



MINUTES OF THE ORDINARY COUNCIL MEETING OF THE HINDMARSH SHIRE COUNCIL HELD AT THE COUNCIL CHAMBER, NHILL ON WEDNESDAY 3 MAY 2017, COMMENCING AT 3:00PM

AGENDA

1. Acknowledgement of the Indigenous Community and Opening Prayer

2. Apologies

3. Confirmation of Minutes

4. Declaration of Interests

5. Public Question Time

6. Correspondence

7. Assembly of Councillors

7.1 Record of Assembly

8. Planning Permit Reports

8.1 Application for Planning Permit 1550-17

9. Reports Requiring a Decision

- 9.1 Financial Report for period ending 31 March 2017
- 9.2 Grampians and Barwon South West Region Passenger Services Study
- 9.3 Essential Services Commission – Application for a Rate Cap variation

10. Special Committees

10.1 Rainbow Town Committee

11. Late Reports

No report

12. Other Business

No report

13. Confidential Matters

13.1 Section 86 Committees – Jeparit Town Committee and Wimmera Mallee Pioneer Museum

14. Meeting Close

Present: Crs. D. Nelson (Mayor), R. Lowe (Deputy Mayor), D. Colbert, T. Schneider, R. Gersch, R. Ismay

In Attendance:

Greg Wood, (Chief Executive Officer), Anne Champness (Director Corporate and Community Services), Adrian Gasperoni (Director Infrastructure Services), Taegan Salt (Executive Assistant).

1. ACKNOWLEDGEMENT OF THE INDIGENOUS COMMUNITY AND OPENING PRAYER

Cr Nelson opened the meeting at 3:00pm by acknowledging the Indigenous Community and offering the opening prayer.

2. APOLOGIES

Nil

3. CONFIRMATION OF MINUTES

RECOMMENDATION:

That the Minutes of the Ordinary Council Meeting held on Wednesday 19 April in the Council Chamber, Nhill as circulated to Councillors be taken as read and confirmed.

MOVED: CRS R. Lowe/T. Schneider

That the Minutes of the Ordinary Council Meeting held on Wednesday 19 April in the Council Chamber, Nhill as circulated to Councillors be taken as read and confirmed.

CARRIED

Attachment: 1

4. DECLARATION BY COUNCILLORS OR OFFICERS OF ANY DIRECT OR INDIRECT INTEREST IN ANY ITEM ON THE AGENDA.

- Direct; or
- Indirect interest
 - a) by close association;
 - b) that is an indirect financial interest;
 - c) because of conflicting duties;
 - d) because of receipt of an applicable gift;
 - e) as a consequence of becoming an interested party; or
 - f) because of an impact on residential amenity.

Declaration of direct or indirect interest must also be advised by Councillors at the commencement of discussion of the specific item.

5. PUBLIC QUESTION TIME

6. CORRESPONDENCE

6.1 GENERAL CORRESPONDENCE

MOVED: CRS T. Schneider/R. Gersch

That Council write to Russell Barber thanking him for his dedication and commitment to the Riverside Holiday Park, Dimboola and wishing him well for the future.

CARRIED

7. ASSEMBLY OF COUNCILLORS

Responsible Officer: Director Corporate and Community Services

Attachment: 2

Introduction:

The attached Assembly of Councillors Record is presented as an attachment to the Council agenda for the information of Councillors and recorded at the Council meeting as required under s80A Local Government Act 1989.

Options:

1. That Council accept the Assembly of Councillors Records as presented.

RECOMMENDATION:

That Council accept the Assembly of Councillors Records as presented.

MOVED: CRS R. Gersch/T. Schneider

That Council accept the Assembly of Councillors Records as presented with the addition of D. Argall as the Landcare presenter.

CARRIED

Attachment: 2

8. PLANNING PERMITS

8.1 APPLICATION FOR PLANNING PERMIT 1550-17

APPLICATION FOR PLANNING PERMIT 1550-17

Responsible Officer:	Director Infrastructure Services
File:	Planning – Applications – 1550-17
Attachment:	3
Applicant:	Hindmarsh Shire Council
Owner:	Crown land - DELWP
Subject Land:	CA 2003 PP3770 (Riverside, Dimboola)
Proposal:	Installation of a boating pontoon
Zoning & Overlays:	Public Conservation and Resource Zone (PCRZ) Environmental Significance Overlay (Schedule 3) Environmental Significance Overlay (Schedule 6) Heritage Overlay (Schedule 39) Land Subject to Inundation Overlay

Summary:

The proposal seeks planning permission to construct a boating pontoon on the Wimmera River adjacent to the Riverside Caravan Park at Dimboola. The pontoon will have a rectangular shape with dimensions of 10m x 3.3m. The pontoon will be accessed via an 8m long aluminium walkway with handrails. The facility will include a submerged platform to enable the launching of kayaks and canoes. The proposal seeks to improve access to the river. The boating pontoon adjoins existing recreation areas.

DELWP as land managers of the Crown Land have given their consent to the proposal.

A planning permit is required for the proposal due to the provisions of the Land Subject to Inundation Overlay (LSIO). Clause 44.04-1 of the Hindmarsh Planning Scheme sets out that a planning permit is required for any 'buildings and works' in the LSIO. A pontoon is included in the definition of 'buildings'.

Any proposal that triggers a planning application within the LSIO requires referral to the WCMA. The Authority has not objected to the application subject to conditions being placed on any approval. These are included as recommended conditions. DELWP were consulted and they have not objected to the application nor required permit conditions.

The Hindmarsh Planning Scheme encourages enhanced recreation facilities and the protection of areas from flooding. The proposal is entirely consistent with these objectives.

Notification & Referral of Application:

Pursuant to Sections 52 and 55 of the Planning and Environment Act 1987 (the Act), notice of the application must be given to the community and referred to stipulated authorities.

Community:

Pursuant to Section 52 of the Act, Council is required to give notice of this application to any person it considers the grant of the permit may cause material detriment. Notice of this application was not given to adjoining landowners because the Town Planner is satisfied that

the grant of the permit would not cause material detriment to any person.

Authorities:

Pursuant to Section 52 of the Act, notice of this application was sent to DELWP. The Authority did not object to the application.

Pursuant to Section 55 of the Act, notice of this application was referred to the WCMA. The Authority did not object subject to the inclusion of permit conditions, these have been included in the recommendation.

Strategic, Statutory and Procedural Requirements:

The proposal is consistent with the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.

Report to Council:

The Town Planner advises that all obligations of Council (strategic, statutory and procedural) have been addressed and discharged in this planning application.

Processing Times:

The application was received on 6 March 2017. The report is being presented to the Council meeting of 3 May 2017. The statutory processing time requirements of the Planning and Environment Act 1987 have been satisfied.

Conflict of Interest:

Under section 80c of the Local Government Act 1989 officers providing advice to Council must disclose any interests, including the type of interest.

Officer Responsible – Adrian Gasperoni, Director Infrastructure Services

In providing this advice as the Officer Responsible, I have no disclosable interests in this report.

Author – Peter Jewell, Town Planner

In providing this advice as the Author, I have no disclosable interests in this report.

RECOMMENDATION:

That Council approve Planning Application 1550-17 for the construction of a boating pontoon at CA 2003, PP3770 (Riverside, Dimboola). The Planning Permit shall be issued with the following conditions:

1. The layout of the use and development for the land as shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority.

WCMA requirements

2. The pontoon must be able to float above the 1% AEP flood of 81.25m AHD.

3. The floating boating platform shall be designed to withstand water velocities of at least 2.5 m/s, as determined in the Dimboola Flood Study 2003.

4. There shall be no net loss of floodplain storage as a result of the proposed fishing platform.

5. ***Soil erosion and contamination of runoff from the site during and post construction must be minimized to ensure the water quality of watercourses that receive drainage from the site is maintained. The Authority recommends that the guidelines documented in EPA Publication 275 – Construction Techniques for Sediment Pollution Control are followed.***
6. ***No earthen landfill is permitted to be placed on the land. Any fill excavated from the site must be removed from the floodplain.***

Permit Lapse/Extension

The time for commencement of the development is within two years from the date of issue of the permit and the development works are to be completed within two years of the commencement of the permit. An extension of time of the development may be issued if application is made less than three months after the date on which the permit would have lapsed.

MOVED: CRS T. Schneider/R. Lowe

That Council approve Planning Application 1550-17 for the construction of a boating pontoon at CA 2003, PP3770 (Riverside, Dimboola). The Planning Permit shall be issued with the following conditions:

1. ***The layout of the use and development for the land as shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority.***

WCMA requirements

2. ***The pontoon must be able to float above the 1% AEP flood of 81.25m AHD.***
3. ***The floating boating platform shall be designed to withstand water velocities of at least 2.5 m/s, as determined in the Dimboola Flood Study 2003.***
4. ***There shall be no net loss of floodplain storage as a result of the proposed fishing platform.***
5. ***Soil erosion and contamination of runoff from the site during and post construction must be minimized to ensure the water quality of watercourses that receive drainage from the site is maintained. The Authority recommends that the guidelines documented in EPA Publication 275 – Construction Techniques for Sediment Pollution Control are followed.***
6. ***No earthen landfill is permitted to be placed on the land. Any fill excavated from the site must be removed from the floodplain.***

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CARRIED

Attachment: 3

9. REPORTS REQUIRING A DECISION

9.1 FINANCIAL REPORT FOR PERIOD ENDING 31 MARCH 2017

“The recommended decision is not a Major Policy Decision, as defined in section 93A of the Local Government Act 1989, or a Significant Decision within the meaning of the Caretaker Policy.”

Responsible Officer: Director Corporate and Community Services

Attachment: 4

Introduction: The Financial Report for the third quarter of the 2016/17 financial year has been prepared, including explanations of variances where applicable, and is presented for the information of Council.

RECOMMENDATION:

That Council accepts the Financial Report as presented.

MOVED: CRS D. Colbert/T. Schneider

That Council accepts the Financial Report as presented.

CARRIED

Attachment: 4

9.2 GRAMPIANS AND BARWON SOUTH WEST REGION PASSENGER SERVICES STUDY

Responsible Officer: Director Corporate and Community Services
Attachment Number: 5

Introduction:

This report seeks adoption of the recently completed Grampians and Barwon South West Region Passenger Services Study commissioned by the eight LGA's in Western Victoria. The study was officially released on 4 April 2017 at a function held in Ararat.

Background:

The Rural Cities of Horsham and Ararat, and the Glenelg, Hindmarsh, Northern Grampians, Southern Grampians, West Wimmera and Yarriambiack Shire Councils all contributed to the study of possible improvements to passenger services in the area from Ararat to the South Australian border and Yarriambiack Shire in the north to the Glenelg Shire in the south.

Funding of \$72,000 (excl. of GST) was secured for the development of the study that comprised of the following contributions;

- each of the eight LGAs contributed \$4,000,
- Regional Development Australia, Grampians and Barwon South West Committees contributed \$20,000,
- Department of Economic Development, Jobs, Transport and Resources (DEDJTR) contributed \$20,000.

A Steering Committee was established to prepare the brief and to work with the appointed consultant throughout the project.

Steering Committees members are;

- Andrew Evans, CEO, Ararat Rural City
- Michael McCarthy, Director Sustainable Futures, Southern Grampians Shire Council
- Maree McNeilly, Angela Daxaglorou and Jozef Vass, Transport and Infrastructure Department DEDJTR
- Chris Banger, PVT
- Susan Surrige, Grants Officer, Horsham Rural City Council
- Peter Brown, CEO, Horsham Rural City Council
- Amy Rhodes, Media and Communications, Horsham Rural City Council

Following the tender process, John Hearsch Consulting Pty Ltd was appointed to undertake the study. John Hearsch, together with Bill Russell and Peter Don provided extensive knowledge and experience of passenger rail services to the study.

The terms of reference for the study included;

- Assessment of the existing passenger service provision,
- Identification of new passenger services that would improve connections between Melbourne and the study area and the related costs,
- Identification of new passenger services that would improve connections between key towns in the study area and the related costs,
- Identification of accessibility improvements to existing passenger service infrastructure with a focus on wheelchair and mobility scooter users,
- Examination of the implications for passenger services in relation to the impending introduction of the NDIS to the study area,

- Consideration of the utilisation of existing rail infrastructure to deliver new rail services from Ararat to Kaniva and Ararat to Portland via Hamilton,
- Identification of possible improvements to the combination of rail and road passenger services available within the study area, and
- Identification of new bus services within the study area.

The project commenced on 23 August 2016 and the final report was launched at Ararat on 4 April 2017.

Discussion:

The timing of the Feasibility Study follows and builds on the consultation and development of Public Transport Victoria's Regional Network Development Plan (RNDP) which undertaken in 2015 and launched in 2016.

The consultation process for the RNDP was comprehensive and engagement with local communities raised about the importance of passenger services.

The top priority in the local region was the return of passenger rail services to the West of Victoria which, unfortunately, was not included in the RNDP final plan. It did, however, include other important issues for which were then further developed in the Feasibility Study.

During the development of the study, the consultants spent a great deal of time travelling on public transport throughout the study area which provided an opportunity for them to gain a better understanding of short comings and areas that need improvement. It also provided them opportunities to engage other users of the services which in turn offered insight and understanding of issues and problems they faced and what services should be provided in the future.

The finished study provides an overview of current services, gaps in services, current and future needs, demographics of local communities, the intricacies of regional and metropolitan rail services, costs involved in restoring rail services to western Victoria and justifications for improved passenger services in the short, medium and long term.

In preparing the study, the consultants have undertaken a comprehensive range of consultations with the numerous individuals and organisations within the study area including Councillors and Council staff, representatives from health services, passenger transport companies, community and social service providers, government departments and residents.

In addition they have reviewed various other reports, studies and documents.

The final report included a set of key findings and recommendations on seven levels including;

1. Rail Service Improvements – Stage 1 (2017-2019)

Increase Ararat – Melbourne train services in each direction from 3 to 4 weekday trains with an earlier morning train to arrive in Melbourne by 9.00am and a mid-afternoon train from Melbourne. Increase weekend services from 2 to 3 return services.

Capital cost - \$200,000

Operating cost - \$700,000 per annum

Further increases in services can occur when the currently funded Ballarat – Melbourne line improvements are completed.

2. Rail Service Improvements – Stage 2 (2021-2026)

Reinstatement of passenger rail services to Horsham and Hamilton, connecting with train services from Ballarat to Melbourne.

This will require the standardisation of the Ararat to Ballarat train line and the upgrading of the

track, signaling, stabling / servicing facilities and stations along the Horsham and Hamilton rail corridors.

Capital costs –

Additional rolling stock – \$60M

Works to Ballarat / Ararat line – \$110M

Works to Ararat / Horsham line – \$107M

Works to Ararat / Hamilton line – \$92M

TOTAL CAPITAL COSTS - \$369M

Operating costs - \$6.1M per annum

3. Coach Service Improvements

Improved and some new or re-scheduled coach services will support small towns in the region and provide opportunities for 'ageing in place' and provide access to a range of employment, health, education and social connections.

The main recommendations are;

- Ararat to become the focal point for western road coach services
- Additional mid-morning coach service introduced on weekdays from Hamilton to Ballarat and corresponding return mid-afternoon service. Both services connecting with train services in Ballarat.
- Extension of existing weekday services between Ballarat and Mount Gambier and between Casterton and Warrnambool from five to seven days per week.
- New daily road coach services between Horsham and Hamilton via Balmoral and Cavendish.
- Improvement in road coach services to Adelaide.
- Allow bicycles to be transported on regional coach services.
- Upgrade the Horsham and Hamilton Bus Interchange Hubs.

4. Tourism

Many important tourism destinations in the region are not serviced by public transport. The Study recommends improvements to provide coach services that permit weekend and public holiday visits to key destinations including the Grampians Peaks Trail, Halls Gap, Mount Zero, Wartook Valley, Little Desert and Southern Grampians.

5. Services for persons with a disability

The Study recommends a range of improvements to support people with a disability including;

- All operating rail stations and coach hubs to be DDA compliant as soon as possible.
- Signage and wayfinding at stations and bus stations to be reviewed and upgraded.
- Internal layouts of facilities should maximise ease of transfer for people with a disability
- Station and on-board support staff be provided to assist people travelling with a disability.

6. Improvements to passenger experience

There are a number of recommendations designed to improve the overall experience of public transport passengers including;

- Maps and timetabling improved and standardised across PTV, V/Line and Great Southern Railway.
- Static and dynamic information displayed at all stations and coach terminals.
- All V/Line trains, coaches and major stations should be Wi-Fi enabled as soon as possible.
- Convenient, well lit, safe access pathways to coach and rail hubs.
- Myki ticketing system extended to regional Victoria as soon as possible
- Better ticketing system for the Overland train.

7. Transport Governance in the Grampians Barwon South West Regions

Consider the establishment of an on-going Public Transport Forum to articulate the region's needs. This group would have wide representation from Local Government, Government Departments, private bus / coach operators and public transport users.

Deputations to Minister

All Councils represented at the launch of the Study were provided with electronic and hard copy versions of the Study. Representatives were asked to present the Study to their own Councils for adoption and to publicise within their own municipality.

The Steering Committee is in the process of presenting the Study to government departments as well as the Grampians and Barwon South West RDA Committees and Wimmera Development Association.

A deputation on behalf of all Councils will seek a meeting with Jacinta Allen, State Minister for Transport to present the Study and request support for the recommendations from the Feasibility Study.

It is proposed that Cr Pam Clarke, Mayor, Horsham Rural City Council, Cr Mary – Ann Brown, Mayor, Southern Grampians Shire and Cr Paul Hooper, Mayor, Ararat City Council will lead the deputation and to be the local champions throughout the advocacy process.

Participating Councils have been invited to regular updates on findings and directions of future research throughout the development of the Study.

Options:

- Council can discuss and adopt the Grampians and Barwon South West Region Passenger Services Study.
- Council can discuss the Grampians and Barwon South West Region Passenger Services Study and decline to adopt the Study.

Link to Council Plan:

- 1.1 An actively engaged community
- 1.2 A range of effective and accessible services to support the health and wellbeing of our community
- 2.1 Well maintained physical assets and infrastructure to meet community and organisational needs
- 3.1 A strong rural economy and thriving towns
- 3.2 A thriving tourism industry
- 3.2.2 Appealing tourism facilities that promote visitation and meet visitor needs

Financial Implications:

As a participating member of the Study area, Council has previously allocated \$4,000 in funds and resources to the establishment of the Study.

There are no financial implications relating to this report.

Risk Management Implications:

There are no Risk Management Implications relating to this report.

Conflict of Interest:

Under section 80c of the Local Government Act 1989 officers providing advice to Council must disclose any interests, including the type of interest.

Officer Responsible –Anne Champness, Director Corporate & Community Services

In providing this advice as the Officer Responsible, I have no disclosable interests in this report.

Author – Phil King, Economic and Community Development Manager

In providing this advice as the Author, I have no other disclosable interests in this report.

Communications Strategy:

Media releases have been prepared and distributed on behalf of all participating Councils. If required, Council can also prepare its own media release for local distribution.

RECOMMENDATION:

1. *That Council adopt the Grampians and Barwon South West Regional Passenger Services Cost and Feasibility Study;*
2. *That Council, in conjunction with other participating Councils, develop an advocacy plan and lobby all levels of Government for the return of passenger rails services to the west of Victoria;*
3. *That, on behalf of all participating Councils, Horsham Rural City Council, Ararat City Council and Southern Grampians Shire Council seeks a deputation with the State Minister for Transport Jacinta Allen to present the study and request support for the feasibility study recommendations and for the return of passenger services to Horsham and Hamilton.*

MOVED: CRS R. Gersch/T. Schneider

1. *That Council adopt the Grampians and Barwon South West Regional Passenger Services Cost and Feasibility Study;*
2. *That Council, in conjunction with other participating Councils, develop an advocacy plan and lobby all levels of Government for the return of passenger rails services to the west of Victoria;*
3. *That, on behalf of all participating Councils, Horsham Rural City Council, Ararat City Council and Southern Grampians Shire Council seeks a deputation with the State Minister for Transport Jacinta Allen to present the study and request support for the feasibility study recommendations and for the return of passenger services to Horsham and Hamilton.*
4. *That Hindmarsh Shire Council encourages the reference group to investigate with Great Southern Rail the future of passenger rail West of Ballarat.*

CARRIED

Attachment: 5

MOVED: CRS T. Schneider/R. Gersch

1. *That Council invites Great Southern Rail to a Council Briefing to discuss the Overland and the services it provides to the community.*

CARRIED

9.3 ESSENTIAL SERVICES COMMISSION – APPLICATION FOR A RATE CAP VARIATION

Responsible Officer: Director Corporate and Community Services

Attachment Number: 6 - 10

Introduction:

This report proposes for Council to proceed with an application to the Essential Services Commission (ESC) to vary the rate cap set by the Victorian Government by an additional 2%, resulting in a total increase in general rates and municipal charge in the 2017/18 Annual Budget of 4%.

Discussion:

The Victorian Government's Fair Go Rates System (FGRS) came into effect on 1 July 2016. The FGRS limits the maximum increase in councils' average rates. The term "average rates" refers to the rates paid by the national average ratepayer. The amount is calculated by dividing total revenue from general rates and municipal charges, by the total number of rateable properties in the municipality.

Each year the Minister for Local Government (the Minister) sets the average rate cap for the following financial year by general Order.

A council may apply to the Essential Services Commission (the Commission) for a higher cap. If the Commission is satisfied that a higher cap is appropriate for the council, it sets a higher cap by special Order.

A council must comply with any general Order or special Order that applies to it. To comply, the capped average rate must not exceed the base average rate by more than the average rate cap or higher cap.

On 19 December 2016, the Minister for Local Government announced a rate cap of 2% for the 2017/18 financial year. Different from the previous year which allowed only applications seeking a variation of the rate cap for one financial year, for 2017/18, councils can seek a higher cap for up to four years.

For the 2016/17 financial year, ten councils sought a variation above the rate cap of 2.5%, one later withdrew, and six councils were successful with higher rate caps ranging from 3.05% to 6.34% (0.55% to 3.84% above the set rate cap of 2.5%).

The six councils that had a higher cap approved by the Commission and their respective higher caps were:

- Buloke: 3.05%
- Horsham: 3.50%
- Moorabool: 3.50%
- Murrindindi: 4.30%
- Pyrenees: 3.83%
- Towong: 6.34%.

Council was required to notify the ESC of Council's intention to apply for a higher rate cap for the 2017/18 financial year by 31 January 2017. At its meeting on 21 December 2016, Council resolved to notify the ESC that it intended to apply for a higher rate cap and submitted its notification accordingly.

The key dates and timelines for the operation of the Fair Go Rates System for the 2017/18 rating year are detailed in the table below:

Stage of FGRS Process	Timeframe
Minister announces cap(s)	By 31 December 2016
A council seeking approval for a higher cap notifies the ESC	By 31 January 2017
Council applies for a higher cap, submits Budget Baseline Information	1 February – 31 May 2017
ESC assesses council applications	February – July 2017
ESC notifies councils of decisions	Within 2 months of receipt of application
Councils formally adopt budget	August 2017
All councils submit Basic Annual Baseline Information	31 October 2017
ESC publishes Compliance Report	November/December 2017

In accordance with the Section 185E(3) of the *Local Government Act 1989*, in its application for a higher cap, Council must specify:

- (a) a proposed **higher cap** for each specified financial year; and
- (b) the **reasons** for which the Council seeks the higher cap; and
- (c) how the **views of ratepayers and the community** have been taken into account in proposing the higher cap; and
- (d) how the higher cap is an efficient use of Council resources and represents **value for money**; and
- (e) whether consideration has been given to **reprioritising proposed expenditures and alternative funding options** and why those options are not adequate; and
- (f) that the assumptions and proposals in the application are consistent with the Council's **long term strategy and financial management policies** set out in the Council's planning documents and annual budget.

Council has a well-developed, robust Long Term Financial Plan (LTFP) which was assessed for the validity of its underlying assumptions and sound forward planning by Council's internal auditor Phil Delahunty from RSD Chartered Accountants in 2014. At the time, the LTFP projected rates increases of 6% in 2015/16 and 2016/17, 5% in 2017/18, 2018/19 and 2019/20 and reducing to 4% from 2020/21, showing Council's intent to minimise rate increases in the long term. The LTFP recognised that, in the absence of other revenue streams, Council required this level of rate income to remain sustainable and continue to provide the services and maintenance to infrastructure to current standards unless alternative funding can be sourced.

Upon the introduction of the Fair Go Rates System, Council adjusted its LTFP to reflect rate increases of only 2.5% (based on the cap set in December 2015). In recognition of its funding needs, Council noted in an introductory comment to the financial statements contained in its 2016/17 Annual Budget:

"The following Financial Statements project expenditure based on Council's long term service, asset and financial planning. The deficits projected for the years 2017/18 onwards are a

reflection of the introduction of rates capping combined with a reduction in state and federal government funding.

Council's medium to long term planning has been based on maintenance of service levels and a continued effort to keep up with the need for renewal of our ageing infrastructure. While the financial statements paint a realistic picture of our service and infrastructure needs, they also reflect that the current financial environment will not allow us to meet these needs into the medium to distant future without additional revenue and funding sources.

If such additional income does not become available, service levels will have to be reviewed to maintain a financially sustainable future."

Council officers are currently preparing the draft budget for the 2017/18 financial year. With no significant changes to Council's business model and the financial outcomes modelled in Council's Long Term Financial Plan, Council will need to apply for a higher rate above the 2% cap set by the Minister for Local Government to meet its renewal targets and deliver on the farmer consultation and strategic planning undertaken in the last couple of years. Financial statements detailing both a 2% and 4% rate increase are attached (Attachment 7,8). Based on Council's LTFP, 10 year projected income and cash flow statements for both rates increases are also attached (Attachment 9, 10).

Council has engaged with its community in eight Community Conversations held across the Shire. Meetings at Antwerp, Rainbow, Broughton, Woorak, Winiam, Jeparit, Nhill and Dimboola were attended by 97 residents.

Feedback forms allowed attendees to comment on a proposed 2% variation of the rate cap. Of the 27 surveys returned, 18 or 66.7% voted in favour of a variation to the rate cap, one or 3.7% voted against, and eight or 29.6% did not express a preference either way.

Comments included:

- *Y - Query spending at kindergarten and childcare centre as a parent a few years ago I've only since seen a reduction in services but an increase in costs.*
- *Y - However better efficiencies must be accomplished.*
- *N - Tourist offices need looking at.*
- *It's not that simple. People don't want to pay more if they don't see efficiency. I'm happy to pay more to go towards roads if I don't perceive the council to be paying big money for dead weight.*

Feedback also raised the importance of road maintenance, tree trimming, Albacutya Bridge, business grants, Hindmarsh Youth Council, community plans, tourism, corella control and advocacy for television and mobile phone reception.

Given Council's financial position detailed in the attached statements and based on the community consultation process undertaken, it is proposed that Council submit an application to the Essential Services Commission seeking a higher rate cap as follows:

- A single-year variation of 2% above the rate cap set by the Minister for Local Government;
- Reasons for applying:
 - to enable Council to continue to provide day-to-day community services (such as kindergartens, libraries, swimming pools, maternal and child health etc.) and infrastructure maintenance and renewal at the levels required by its residents and ratepayers and;
 - to accommodate environmental factors that are outside of Council's control:

- large geographic area (7,500 sq. kms)
- significant amount of infrastructure (3,177km of roads, six bridges and 27km of pipes/drains)
- small, socio-economically disadvantaged, dispersed population (the Shire's estimated residential population at 30 June 2011 was 5,798, the second lowest population density in the State of Victoria at less than one person per square kilometre. At the other end of the spectrum, the City of Port Phillip has the highest population density in Victoria with 4,632/per square kilometre. If Port Phillip had Hindmarsh Shire's density, it would have a population of just 16 people. If Hindmarsh Shire had Port Phillip's density, it would have a population of 35 million.)
- low rate base (\$6.5 million).

Options:

Council can choose to proceed with the proposed rates cap variation, choose a different percentage or multi-years for the variation or resolve not to proceed.

Link to Council Plan:

Council Plan 2013-2017:

Strategy 4.1: Long-term financial sustainability

The proposed higher rates cap will enable the delivery of initiatives from the draft 2017-2021 Council Plan, in particular the continuation of initiatives from farmer and community consultations.

Financial Implications:

The proposed higher rates cap will provide an additional \$144,000 in the 2017/18 Budget.

Conflict of Interest:

Under section 80C of the LGA officers providing advice to Council must disclose any interests, including the type of interest.

Author and Officer Responsible– Anne Champness, Director Corporate & Community Services

In providing this advice as the Author and Officer Responsible, I have no disclosable interests in this report.

Risk Management Implications:

The application to vary the rates cap carries reputational as well as financial risk - .

Communications Strategy

The ESC will be notified of Council's decision. Further community engagement will occur in the course of the preparation of the 2017/18 Budget under section 129 LGA, once the ESC has made a decision on the variation of the rate cap.

RECOMMENDATION:

That

1. ***Council approves an application to the Essential Services Commission for a higher rate cap of 4% for 2017/2018; and***
2. ***Council considers the implementation of a higher cap, if and as approved by the Commission, as part of its 2017/2018 Budget process.***

- 3. Council authorises the Chief Executive Officer to finalise the application for a rate variation.**

MOVED: CRS R. Gersch/T. Schneider

That

- 1. Council approves an application to the Essential Services Commission for a higher rate cap of 4% for 2017/2018; and**
- 2. Council considers the implementation of a higher cap, if and as approved by the Commission, as part of its 2017/2018 Budget process.**
- 3. Council authorises the Chief Executive Officer to finalise the application for a rate variation.**

CARRIED

10. SPECIAL COMMITTEES

10.1 RAINBOW TOWN COMMITTEE

Responsible Officer: Director Corporate and Community Services
Attachment: 11

Introduction:

The Rainbow Town Committee held its Meeting on 27 March 2017. The purpose of this report is to note the minutes from this meeting. A copy of the minutes is included as an attachment for the information of Council.

RECOMMENDATION:

That Council note the minutes of the Rainbow Town Committee Meeting on 27 March 2017.

MOVED: CRS R. Lowe/T. Schneider

That Council note the minutes of the Rainbow Town Committee Meeting on 27 March 2017.

CARRIED

Attachment: 11

11. LATE REPORTS

No report

12. OTHER BUSINESS

MOVED: CRS T. Schneider/R. Gersch

That Council write to the Premier of Victoria and express its great disappointment that the State Government in the 2017 Victorian State Budget did not accept the submission and recommendation by Rural Councils Victoria, on behalf of its members, which includes Hindmarsh Shire Council, for the establishment of a vitally needed Rural Community Support Fund.

CARRIED

13. CONFIDENTIAL REPORTS

In accordance with Section 89 (2) of the *Local Government Act* 1989, Council may close the meeting to the public if items to be discussed are deemed confidential, that is, if the items to be discussed relate to:

- (a) Personnel matters;
- (b) The personal hardship of any resident or ratepayer;
- (c) Industrial matters;
- (d) Contractual matters;
- (e) Proposed developments;
- (f) Legal advice;
- (g) Matters affecting the security of Council property;
- (h) Any other matter which the Council or Special Committee considers would prejudice the Council or any person;
- (i) a resolution to close the meeting to members of the public.

RECOMMENDATION:

That the meeting be closed in accordance with Section 89 of the Local Government Act 1989, to consider (h) Any other matter which the Council or Special Committee considers would prejudice the Council or any person

13.1 Section 86 Committees – Jeparit Town Committee and Wimmera Mallee Pioneer Museum

MOVED: CRS R. Lowe/R. Ismay

That the meeting be closed in accordance with Section 89 of the Local Government Act 1989, to consider (h) Any other matter which the Council or Special Committee considers would prejudice the Council or any person

13.1 Section 86 Committees – Jeparit Town Committee and Wimmera Mallee Pioneer Museum

CARRIED

MOVED: CRS T. Schneider/R. Lowe

That the meeting moves out of closed session.

14. MEETING CLOSE

There being no further business, Cr Nelson declared the meeting closed at 3.58pm
