | 1,651 | 0% | 1,600
- **Grants - Capital (non-recurrent)**: 1,472 | 1,305 | 167 | 4,287 | 34% | 3,403
- **Interest**: 838 | 750 | 88 | 1,100 | 76% | 1,000
- **Other Income**: 384 | 176 | 208 | 240 | 160% | 192
- **Net gain on disposal of property, infrastructure, plant and equipment**: (174) | (92) | (82) | (85) | 205% | 93

**Total Income**: 67,759 | 66,837 | 921 | 79,209 | 86% | 77,133

**Expenditure**

- **Employee Costs**: 14,770 | 15,734 | 964 | 23,611 | 63% | 23,453
- **Contractors, Materials and Services**: 16,456 | 17,413 | 957 | 32,344 | 51% | 31,006
- **Bad and Doubtful Debts**: 0 | 1 | 1 | 112 | 0% | 112
- **Depreciation and Amortisation**: 15,009 | 15,178 | 169 | 23,170 | 68% | 6,611
- **Borrowing Costs**: 375 | 375 | - | 816 | 46% | 816
- **Derecognition of Assets**: 644 | 628 | (16) | 628 | 103% | -

**Total Expenditure**: 47,254 | 49,330 | 2,075 | 80,681 | 59% | 78,241

**Surplus/(Deficit) for the period**: 20,505 | 17,508 | 2,996 | (1,473) | 59% | (1,108)

**SUMMARY**

The operating result as at the end of February 2015 reflects a surplus of $20.5m against an adjusted budget surplus of $17.5m. Overall, Council expects that the final result for 2014/15 will be slightly worse than originally budgeted (by $0.4m). The majority of the change is from budget adjustments made for non cash items and additional 2013/14 operating carry forwards, funded from cash unspent at June 2014. This was offset by additional grant funding and rates raised during the year.

**INCOME**

- **Rates**: Additional general rates and waste charges have been raised due to the finalisation of supplementary valuations after the completion of the 2014/15 budget.

- **User Charges & Fines**: Commercial tipping fees have been higher than expected due to increased landfill waste collected. Fire infringement notices issued during the fire season have increased significantly to keep up with fire safety regulations. Ticket sales for internal shows at EBBWEC have exceeded expectations but are partly offset by reduced venue hire income. Income from leisure facilities is lower than expected due to a "cooler" summer resulting in lower attendances at outdoor pools as well as lower kiosk sales at Aqua Energy and Gippsland Regional Sporting Complex (GRSC).

- **Grants**: The grant for the Commercial Road Yarram Streetscape Improvement program was received earlier than anticipated.

- **Other income**: Year to date variance relates to unbudgeted proceeds from the sale of miscellaneous equipment and structures from the Sale Livestock Exchange and unbudgeted insurance claims. Interest on rates has exceeded budget and it is expected this trend will continue for the rest of the year, even though an active debt collection process is underway.

**EXPENDITURE**

- **Employee Costs**: Year to date employee costs are under budget due to the reversal of the 2013-14 wage accrual, vacancies, staff on long service leave and the timing of annual leave. Some savings from staff vacancies/ long service leave have been partly offset by the use of agency staff but in the majority of cases replacement staff has not been available with existing staff undertaking additional duties.

- **Contractors, Materials and Services**: While these items are $0.96m under budget there are $1.29m worth of purchase orders raised for work which council has planned to complete by 30 June 2015. Changes to Council's electricity provider and abolition of carbon tax will result in some electricity saving during 2014/15. Contributions for the Wellington Coastal Strategy are below budget due to an extension of time granted to submit the titles. Material costs relating to road operations and parks and environmental services are currently underspent due to seasonal timing and work priorities, in addition there has been less demand for vegetation maintenance due to slow growth during the current season.
CAPITAL EXPENDITURE PROGRAM EXPENDITURE
For the period ending 28 February 2015

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<th>FULL YEAR 2014-15</th>
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<td>Landfill Improvements</td>
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<td>Furniture and Fittings</td>
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<td>Information Technology</td>
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<tr>
<td><strong>Grand Total</strong></td>
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</table>

As at 28 February 2015, the adjusted capital expenditure budget is $36.1 million, up from an adopted budget of $33.6 million due to additional carry forwards (which include multyear projects – Yarram District Hub, Desailly Street Corporate Headquarters and Sale Livestock Exchange upgrade) and unbudgeted grant funding for the Royal Flying Doctor Services Sale Facilities.

Of the 139 projects planned for this year, 27% are complete, 38% have commenced, 4% are in the contract stage and 28% are in preplanning. The remaining 3% includes Maxfield’s Footbridge renewal which is on hold awaiting upon the decision of a funding application and Rosedale Streetscape Improvements which is awaiting design input from a third party. The proposed work on Taylors Lane has been cancelled due to funding not being received.

The Yarram District Hub building works are complete and Lawler Street road works are expected to be completed by April 2015. Works on the Yarram Recreation Reserve clubrooms refurbishment are progressing, however there have been some issues with design which will delay the completion to May 2015. Works on the Sale Livestock Exchange upgrade are continuing with the shed and walkway under construction, the fit out is expected to be completed by June 2015 and the civil works will continue in 2015/16. The rehabilitation of Myrtlebank Road is primarily complete however the Southern Rural Water crossing cannot commence until the end of the irrigation season in mid May 2015.

The Desailly Street Corporate Headquarters project is progressing well with completion scheduled for April 2015. The associated information and communication systems are also scheduled for completion in April 2015, with work on remote sites continuing after Desailly Street is complete. The Port of Sale Cultural Hub project is progressing with the concept design presented to the Victorian Design Review Panel, a Council workshop will be conducted on 3 March 2015 and the final design is expected to be completed by July 2015. The design for the Gordon Street Recreation Reserve Clubrooms is underway with works delayed until 2015/16.

The annual road reseal program ($3.0 million) is 85% complete with planned completion in March 2015. Prefab work has commenced off site for Greigs Creek Bridge, works will commence onsite in March and be completed in April 2015.

During February 2015 five vehicles and additional major plant were put to tender and once purchased will reduce the year to date variance, aligning the program with the budget after significant delays to date.
Capital Expenditure

Clubrooms Yarram Rec Reserve
Footbridge McLoughlins Beach
Sale Livestock Exchange
Desailly St Corporate HQ

Total Capital Expenditure:

- 2014-2015
- $36,069

2014-2015 CUMULATIVE CAPITAL EXPENDITURE

YTD Budget
YTD Actuals
2014/15 June Target

2014-2015 CAPITAL PROGRAM EXPENDITURE

YTD Budget
YTD Actuals

2014-2015 STRATEGIC PROJECTS

YTD Budget
YTD Actuals
18 February  Meeting with John Leslie OBE

19 February  Sale Business Tourism Association and Wellington Regional Tourism Customer Service Breakfast, Sale

Meeting with Danny O’Brien MLC, Sale

Attended the official opening of the Rosedale Recreation Reserve Pavilion by Danielle Green MP

20 February  Meeting with CEO of East Gippsland Shire Council, Sale

24 February  Attended Civic Reception for Peter Ryan, former Member for Gippsland South

26 - 27 February  Attended the Local Government Chief Officers’ Group Meeting in Hobart, Tasmania

4 March  Attended Committee for Wellington Meeting

Attended Gippsland Regional Plan Meeting, Traralgon

5 March  Meeting with Mike Timpano, Regional Director, Department of Environment and Primary Industries

6 March  Meeting with Gary Van Driel, Chief Executive Officer, Latrobe City Council

11 – 13 March  Attended 2015 Australian Coastal Councils Conference, Cape Schanck

_____________________________

RECOMMENDATION

*That the Chief Executive Officer’s Report be received.*
GENERAL MANAGER CORPORATE SERVICES
OBJECTIVE

To resolve to cause a General Valuation of properties to be made within the Wellington Shire Council municipal boundaries as per Section 6 of the *Valuation of Land Act 1960*.

BACKGROUND

Council is required to return a General Valuation of all properties within the Shire by 31 March 2016. The base date of the General Valuation will be 1 January 2016.

Council, as part of this process, is required under Section 6 of the *Valuation of Land Act 1960* to resolve to cause a General Valuation to be made.

Council is required to notify all adjoining municipalities and organisations that may be required to use the valuation. Accordingly we will advise the municipalities of Latrobe, East Gippsland, South Gippsland, Baw Baw, Alpine, Wangaratta and Mansfield as well as the State Revenue Office and the Valuer-General Victoria.

OPTIONS

Council has the following options:

1. To resolve to cause a General Valuation of properties to be made within Wellington Shire Council municipal boundaries effective from 1 January 2016; or
2. To seek further information for consideration at a future meeting of Council.

PROPOSAL

That Council resolve to cause a General Valuation of properties to be made within Wellington Shire Council municipal boundaries effective from 1 January 2016.

CONFLICT OF INTEREST

No staff and/or contractors involved in the compilation of this report have declared a Conflict of Interest.
FINANCIAL IMPACT

There is a broader impact on Council’s financial position as valuations are used by Council to determine the rates and charges. Through Council’s budget process an allocation will be included to fund the General Valuation process in accordance with Valuation Best Practice 2016 as required by the Valuer-General Victoria. It should be noted that the State Revenue Office reimburse Council 50% of the cost incurred for rateable properties and 100% of the cost of non rateable properties.

LEGISLATIVE IMPACT

Council is required to comply with the requirements of Section 6 of the Valuation of Land Act 1960.

COUNCIL PLAN IMPACT

The Council Plan 2013–17 Theme 2 Organisational states the following strategic objective and related strategy:

Strategic Objective
“An organisation that is responsive, flexible, honest, accountable and consistent.”

Strategy 2.3
“Ensure sound governance processes that result in responsive, ethical, transparent and accountable decision making.”

This report supports the above Council Plan strategic objective and strategy.

RESOURCES AND STAFF IMPACT

Council rates staff will be required to provide support and assistance to the contract valuer during the General Valuation process.

RISK MANAGEMENT IMPACT

If Council does not resolve to make a General Valuation this will result in non compliance with legislative requirements.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

______________________________________________________________

RECOMMENDATION

That Council resolve to cause a General Valuation of properties to be made within Wellington Shire Council municipal boundaries effective from 1 January 2016.
### OBJECTIVE

To consider the adoption of the Rating Strategy 2015-2018 as attached.

### BACKGROUND

Council’s decisions regarding rating systems applied to raise rates and charges annually are not as transparent as they could be, in that there is no one document that brings them all together and discusses the rationale behind the decisions made.

Whilst these decisions are often articulated in the annual budget, they need to be considered all at once in the context of a single framework.

The development of a formal Rating Strategy provides both the Council and the community opportunity to examine the rationale and discuss the merits of the various options available to Council in revenue raising.

In addition, The Victorian Auditor-General’s report to Parliament in February 2013 – Rating Practices in Local Government recommended that the Department of Planning and Community Development should:

> 'consider making rating strategies mandatory and providing updated guidance regarding their content, frequency of review, and how ratepayers should be engaged'.

In response to this, the Local Government (Planning and Reporting) Regulations 2014 stipulate that a Governance and Management Checklist be reported in the Report of Operations of the Annual Report.

Item 6 in the checklist relates to a Rating Strategy, with the following questions to be answered:

- Date of operation of current strategy
  - OR
- No strategy
- Reasons for no strategy

In considering the importance of the above, Council, in developing the annual budget for 2014/15, included the development of a Rating Strategy as a Major Initiative.

At the Council meeting of 3 February 2015, Council resolved to advertise the Draft Rating Strategy 2015-2018 and consider submissions at a Council Meeting on Tuesday 17 March 2015. The period for receipt of submissions concluded on 26 February 2015. No submissions were received.
OPTIONS

Council has the following options:

1. To adopt the Rating Strategy 2015-2018, as attached; or
2. Not adopt the Rating Strategy 2015-2018 and seek further information for consideration at a later Council meeting.

PROPOSAL


CONFLICT OF INTEREST

No staff and/or contractors involved in the compilation of this report have declared a Conflict of Interest.

FINANCIAL IMPACT

The attached Rating Strategy will provide a structure for the raising of rates and charges, but will not prescribe the level of those rates and charges, which will be done each year during the preparation of the annual budget and Strategic Resource Plan. There is, therefore, no direct financial impact.

LEGISLATIVE IMPACT


Item 6 in the checklist relates to a Rating Strategy, with the following questions to be answered:

- Date of operation of current strategy
- OR
- No strategy
- Reasons for no strategy

In considering the importance of the above, Council, in developing the annual budget for 2014/15, included the development of a Rating Strategy as a Major Initiative.

COUNCIL PLAN IMPACT

Objective 2.2 states that Council will:

“Maintain processes and systems to ensure sound financial management’

Objective 2.3 states that Council will:

“Ensure sound governance processes that result in responsive, ethical, transparent and accountable decision making”.

The Rating Strategy 2015-2018 provides the community with transparency around the rating system decision-making process.
COMMUNITY IMPACT

The Rating Strategy 2015-2018 guides Council in the raising of annual rates and charges, and therefore impacts the community through the decisions made on the methodology of allocating rates and charges to individual ratepayers across the municipality.

CONSULTATION IMPACT

The Rating Strategy 2015-2018 communicates to the community the options available to Council when raising income from rates and charges. It articulates the consequences of the choices that are made, and the rationale behind those choices, enabling the community to better understand this critical revenue-raising process, and to provide feedback.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

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1. Executive Summary

Good governance requires Council to provide ongoing or periodic monitoring and review of the impact of major decisions. Decisions relating to rating strategies are developed within the confines of the Local Government Act 1989, hence this Rating Strategy document seeks to explain the rating system, the choices that are available to Council under the legislation, and evaluate the pros and cons of various rating systems that may be applied.

Decisions about the rating strategies and systems need to be explainable, not in an ad hoc way, but in a considered way so that the reasoning behind the decisions are apparent. There should be a clear link between rating system outcomes and the objectives, apart from raising revenue, which council wishes to achieve.

It is important to note from the outset that the focus of the Rating Strategy is different to that of the Annual Budget. In the Annual Budget, the primary focus is the amount of rates required to be raised for Council to deliver the required services and capital works. The focus of a Rating Strategy is how the required amount is equitably distributed amongst Council’s ratepayers.

Wellington’s Rating Strategy is based on the premise of:
- Providing sufficient funding to maintain a broad range of quality services and well designed and constructed capital works that meet current and future needs; and
- Providing the community with a degree of certainty concerning predictable and affordable future rate increases.

The Rating Strategy is based on the following assumptions:
- Keep rate increases to a minimum;
- Continue a robust capital works program;
- Maintain assets, with a view to reducing the renewal gap;
- Service Loan borrowings; and
- Meet all financial sustainability indicators in accordance with the Long Term Financial Plan

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<thead>
<tr>
<th>Section</th>
<th>Strategy recommendations</th>
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<tr>
<td>6.</td>
<td>Determining which valuation base to use</td>
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<td>Determining the rating system – uniform or differential</td>
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<td>8.</td>
<td>What differential rates should be applied</td>
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<td><strong>Farm Land – means any land that:</strong></td>
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<td></td>
<td>Is “Farm Land” within the meaning of Section 2(1) of the Valuation of Land Act 1960 (paras a) and b) and other criteria as defined by Council in c) hereunder:</td>
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<td></td>
<td>1. not less than 2 hectares in area; <strong>and</strong></td>
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<td>2. that is used primarily for grazing (including agistment), dairying, pig farming, poultry farming, fish farming, tree farming, bee keeping, viticulture, horticulture, fruit growing or the growing of crops of any kind or for</td>
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### TABLE OF RECOMMENDATIONS

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<tr>
<td>8.3</td>
<td>That Wellington Shire Council continues to apply the general rate to properties in inappropriate subdivisions as declared annually in the budget process.</td>
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<td>8.4</td>
<td>That Wellington Shire Council continues to apply the general rate to commercial/industrial properties.</td>
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<td>8.5</td>
<td>That Wellington Shire Council continues to apply the general rate to vacant land.</td>
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<tr>
<td>8.6</td>
<td>That Wellington Shire Council continues to grant rate rebates of up to 100% to Cultural and Recreational Land properties.</td>
</tr>
<tr>
<td>9.0</td>
<td>That Wellington Shire Council does not utilise a Municipal Charge as part of its rating strategy, and that this is reviewed annually in the context of the Wellington Coastal Strategy outcomes.</td>
</tr>
<tr>
<td>10.1</td>
<td>That Wellington Shire Council continues to apply a garbage charge based on full cost recovery of the waste function.</td>
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<tr>
<td>10.2</td>
<td>That Wellington Shire Council continues to apply a Waste Infrastructure Charge to properties as described in the annual budget, to fund the provision of future waste management infrastructure.</td>
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<tr>
<td>10.3</td>
<td>That Wellington Shire Council continues to apply a separate EPA Levy Charge.</td>
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<tr>
<td>10.4</td>
<td>That Wellington Shire Council continues to apply a Boisdale Common Effluent System Charge to this properties connected to the system.</td>
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</table>
| 10.5    | That Wellington Shire Council use Special Rates and Charges in the following circumstances:  
- Funding of narrowly defined capital projects (eg. Streetscape works, private road sealing) where special benefit can be shown to exist to a grouping of property owners. |
| 10.7    | That Wellington Shire Council continues to offer the Rates Rebate for land with a Deed of Covenant for Conservation purposes, and... |
TABLE OF RECOMMENDATIONS

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<thead>
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<th>Section</th>
<th>Strategy recommendations</th>
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<tr>
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<td>reviews this annually through the budget development process.</td>
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<td>12.0</td>
<td>Collection of Rates and Charges</td>
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<td>That Wellington Shire Council continues to apply the mandatory</td>
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<td>rate instalment option in future rating years.</td>
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2. Profile of Wellington Shire

Located in Victoria, southeast Australia, Wellington Shire is around two hours travel time from the eastern suburbs of the state capital Melbourne, covers an area of more than 10,900 square kilometres and has a resident population of more than 41,000 people (2011 Census) across nearly 30 communities.

Wellington is ideally placed for enjoying all that Gippsland has to offer, whether as a resident or tourist. It extends from the Great Dividing Range and Victoria’s High Country, through rich irrigated flats and some of the most productive grazing land in Australia, to the internationally significant Gippsland Lakes and Wetlands, the splendours of its national and coastal parks, the Ninety Mile Beach and Bass Strait.

The Council has responsibility for more than 3,000 kms of sealed and unsealed roads, 426 bridges and major culverts, 247 kms of footpaths, an extensive network of underground drainage, two aerodromes, 38 public toilet blocks and 56 sport and recreation facilities, including reserves, pools, stadiums and boating facilities. Residents and visitors alike can also enjoy 598 hectares of sports fields, parks and streetscapes, including 59 playgrounds and some 45,000 street and park trees.

Wellington’s population is concentrated around the City of Sale and the surrounding towns of Maffra, Heyfield, Yarram, Rosedale and Stratford. It is also experiencing significant development growth in coastal areas, particularly around Port Albert, Golden Beach, Loch Sport and Seaspray.

The focus of the local economy is on primary production and agriculture, offshore oil and gas extraction, a major RAAF base, service industries, retail, health and community services.

3. Context

3.1 What is a Rating Strategy and why have one?

The purpose of this rating strategy is for Council to consider how the rate burden can be most equitably distributed.

A rating strategy is the method by which Council systematically considers factors of importance that inform its decision about the rating system. So what is the difference?

The rating system determines how Council will raise the money from properties within the municipality. It does not influence the total amount of money to be raised, only the share of revenue raised from different classes of properties.
to be contributed by each property, which is derived through using the valuation base and applying the appropriate rate in the dollar – this will be discussed in detail shortly.

A rating strategy, on the other hand, considers:

- a review of rationales and objectives;
- related research;
- the development of definitions;
- comprehensive rate modelling;
- an education program;
- the development of required documentation; and
- opportunity for public review/consultation

### 3.2 Rates and Taxation

Taxation revenue is used to finance a range of services provided by the various levels of Government. Taxation revenues generally become consolidated into a general pool of funds are spent by governments on services that:

- are either entirely or partially ‘public goods’;
- relate to their ‘community service obligations’ to provide support to particular individuals or groups; and
- they believe are appropriate to assist the achievement of specific objectives which will have flow-on effects that will ultimately benefit all constituents.

**Public goods** are services that provide a broad and often unquantifiable benefit to the community rather than a particular benefit to individuals, corporations or individual properties. The characteristics of public goods include:

- The use of or enjoyment by one person does not diminish their availability to, or enjoyment by others (that is, they are non-rival); and
- It is impractical to levy user fees and charges because it is difficult to exclude those who do not pay from receiving the benefits provided.

Council’s general funding of local roads, public open space and public health programs are obvious examples of public goods.

**Private goods** are those goods which are both rival in consumption (that is, one person’s use diminishes its availability or enjoyment by others) and excludable.

Examples include childcare centres, leisure centres and use of community halls.

Generally, Council should fund ‘private goods’ through user charges and fund ‘public goods’ through rates. However it is often difficult to define local government services as either purely public goods or purely private goods, which inevitably results in a large number of Council services, although having income from user fees, being subsidised by rates.

Council’s reliance on rates is influenced by policy and legislative factors that preclude or limit Council’s ability to charge for certain services. Council does not have discretion to set user fees and charges for a range of services where this is set out in State legislation or regulation, such as prescribed fees for planning permits, or in funding agreements with other levels of Government such as those applying to aged services and maternal and child health.
The amount of rates collected by a council depends on conscious and considered choices as to the quantity and quality of services that it decides to provide and how much of the cost is to be recovered from other revenue sources. The amount collected in rates represents the difference between total expenses required by Council to fund program activities, maintain assets and to service and redeem debt, and the total revenue from all other sources. Other revenue sources include grants from other levels of government, prescribed and discretionary fees, fines and charges, income from the sale of assets and interest earned.

The diagram below shows Council’s revenue sources for the last three years, which shows that rates represent between 53% - 65% of annual income, and demonstrates our reliance on this source of revenue. The percentage contributed by rates is influenced by the level of grants received in each year, but an average of 50% – 55% is normal for Wellington Shire Council.

![Diagram of Income Sources](image)

**Figure 1**

### 3.3 Property Taxation – the issues

Rates are essentially a property tax, levied against the value of a property. Property taxes do not recognise the situation where ratepayers may be ‘asset rich’ and ‘cash poor’, and therefore have little capacity to pay the associated rates.

Examples include:
- pensioners
- businesses subject to cyclical downturn (ie farmers)
- households with large families
- property owners with little equity

Taxes on income (Income Tax) and consumption (Goods and Services Tax) are much more reflective of capacity to pay and are less visible, being continuously paid by individuals, while local government rates are the most visible – either paid in full or in four instalments.

### 3.4 Rates and Pricing Policy

While Council has no control over property valuations, it does have the discretion to levy fees and charges for some services. Decisions made about the level of these fees and charges will impact on the level of rate revenue required – the less we receive from fees in a ‘user pays’ system, the more will need to be raised from rates to fund the program activities of Council. (Refer to Figure 1, which shows the relationships between revenue sources over the last three years.)
Pricing policies for fees and charges should be driven by service objectives that are set out in Council’s annual Council Plan and strategic statements, and can therefore influence such things as the achievement of community service obligations, the subsidisation of consumers, and the efficient allocation of resources.

Council is committed to reviewing its fees, charges and leases annually to ensure that the amount to be raised via rates is influenced by a consideration of the ‘user pays’ principle wherever possible, and the level of public and private benefit involved.

3.5 The Rating Framework

The Act stipulates that the primary objective of a Council is to achieve the best outcomes for the local community while considering the long-term and cumulative effects of decisions. In seeking to achieve its primary objective, a Council must have regard to the following facilitative objectives:

- Promoting the social, economic and environmental viability and sustainability of the municipal district
- Ensuring that resources are used **efficiently** and **effectively** and services are provided in accordance with best value principles to best meet the needs of the local community
- Improving the overall quality of life of people in the local community
- Promoting appropriate business and employment opportunities to ensure that services and facilities provided by the Council are accessible and **equitable**
- **Ensuring the equitable imposition of rates and charges**
- Ensuring transparency and accountability in Council decision-making

The legislative framework set down in the *Local Government Act 1989* (the Act) determines Council’s ability to develop a rating system. This framework provides Council with a certain amount of flexibility to tailor a system to suit its requirements, and confers the power for Council to levy (or grant):

- General rates (section 158);
- municipal charge (section 159);
- uniform rates (section 160);
- differential rates (section 161);
- service rates and charges (section 162);
- special rates and charges (section 163);
- rate rebates and concessions (section 169); and
- waivers and deferments (section 170 and 171).

3.6 Review of Rationales and Objectives

Decisions about the rating strategies and systems need to be explainable, not in an ad hoc way, but in a considered way so that the reasoning behind the decisions are apparent. There should be a clear link between rating system outcomes and the objectives, apart from raising revenue, which council wishes to achieve.

The two most important objectives for the rating system to address are the achievement of **efficiency** and **equity**, which are explicit in the Act.

It is expected that, where a council does not have a single, uniform rate, that the use of additional rates will achieve an equitable outcome, or an outcome that is ‘just and fair’.
• **Equity** – including both horizontal and vertical equity. Horizontal equity means that those in the same position (e.g., with the same property value) should be treated the same. Vertical equity in respect to property taxation means that higher property values should incur higher levels of tax.

• **Efficiency** – can be considered directly related to the cost of administering the rates system. Administration costs include the issuing of assessments, collection of rates, including maintaining and improving collection systems, monitoring outcomes, educating and informing ratepayers, and enforcement and debt recovery.

Also to be considered are:

• **Simplicity** - while the use of a uniform or simple rating system may help to minimise administration costs (one size fits all), and is more readily understood by the community, it may also be a costly decision if it is unpopular due to perceived inequities, and therefore result in increased objections/appeals and higher collection costs.

• **Sustainability** – does the system generate sustainable, reliable revenues for Council and is it durable and flexible in changing conditions?

## 4. Property Valuation

*The Local Government Act 1989 and the Valuation of Land Act 1960 are the principle Acts in determining property valuations. Generally, each occupancy on rateable land can be valued and rated. Contiguous areas of vacant land with more than one title in the same ownership may be consolidated for rating purposes.*

Council may adopt one of the following three valuation methodologies:

• **Site Value**: the value of the land plus and improvements which permanently affect the amenity or use of the land, such as drainage works, but excluding the value of buildings and other improvements.

• **Capital Improved Value**: the land and other improvements, including the house, other buildings and landscaping.

• **Net Annual Value**: the value of rental potential of the land, less the landlords' outgoings (such as insurance, land tax and maintenance costs). For residential and farm properties this must be set at 5% of the capital improved value (*Valuation of Land Act – Section 2*).

Wellington Shire Council uses the Capital Improved Valuation (CIV) system of calculating rates. CIV includes both the value of the land and any improvements on that land, and the use of this valuation method provides the Council with the flexibility to levy differential rates. Council believes that the use of CIV better reflects capacity to pay than the alternatives, and is also now the most widely accepted method utilised throughout Victorian Councils.

### 4.1 Valuation Process

Council is required to conduct a revaluation of all properties every two years. The revaluation is supervised by the Valuer General Victoria and these valuations are used for rating purposes for two consecutive financial (rating) years.

During the revaluation process Council Valuers have a statutory requirement to conduct a review of property values based on market movements and recent sales trends.
Council Valuers undertake a physical inspection of some properties during each revaluation. Other valuations are derived from complex formulas based on sectors, sub-market groups, property condition factors (including age, materials and floor area), influencing factors such as locality and views, and land areas compared to sales trends within each sector / sub-market group. Using this data, they determine the valuations according to the highest and best use of a property.

### 4.2 Supplementary valuation process

Section 13DF of the Valuation of Land Act 1960 permits Council to undertake a supplementary valuation when a significant change to the valuation occurs. The most common causes for supplementary valuations are:

- Construction (or demolition) of a new dwelling or building (ie. Shed)
- Further material improvements to an existing dwelling, building or to the land, such as fencing
- Subdivision of a property
- Consolidation of properties
- Planning Scheme Amendments which change the value of the property
- Application or removal of Heritage Register status
- Arithmetical errors in previous valuation
- Change in rateability status

Council undertakes regular, quarterly supplementary valuations, which can be triggered by any of the above causes, but especially the receipt of advice of Final Inspections being completed on building permits.

### 4.3 Objections to property valuation

The Valuation of Land Act 1960 provides that an objection to the valuation may be made each year within two months of the issue of the annual or supplementary notice. Objections must be dealt with in accordance with this Act. Each year Council sends out a Notice of Valuation to each ratepayer, which is generally sent out in May, before the Annual Rates Notice is sent out in August, allowing ratepayers time to object and have any valuation errors corrected prior to their rates notice being issued.

### 4.4 No windfall gain

There is a common misconception that if a property valuation rises then Council receives a ‘windfall gain’ with additional income. This is not the case.

The revaluation process results in a redistribution of the rate load across all properties in the municipality. Any increase in the total valuation of the municipality is generally offset by a reduction to the rate in the dollar used to calculate the rate for each property.

### 5. Understanding the current rating system at Wellington Shire Council

#### 5.1 The Current Rating System

Wellington Shire Council currently applies the Capital Improved Valuation methodology in order to levy its rates. This then allows the application of differential rating (versus uniform rating) and there
are two differential rates in use. The below table displays the respective revenues from these rates (excluding service charges). It highlights that 79.5% is derived from General residential properties.

<table>
<thead>
<tr>
<th>Rating category</th>
<th>Differential rate %</th>
<th>No. of assessments 2014/15</th>
<th>Total CIV 2014/15 $000s</th>
<th>Total rates levied 2014/15 $000s</th>
<th>% rates of total 2014/15</th>
</tr>
</thead>
<tbody>
<tr>
<td>General</td>
<td>100.0</td>
<td>29,627</td>
<td>6,774,882,200</td>
<td>35,100,665</td>
<td>79.5</td>
</tr>
<tr>
<td>Farm</td>
<td>80.0</td>
<td>3,725</td>
<td>2,164,706,000</td>
<td>8,972,273</td>
<td>20.3</td>
</tr>
<tr>
<td>Cultural &amp; Recreational</td>
<td>Rebate system</td>
<td>38</td>
<td>24,949,000</td>
<td>58,592</td>
<td>0.2</td>
</tr>
</tbody>
</table>

The 2014-15 rating system in Wellington Shire has the following elements:

- in effect, **two differential rates** applying to general (residential, vacant land, inappropriate subdivisions and commercial/industrial) and farm land.
- A rebate system applies to recreational land in accordance with the *Cultural and Recreational Land Act 1963*, which allows between 25% to 100% rebate, depending on assessment of the level of community benefit provided by the organisation.

### 6. Determining which valuation base to use

As outlined, Council has three options as to the valuation base it elects to use, which are:

- Capital Improved Value (CIV)
- Site Value (SV)
- Net Annual Value (NAV)

#### 6.1 Capital Improved Value (CIV)

CIV is the most common valuation base used by Victorian councils with over 70 applying this methodology. Based on the value of both land and all improvements it is relatively easy for ratepayers to understand as it equates to the market value of the property.

**Advantages**

- CIV includes all improvements, and hence is often supported on the basis that it more closely reflects ‘capacity to pay’. The CIV rating method takes into account the full development value of the property, and hence better meets the equity criteria than Site Value or NAV.
- With the frequency of valuations (every two years), market values are more predictable and less likely to result in objections to valuations.

**Disadvantages**

- The main disadvantage is that rates are based on the total property value which may not necessarily reflect the income level of the property owner as with pensioners and low income earners.

#### 6.2 Site Value (SV)

Very few Victorian councils use this valuation method. With valuations based simply on the valuation of land and with only very limited ability to apply differential rates, the implementation of SV in a Wellington Shire Council context would cause a massive shift in rate burden from the industrial/commercial sectors onto the farming and residential sectors.
It is therefore difficult to see an equity argument being upheld by the implementation of Site Value.

**Advantages**
- There is a perception that under SV, a uniform rate would promote development of land, particularly commercial and industrial developments, however there is little evidence to support this view.

**Disadvantages**
- Under SV there would be a significant shift from the Industrial/Commercial sector onto the farming and residential sector.
- SV is a major burden on property owners that have large areas of land. Some of these owners may have much smaller/older dwellings compare to those who have smaller land areas but well developed dwellings – but will pay more in rates. A typical example is flats, units, townhouses which will all pay low rates compared to traditional housing styles.
- The use of SV will reduce Council’s rating flexibility and options to deal with any rating inequities due to the removal of the ability to levy differential rates.
- The use of SV can place pressure on Council to give concessions to categories of landowners on whom the rating burden is seen to fall disproportionately. Large landowners, such as farmers for example, are disadvantaged by the use of SV.

### 6.3 Net Annual Value (NAV)

NAV represents the annual rental value of a property. However, in practice, NAV is closely linked to capital improved value for residential and farm properties, as Valuers derive the NAV directly as 5 per cent of CIV.

In contrast to the treatment for residential and farm properties, NAV for commercial and industrial properties are assessed with regard to actual market rental. This differing treatment of commercial versus residential and farms has led to some suggestions that all properties should be valued on a rental basis, but this poses problems in assessing actual rental values, as artificial estimates may not represent actual market value, and is harder to understand.

Overall the use of NAV is not supported.

### 6.4 Summary

It is recommended that Wellington Shire Council continue to apply the Capital Improved Valuation methodology for the following reasons:

- CIV is considered to be the closest approximation to an equitable basis for distribution of the rating burden, when compared to the other valuation options.
- CIV provides Council with the ability to levy a full range of differential rates. Limited differential rating only is available under the other rating bases. (refer Section 161A of the Act)
- It should be noted that an overwhelming majority of Victorian councils apply CIV as their rating base and as such it has a wider community acceptance and understanding than the other rating bases.

**Strategy recommendation**

That Wellington Shire Council continues to apply the Capital Improved Value (CIV) to levy Council rates
7. Determining the rating system – uniform or differential

7.1 Uniform rate

Section 160 of the Act stipulates that if a Council declares that general rates will be raised by the application of a uniform rate, it must specify a percentage as the uniform rate. Rates will then be determined by multiplying the value of the land by the uniform rate.

Wellington Shire Council does not adopt uniform rates, and has applied the differential rating system since amalgamation.

7.2 Differential Rates

Under the Act, Council is entitled to apply differential rates provided it uses the Capital Improved Value system of valuing land.

Wellington Shire Council has since its inception adopted the differential rating system as it considers that this provides a greater ability to achieve equitable distribution of the rating burden, particularly considering the farming sector.

Differential rates in the dollar of CIV can be applied to different classes of property, which must be clearly differentiated and the setting of differentials must be used to improve equity and efficiency. There is no legislative limit on the number of differential rates that can be levied, however, the highest differential rate can be no more than four times the lowest differential rate.

Council, in striking the rate through the annual budget process sets the differential rate for set classes of properties at higher or lower amounts than the general rate. Currently there are only two different levels of rates as outlined in Section 5 of this Rating Strategy, being General and Farm rates.

7.3 Advantages of a differential rating system

The perceived advantages of utilising a differential rating system are:

- Greater flexibility to distribute the rate burden between all classes of property
- Allows Council to reflect the unique circumstances of some rating categories where the application of a uniform rate may create inequitable outcomes (eg Farming enterprises)
- Allows Council discretion in the imposition of rates to ‘facilitate and encourage appropriate development of its municipal district in the best interest of the community.

7.4 Disadvantages of a differential rating system

Perceived disadvantages in applying differential rating are:

- Justification of the differential rate can at times be difficult for the various rating groups to accept, giving rise to queries, objections and complaints where the differentials may seem excessive or unjustified.
- Differential rating involves a degree of administrative complexity as properties continually shift from one type to another (eg residential to farm, vacant to improved) requiring Council to update its records. Maintaining the accuracy/integrity of Council’s database is critical in ensuring that properties are correctly classified into their differential categories.
Council may not achieve the objectives it aims for through differential rating. For example, Council may set its differential rate objectives to levy a higher rate on vacant land, hoping to encourage development, however, it is uncertain whether a differential rate would achieve such objectives.

**Strategy recommendation**
That Wellington Shire Council continues to apply differential rating as its rating system.

## 8. What differential rates should be applied

### 8.1 General Rate

The general rate is the particular rate in the dollar that applies to all land which is not defined within a differential rate (a differential rate is currently only applied to farms), and includes residential, commercial and industrial properties, both vacant and improved.

The actual rating burden applying to general properties is an outcome determined by decisions to apply either higher or lower rates in the dollar to other classes of property, such as farm, commercial/industrial or recreational land.

In the setting of differential rates, Council consciously considers their relativity to the general rate.

### 8.2 Farm Rate

Wellington Shire Council currently has 3,691 farm assessments.

Historically a lower rate has been applied to farms, the basis for this decision being that, in general, farmers require larger landholdings in order to run efficiently, and this would effectively result in disproportionately high rates in relation to the income or surplus able to be generated from their properties.

One of Council’s major objectives as articulated in Wellington 2030 is to “Implement measures to maintain our productive agricultural land balanced with competing land use”. This is supported by a differential rate which it is hoped provides an incentive to farmers to maintain rural land in large lots.

Farm properties represent 11.2% of Wellington Shire’s assessments, contributing 20.0% of rate revenue. Council recognises their responsibility to ensure that the farm rate is enjoyed by deserving ratepayers. The problem arises in identifying “genuine” farms, as opposed to “hobby farms”.

The Valuation of Land Act 1960 sets out the definition of Farm Land for valuation purposes, and defines “farm land” as any rateable land:

- that is not less than 2 hectares in area and;
- that is used primarily for grazing (including agistment), dairying, pig farming, poultry farming, fish farming, tree farming, bee keeping, viticulture, horticulture, fruit growing or the growing of crops of any kind or for any combination of those activities; and
- that is used by a business
  - that has a significant and substantial commercial purpose or character; and
that seeks to make a profit on a continuous or repetitive basis from its activities on the land; and

- that is making a profit from its activities on the land, or that has a reasonable prospect of making a profit from its activities on the land if it continues to operate in the way that it is operating.

This definition of farm land is also used for rating purposes. When considering the various characteristics of a farm, size and farm production values come to mind, but this presents various problems. The use of size and output value thresholds to determine eligibility is likely to result in a significant number of exceptions, and substantially increase administration costs. Councils with substantial numbers of farms face potentially significant costs with regard to annual auditing of properties’ conformance with criteria that reflect the commercial purpose and business nature of the farming activities undertaken.

Council currently requests volumes of information from ratepayers applying for the Farm Rate, (see Appendix 1) which is then the object of subjective scrutiny. For instance, what turnover can be considered to reflect a ‘significant or substantial commercial purpose’?

The alternative proposed is that Council use the Australian Taxation Office (ATO) Primary Producer Status as the basis for determining eligibility for the Farm rate. The value in adopting this approach is that responsibility for evaluating whether a farming activity is conducted as a business then rests with the ATO, who have a much more vested interest than Council in the outcome, and already have the mechanism to investigate potential fraudulent claims. Council’s ability to request the necessary financial information is extremely limited, and could also be viewed as ‘overkill’ or intrusive in nature, when a much simpler option can be implemented.

Evidence required on a periodic basis would be as follows:

- Photocopy of part of the Income Tax Assessment Notice, showing the ATO logo, the words “Notice of Assessment” (or as appropriate), the relevant financial year, the ratepayer’s (or tenant’s) name (or business name), and evidence of the Primary Producer Status.
- Financial details can be excluded.
- A Statutory Declaration will also be required, to the effect that the property in respect of which the application for farm rate is made, is used for a primary production purpose, and that the photocopy provided truly represents the relevant details shown in the Notice of Assessment (ATO).
- In the first instance, evidence will be required of Primary Producer Status for the 2013/14 year in order to be considered for the rate in the 2015/16, 2016/17 and 2017/18 years. Subsequently, evidence will be required for the 2016/17 year in order to be considered for the rate in 2018/19, 2019/20 and 2020/21 years and so on for further 3 year periods.

To give effect to this change in definition is proposed:

**Farm Land – means any land that:**

Is “Farm Land” within the meaning of Section 2(1) of the Valuation of Land Act 1960 (paras a) and b)) and other criteria as defined by Council in c) hereunder:

- not less than 2 hectares in area; and
- that is used primarily for grazing (including agistment), dairying, pig farming, poultry farming, fish farming, tree farming, bee keeping, viticulture, horticulture, fruit growing or the growing of crops of any kind or for any combination of those activities; and
- where the ratepayer is a Primary Producer as evidenced by a current ATO assessment

Affected ratepayers would be advised by Council of the need to provide evidence 6 months prior to the commencement of any relevant rating year, and will also be advised of their obligation to inform Council if at any time they cease to be recognised by the ATO as a Primary Producer.
Council officers will monitor the ongoing status of properties, and may seek to recover rate arrears where a change in status has not been notified.

In summary, it is Council’s opinion that:

- evidence shows that returns able to be realised by farming from the assets employed (including land) are lower than for other forms of land, so that its capacity to pay is lower;
- rate relief should continue to be provided to farming/agriculture because of its importance both to the local economy and as a characteristic of the Wellington Shire environment.

The current farm rate (2014/15 year) is set at 80% of the general rate. This ratio should be reviewed annually to ensure equity still exists for other rate categories, and is not eroded unintentionally.

**Strategy recommendation**

That Wellington Shire Council continues to apply a differential rate to farms, reviewed annually, as defined by the *Valuation of Land Act 1960*, and that the definition for rating purposes be amended as follows:

**Farm Land – means any land that:**

Is “Farm Land” within the meaning of Section 2(1) of the *Valuation of Land Act 1960* (paras a) and b)) and other criteria as defined by Council in c) hereunder:

- d) not less than 2 hectares in area; **and**
- e) that is used primarily for grazing (including agistment), dairying, pig farming, poultry farming, fish farming, tree farming, bee keeping, viticulture, horticulture, fruit growing or the growing of crops of any kind or for any combination of those activities; **and**
- f) where the ratepayer is a Primary Producer as evidenced by a current ATO assessment

**8.3 Inappropriate Subdivisions**

In 2014/15 there are approximately 4,500 assessments relating to inappropriately subdivided properties in the Shire. It is generally vacant, low valued land that has little use to the owners because the land is restricted to no development in its current form. Because of this restriction, the land has little value, and the property valuations used for rating purposes reflect this.

Council believes that the low property valuation of inappropriately subdivided properties already reflects the service benefits received by these properties and leads to low rates being payable on them.

**Strategy recommendation**

That Wellington Shire Council continues to apply the general rate to properties in inappropriate subdivisions as declared annually in the budget process.

**8.4 Commercial and Industrial Land**

Wellington Shire includes over 1499 commercial/industrial businesses, representing only 4.7% of assessments, while contributing over 16% of the total CIV value. This is mainly due to the location of the Esso Gas Plant at Longford and the Fulham Correctional Institute in the shire’s boundaries. Together these contribute a significant portion of the CIV for this rate category.

Many Councils choose to levy a higher rate on these properties, arguing that:
- rates paid by commercial ratepayers are tax deductible
- business places excessive demands on some council services
- industrial properties place higher demands on road infrastructure through specific commercial/industrial heavy vehicle movements

However, Council believes that these cases are generally location or industry/use specific (ie timber – logging trucks, dairy – milk tankers) and better addressed through more targeted rating instruments. On the issue of tax deductibility of rates, Council would argue that landlords of residential property and farmers also receive this benefit.

Council’s objective of **“supported business growth and employment, lifestyle opportunities and a vibrant tourism sector”** and associated strategies of:

- support business growth to align with the competitive strength of the region
- encourage infrastructure planning and delivery to support economic growth
- attract new investment, lifestyle growth and visitors by developing and supporting Wellington Shire’s regional identity
- support for small business in developing and achieving strategic growth and sustainability

may all be worthy of consideration when setting the rate in the dollar for this group of ratepayers, as each of these may result in increased economic development and local employment and income benefits that will flow from this. But will a differential rate achieve this increased economic development? Do businesses considering relocating to this area do so in the hope of reduced rating? Research has shown that this is not the case, and that more likely reasons include the ‘quality’ of local government, in particular the handling of planning issues that may affect the running of their business.

Council has an Economic Development Unit charged with assisting and encouraging business and tourism development within the Shire. This unit enjoys a budget of more than $800,000 towards achieving Council’s objective as stated above, and therefore the recommendation is that commercial / industrial properties continue to be subject to the general rate.

**Strategy recommendation**

That Wellington Shire Council continues to apply the general rate to commercial/industrial properties.

### 8.5 Vacant Land

Vacant Land is rated according to its characteristics, in that vacant farm land is rated as farm rate, while residential or commercial land is rated at the general rate. In 2014-15, there are in excess of 4,000 vacant properties in the general rate category, and about 1,700 in the farm category. These properties attract the same rate in the dollar as the equivalent developed property.

Council argues that the property value of vacant land reflects adequately on the benefit and capacity to pay principles. It does not favour any differential rating of vacant land for the following reasons:

- vacant land has no occupants and therefore it tends not to “consume” services (and those it does such as fire hazard removal are done at cost to owners); and
- Council’s spending on services and facilities increases local utility and amenity that is reflected in vacant land values.

Council has considered whether vacant land should be treated differently so as to encourage development, but little, if any information regarding the factors that influence property owners to sell or develop their land is available.
It has been stated by some that higher rates for vacant commercial or residential land may encourage development, but it is more likely based on other factors such as property market, interest rates, capital gains tax issues, family situations and changes in personal circumstances.

**Strategy recommendation**

That Wellington Shire Council continues to apply the general rate to vacant land.

### 8.6 Cultural and Recreational Land

Currently Council levies a general rate on land which has the following characteristics:

- Land which is controlled by a non-profit organisation which exists for the purpose of providing or promoting culture or sporting and recreation facilities which is used for sporting, recreation or cultural purposes or which is used for agricultural showgrounds.

The provision of rate relief to recreational land can also be provided by the *Cultural and Recreational Lands Act 1963*. This Act provides for properties used for outdoor activities to be differently rated unless it involves land that is being leased from a private landowner. The discretion of whether to provide a cultural and recreational land rate rests with Council.

A rebate system applies to these properties and is reassessed on a biennial basis in line with the current revaluation cycle. The level of rebate granted is determined by the number of members, annual profit/loss and hours of operation for each applicant. Rebates of 100%, 75%, 50% or 25% of the general rate are granted on this basis.

**Strategy recommendation**

That Wellington Shire Council continues to grant rate rebates of up to 100% to Cultural and Recreational Land properties.

### 9. Municipal Charge

Council is able to levy a municipal charge on each rateable property within the municipality with the exception of farms where a single municipal charge is payable on multiple assessments operated as part of a single farm enterprise (refer to s159 of the Act).

The municipal charge is a flat, identical charge that can be used to offset some of the “administrative costs” of the Council. The legislation does not define “administrative costs”, but is clear on the issue of maximum revenue levels that can be raised from this charge. The Act states that "A Council’s total revenue from a municipal charge must not exceed 20 per cent of the sum total of the Council’s a) total revenue from a municipal charge and b) total revenue from general rates."

**Wellington Coast Subdivision**

The area known as the Wellington Coast Subdivision includes a 28km strip of Ninety Mile Beach from the Honeysuckles to Paradise Beach. Until the 1950s, the properties were mainly freehold, large holdings. Then around 11,000 freehold lots were created in two large subdivisions, which were subsequently assessed as inappropriate, mainly due to the environmental sensitivity of much of the area, land being subject to inundation and the absence (and inappropriateness) of relevant infrastructure.

As the majority of these lots could not be built on, Council had a policy of not pursuing rates debts, resulting in uncollectable rates charges in excess of $2 million, mainly due to the application of the Municipal Charge ($148 per property in 2005/06). As resolved by Council in September 2005, a rating
A review was undertaken to address the perceived inequities in the rating system, as well as the increasing accumulated rates debt for these properties, and the following recommendations were supported:

1. Remove the Municipal Charge and replace with an increase in the rate in the dollar to deliver the same level of rating income
2. Increase the differential for Farms from 90% of the General rate to 80%, to offset the redistribution of the rating burden resulting from the abolition of the Municipal (fixed) Charge, and the increase in the rate per dollar of property values.

The effect of the Municipal Charge being removed was that the accumulating rates debt no longer increased by around $400,000 per annum, significantly reducing negative cash flow impacts.

Advantages
A municipal charge applies equally to all properties and is based upon the recovery of a fixed cost of providing administrative services irrespective of property valuation. The same contribution amount per property can be seen by some as an equitable method of recovering these costs.

Disadvantages
The argument against a municipal charge is that this charge is regressive in nature and would result in lower valued properties paying higher overall rates and charges than they do at present. The equity objective in levying rates against property values is lost in a municipal charge as it is levied uniformly across all properties.

**Strategy recommendation**

That Wellington Shire Council does not utilise a Municipal Charge as part of its rating strategy, and that this is reviewed annually in the context of the Wellington Coastal Strategy outcomes.

### 10. Service Rates and Charges

The Act allows Council to declare a service rate or an annual service charge. This charge can be applied on, or a combination of, any of the following services:

- Provision of a water supply
- Collection and disposal of refuse
- Provision of sewerage services
- Any other prescribed services

This service rate or service charge may be declared based on any criteria specified by the Council in the rate or charge.

Details of service charges are as follows:

#### 10.1 Kerbside Collection (Garbage) Charge

Council provides a kerbside collection service to around half of its ratepayers within designated areas. Applying the equity principle, those who do not receive this service should not have to pay for it through general rates.

Council calculates the cost of this service and applies a ‘user pays’ charge to those that receive the service, or to whom the service is available - a resident may not opt out of this service where they are in a collection zone. Commercial ratepayers, where they can provide evidence of an alternative, commercially provided waste collection service may opt out. GST is applicable to commercial ratepayer charges.
10.2 Waste Infrastructure Charge

In 2005/06 Council completed a ten year Waste Management Strategy, which clearly set out the costs for establishing recycling and transfer stations, rehabilitating landfills and monitoring of existing and closed landfills. The funding for the implementation of this Waste Management Strategy were considered, resulting in the introduction of a service charge (the Waste Infrastructure Charge) to provide for the identified costs.

Presently Council manages the following waste facilities:
- 2 licensed operational landfill sites (Kilmany and Maffra)
- 1 licensed site not operating (Longford)
- 2 unlicensed operating sites (Rosedale and Yarram)
- 5 transfer stations (Dargo, Stratford, Heyfield, Seaspray and Lochsport)

There are also a further nine closed landfills under rehabilitation and after care.

Environment Protection Authority (EPA) requirements under the Environment Protection Act 1970 require Council to provide financial assurances for rehabilitation, aftercare and remedial works for all licensed landfills. In addition there are strict guidelines for future landfill siting, design and management.

It can be said that spending in the waste management area is moving from a discretionary basis to non-discretionary in nature. EPA guidelines, state legislation and community acceptance of sustainable management practices confirm this.

In the past, the Waste Infrastructure Charge applied to all properties within the Shire, but in 2011/12 Council reviewed its applicability and determined that it would no longer be applied to 2,245 properties within the inappropriate subdivision, as described in the annual budget.

History shows that compliance with EPA requirements does not come cheap, and in order to avoid rate shocks each time Council needs to renew waste management infrastructure such as landfill cells, the implementation of a relatively small Waste Infrastructure Charge, which is set aside for this purpose only, is essential.

All funds collected through this Charge are placed in the Waste Infrastructure Reserve, and are only spent for this purpose.

10.3 EPA Levy Charge

In 2011/12, as the volumes of waste and recycling accepted at landfills and transfer stations impacts the cost of running these facilities, and state-imposed EPA levies increase significantly, the Garbage Charge was reviewed. The direct cost of EPA levies was extracted and has been reflected separately since then in an EPA Levy Charge.
This separate cost is shown on Rates Notices in the interests of greater transparency. The cost of the levy is influenced by two drivers – one is the volume of waste going into our landfill, and the second is the price per tonne levied by the EPA. While we can do little regarding the price, we can certainly, as a community, make greater efforts to recycle more and reduce the volume of waste to landfill.

**Strategy recommendation**
That Wellington Shire Council continues to apply a separate EPA Levy Charge.

### 10.4 Boisdale Common Effluent System Charge

In 2014/15, an annual service charge for wastewater availability in the township of Boisdale was implemented, for all properties that are connected to the Boisdale Common Effluent System. This charge represents a contribution towards the costs of operation and management of the system. This system is unique to this township, where impacts of flooding can present significant risks to the health of the community as septic tanks overflow. The system was constructed to mitigate this risk, and is maintained by Council.

This service charge does not cover the entirety of the costs incurred by Council, largely related to compliance with Environment Protection Authority requirements, but goes some way towards delivering equity with other ratepayers who pay other wastewater providers for similar services.

**Strategy recommendation**
That Wellington Shire Council continues to apply a Boisdale Common Effluent System Charge to properties connected to the system.

### 10.5 Special Rates and Charges

Special rates and charges are covered under Section 163 of the Act, which enables Council to declare a special rate or charge or combination of both for the purposes of:

- Defraying any expenses, or
- Repaying with interest any advance made or debt incurred or loan raised by Council

In relation to the performance of a function or the exercise of a power of the Council, if the Council considers that the performance of the function or the exercise of the power is or will be of special benefit to the persons required to pay the special rate or special charge.

Section 185 of the Act provides appeal rights to the Victorian Civil and Administrative Tribunal (VCAT) in relation to the imposition of a special rate or charge. VCAT has wide powers, which could affect the viability of the special rate or special charge.

Council currently utilises Special Charges to recover the costs of sealing urban residential streets, where the benefit can be attributed to the residents of those streets. Council is mindful of the issue of proving that special benefit exists to those that are levied the rate or charge.

**Strategy recommendation**
That Wellington Shire Council use Special Rates and Charges in the following circumstances:

- Funding of narrowly defined capital projects (eg. Streetscape works, private road sealing) where special benefit can be shown to exist to a grouping of property owners.
10.6 Rebates and Concessions

Section 169(1) of the Act allows Council to grant a rebate or concession –
(a) to assist the proper development of the municipal district; or
(b) to preserve buildings or places in the municipal district which are of historical or
environmental interest; or
(c) to restore or maintain buildings or places of historical, environmental, architectural or
scientific importance in the municipal district; or
(d) to assist the proper development of part of the municipal district.

(1A) A Council resolution granting a rebate or concession must specify the benefit to the community
as a whole resulting from the rebate or concession.

10.7 Rates Rebate for Land with a Deed of Covenant for Conservation Purposes

Council currently offers a rates rebate for land with a Deed of Covenant for Conservation purposes
(Trust for Nature). A rate per hectare is determined by Council annually and is applied to reduce the
general rates charged.

**Strategy recommendation**

That Wellington Shire Council continues to offer the Rates Rebate for land with a Deed of
Covenant for Conservation purposes, and reviews this annually through the budget development
process.

11. Deferred Payments and Waivers

11.1 Waivers – State Concessions (Pensioners)

Section 171(4) of the Act provides Council with the ability to waive rates to eligible recipients in
accordance with the *State Concessions Act 2004*, provided that the rateable or part of the rateable
land is the applicant’s sole or principal place of residence.

Only one application (in the prescribed form) for each rating period can be made by that person.

A rate concession is available to:
- Pensioners; or
- War widows and returned servicemen on a War Pension with a total and permanent
  incapacity

Proof of eligibility is provided by Pensioner Concession Cards but is not extended to Health Care
cardholders.

Eligible pensioners may gain a concession of up to 50% of their total rates and charges, up to a
maximum as stipulated by the State Government and updated annually.

11.2 Deferred payments or Waivers – Financial Hardship

Council recognises that there are cases of genuine financial hardship requiring respect and
compassion.
Section 170 of the Act allows Council to defer payment of all or part of the rates and charges due, for a specified period and subject to any conditions determined by Council, such as a change in the person’s financial circumstances, where hardship may exist.

In addition, Section 171(A) of the Act allows Council to consider applications by a ratepayer who -
(a) is suffering financial hardship; or
(b) would suffer financial hardship if they paid their rates and charges in full

To have all or part of the rates and charges or late payment interest waived.

Council will assess financial hardship applications by taking into account the principles of fairness, integrity, confidentiality and compliance with statutory requirements, whilst being respectful and empathetic in the process.

12. Collection of Rates and Charges

There are only two options available under the Act for Council to set payment dates. The first is an option of a lump sum payment (which by law is set on 15 February of each year), and the second is a mandatory instalment approach where payments are required at the end of September, November, February and May. Under this second approach, ratepayers can elect to advance pay instalments at any point.

Wellington Shire Council elected to move from the lump sum payment method for the 2006/07 rating year for several reasons.

The first reason related to the levying of penalty interest on those that pay rates after the due date. Under the lump sum in February option, if the due date for payment is missed by more than three days, legislation requires Council to backdate the interest charge to the commencement of the rating year (1 July of the previous year). This is a concept that is very difficult for anyone charged this interest to understand and resulted in frequent disputes with Council.

Under the mandatory instalment options, interest penalties are only backdated to the due date of the missed payment which is generally accepted by all.

The second main driver behind the change related to the improved cash flows that are associated with the instalment payment option. Council operates under a 1 July to 30 June financial year, and issues annual rates notices in August of each year. Before moving to the mandatory instalment option, Council had to wait six to seven months before collecting around 60% of its revenue. During this time, Council was required to continue to provide operational services and capital works which placed our cash position under severe strain.

The move to introduce mandatory instalments was aimed at better matching when Council receives its rate revenue against when we need to expend these same amounts, and brings Council into closer alignment with virtually every other utility service provider.

Finally, it is the experience of Council that ratepayers are better able to manage and plan their household finances for four instalments, rather than the single, significant payment required under the lump sum payment option, which, falling mid-February, follows on the heels of the expense of Christmas.

**Strategy recommendation**

That Wellington Shire Council continues to apply the mandatory rate instalment option in future rating years.
12.1 Payment options offered

**Option 1: Quarterly instalments**
1st instalment due – 30 September
2nd instalment due – 30 November
3rd instalment due – 28 February
4th instalment due – 31 May

**Option 2: Twice monthly instalments by Direct Debit**
Only available to ratepayers with overdue rates and charges

**Option 3: Twelve Monthly instalments by Direct Debit**
Only available to ratepayers with overdue rates and charges

**Option 4: Standard Direct Debit**
Nine monthly payments: September to May
- Not available to ratepayers with overdue rates and charges
Applications must be made annually by 31 August
Direct debit can be made from a savings account or cheque account

12.2 Payment channels

Several options for making payment are offered to ratepayers.
- Council service centres at Sale and Yarram
- Australia Post
- BPAY View
- BPAY
- Council website eServices
- Mail

12.3 SMS reminder service

In addition, Council offers an SMS reminder service which reminds enrolled ratepayers a few days before each rate instalment due date.

12.4 Unpaid rates and charges

Where ratepayers have not paid their rates by the due date of the instalment, Final notices are forwarded to ratepayers requesting payment or inviting them to make arrangements to pay their outstanding debt.

If no payment is forthcoming or no arrangements have been made to pay the debt, Council may pursue the recovery of outstanding rates and charges through its debt collection agent.

Any costs incurred during the recovery process are added to the amount outstanding. Council will also make every effort to contact ratepayers at their correct address but it is the ratepayer’s responsibility to properly advise Council of their correct mailing details and contact number/s.
Section 181 of the Act enables Council to initiate proceedings for the sale of a property where the rates and charges debt exceeds three years.

Council has a formal Policy (Debt Collection and Interest Charging – Rates, Charges and Fire Services Property Levy Policy) which discusses all of the debt collection actions that may be taken, and documents arrangements relating specifically to inappropriate subdivisions in the Wellington Coastal Strategy areas. This Policy can be found on Council’s website in the Council Policy Manual.
WELLINGTON SHIRE COUNCIL

APPLICATION FOR CLASSIFICATION OF RATEABLE PROPERTY AS 'FARM LAND'

Section 2 (1) of the Valuation of Land Act defines ‘farms land’ viz;

(a) That it is not less than 2 hectares in area and

(b) That it is used primarily for grazing (including agistment), dairying, pig-farming, poultry-farming, fish-farming, tree-farming, bee-keeping, viticulture, fruit-growing or the growing crops of any kind or for any combination of those activities, and

(c) That it is used by a business
   (i) That has a significant and substantial commercial purpose of a character; and
   (ii) That it seeks to make a profit on a continuous or repetitive basis from its activities on the land; and
   (iii) That is making a profit from its activities on the land, or that had a reasonable prospect of making a profit from its activities on the land if it continues to operate in the way that it is operating.

1, ........................................................................................................................................................
   (Full name - Block letters)

of .......................................................................................................................................................
   (Full address)

ABN Number………………………………………………….

Does the Australian Taxation Office accept this activity as legitimate for taxation purposes? Y/N

Rate Assessment Number(s)  ........................................
   ..............................................................
   ..............................................................
   ..............................................................

request that the rateable property detailed in this application be considered by Council for classification as farm land within the meaning of Section 2 of the Valuation of Land Act.

BUSINESS OR INDUSTRY:

Specify all business and industries for which the rateable property is wholly or mainly maintained or used for the time being by the occupier.

..................................................................................................................................................................

..................................................................................................................................................................

..................................................................................................................................................................

Agenda - Ordinary Council Meeting of 17 March 2015
PART 2

1. STATUS OF APPLICANTS

2. (a) If you are not the Owner please state owner’s name:

(b) if you are not the Occupier please state the occupier’s name:

3. Particulars of Land for which classification is requested:

<table>
<thead>
<tr>
<th>CROWN DESCRIPTION</th>
<th>PARISH</th>
<th>TITLE DETAILS (VOLUME/FOLIO)</th>
<th>AREA</th>
</tr>
</thead>
<tbody>
<tr>
<td>eg: Crown Allotment</td>
<td></td>
<td>(BOOK/MEMORIAL)</td>
<td></td>
</tr>
<tr>
<td>Acres/Hectares</td>
<td></td>
<td>(if available)</td>
<td></td>
</tr>
<tr>
<td>Lot, Lodged Plan,</td>
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<td></td>
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<td>etc</td>
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</table>

4. Give details of any other land used in conjunction with the subject property for the conduct of the relevant business or industry.

Name/Situation/Locality and area of land:

SUMMARY:

<table>
<thead>
<tr>
<th>Freehold</th>
<th>Leasehold</th>
<th>Other (eg; Licence )</th>
<th>Total</th>
</tr>
</thead>
</table>

Acres/Hectares

PART 3

Fencing (describe types - no. of paddocks and yards)

Are boundaries securely fenced YES NO

Description of water supply (eg: bores, water holes, dams, drinking troughs)
Details of Dwelling and/or other building on the property and details of occupancy

<table>
<thead>
<tr>
<th>TYPE</th>
<th>SIZE</th>
<th>CONSTRUCTION AGE AND CONDITION</th>
<th>OCCUPANTS</th>
</tr>
</thead>
<tbody>
<tr>
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</tbody>
</table>

What area of the land is devoted to domestic use: ............................................................... Acres/Hectares

**PART 4**

I support my application by detailing the following information:

<table>
<thead>
<tr>
<th>Business or Industry for which consideration is required (eg; grazing cattle)</th>
<th>Acres/ Hectares</th>
<th>Production Statistics Last 2 years (eg: head of cattle, cases of fruit sold)</th>
<th>Cost of Farm Operations for last 2 years</th>
<th>Gross Returns From sale of produce from the property</th>
</tr>
</thead>
<tbody>
<tr>
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</tbody>
</table>

Number of stock, area planted, etc at present on property:...............................................................

Details of agistment activities (if any) over past two years:

<table>
<thead>
<tr>
<th>No.</th>
<th>Total Fee</th>
<th>No.</th>
<th>Total Fee</th>
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</table>

**Part 5**

Other additional relevant information in support of application (attached additional sheet if necessary):

__________________________________________________________________________________________

__________________________________________________________________________________________

__________________________________________________________________________________________

Signature (s) of ......................................................... Address ..................................................
Applicant(s) ..........................................................................................................

Phone No………………………………………..

PRIVACY STATEMENT

The personal information requested on this form is being collected by Council for sole purpose of determining if the required criteria set out under the Valuations of Land Act as stated Page 1 of this application is met for the property to be classified a primary producing property.

The personal information will be used solely by Council in conjunction with the Council Valuer for that primary purpose or directly related purposes.

OFFICE USE ONLY         FSPL
OBJECTIVE

To receive and note the minutes of the Audit Committee meeting held on 20 February 2015.

BACKGROUND

Council maintains an Audit Committee in accordance with Section 139 of the Local Government Act 1989. The Audit Committee is an independent advisory Committee to Council and its primary objective is to assist Council in the effective conduct of its responsibilities for financial reporting, management of risk, maintaining a reliable system of internal controls and facilitating the organisation’s ethical development. Minutes of the Audit Committee are reported direct to Council. A copy of the minutes in brief from the Audit Committee meeting of 20 February 2015 can be found at Attachment 1 of this report and is provided for the information of Council and the public in general.

OPTIONS

Council has the following options:

1. To receive and note the minutes from the Audit Committee Meeting of 20 February 2015; or
2. To seek further information and consider the minutes at a future meeting.

PROPOSAL

To receive and note the minutes of the Audit Committee meeting held on 20 February 2015.

CONFLICT OF INTEREST

No staff and/or contractors involved in the compilation of this report have declared a Conflict of Interest.

LEGISLATIVE IMPACT

The Local Government Act 1989, section 139(1) requires Council to establish an audit committee. Council’s Audit Committee is an Advisory Committee to Council and operates within the Terms of Reference and Charter adopted by Council.
The Audit Committee Terms of Reference require the minutes of the Audit Committee to be forwarded to an ordinary meeting of the Council, including a report explaining any specific recommendations and key outcomes. The Audit Committee is also required to report annually to the Council summarising the activities of the Committee during the previous financial year.

This report complies with the legislative requirements and the Audit Committee Terms of Reference requirements.

COUNCIL PLAN IMPACT

The Council Plan 2013–2017 Theme 2 Organisational states the following strategic objective and related strategy:

**Strategic Objective**

“An organisation that is responsive, flexible, honest, accountable and consistent.”

**Strategy 2.3**

“Ensure sound governance processes that result in responsive, ethical, transparent and accountable decision making.”

This report supports the above Council Plan strategic objective and strategy.

RISK MANAGEMENT IMPACT

The Audit Committee Charter identifies the management of risk as one of the primary objectives of the Audit Committee. The Audit Committee monitors the risk exposure of Council by determining if management has appropriate risk management processes and adequate management information systems in place.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

____________________________

RECOMMENDATION

**That:**

1. Council receive and note the minutes in brief (Attachment 1) and the confidential attachment at Item F1.1 Audit Committee Minutes of 20 February 2015; and

2. The information contained in the confidential attachment Item F1.1 Audit Committee Minutes of 20 February 2015 of this Council meeting agenda be designated under Section 77 Clause (2)(c) of the Local Government Act 1989 as confidential by the General Manager Corporate Services on 13 February 2015 because it relates to the following grounds under Section 89(2) of the Local Government Act 1989: e) proposed developments; f) legal advice; and h) any other matter which the Council considers would prejudice the Council or any person be designated confidential information under Section 77 Clause (2)(b) of the Local Government Act 1989.
MINUTES IN BRIEF OF AUDIT COMMITTEE MEETING HELD ON FRIDAY 20 FEBRUARY 2015 AT 2PM

Present: Mr Alan Hall (Chair)  
Mr Graeme Coull (from 2.27pm)  
Councillor John Duncan  
Councillor Peter Cleary

In attendance: Mr David Morcom (Chief Executive Officer)  
Mr Arthur Skipitaris (General Manager Corporate Services)  
Mrs Lesley Fairhall (Manager Finance)  
Mr Phillip Phillipou (Manager Information Services)  
Ms Shami Kumunga (HLB Mann Judd)  
Mrs Sheryl Saynor (Executive Support Officer)

1. Welcome

2. Apologies - Mr Peter Craighead

3. Closure of Meeting to Public:-

Councillor Cleary/Councillor Duncan  
That the meeting be closed to the public under Section 89(2) of the Local Government Act 1989 to discuss personnel matters, legal advice and any other matter which the Council or special committee considers would prejudice the Council or any person.  
CARRIED

4. Declaration of Conflict(s) of Interest:- Nil

5. Adoption of Minutes:-

Alan Hall/Councillor Cleary:  
That the Committee adopt the minutes of the previous meeting held on 19 November 2014.  
CARRIED

6. Information Services Update

Councillor Cleary/Councillor Duncan  
That the Audit Committee recommend to Council that it receive the report.  
That the information contained in this document and designated under Section 77 Clause (2)(c) of the Local Government Act 1989 as confidential by the Chief Executive Officer on 13 February 2015 because it relates to the following grounds under Section 89(2) of the Local Government Act 1989:  
(h) any other matter which the Council or special committee considers would prejudice the Council or any person
be designated confidential information under Clause 77(2)(b) of the Local Government Act 1989.

CARRIED

7. Internal Audit Review: Performance Reporting

Councillor Duncan/Councillor Cleary
That the Audit Committee recommend to Council that it receive the report. That the information contained in this document and designated under Section 77 Clause (2)(c) of the Local Government Act 1989 as confidential by the Chief Executive Officer on 13 February 2015 because it relates to the following grounds under Section 89(2) of the Local Government Act 1989:
(h) any other matter which the Council or special committee considers would prejudice the Council or any person.

be designated confidential information under Clause 77(2)(b) of the Local Government Act 1989.

CARRIED

8. Internal Audit Review: Budget Development and Management

Councillor Cleary/Councillor Duncan
That the Audit Committee recommend to Council that it receive the report. That the information contained in this document and designated under Section 77 Clause (2)(c) of the Local Government Act 1989 as confidential by the Acting Chief Executive Officer on 13 February 2015 because it relates to the following grounds under Section 89(2) of the Local Government Act 1989:
(h) any other matter which the Council or special committee considers would prejudice the Council or any person.

be designated confidential information under Clause 77(2)(b) of the Local Government Act 1989.

CARRIED

9. Internal Audit Draft Scope: Management of Infrastructure Assets

Graeme Coull/Councillor Duncan
That the Audit Committee recommend to Council that it receive the report. That the information contained in this document and designated under Section 77 Clause (2)(c) of the Local Government Act 1989 as confidential by the Acting Chief Executive Officer on 13 February 2015 because it relates to the following grounds under Section 89(2) of the Local Government Act 1989:
(h) any other matter which the Council or special committee considers would prejudice the Council or any person.

be designated confidential information under Clause 77(2)(b) of the Local Government Act 1989.

CARRIED

10. Status of Internal Audit Recommendations

Councillor Cleary/Graeme Coull
That the Audit Committee recommend to Council that it receive the report. That the information contained in this document and designated under Section 77 Clause (2)(c) of the Local Government Act 1989 as confidential by the Chief Executive Officer on 13
February 2015 because it relates to the following grounds under Section 89(2) of the Local Government Act 1989:

(h) any other matter which the Council or special committee considers would prejudice the Council or any person

be designated confidential information under Clause 77(2)(b) of the Local Government Act 1989.

CARRIED


Graeme Coull/Councillor Duncan

That the Audit Committee recommend to Council that it receive the report.

That the information contained in this document and designated under Section 77 Clause (2)(c) of the Local Government Act 1989 as confidential by the Chief Executive Officer on 13 February 2015 because it relates to the following grounds under Section 89(2) of the Act:

(h) any other matter which the Council or special committee considers would prejudice the Council or any person.

be designated confidential information under Clause 77(2)(b) of the Local Government Act 1989.

CARRIED


Councillor Duncan/Graeme Coull

That the Audit Committee recommend to Council that it receive the report.

That the information contained in this document and designated under Section 77 Clause (2)(c) of the Local Government Act 1989 as confidential by the Chief Executive Officer on 13 February 2015 because it relates to the following grounds under Section 89(2) of the Act:

(h) any other matter which the Council or special committee considers would prejudice the Council or any person.

be designated confidential information under Clause 77(2)(b) of the Local Government Act 1989.

CARRIED

13. Status of Wellington Shire Council Landfill Sites

Graeme Coull/Councillor Cleary

That the Audit Committee recommend to Council that it receive the Report.

That the information contained in this document and designated under Section 77 Clause (2)(c) of the Local Government Act 1989 as confidential by the Chief Executive Officer on 13 February 2015 because it relates to the following grounds under Section 89(2) of the Local Government Act 1989:

(h) any other matter which the Council or special committee considers would prejudice the Council or any person.

be designated confidential information under Clause 77(2)(b) of the Local Government Act 1989.

CARRIED


Graeme Coull/Councillor Duncan

That the Audit Committee recommend to Council that it receive the Report.
That the information contained in this document and designated under Section 77 Clause (2)(c) of the Local Government Act 1989 as confidential by the Chief Executive Officer on 13 February 2015 because it relates to the following grounds under Section 89(2) of the Local Government Act 1989:

(h) any other matter which the Council or special committee considers would prejudice the Council or any person

be designated confidential information under Clause 77(2)(b) of the Local Government Act 1989.

CARRIED

15. Fraud Report Action Plan

COUNCILLOR CLEARY/COUNCILLOR DUNCAN
That the Audit Committee recommend to Council that it receive the Report.

That the information contained in this document and designated under Section 77 Clause (2)(c) of the Local Government Act 1989 as confidential by the Chief Executive Officer on 13 February 2015 because it relates to the following grounds under Section 89(2) of the Local Government Act 1989:

(h) any other matter which the Council or special committee considers would prejudice the Council or any person

be designated confidential information under Clause 77(2)(b) of the Local Government Act 1989.

CARRIED

16. Related Party Transactions

Graeme Coull/Councillor Duncan
That the Audit Committee recommend to Council that it receive the Report.

That the information contained in this document and designated under Section 77 Clause (2)(c) of the Local Government Act 1989 as confidential by the Chief Executive Officer on 13 February 2015 because it relates to the following grounds under Section 89(2) of the Local Government Act 1989:

(h) any other matter which the Council or special committee considers would prejudice the Council or any person

be designated confidential information under Clause 77(2)(b) of the Local Government Act 1989.

CARRIED

17. Budget Change Request Report

Councillor Cleary/Councillor Duncan
That the Audit Committee recommend to Council that it receive the Report.

That the information contained in this document and designated under Section 77 Clause (2)(c) of the Local Government Act 1989 as confidential by the Chief Executive Officer on 13 February 2015 because it relates to the following grounds under Section 89(2) of the Local Government Act 1989:

(h) any other matter which the Council or special committee considers would prejudice the Council or any person

be designated confidential information under Clause 77(2)(b) of the Local Government Act 1989.

CARRIED
18. Council Quarterly Performance Report

Graeme Coull/Councillor Cleary
That the Audit Committee recommend to Council that it receive the Report.
That the information contained in this document and designated under Section 77 Clause (2)(c) of the Local Government Act 1989 as confidential by the Chief Executive Officer on 13 February 2015 because it relates to the following grounds under Section 89(2) of the Act:

(h) any other matter which the Council or special committee considers would prejudice the Council or any person

be designated confidential information under Clause 77(2)(b) of the Local Government Act 1989.

CARRIED

19. Financials

Councillor Duncan/Graeme Coull
That the Audit Committee recommend to Council that it receive the Report.
That the information, contained in the attached document and designated under Section 77 Clause (2)(c) of the Local Government Act 1989 as confidential by the Chief Executive Officer on 13 February 2015 because it relates to the following grounds under Section 89(2) of the Act:

(h) any other matter which the Council or special committee considers would prejudice the Council or any person

be designated confidential information under Clause 77 (2) (b) of the Local Government Act 1989.

CARRIED

20. Fraud Report

Graeme Coull/Councillor Duncan
That the Audit Committee recommend to Council that it receive the report.
That the information contained in this document and designated under Section 77 Clause (2)(c) of the Local Government Act 1989 as confidential by the Chief Executive Officer on 13 February 2015 because it relates to the following grounds under Section 89(2) of the Local Government Act 1989:

(h) any other matter which the Council or special committee considers would prejudice the Council or any person

be designated confidential information under Clause 77(2)(b) of the Local Government Act 1989.

CARRIED

21. Excessive Staff Leave

Graeme Coull/Councillor Cleary
That the Audit Committee recommend to Council that it receive the Report.
That the information, contained in the attached document and designated under Section 77 Clause (2)(c) of the Local Government Act 1989 as confidential by the Chief Executive Officer on 13 February 2015 because it relates to the following grounds under Section 89(2) of the Act:

(h) any other matter which the Council or special committee considers would prejudice the Council or any person

be designated confidential information under Clause 77 (2) (b) of the Local Government Act 1989.

CARRIED
22. Sale Livestock Exchange

Councillor Cleary/Graeme Coull
That the Audit Committee recommend to Council that it receive the report.
That the information contained in this document and designated under Section 77 Clause (2)(c) of the Local Government Act 1989 as confidential by the Chief Executive Officer on 13 February 2015 because it relates to the following grounds under Section 89(2) of the Local Government Act 1989:

(e) proposed development;
(h) any other matter which the Council or special committee considers would prejudice the Council or any person.

be designated confidential information under Clause 77(2)(b) of the Local Government Act 1989.

CARRIED

23. Current Key Risk Matters

Councillor Duncan/Councillor Cleary
That the Audit Committee recommend to Council that it receive the report.
That the information, contained in the attached document and designated under Section 77 Clause (2)(c) of the Local Government Act 1989 as confidential by the Chief Executive Officer on 13 February 2015 because it relates to the following grounds under Section 89(2) of the Local Government Act 1989:

(f) legal advice;
(h) any other matter which the Council or special committee considers would prejudice the Council or any person;

be designated confidential information under Clause 77 (2) (b) of the Local Government Act 1989.

CARRIED

24. Risk Report

Graeme Coull/Councillor Duncan
That the Audit Committee recommend to Council that it receive the report.
That the information, contained in the attached document and designated under Section 77 Clause (2)(c) of the Local Government Act 1989 as confidential by the Chief Executive Officer on 13 February 2015 because it relates to the following grounds under Section 89(2) of the Act:

(h) any other matter which the Council or special committee considers would prejudice the Council or any person;

be designated confidential information under Clause 77 (2) (b) of the Local Government Act 1989.

CARRIED

25. Register of Commissioned Reports

Councillor Cleary/Councillor Duncan
That the Audit Committee recommend to Council that it receive the report.
That the information, contained in the attached document and designated under Section 77 Clause (2)(c) of the Local Government Act 1989 as confidential by the Chief Executive Officer on 13 February 2015 because it relates to the following grounds under Section 89(2) of the Local Government Act 1989:
h) any other matter which the Council or special committee considers would prejudice the Council or any person; be designated confidential information under Clause 77 (2) (b) of the Local Government Act 1989.

CARRIED

26. General Business

1. CEO Update

Port of Sale Cultural Hub

Relocation to Desailly Street

2. Changes to Accounting Policies/Accounting Standards

THERE BEING NO FURTHER BUSINESS THE MEETING CLOSED AT 3.29PM.
OBJECTIVE

To report on all assembly of Councillor records received during the period 25 February 2015 to 10 March 2015.

BACKGROUND

Section 80A of the Local Government Act 1989 requires a written record to be kept of all assemblies of Councillors, stating the names of all Councillors and Council staff attending, the matters considered and any conflict of interest disclosures made by a Councillor. These records must be reported, as soon as practicable, at an ordinary meeting of the Council and recorded in the minutes.

Below is a summary of all assembly of Councillors records received during the period 25 February 2015 to 10 March 2015.

<table>
<thead>
<tr>
<th>Date</th>
<th>Matters considered</th>
<th>Councillors and officers in attendance</th>
</tr>
</thead>
<tbody>
<tr>
<td>3 March 2015</td>
<td>1. Councillors Diary Meeting</td>
<td>Councillors Crossley, Cleary, Davine, McCubbin, McIvor, Wenger, Hole, Duncan, Sharon Willison, Mayoral &amp; Councillor Support Officer, Gail Hogben, Executive Assistant</td>
</tr>
<tr>
<td></td>
<td>2. Fees and Charges and Capital Works Program 2015/16</td>
<td>Councillors Crossley, Cleary, Hole, Davine, McCubbin, McIvor, Wenger, Duncan, David Morcom, Chief Executive Officer, Arthur Skipitaris, General Manager Governance, Glenys Butler, General Manager Liveability, Chris Hastie, General Manager Built &amp; Natural Environment, John Websdale, General Manager Development, Lesley Fairhall, Manager Finance (Item 1), Dean Morahan, Manager Assets &amp; Projects (Item 1)</td>
</tr>
<tr>
<td></td>
<td>2. Pre-Council Meeting Agenda</td>
<td>Councillors Crossley, Cleary, Hole, Davine, McCubbin, McIvor, Wenger, Duncan, David Morcom, Chief Executive Officer, Arthur Skipitaris, General Manager Governance, Glenys Butler, General Manager Liveability, Chris Hastie, General Manager Built &amp; Natural Environment, John Websdale, General Manager Development, Lesley Fairhall, Manager Finance (Item 1), Dean Morahan, Manager Assets &amp; Projects (Item 1)</td>
</tr>
<tr>
<td>4 March 2015</td>
<td>1. Gippsland Art Gallery Advisory Group</td>
<td>Councillor Davine, Anton Vardy, Gallery Director, Simon Gregg, Curator</td>
</tr>
</tbody>
</table>
OPTIONS

Council has the following options:

1. Note and receive the attached assembly of Councillors records; or

2. Not receive the attached assembly of Councillors records and seek further information for consideration of a future Council meeting.

PROPOSAL

That Council note and receive the attached assembly of Councillors records received during the period 25 February 2015 to 10 March 2015.

CONFLICT OF INTEREST

No staff and/or contractors involved in the compilation of this report have declared a Conflict of Interest.

LEGISLATIVE IMPACT

The reporting of written records of assemblies of Councillors to the Council in the prescribed format complies with Section 80A of the Local Government Act 1989.

COUNCIL PLAN IMPACT

The Council Plan 2013-17 Theme 2 Organisational states the following strategic objective and related strategy:

   Strategic Objective
   “An organisation that is responsive, flexible, honest, accountable and consistent.”

   Strategy 2.3
   “Ensure sound governance processes that result in responsive, ethical, transparent and accountable decision making.”

This report supports the above Council Plan strategic objective and strategy.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

_________________________________________________________________________

RECOMMENDATION

That Council note and receive the attached Assembly of Councillors records received during the period 25 February 2015 to 10 March 2015.
ASSEMBLY OF COUNCILLORS

1. DATE OF MEETING:

03/03/2015

2. ATTENDEES:

Councillors:

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<th>Name</th>
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Others in attendance: (list names and item in attendance for)

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<tr>
<td>Gail Hogben</td>
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<td>Sharon Willison</td>
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3. Matters/Items considered at the meeting (list):

1. Councillors’ Diary Meeting

4. Conflict of Interest disclosures made by Councillors:

Nil
1. DATE OF MEETING:
03/03/2015

2. ATTENDEES:

Councillors:

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<tr>
<td>Lesley Fairhall, Manager Finance</td>
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<td>Dean Morahan, Manager Assets &amp; Projects</td>
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3. Matters/Items considered at the meeting (list):

1. Fees & Charges and Capital Works Program 2015/16
2. Pre-Council Meeting Agenda

4. Conflict of Interest disclosures made by Councillors:

Cr McCubbin declared a conflict of interest during discussion about Fees & Charges for EBBWEC (contained in Item 1) and left meeting during this section of the discussion only.
ASSEMBLY OF COUNCILLORS

1. DATE OF MEETING:

04/03/2015

2. ATTENDEES:

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<tr>
<td>Anton Vardy – Gallery Director</td>
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<td>Simon Gregg, Curator,</td>
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3. Matters/Items considered at the meeting (list):

1. Gippsland Art Gallery Advisory Group

4. Conflict of Interest disclosures made by Councillors:

Nil
OBJECTIVE

To provide a report to Council on recent planning permit trends and planning decisions made under delegation by Statutory Planners during the month of January 2015 for information.

BACKGROUND

Statutory Planners have delegated authority under the Planning and Environment Act 1987 to make planning decisions in accordance with the Planning and Environment Act 1987 and the Wellington Planning Scheme including the issue of: planning permits, amended permits, extensions of time, refusal of planning permits and notices of decision to grant a planning permit.

A copy of planning permit decisions made between 1 January and 31 January 2015 is included in Attachment 1.

Attachment 2 provides an overview of recent planning permit trends including decisions made, efficiency of decision making and the estimated value of approved development (derived from monthly Planning Permit Activity Reporting data).

OPTIONS

Council may choose to note this report, alternatively, Council may choose to seek further information and refer this report to another meeting.

PROPOSAL

That Council note the report on recent planning permit trends and planning application determinations between 1 January and 31 January 2015.

CONFLICT OF INTEREST

No staff and/or contractors involved in the compilation of this report have declared a conflict of interest.
COMMUNICATION IMPACT

The monthly report communicates information about planning trends and determinations including the issue of planning permits, amended permits, refusal of planning permits and notices of decision to grant a planning permit.

LEGISLATIVE IMPACT

All planning decisions have been processed and issued in accordance with the Planning and Environment Act 1987 and the Wellington Planning Scheme.

COUNCIL POLICY IMPACT

All planning decisions have been issued after due consideration of relevant Council policy, including Council's Heritage Policy and the requirements of the State and Local Planning Policy Framework in the Wellington Planning Scheme.

COUNCIL PLAN

The Council Plan 2013–2017 Theme 5 Land Use Planning states the following strategic objective and related strategy:

- Strategic Objective
  “Appropriate and forward looking land use planning that incorporates sustainable growth and development.”

- Strategy 5.2
  “Provide user friendly, accessible planning information and efficient planning processes.”

This report supports the above Council Plan strategic objective and strategy.

ENVIRONMENTAL IMPACT

Planning decisions are made in accordance with the relevant environmental standards to ensure that environmental impacts are minimised.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

RECOMMENDATION

That Council note the report on recent planning permit trends and Planning Application Determinations between 1 January and 31 January 2015.
# PLANNING APPLICATION DETERMINATIONS BETWEEN 1/01/2015 AND 31/01/2015

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<td>223-5/2012</td>
<td>24/11/2014</td>
<td>Assessment No. 347963 LOT: 2 PS: 713877/7M 9 MILLS LANE MAFFRA</td>
<td>Amendment to permit for construction of three sheds.</td>
<td>Permit Issued by Delegate of Resp/Auth 5/01/2015</td>
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<td>370-1/2012</td>
<td>27/09/2012</td>
<td>Assessment No. 197459 CA: 38 ANDREWS RD LONFORD</td>
<td>Amendment C83 - FZ subdivision of the land into multiple lots.</td>
<td>Permit Issued by Delegate of Resp/Auth 15/01/2015</td>
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<tr>
<td>382-2/2012</td>
<td>2/12/2014</td>
<td>Assessment No. 83667 CA: 106 SEC: 1 8 GRASDALE RD SALE</td>
<td>Two lot subdivision of the land.</td>
<td>Permit Issued by Delegate of Resp/Auth 9/01/2015</td>
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<td>331-2/2013</td>
<td>4/12/2014</td>
<td>Assessment No. 20917 LOT: 1 PS: 635565 20-22 DARLING ST SALE</td>
<td>Amendment to permit for construction of 6 townhouses.</td>
<td>Permit Issued by Delegate of Resp/Auth 30/01/2015</td>
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<tr>
<td>23-2/2014</td>
<td>12/12/2014</td>
<td>Assessment No. 98244 CA: 21B SEC: 8 64 STOCKDALE RD STRATFORD</td>
<td>Amendment to permit for FZ subdivision of the land into 2 lots.</td>
<td>Permit Issued by Delegate of Resp/Auth 7/01/2015</td>
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<tr>
<td>121-2/2014</td>
<td>23/12/2014</td>
<td>Assessment No. 293449 LOT: 28 PS: 12453 1 EVELYN ST YARRAM</td>
<td>Amendment to permit for GRZ1 subdivision of the land into 2 lots.</td>
<td>Permit Issued by Delegate of Resp/Auth 9/01/2015</td>
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<tr>
<td>314-1/2014</td>
<td>18/09/2014</td>
<td>Assessment No. 10975 LOT: 1 PS: 138634 13-17 PRINCES HWY SALE</td>
<td>Use of the land for 4 retail premises/signage/access to RCZ1.</td>
<td>Permit Issued by Delegate of Resp/Auth 2/01/2015</td>
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<tr>
<td>338-1/2014</td>
<td>9/10/2014</td>
<td>Assessment No. 198366 LOT: 1 PS: 510058Y BURGANS RD LONFORD</td>
<td>Use and development of the land for a dwelling on lot less than 40ha.</td>
<td>Permit Issued by Delegate of Resp/Auth 30/01/2015</td>
</tr>
<tr>
<td>Application No/Year</td>
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<td>Property Title &amp; Address</td>
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<tr>
<td>342-1/2014</td>
<td>14/10/2014</td>
<td>Assessment No. 114074 PC: 357372H 48 TL-TREE DVE GOLDEN BEACH</td>
<td>Buildings and works associated with construction of a garage.</td>
<td>Permit Issued by Delegate of Resp/Auth 20/01/2015</td>
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<tr>
<td>346-1/2014</td>
<td>14/10/2014</td>
<td>Assessment No. 232751 LOT: 2123 PS: 69977 42 KANGAROO ST LOCH SPORT</td>
<td>Buildings and works associated with construction of a shed.</td>
<td>Permit Issued by Delegate of Resp/Auth 13/01/2015</td>
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<tr>
<td>Application No/Year</td>
<td>Date Received</td>
<td>Property Title &amp; Address</td>
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<tr>
<td>399-1/2014</td>
<td>3/12/2014</td>
<td>Assessment No. 337493 PC: 361596 Y FULTON RD MAFFRA</td>
<td>Buildings and works associated with the construction of a shed.</td>
<td>Permit Issued by Delegate of Resp/Auth 14/01/2015</td>
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<tr>
<td>404-1/2014</td>
<td>11/12/2014</td>
<td>Assessment No. 364349 LOT: 2 PS: 148013 472 RIVERSDALE RD RIVERSLEA</td>
<td>Buildings and works associated with construction of a shed.</td>
<td>Permit Issued by Delegate of Resp/Auth 22/01/2015</td>
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<tr>
<td>410-1/2014</td>
<td>16/12/2014</td>
<td>Assessment No. 368977 CA: 9 SEC: 2 ALBANY ST PORT ALBERT</td>
<td>Buildings and works associated with relocation of a dwelling.</td>
<td>Permit Issued by Delegate of Resp/Auth 22/01/2015</td>
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<tr>
<td>415-1/2014</td>
<td>18/12/2014</td>
<td>Assessment No. 426155 LOT: 1 PS: 417471 K 317-325 RAYMOND ST SALE</td>
<td>Application for a liquor licence.</td>
<td>Permit Issued by Delegate of Resp/Auth 9/01/2015</td>
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<tr>
<td>416-1/2014</td>
<td>19/12/2014</td>
<td>Assessment No. 347963 LOT: 2 PS: 713677M 9 MILLS LANE MAFFRA</td>
<td>Use and development of a dam.</td>
<td>Permit Issued by Delegate of Resp/Auth 23/01/2015</td>
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<tr>
<td>420-1/2014</td>
<td>22/12/2014</td>
<td>Assessment No. 64576 LOT: 1 TP: 244299T 1/193 DESAILLY ST SALE</td>
<td>GRZ1 subdivision of the land into 2 lots.</td>
<td>Permit Issued by Delegate of Resp/Auth 28/01/2015</td>
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<td>423-1/2014</td>
<td>23/12/2014</td>
<td>Assessment No. 298026 LOT: 5 PS: 142739 54 RODGERS ST YARRAM</td>
<td>Buildings and works associated with extension to building.</td>
<td>Permit Issued by Delegate of Resp/Auth 30/01/2015</td>
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<td>1-1/2015</td>
<td>5/01/2015</td>
<td>Assessment No. 372862 LOT: 2 PS: 416932 Q BUNDALAGUAH RD MAFFRA</td>
<td>Buildings and works associated with construction of a farm shed.</td>
<td>Permit Issued by Delegate of Resp/Auth 23/01/2015</td>
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<td>3-1/2015</td>
<td>7/01/2015</td>
<td>Assessment No. 14696 LOT: 1 PS: 724771 135 STAWEEL ST SALE</td>
<td>GRZ1 subdivision of the land into 2 lots.</td>
<td>Permit Issued by Delegate of Resp/Auth 14/01/2015</td>
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<td>Application No/Year</td>
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<tr>
<td>4-1/2015</td>
<td>7/01/2015</td>
<td>Assessment No. 35527 LOT: 2 TP: 856915K 10 BOND ST SALE</td>
<td>C1Z common boundary realignment of the land into 2 lots</td>
<td>Permit Issued by Delegate of Resp/Auth 30/01/2015</td>
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</tbody>
</table>

Total No of Decisions Made: 36
ESTIMATED VALUE OF WORKS
MAY 2013 - JANUARY 2015

P143/2012 Development of Sea Police Station $10,000,000
P215/2013 ESO Gas Plant [Buildings and Works] $50,000,000

F497/2012 Eso conditioning plant $500,000,000 not included in graph for August 2013

Wellington Shire
Average for Other Gippsland Councils (Bass Coast, Baw Baw, East Gippsland, Latrobe, South Gippsland)
ITEMC3.2 UPDATE ON RECOMMENDATIONS FROM REVIEW OF OPTIONS FOR WELLINGTON SHIRE COUNCIL’S VISITOR INFORMATION CENTRE SERVICES

DIVISION: DEVELOPMENT
ACTION OFFICER: MANAGER ECONOMIC DEVELOPMENT
DATE: 17 MARCH 2015

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OBJECTIVE

The purpose of this report is to provide Council with an update on the recommendations contained in the Final Report on the Review of Options for Wellington Shire Council’s Visitor Information Centre Services prepared by AEC Group, dated April 2013.

BACKGROUND

Visitor Information Centre (VIC) service provision for the Wellington Shire is provided via a number of distribution outlets and arrangements across the municipality. The management of the Sale VIC is subcontracted to a private company who provide full time and casual employees and co-ordinate a team of volunteers. The Maffra VIC is managed by the Sale VIC contractor and is staffed by volunteers while the Yarram VIC is operated by Mirridong Services who co-ordinate staffing and volunteer services as part of a long standing community program to provide employment for persons with disabilities.

A review of Visitor Information Centre Services was commissioned in October 2012 as a partnership between Wellington Shire Council and the Wellington Regional Tourism Association. The aim of the review was to determine the current performance level of the existing VICS and to make recommendations in relation to improvements and opportunities that would improve performance if implemented as part of the new contract arrangements commencing 1 September 2013.

REVIEW RECOMMENDATIONS

The review was conducted by the AEC Group and found that Wellington Shire Council's visitor information services and VICS operate at a high level given the investment Council makes in them. There were a number of specific recommendations based on trends and best practice that if implemented could improve performance.

One of the key AEC Group recommendations was to formally bring the Yarram VIC as part of the Wellington VIC network. This has been successfully implemented with VIC services continuing to be delivered in Yarram through Mirridong Inc who now receive greater levels of staff training and familiarisation, delivered through mentoring and a hands on approach as well as adopting more professional and compatible operational systems and processes.

Service delivery in Yarram has also been enhanced with the implementation of the recommendation that services are delivered 7 days per week. This has been achieved utilising the Yarram Historical Society Museum who have been trained, carry a full range of local tourism

Agenda - Ordinary Council Meeting of 17 March 2015 99
Other adopted recommendations that have been completed include:

- The enhancement and updating of the [www.tourismwellington.com.au](http://www.tourismwellington.com.au) website which now directly links Wellington Events to the Tourism Victoria Major events calendar. The website is now performing exceptionally well, with over 6500 users and 17000 page views for January 2015.

- Development of an annual business plan for the operation of the VIC network.

- A review of satellite VICS was conducted with several existing small VIC outlets to be discontinued.

- Visitor and new resident welcome packs have been developed and are available at Sale, Maffra and Yarram VICS.

- The “bookeasy” accommodation booking service has been cancelled and accommodation providers across Wellington have been encouraged and trained to offer online booking capabilities via their own booking platforms.

- During December 2014 a comprehensive “report card” was conducted measuring contract KPI completion which achieved a 92% completion rate. Remaining tasks will be handled as part of normal operating business.

A copy of the Wellington Visitor Information Centres visitation numbers have been provided (Attachment 1).

**OPTIONS**

Council has the following options:

1. Note the update on recommendations from the Review of Options for Wellington Shire Council’s Visitor Information Centre Services;
2. Note the information provided for visitor walk-ins to the Wellington Visitor Information Centres; or
3. Request further information on the recommendations from the Review of Options for Wellington Shire Council’s Visitor Information Centre Services.

**PROPOSAL**

1. That Council notes the update on recommendations from the Review of Options for Wellington Shire Council’s Visitor Information Centre Services.
2. That Council notes the information provided on visitor walk-ins to the Wellington Visitor Information Centres.

**CONFLICT OF INTEREST**

No staff and/or contractors involved in the compilation of this report have declared a Conflict of Interest.
COUNCIL PLAN IMPACT

The Council Plan 2013-17 Theme Economy states the following strategic objective and related strategy:

**Strategic Objective**
“Supported business growth and employment, lifestyle opportunities and a vibrant tourism sector.”

**Strategy 6.3**
“Attract new investment, lifestyle growth and visitors by developing and supporting Wellington Shire’s regional identity.”

This report supports the above Council Plan strategic objective and strategy.

COMMUNITY IMPACT

There has been positive community impact as a result of the implementation of the recommendations of the review, particularly in regard to the level of service delivery in Yarram.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

--------------------------------------------------------------------------

RECOMMENDATION

*That Council:*

1. **Notes the update on recommendations from the Review of Options for Wellington Shire Council’s Visitor Information Centre Services; and**
2. **That Council notes the information provided on visitor walk-ins to the Wellington Visitor Information Centres.**
### SECTION 1: VISITORS

#### 1.1 - Visitor Numbers - Walk-ins

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![Graph of Sale VIC](image)

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Agenda - Ordinary Council Meeting of 17 March 2015
ITEM C3.3  PROPOSED NEW FEES FOR DOMESTIC ANIMAL BREEDING AND REARING BUSINESSES (DAB’S)

DIVISION:  DEVELOPMENT
ACTION OFFICER:  MANAGER MUNICIPAL SERVICES
DATE:  17 MARCH 2015

<table>
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<th>IMPACTS</th>
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</thead>
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OBJECTIVE

For Council to resolve to increase the annual Domestic Animal Business (breeding establishments) annual registration fees in order to reflect and recover the actual cost to Council of provision of this service without relying on general ratepayer subsidy.

BACKGROUND

Over the past 12 months, significant changes have been made to the Domestic Animal Act 1994 and the associated Code of Practice for the Operation of Breeding and Rearing Establishments. (The new code). On 11 April 2014 the new code of practice for the operation of breeding and rearing businesses (Revision 1) became law in Victoria.

There are currently eighteen domestic animal breeding and rearing establishments registered with Wellington Shire Council (Council), all of which are legally obliged to comply with the code of practice for the operation of breeding and rearing businesses.

Wellington Shire Council has the largest number of breeding establishments in the State. The largest breeder (Banksia Park) has 313 breeding dogs, while three other breeders have in excess of 100 breeding dogs each.

The Domestic Animals Act 1994 (DAA) stipulates that all domestic animal businesses (DABs) must be registered with the Council in which they operate. Prior to council registering a DAB, authorised officers are required to inspect the premises to ensure it complies with legislation and the relevant code of practice. The registration fee for 2014/15 is currently $150.00 p.a.

The Department of Environment and Primary Industries (DEPI) are the custodians of the new code, however no additional support or resources are offered by the DEPI to assist with the implementation of the new code. The recent changes to the Domestic Animals Act 1994 and the associated Code of Practice have significant impacts on staffing and budget resources.

Council officers have assessed the impact of the new code in relation to the increased compliance and auditing requirements for each breeder, and subsequent enforcement activities. It has been estimate the additional cost to Council will be approximately $100,000 annually or 1.5 EFT for the next two years whilst the initial compliance and enforcement, prosecution preparations, court appearances and appeals are dealt with. Given these increased costs are a direct cost of operating a Domestic Animal Business, it is not considered appropriate for the general ratepayer to subsidise this cost, and it is therefore recommended that a revised registration fee be introduced that will result in the full cost of this compliance program being fully funded.
OPTIONS

Council has the following options:

1. Refer a proposed Domestic Animal Business annual registration fee made up of:
   a. A flat fee of $2,500 per business; and
   b. An addition fee of $15.00 per breeding dog to the 2015/16 Annual Budget process;

2. Seek further information and postpone the adoption until a future Council meeting; or

3. Not adopt the proposed increase to the Domestic Animal Business annual registration fees and retain the existing fee.

PROPOSAL

That Council refer a proposed Domestic Animal Business annual registration fee made up of:

1. A flat fee of $2,500 per business; and

2. An addition fee of $15.00 per breeding dog to the 2015/16 Annual Budget process.

CONFLICT OF INTEREST

Nil Staff and/or Contractors involved in the compilation of this Report have declared a Conflict of Interest.

FINANCIAL IMPACT

Costs will be incurred with respect to ensuring DAB compliance with the new code. Financial resourcing for the annual compliance is expected to increase over the next two year period, however it is expected that these costs will decrease significantly with increased compliance and if this occurs, the registration fee will be reduced to reflect the actual cost of providing the service.

COMMUNICATION IMPACT

The local Domestic Animal Breeders were invited to two scheduled information sessions on 26 and 27 February 2015 further communicating the changes to legislation. During these sessions additional singular sessions with the Manager of Municipal Services and Coordinator Local Laws were offered to discuss individual fee structures.

Fifteen (15) domestic animal breeders attended the two scheduled sessions and voiced their disappointment with the magnitude of the proposed increased fees. It was clear that those breeders who attended the session were aware of the changes to the legislation and were expecting some increase but not the extent Council proposed. They also recognised that Council was not responsible for the legislative changes and were hoping the State Government may have provided some financial assistance to support its introduction.

Should Council adopt the proposed fees in relation to the new legislation, information will be made available on Council’s website and service centres. Local Laws Officers will also serve an educational role in their day-to-day interactions with the domestic breeder community.
LEGISLATIVE IMPACT

Wellington Shire Council is committed to upholding the Human Rights principles as outlined in the Charter of Human Rights and Responsibilities Act 2006 (Vic) and referred to in Council’s Human Rights Policy. The Community Impact Statements detail the compatibility of each proposed law with the Charter.

COUNCIL PLAN IMPACT

The Council Plan 2013-2017 Theme 7 Community Wellbeing states the following strategic objective and related strategy.

**Strategic Objective**

“Enhance health and wellbeing for the whole community”

**Strategy 7.7**

“Work in partnerships to provide leadership and strategic direction on issues or risks relating to community safety.”

RESOURCES AND STAFF IMPACT

Staff resourcing over the next two years has been estimated to increase by 1.5 EFT while initial compliance and subsequent enforcement issues are dealt with.

CONSULTATION IMPACT

The following consultation was undertaken during the drafting of the proposed fee increases:

- Letters of compliance were posted to all registered breeders informing them of the new breeding and rearing code of practice on 20 October 2014;
- A media release was distributed via email to the organizers of the Community Newsletters within the shire;
- Two information sessions were conducted at the Port of Sale Wellington Room on 26 and 27 February 2015, at which fifteen (15) domestic animal breeders attended.
- Breeders will also have an opportunity to make comment via providing a budget submission outlining their objections.

Fact sheets in relation to the new code have been prepared for each Local Law officer in order to seek to improve consistency, clarity and transparency for those affected by the legislation changes.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

_________________________

RECOMMENDATION

That Council refer a proposed Domestic Animal Business annual registration fee made up of:

1. A flat fee of $2,500 per business; and
2. An additional fee of $15.00 per breeding dog to the 2015/16 Annual Budget process.
GENERAL MANAGER
BUILT & NATURAL
ENVIRONMENT
GENERAL MANAGER
LIVEABILITY
ITEM C5.1 MAFFRA RECREATION RESERVE COMMITTEE OF MANAGEMENT MEETING MINUTES

DIVISION: LIVEABILITY

ACTION OFFICER: MANAGER HEALTHY LIFESTYLES

DATE: 17 MARCH 2015

IMPACTS

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<th>Legislative</th>
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<th>Council Plan</th>
<th>Resources &amp; Staff</th>
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OBJECTIVE

For Council to receive the minutes from the Maffra Recreation Reserve Committee of Management’s Annual General Meeting held on 6 October 2014 including the audited financial statements and the minutes from the Ordinary Meeting held on 2 February 2015.

BACKGROUND

The Maffra Recreation Reserve Committee is a Special Committee of Council under Section 86 of the Local Government Act 1989 and operates within the provisions of a Council approved Instrument of Delegation.

The objectives of this Committee are:

- To manage, operate and maintain the Maffra Recreation Reserve for the community in an efficient, effective and practical manner.
- To undertake activities designed to protect, promote, utilise and develop the Maffra Recreation Reserve for the use and enjoyment of the local community.

As provided under the Committee’s Instrument of Delegation the minutes of all meetings are to be presented to Council and highlight the day to day activities being undertaken by the Committee.

Conflict of Interest: It was noted that conflicts of interest were called for at the commencement of the meeting with no conflicts being declared.

OPTIONS

Council has the following options:

1. Receive the minutes from the Maffra Recreation Reserve Committee of Management’s Annual General Meeting held on 6 October 2014 including audited financial statements and the minutes from the Ordinary Meeting held on 2 February 2015; or
2. Seek further information for consideration at a future meeting of Council.
PROPOSAL

That Council receive the minutes from the Maffra Recreation Reserve Committee of Management’s Annual General Meeting held on 6 October 2014 including audited financial statements and the minutes from the Ordinary Meeting held on 2 February 2015.

CONFLICT OF INTEREST

No staff and/or contractors involved in the compilation of this report have declared a Conflict of Interest.

LEGISLATIVE IMPACT

This report is in accordance with Section 91(4) of the Local Government Act 1989.

COUNCIL POLICY IMPACT

This report is in accordance with Council Policy 5.3.2 which establishes a framework for the guidance of Council in relation to the roles and responsibilities of Committees.

COUNCIL PLAN IMPACT

The Council Plan 2013-17 Theme 4 Infrastructure states the following strategic objective and related strategy:

- **Strategic Objectives**
  
  “Asset and infrastructure that meet current and future community needs."

- **Strategy 4.2**
  
  “Ensure assets are managed, maintained and renewed to meet service needs."

CONSULTATION IMPACT

Meetings held by the Maffra Recreation Reserve Committee of Management are open to the public.

PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

RECOMMENDATION

*That Council receive the minutes from the Maffra Recreation Reserve Committee of Management’s Annual General Meeting held on 6 October 2014 including audited financial statements and the minutes from the Ordinary Meeting held on 2 February 2015.*
Maffra Recreation Reserve Committee of Management  
(Special Committee of Wellington Shire Council)  
Annual General Meeting  
Held at the Maffra Recreation Centre  
Monday October 6th, 2014 at 7.30pm

PRESENT- Jennifer Toma, Dennis Proud, Cr K Crossley, Valerie Bragg,  
Mark Hewlitt, Stephen Dingwall & Cheryl Dowling.

APOLOGIES- John Vardy, Lisa Ogilvie, Matthew Coleman, Charlie Coleman &  
Irene Crockford.

Minutes of the Previous Annual General Meeting held on Monday October 7th, 2013,  
were read and confirmed on the motion of D. Proud and seconded by S. Dingwall.  
CARRIED

Business Arising from the Minutes- Nil.

The Chairman’s report will be presented at the next Ordinary meeting.

The Financial unaudited Report was presented by the Secretary, Jennifer Toma as the  
Treasurer, Lisa Ogilvie, is an apology.
The unaudited report was passed pending presentation of the audited report at the next  
available Ordinary meeting. Moved J. Toma and seconded S. Dingwall. CARRIED

The Wellington Shire Councillor, Kath Crossley, chaired the election of office-bearers  
for the next year, and thanked all position holders of the past year for their good work.  
CHAIRMAN- Mark Hewlitt- nominated by S. Dingwall.  
SECRETARY – Jennifer Toma- nominated by S. Dingwall.  
TREASURER – L. Ogilvie- nominated by S. Dingwall as Lisa has given a verbal  
agreement to remain in this position  
VICE-CHAIRMAN – John Vardy- nominated by M. Hewlitt.  

SCHEDULE of FEES; Motion moved by D. Proud and seconded by C. Dowling that  
all user groups fees are to be increased in line with the CPI. CARRIED  
The meeting closed at 7.55pm.  
The next Annual General Meeting will be held on Monday September 7th, 2015.
REPORT OF THE AUDITOR TO THE MEMBERS OF
THE MAFFRA RECREATION RESERVE

I have audited the attached financial reports of the Maffra Recreation Reserve Committee for the period 01/07/2013 to 30/06/2014, and subject to the qualification listed below, the attached Profit & Loss Statements and Balance Sheet reflect an accurate record of the transactions on the committee's bank account for the period under review.

**Qualification**

1. As an audit procedure it was not practical to extend our examination to all sources of receipts, with the exception of bank interest, beyond accounting for amounts received as shown by the books of the committee.

Address: 3 Pearson Street
MAFFRA VIC 3860

Firm: Pund & Associates

Date: 12th November 2014

Principal: .............................................
Brett Pund – C.A
# Maffra Recreation Reserve
## Profit & Loss
### July 2013 through June 2014

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<td><strong>Total Repairs and Maintenance</strong></td>
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Page 1
### Maffra Recreation Reserve
#### Profit & Loss
**July 2013 through June 2014**

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<th>Description</th>
<th>Jul 13 - Jun 14</th>
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<td>Waste Removal (Maffra Waste)</td>
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<td><strong>Net income</strong></td>
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### Maffra Recreation Reserve
#### Balance Sheet Prev Year Comparison
**As of June 30, 2014**

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<td>Current Assets</td>
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<tr>
<td>Chequing/Savings</td>
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<td>Bendigo Bank - General Account</td>
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<td>Bendigo Bank - Investment Acc.</td>
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<td>Total Chequing/Savings</td>
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Welcome to my 2014 Chairman’s report, it has been another interesting year for the Maffra Recreation Reserve and its Committee of Management.
A number of highlights should be recorded here.
Including the successful installation of lights to the main oval replacing the original lights that had served for many years. It was a proud moment for all concerned when they were officially switched on for a night game to commence the new football season. And I acknowledge Wellington Shire Council for its support towards completing this upgrade of lighting project.
We welcomed a new user group when the East Gippsland Pleasure Harness Club made our Reserve their home base, including their use of the old Young Farmers rooms as their clubrooms.
It was exciting to have over fifty campers on the Reserve for the annual weekend of the Winter International Dog Shows. The clubs involved have plans for more campers in 2015 with the increase of power outlets around the main oval. This was a welcome injection of funds for the Reserve maintenance fund.
And plans are well in hand for another new exhibition to take place on the Reserve in November, an Antique Truck Show, with a commitment from the organisers that if successful it will be an ongoing event.
Of course the highlights are balanced by the lowlights of the year.
We were saddened to lose Cr. John Duncan as our Wellington Shire representative due to ill health and look forward to his return to Committee. John was replaced by Cr. Carolyn Crossley which gave both sides a very different appreciation of how Council works in respect of Management Committees.
Sadly the Reserve suffered two criminal incidents during the year, a break-in and theft from the Maffra Football/Netball Club office and squatters in the cattle pavilion, who did criminal damage to the pavilion.
Maintenance was undertaken on a regular basis, and the Committee was pleased to welcome Tony Van Balem as the Reserve’s maintenance man. Tony has proved to be a real asset in a very short time.
Now to look forward to the next year 2015 and the major challenges to be undertaken to ensure the security of the Maffra Recreation Reserve for the future.
The following up of the upgrading of the Reserve’s business plan, which seems to have become bogged down in a department of Wellington Shire.
Working towards the overall upgrade of drainage for the whole Recreation Reserve, this project will need financial support from the Government, Shire and this Committee, and will take time to implement.
To conclude this report I would like to thank the members of this Committee and their organisations for their work and support to this Reserve over the past year. Also to our Secretary, Jenny, and Treasurer, Lisa, for their work and dedication over the past year.
Signed  

Date 23215
MAFFRA RECREATION RESERVE COMMITTEE OF MANAGEMENT
(SPECIAL COMMITTEE of WELLINGTON SHIRE COUNCIL)
GENERAL MEETING
Held Monday February 2nd, 2015


Geoff Hay attended as Co-ordinator for Committees of Management within W.S.C.

APOLOGIES – Lisa Ogilvie, & John Vardy.

Conflict of interest the Chairman, M. Hewlitt, advised committee members that they are obliged to declare any conflict of interest arising from items to be discussed at this meeting.

MINUTES of the general meeting held on Monday December 1st, 2014 were read and received on the motion of J. Duncan and seconded by S. Dingwall. CARRIED

BUSINESS ARISING –

1/ no quotes have been sourced for a mower replacement.

2/ Secretary spoke to Les Langshaw re the restricting traffic through the Henry St. gate, and work will be undertaken

3/ question raised re; the colourbond fence along McLean Street, Geoff Hay to liaise with Secretary to obtain costs from WSC.

4/ a quote for new signage for the Reserve was tabled, another is being sort. Some changes were suggested and will be conveyed to the companies involved.

CORRESPONDENCE

Inward - nil

Outward – letters to committee members with meeting invitations & Minutes

Correspondence read and received on the motion of C. Dowling and seconded by P. Bourke. CARRIED

The Secretary presented TREASURER’S report

Accounts submitted for payment included;

D. Coridas- $2,216.50 being for earthworks undertaken in Blackies paddock prior to the Maffra Show, Agricultural Society to pay $1,000.00 and this Committee to pay the balance.

There was a question about how much of the power account submitted should be paid by the Agricultural Society as part of the costs of the Maffra Show.

Moved J. Toma and seconded V. Bragg that the Treasurers Report be accepted and accounts passed for payment. CARRIED

REPORTS

Kennel Club- all international judges are signed for 2015 shows and work is commencing on judges for 2016. The clubs may hold a member’s competitions during the year as two club members are trainee judges.

Rockhounds- going along as normal.

Agricultural Society- will hold a BBQ outside the Function Centre on Friday February 13th, 2015. ACTION- secretary will inform booking secretary.

EVPHC Inc- a report was tabled. C. Dowling showed photos (on iPad) of pony sizes in reference to an O.H. & S issue to horses and drivers from the new horse yards constructed in Blackies Paddock. These yards need an extra rail b/h top and bottom. White sight wires were suggested, more discussion required on this issue.

Permission was sort for permanent markers to be place in Blackies Paddock to assist with ring measurements. The Committee agreed that this could take place.
Poultry Club - would like a sign for the front entrance, but will wait for decision on official signage.

Will host a twilight auction this month.

Maffra Band - had a large attendance for the annual Carols by Candlelight and the feeling is that the community is warming to the Reserve as a venue for this event.

Maffra Football/Netball Club - there was a drainage meeting held between relevant parties and no formal report has been submitted.

MAINTENANCE - sadly reported that due to a major accident Tony Van Baleen has resigned as maintenance man. Richard Toma has offered services as maintenance man only, we need to find a cleaner for the outside toilets, changerooms, and to clean oval and manage bins.

Repairs to the pipes under the main entrance are being undertaken by McCarthy Plumbing. This is an ongoing problem as pipes are too weak.

W.S.Council - J. Duncan spoke about a number of break-ins that had occurred in Reserves across the Shire and asked about this Reserve. It was discussed and members were asked to be aware of unusual occurrences when on the Reserve.

GENERAL BUSINESS

1/ Monday March 2nd Richmond Football Club will hold a clinic on the main oval for local schools, some catering may be needed. This is being organised by AFL Gippsland.

2/ It was decided to obtain a quote from both parties for digital advertising to be included in the new signage for the Reserve.

3/ The dead trees threatening the newly erected eastern fence have been removed.

4/ The radio frequency band used on this Reserve is being removed from the air soon and a quote has been obtained for an upgrade of the sound system for the Reserve. It totals $4,780.00; it was suggested all representatives speak to their organisations about their requirements for PA during events. The sound system has a high priority in the business plan as discussed with the Shire representatives.

5/ The Agricultural Society plans to rip up and re-sow the Jack Williamson Show Jumping arena in cooperation with the EGP HC.

6/ ACTION – secretary to contact Les Langshaw again re; gate entrance alterations

The meeting closed at 8.50pm.

The next meeting will be held Monday March 30th, 2015.
Maffra Recreation Reserve
Reconciliation Summary
Bendigo Bank - Investment Acc., Period Ending 31/01/2015

1:15 PM
16/06/14

Beginning Balance
12,972.88

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Clear Balance
12,978.94

Register Balance as of 31/01/2015
12,978.94

New Transactions

| Deposits and Credits - 1 item             | 6.06 |
| Total New Transactions                    | 6.06 |

Ending Balance
12,985.00

Maffra Recreation Reserve
Reconciliation Summary
Bendigo Bank - General Account, Period Ending 31/01/2015

1:12 PM
16/06/14

Beginning Balance
5,753.57

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Clear Balance
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Uncleared Transactions

| Cheques and Payments - 2 items            | -419.40  |
| Total Uncleared Transactions              | -419.40  |

Register Balance as of 31/01/2015
5,265.88

Ending Balance
5,265.88
## Maffra Recreation Reserve
### Profit & Loss
#### January 2015

### Income

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ITEM C5.2 QUICK RESPONSE GRANT SCHEME

DIVISION: LIVEABILITY
ACTION OFFICER: MANAGER HEALTHY LIFESTYLES
DATE: 17 MARCH 2015

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OBJECTIVE

For Council to note the information regarding successful applications under the Quick Response Grant Scheme (QRGS) for the period November 2014 to February 2015 as at Attachment A.

BACKGROUND

The QRGS aims to fulfil community need by providing a quick turnaround for funding and provides an opportunity for the community to access funding outside the Community Grant timeline. The QRGS supports the delivery of projects that demonstrate positive impacts on the wider Wellington community. Eligible projects submitted under this program are assessed within two weeks.

Individuals can apply for a QRG of up to $500 under the Individual Sponsorship category. Not for profit community groups operating in the Wellington Shire can apply for up to $2,000 from the three minor community funding categories (Events, Projects and Facilities categories).

The applications included in this paper were assessed between November 2014 and February 2015.

Applications are assessed by an internal assessment panel. Each application is assessed on its benefit to the community, ability to fulfil a community need, project planning and the capacity of the applicant to deliver the project. The Panel allocates funding based on the assessment criteria and funding guidelines.

OPTIONS

Council has the following options:

1. Note the information regarding successful applications under the QRGS for the period November 2014 to February 2015 as at Attachment A.; or

2. Seek further information for consideration at a future meeting of Council.

PROPOSAL

For Council to receive the information regarding successful applications under the QRGS for the period November 2014 to February 2015 as at Attachment A.
CONFLICT OF INTEREST

No staff and/or contractors involved in the compilation of this report have declared a Conflict of Interest.

FINANCIAL IMPACT

These applications have been funded through the QRGS within the Healthy Lifestyles budget. The total available budget for the 2014/15 Quick Response Grant Scheme is $95,000. A total of $15,068 was allocated to successful applications between November 2014 and February 2015.

The table below is a summary of the funding allocation, detailed list at Attachment A.

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<td>• Minor Community Projects</td>
<td>5 totalling $9,323.50</td>
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<tr>
<td>• Minor Community Facilities</td>
<td>3 totalling $5,612</td>
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<tr>
<td>• Individual Sponsorship</td>
<td>2 totalling $1,000</td>
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<table>
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<td>• Minor Community Projects</td>
<td>2 totalling $4,000</td>
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<tr>
<td>• Minor Community Facilities</td>
<td>1 totalling $2,000</td>
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<tr>
<td>• Individual Sponsorship</td>
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<td>• Minor Community Events</td>
<td>Nil</td>
</tr>
<tr>
<td>• Minor Community Projects</td>
<td>3 totalling $5,323.50</td>
</tr>
<tr>
<td>• Minor Community Facilities</td>
<td>2 totalling $3,612</td>
</tr>
<tr>
<td>• Individual Sponsorship</td>
<td>Nil</td>
</tr>
</tbody>
</table>

COMMUNICATION IMPACT

The funding of these events and projects facilitates positive community relationships for the Wellington Shire, highlighting Council’s commitment to supporting not for profit community organisations in the delivery of their activities, projects and events that benefit the wider community.

COUNCIL PLAN IMPACT

The Council Plan 2013-17 Theme 7 Community Wellbeing states the following strategic objective and related strategy:

**Strategic Objective**
“Enhance health and wellbeing for the whole Community”.

**Strategy 7.1**
“Support access to a range of recreational opportunities for all sectors of the community”.

COMMUNITY IMPACT

The funding of these individuals, events and projects will have a significant positive effect on the community, providing assistance to increase the range of events and activities that the wider Wellington community can access. Successful applicants have demonstrated a community need
that will be filled through receiving the funding and show a community benefit through project outcomes.

ENVIRONMENTAL IMPACT

All events and projects are encouraged to be consider the waste that will be produced through delivering their grant outcomes and have appropriate measures in place to manage waste. Assistance from Council is offered to all events to minimise landfill waste through the use of recycle bins.

CONSULTATION IMPACT

Council officers were involved in consultation with grant applicants to provide advice and assistance in the completion of event grant applications.

RISK MANAGEMENT IMPACT

The events industry is strongly legislated and all events are encouraged to comply with current OH&S and best practice safety standards. It is the responsibility of applicants to ensure that their project complies with all current rules and regulations.

RECOMMENDATION

For Council to note the information regarding successful applications under the Quick Response Grant Scheme for the period November 2014 to February 2015 as at Attachment A.
### Quick Response Grant Scheme - Successful Applications – November 2014 – February 2015

<table>
<thead>
<tr>
<th>Organisation</th>
<th>Project Title</th>
<th>Amount</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Minor Community Projects</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1 Bakers Community Services Centre (Yarram and District Health Service)</td>
<td>Bakers Community Kitchen and Group Learning Space</td>
<td>$2,000.00</td>
<td>To create a garden that acts as a gathering space to increase sustainability, community connectedness and health &amp; wellbeing</td>
</tr>
<tr>
<td>2 Sale Parkrun (Gippsport)</td>
<td>Sale Parkrun</td>
<td>$2,000.00</td>
<td>Parkrun is a free, weekly, 5 kilometre timed run that occurs around the world. This program will be started in Sale and open to everyone.</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td></td>
<td>$4,000.00</td>
<td></td>
</tr>
<tr>
<td><strong>Minor Community Events</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1 DWRRWW Football Netball Club Inc.</td>
<td>New Years Eve Night</td>
<td>$2,000.00</td>
<td>Community New Years Eve Family Event</td>
</tr>
<tr>
<td>2 Rosedale Neighbourhood House</td>
<td>Meet your Neighbours Park Party</td>
<td>$350.00</td>
<td>A drug and alcohol free family event to allow Rosedale locals to meet new people, make new friends and reduce social isolation</td>
</tr>
<tr>
<td>3 Golden Paradise Beach Community Centre Committee of Management</td>
<td>Visual Art Exhibition 2014</td>
<td>$500.00</td>
<td>The Art by the Sea Gallery will host an exhibition of various forms of art submitted by both adults and children including painting and photography</td>
</tr>
<tr>
<td>4 Wurruk Community House</td>
<td>Wurruk Community Family Christmas</td>
<td>$1,495.00</td>
<td>This event is a local celebration of Christmas and community with a BBQ dinner, entertainment, carols and a visit from Santa for the children</td>
</tr>
<tr>
<td>5 Sale Amateur Basketball Association</td>
<td>American College Shooting Camp</td>
<td>$423.00</td>
<td>Shooting and skills basketball camp conducted by a professional player/coach from the USA/NBA.</td>
</tr>
<tr>
<td>6 Glenmaggie and District Boat Club GDBC</td>
<td>60th Anniversary &amp; Clubhouse Opening BBQ</td>
<td>$1,300.00</td>
<td>A free community open day at the new GDBC Clubhouse to celebrate the 60th anniversary and official opening of the new clubhouse to the community</td>
</tr>
<tr>
<td>7 Sale Vintage Tractor Club</td>
<td>31st Annual Tractor Pull</td>
<td>$2,000.00</td>
<td>The Vintage Tractor Club is holding their 31st Tractor Pull. With displays and participation from local community groups.</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td></td>
<td>$8,068.00</td>
<td></td>
</tr>
<tr>
<td><strong>Minor Community Facilities</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1 Yarram Colts Cricket Club</td>
<td>Yarram Cricket Pitch Restoration</td>
<td>$2,000.00</td>
<td>Restoration of the cricket pitch surface to allow for continued participation over the Cricket season.</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td></td>
<td>$2,000.00</td>
<td></td>
</tr>
<tr>
<td><strong>Individual Sponsorship</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Individual’s Name</td>
<td>Supporting Organisation</td>
<td>Activity Title</td>
<td>Amount</td>
</tr>
<tr>
<td>1 Mr Cameron Green</td>
<td>Wellington Eight Ball Association</td>
<td>Queensland Eight ball Association</td>
<td>$500.00</td>
</tr>
<tr>
<td>2 Mr Jack Green</td>
<td>Wellington Eight Ball Association</td>
<td>Queensland Eight ball Association</td>
<td>$500.00</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td></td>
<td></td>
<td>$1,000.00</td>
</tr>
</tbody>
</table>
D. URGENT BUSINESS

E. FURTHER GALLERY AND CHAT ROOM COMMENTS
On this 13 day of February 2015, in accordance with Section 77 Clause (2)(c) of the Local Government Act 1989; I, Arthur Skipitaris (Delegate) declare that the information contained in the attached document AUDIT COMMITTEE MINUTES 20 FEBRUARY 2015 is confidential because it relates to the following grounds under Section 89(2) of the Local Government Act 1989:

e) proposed developments
f) legal advice
h) any other matter which the Council or special committee considers would prejudice the Council or any person.

General Manager Corporate Services (Delegate)