



ORDINARY COUNCIL MEETING AGENDA – 21 AUGUST 2019 WEST WIMMERA SHIRE COUNCIL

TO BE HELD: Wednesday 21 August 2019

LOCATION: Edenhope Council Chamber

COMMENCEMENT: 2.00pm

REQUIRED TO ATTEND:	
Councillors	Senior Management Group
Jodie Pretlove, Mayor	David Leahy Chief Executive Officer
Trevor Domaschenz	
Richard Hicks	Ashley Roberts Director Corporate & Community Services
Tom Houlihan	
Bruce Meyer	Mark Marziale Director Infrastructure Development & Works

Members of the Gallery are advised that the following Local Law applies to this meeting:

West Wimmera Shire Council Local Law No.7, 2017

42. Gallery to be silent

- (1) Any member of the public asking a question of the Council or in attendance in the gallery must extend due courtesy and respect to the Council and the processes under which it operates*
- (2) Visitors must not interject or take part in the debate and must take direction from the Chairperson whenever called upon to do so.*

Vision Statement:

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



ORDINARY COUNCIL MEETING AGENDA – 21 AUGUST 2019 WEST WIMMERA SHIRE COUNCIL

TABLE OF CONTENTS

1.0	WELCOME	4
2.0	OPENING PRAYER.....	4
3.0	APOLOGIES, LEAVE OF ABSENCE, DECLARATION OF CONFLICT OF INTEREST.....	4
3.1	APOLOGIES	4
3.2	LEAVE OF ABSENCE	4
3.3	DECLARATION OF CONFLICT OF INTEREST	4
4.0	QUESTIONS FROM THE GALLERY (maximum of 30 minutes)	4
4.1	WRITTEN QUESTIONS ON NOTICE	4
4.2	VERBAL QUESTIONS WITHOUT NOTICE	5
5.0	DELEGATES REPORTS (FOR INFORMATION ONLY) AS PROVIDED BY COUNCILLORS PRIOR TO AGENDA BEING ISSUED	5
5.1	COUNCILLOR JODIE PRETLOVE (MAYOR)	5
5.2	COUNCILLOR TREVOR DOMASCHENZ	5
5.3	COUNCILLOR RICHARD HICKS	6
5.4	COUNCILLOR TOM HOULIHAN	6
5.5	COUNCILLOR BRUCE MEYER	6
5.6	GENERAL DELEGATES' REPORTS	6
6.0	CONDOLENCES	6
7.0	CONFIRMATION OF MINUTES FROM PREVIOUS MEETING – 17 JUL 2019...	6
8.0	BUSINESS ARISING FROM PREVIOUS MINUTES	6
9.0	NOTICES OF MOTION	7
9.1	CHILDCARE IN EDENHOPE – CR TREVOR DOMASCHENZ – NOM 2019/07	7
10.0	ASSEMBLY OF COUNCILLORS RECORD – 7 AUG 2019.....	8
11.0	DEPUTATIONS AND PETITIONS.....	8
12.0	CHIEF EXECUTIVE OFFICER AND GOVERNANCE	9



ORDINARY COUNCIL MEETING AGENDA – 21 AUGUST 2019 WEST WIMMERA SHIRE COUNCIL

12.1	REVIEW OF ELECTION PERIOD POLICY	9
12.2	S11 & S11A INSTRUMENTS OF DELEGATION AND AUTHORISATION FOR AUTHORISED OFFICERS	12
12.3	BUILDING ASSET CONSOLIDATION – EDENHOPE	15
13.0	INFRASTRUCTURE DEVELOPMENT AND WORKS	20
13.1	PLANNING & BUILDING PERMIT STATUS – INVESTMENTS IN WEST WIMMERA	20
13.2	WASTE AND RECYCLING – EMERGING ISSUES UPDATE	23
14.0	CORPORATE AND COMMUNITY SERVICES	27
14.1	LOCAL GOVERNMENT COMMUNITY SATISFACTION SURVEY RESULTS 2019	27
15.0	LATE ITEMS OF BUSINESS	32
16.0	SEALING SCHEDULE	32
17.0	CONFIDENTIAL (PURSUANT TO SECTION 89 LGA 89)	32
17.1	SALE OF LAND AT MIRAM	32
17.2	LOCAL GOVERNMENT ENERGY SAVER PROGRAM FACILITY UPGRADE CM0495	32
17.3	SERVICE OF BINS AT TRANSFER STATIONS CM0502	32
17.4	HIRE OF PLANT AND EQUIPMENT 2019 CM0504	32



ORDINARY COUNCIL MEETING AGENDA – 21 AUGUST 2019 WEST WIMMERA SHIRE COUNCIL

1.0 WELCOME

2.0 OPENING PRAYER

Almighty God, we humbly ask your blessing upon this Council. Guide and prosper our decisions to the advancement of Your Glory and the true welfare of the people of West Wimmera Shire. Amen.

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

3.1 APOLOGIES

3.2 LEAVE OF ABSENCE

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.

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.

4.1.1 Geoff Langsworth – Walking Track Lake Wallace

The condition of the walking track around the Lake is rapidly deteriorating and requires immediate attention, to prevent potential accidents and injuries.



ORDINARY COUNCIL MEETING AGENDA – 21 AUGUST 2019 WEST WIMMERA SHIRE COUNCIL

My questions to the Council/Councillors are:

1. Is the Council/Councillors aware of the poor condition of the track?
2. What actions to repair the track are planned?
3. When will work commence to address the problem?

Attachments:

No.	Name	RecFind Ref
4.1.1	Question on Notice – Geoff Langsworth – Walking Track Lake Wallace	C19/006025

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.

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

5.1 COUNCILLOR JODIE PRETLOVE (MAYOR)

23/07/2019 CEO David Leahy
24/07/2019 Kaniva Leeor United Football Club
28/07/2019 *On leave of absence, back on 9 August 2019*
12/08/2019 CEO David Leahy
19/08/2019 CEO David Leahy
21/08/2019 Council Meeting, Edenhope

5.2 COUNCILLOR TREVOR DOMASCHENZ

29/07/2019 Wesley LifeForce Suicide Prevention Network Meeting
30/07/2019 Environmental Protection Authority Information Session
07/08/2019 Councillor Forum, Kaniva
13/08/2019 Wimmera Development Association Board Meeting
14/08/2019 Regional Tourism Forum with Regional Development Vic
20/08/2019 Wimmera Mallee Tourism Meeting
21/08/2019 Council Meeting, Edenhope



ORDINARY COUNCIL MEETING AGENDA – 21 AUGUST 2019 WEST WIMMERA SHIRE COUNCIL

5.3 COUNCILLOR RICHARD HICKS

26/07/2019	Wimmera Southern Mallee Regional Transport Group
30/07/2019	Environmental Protection Authority Information Session
07/08/2019	Councillor Forum, Kaniva
09/08/2019	Western Highway Action Committee, Ballarat
21/08/2019	Council Meeting, Edenhope

5.4 COUNCILLOR TOM HOULIHAN

07/08/2019	Councillor Forum, Kaniva
21/08/2019	Council Meeting, Edenhope

5.5 COUNCILLOR BRUCE MEYER

28/07/2019	<i>Took over as Acting Mayor, until 9 August 2019</i>
30/07/2019	Environmental Protection Authority Information Session
07/08/2019	Councillor Forum, Kaniva
16/08/2019	Wimmera Regional Library Corporation Board Meeting
21/08/2019	Council Meeting, Edenhope

5.6 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.

6.0 CONDOLENCES

7.0 CONFIRMATION OF MINUTES FROM PREVIOUS MEETING – 17 JUL 2019

RECOMMENDATION:

That the Minutes of the Ordinary Meeting of Council held on Wednesday 17 July 2019, be taken as an accurate record and confirmed.

8.0 BUSINESS ARISING FROM PREVIOUS MINUTES



ORDINARY COUNCIL MEETING AGENDA – 21 AUGUST 2019 WEST WIMMERA SHIRE COUNCIL

9.0 NOTICES OF MOTION

9.1 CHILDCARE IN EDENHOPE – CR TREVOR DOMASCHENZ – NOM 2019/07

Preamble

Edenhope and District communities are severely disadvantaged by inadequate childcare, in particular since the Uniting Care Family Day Care service ceased.

This is impacting on Council and other employers and the ability to attract families and employees to the region.

This is affecting the mental health of many residents, who are trying to operate small businesses (including farms) as well as care for their children.

For those who work for a wage, they are giving up shifts or whole positions as they can't find secure childcare.

Extended families are becoming burnt out and friendships tested as families fight for the casual options available or ask for favours. As there is no "before school" or "after school" care either, families with students up to High School age are affected by the lack of care.

The return of Family Day Care alone is not enough to service the region, with local surveys indicating it will not meet current needs, let alone provide spaces for attracting new residents and families.

In contrast, families in larger centres (and even some smaller towns like Balmoral) can be secure in the knowledge they can return to work after childbirth, with support of a Childcare Centre.

Motion

That West Wimmera Shire Council actively assist the Edenhope and District community to lobby for childcare services, including a Full Time Childcare Centre, to adequately cater to the needs of the growing district.

Attachments:

No.	Name	RecFind Ref
9.1.1	Notice of Motion 2019/07 – 12 August 2019	E19/000477



ORDINARY COUNCIL MEETING AGENDA – 21 AUGUST 2019 WEST WIMMERA SHIRE COUNCIL

10.0 ASSEMBLY OF COUNCILLORS RECORD – 7 AUG 2019

RECOMMENDATION:

That the Assembly of Councillors Record for the Councillor Forum held Wednesday 7 August 2019 be received and noted.

11.0 DEPUTATIONS AND PETITIONS



ORDINARY COUNCIL MEETING AGENDA – 21 AUGUST 2019 WEST WIMMERA SHIRE COUNCIL

12.0 CHIEF EXECUTIVE OFFICER AND GOVERNANCE

12.1 REVIEW OF ELECTION PERIOD POLICY

FILE NUMBER: AD0186

REPORT AUTHOR: ELIZABETH MATUSCHKA, GOVERNANCE OFFICER

FOR DECISION

Introduction

This report presents a review of Council's Election Period Policy for consideration and adoption.

Declaration of Interests

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

Background

It is a requirement under Section 93B of the Local Government Act 1989 (the Act) that all Councils maintain an Election Period Policy. The current policy was adopted on 24 March 2016 by the previous Council.

An election period policy provides a framework for Councillors and staff, and outlines expected behaviours for the conduct of Council business during the lead-up to the next general election on 24 October 2020.

Section 93B of the current Act also requires all Councils to review, and if required, amend their Election Period Policy no later than 12 months before the commencement of the next general election period.

The general election period for 2020 commences on 22 September 2020, and runs for 32 days in the lead-up to the general election.

Once the 2019 review of the Local Government Act has been completed and becomes law, this Policy will again be reviewed and updated to reflect the amendments to the Act.



ORDINARY COUNCIL MEETING AGENDA – 21 AUGUST 2019 WEST WIMMERA SHIRE COUNCIL

Information received at a Governance Officer Forum attended by the writer earlier this month suggests many elements of the Local Government Bill Exposure Draft 2018 are likely to be retained in the new Bill of 2019. This is likely to include Section 58 of the 2018 document regarding the development, adoption and enforcement of Governance Rules, and Section 66 of the same document stating that each Council's Election Period Policy would need to be included in the newly drafted Governance Rules.

At the time of writing, the six-month timeline for the development and adoption of Governance Rules by Council is expected to commence in March 2020.

Risk Management Implications

Should an election period policy not be adopted by 22 September 2019, Council would be in breach of the Act.

By reviewing and adopting the West Wimmera Shire Council Election Period Policy at the August 2019 Council Meeting, Council will be complying with the Act well in advance of the legislated deadline.

Legislative Implications

Section 93A and 93B of the Local Government Act 1989

Environmental Implications

Nil

Financial and Budgetary Implications

Not commented on

Policy Implications

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



ORDINARY COUNCIL MEETING AGENDA – 21 AUGUST 2019 WEST WIMMERA SHIRE COUNCIL

Communication Implications

The adopted Policy will be provided to Councillors and staff in accordance with Council's policy administrative processes.

It will also be made public on Council's website and available in hardcopy for public inspection. Copies will be made available to each Councillor on Docs on Tap.

Conclusion

Council must maintain an Election Period Policy in accordance with the Local Government Act 1989, and review it no less than 12 months prior to the commencement of the 2020 general election period.

OFFICER RECOMMENDATION:

That Council adopts the reviewed Election Period Policy.

Attachments:

No.	Name	RecFind
12.1.1	Reviewed Election Period Policy in mark-up mode	E19/000464



ORDINARY COUNCIL MEETING AGENDA – 21 AUGUST 2019 WEST WIMMERA SHIRE COUNCIL

12.2 S11 & S11A INSTRUMENTS OF DELEGATION AND AUTHORISATION FOR AUTHORISED OFFICERS

FILE NUMBER: AD0186

REPORT AUTHOR: DAVID LEAHY – CHIEF EXECUTIVE OFFICER

FOR DECISION

Introduction

Due to the appointments of a number of officers into roles requiring Authorised Officer status, it has become necessary to provide (by resolution) authorised officer status to two positions, within the S11 Delegations.

Also with the appointment of a new Manager Planning and Environment, it is necessary to provide authorised officer status in accordance with the Planning & Environment Act 1987, under the S11A Delegations.

Declaration of Interests

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

Background

Council is required under the Local Government Act 1989 to exercise its powers of delegation, in accordance with s 224, to appoint authorised officers for certain functions.

These delegations change periodically due to staff movements, the appointment of consulting professionals (predominantly Planning & Building) and through the redeployment of staff or restructuring of functions.

In this circumstance, the S11 Delegations have been altered to include the new Manager Planning and Environment and the leave replacement Local Laws Officer.

The two attached documents were created via the templates provided by Maddocks as part of the subscription to the delegation update service.

Risk Management Implications

Ensuring that the Authorised Officer status of officers undertaking statutory compliance and approval functions, reduces the risk of facing litigation due to inappropriate advice.



ORDINARY COUNCIL MEETING AGENDA – 21 AUGUST 2019 WEST WIMMERA SHIRE COUNCIL

Legislative Implications

The delegations comply with the requirements of the Local Government Act 1989 and the Planning and Environment Act 1987

Environmental Implications

Nil

Financial and Budgetary Implications

Nil

Policy Implications

This report is supported by the following West Wimmera Shire Council Policy:
Building Permit Information 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.

Communication Implications

This report and associated attachments are administrative tasks that do not require public communication and the staff concerned will be formally advised of their delegations.

Conclusion

Providing authorised officer status to various officers is periodically required due to the movement of staff. The provision of the status ensures that some functions, such as, permit approvals can be completed within a suitable timeframe to assist with the statutory requirements.



ORDINARY COUNCIL MEETING AGENDA – 21 AUGUST 2019 WEST WIMMERA SHIRE COUNCIL

OFFICER RECOMMENDATION:

That Council in the exercise of the powers conferred by s 224 of the *Local Government Act 1989* (the Act) and the other legislation referred to in the attached instruments of appointment and authorisation (the instruments), **RESOLVES THAT:**

1. The members of Council staff referred to in the instruments S11 and S11A be appointed and authorised as set out in the instruments.
2. The instruments come into force immediately the Common Seal of Council is affixed to the instruments, and remains in force until Council determines to vary or revoke them.
3. Council notes that the Authorised Officer status of the temporary Local Laws Officer has been revoked upon the resignation of the officer.
4. The instruments be signed and sealed.

Attachments:

No.	Name	RecFind Ref
12.2.1	S11 Delegations – authorised officers – August 2019	AD0186
12.2.2	S11A – Instrument of Appointment (P&E Act) – August 2019	AD0186



ORDINARY COUNCIL MEETING AGENDA – 21 AUGUST 2019 WEST WIMMERA SHIRE COUNCIL

12.3 BUILDING ASSET CONSOLIDATION – EDENHOPE

FILE NUMBER: AD0183

REPORT AUTHOR: DAVID LEAHY – CEO

FOR DECISION

Introduction

The following report is provided to assist in developing a timetable for the potential consolidation of building assets in Edenhope.

Also attached is the relevant section of the Local Government Act 1989 regarding power to sell land.

Declaration of Interests

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

Background

During debate and general discussion regarding the redevelopment of the Edenhope Hall, Council resolved to investigate the possibility of consolidating the list of building assets in Edenhope, to enable greater levels of joint use. It was also suggested that by consolidating the list of building assets, that the utilisation of the Edenhope Hall will be at a suitable level.

To enable the resolution to be enacted, the CEO assembled a group of officers to discuss the options available and the steps required to facilitate either a sale or transfer of the assets.

The group met on Friday 19 July 2019 and discussed a number of other building asset management issues that included:

- A commitment to long term funds within the major projects plan to building maintenance.
- The development of a program based on the condition assessment information available.
- The shire residences and what the future may hold for them.
- Identification of other building assets that may be decommissioned.
- The future of asset management policies regarding the consolidation of building assets.



ORDINARY COUNCIL MEETING AGENDA – 21 AUGUST 2019 WEST WIMMERA SHIRE COUNCIL

- The condition of the Kaniva Office and how to best repair, restore and improve security of the site.

As a result of these discussions, it was agreed that the DIDW will investigate the possibilities available for the previously mentioned Edenhope Assets to be sold or transferred to the ownership of other groups.

The purpose of this report is not relevant to the other assets that were discussed as part of the initial meeting and Council is not be required to make and decisions on the future of those assets at this time.

It is intended to report the outcomes of this group's meetings to Council as the various investigations continue.

To facilitate the sale or exchange of the suggested properties in Edenhope, it is necessary for Council to comply with section 189 of the Local Government Act 1989. This section sets out the minimum public notification period to be applied (4 weeks prior to sale or exchange) and also the requirement to have a current valuation completed.

It is necessary for the valuation to be completed by a suitably qualified and experienced person as specified under section 13DA(2) of the Valuation of Land Act 1960.

Section 223 of the Local Government Act 1989 also enables any person to make a submission on the proposed sale or exchange as part of the public notification period.

The sale, exchange or disposal of the suggested building assets in Edenhope would need to follow a different pathway as they are currently occupied in different circumstances.

If Council wishes to dispose of the Edenhope Senior Citizens building from its asset register, it will need to enter into discussions with the current occupants (Senior Citizens Club and Edenhope Lions Club) regarding its intentions. Following this it can commence the process of valuation and public notification.

Once all of this information has been gathered (including any submissions under section 223 of the Act), Council can make an informed decision on the next steps e.g. sale, exchange, decommission etc.

The above mentioned steps could take up to 4 months which would see a sale, exchange or other disposal occur by the end of 2019.

With respect to the Edenhope Business Centre (EBC), Council is the occupant so it makes the process a little more straightforward. The parcel of land that the EBC sits on also contains a secure shed that houses Council archived material. The options on how to deal with that will need to be worked through as part of the disposal process.



ORDINARY COUNCIL MEETING AGENDA – 21 AUGUST 2019 WEST WIMMERA SHIRE COUNCIL

The options include, sub-dividing the portion of land that houses the shed, relocate the shed or enter into an agreement with the new owners to occupy the space under a lease or similar.

The timelines for sale, exchange or similar of the EBC, would depend on the choice made on the archive shed. If the whole site was sold or exchanged, the process could take approximately 4 months. If the site was sub-divided to cater for the location of the archive shed, the process will take considerably longer.

Risk Management Implications

Council faces a financial risk of increasing the renewal funding gap by not addressing the consolidation of certain asset categories.

Legislative Implications

Council is required to facilitate an active asset management program to oversee the activities mentioned in this report.

Environmental Implications

The sale or exchange of the two Edenhope building assets will have a minimal environmental impact.

Financial and Budgetary Implications

Depending on the option chosen by Council the value of the conveyance expenses will vary accordingly.

Any potential revenue will be determined through the valuation process.

Policy Implications

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

- Asset Capitalisation Policy
- Asset Disposal Policy
- Asset Management Policy
- Asset Management Strategy
- Communications Policy
- Community Engagement Policy
- Community Halls Policy
- Council Major Hall Hire Policy



ORDINARY COUNCIL MEETING AGENDA – 21 AUGUST 2019 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.

Communication Implications

The process of consolidation, requires extensive community negotiation and this will need to be clearly communicated to all relevant stakeholders at every stage of the negotiations.

Conclusion

While the various options available to Council regarding the disposal of the suggested built assets in Edenhope were discussed at length and investigations commenced, the approach of taking a whole of municipality view of asset rationalisation is necessary.

Any decision to either decommission or dispose of an asset must be undertaken in accordance with relevant legislation and will ultimately be a decision of Council.

OFFICER RECOMMENDATION:

That Council:

- 1. Accept the timelines suggested within the report.**
- 2. Agree to dispose of the Edenhope Senior Citizens building and the Edenhope Business Centre building from the Asset Register, by sale or exchange.**
- 3. Authorise the CEO to commence the negotiations with the occupants of the Senior Citizens Hall with a view to sale or exchange of the facility in accordance with section 189 of the Local Government Act 1989.**
- 4. Authorise the CEO to commence the process to dispose of the Edenhope Business Centre building by sale or exchange in accordance with section 189 of the Local Government Act 1989.**
- 5. Authorise the Director Corporate and Community Services to engage a suitably qualified and experienced valuer to undertake a valuation of both buildings.**



ORDINARY COUNCIL MEETING AGENDA – 21 AUGUST 2019 WEST WIMMERA SHIRE COUNCIL

Attachments:

No.	Name	RecFind Ref
12.3.1	Local Govt Act 1989 sect 189 Restriction on power to sell land	AD0183



ORDINARY COUNCIL MEETING AGENDA – 21 AUGUST 2019 WEST WIMMERA SHIRE COUNCIL

13.0 INFRASTRUCTURE DEVELOPMENT AND WORKS

13.1 PLANNING & BUILDING PERMIT STATUS – INVESTMENTS IN WEST WIMMERA

FILE NUMBER: AD0183

REPORT AUTHOR: MARK MARZIALE – DIRECTOR INFRASTRUCTURE DEVELOPMENT & WORKS

FOR DECISION

Introduction

The following report is provided as an update on the status of Planning and Building Permit applications, representing new investment and improvements in West Wimmera.

Also attached are a number of summary reports on the volume and status of building and planning approvals.

Declaration of Interests

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

Background

Council is the responsible authority for the administration of the Planning & Environment Act, the Subdivision Act, and the Building Act, and facilitates its objectives for investment, business, built development and liveability through these instruments.

Applications are now lodged into a program titled Greenlight, which enables the staff to track the progress of the applications and ensure that any approvals can be provided in a suitable timeframe.

The attached summary reports have been compiled using data from the Greenlight system with the applicants details removed.

Due to a number of staff movements during 2019, there have been some applications that have exceeded the timeframe set for approvals. In an attempt to alleviate the resource shortage, external planning expertise was engaged, but this was on a restricted basis also.



ORDINARY COUNCIL MEETING AGENDA – 21 AUGUST 2019 WEST WIMMERA SHIRE COUNCIL

It can be reported now that the Manager Planning and Environment position has been filled and the administrative resources of the directorate have also been bolstered to enable the service standards to be returned.

Risk Management Implications

Economic:	Infrastructure, development and prosperity
Social:	Improved liveability, Minimise land use conflict & enable Community Development
Ecological:	Ensure ecological sustainability
Legal Compliance:	Professional qualified assessment of applications prior to approval. Compliance with the West Wimmera Planning Scheme.

Legislative Implications

Council is obliged to provide an up to date Planning Scheme, facilitating economic and community development through the provision of professional planning services, in accordance with the requirements of the Planning & Environment Act 1987.

Council is obliged to provide Municipal Building Surveying services in accordance with the Building Act and Regulations.

Environmental Implications

Environmental & Ecological Sustainability objectives of the government are included in the Planning & Building legislations.

Financial and Budgetary Implications

In accord with Council Budget.

Policy Implications

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

Asset Capitalisation Policy
Asset Management Policy
Building Fee Refunds Policy
Building Permit Information Policy

Council Plan Implications

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



ORDINARY COUNCIL MEETING AGENDA – 21 AUGUST 2019 WEST WIMMERA SHIRE COUNCIL

- 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.
- Strategic Objective 3: Quality sustainable community services and infrastructure.
- Strategic Objective 6: Participating in activities that address health and wellbeing issues.

Communication Implications

The Planning and Environment Act, the Subdivision Act and the Building Act, each include their own statutory public notification & consultation requirements and processes.

Conclusion

Council is committed to providing up to date professional planning and building services, to encourage and facilitate new investment and development, for residents, businesses and its communities.

OFFICER RECOMMENDATION:

That Council accepts the updated report on Planning and Building permit applications.

Attachments:

No.	Name	RecFind Ref
13.1.1	Planning Dept. Applications Completed Report	AD0183
13.1.2	Planning Applications in Progress Report	AD0183
13.1.3	Subdivision Application Summary SPEAR	AD0183
13.1.4	Building Approvals 2018-19 Fyr	AD0183
13.1.5	Statutory Planning Activity Summary 2018-19	AD0183



ORDINARY COUNCIL MEETING AGENDA – 21 AUGUST 2019 WEST WIMMERA SHIRE COUNCIL

13.2 WASTE AND RECYCLING – EMERGING ISSUES UPDATE

FILE NUMBER: AD0183

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

FOR DECISION

Introduction

Waste and recycling services are critical public health and amenity services for West Wimmera Shire Council (Council).

This report aims to brief Council on emerging issues for discussion on response options.

Declaration of Interests

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

Background

The recycling industry in Victoria is currently at a standstill due to the closure of SKM and the capacity of alternate businesses to carry the extra load this has created. Also, China has continued with its 2018 waste importation ban and this has led to ports around Australia housing containers of co-mingled recycling that cannot leave the country.

The EPA has obligations to ensure recyclables are stored, processed and disposed of, in accordance with the Environmental Protection Act. These obligations have ultimately resulted in strict compliance actions being applied to SKM to avoid a repeat of the fire at a facility at Coolaroo, which presented a significant public health risk.

Recyclables from West Wimmera, and within the wider Grampians Central West Region were being transferred to the SKM resource recycling facilities located in Coolaroo and Laverton. Both these SKM facilities were been closed under Order by the EPA, until they addressed issues raised as non-compliant conditions of their EPA licences, pertaining to the volume of stockpiling on these sites of recyclables that could include both sorted and unsorted recyclables.



ORDINARY COUNCIL MEETING AGENDA – 21 AUGUST 2019 WEST WIMMERA SHIRE COUNCIL

At first, SKM asked the EPA for additional time to address the issues in a short term, however this could not be realised, and alternative arrangements were established with the expectation that these changes will persist for the medium to long term.

SKM has since been wound-up and the volumes that were stored at a number of warehouse facilities has remained in place, with no plan to rectify the situation provided.

Wimmera Mallee waste have advised that they have only limited available short term storage airspace at their depots in Portland, Horsham and Wycheproof to receive product collected.

Dooen Landfill is available to receive any material within its licence conditions. In particular, our neighbouring Councils have been invited to utilise the facility there. Short term management of recyclable material is within that scope.

The operation of a new cell at Dooen, and modest amounts of additional material, for storage and management, in the short term, have been confirmed as viable.

Councils Managers are negotiating the timing and volume of deliveries to the Dooen site. The costs associated with depositing recyclables in an alternative site/business are extremely high and the capacity of the alternative businesses is limited to the large metropolitan Councils, with very little opportunity for rural and regional volumes.

Business impacts & variations:

Depressed recyclables markets are continuing to spread, and storage and disposal expenses are increasing, causing uncertainty with the long-term destination of paper, cardboard, cans and bottles collected through local government. Without a market for recycled goods, recycling processors are already refusing to accept recycling material from council waste contractors, or are increasing prices fivefold to accept recyclable materials. (ref: Wimmera Mallee waste contract variation)

Risk Management Implications

Cost:

- Current (including Wimmera Mallee Waste contract variation)
- What do we do if no landfill available
- What do we do with recycling if cannot afford the cost of an alternative processor
- Continuity of Service and Community participation rates and inability to cost recover in current financial year.

Legislative Implications

Environmental Protection Act 1970

Local Government Act 1989

Planning and Environment Act 1987



ORDINARY COUNCIL MEETING AGENDA – 21 AUGUST 2019 WEST WIMMERA SHIRE COUNCIL

Pollution of Waters by Oil and Noxious Substances Act 1986
Sustainability Victoria Act 2005
Water Act 1989

Environmental Implications

As defined in the above Acts.

Carbon footprint and Ecological sustainability. All of the positive work completed by Local Government could potentially be “undone” as the volumes head to landfill.

Financial and Budgetary Implications

WWSC Current landfill costs are \$113.85/tonne, and our current recycling disposal adjustment is \$105/tonne.

Increase gate costs experienced by the waste collection contractors being transferred to Council.

Policy Implications

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

Advocacy Policy
Asset Management Policy
Borrowings Policy
Environmental 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.
- Strategic Objective 3: Quality sustainable community services and infrastructure.
- Strategic Objective 4: Building on our agricultural and business strengths and supporting economic development.



ORDINARY COUNCIL MEETING AGENDA – 21 AUGUST 2019 WEST WIMMERA SHIRE COUNCIL

Communication Implications

Confirm ongoing waste and recyclables collection services for all residents and businesses. No change to the collection process and timings.

As information comes to hand regarding any government subsidies etc. it will be communicated through local media.

Opportunity for Council to actively participate in the GCWWRRG updates and discussions.

Updates will be provided via social media, the West Wimmera Wire and various media releases.

Conclusion

To ensure that the good work completed within the sector regarding household separation and recycling is not lost, residents will be encouraged to continue to recycle as they have for a number of years.

Council will continue to be provided with regular updates as the issue develops further.

OFFICER RECOMMENDATION:

That Council accepts the information provided and authorise the Director Infrastructure Development and Works to provide public comment on the status of the recycling issue, as update information is received.

Attachments: Nil



ORDINARY COUNCIL MEETING AGENDA – 21 AUGUST 2019 WEST WIMMERA SHIRE COUNCIL

14.0 CORPORATE AND COMMUNITY SERVICES

14.1 LOCAL GOVERNMENT COMMUNITY SATISFACTION SURVEY RESULTS 2019

FILE NUMBER: AD0183

**REPORT AUTHOR: DAVID LEAHY – CHIEF EXECUTIVE OFFICER &
ASHLEY ROBERTS – DIRECTOR CORPORATE & COMMUNITY SERVICES**

FOR DECISION

Introduction

West Wimmera Shire Council (Council) participates in the annual Community Satisfaction Survey (the survey) organised through Local Government Victoria. This report provides a summary of Council's results from the Community Satisfaction Survey 2019.

The survey is conducted by JWS Research on behalf of Local Government Victoria. The survey is conducted annually around February - March every year. There are a total of 400 residents of West Wimmera Shire surveyed which includes sampling a number of demographic groups to obtain a statistically valid result.

Declaration of Interests

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

Background

JWS Research undertook the Community Satisfaction Survey via telephone interviews between 1 February and 30 March 2019. A total of 400 interviews were completed across a range of demographic groups. This sample size reflects the Australian Bureau of Statistics demographic indicators for the West Wimmera Local Government Authority region and is regarded as being statistically valid to represent overall community views.

Interviews were completed via telephone with up to 40% of calls being made to mobile telephones. Contact numbers were purchased from an accredited supplier of publicly available telephone numbers.

The survey provides for index rankings over seven core measures – *Overall Performance, Community Consultation, Advocacy, Making Community Decisions, Sealed Local Roads,*



ORDINARY COUNCIL MEETING AGENDA – 21 AUGUST 2019 WEST WIMMERA SHIRE COUNCIL

Customer Service, and *Overall Council Direction*. These core measures are reportable in Council's Performance Statement and on the Know Your Council website.

In addition to these core measures there are a number of individual performance areas which reflect the reporting requirements of the Local Government Performance Reporting Framework, including *Consultation & engagement*, *Lobbying*, *Informing the community*, *Local streets & footpaths*, *Enforcement of local laws*, *Elderly support services*, *Appearance of public areas*, *Waste management*, *Unsealed roads*, *Local streets and footpaths*, *Family support services*, *Roadside slashing and weed control* and *Making community decisions*.

Of the seven core measures, six of the seven measures were above the small rural Council cohort average, with the other being equal to the small rural Council average. Of the six core measures which were above the small regional Council cohort average, all were also above the state-wide average for all Councils.

Council's Sealed Local Roads measure provided an index score of 53, an increase of three index points over 2018. This brought Council's result for this measure to equal the average of the small rural Council cohort, but three points below the state-wide average for all Councils.

Council's overall performance rating increased by four points over the 2018 result to 65 index points. This places Council significantly above the small rural Councils cohort average of 58, and the state-wide average of all Council groups of 60 index points.

Council's highest rating of the core measures was once again Customer Service, which returned a result of 78 index points, up from 76 for 2017. This is significantly above both the small Council cohort average of 70 and the state-wide average of 71.

Of the individual service area performance measures (excluding sealed local roads which is referred to as a core measure also), Council achieved the highest results in the Appearance of public areas (78 index points), Elderly support services (77 index points) and Waste Management (71 index points). The lowest results were for unsealed roads (48 index points), Slashing and weed control (58 index points) and Lobbying (59 index points).

All of these individual service areas were at or above both the small rural Councils cohort and state-wide all Councils averages, even the result for unsealed roads which was the only result Council received that was below 50. However, it must be stressed that being at or above average is not a reason for Council to not continue to search for ways to improve its service levels and results.

The survey also included questions around preferred communication methods, overall Council direction and whether rate payers would prefer a rate rise or would rather accept a reduction in services as a trade-off.

The results showed that residents preferred means of communication with Council remained via a newsletter, however the preferred delivery of this (via email or post) showed



ORDINARY COUNCIL MEETING AGENDA – 21 AUGUST 2019 WEST WIMMERA SHIRE COUNCIL

a clear difference between age groups, with those under 50 preferring email and those over 50 preferring post. Interestingly, Council's website was the least preferred form of communication with both age groups.

Council's overall direction result increased by 3 index points to 54. This places Council slightly ahead of both the small rural Council cohort average and state-wide all Council average with are both 53 index points.

When responding to whether residents would prefer a rate increase or would accept service cuts in lieu of a rate increase, 35% of respondents indicating they would probably or definitely prefer a rate increase, with 47% responding that they probably or definitely would prefer service cuts (the remaining responding that they could not say). This result is quite close to the small rural cohort average (34% pro rate rise, 48% pro service cuts) and state-wide average (33% pro rate increase, 49% pro service cuts). Interestingly Council's results show a decline in the support for rate increases from the previous year when 38% of respondents indicated a preference for rate increases and 45% for service cuts.

Risk Management Implications

The Community Satisfaction Survey can be a useful tool in efficiently allocating resources to programs. However it must be noted that Council must be aware of longer term trends highlighted by this survey, to avoid misallocating resources as a result of a one-off 'blip' in the survey results. Council may be at reputational risk if the survey results are ignored.

Legislative Implications

While Council is not required to participate in this particular Community Satisfaction Survey program, Councils are required to undertake regular surveys of their communities and furnish such information as is required under the Local Government Performance Report Framework as set out in the *Local Government (Planning and Reporting) Regulations 2014*.

Environmental Implications

Not commented on.

Financial and Budgetary Implications

The Community Satisfaction Survey costs Council approximately \$12,500 per annum. This amount is included in the budget.

Policy Implications

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



ORDINARY COUNCIL MEETING AGENDA – 21 AUGUST 2019 WEST WIMMERA SHIRE COUNCIL

Customer Service Policy
Media Relations 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.
- 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

A media release will be developed for further communication of the results and any actions agreed upon to remedy low scores.

Conclusion

The community satisfaction survey is undertaken independent of Council operations and provides an opportunity for residents to provide their opinion of the service levels provided by way of a score.

While the survey does not reach every resident, JWS Research attempts to cover all age demographics and has achieved a sample size that is statistically valid based on Australian Bureau of Statistics figures.

The results are a positive for the Shire (irrespective of the score) as it provides some guidance as to what services are of highest importance, and what level of service people are expecting or satisfied with.



ORDINARY COUNCIL MEETING AGENDA – 21 AUGUST 2019 WEST WIMMERA SHIRE COUNCIL

OFFICER RECOMMENDATION:

That Council notes the summary report on the Community Satisfaction Survey 2019 and issues a media release highlighting the outcomes of the survey.

Attachments:

No.	Name	RecFind Ref
14.1.1	Community Satisfaction Results – summary report	C19/005648



ORDINARY COUNCIL MEETING AGENDA – 21 AUGUST 2019 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.*

16.0 SEALING SCHEDULE

17.0 CONFIDENTIAL (PURSUANT TO SECTION 89 LGA 89)

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 SALE OF LAND AT MIRAM

17.2 LOCAL GOVERNMENT ENERGY SAVER PROGRAM FACILITY UPGRADE CM0495

17.3 SERVICE OF BINS AT TRANSFER STATIONS CM0502

17.4 HIRE OF PLANT AND EQUIPMENT 2019 CM0504

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 pm.



ORDINARY COUNCIL MEETING AGENDA – 21 AUGUST 2019 WEST WIMMERA SHIRE COUNCIL

MEETING CONCLUDED:

NEXT MEETING:

**WED 18 SEPTEMBER 2019
KANIVA COUNCIL CHAMBER**