



ORDINARY COUNCIL MEETING MINUTES – 21 NOVEMBER 2018 WEST WIMMERA SHIRE COUNCIL

HELD: Wednesday 21 November 2018

LOCATION: Kaniva Council Chamber

COMMENCEMENT: 2.00pm

IN ATTENDANCE:	
Councillors	Senior Management Group
Jodie Pretlove, Mayor Trevor Domaschenz	David Leahy Chief Executive Officer
Richard Hicks Tom Houlihan Bruce Meyer	Ashley Roberts Director Corporate & Community Services

Vision Statement:

*Our Wimmera Shire communities are healthy, thriving, diverse, harmonious,
prosperous and self-sustaining, with regional and global connectivity*



ORDINARY COUNCIL MEETING MINUTES – 21 NOVEMBER 2018 WEST WIMMERA SHIRE COUNCIL

TABLE OF CONTENTS

1.0	WELCOME	5
2.0	OPENING PRAYER.....	5
3.0	APOLOGIES, LEAVE OF ABSENCE, DECLARATION OF CONFLICT OF INTEREST.....	5
3.1	APOLOGIES	5
3.2	LEAVE OF ABSENCE	5
3.3	DECLARATION OF CONFLICT OF INTEREST	5
4.0	QUESTIONS FROM THE GALLERY (maximum of 30 minutes)	5
4.1	WRITTEN QUESTIONS ON NOTICE	5
4.2	VERBAL QUESTIONS WITHOUT NOTICE	5
5.0	DELEGATES REPORTS (FOR INFORMATION ONLY) AS PROVIDED BY COUNCILLORS PRIOR TO AGENDA BEING ISSUED	6
5.1	COUNCILLOR JODIE PRETLOVE (MAYOR)	6
5.2	COUNCILLOR TREVOR DOMASCHENZ	7
5.3	COUNCILLOR RICHARD HICKS	7
5.4	COUNCILLOR TOM HOULIHAN	7
5.5	COUNCILLOR BRUCE MEYER	7
5.6	DAVID LEAHY (CHIEF EXECUTIVE OFFICER)	8
5.7	GENERAL DELEGATES REPORTS	9
6.0	CONDOLENCES	9
7.0	CONFIRMATION OF MINUTES FROM PREVIOUS MEETING – MONDAY 15 OCTOBER 2018.....	9
8.0	BUSINESS ARISING FROM PREVIOUS MINUTES	9
9.0	NOTICES OF MOTION	10
9.1	CR RICHARD HICKS – SWIMMING POOL ENTRY FEES – NOM 2018/07	10
10.0	ASSEMBLY OF COUNCILLORS RECORD & ANNUAL STATUTORY MEETING MINUTES.....	11



ORDINARY COUNCIL MEETING MINUTES – 21 NOVEMBER 2018 WEST WIMMERA SHIRE COUNCIL

10.1	ASSEMBLY OF COUNCILLORS RECORD – 7 NOV 2018	11
10.2	ANNUAL STATUTORY MEETING MINUTES – 7 NOV 2018	11
11.0	DEPUTATIONS AND PETITIONS.....	11
12.0	CHIEF EXECUTIVE OFFICER AND GOVERNANCE	12
13.0	INFRASTRUCTURE DEVELOPMENT AND WORKS	13
13.1	MUNICIPAL PUBLIC HEALTH & WELLBEING PLAN – ANNUAL REVIEW	13
13.2	CORELLA PROGRAM REVIEW	16
13.3	REQUEST TO DISCONTINUE AN UNUSED SURVEYED ROAD – WEST OF CA 78 AND PART ROAD SOUTH OF CA 78, PARISH OF BRINGALBART	21
13.4	EXEMPTION FOR A PERMIT FOR CLEARING NATIVE VEGETATION FOR FIRE BREAKS ON FARM	25
13.5	EXEMPTION FOR A PERMIT FOR CLEARING NATIVE VEGETATION FOR FENCE POSTS	29
13.6	ROADSIDE NATIVE VEGETATION SAFETY EXEMPTION	35
13.7	LAKE WALLACE STRATEGIC PLAN - PROJECT GOVERNANCE ARRANGEMENTS	39
14.0	CORPORATE AND COMMUNITY SERVICES	50
14.1	COMMUNITY SUPPORT FUND POLICY	50
14.2	WEST WIMMERA RECREATIONAL TRAILS STRATEGY	54
14.3	COMMUNITY STRENGTHENING GRANTS PROGRAM 2018-2019 ROUND 1	58
15.0	LATE ITEMS OF BUSINESS	62
16.0	SEALING SCHEDULE.....	62
16.1	LEASE TO TELSTRA CORPORATION LTD – 4 DORODONG RD DERGHOLM	62
16.2	TRANSFER OF QUARRY AGREEMENT – WEST WIMMERA SHIRE COUNCIL AND MCBRIDE TELOPEA PTY LTD	63
17.0	CONFIDENTIAL (PURSUANT TO SECTION 89 LGA 1989)	64
17.1	MUNICIPAL BUILDING SURVEYOR – JOINT SERVICES TENDER CM0489	65
17.2	TRANSFER OF WASTE TO DOOEN LANDFILL CM0481	65



ORDINARY COUNCIL MEETING MINUTES – 21 NOVEMBER 2018 WEST WIMMERA SHIRE COUNCIL

17.3	HIRE OF PLANT AND EQUIPMENT 2018 CM0486	66
17.4	STABILIZATION OF VARIOUS ROADS CM0487	66



ORDINARY COUNCIL MEETING MINUTES – 21 NOVEMBER 2018 WEST WIMMERA SHIRE COUNCIL

1.0 WELCOME

The Mayor welcomed everyone to the meeting.

2.0 OPENING PRAYER

The CEO read the opening prayer.

3.0 APOLOGIES, LEAVE OF ABSENCE, DECLARATION OF CONFLICT OF INTEREST

3.1 APOLOGIES

Mark Marziale, Director Infrastructure Development & Works

3.2 LEAVE OF ABSENCE

Nil

3.3 DECLARATION OF CONFLICT OF INTEREST

All councillors have a personal responsibility to ensure they are aware of the provisions mandated in the Local Government Act 1989 with regard Conflict of Interest disclosures. The Conflict of Interest – A Guide for Councillors (October 2012) has been made available to all Councillors in hard copy form and is available via Docs On Tap.

Nil

4.0 QUESTIONS FROM THE GALLERY (maximum of 30 minutes)

4.1 WRITTEN QUESTIONS ON NOTICE

Questions on Notice are to be submitted to Council no later than the Monday nine days prior to the relevant Council Meeting. The template for Questions on Notice is available from the Edenhope and Kaniva Council offices, and from the Shire's website.

Nil

4.2 VERBAL QUESTIONS WITHOUT NOTICE

Time permitting, this section of the Agenda allows members of gallery to ask verbal questions of Councillors, through the Mayor. At all other times during the meeting, members of the gallery are required to be silent, pursuant to West Wimmera Shire Council Local Law No.7, 2017.

4.2.1 KYLIE KING – KANIVA COMMUNITY HUB FUNDRAISING COMMITTEE

- Letter – request to reconsider the repayments for the loan (tabled).



ORDINARY COUNCIL MEETING MINUTES – 21 NOVEMBER 2018 WEST WIMMERA SHIRE COUNCIL

Response: There are discussions underway in relation to how Council handles major projects and a decision will be made at the December 2018 Council meeting.

Kylie King: Are the Kaniva Community Hub repayments part of that discussion?

Response: It will be part of the discussion and how it fits in the framework.

4.2.2 JASON GORDON – PRESIDENT KANIVA FOOTBALL CLUB

- Does Council realise the fundraising pressure that has been placed on the KLUFC.

Response: Council does take this into consideration, and this is behind the reasoning for setting up the framework that the Councillors are discussing.

- Would like future Council meetings to remain after working hours.

Response: Decision regarding the 2.00pm commencement for Council Meetings held at Edenhope and Kaniva was made at the Annual Statutory Meeting, and Council has set meeting dates and times for the next 12 months.

5.0 DELEGATES REPORTS (FOR INFORMATION ONLY) AS PROVIDED BY COUNCILLORS PRIOR TO AGENDA BEING ISSUED

5.1 COUNCILLOR JODIE PRETLOVE (MAYOR)

17/10/2018	Rural Councils Victoria AGM & Forum, Melbourne
18/10/2018	MAV Annual Conference & Awards Dinner, Melbourne
19/10/2018	MAV State Council, Melbourne
22/10/2018	CEO David Leahy
25/10/2018	Graincorp Pre-Harvest Information Breakfast, Carpolac
29/10/2018	CEO David Leahy
30/10/2018	Edenhope Hall Redevelopment Project Advisory Group
05/11/2018	CEO David Leahy
07/11/2018	Annual Statutory Meeting, Kaniva
07/11/2018	Councillor Forum, Kaniva
09/11/2018	Open Day at Edenhope Mechanics Hall
11/11/2018	Remembrance Day, Edenhope
12/11/2018	Edenhope Community Action Network (CAN)
12/11/2018	CEO David Leahy
12/11/2018	Major Projects Assessment Meeting
13/11/2018	Mr Maurice Billi, Labor Candidate for Lowan
14/11/2018	Riordan Grain Breakfast Briefing on site
16/11/2018	Staff and Councillor Christmas Party
20/11/2018	CEO David Leahy
21/11/2018	Ordinary Council Meeting, Kaniva



ORDINARY COUNCIL MEETING MINUTES – 21 NOVEMBER 2018 WEST WIMMERA SHIRE COUNCIL

5.2 COUNCILLOR TREVOR DOMASCHENZ

17/10/2018	Rural Councils Victoria AGM & Forum, Melbourne
18/10/2018	MAV Annual Conference & Awards Dinner, Melbourne
19/10/2018	MAV State Council, Melbourne
22/10/2018	CEO David Leahy
27/10/2018	Lions Club of Edenhope 60 th Anniversary Charter Dinner
03/11/2018	Edenhope Fishing Competition
04/11/2018	Edenhope Fishing Competition
07/11/2018	Annual Statutory Meeting, Kaniva
07/11/2018	Councillor Forum, Kaniva
09/11/2018	Open Day at Edenhope Mechanics Hall
12/11/2018	Major Projects Assessment Meeting
13/11/2018	Wimmera Mallee Sustainability Alliance AGM
13/11/2018	Wimmera Development Association Meeting & AGM
14/11/2018	Riordan Grain Breakfast Briefing on site
16/11/2018	Staff and Councillor Christmas Party
21/11/2018	Ordinary Council Meeting, Kaniva

5.3 COUNCILLOR RICHARD HICKS

17/10/2018	Rural Councils Victoria AGM & Forum, Melbourne
18/10/2018	MAV Annual Conference & Awards Dinner, Melbourne
26/10/2018	Western Highway Action Committee Meeting, Kaniva
29/10/2018	Inaugural Mental Health Symposium, Melbourne
29/10/2018	Anzac Centenary Commemorations Thank You Reception, Melbourne
02/11/2018	Wimmera Southern Mallee Regional Transport Group
05/11/2018	Harrow Recreation Reserve Upgrade, Steering Committee Meeting
07/11/2018	Annual Statutory Meeting, Kaniva
07/11/2018	Councillor Forum, Kaniva
11/11/2018	Remembrance Day, Kaniva
16/11/2018	Victoria Day Council – Separation Tree Ceremony, Melbourne
16/11/2018	Rail Freight Alliance Meeting, Melbourne
21/11/2018	Ordinary Council Meeting, Kaniva

5.4 COUNCILLOR TOM HOULIHAN

19/10/2018	John Shaw-Neilson Event, Minimay Hall
22/10/2018	Municipal Fire Management Planning Committee Meeting
03/11/2018	Edenhope Fishing Competition
07/11/2018	Annual Statutory Meeting, Kaniva
07/11/2018	Councillor Forum, Kaniva
21/11/2018	Ordinary Council Meeting, Kaniva

5.5 COUNCILLOR BRUCE MEYER

07/11/2018	Annual Statutory Meeting, Kaniva
07/11/2018	Councillor Forum, Kaniva



ORDINARY COUNCIL MEETING MINUTES – 21 NOVEMBER 2018 WEST WIMMERA SHIRE COUNCIL

08/11/2018	West Wimmera Groundwater Management Committee
09/11/2018	Open Day at Edenhope Mechanics Hall
12/11/2018	Major Projects Assessment Meeting
21/11/2018	Ordinary Council Meeting, Kaniva

Moved: Cr Bruce Meyer

Seconded: Cr Richard Hicks

That Council writes a letter to Mr John Feder thanking him for his cooperation and contribution to making the realignment of the railway crossing at Lillimur possible.

Carried (5/0)

5.6 DAVID LEAHY (CHIEF EXECUTIVE OFFICER)

16/10/2018	Rural Outreach Program Meeting, Horsham
17/10/2018	Rural Councils Victoria AGM & Forum, Melbourne
18/10/2018	MAV Annual Conference, Melbourne
19/10/2018	MAV State Council, Melbourne
19/10/2018	Rural Councils Transformation Program (RCTP), Melbourne
22/10/2018	Senior Management Group
22/10/2018	Mayor Jodie Pretlove
23/10/2018	Post-Council Staff Meeting
24/10/2018	Working in Kaniva Office
25/10/2018	Environmental Protection Authority (EPA) Meeting
26/10/2018	Seasonal Conditions Meeting, Horsham
29/10/2018	Senior Management Group
29/10/2018	CEO Jessie Holmes, Yarriambiack Shire Council
29/10/2018	Mayor Jodie Pretlove
30/10/2018	Act@Work Committee Meeting
01/11/2018	Wimmera White Ribbon Induction, Horsham
02/11/2018	Working in Kaniva Office
05/11/2018	Senior Management Group
05/11/2018	Armistice Centenary Exhibition at Red Tail Gallery
05/11/2018	Mayor Jodie Pretlove
05/11/2018	Harrow Recreation Reserve Upgrade, Steering Committee Meeting
07/11/2018	Annual Statutory Meeting, Kaniva
07/11/2018	Councillor Forum, Kaniva
08/11/2018	MAV CEO Forum, Melbourne
09/11/2018	Rural Councils Transformation Program (RCTP), Melbourne
10/11/2018	Mullagh Wills Oration, Melbourne
12/11/2018	Mayor Jodie Pretlove
12/11/2018	Major Projects Assessment Meeting



ORDINARY COUNCIL MEETING MINUTES – 21 NOVEMBER 2018 WEST WIMMERA SHIRE COUNCIL

13/11/2018	Senior Management Group & Managers Meeting
13/11/2018	Mr Maurice Billi, Labor Candidate for Lowan
13/11/2018	Wimmera Development Association Meeting & AGM
14/11/2018	DELWP / Local Government Regional Strategic Issues Forum
16/11/2018	Working in Kaniva Office
16/11/2018	Staff and Councillor Christmas Party
19/11/2018	Senior Management Group
19/11/2018	GWM Water Annual Briefing
19/11/2018	Mayor Jodie Pretlove
21/11/2018	Working in Kaniva Office
21/11/2018	Ordinary Council Meeting, Kaniva

5.7 GENERAL DELEGATES REPORTS

Councillors to provide delegates reports to Council meeting in relation to meetings attended in last month for which they have been appointed as Council representative. Verbal or written delegates' reports.

Nil

6.0 CONDOLENCES

Nil

7.0 CONFIRMATION OF MINUTES FROM PREVIOUS MEETING – MONDAY 15 OCTOBER 2018

RECOMMENDATION:

That the Minutes of the Ordinary Meeting of Council held on Monday 15 October 2018, be taken as an accurate record and confirmed.

Moved: Cr Richard Hicks

Seconded: Cr Trevor Domaschenz

That the Minutes of the Ordinary Meeting of Council held on Monday 15 October 2018, be taken as an accurate record and confirmed.

Carried (5/0)

8.0 BUSINESS ARISING FROM PREVIOUS MINUTES

Nil



ORDINARY COUNCIL MEETING MINUTES – 21 NOVEMBER 2018 WEST WIMMERA SHIRE COUNCIL

9.0 NOTICES OF MOTION

9.1 CR RICHARD HICKS – SWIMMING POOL ENTRY FEES – NOM 2018/07

Preamble

This motion is in response to an email sent to all Councillors on/about 17 October 2018, which stated:

“...Many of our families find it difficult to send their children to the pool due to the cost of entry. To us it may not seem like a great amount, however, if you have a few children and limited income it adds up, especially over the summer holidays. Most of the families I am referring to also cannot afford holidays away, so they spend most of the summer holidays in Kaniva.

I would like you to suggest/discuss in Council the idea of free pool entry to all or at least to families on Health Care Cards. This would increase the use of a very valuable asset to our town...”

This item was also discussed at the Councillor Forum held in Kaniva on 7 November 2018.

Motion

That Council implement a policy of free swimming pool entry at each of the Shire-managed swimming pools (ie: Kaniva, Edenhope & Goroke) to children of parent(s) who hold a valid Commonwealth Health Care Card for a trial period during the whole of the 2018-19 season, and to evaluate the costs and benefits of this policy no later than June 2019.

Moved: Cr Richard Hicks

Seconded: Cr Trevor Domaschenz

That Council resolve to provide \$500 to each of Kaniva & Edenhope, & \$250 to Goroke, Shire managed swimming pools during the whole 2018-2019 season, to support free or subsidised entry for children of parent(s), resident in the Shire and who, in cooperation with the Welfare Officers at each of the respective Schools, are considered as in need of financial support, to facilitate entry into the pool complexes, & to evaluate the costs & benefits of this policy no later than June 2019.

Carried (5/0)

Attachments:

No.	Name	RecFind Ref
9.1.1	Notice of Motion 2018/07	18/004218



ORDINARY COUNCIL MEETING MINUTES – 21 NOVEMBER 2018 WEST WIMMERA SHIRE COUNCIL

10.0 ASSEMBLY OF COUNCILLORS RECORD & ANNUAL STATUTORY MEETING MINUTES

10.1 ASSEMBLY OF COUNCILLORS RECORD – 7 NOV 2018

RECOMMENDATION:

That the Assembly of Councillors Record for the Councillor Forum held Wednesday 7 November 2018 be received and noted.

Moved: Cr Richard Hicks

Seconded: Cr Trevor Domaschenz

That the Assembly of Councillors Record for the Councillor Forum held Wednesday 7 November 2018 be received and noted.

Carried (5/0)

10.2 ANNUAL STATUTORY MEETING MINUTES – 7 NOV 2018

RECOMMENDATION:

That the Minutes of the Annual Statutory Meeting of Council held on Wednesday 7 November 2018, be taken as an accurate record and confirmed.

Moved: Cr Richard Hicks

Seconded: Cr Tom Houlihan

That the Minutes of the Annual Statutory Meeting of Council held on Wednesday 7 November 2018, be taken as an accurate record and confirmed.

Carried (5/0)

11.0 DEPUTATIONS AND PETITIONS

Nil



ORDINARY COUNCIL MEETING MINUTES – 21 NOVEMBER 2018 WEST WIMMERA SHIRE COUNCIL

12.0 CHIEF EXECUTIVE OFFICER AND GOVERNANCE



ORDINARY COUNCIL MEETING MINUTES – 21 NOVEMBER 2018 WEST WIMMERA SHIRE COUNCIL

13.0 INFRASTRUCTURE DEVELOPMENT AND WORKS

13.1 MUNICIPAL PUBLIC HEALTH & WELLBEING PLAN – ANNUAL REVIEW

FILE NUMBER: AD0183

**REPORT AUTHOR: NICOLE WEARNE, ENVIRONMENTAL HEALTH
OFFICER**

FOR INFORMATION

Introduction

This report is to provide West Wimmera Shire Council (Council) with the details of the annual review of the Municipal Public Health and Wellbeing Plan (MPHWP).

Declaration of Interests

No officer declared an interest under the *Local Government Act 1989* in the preparation of this report.

Background

West Wimmera Shire Council (Council) produced a Municipal Public Health and Wellbeing Plan for the 2017 – 2021 period which was endorsed by Council in October 2017.

Council is also required under the Public Health and Wellbeing Act 2008, to review the effectiveness of the plan and present the review to Council for endorsement.

Risk Management Implications

Under the Public Health and Wellbeing Act 2008 it states that Council has a role to “protect, improve and promote public health and wellbeing within the municipal district.” One area of being able to do this is within the MPHWP.

Legislative Implications

Section 26 (4) of the Public Health and Wellbeing Act 2008 states that: ‘A *Council must review its municipal public health and wellbeing plan annually and if appropriate amend the plan*’



ORDINARY COUNCIL MEETING MINUTES – 21 NOVEMBER 2018 WEST WIMMERA SHIRE COUNCIL

A review meeting took place in August with Council officers and representatives from the Department of Health and Human Services (DHHS), Edenhope and District Memorial Hospital (EDMH) and West Wimmera Health Service (WWHS). Information has also been sought from other Council departments and other organisations to put to the review.

This review is for information only and is not required to be endorsed by Councillors.

Environmental Implications

There are no environmental concerns regarding this plan.

Financial and Budgetary Implications

It is anticipated that there will be little financial implications for the current financial year given that the 2017-2021 MPHWP proposes partnerships with key stakeholders in the WWSC.

Policy Implications

This report is supported by the following West Wimmera Shire Council Policy:

Advocacy Policy

Community Engagement Policy

Environmental Policy

Council Plan Implications

This report supports the following section/s of the West Wimmera Shire Council Plan 2017-2021:

- Strategic Objective 6: Participating in activities that address health and wellbeing issues.

The current Council plan for 2017-2021 lists the following priorities:

6.1 – Improve access to health and wellbeing services

6.2 - Support preventive health programs

6.3 – Improve walking/gopher paths in townships;

and Activity 6.2.3 – Alignment of the Council Plan principles into the Public Health and Wellbeing Plan will occur to support the leadership in the areas of prevention of domestic violence, investment in community infrastructure that promotes a healthy lifestyle and supports mental health initiatives.

Communication Implications

Upon completion of this review, this report and attached review points will be forwarded to the Department of Health and Human Services for their information regarding the completion of the review.



ORDINARY COUNCIL MEETING MINUTES – 21 NOVEMBER 2018 WEST WIMMERA SHIRE COUNCIL

Conclusion

WWSC and multiple other organisations within the Shire are working towards the priority action areas and associated targets of the WWSC MPHWP. There has been no significant change to the priority needs of our communities and therefore there is no need to amend the current plan. The included attachment has a number of areas that are addressing the priority actions and targets within West Wimmera.

OFFICER RECOMMENDATION:

That the Councillors note the review work that has been completed as per the Public Health and Wellbeing Act requirement, with a further review to be completed in 2019.

Moved: Cr Richard Hicks

Seconded: Cr Tom Houlihan

That the Councillors note the review work that has been completed as per the Public Health and Wellbeing Act requirement, with a further review to be completed in 2019.

Carried (5/0)

Attachments:

No.	Name	RecFind Ref
13.1.1	Municipal Public Health and Wellbeing Plan Review attachment	18/004224



ORDINARY COUNCIL MEETING MINUTES – 21 NOVEMBER 2018 WEST WIMMERA SHIRE COUNCIL

13.2 CORELLA PROGRAM REVIEW

FILE NUMBER: AD0183

**REPORT AUTHOR: PHIL PERRET, PLANNING AND ENVIRONMENT
MANAGER**

FOR DECISION

Introduction

This report is to provide West Wimmera Shire Council (Council) with the details of the status of the Corella Management Program for the 2018/19 summer and seek a resolution to proceed or halt with shooting as a control measure for corellas.

Declaration of Interests

No officer declared an interest under the *Local Government Act 1989* in the preparation of this report.

Background

West Wimmera Shire Council (Council) produced a Corella Management Plan for the Period 2013-17. This is currently under review and there are current challenges meeting the interdependent requirements for permissions from landowner (DELWP), Permits to Destroy Wildlife (DELWP), Permit to shoot in a Populous Place (Victoria Police) and the Council Insurance Requirements. Considerable officer time has been occupied to date and will continued to be occupied with bringing this issue to conclusion.

The Corella Management Plan actions have the potential for risks to People, Reputation, Service Delivery, Legal and Compliance and Management Impact. Detailed review of the identified risks, the likelihood, consequences and adequacy of controls needs to occur for an informed decision. There are significant risks to Council and the Municipality in either undertaking control programs or failing to undertake Corella control.

Risk Management Implications

Council's Insurer LMI (Liability Mutual Insurance) has had similar queries before and is of the opinion that *"There are limited circumstances under which LMI allows the use of firearms by a Council officer. You will note from the information provided that the use of firearms to eradicate these birds is not the correct method and seems to be quite useless and dangerous. Before LMI can make a decision on whether the policy will cover the use of firearms, we suggest it may be better to consider alternative methods"*



ORDINARY COUNCIL MEETING MINUTES – 21 NOVEMBER 2018 WEST WIMMERA SHIRE COUNCIL

Council insurers needed to seek assistance from Kristine Minghella (MAV insurance counsel) from a legal and policy interpretation perspective. Please note her comments as follows.

“I have discussed the Corella query with our MAV Environmental policy manager. At a recent state council this issue was raised generally and it was resolved for MAV to advocate for the State to lead and assist in finding a resolution to the Corella issue. A letter has been sent to the Minister. No response has been received to date.

It is noted there are documents by DELWP / Wildlife Victoria which indicate that shooting Corella is not likely to be effective. It is necessary to emphasise the condition to exercise reasonable care by the council.

In this instance where there is a high risk with using firearms the onus on the council will be high. It is considered that the council should exercise reasonable care in first determining whether this is an appropriate method to address the issue and whether council can appropriately address the risks associated with using a firearm. It is noted that there appears to be other measures that may be taken that will not pose the same risk.

The council would obviously need to comply with all legal requirements, such as obtaining a permit for the gun and also to kill Corella, which are wildlife and protected under the Wildlife Act.

Further, council would be required to be able to demonstrate that if it does use firearms that it has acted reasonably in that use. For example, that it has undertaken a risk assessment and put in place stringent risk measures to avoid the risk of harm to people, animal or damage to property.

Whilst there are no exclusions under the LMI policy that would apply in relation to the use of firearms as part of council's business, the council must be able to demonstrate it has acted reasonably in order to be covered under the policy. This will be an onerous requirement given the potential risk involved”.

Staff involved in previous programs have serious reservations about insurance coverage, implications and personal liability and reputation if involved in live shooting control programs.

Legislative Implications

There is no direct regulatory requirement to undertake Corella Control Works.

To undertake wildlife control work Council requires permission of the Landholder, and meeting any requirements they place on permission, Wildlife destruction Permit from DELWP, A permit for Shooting in a Populous Place from Victoria Police.

Council's insurer requires all regulatory requirements to be met.



ORDINARY COUNCIL MEETING MINUTES – 21 NOVEMBER 2018 WEST WIMMERA SHIRE COUNCIL

As this is a problem that is occurring across multiple shires, requests have been made to DELWP to respond and manage as problem wildlife.

Environmental Implications

Because of the longevity of the birds, the control program would require to be an annual program. Advice from DELWP is that shooting has limited benefit.

Off target species will be disturbed by the program and it is unclear what impact it will have on these species.

Dead animals will need to be collected and buried.

Financial and Budgetary Implications

It is anticipated that based on past expenditure that the control program will cost approximately \$30,000 for the current financial year and considerable staff time required for the management and communication associated with implementation of control programs.

Policy Implications

This report is supported by the following West Wimmera Shire Council Policy:

Advocacy Policy
Community Engagement Policy
Environmental Policy
Media Relations Policy
Reserve Risk Management Policy
Social Media Policy
Township Amenity Policy

Council Plan Implications

This report supports the following section/s of the West Wimmera Shire Council Plan 2017-2021:

- Strategic Objective 1: A proactive, well governed, professional and financially sustainable organisation that encourages community participation.
- Strategic Objective 2: Meaningful partnerships to support advocacy priorities and service provision.

Action 2.6.1 “*sustainable pest control measures*”



ORDINARY COUNCIL MEETING MINUTES – 21 NOVEMBER 2018 WEST WIMMERA SHIRE COUNCIL

Communication Implications

The implementation of the program will require a communication plan including considerable engagement with community and stakeholders, notification with adjacent landholders, horse and dog owners, advertising and regular press releases. Evaluation of any program and reporting back to the community at the end of the program should also occur.

Conclusion

There are numerous regulatory barriers to proceeding as well as risks to reputation and budget. The responses from insurers indicate a need to explore all other options prior to proceeding with shooting to control Corellas. As noted in the above, the risk of using firearms is considered as a “*high risk*” and council “*must be able to demonstrate it has acted reasonably in order to be covered under the policy. This will be an onerous requirement given the potential risk involved*”. Council should be consulted with the progress and the requirements to commence a program this year

OFFICER RECOMMENDATION:

That the Councillors note the issues and risk identification work that has been completed as per the attachments and endorse a position of not proceeding with the shooting of Corellas.

Moved: Cr Richard Hicks

Seconded: Cr Tom Houlihan

That Council:

- 1. Staff identify, investigate and report to Council the effectiveness of alternative Corella control measures referred to in this report, and compare and incorporate them to the current listed corella management plan (2013-2017) by the December 2018 forum for discussion;**
- 2. Staff apply immediately for all the necessary permits to cull and disperse problem corella flocks from within town boundaries where they are a major issue, damaging infrastructure as referred to in 2.6.2 of our current Council Plan;**
- 3. Resolve that once granted, the cull and disperse permits be enacted as soon as practical if the control measures referred to in motion 1 are deemed not effective or practicable.**

Carried (5/0)



ORDINARY COUNCIL MEETING MINUTES – 21 NOVEMBER 2018 WEST WIMMERA SHIRE COUNCIL

Attachments:

No.	Name	RecFind Ref
13.2.1	Corella Management Plan.	18/004224
13.2.2	Corella Risk Management Table	18/004224
13.2.3	Table of Corella Management Issues	18/004224



ORDINARY COUNCIL MEETING MINUTES – 21 NOVEMBER 2018 WEST WIMMERA SHIRE COUNCIL

13.3 REQUEST TO DISCONTINUE AN UNUSED SURVEYED ROAD – WEST OF CA 78 AND PART ROAD SOUTH OF CA 78, PARISH OF BRINGALBART

FILE NUMBER: AD0183

**REPORT AUTHOR: PHIL PERRET, PLANNING AND ENVIRONMENT
MANAGER**

FOR DECISION

Introduction

West Wimmera Shire Council (Council) has received written correspondence from a landowner requesting the granting of a lease of an unused surveyed road.

The request has been lodged to facilitate the lease of the road for agricultural purposes from the Department of Environment Land Water and Planning (DELWP).

Declaration of Interests

No officer declared an interest under the *Local Government Act 1989* in the preparation of this report.

Background

Council has received written correspondence from a landowner requesting the extension of the lease of an unused surveyed road. The request has been submitted to facilitate the lease of the road for agricultural purposes from DELWP. The road is located east of CA and West of CA 78 and part road reserve south of CA 78, ending halfway along CA 78, Parish of Bringalbert.

The landowner currently owns Crown Allotments CA76, CA77 and CA78 with the unused surveyed road on the western / southern boundary of the allotment. The landowner currently leases a portion of the unused surveyed road from DELWP and wishes to extend the lease agreement, using the unsurveyed road for the grazing of livestock. The landowner can only apply for the lease of the unused surveyed road if Council provides consent.

An Advertisement was placed in the West Wimmera Advocate on 15/6//2018 inviting submissions from the general public. Adjoining landowners were notified in writing and no submissions have been received.



ORDINARY COUNCIL MEETING MINUTES – 21 NOVEMBER 2018 WEST WIMMERA SHIRE COUNCIL

Risk Management Implications

When an unused road is licenced it is effectively declared 'discontinued' for public traffic purposes. The road is then removed from Council's list of roads, and therefore no longer Council's responsibility. The road is currently unlicensed.

The road is unused, unmade and the lease of the unused surveyed road has allowed agricultural use in the past. The road is not used by any other residents in the district.

Legislative Implications

Pursuant to Section 206, Schedule 10, Clause 3 of the Local Government Act 1089 Council can resolve to formally discontinue the road.

The road reserve, if discontinued would not be subject to the care and responsibility of Council under the *Road Management Act 2004*.

Environmental Implications

There are no negative environmental implications. There is some native vegetation on the unlicensed road but the grazing of the road by livestock will have little environmental impact on the native vegetation.

Financial and Budgetary Implications

Any costs associated with the subsequent licensing process are borne by DELWP and/or the Landowner.

If Council relinquishes management of the road reserve, it will not need to undertake maintenance. This will provide a cost saving to council.

Policy Implications

This report is supported by the following West Wimmera Shire Council Policy;

Environmental Policy

Council Plan Implications

This report supports the following section/s of the West Wimmera Shire Council Plan 2017-2021:

- Strategic Objective 4: Building on our agricultural and business strengths and supporting economic development.



ORDINARY COUNCIL MEETING MINUTES – 21 NOVEMBER 2018 WEST WIMMERA SHIRE COUNCIL

Communication Implications

An advertisement was placed in the West Wimmera Advocate on 15/6/18 inviting submissions from the general public. Adjoining landowners were notified in writing on 15/6/2018 and no submissions were received.

Conclusion

The road reserve is unused and unlicensed. No residents in the district use this road. Council may declare the unused road 'discontinued' and proceed with advertising including a public notification period.

OFFICER RECOMMENDATION:

That Council resolve pursuant to Section 20, Schedule 10, Clause 3 of the Local Government Act 1989 to:

- 1. Declare the unused surveyed road located east of CA and west of CA 78 and part road reserve south of CA 78, ending halfway along CA 78, Parish of Bringalbert not required for public traffic purposes.**
- 2. That Council advertise the road discontinuance in the Victorian Government Gazette.**
- 3. That DELWP be notified in writing of the resolution to discontinue the road.**
- 4. That the applicant be notified in writing of the resolution to discontinue the road.**

Moved: Cr Richard Hicks

Seconded: Cr Trevor Domaschenz

That Council resolve pursuant to Section 20, Schedule 10, Clause 3 of the Local Government Act 1989 to:

- 1. Declare the unused surveyed road located east of CA 76 and west of CA 78 and part road reserve south of CA 78, ending halfway along CA 78, Parish of Bringalbert not required for public traffic purposes.**
- 2. That Council advertise the road discontinuance in the Victorian Government Gazette.**
- 3. That DELWP be notified in writing of the resolution to discontinue the road.**
- 4. That the applicant be notified in writing of the resolution to discontinue the road.**

Carried (5/0)



ORDINARY COUNCIL MEETING MINUTES – 21 NOVEMBER 2018 WEST WIMMERA SHIRE COUNCIL

Attachments:

No.	Name	RecFind Ref
13.3.1	Letter of Request from Landowner	18/004224
13.3.2	Site plan	18/004224



ORDINARY COUNCIL MEETING MINUTES – 21 NOVEMBER 2018 WEST WIMMERA SHIRE COUNCIL

13.4 EXEMPTION FOR A PERMIT FOR CLEARING NATIVE VEGETATION FOR FIRE BREAKS ON FARM

FILE NUMBER: AD0183

**REPORT AUTHOR: PHIL PERRET, PLANNING AND ENVIRONMENT
MANAGER**

FOR DECISION

Introduction

This report is to provide West Wimmera Shire Council (Council) with recent advice from DELWP which clarifies an exemption which exists under clause 52.17 of the West Wimmera Planning Scheme which allows the clearing of 6m of vegetation in some circumstances.

Declaration of Interests

No officer declared an interest under the *Local Government Act 1989* in the preparation of this report.

Background

Following a report of some clearing within the shire, it became clear that there was some inconsistencies between the interpretations of this exemption. Clarification was sought through Regional DELWP Staff, the CFA and the Native Vegetation Regulations Unit within DEWLP in Melbourne.

In interpreting the planning scheme it is necessary to consider various elements within the Municipal Strategic Statement, Local Planning Policy and the details of various Clauses within multiple zones and overlays. The challenge in this situation was to understand the priority between the need to avoid, minimise and offset the clearing of any native vegetation, exemptions to allow farming activities and various elements which allow measures to protect life and property.

Risk Management Implications

Failure to take all reasonable steps to clarify and apply the controls soundly within planning scheme have the potential to apply an unnecessary regulatory and cost burden both on council and landholders. Inconsistent application of the policy has the likelihood to damage council reputation or provide an avenue for challenge to determinations at VCAT.



ORDINARY COUNCIL MEETING MINUTES – 21 NOVEMBER 2018 WEST WIMMERA SHIRE COUNCIL

Additionally unnecessary deterrents to undertaking maintenance of firebreaks may contribute to bushfire spread or control, further exposing council to liability.

Legislative Implications

Specific clarity has been sought from DELWP native vegetation policy team and confirms the following interpretations;

That in specific scenarios where farmland is considered in; the Farming Zone, the Farming Zone with the Environmental Significance Overlay (ESO1) or the Farming Zone with the Environmental Significance Overlay (ESO2). In all cases including the Native Vegetation Regulations Unit within DEWLP in Melbourne confirmed that the exemption stands stating;

“The NVR team's interpretation is that the table of exemptions to Clause 42.01-3 provides for an exemption from requiring a planning permit for the removal of any vegetation under the ESO2 for... 'the making or maintenance of a fuel break for a firefighting access track (or any combination thereof) that does not exceed a combined width of 6 metres.'”

The existing DELWP publication only considers where there is an existing zone not the specifics of the overlays which may apply and provides the following guidance.

3. A fuel break is defined as a strip of land where vegetation has been removed or substantially modified to reduce the risk of bushfires starting and/or reduce the rate of spread and intensity of fire. A firefighting access track is expressly for bushfire management purposes and not for other purposes.

Fuel breaks and firefighting access tracks should be combined where possible, with the total width not exceeding 6 metres. Multiple fuel breaks and/or firefighting access tracks cannot be constructed abutting one another where the total width is greater than 6 metres. There must be a clear need for a fuel break and/or a fire fighting access track to protect life and property, in order to rely on this part of the exemption.

This current interpretation from Native Vegetation Regulations Unit within DEWLP in Melbourne, will be applied until updated advice is provided, changes to the zones or overlays occurs or there is a challenge at VCAT that provides further clarity.

Environmental Implications

This determination will allow clearing of native vegetation including standing dead trees, Bulokes, Stringybarks or trees with hollows with the Environmental Significance Overlay areas under exemption.



ORDINARY COUNCIL MEETING MINUTES – 21 NOVEMBER 2018 WEST WIMMERA SHIRE COUNCIL

Financial and Budgetary Implications

Financial impact of this determination has not yet been identified outside existing operational costs.

Policy Implications

This report is supported by the following West Wimmera Shire Council Policy:

Communications Policy

Domestic Firewood Collection Policy

Environmental Policy

Tree Plantations on Unused Road Reserves Policy

Tree Planting on WWSC Road Reserves Policy

Council Plan Implications

This report supports the following section/s of the West Wimmera Shire Council Plan 2017-2021:

- Strategic Objective 1: A proactive, well governed, professional and financially sustainable organisation that encourages community participation.
- Strategic Objective 4: Building on our agricultural and business strengths and supporting economic development.
- Strategic Objective 5: Thriving, safe and diverse local communities.

Action “1.1 improve Council’s governance, functionality and reputation”

Communication Implications

A fact sheet on the application of this exemption will be developed to assist landholders apply the exemption.

Conclusion

The interpretation of the native vegetation protection controls through the planning scheme is challenging and will continue to be an area for concern within parts of our community. This determination will assist in providing sound, consistent and transparent advice on the application of this exemption to our community.

OFFICER RECOMMENDATION:

That the Council notes the above determination from the Native Vegetation Regulations Unit within DELWP in Melbourne.



ORDINARY COUNCIL MEETING MINUTES – 21 NOVEMBER 2018 WEST WIMMERA SHIRE COUNCIL

Moved: Cr Bruce Meyer

Seconded: Cr Trevor Domaschenz

That the Council notes the above determination from the Native Vegetation Regulations Unit within DELWP in Melbourne.

Carried (5/0)

Attachments:

No.	Name	RecFind Ref
13.4.1	DELWP -Exemptions from requiring a planning permit to remove, destroy or lop native vegetation - Guidance	18/004224
13.4.2	DELWP Determination Summary extract. Firebreak exemption	18/004224



ORDINARY COUNCIL MEETING MINUTES – 21 NOVEMBER 2018 WEST WIMMERA SHIRE COUNCIL

13.5 EXEMPTION FOR A PERMIT FOR CLEARING NATIVE VEGETATION FOR FENCE POSTS

FILE NUMBER: AD0183

**REPORT AUTHOR: PHIL PERRET, PLANNING AND ENVIRONMENT
MANAGER**

FOR DECISION

Introduction

This report is to provide West Wimmera Shire Council (Council) with recent advice from DELWP which clarifies an exemption which exists under clause 52.17 of the West Wimmera Planning Scheme which allows the clearing of native vegetation for personal use for fence posts.

Declaration of Interests

No officer declared an interest under the *Local Government Act 1989* in the preparation of this report.

Background

Following a request for clearing of native vegetation for personal use for fence posts within the shire, it became clear that there was some inconsistencies between the interpretations of this exemption. Clarification was sought through Regional DELWP Staff, The Department of Environment and Heritage and the Native Vegetation Regulations Unit within DEWLP in Melbourne.

In interpreting the planning scheme it is necessary to consider various elements within the Municipal Strategic Statement, Local Planning Policy and the details of various Clauses within multiple zones and overlays. The challenge in this situation was to understand the priority between need to avoid minimise and offset the clearing of any native vegetation and the exemptions to allow farming activities.

Risk Management Implications

Failure to take all reasonable steps to clarify and apply the controls soundly within planning scheme have the potential to apply an unnecessary regulatory and cost burden both on



ORDINARY COUNCIL MEETING MINUTES – 21 NOVEMBER 2018 WEST WIMMERA SHIRE COUNCIL

council and landholders. Inconsistent application of the policy has the likelihood to damage council reputation or provide an avenue for challenge to determinations at VCAT.

The landholder concerned has a history to clearing native vegetation and been party to compliance action through the courts.

Legislative Implications

Specific clarity has been sought from DELWP native vegetation policy team and confirms the following interpretations and advice being sent;

Preliminary Planning Advice

Thank you for your enquiry about what planning provisions apply to your proposal to cut/remove native vegetation on your property for use as fence posts on your property.

The Proposal

From your text messages, Council understands you propose to remove native vegetation (mature native trees) to supply fencing for the northern boundary of the property. Your estimate is that the fence required is 4.9km long with 7m post spacing's that will require around 700 timber posts. From the information provided, posts would be 5 inches square and 6'6" long, with 15 strainer posts of 11' in length.

*You estimated a yield of approximately 3 posts per tree, which equates to the potential removal of approximately 250 trees. I appreciate your subsequent advice that fewer larger trees would be required to meet your fence post requirements; however, as discussed below, the removal of trees (dead or alive) with a diameter at breast height of more than 40cm **will** trigger the requirement for a planning permit.*

Subject land

5100 Natimuk Frances Road, PERONNE 3413

West Wimmera Planning Scheme Requirements

The property identified is within the Farming Zone (FZ) and affected by Schedule 2 to the Environmental Significance Overlay (ESO2) and a Bushfire Management Overlay (BMO). The proposed removal of native vegetation must consider the following provisions of the West Wimmera Planning Scheme:

- [Clause 52.17](#) Native Vegetation, and
- [ESO Schedule 2](#) to the [Environmental Significance Overlay](#)

*I advise that the **Environmental Significance Overlay (ESO2)** applies to the whole property. This is an additional planning control over the land in addition to Clause 52.17. These two elements must be considered together as described below.*

Clause 52.17 Native vegetation

52.17-7 Table of exemptions

The exemption that may apply to what you propose under Clause 52.17 of the West Wimmera Planning Scheme is:



ORDINARY COUNCIL MEETING MINUTES – 21 NOVEMBER 2018 WEST WIMMERA SHIRE COUNCIL

Personal use

The requirement to obtain a permit does not apply to:

Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to obtain reasonable amounts of wood for personal use by the owner or lawful occupier of the land. –

contiguous land in one ownership that has an area of less than 10 hectares; or

For the purpose of this exemption, personal use means uses such as heating and cooking, building and fence construction on the land, and hobbies such as arts and craft.

This exemption does not apply to:

- *contiguous land in one ownership that has an area of less than 10 hectares;*
- *the removal, destruction or lopping of native vegetation by means other than cutting or chopping; or*
- *a standing native tree (including a dead tree) with a trunk diameter of 40 centimetres or more at a height of 1.3 metres above ground level.*

However, this exemption cannot be considered in isolation as there are further restrictions over the subject land under the ESO2, as well as potential EPBC Act implications as described below:

Environmental Significance Overlay (ESO2)

Schedule 2 to the Environmental Significance Overlay (ESO2) requires a planning permit to remove, destroy or lop:

- *any dead eucalyptus trees with a trunk diameter greater than 40 centimetres at 1.3 metres above ground level*
- *any live hollow bearing eucalypt tree*
- *any Buloke with a trunk diameter of greater than 20 centimetres at 1.3 metre above ground level*
- *any Buloke with a density of more than 1 tree per 10 hectares of development.*
- *any Stringybark with a trunk diameter of greater than 30 centimetres at 1.3 metre above ground level.*

EPBC Act 1999 implications

As the landowner, you must also consider any legal implications under Commonwealth environmental legislation. Under the Environment Protection and Biodiversity Conservation Act 1999, (EPBC Act) assessment and approval provisions, listed threatened species and communities are matters of national environmental significance (protected matters). A person must not take an action that has, will have, or is likely to have, a significant impact on a listed threatened ecological community, without approval from the Minister for the Environment.

State-wide biodiversity information indicates your land contains native vegetation that is likely to contain Grey box grassy woodland. This vegetation community is threatened in Australia and protected under the EPBC Act. To obtain approval under this legislation, an action must undergo an environmental assessment and approval process. To find out whether an action is likely to have a 'significant' impact on a listed threatened species, you can read the following:

- [Matters of national environmental significance](#)
- [Environment assessment and approval process](#)
- [EPBC Act policy statements](#)



ORDINARY COUNCIL MEETING MINUTES – 21 NOVEMBER 2018 WEST WIMMERA SHIRE COUNCIL

To find out if a listed threatened species is on your property or area of interest, use the following tool:

- [Protected matters search tool.](#)

Responsibility under this legislation lies with the person wishing to impact a protected species or community, and you can contact the department directly for advice about any approvals required for what you propose to remove. More information is available at:

<http://www.environment.gov.au/biodiversity/threatened/species>.

Conclusions and Requirements

As you are proposing to remove/cut an estimated 250 native trees from within a threatened woodland community, council requires evidence that your proposal is either exempt or subject to approval under Clause 52.17 and Schedule 2 to the ESO of the West Wimmera Planning Scheme.

Council also needs more detailed information about your proposal to enable any further advice about whether or not the proposed removal can be done under an existing planning permit exemption or will require a planning permit. The minimum information needed for council to be able to provide this advice is:

- A map that clearly identifies and quantifies the trees you propose to remove. Please number the trees, provide the species name, location on your property and the diameter of each tree at breast height (1.3 metres above ground level)
- A statement that quantifies the number of trees per hectare being removed.
- A statement describing all native trees previously removed under exemption over the past five years, including diameter at breast height, species name, numbers and dates of removal
- A copy of written advice from the Commonwealth Department of Environment and Energy or other evidence that the proposed removal is not a controlled action under the EPBC Act, or that you have any required approval and for what works.

Until you have provided this information, you (or your authorised agent) must not remove or cause to remove, destroy or lop any native vegetation on the subject land without the written consent of council as the Responsible Authority under the Planning & Environment Act 1987. Council is not satisfied that what you propose is exempt for requiring a planning permit under the applicable planning provisions described above.

Environmental Implications

This determination and approach will ensure that the proposal for clearing works through due process and is considered on its merits based on required information.

Financial and Budgetary Implications

This determination and approach will ensure that the burden for preparing adequate information for assessment falls to the applicant for the proposed clearing. Financial implications from being a party to legal proceedings should be minimised by having a clear and documented approach.



ORDINARY COUNCIL MEETING MINUTES – 21 NOVEMBER 2018 WEST WIMMERA SHIRE COUNCIL

Policy Implications

This report is supported by the following West Wimmera Shire Council Policy:

Environmental Policy

Council Plan Implications

This report supports the following section/s of the West Wimmera Shire Council Plan 2017-2021:

- Strategic Objective 1: A proactive, well governed, professional and financially sustainable organisation that encourages community participation.
- Strategic Objective 4: Building on our agricultural and business strengths and supporting economic development.
- Strategic Objective 7: Providing access to and promoting the natural environment.

Action “1.1 improve Council’s governance, functionality and reputation”

Communication Implications

A fact sheet on the application of this exemption will be developed to assist landholders if they apply for this exemption in the future.

Communication has occurred with DELWP regional Staff and DELWP native vegetation policy team. At the time of writing no response had been received from the Commonwealth Department of Environment and Energy which is the responsible agency for the administration of the EPBC Act.

Conclusion

The interpretation of the native vegetation protection controls through the planning scheme is challenging and will continue to be an area for concern within parts of our community. This determination and approach will assist in providing sound, consistent and transparent advice on the application of this exemption to our community.

OFFICER RECOMMENDATION:

That the Council notes the above determination from the Native Vegetation Regulations Unit within DELWP in Melbourne and the advice that will be provided to the landholder.



ORDINARY COUNCIL MEETING MINUTES – 21 NOVEMBER 2018 WEST WIMMERA SHIRE COUNCIL

Moved: Cr Bruce Meyer

Seconded: Cr Tom Houlihan

That the Council notes the above determination from the Native Vegetation Regulations Unit within DELWP in Melbourne and the advice that will be provided to the landholder.

Cr. Trevor Domaschenz moved an amendment

Seconded: Cr Jodie Pretlove

That the matter “13.5 Exemption for a Permit for Clearing Native Vegetation for Fence Posts” lay on the table to be discussed at a Councillor Forum.

Amendment lost (1/4)

Original motion was put:

Moved: Cr Bruce Meyer

Seconded: Cr Tom Houlihan

That the Council notes the above determination from the Native Vegetation Regulations Unit within DELWP in Melbourne and the advice that will be provided to the landholder.

Carried (4/1)

Cr Domaschenz called for a division

For: Cr Bruce Meyer, Cr Richard Hicks, Cr Jodie Pretlove, Cr Tom Houlihan

Against: Cr Trevor Domaschenz

Attachments:

No.	Name	RecFind Ref
13.5.1	DELWP - Exemptions from requiring a planning permit to remove, destroy or lop native vegetation - Guidance	18/004224



ORDINARY COUNCIL MEETING MINUTES – 21 NOVEMBER 2018 WEST WIMMERA SHIRE COUNCIL

13.6 ROADSIDE NATIVE VEGETATION SAFETY EXEMPTION

FILE NUMBER: AD0183

**REPORT AUTHOR: PHIL PERRET, PLANNING AND ENVIRONMENT
MANAGER**

FOR DECISION

Introduction

This report is to provide West Wimmera Shire Council (Council) with the details of the Memorandum of Understanding, (MOU), for signature to allow Council to clear native vegetation associated with roadside maintenance without the need for a planning permit or native vegetation offsets.

Declaration of Interests

No officer declared an interest under the *Local Government Act 1989* in the preparation of this report.

Background

An exemption exists that allows the limited clearing of Native Vegetation that is associated with the maintenance of roads subject to the signing of a written agreement with the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the Conservation, Forests and Lands Act 1987). The current Memorandum of Understanding expires at the end of the year.

Risk Management Implications

Failure to sign the MOU would mean that either the Shire would be undertaking works without the necessary permits, be undertaking works which require planning permits including native vegetation assessments and offsets, or not undertaking works to avoid the permit requirements and costs which may compromise either safety or the structural integrity of the road network.

It is anticipated that workshops are held for the works crews to ensure they are aware of the limitations of the exemptions in undertaking vegetation clearing.

Legislative Implications

Specific clarity has been sought from DELWP native vegetation policy team and confirms the following interpretations;



ORDINARY COUNCIL MEETING MINUTES – 21 NOVEMBER 2018 WEST WIMMERA SHIRE COUNCIL

1. *The current 'Road safety procedure' has adopted a Road Maintenance envelope (RME) which is meant to exempt any native vegetation removal within a box covering the trafficable area of the roadway and shoulder. The RME has a height dependant on the class of road. Besides the RME road authorities are also exempt when maintaining any road infrastructure or road-related infrastructure. Road infrastructure and road-related infrastructure are defined in the road Management Act or Road Safety Act and include all assets associated with the road, including road drains.*
2. *In the Road safety procedure, assessment and record keeping are not required for maintenance activities. Assessment is required for Construction works.*
3. *Native vegetation does not need to be assessed if being removed for maintenance activities. All scattered trees (large and small) and patches required assessment if being removed for construction works.*
4. *The Road safety procedure exempts road authorities when removing native vegetation for all maintenance activities in the road reserve.*
5. *In accord with the Road safety procedure, native vegetation does not need to be assessed by an assessor if it is for Low impact construction works (less than 0.5 hectares). There is no assessment, approval and record keeping for native vegetation removal for maintenance activities.*
6. *Reliance on the exemption for maintenance of an existing road does not include the removal of a large tree (scattered or within a patch) UNLESS the large tree is within the defined road maintenance envelope (p 5 Procedure to rely upon the road safety exemption in planning schemes (DELWP 2018))*
7. *Removal of mature native vegetation outside the defined road maintenance envelope must be agreed to and recorded by DELWP and the road authority*
8. *A planning permit is required to remove any large tree outside the defined road maintenance envelope*

Environmental Implications

The signing of the exemption MOU will allow limited clearing of vegetation where necessary to maintain road infrastructure within the shire. New works, clearing of old trees outside the guideposts, improvements or road expansion would require planning permits and offsets.

Financial and Budgetary Implications

Signing the MOU will provide significant administrative and cost advantages.



ORDINARY COUNCIL MEETING MINUTES – 21 NOVEMBER 2018 WEST WIMMERA SHIRE COUNCIL

Council Plan Implications

This report supports the following section/s of the West Wimmera Shire Council Plan 2017-2021:

- Strategic Objective 1: A proactive, well governed, professional and financially sustainable organisation that encourages community participation.
- Strategic Objective 3: Quality sustainable community services and infrastructure.

Action “3.4.1 Provide Quality Roads”

The provision of quality roads to enable high volume freight movements, safe commuter travel and enable travel times to be maintained at a reasonable level, is a fundamental service to be provided by local government.

Communication Implications

Awareness training with Council works crews will be required. A media article will be written to inform the community once the MOU is signed.

Conclusion

There are significant administrative and cost advantages in signing the MOU which will allow ongoing road maintenance without the need for a planning permit for the clearing of native vegetation associated with the maintenance of public roads.

OFFICER RECOMMENDATION:

That the Council endorses the signing of the MOU with the Secretary of DELWP for the Roadside Safety Exemption for native vegetation to allow clearing of roadside vegetation for maintenance activity without the need for a permit or native vegetation offsets.

Moved: Cr Trevor Domaschenz

Seconded: Cr Bruce Meyer

That the Council endorses the signing of the MOU with the Secretary of DELWP for the Roadside Safety Exemption for native vegetation to allow clearing of roadside vegetation for maintenance activity without the need for a permit or native vegetation offsets.

Carried (5/0)



ORDINARY COUNCIL MEETING MINUTES – 21 NOVEMBER 2018 WEST WIMMERA SHIRE COUNCIL

Attachments:

No.	Name	RecFind Ref
13.6.1	Road safety exemption – undated	18/004224
13.6.2	Road Safety exemption – 2008	18/004224



ORDINARY COUNCIL MEETING MINUTES – 21 NOVEMBER 2018 WEST WIMMERA SHIRE COUNCIL

13.7 LAKE WALLACE STRATEGIC PLAN - PROJECT GOVERNANCE ARRANGEMENTS

FILE NUMBER: AD0183

**REPORT AUTHOR: MARK MARZIALE, DIRECTOR INFRASTRUCTURE,
DEVELOPMENT & WORKS**

FOR INFORMATION

This report is provided to update Councillors on the organisational and governance arrangements for the investigations, consultation and preparation of the Lake Wallace Strategic Plan.

Declaration of Interests

No officer declared an interest under the *Local Government Act 1989* in the preparation of this report.

Background

The Lake Wallace Management Plan is a planning exercise that is to commence following submissions to the 2018/19 fy budget deliberations.

Council agreed during the deliberations that the document will be developed and highlighted a number of key stakeholders within the community as potential participants.

The intention is to manage the process of developing the plan utilising the expertise that Council now has at its disposal, rather than employ a consultant. Discussions with various agencies has also occurred to gain a commitment from them to actively participate in the exercise.

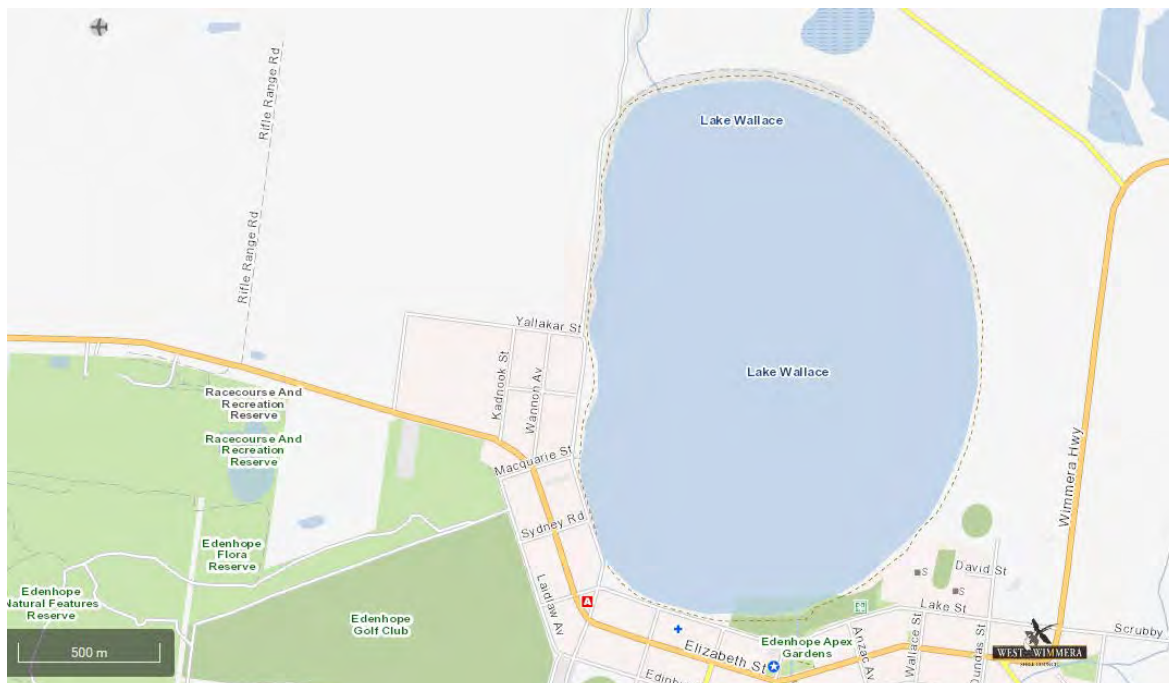
As the planning process progresses, regular updates on the plan status will be provided to Council.

The map included on the following page indicates the areas subject to the plan. Also listed is the proposed governance structure / group membership to be developed to drive the planning exercise, along with the responsibilities associated with the various stakeholders.



ORDINARY COUNCIL MEETING MINUTES – 21 NOVEMBER 2018 WEST WIMMERA SHIRE COUNCIL

Location: see below map



Subject Land:

Address: LAKE STREET EDENHOPE 3318

Crown Description: Allot. 24E PARISH OF EDENHOPE

Crown Description: Allot. 14 Sec. 5 TOWNSHIP OF EDENHOPE

Address: 32 LAKE STREET EDENHOPE 3318

Lot and Plan Number: Lot 1 PS718577

Address: 34-38 LAKE STREET EDENHOPE 3318

Lot and Plan Number: Lot 1 PS718577

Address: 40-48 LAKE STREET EDENHOPE 3318

Lot and Plan Number: Lot 1 PS718577

Address: 82-90 LAKE STREET EDENHOPE 3318

Lot and Plan Number: Lot 1 PS718577

Address: 92-100 LAKE STREET EDENHOPE 3318

Lot and Plan Number: Lot 1 PS718577

Address: LAKE STREET EDENHOPE 3318 [narrow crescent – east side]

Crown Description: Allot. 24D PARISH OF EDENHOPE



ORDINARY COUNCIL MEETING MINUTES – 21 NOVEMBER 2018 WEST WIMMERA SHIRE COUNCIL

Project Governance Structure:

Group & Membership	Roles and Responsibility
WW Shire Council	Funding. Approval for the release of the Draft Discussion Paper for community consultation. and Authorisation of the Strategic Plan.
Lake Wallace Advisory Group 1 x Councillor 1x Friends of Lake Wallace representative 1 x Vision & Voice – Edenhope Progress Assoc. (Vision & Voice) 1 x Edenhope Tennis Club 1x Bowls Club 1x Anglers Club rep. 2 x school reps – one from each school. 1 x WW Hospital rep. Open to Others 1x Lake Wallace Station Owners	Contributes Issues and Ideas to be integrated into the Draft Discussion Paper Advises the Council Project Control Group
Project Control Group 1 x Councillor DEWLP GWM Water Wimmera CMA 1 x BGLC / Traditional Owner , rep. WWSC CEO Director IDW, Manager PE Manager Engineering Services	Reports to Council Project Control Team <ul style="list-style-type: none"> Establishes the Scope of the project Establish the Terms of Reference Determines the content of the Discussion Paper for Consultation Delegates matter for advice to the Advisory Group Financial Risk Monitoring and Management Facilitates the day to day Management of the Project with the Project Manager(the Architect)
Project Manager: Manager Planning & Environment	All Stakeholder engagement Facilitates and Administers all meetings Undertakes or commissions the literature review. Drafts the initial Discussion Paper : Summary of Issues Advertises the approved Discussion Paper Reports to the PCG Reports to the Council Receives and documents all comments on the Discussion Paper Engages any specialist reports by contractors Prepares the Draft Strategic Plan



ORDINARY COUNCIL MEETING MINUTES – 21 NOVEMBER 2018 WEST WIMMERA SHIRE COUNCIL

	Delivers the Draft Strategic Plan to Council for approval to release for Public comment. Collates public comments Review and resubmit the final Strategic Plan to Council
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Risk Management Implications

It will be the responsibility of the Council Project Control Group to work with the Project Manager to ensure that risks are considered within the Strategic Plan, and to manage prudential risks within scope and budget.

To define and manage the existing and potential physical risk to users, and occupants of facilities at the Lake.

Legislative Implications

The use, development and management of the land must be in accordance with the requirements of the following legislation:

Crown Lands Act

Tenure- Contracts, Leases and Agreements related to Responsibility for Built Assets on the land

Water Act

EPBC Act

Flora & Fauna Guarantee Act

West Wimmera Planning Scheme, and the Planning & Environment Act 1989.

All construction works are required to be undertaken in accordance with the Building Act and Regulations 2018, and Australian Standards.

Environmental Implications

Will be addressed under the Planning & Building Permits.

Financial and Budgetary Implications

The project will be funded within the planning budget contained within the Planning and Environment Budget and managed by staff to prevent the need for a consultant.

If any further budget adjustments are required, this will be undertaken via Council Resolution.



ORDINARY COUNCIL MEETING MINUTES – 21 NOVEMBER 2018 WEST WIMMERA SHIRE COUNCIL

Policy Implications

This report is supported by the following West Wimmera Shire Council Policy:

Asset Capitalisation Policy

Asset Management Policy

Environment Policy

Council Plan Implications

This report supports the following section/s of the West Wimmera Shire Council Plan 2017-2021:

- Strategic Objective 1: A proactive, well governed, professional and financially sustainable organisation that encourages community participation.
- Strategic Objective 3: Quality sustainable community services and infrastructure.
- Strategic Objective 5: Thriving, safe and diverse local communities.

Communication Implications

The participation of key stakeholders and community members is critical to the success of the proposed Strategic Plan for Lake Wallace.

Consultation is intended to guide the LW Strategic Plan, by defining and clarifying:

The Overall approach

☐ Ensure that the LWSP focuses on Current and future Use and development, growth, economic development, environmental, infrastructure and integration with adjoining land use matters of significance.

☐ Ensure a clear link between the principles and detailed directions of the plan.

At its Inception Meeting, the Project Control Group and the Advisory Group should establish principles.

The following issues are suggested to guide the development of principles to assist with the drafting of the Discussion Paper:

1. Plan for diversified use and increased usage in sustainable locations around the Lake.
2. Plan for and strengthen the economic and community use of the Lake, so that it contributes to a more diversified and resilient community.
3. Capitalise on the Lake's potential access to improved environmental flows, granted by the West Wimmera pipeline project.
4. Enhance the level and diversity of access to key facilities around the Lake to support a sustainable and vibrant community.



ORDINARY COUNCIL MEETING MINUTES – 21 NOVEMBER 2018 WEST WIMMERA SHIRE COUNCIL

5. Encourage land use, developments and infrastructure which make West Wimmera more self-reliant and sustainable, in quality recreational opportunities.
6. Integrate planning for increased usage with the provision of infrastructure.
7. Manage, protect and enhance the Lake's land, soil, water and biodiversity.
8. Support long term agricultural productivity where it adjoins the lake.
9. Recognise the importance of heritage in the landscapes around the Lake, as economic and community assets to be celebrated.

Recommended spatial approach to the Lake Wallace Strategic Plan

It is expected that feedback from community consultation phase/s will generally support the proposed principles, however the contents and ideas in the Discussion Paper will be used to inform the key spatial directions and maps in the draft Lake Wallace Strategic plan.

Some Key matters are identified as requiring ongoing consideration as the draft Lake Wallace Strategic plan is developed:

Built Facilities

1. Descriptions of the extent of developments (eg high/low/medium Usage) should be separated from the role/function hierarchy of facilities (eg sports/ leisure).
2. The extent of development curtilage proposed for facilities under each designation should be clarified. Descriptions of facilities in the plan should promote co-location and clustering of any future development as well as defining areas suitable for future developments.
3. Infrastructure constraints should be considered in determining the LWSP's approach to the potential growth of existing development sites/ facilities.
4. More specific growth directions for larger facilities should be informed by amenity, bushfire, and other environmental values.
5. The LWSP should consider recommendations for what limit to the growth of the Edenhope township in the long term, to the southern and western sides of the Lake, in order to manage the impacts of the towns' future growth on the amenity of the Lake.
7. Distinct areas for the development of recreational infrastructure and facilities, should continue to allow for development while maintaining a substantively natural or park environment.
9. The LWSP should set out a spatial approach to economic development and land use, in addition to infrastructure. The approach to these matters will require further consideration as the plan is developed and should recognise the different contexts across the various interest groups.



ORDINARY COUNCIL MEETING MINUTES – 21 NOVEMBER 2018 WEST WIMMERA SHIRE COUNCIL

11. Rural residential uses and development should be limited from asset management perspective to ensure public access around the entirety of the Lake. The details of the Lake Wallace Strategic Plan's approach to this should be considered further through the development of the Draft Discussion Paper.

Natural Environment

- ☐ The need to ensure that use and development around the Lake is sustainable (from an environmental/ ecological perspective), by directing it to locations where it will not impact upon high value land, water or biodiversity assets
- ☐ The need to avoid directing development or intensive activities to locations affected by significant environmental risk factors, including bushfire risk, flooding, erosion and salinity
- ☐ The implications of pollution, climate change on the Lake.
- ☐ Landscapes and the environment as valued assets of West Wimmera.

Economic Opportunities

- ☐ Local economic development and employment opportunities associated with the Lake.
- ☐ The importance of tourism and the benefits that accrue to the region from investment in tourism facilities, with this sector having considerable growth potential
- ☐ The opportunities associated with the region's heritage
- ☐ The importance of guiding & permitting recreational or other enterprises on the Lake.
- ☐ The potential role of fish hatchery operations or enterprise

Use and Development

- ☐ The need to direct activity, future developments to locations where it will make best use of existing infrastructure, including reticulated sewerage and water services
- ☐ Appropriate directions for areas suitable for development or use of larger events and facilities.
- ☐ The importance of community development and social equity, including appropriate infrastructure in planning for growth
- ☐ Demographic change, including ageing population and loss of population from smaller rural communities
- ☐ Landscapes and the environment as valued attributes of the region.



ORDINARY COUNCIL MEETING MINUTES – 21 NOVEMBER 2018 WEST WIMMERA SHIRE COUNCIL

Infrastructure

- ☐ Improved access connections, including integrated way-finding signage, public art and interpretive displays
- ☐ The broad range of opportunities presented by the proximity of the region to Melbourne and its excellent road and rail links
- ☐ Inclusion of an implementation plan
- ☐ Coordination with other recreational, Health and Well Being plans including the Municipal Health and Well Being plan.
- ☐ Inclusion of an integrated Asset Management Plan for the Lake, to be supported with procedures.

Conclusion

A project governance structure is required to ensure the sustainable, economic and environmental management of the Lake Wallace reserve.

The project Advisory Group should meet regularly, receive reports from the Project Manager and the Project Control Group, with the provision of updates to Council at each Forum monthly.

OFFICER RECOMMENDATION

That Council resolves to Endorse the Project Governance Structure, as set out in the below table, for the preparation of the Lake Wallace Strategic Plan Project, and herein Nominates one Councillor, namely Cr _____, as its representative to the Project Control Group.

Group & Membership	Roles and Responsibility
WW Shire Council	Funding. Approval for the release of the Draft Discussion Paper for community consultation. and Authorisation of the Strategic Plan.
Lake Wallace Advisory Group 1 x Councillor 1x Friends of Lake Wallace representative 1 x Vision & Voice – Edenhope Progress Assoc. (Vision & Voice) 1 x Edenhope Tennis Club 1x Bowls Club 1x Anglers Club rep.	Contributes Issues and Ideas to be integrated into the Draft Discussion Paper Advises the Council Project Control Group



ORDINARY COUNCIL MEETING MINUTES – 21 NOVEMBER 2018

WEST WIMMERA SHIRE COUNCIL

2 x school reps – one from each school. 1 x WW Hospital rep. 1x Lake Wallace Station Owners	
Project Control Group 1 x Councillor DEWLP GWM Water Wimmera CMA 1 x BGCLC / Traditional Owner rep. WWSC CEO Director IDW, Manager PE Manager Engineering Services	Reports to Council Project Control Team <ul style="list-style-type: none"> • Establishes the Scope of the project • Establish the Terms of Reference • Determines the content of the Discussion Paper for Consultation • Delegates matter for advice to the Advisory Group • Financial Risk Monitoring and Management • Facilitates the day to day Management of the Project with the Project Manager(the Architect)
Project Manager: Manager Planning & Environment	All Stakeholder engagement Facilitates and Administers all meetings Undertakes or commissions the literature review. Drafts the initial Discussion Paper : Summary of Issues Advertises the approved Discussion Paper Reports to the PCG Reports to the Council Receives and documents all comments on the Discussion Paper Engages any specialist reports by contractors Prepares the Draft Strategic Plan Delivers the Draft Strategic Plan to Council for approval to release for Public comment. Collates public comments Review and resubmit the final Strategic Plan to Council

Moved: **Cr Richard Hicks**

Seconded: **Cr Tom Houlihan**

That Council resolves to Endorse the Project Governance Structure, as set out in the below table, with the inclusion of 3 elected representatives from the Advisory Group being part of the Control Group, for the preparation of the Lake Wallace Strategic Plan Project, and herein Nominates one Councillor, namely Cr Trevor Domaschenz as its representative to the Project Control Group.



ORDINARY COUNCIL MEETING MINUTES – 21 NOVEMBER 2018

WEST WIMMERA SHIRE COUNCIL

Group & Membership	Roles and Responsibility
West Wimmera Shire Council	Funding. Approval for the release of the Draft Discussion Paper for community consultation. and Authorisation of the Strategic Plan.
Lake Wallace Advisory Group 1 x Councillor 1x Friends of Lake Wallace representative 1 x Vision & Voice – Edenhope 1 x Edenhope Tennis Club 1x Edenhope Bowling Club 1x Anglers Club rep. 2 x school reps – one from each school (Edenhope College and Saint Malachy's). 1 x Edenhope & District Memorial Hospital rep. 1x Lake Wallace Station Owners	Contributes Issues and Ideas to be integrated into the Draft Discussion Paper Advises the Council Project Control Group
Project Control Group 1 x Councillor DEWLP GWM Water Wimmera CMA 1 x BGLC / Traditional Owner rep. WWSC CEO Director IDW, Manager PE Manager Engineering Services 3 x members of the Lake Wallace Advisory Group	Reports to Council Project Control Team <ul style="list-style-type: none"> Establishes the Scope of the project Establish the Terms of Reference Determines the content of the Discussion Paper for Consultation Delegates matter for advice to the Advisory Group Financial Risk Monitoring and Management Facilitates the day to day Management of the Project with the Project Manager(the Architect)
Project Manager: Manager Planning & Environment	All Stakeholder engagement Facilitates and Administers all meetings Undertakes or commissions the literature review. Drafts the initial Discussion Paper : Summary of Issues Advertises the approved Discussion Paper Reports to the PCG Reports to the Council Receives and documents all comments on the Discussion Paper Engages any specialist reports by contractors



ORDINARY COUNCIL MEETING MINUTES – 21 NOVEMBER 2018 WEST WIMMERA SHIRE COUNCIL

	Prepares the Draft Strategic Plan Delivers the Draft Strategic Plan to Council for approval to release for Public comment. Collates public comments Review and resubmit the final Strategic Plan to Council
Carried (5/0)	

Moved:	Cr Trevor Domaschenz
Seconded:	Cr Richard Hicks
That all available literature is made available to the group.	
Carried (5/0)	

Attachments: Nil



ORDINARY COUNCIL MEETING MINUTES – 21 NOVEMBER 2018 WEST WIMMERA SHIRE COUNCIL

14.0 CORPORATE AND COMMUNITY SERVICES

14.1 COMMUNITY SUPPORT FUND POLICY

FILE NUMBER: AD0068

REPORT AUTHOR: ASHLEY ROBERTS, DIRECTOR CORPORATE AND COMMUNITY SERVICES

FOR INFORMATION

Introduction

The Community Support Fund enables Council to be able to identify and quickly respond to small funding initiatives and/or requests which provide a community benefit in line with Council's goals, and which have not been specifically included in Council's budget.

The Community Support Fund Policy ('the Policy') provides a framework for Council to effectively manage this fund. Council adopted the current Community Support Fund Policy at its Ordinary Meeting held 15 November 2017. The policy is to be reviewed annually. This report presents the Community Support Fund Policy reviewed as at November 2018 for Council's adoption.

The revision proposes a small number of amendments:

- To amend the wording from 'projects' to 'initiatives';
- To insert a clause making it clear that if an initiative has been deemed to be ineligible for funding under a more appropriate funding stream then it is also ineligible under the Community Support Fund; and
- To allow groups or organisations to apply for up to \$5,000 assistance whilst leaving maximum funding for individuals to \$2,000.

Declaration of Interests

No officer declared an interest under the Local Government Act 1989 in the preparation of this report.

Background

Council provides an amount in budget each year (\$10,000 budgeted for the 2018/19 year) to cover small initiatives and/or funding requests which appear throughout the year.

These initiatives or requests must meet certain criteria:

- Be compatible with the Council Plan;



ORDINARY COUNCIL MEETING MINUTES – 21 NOVEMBER 2018 WEST WIMMERA SHIRE COUNCIL

- Be of benefit to the community;
- Be not more than \$2,000 per case; and
- Not be covered under any other initiative already funded in budget.

Further to this, funds accessed under the Community Support Fund may not be used to repay debts to Council, or as a community contribution to any other Council funding stream.

For the 2018 review it is proposed to add one other eligibility criteria be inserted (into Section 5 Ineligible Initiatives):

- That an initiative be ineligible for funding under the Community Support Fund if it has been deemed to be ineligible under any other funding stream of Council.

It is also proposed to amend section 4 of the Policy (Eligible initiatives) as following: Currently the policy states:

- It must not exceed \$2,000, for individual funding requests.

It is proposed to amend this to

- It must not exceed \$2,000.00 for funding requests by individuals, or \$5,000.00 for funding requests by groups or organisations.

The other change proposed in the 2018 revision is to amend the wording contained in the Policy from 'project' to 'initiative'. This removes any potential misconception that funding under the Community Support Policy is only available for physical projects – rather the funding may be available to a wide variety of initiatives, including sponsorship and community activities as well as minor works etc.

Risk Management Implications

There is potential for Council to be exposed to risk from any application of the Community Support Fund. This risk may arise from:

- Financial risk through funding being misappropriated
- Reputational risk through being associated with projects which fail to deliver community benefits or are mismanaged
- Operational risk through resources being tied up to administer minor items.

To mitigate the potential of this risk all initiatives under the Community Support Fund must be accompanied by a risk assessment and basic business case outlining the resource requirements and anticipated outcomes of the initiative to be funded.

Council must also receive an acquittal at the end of each project funded outlining how the provided funding was spent and identifying the outcomes of the funded project.

Council must also ensure that any applicant is made aware of any permit or regulatory requirements that may be applicable to funding applications



ORDINARY COUNCIL MEETING MINUTES – 21 NOVEMBER 2018 WEST WIMMERA SHIRE COUNCIL

Legislative Implications

The Community Support Fund allows for funding for a multitude of small events. This potentially leaves Council open to liability on the legislative front via activities undertaken with Council funding potentially breaching some legislation, inadvertently or otherwise. As part of the risk analysis required by Council for each funding application the relevant legislative implications must be assessed.

Environmental Implications

There are no direct environmental impacts from the Community Support Fund Policy, however, many varied projects may be funded under the Policy, some of which may have environmental impacts. As a result the risk analysis required for all funding applications must regard environmental impact.

Financial and Budgetary Implications

Council has a current year (2018/19) budget of \$10,000 per annum for the application to the Community Support Fund. Council must ensure that no more than the budgeted amount is provided to initiatives under this fund.

The Policy allows for a maximum funding of \$2,000 to apply to any one initiative funded under the Community Support Fund.

In both the 2016/17 and 2017/18 the fund was not fully expended, with \$5,125 being expended in 2016/17 and \$7,097 being expended in 2017/18.

Policy Implications

This Policy reviews the version of the Community Support Fund Policy adopted at Council Ordinary Meeting on 15 November 2017.

Council Plan Implications

This report supports the following section/s of the West Wimmera Shire Council Plan 2017-2021:

- Strategic Objective 4: Building on our agricultural and business strengths and supporting economic development
- Strategic Objective 5: Thriving, safe and diverse local communities
- Strategic Objective 6: Participating in activities that address health and wellbeing issues



ORDINARY COUNCIL MEETING MINUTES – 21 NOVEMBER 2018 WEST WIMMERA SHIRE COUNCIL

Communication Implications

The Community Support Fund Policy is a publicly accessible document under section 8 of the *Freedom of Information Act 1982*.

Conclusion

The attached revision of the Community Support Fund Policy updates the version of the Policy adopted by Council at the 15 November 2017 Ordinary Council Meeting. Minor changes have been made to the eligibility criteria to ensure that initiatives which are specifically ineligible for funding under any other Council funding stream are also excluded for funding under the Community Support Fund, and also around wording to remove any confusion around the application of the Policy.

OFFICER RECOMMENDATION:

That Council receive and adopt the Community Support Fund Policy.

Moved: Cr Richard Hicks

Seconded: Cr Tom Houlihan

That Council receive and adopt the Community Support Fund Policy.

Carried (5/0)

Attachments:

No.	Name	RecFind Ref
14.1.1	Draft 2018 revised Community Support Fund Policy	18/004044



ORDINARY COUNCIL MEETING MINUTES – 21 NOVEMBER 2018 WEST WIMMERA SHIRE COUNCIL

14.2 WEST WIMMERA RECREATIONAL TRAILS STRATEGY

FILE NUMBER: PS0267

REPORT AUTHOR: SARAH ELLIS, MANAGER BUSINESS & ECONOMIC DEVELOPMENT

FOR INFORMATION

Introduction

West Wimmera Shire Council (Council) engaged Tredwell Management Services to complete the West Wimmera Recreational Trails Strategy in October 2018.

The Draft Background Report & Strategy was completed in July and public consultation has now been completed. Feedback was requested through a survey which was available online and in hard copy at both council offices. This was advertised in newspapers, on the website as well as Facebook.

As per the funding agreement this project is to be completed by December 2018.

The Final Strategy is now completed with the intent that Council endorses the strategy at its next Ordinary Council Meeting.

Declaration of Interests

No officer declared an interest under the *Local Government Act 1989* in the preparation of this report.

Background

In June 2017 Council successfully secured funding (\$30,000) from the Sport and Recreation Victoria (Community Sport and Infrastructure – Planning 2017-18 Fund) to go towards a project to ‘Deliver a West Wimmera Recreational Trails Strategy to develop a consistent policy framework over a ten year period to guide decisions about the management of, and investment in, trails as per the funding ratios Council is to contribute \$15,000 to the project.

The aim of the West Wimmera Recreational Trails Strategy is to develop a consistent policy framework over a ten-year period to guide decisions about the management of, and investment in, trails and to provide a vision of what the trail network across West Wimmera will look like in the future. Ultimately, the West Wimmera Recreational Trails Strategy will form part of a Municipal Sport and Recreation Strategy to guide broader sport and recreation infrastructure development and complement the Municipal Public Health and



ORDINARY COUNCIL MEETING MINUTES – 21 NOVEMBER 2018 WEST WIMMERA SHIRE COUNCIL

Wellbeing Plan with the broad mission, goals and priorities of local government to enable people living in the municipality to achieve maximum health and wellbeing. Achieving strategic alignment of these plans is critical to achieving health and wellbeing outcomes in our local communities. The West Wimmera Recreational Trails Strategy will also look to the tourism and economic benefits that can be realised through a strategic approach to the development of tracks and trails infrastructure.

A draft strategy was shared with the community in August/September 2018 and 8 responses were received and applicable updates made. Responses were received from Local Residents, Mountain Bike Australia, Kowree Tree Farm Group, DELWP, Parks Victoria and Glenelg Hopkins CMA.

Risk Management Implications

West Wimmera Shire Council have been engaged in the process through active project management and Project Control Group. To protect Councils reputation community has also been engaged through a number of community consultation processes, including community meetings and surveys.

Legislative Implications

All community consultation and engagement will be in accordance with the provision of the Local Government Act 1989.

Environmental Implications

The contents of the strategy may lead to some level of environmental impact, this impact will need to be fully assessed at the implementation of any project arising from this strategy.

Financial and Budgetary Implications

Funding (\$30,000) was received through the Sport and Recreation Victoria (Community Sport and Infrastructure – Planning 2017-18 Fund) to go towards the activity. Council is to contribute \$15,000, as per the funding ratios set out in the program guidelines.

\$27,000 has already been received from Department of Health and Human Services with the balance (\$3,000) due at the completion of the project in December 2018.

\$35,736 has already been paid to Tredwell with the balance of \$8,934 due at the completion of the report. (Total contract with Tredwell Management Services \$44,670 as per Council motion October 17, 2017 Council Meeting)



ORDINARY COUNCIL MEETING MINUTES – 21 NOVEMBER 2018 WEST WIMMERA SHIRE COUNCIL

Policy Implications

This report is supported by the following West Wimmera Shire Council Policy:

Asset Management Policy
Communications Policy
Community Engagement Policy
Environmental Policy
Recreation Policy
Social Media Policy
Township Amenity Policy

Council Plan Implications

This report supports the following section/s of the West Wimmera Shire Council Plan 2017-2021:

- Strategic Objective 3: Quality sustainable community services and infrastructure.
- Strategic Objective 5: Thriving, safe and diverse local communities.
- Strategic Objective 6: Participating in activities that address health and wellbeing issues.
- Strategic Objective 7: Providing access to and promoting the natural environment.

Communication Implications

N/A

Conclusion

The West Wimmera Recreational Trails Strategy is a consistent policy framework over a ten-year period to guide decisions about the management of, and investment in, trails and to provide a vision of what the trail network across West Wimmera will look like in the future.

This framework will assist in guiding decisions and supporting funding applications to ensure that recreational trails across the West Wimmera can be maintained and improved to meet sport and recreational requirements as well as the flow on benefits of tourism and economic benefits to the Council area.

OFFICER RECOMMENDATION:

That Council adopts the West Wimmera Recreational Trails Strategy.



ORDINARY COUNCIL MEETING MINUTES – 21 NOVEMBER 2018
WEST WIMMERA SHIRE COUNCIL

Moved: Cr Trevor Domaschenz

Seconded: Cr Jodie Pretlove

That Council adopts the West Wimmera Recreational Trails Strategy.

Carried

For: 4 / Abstention: 1

Attachments:

No.	Name	RecFind Ref
14.2.1	West Wimmera Recreational Trail Strategy – Volume I The Strategy FINAL	18/004049



ORDINARY COUNCIL MEETING MINUTES – 21 NOVEMBER 2018 WEST WIMMERA SHIRE COUNCIL

14.3 COMMUNITY STRENGTHENING GRANTS PROGRAM 2018-2019 ROUND 1

FILE NUMBER: PR0015

**REPORT AUTHOR: SARAH ELLIS, MANAGER BUSINESS & ECONOMIC
DEVELOPMENT**

FOR DECISION

Introduction

Round one of the West Wimmera Shire Council Community Strengthening Grants Program 2018-19 closed Monday 15 October 2018. Eight applications were received across the three categories.

Declaration of Interests

No officer declared an interest under the Local Government Act 1989 in the preparation of this report.

Background

The Community Strengthening Grants program is designed to promote and increase participation of local residents in community initiatives, to build and strengthen local networks and partnerships and to support community leadership, learning and skill development.

Through the program, council will provide financial assistance to community groups and organisations to support the provision of programs, activities and services which respond to identified community needs, contribute to the building of a stronger community, develop innovative approaches and local social issues and are in accordance with council's strategic objectives.

Risk Management Implications

Community Strengthening Grants present minimal risk to council. The policy requires a successful applicant to manage the grant funding themselves. Each application has been assessed against the policy guidelines, ensuring a transparent and equitable process has been followed.

Council could also be subject to compliance risk with recipients not meeting permit requirements, however successful applications will be reviewed by our regulatory team.



ORDINARY COUNCIL MEETING MINUTES – 21 NOVEMBER 2018 WEST WIMMERA SHIRE COUNCIL

Legislative Implications

Nil implications.

Environmental Implications

Nil implications.

Financial and Budgetary Implications

A total of \$49,000.00 is allocated in the 2018-19 budget, for two rounds of Community Strengthening Grants. This funding has been divided between the three categories as follows:

- Community Events \$3,000.00.
- Community Projects \$10,000.00.
- Facilities Upgrades and Equipment \$36,000.00.

Policy Implications

This report is supported by the following West Wimmera Shire Council Policy:
Council Grants Policy
Support to Community Events Policy

Council Plan Implications

This report supports the following section/s of the West Wimmera Shire Council Plan 2017-2021:

- Strategic Objective 3: Quality sustainable community services and infrastructure.
- Strategic Objective 5: Thriving, safe and diverse local communities.
- Strategic Objective 6: Participating in activities that address health and wellbeing issues.

Communication Implications

The Community Strengthening Grants program was promoted extensively through advertisement in the Council website, local newspapers, community newsletters and social media.

In previous rounds Community Information Sessions have been poorly attended so these were replaced with one on one session as requested. Three requests for assistance were received and actioned.



ORDINARY COUNCIL MEETING MINUTES – 21 NOVEMBER 2018 WEST WIMMERA SHIRE COUNCIL

Successful applicants will be provided with constructive feedback as appropriate. Unsuccessful applicants are able to request feedback should they wish.

Further media will take place following the confirmation of successful applications, as well as media associated with individual applications.

Conclusion

Round 1 of the Community Strengthening Grants Program 2018-19 is well-subscribed with strong applications and projects submitted for consideration.

OFFICER RECOMMENDATION:

That Council allocates the following funding to applications under Round 1 of the 2018-2019 West Wimmera Shire Council Community Strengthening Grants.

- **Harrow Golf Club \$2,282.50**
- **Edenhope Golf Club \$400.00**
- **Harrow Horsemanship Challenge \$750.00**
- **Kaniva Golf Club Inc. \$5,000.00**
- **Kaniva Leeor United Football Club Inc. \$2,722.42**
- **Goroke & District Memorial Hall \$5,000.00**
- **Edenhope Tourism Inc. \$2,244.00**

Moved: Cr Bruce Meyer

Seconded: Cr Tom Houlihan

That Council allocates the following funding to applications under Round 1 of the 2018-2019 West Wimmera Shire Council Community Strengthening Grants.

- Harrow Golf Club \$2,282.50
- Edenhope Golf Club \$400.00
- Harrow Horsemanship Challenge \$750.00
- Kaniva Golf Club Inc. \$5,000.00
- Kaniva Leeor United Football Club Inc. \$2,722.42
- Goroke & District Memorial Hall \$5,000.00
- Edenhope Tourism Inc. \$2,244.00.



ORDINARY COUNCIL MEETING MINUTES – 21 NOVEMBER 2018 WEST WIMMERA SHIRE COUNCIL

Cr Trevor Domaschenz moved an amendment

Seconded Cr. Jodie Pretlove

That Council allocates the following funding to applications under Round 1 of the 2018-2019 West Wimmera Shire Council Community Strengthening Grants.

- Harrow Golf Club \$2,282.50
- Edenhope Golf Club \$400.00
- Harrow Horsemanship Challenge \$750.00
- Kaniva Golf Club Inc. \$5,000.00
- Goroke & District Memorial Hall \$5,000.00
- Edenhope Tourism Inc. \$2,244.00.

Amendment Lost 2/3

Moved: Cr Bruce Meyer

Seconded: Cr Tom Houlihan

That Council allocates the following funding to applications under Round 1 of the 2018-2019 West Wimmera Shire Council Community Strengthening Grants.

- **Harrow Golf Club \$2,282.50**
- **Edenhope Golf Club \$400.00**
- **Harrow Horsemanship Challenge \$750.00**
- **Kaniva Golf Club Inc. \$5,000.00**
- **Kaniva Leor United Football Club Inc. \$2,722.42**
- **Goroke & District Memorial Hall \$5,000.00**
- **Edenhope Tourism Inc. \$2,244.00.**

Carried

For: 3 / Against: 1 / Abstention: 1

Attachments:

No.	Name	RecFind Ref
14.3.1	West Wimmera Shire Community Strengthening Grant applications 2018/19– Round 1	18/004045



ORDINARY COUNCIL MEETING MINUTES – 21 NOVEMBER 2018 WEST WIMMERA SHIRE COUNCIL

15.0 LATE ITEMS OF BUSINESS

Pursuant to Local Law No.7 (2017), Meeting Procedure and Common Seal Local Law 2017, West Wimmera Shire Council:

28. Urgent Business

Business must not be admitted as urgent business unless it:

- i. *Relates to or arises out of a matter which has arisen since distribution of the agenda; and*
- ii. *Cannot safely or conveniently be deferred until the next Ordinary Meeting.*

Nil

16.0 SEALING SCHEDULE

16.1 LEASE TO TELSTRA CORPORATION LTD – 4 DORODONG RD DERGHOLM

OFFICER RECOMMENDATION:

That Council signs and seals the Standard Council Lease of Land document between West Wimmera Shire Council and Telstra Corporation Limited, for the property at 4 Dorodong Road, Dergholm for a term of five years.

Moved: Cr Richard Hicks

Seconded: Cr Bruce Meyer

That Council signs and seals the Standard Council Lease of Land document between West Wimmera Shire Council and Telstra Corporation Limited, for the property at 4 Dorodong Road, Dergholm for a term of five years.

Carried (5/0)



ORDINARY COUNCIL MEETING MINUTES – 21 NOVEMBER 2018 WEST WIMMERA SHIRE COUNCIL

16.2 TRANSFER OF QUARRY AGREEMENT – WEST WIMMERA SHIRE COUNCIL AND MCBRIDE TELOPEA PTY LTD

OFFICER RECOMMENDATION:

1. That Council approves the Transfer of the Quarry Agreement dated 5 May 2016 for the subject land at Edgerly Road, Telopea Downs, being Crown Allotment 86 in the Parish of Mirampiram, from Hassad Australia Pty Ltd to McBride Telopea Pty Ltd.
2. The Council signs and seals the Transfer of the Quarry Agreement between West Wimmera Shire Council and McBride Telopea Pty Ltd.

Moved: Cr Richard Hicks

Seconded: Cr Tom Houlihan

1. That Council approves the Transfer of the Quarry Agreement dated 5 May 2016 for the subject land at Edgerly Road, Telopea Downs, being Crown Allotment 86 in the Parish of Mirampiram, from Hassad Australia Pty Ltd to McBride Telopea Pty Ltd.
2. The Council signs and seals the Transfer of the Quarry Agreement between West Wimmera Shire Council and McBride Telopea Pty Ltd.

Carried (5/0)

Moved: Cr Bruce Meyer

Seconded: Cr Richard Hicks

That Council suspends Standing Orders at 3.52pm until 4.15pm.

Carried (5/0)

Moved: Cr Richard Hicks

Seconded: Cr Tom Houlihan

That Council resumes Standing Orders at 4.18pm.

Carried (5/0)



ORDINARY COUNCIL MEETING MINUTES – 21 NOVEMBER 2018 WEST WIMMERA SHIRE COUNCIL

17.0 CONFIDENTIAL (PURSUANT TO SECTION 89 LGA 1989)

RECOMMENDATION

That Council pursuant to section 89(2) (d) Contractual Matters of the Local Government Act 1989 close the meeting to members of the public at pm to resolve on matters pertaining to the following items:

17.1 MUNICIPAL BUILDING SURVEYOR – JOINT SERVICES TENDER CM0489

17.2 TRANSFER OF WASTE TO DOOEN LANDFILL CM0481

17.3 HIRE OF PLANT AND EQUIPMENT 2018 CM0486

17.4 STABILIZATION OF VARIOUS ROADS CM0487

Moved: Cr Bruce Meyer

Seconded: Cr Trevor Domaschenz

That Council pursuant to section 89(2) (d) Contractual Matters of the Local Government Act 1989 close the meeting to members of the public at 4.18pm to resolve on matters pertaining to the following items:

17.1 MUNICIPAL BUILDING SURVEYOR – JOINT SERVICES TENDER CM0489

17.2 TRANSFER OF WASTE TO DOOEN LANDFILL CM0481

17.3 HIRE OF PLANT AND EQUIPMENT 2018 CM0486

17.4 STABILIZATION OF VARIOUS ROADS CM0487.

Carried (5/0)

RECOMMENDATION

That the resolutions pertaining to Confidential / In-Camera items be adopted and made public (except where the resolution restricts publication) and that the reports for those items remain In-camera and that Council open the meeting to the public at 4.45 pm.



ORDINARY COUNCIL MEETING MINUTES – 21 NOVEMBER 2018 WEST WIMMERA SHIRE COUNCIL

Moved: Cr Trevor Domaschenz

Seconded: Cr Tom Houlihan

That the resolutions pertaining to Confidential / In-Camera items be adopted and made public (except where the resolution restricts publication) and that the reports for those items remain In-camera and that Council open the meeting to the public at 4.45 pm.

Carried (5/0)

17.1 MUNICIPAL BUILDING SURVEYOR – JOINT SERVICES TENDER CM0489

That Council resolves to accept the tender of Gov Shared Services Pty Ltd, for the provision of Municipal Building Services, with the nominated Municipal Building Surveyor is Mr Terry Baker MBS, subject to the following conditions:

- 1. The proposed MBS service provision scope, must include at least one (1) day per week, face to face, attendance in the Edenhope Offices of Council, for the duration of the contract.**
- 2. The proposed MBS service provision scope, must include, face to face, administration staff training in the Edenhope Offices of Council, to the satisfaction of the Council.**
- 3. Duration: 3 years**
- 4. Commencement: 21 December 2018.**

17.2 TRANSFER OF WASTE TO DOOEN LANDFILL CM0481

- 1. That Council accepts the tender submitted by Greta Group Pty Ltd T/as Wimmera Mallee Waste for Contract CM0481 “Transfer of Waste to Dooen Landfill” in accordance with the specifications of Contract CM0481 at the tendered rates submitted.**
- 2. That the Contract Agreement Documents for Contract CM0481 “Transfer of Waste to Dooen Landfill” be signed and sealed by Council following their preparation.**



ORDINARY COUNCIL MEETING MINUTES – 21 NOVEMBER 2018 WEST WIMMERA SHIRE COUNCIL

17.3 HIRE OF PLANT AND EQUIPMENT 2018 CM0486

- 1. That Council accepts all tenders submitted to form a panel of suppliers for Contract CM0486 “Hire of Plant and Equipment 2018” in accordance with the specifications of Contract CM0486 at the tendered rates submitted.**
- 2. That the Contract Agreement Documents for Contract CM0486 “Hire of Plant and Equipment 2018” be signed and sealed by Council following their preparation.**

17.4 STABILIZATION OF VARIOUS ROADS CM0487

- 1. That Council accepts the tender submitted by Stabilco Pty Ltd for Contract CM0487 “Stabilization of Various Roads” in accordance with the specifications of Contract CM0487 at the tendered rates submitted.**
- 2. That the Contract Agreement Documents for Contract CM0487 “Stabilization of Various Roads” be signed and sealed by Council following their preparation.**

MEETING CONCLUDED: 4.45PM

**NEXT MEETING: 19 DECEMBER 2018
EDENHOPE COUNCIL CHAMBER**