



Minutes of Ordinary Meeting

5 May, 2014



**MINUTES OF ORDINARY MEETING OF THE COUNCIL HELD AT 6.00PM ON 5
MAY, 2014 IN THE COUNCIL CHAMBER, TOWN HALL, ST ARNAUD**

PRESENT

Cr Kevin Erwin (Mayor)
Cr Tony Driscoll
Cr Murray Emerson
Cr Jason Hosemans
Cr Karen Hyslop
Cr Merrilee Reid
Cr Wayne Rice

Mrs Justine Linley, Chief Executive Officer
Mr Vaughan Williams, Director Corporate Services
Mr Jim Nolan, Director Marketing & Community Development
Mr Sanjay Manivasagasivam, Director Infrastructure & Environment

AFFIRMATION

We recognise the traditional owners of the land;
We are inspired by the early pioneers and by those who gave their lives
for our country;
We now ask God's blessing on our deliberations and on our commitment
to build a better lifestyle and environment.

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1. APOLOGIES

Nil

2. CONFIRMATION OF MINUTES

- Ordinary Meeting held on 7 April, 2014
- Special Meeting held on 28 April, 2014

RESOLUTION

That the minutes as listed, copies of which have been circulated, be confirmed and adopted.

Moved: Cr K Hyslop

Seconded: Cr M Reid

Carried

3. MATTERS ARISING FROM THE MINUTES

Nil

4. PRESENTATIONS/AWARDS

Nil

5. PRESENTATION OF PETITIONS AND JOINT LETTERS

Nil

6. DISCLOSURES OF INTEREST AND DECLARATIONS OF CONFLICT OF INTEREST

Nil

7. ASSEMBLIES OF COUNCILLORS

[01 02 003A] [Justine Linley, Chief Executive Officer]

Section 80A of the Local Government Act 1989 requires that the written record of an assembly of Councillors is, as soon as practicable, reported at an ordinary meeting of the Council and incorporated in the minutes of that Council Meeting. The records for the period since the last ordinary Council meeting are listed below.

Date	Description	Matter/s considered	Conflict of interest disclosures		
			Councillor / Officer making disclosure	Item No.	Left meeting Y/N
24/03/2014	Agenda Review Briefing	Municipal Strategic Statement; Council Agenda review (April meeting)	n/a	n/a	n/a
7/04/2014	Civic Engagement Briefing	Big Hill Enhanced Development Project EES; Agenda review; Presentations- Stawell Secondary College & WDA	Cr Erwin & Mrs Linley	9.16	Yes
14/04/2014	Councillor Briefing	Budget Session; Tourism Services Review; Leisure Services Review; Childrens Services Review; Regional Procurement Bituminous Contract	n/a	n/a	n/a

RESOLUTION

That the report on Assemblies of Councillors held since the last meeting be approved.

Moved: Cr W Rice

Seconded: Cr M Emerson

Carried

8. ITEMS BROUGHT FORWARD

Nil

9. CONSIDERATION OF REPORTS OF OFFICERS

**IMPROVE SOCIAL AND ECONOMIC VIABILITY OF THE SHIRE
DELIVER TARGETED PROJECTS AND CORE SERVICES**

Mrs Anne Hughes (objector) and Mrs Beverly Rogers (applicant) have advised officers of their intention to address Council at this meeting on Item 9.1 Planning Permit Application 5.2013.87.1 – Use and Development of Land for Animal Keeping

RESOLUTION

That standing orders be suspended to allow for presentations on Item 9.1 Planning Permit Application.

**Moved: Cr M Emerson
Seconded: Cr M Reid Carried**

Mrs Anne Hughes and Mrs Beverly Rogers made presentations to Council in regard to Planning Permit Application 5.2013.87.1 – Use and Development of Land for Animal Keeping.

RESOLUTION

That standing orders be resumed.

**Moved: Cr W Rice
Seconded: Cr K Hyslop Carried**

9.1 Planning Permit Application No. 5.2013.87.1 – Use and Development of Land for Animal Keeping (Dog Breeding) and Associated Works at 56 Rocky Ridge Road, Carapooee

Department: Planning
Business Unit: Planning and Development Services
Director: Sanjay Manivasagasivam, Director
Infrastructure and Environment
Manager Responsible: Kathleen Gosden, Manager Environment and
Regulatory Services
Author/Position: Jodie Senior, Planner
File No: 1/4900/5000

Summary

Council must consider and decide on an application for a retrospective planning permit (Notice of Decision) for the Use and Development of Land for Animal Keeping (Dog Breeding) and Associated Works, as the applicant has been in operation for close to two years prior to any permits being issued.

RESOLUTION

That Council -

- 1. approves Planning Permit Application No. 5.2013.87.1 to allow the Use and Development of Land for Animal Keeping (Dog Breeding) and Associated Works at 56 Rocky Ridge Road, Carapooee as submitted, subject to conditions, with the permit description to include the number of dogs in accordance with the Code of Practice; and**
- 2. issues notice of its decision.**

Moved: Cr W Rice

Seconded: Cr M Emerson

Carried

Background/Rationale

A planning permit application (5.2013.87.1) was lodged with Council on 28 November, 2013 for the Use and Development of land for Animal Keeping (Dog Breeding) and Associated Works at 56 Rocky Ridge Road, Carapooee.

This is a proposal for a retrospective planning permit for the Use of Land for Animal Keeping (Dog Breeding) and Associated Works.

This application was submitted after numerous discussions between Council and the applicant, and therefore a retrospective application has been submitted.

Minimal information was originally supplied with the application, and this was particularly noted by one of the objectors.

Additional information was supplied by the applicant following on from the objections, which was then forwarded to the objectors for their attention.

The Use

The use includes the breeding of 11 Great Danes, all of which are registered with the Victorian Canine Association (VCA). The applicant is a registered breeder and has been so, for a period of 10 years, previously in Geelong.

At the time of the report, the applicant has 8 females and 3 males and a litter of puppies.

The applicant has advised that none of the dogs are desexed and that her dogs are all registered with Council and with the Victorian Canine Association (VCA).

The Development

The development includes 12 kennels - 11 of which are to be used for the breeding dogs. The twelfth kennel is used for another Great Dane not used for breeding.

The kennel part includes a concrete slab of 1.5m x 5m and is covered by a roof. This is where the food and water are kept, and out of the weather. Each kennel has a raised bedding area which is enclosed on 3 sides.

The yards off the kennels are quite large being 50 square metres and fencing around the yards is approximately 2.1m high, and constructed of wooden pine posts of 150-200mm thick with mesh wire. There is no barbed wire on top of the fencing.

Each individual dog yard has been reinforced with a 0.5m mesh flat under the ground to stop the dogs being able to dig out.

The application also includes a Running Yard which is approximately 50m long by 6m wide, so that the dogs are not running around loose on the land, therefore no impact on native flora or fauna, or on the dogs themselves.

The applicant has also advised that she has a separate septic system for the animal waste, away from the house. Relevant conditions will be inserted into a permit should one be issued to ensure it complies with the health and EPA regulations.

Distance

The kennels and yards are approximately 200m from the boundary along Rocky Ridge Road, and 125m to the boundary at the western edge of the property. The subject parcel of land is approximately 38 ha, and in total the applicant has 139.72 ha.

The closest dwelling is 1km east of the dog kennels.

Notice of the Application

Notice of the application was given, by letter to adjoining land owners/occupiers, a sign on the land, and with an advertisement in the North Central News.

Objections

Six objections were received. A brief summary of objections are listed below:

- Health Issues
- Amenity Issues
 - noise (barking)
 - odour
- Loss of property Value
- Concerns that the breeding facility does not comply with the Code of Practice for Breeding
- Animal welfare/concerns
 - housing/shelter and hot days
 - numbers of dog/bitches/puppies
- Dogs escaping from yards
- Waste Management
- Fire/Emergency Plans
- Impact on Vegetation/Environment
 - threatened species in the area
- Impact on native animals
- Impact on livestock

The applicant provided a written response addressing each issue. This information was forwarded to the objectors for their information and attention. Further information is also available in the attached Assessment Report under the headings 'Proposal' and 'Key Issues'.

A mediation meeting was not held, as it was the Planning Department's opinion that the issues raised would not have been resolved. Therefore, in accordance with Council Policy, the matter is to be decided by Council.

Points of Note

The following points are of note:

- The subject land is zoned Farming Zone
- The application was advertised
- Six Objections were received
- A Mediation Meeting was not held
- The works were already done prior to a planning permit being issued.

The key issues in this proposal are:

- The purpose of the zone
- The potential for impact on the amenity of the area

All matters have been considered and appropriately dealt with in the attached Assessment Report.

Conclusion

The use and development has already been in operation for a number of years, prior to any relevant planning permission.

Following a site inspection, and from the information received from the applicant, the activity seems to be complying with the Code of Practice for the Operation of Breeding and Rearing Businesses. Relevant conditions also apply, should a permit be issued (Notice of Decision).

This report represents the assessment of the application in accordance with the *Planning and Environment Act 1987*.

Legislation, Council Plan, Strategy and Policy Implications

The Northern Grampians Planning Scheme in accordance with the *Planning and Environment Act 1987* is the guiding legislation for planning in Victoria. Council cannot override any legislative responsibilities established under the Act or within the Planning Scheme.

This report will contribute towards the delivery of the Council Plan as follows:

Objectives

- Improved the social and economic viability of the Shire.

Strategies

Red tape reduction strategy

- Reviewing all internal policies and procedures to move towards a risk matrix approach and remove duplication or multiple handling of requests

Economic Strategy

- Implementing a planning framework that enables and encourages business, including farming enterprises, and residential development and expansion;
- Attracting and encouraging new enterprises while supporting existing businesses through the implementation of targeted industry sectors plans.

Options

The Northern Grampians Planning Scheme determines if a Planning Permit is required to change the use of land, to construct a building, or to make other changes to the land (development). It also specifies any criteria that must be met before a Planning Permit may be issued.

The options open to Council in determining this matter are as follows:

- a) Issue a Notice of Decision to approve the application as submitted, subject to conditions (**not recommended**); or
- b) Issue a Notice of Decision to approve the application as submitted, subject to conditions, and the permit description to include the number of dogs in accordance with the Code of Practice (**recommended option**); or
- c) Refuse to Issue a Permit (**not recommended**).

These options may result in the applicant or objector lodging an application for a review of the decision with the Victorian Civil and Administrative Tribunal.

Reporting

Implications	Considered in this report?	Implications identified?
Social	Yes	No
Heritage/Cultural	Yes	No
Amenity	Yes	Yes
Human Rights/Privacy	Yes	No
Environmental	Yes	No
Economic & Marketing	Yes	No
Risk Management	Yes	No
Financial	Yes	No
Asset Management	No	No.

Consultation

Notice of the application was given in accordance with the provisions of the *Planning and Environment Act 1987*, by letter to adjoining land owners/occupiers, a sign on the land, and with an advertisement in the North Central News.

Subsequently, six objections were received.

A Mediation Meeting was not held, as it was the Planning Department's opinion that the matters would not have been resolved between the parties.

As noted above, the use and development has already been in operation for a number of years, without a planning permit.

Officer's Declaration of Interest

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

Author – Jodie Senior, Planner

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

Attachments

Assessment Report [**Attachment 9.1A**]

Assessment of Recordings [**Attachment 9.1B**]

9.2 National Heavy Vehicle Charging and Investment Program

Department: Infrastructure
Director: Sanjay Manivasagasivam
Manager Responsible: Bruce McClure, Manager Infrastructure
Author/Position: Sanjay Manivasagasivam, Director
Infrastructure & Environment
File No: 09 10 010A

Summary

This report is to provide some background information and recommend that the Wimmera Regional Transport Group be endorsed as the Regional Roads Group for this region, for the purposes of the Heavy Vehicle Charging and Investment program.

The Municipal Association of Victoria and the Heavy Vehicle Charging and Investment (HVCI) Reform Directorate have recently conducted a workshop about the implementation of the HVCI program. About 50 Councils attended a workshop held at Flemington on 6 March to hear presentations on how the new program would be implemented, and to discuss the arrangements potentially required to be implemented to support the program in Victoria.

RESOLUTION

That Council nominates the Wimmera Regional Transport Group, with its current composition, to be its Regional Roads Group for the purposes of the Heavy Vehicle Charging and Investment Program.

Moved: Cr W Rice
Seconded: Cr K Erwin

Carried

Background/Rationale

The HVCI program is a national economic reform program planned to change the way that revenue from road transport operations is collected and then distributed. Instead of gaining revenue from transport operators through fixed type charges such as registrations, revenue would be generated through a charging system based on the mass of loads, distance travelled and the location of travel. The revenue gained would then be distributed to road networks used for freight where investment is required to maintain, renew or upgrade these roads.

The program is still being developed, and many of the specific details are not yet clear. It is possible that legislation to implement the program may be introduced in April 2014. Full implementation of the program may not then occur until perhaps 2016, or later.

Of relevance to Local Government is that funding from the HVCI program may also be directed to local roads, where they are used as part of freight networks. Assuming the program proceeds in the manner proposed, a number of steps are required to achieve this funding distribution as follows:

- A regional freight network should be identified, with a strategy that supports the basis of this network, levels of service and future development. This network would include roads managed by VicRoads.
- Freight volume forecasts (levels of demand) would be required to be developed.
- An asset register is to be established for this freight network, including assessments of condition these assets.
- A works program would be developed using this information.
- Regional priorities for works would be identified by a Regional Roads Group.
- This regional prioritised program would be fed into a national program via a State-based coordinator.
- Funding would then be provided through the HVCI program based on these regional / state programs.

This region is well-prepared to undertake this work, having already established:

- Regional freight routes
- A common basis for collection of asset data
- Regional freight strategies, with priorities for works (some of which have been completed)
- An effective, functioning group – the Wimmera Regional Transport Group.

A presentation given by John Hennessy of the Municipal Association of Victoria (MAV) at this workshop is attached. A similar presentation (without the workshop) was given at the Wimmera Regional Transport Group on 7 March. John Hennessy has also talked to other forums about this subject in recent weeks.

In its presentation on the HVCI program, the MAV has recognised the importance of the Roads to Recovery (R2R) program to local Councils. At this stage the amount of funding for local roads that may be gained through the HVCI is unclear. Hence the MAV's position, and this Council's current position, is that the R2R program needs to continue.

While this Council and Region are well prepared to carry out the tasks understood to be required, it is likely that there will be changes to these requirements to achieve state and/or national consistency in standards and conventions used for preparation of asset data and works programs. This could lead to additional costs being incurred. It is also likely that there will be additional requirements relating to reporting on this program, and an audit / compliance framework to ensure that funds are appropriately allocated and spent. It is not clear if additional funding will be provided to cover these costs.

At this stage, the MAV is proposing that councils need to identify which region they propose to be linked to for this process, and the establishment of specific Regional Road Groups. Note that it is not yet clear if these groups need to be formal legal entities, or if funds will be directed through these groups, or direct to councils.

The advice from the MAV has been that new single-task groups should be formed as the Regional Roads Group, and that these should comprise Mayors and CEOs of Councils, as the matter of identifying regional priorities may be difficult to achieve, requiring higher level participation. Such a group would be supported by a Technical Group comprising other officers.

At its meeting on 7 March 2014, the Wimmera Regional Transport Group resolved as follows:

“That the delegate from each member Council of the Wimmera Regional Transport Group recommend to its Council that the Wimmera Regional Transport Group be the Regional Roads Group for this region.”

In carrying this resolution, the Group noted the advice of the MAV, but considered that the Group has a long history of developing effective whole-of-region strategies in a cooperative manner, and that it did not see a need at present for the higher-level group to be formed. Currently Councils are represented by a Councillor and generally the Infrastructure Director, with only Councillors having voting rights.

This resolution of the Wimmera Regional Transport Group is now recommended for consideration by this Council.

Legislation, Council Plan, Strategy and Policy Implications

Nil

Options

That Council nominates the Wimmera Regional Transport Group, with its current composition, to be its Regional Roads Group for the purposes of the Heavy Vehicle Charging and Investment Program. **(Recommended)**

Reporting

Implications	Considered in this report?	Implications identified?
Social	Yes	Yes
Heritage/Cultural	No	No
Amenity	No	No
Human Rights/Privacy	Yes	No
Environmental	Yes	No
Economic & Marketing	Yes	Yes
Risk Management	Yes	Yes
Financial	Yes	Yes
Asset Management	Yes	Yes

Consultation

The Wimmera Regional Transport Group currently has representation from VicRoads, the Victorian Farmers Federation, Department of Transport Planning and Local Infrastructure, and has had regular input from transport industry representatives in the past. Membership of the group may be reviewed to ensure appropriate representation to achieve the aims of the Regional Road Groups.

Officer's Declaration of Interest

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

Author – Sanjay Manivasagasivam, Director Infrastructure & Environment
In providing this advice as the Author, I have no disclosable interests in this report.

Attachments

NHVR – Local Government Road Show Presentation [**Attachment 9.2A**]
MAV Presentation at WRTG March Meeting [**Attachment 9.2B**]

9.3 2014-2015 Transfer Station Gate Fees

Department: Infrastructure and Environment.
Business Unit: Environment and Regulatory Services
Director: Sanjay Manivasagasivam, Director Infrastructure and Environment
Manager Responsible: Kathleen Gosden, Manager Environment and Regulatory Services
Author/Position: Daryl Schuyler, Team Leader Environment and Community Protection
File No: 09 09 001A

Summary

The purpose of this report is to seek direction from Council as to the level of subsidy to be applied to transfer station gate fees for the 2014-2015 financial year.

RESOLUTION

That Council determines the 2014-2015 transfer station gate fees for:

Waste to Landfill

Reduce and standardise the level of subsidy to 50% by 2016-2017 financial year, phasing the reduction of subsidy in equal increments over the next three years commencing in 2014/15 to achieve the 50% subsidy target by 2016/17.

Recycling, processing or re-use items and materials – Category A

Standardise the level of subsidy to 50% by 2016-2017 financial year, phasing the reduction of subsidy in equal increments over the next three years commencing in 2014/15 to achieve the 50% subsidy target by 2016/17.

Recycling, processing or re-use items and materials – Category B

Set a minimum flat fee of \$10 to cover some of the service provision cost.

Moved: Cr W Rice

Seconded: Cr M Emerson

Carried

Background/Rationale

Council fees and charges are set annually, after review. The transfer station gate fees are part of Council's waste management program and traditionally are charges that are scrutinised externally, and usually receive considerable publicity.

As part of Council's Budget and Financial (revenue) principles where a subsidy is applied to a fee or charge the balance of the funds to provide that service must be derived either from rates or through other fees and charges applied by Council.

The "real" subsidy applied to waste streams has been calculated using the cost to provide the service. This includes, officer time, contract payments, processing costs, transport costs, landfill gate fee and landfill levy. This provides Council with an accurate measure of the service cost, but does not include the long term asset management and liabilities associated with owning and running a waste facility.

Calculating the 'real' cost provides Council with the opportunity to make an assessment on the amount of subsidisation that it is prepared to make for each of the waste streams, recognising that this subsidy must be generated through either rates or other fees and charges levied elsewhere by Council.

The calculations undertaken to determine the current level of Council subsidy being applied to the current 2013/14 fees have also provided a real insight into the service costs that are beyond the scope of Council to change, such as landfill levy and landfill gate fees.

Also provided is an insight into the cost of providing the commingled recycling service. While traditionally the commingled recycling service is provided at "no cost" to the user at transfer stations, this has revealed a significant "real" cost to Council to provide this component of the service.

Waste to Landfill

This waste stream accounts for the largest volume of material presented at the transfer stations. Currently a significant amount of material that is deposited at the transfer stations as general waste is actually recyclable, but is not removed by the users for potentially a variety of reasons including lack of knowledge. The impact of this is that there is a significant cost to Council, and hence the community, subsidising waste to the landfill which contains a large percentage of material that should or could have been removed and recycled.

This category includes the following streams of waste,

- General / Household Rubbish
- Demolition & Mechanically Compacted Waste
- Clean Soil

Recycling, processing or re-use items & materials

There is a popular misconception that recycling is free. The reality is that there is a considerable cost to Council to provide a recycling or re-use facility for the community. This is rarely considered or acknowledged when setting gate fees associated with recycled or processed materials which are kept out of landfill. The same costs to provide the transfer station services (apart from landfill charges) apply to recycling and processing as they do to general waste.

There are high costs associated with recycling and processing items/materials to reduce landfill. These costs include the storage of the items/materials in an acceptable standard to enable them to be recycled / processed at a future date to recover the base materials, the transportation of the items/materials to processing and recycling businesses and industries and the costs for the business and industries to process the materials.

In some instances the costs to recycle and process materials are higher than the initial cost to dispose of the items/materials to landfill. However there are longer term benefits derived from recycling and processing materials that are difficult to place a dollar figure on. Recycling and processing materials to keep them out of landfill is more a social conscious decision as it takes into account intergenerational equity, use of nonrenewal resources, environmental degradation/pollution and economics.

The category A recyclables materials are currently subsidised between 13% to 91%. This indicates that there is no consistency in the approach taken to subsidising recycling/re-use materials. The level of subsidy should be standardised for this category of waste stream.

This **Category A** includes the following streams of waste,

- Green and Timber waste
- Concrete
- E – Waste
- Gas Bottles
- Mattress – any size
- Tyres – any type

The category B recyclables materials are currently subsidised at 100% (i.e Free of charge). However there are number of costs in providing this service, these include service costs, processing costs and transport costs.

This **Category B** includes the following streams of waste,

- Commingled Recyclables
- Steel / Scrap Metal
- Motor Oil
- Vehicle Batteries

Illegal dumping

Historically Council fees and charges at the transfer stations, along with the opening hours, are blamed for the illegal dumping of waste in the parks and forests within the municipality. It is very likely that the community will raise this issue if the gate fees are increased in 2014/15. There has been no research undertaken locally to determine why some people choose to illegally dump materials rather than take them to a transfer station, or dispose of them in other approved ways i.e. kerbside recycling, giving usable items to charity, etc. It is assumed that some people may choose to dump materials illegally to avoid paying the gate fees, or because the opening hours of the transfer station are not convenient. However dumping materials at sites other than approved waste facilities has always occurred even when Council had no gate fees and when the transfer stations were open all the time (not fenced) to the general public.

The Council spends approximately \$1,000 per annum removing illegally dumped materials from roadsides which highlights that the majority of people are choosing to dispose of their unwanted materials in the appropriate way including paying the set gate fees.

Legislation, Council Plan, Strategy and Policy Implications

2013 – 2017 Council Plan - Delivered targeted projects and core services.

Waste Strategy: We will implement a waste reduction action plan and promote better use and re-use of valuable resources

Options

Determine the 2014-2015 transfer station gate fees for:

Waste to Landfill

1. Maintain the current level of variable subsidy applied to the gate fees, and set an increase of 6% to the gate fees (not recommended); or
2. Reduce and standardise the level of subsidy to the gate fees 50% (not recommended); or
3. Reduce and standardise the level of subsidy to 50% by 2016-2017 financial year, phasing the reduction of subsidy in equal increments over

the next three years commencing in 2014/15 to achieve the 50% subsidy target by 2016/17; or **(recommended)**

4. Reduce and standardise the level of subsidy to 0% so that the gate fee reflects the full cost associated with the disposal of the item/material (not recommended).

Recycling, processing or re-use items & materials – Category A

1. Maintain the current level of variable subsidy applied to the gate fees, and set an increase of 6% to the gate fees for these items (not recommended); or
2. Standardise the level of subsidy applied to the gate fees to 50% (not recommended); or
3. Standardise the level of subsidy to 50% by 2016-2017 financial year, phasing the reduction of subsidy in equal increments over the next three years commencing in 2014/15 to achieve the 50% subsidy target by 2016/17; or **(recommended)**

Recycling, processing or re-use items & materials – Category B

1. Maintain the 100% subsidy for this category (not recommended); or
2. Set a minimum flat fee of \$10 to cover some of the service provision cost. **(recommended)**

Reporting

Implications	Considered in this report?	Implications identified?
Social	Yes	No
Heritage/Cultural	No	No
Amenity	No	No
Human Rights/Privacy	No	No
Environmental	Yes	yes
Economic & Marketing	Yes	No
Risk Management	Yes	Yes
Financial	Yes	Yes
Asset Management	Yes	No

Consultation

There has been no direct community consultation undertaken to prepare this report. Feedback however has been obtained during the implementation of Council's Waste Reduction Action Plan and Waste Management Strategy. There are clearly some members of the community that believe waste facilities should be provided free of charge to the user. If Council was to remove the gate fees the costs to provide the service would need to be derived either through general rates or other fees and charges set by Council.

The community therefore needs to be fully informed of the costs to provide the waste services.

Council officers have reviewed transfer station gate fees set by other Councils and discussed proposed fees for 2014/15 with colleagues in other municipalities. There is no standard process or consistency in how fees are set for the transfer stations, with prices ranging considerably.

It is however worthwhile noting that several Councils apply gate fees, and have done for some time for cardboard, paper, plastic containers etc. (ie commingled materials).

The Councils that are part of the Grampians Regional Waste Management Group regularly discuss the need to have consistent approaches to the gate fees, especially where community members may travel between municipalities to utilise services. It is highly unlikely that the methodology and or the same gate fees will be used / charged by the member Councils during 2014/15. The other Councils however have expressed an interest in the methodology being applied to determine the level of subsidy for the fees being considered by Northern Grampians Shire Council. They have indicated that they are likely to use this approach in subsequent years to set their gate fees, but have advised that they do not have enough current data or knowledge on their current costs to provide services for each waste stream.

Officer's Declaration of Interest

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

Director Responsible – Sanjay Manivasagasivam, Director Infrastructure & Environment.

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

Manager Responsible – Kathleen Gosden, Manager Environment & Regulatory Services.

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

Author – Daryl Schuyler, Team Leader Environment & Community Protection
In providing this advice as the Author, I declare that I am a former employee to one of the Contractors engaged to provide transfer station services and in doing so declare that I have no disclosable interests in this report.

Attachments

There are no attachments to this report.

9.4 Risks Relating to People Living in Unsafe Buildings

Department: Infrastructure and Environment
Business Unit: Environment and Regulatory Services
Director: Sanjay Manivasagasivam, Director Infrastructure and Environment
Manager Responsible: Kathleen Gosden, Manager Environment and Regulatory Services
Author/Position: Robert Newbury, Team Leader Planning and Development Services
File No: 10 08 001A

Summary

Section 212 of the *Building Act 1993* (the Act) legislates that Council is responsible to administer and enforce specified parts of the Act and the Building Regulations within its municipal district. A key consideration in enforcement action is protecting and reducing risk to the public. As with many of its responsibilities, Council has the ability to determine how to carry out these functions, having regard to competing obligations and its limited resources.

The primary focus of this report is to:

- provide information to Council on the issues associated with people living in unsafe buildings
- give direction to Council officers on the action(s) to take when they are made aware of a property where a person or persons may be living in an unsafe building
- highlight the risks and potential litigation Council is exposing itself to by not implementing systems to address people living in unsafe buildings within the municipality.

RESOLUTION

That Council takes no further action on this report.

Moved: Cr W Rice

Seconded: Cr M Emerson

Carried

Background/Rationale

Buildings that aren't specifically built as dwellings, are generally not built to meet the safety requirements that are considered safe to live in. Where people are living in buildings that are not constructed to the required safety standards they are placing themselves and others at risk of injury or loss of life, and exposing Council to potential future litigation.

Building standards for a dwelling (a place where a person is living) require the installation of systems such as, but not limited to, smoke alarms, waste water treatment and potable water supply systems, fire rating, energy efficiency measures (insulation) etc. which may not be required by law in buildings that are not designed as dwellings. These systems are designed to protect life, maintain health standards and provide a level of comfort in the dwelling for its occupants.

The 2009 Victorian Bushfires Royal Commission report highlighted issues where people are living in buildings not designed as dwellings. The Report states that:

The high risk to any home that is built in the Flame Zone and is therefore likely to be subject to direct contact with flames must also be recognised. Deemed-to-satisfy construction standards are not appropriate for such dwellings. Because of the risk, each building must be designed specifically to respond to the conditions on the site.

Council needs to consider the resources it has available in its building services team when determining its response/action to people living in unsafe buildings. The current level of resources is not sufficient to enable a building inspector to constantly 'patrol' the municipality to identify properties where people may be living in unsafe buildings without reducing services in other areas that the building inspector undertakes.

The Council however is contacted by property owners/occupiers either to report properties where people are living in buildings that were not built as a dwelling, or receive requests for a property to be given a street/rural number or a kerbside waste service. In these instances it is within Council's resources to investigate whether or not the property has a building permit associated with a dwelling. If Council chooses to ignore these reports or requests it may be exposing itself to future litigation if people are living on these properties in unsafe buildings and are injured or killed.

The development of a policy on 'people living in unsafe buildings' will clearly set out how Council, within its resources, will investigate and action complaints, enquiries or requests associated with people living in unsafe buildings.

If Council was to take action to stop someone living in an unsafe building, the process would start with a Building Notice being served on the owner, requesting the owner show why someone should be permitted to continue to live in the unsafe building. If they were unable to provide a valid reason, as would generally be the case, a Building Order would be issued directing that the person(s) stop living in the unsafe building. The owner of the property has thirty days to appeal that order to the Building Appeals Board. If the owner does not comply with the Building Order, and continues to live or allow other people to live in an unsafe building, court proceedings would have to be started to achieve compliance.

Legislation, Council Plan, Strategy and Policy Implications

This report will contribute towards the delivery of the Council Plan as follows:

Objectives

- Delivered targeted projects and core services

Emergency and Risk Strategy

- Implementing measures to reduce the causes and effects of emergencies.
- Providing guidance and pro-active plans in risk identification and mitigation.
- Enforcing non-compliant or high risk land-uses to lessen community risk, improve amenity and security.

Options

Whilst the best option, taking into account Council's resources, would be to action any instances of people living in unsafe buildings, regardless of whether or not this was a result of the matter being brought to their attention via a complaint, a request, a query being raised, or the building inspector identifying a property the Council does have the option of not taking any action. If Council however determines not to take any action when it has been made aware of a property where a person(s) is potentially living in an unsafe building the Council is exposing itself and the occupier to a high level of risk.

Reporting

Implications	Considered in this report?	Implications identified?
Social	Yes	No
Heritage/Cultural	Yes	No
Amenity	Yes	No
Human Rights/Privacy	Yes	Yes
Environmental	Yes	Yes
Economic & Marketing	No	No
Risk Management	Yes	Yes
Financial	No	Yes
Asset Management	No	No

Consultation

The community has not been consulted on the contents or preparation of this report or Policy. There is no requirement for community consultation; however the community would expect that Council is implementing its statutory requirements, particularly where they impact on the safety of people.

If Council endorses the recommendations in this report, community publicity will be undertaken to inform the community of Council's position in relation to living in unsafe buildings.

Officer's Declaration of Interest

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

Director Responsible – Sanjay Manivasagasivam, Director Infrastructure & Environment

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

Manager Responsible – Kathleen Gosden, Manager Environment and Regulatory Services

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

Author – Robert Newbury, Team Leader Planning and Development Services

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

Attachments

Draft Living in Unsafe Buildings Policy [**Attachment 9.4**]

9.5 Planning Scheme Amendments – Amendments that Reduce Risk

Department: Infrastructure & Environment
Business Unit: Planning & Development Services
Director: Sanjay Manivasagasivam, Director Infrastructure and Environment
Manager: Kathleen Gosden, Manager Environment and Regulatory Services
Author/Position: Robert Newbury, Team Leader Planning and Development Services
File No: 10 02 012A

Summary

Council officers have identified a number of opportunities to reduce risk to the community and the cultural heritage within the municipality, as well as reputational risks to Council. These opportunities help to reduce the chances of our residents placing buildings in areas that may cause harm or damage to them, or impact their investment long term. This report is to ascertain Council's view on progressing with various Planning Scheme Amendments or policies to reduce those risks.

RESOLUTION

Amendment C40 (Potentially Contaminated Land Overlay)

1. That Council requests officers proceed with investigation of potentially contaminated sites and prepare a list of those sites.
2. This matter be brought before Council again to consider the results of the investigation, before proceeding with Planning Scheme Amendment C40.

Moved: Cr W Rice

Seconded: Cr J Hosemans

Carried

RESOLUTION

Amendment C42 (Erosion Management Overlay Halls Gap)

1. That Council proceeds with Amendment C42 (Erosion Management Overlay Halls Gap); and
2. Council seeks a review of the proposed Schedule to the Erosion Management Overlay to identify any areas where 'red tape' might be reduced.

Moved: Cr W Rice

Seconded: Cr J Hosemans

Carried

RESOLUTION

Amendment C17 (Heritage Overlay)

That Council proceeds with Amendment C17 (Heritage Overlay).

Moved: Cr K Hyslop

Seconded: Cr K Erwin

THE MOTION WAS PUT AND LOST

A DIVISION WAS CALLED FOR

FOR THE MOTION : Crs Hyslop and Erwin

AGAINST THE MOTION : Crs Driscoll, Rice, Reid, Emerson and
Hosemans

RESOLUTION

**Amendment C31 Halls Gap (Land Subject to Flood & Land Subject to
Inundation Overlays)**

That Council proceeds with Amendment C31 Land Subject to Flood
and Land Subject to Inundation Overlays.

Moved: Cr J Hosemans

Seconded: Cr W Rice

Carried

A DIVISION WAS CALLED FOR

FOR THE MOTION : Crs Driscoll, Rice, Hyslop, Hosemans and Erwin

AGAINST THE MOTION : Crs Reid and Emerson

Background/Rationale

Circumstances have arisen that necessitate the need to review the relevance of planning scheme amendments and other planning related documents such as policies that have been worked on over recent years within the municipality. Some of the amendment documentation that has been prepared over the past five years may need to be updated to ensure it is current before the amendment could proceed.

These amendments will help to ensure that there is no negative impact on any person based on the environment of the area or a place or site of environmental value. Amendment C31 and C40 will contribute towards the protection of water quality and catchment management through appropriate use and development in areas identified in the overlays associated with these amendments.

The historic nature of the municipality is a strong drawcard for new residents and tourism and these amendments will ensure that we are able to maintain our competitiveness on that front. There may, however, be negative feedback if Council denies an application, for example, if a person seeks to open a market garden on land known to be contaminated.

There are significant risks if Council does not proceed with these amendments. If Council, knowing that land is contaminated, approves a Planning Permit for someone to build a structure for a sensitive use, or to build a house in land known to be susceptible to landslides, they could find themselves tortiously liable. Council could also face reputational issues if a historic building was significantly altered or even demolished due to there being no protection.

The relevance of the amendment, the risks and issues associated with each amendment and the relevance in relation to state priorities have been detailed in the attached Discussion Paper NGSC Planning Scheme Amendments and Policies.

Legislation, Council Plan, Strategy and Policy Implications

The *Planning and Environment Act 1987* is the guiding legislation for planning in Victoria. Council cannot override any legislative responsibilities established under the Act or within the Planning Scheme unless there are specific provisions or powers that enable this to be done. Any proposed planning Scheme amendments or policies will be reviewed in line with legislative and planning responsibilities.

This report will contribute towards the delivery of the Council Plan as follows:

Objectives

- Improved the social and economic viability of the Shire.

Strategies

Red Tape Reduction Strategy

- Reviewing all internal policies and procedures to move towards a risk matrix approach and remove duplication or multiple handling of requests.

Economic Strategy

- Implementing a planning framework that enables and encourages business, including farming enterprises, and residential development and expansion;
- Attracting and encouraging new enterprises while supporting existing businesses through the implementation of targeted industry sectors plans; and
- Creating industrial development opportunities in St Arnaud and Stawell.

Options

The Northern Grampians Planning Scheme determines if a Planning Permit is required to change the use of land, to construct a building, or to make other changes to the land (development). It also specifies any criteria that must be met before a Planning Permit may be issued.

In around 15% of cases, buildings and works within Victoria, whether residential or business, must be approved by a Council through the Planning Permit application process.

Reporting

Implications	Considered in this report?	Implications identified?
Social	Yes	Yes
Heritage/Cultural	Yes	Yes
Amenity	Yes	Yes
Human Rights/Privacy	Yes	Yes
Environmental	Yes	Yes
Economic & Marketing	Yes	Yes
Risk Management	Yes	Yes
Financial	No	No
Asset Management	No	No

Consultation

Community Consultation will be undertaken as required under the *Planning and Environment Act 1987* which requires amendments to be placed on public exhibition.

Council is required to consider submissions received during the public exhibition period. The feedback received during the public exhibition will also guide the decision as to whether Council adopts the amendment, modifies the amendment as a result of submissions received or abandons the amendment.

Officer's Declaration of Interest

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

Manager Responsible – Kathleen Gosden, Manager Environment and Regulatory Services

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

Author – Robert Newbury, Team Leader Planning and Development Services

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

Attachments

NGSC Planning Scheme Amendments and Policies [**Attachment 9.5**]

9.6 Project Report- ‘Understanding 2011 Grampians Natural Disaster, Addressing risk and resilience’

Department: Environment & Regulatory Services
Business Unit: Emergency Management
Director: Sanjay Manivasagasivam, Director Infrastructure & Environment
Manager Responsible: Kathleen Gosden, Manager Environment & Regulatory Services
Author/Position: David Todd, Emergency Management Coordinator
File No: 07 04 0163A

Summary

This report provides an overview of the ‘Understanding 2011 Grampians Natural Disaster, Addressing Risk and Resilience’ project which was undertaken by Council in partnership with key agencies, following the 2011 flood event in the Grampians.

The January 2011 flood event triggered over 200 landslides in the Grampians National Park, having a significant impact on the environment and local communities. The University of Ballarat was engaged to research this event to better understand the impact of this natural disaster, with a specific focus on addressing risk and resilience.

The aim of the study was to investigate the social, economic and environmental impacts of the 2011 floods and landslides on communities in the Grampians National Park region, including residents, businesses, local and regional government and non-government agencies and provide recommendations on future emergency management for the region.

A project report was developed following comprehensive research of this disaster event. The report highlights the need to build community resilience, including the development and strengthening of relationships between agencies and the community. The project report identifies twenty two key areas to inform and enhance future emergency response and recovery in the region. Council has a role in progressing all of the report recommendations, to help reduce the impact of future natural disasters on the Grampians communities.

RESOLUTION

That Council -

- 1. receives the project report ‘Understanding 2011 Grampians Natural Disaster, addressing Risk and Resilience’; and**
- 2. gives consideration to implementation of the recommendations contained in the report in their future planning for emergency response and recovery.**

Moved: Cr M Emerson

Seconded: Cr K Hyslop

Carried

Background/Rationale

The project objectives were to research and document the 2011 landslide event and the social, economic and environmental impact and analyse the data in response to future emergency service responses in the region, including:

1. What was the social impact (perceived and actual) of the 2011 event on communities in the Grampians, especially Halls Gap?
2. What were the short and long term impacts (environmental; social; economic) of this event on these communities?
3. What was the actual impact (environmental; social; economic) on the communities as perceived by local and regional agencies (government)?
4. How could disaster management processes reduce the social and economic impact of any natural disaster event in the future, for this region?

The key findings and recommendations contained in the report provide a valuable tool for Council to work with the community, local and regional agencies to deliver improved long term outcomes in the planning, preparedness, response, relief and recovery of emergency events. Implementing the recommendations of the report will help reduce risks and minimise social, economic and environmental impacts associated with similar emergency events in the future.

Legislation, Council Plan, Strategy and Policy Implications

This report will contribute towards the delivery of the Council plan as follows:-

Emergency and Risk Strategy

- Implementing measures to reduce the causes and effects of emergencies.
- Assisting affected communities to recover from emergencies.
- Providing guidance and pro-active plans in risk identification and mitigation.

Options

That the report be received by Council and used as a tool to progress improvements in emergency response and recovery planning and refine the current Erosion Management Overlay (EMO). This option does not propose that Council commit to deliver all the recommendations contained in the report but to work collaboratively with the Northern Grampians Municipal Emergency Management Planning Committee (MEMPC) to mitigate the risk of landslides and emergency events on the community.

Reporting

Implications	Considered in this report?	Implications identified?
Social	Yes	Yes
Heritage/Cultural	Yes	No
Amenity	No	No
Human Rights/Privacy	No	No
Environmental	Yes	Yes
Economic & Marketing	Yes	Yes
Risk Management	Yes	Yes
Financial	Yes	Yes
Asset Management	Yes	No

Consultation

Community consultation has been extensive and is documented in the project report. A key component of the project was to gather information from the community and agencies involved in, or who were impacted by the January 2011 flood event.

Officer's Declaration of Interest

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

Director Responsible – Sanjay Manivasagasivam

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

Manager Responsible – Kathleen Gosden, Manager Environment and Regulatory Services

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

Author – David Todd, Emergency Management Co-ordinator

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

Attachments

Report – “Understanding the 2011 Grampians Natural Disaster, addressing risk and resilience” **[Attachment 9.6A]**

Executive Summary - “Understanding the 2011 Grampians Natural Disaster, addressing risk and resilience” **[Attachment 9.6B]**

9.7 Monthly Financial Report

Department: Financial & Information Services
Business Unit: Financial Services
Director: Vaughan Williams, Director Corporate Services
Manager Responsible: John Traill, Acting Manager Financial Services
Author/Position: Jay Petty, Finance Coordinator
File No: 07 02 010A

Summary

Council is requested to receive the Financial Report for the period ending 31 March, 2014.

The Financial Report reflects spending only to the end of March 2014. It is currently projected that the Council will end the year with \$4,271,000 cash. This represents a \$1,218,000 increase over the adopted budget.

RESOLUTION

That the Monthly Financial Report for the period ending 31 March, 2014 be received.

Moved: Cr K Erwin
Seconded: Cr K Hyslop

Carried

Background/Rationale

Strategic financial management is essential to the management of Council's exposure to financial risk.

The report is presented in accordance with section 138 of the *Local Government Act 1989*.

Legislation, Council Plan, Strategy and Policy Implications

Objective: 2. Delivered targeted projects and core services.

Strategy: Financial Sustainability – implementing financial policies and services to support Council's operations and to meet reporting and accountability requirements.

Options

As Council is requested to receive the report there are no options suggested.

Reporting

Implications	Considered in this report?	Implications identified?
Social	No	No
Heritage/Cultural	No	No
Amenity	No	No
Human Rights/Privacy	No	No
Environmental	No	No
Economic & Marketing	No	No
Risk Management	Yes	Yes
Financial	Yes	Yes
Asset Management	No	No

Consultation

Community consultation is undertaken as part of the annual budget preparation.

This report provides an update to the community of Council's current financial position.

Officer's Declaration of Interest

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

Author – Jay Petty

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

Attachments

Financial Report for the Period Ending 31 March, 2014 **{Attachment 9.7}**

9.8 Local Government Funding Vehicle (LGFV)

Department: Corporate Services
Business Unit: Financial Services
Director: Vaughan Williams, Director Corporate Services
Manager Responsible: John Traill, Acting Manager Financial Services
Author/Position: John Traill, Acting Manager Financial Services
File No: 07 09 001A

Summary

The Municipal Association of Victoria (“MAV”) will be establishing pooled borrowings on behalf of its 79 Victorian member Councils. It is called the “Local Government Funding Vehicle” (LGFV). The objective of the LGFV is to raise funding from the public bond market on behalf of participating Councils, providing a more cost competitive financing solution to Victorian Councils.

The LGFV initiative arose following the Vision Super defined benefit superannuation shortfall. A funding options evaluation was undertaken to review the debt procurement model of the sector. The purpose of this review was to determine the optimal funding platform to address the defined benefit shortfall and ongoing borrowing requirements of the sector.

The LGFV provides a new source of funding for future Council borrowing requirements in addition to existing bank loans. The key benefits of the LGFV for Councils include significant savings, diversification of funding source, low cost, transparency and best practice.

This report seeks Council’s endorsement to participate in the LGFV as a source of future borrowing requirements and specifically for the \$1 million short term borrowing to be undertaken this financial year (2013/2014).

RESOLUTION

That Council agrees to -

- 1. approve the LGFV as a new source of funding for future borrowing requirements; and**
- 2. participate in the first LGFV bond issuance in July 2014 for an amount of \$1,000,000.**

Moved: Cr T Driscoll
Seconded: Cr W Rice

Carried

Background/Rationale

Background

The MAV established a Defined Benefit Taskforce in response to the \$453 million defined benefit shortfall to provide recommendations that will reduce the cost of the shortfall to Councils and reduce the risk of future calls arising.

The first recommendation of the taskforce was to establish a working group to:

- develop detailed specifications for a debt placement
- prepare a tender for aggregated debt for the sector
- test the sector's firm commitment to borrowing
- ensure that transactional banking is excluded from the specifications

Aggregated Borrowing

The MAV engaged Ernst & Young's independent Debt & Capital Advisory team to undertake a funding options analysis to evaluate available funding sources and structures to determine the optimal funding platform for Victorian Councils. The Ernst & Young report identified significant savings could be achieved through aggregating Council borrowings, obtaining a credit rating on a pooled basis and subsequently issuing a bond into the wholesale bond market. Savings identified are as follows:

- Approximately a 100 basis point (i.e. 1%) reduction in the interest rate when compared to borrowing directly from banks through a tender process
- For each \$100 million of debt procured via the LGFV, the sector can save up to \$10 million over a ten year period
- Based on the total sector debt of \$1 billion, the LGFV could save the sector \$100 million over ten years

Ernst & Young assisted the MAV in establishing an interim funding facility in June 2013, through conducting a competitive tender on behalf of 23 Councils. The tender was highly successful and confirmed the benefits of scale and collective borrowing. The LGFV long term financing strategy was presented to Councils in November 2013, with 56 Councils responding positively to the expressions of interest totaling in excess of \$450 million of borrowing requirements. Based on the widespread Council support, MAV made the decision to proceed with the LGFV financing strategy on behalf of the sector.

Bank Commitment and Involvement

The Commonwealth Bank of Australia and National Australia Bank were appointed by MAV as co-arrangers for the LGFV bond issuance following an expression of interest process. MAV has worked with Ernst & Young and the banks over the last two months to finalise the LGFV financing structure. MAV presented the final structure to Councils at the end of March 2014 advising that Council commitments for the inaugural July 2014 bond issuance were required by May 2014.

The Bond Market

A bond is simply a loan from another source – the wholesale bond market. Cheaper funding is available in the wholesale bond market than from banks for highly rated borrowers such as Councils. The investors (or lenders) in the bond market are institutional investors such as superannuation funds, banks and foreign governments. The bond market is a key source of funding for the Commonwealth Government of Australia, State Governments (e.g. Treasury Corporation of Victoria) and major corporations. There are numerous examples of local government bonds in other jurisdictions such as New Zealand, USA, Canada and Europe. The LGFV transaction is a market standard structure of “pooling” loans to access the bond market and is considered tried and tested.

Intergenerational Savings

MAV Procurement has accessed the wholesale market to deliver savings to the Victorian Council sector in other tenders (e.g. trucks). The LGFV represents a change in the debt procurement model which “cuts out the middle person” to deliver cheaper funding costs by going direct to the wholesale bond market. Banks currently borrow money from the wholesale bond market and on lend these funds to Councils but in the process add in a profit margin. Access to the wholesale bond market is achieved through the credit strength, collective bargaining, scale and diversification that the LGFV delivers.

The savings are estimated at approximately 100 basis points (i.e. 1%), with pricing savings expected to improve over time. The final pricing will be determined at the time of the first bond issuance via a wholesale market bidding process which ensures transparency, probity and best price. The wholesale market provides a step change improvement in pricing compared to borrowing rates available in the bank market.

LGFV Loan Terms

Aggregated purchasing arrangements lead to savings where there are standard terms. The first bond issue will be on a 5 and/or 7 year basis with a fixed interest rate and repayment of interest only over the term.

Other terms and conditions such as security, conditions precedent, representations and warranties, covenants and undertakings, event of default and reporting requirements will be in line with existing standard terms in the bank market.

While the LGFV first bond issuance necessitates a change in how Councils borrow, the standardised terms proposed will drive an optimal pricing outcome and will be the most advantageous solution for the sector.

Borrowing Process

The borrowing process for Councils will be simplified under the LGFV. Councils submit a drawdown notice to the LGFV, with no requirement to undertake a tender to determine best price. Debt is available on an “as needs” basis during the year through a combination of regular bond issuances (annual or more frequently based on demand by Councils) and an ongoing interim finance facility which provides short term funding which will be refinanced through subsequent bond issuances.

Financial Implications

A one off LGFV establishment fee of \$4,000 is payable by Councils following confirmation of participation. MAV have invested heavily to date on upfront costs including Ernst & Young’s (financial advisor), Moody’s (credit rating) and legal costs.

Analysis suggests the LGFV will provide Councils with an estimated 100 basis points (i.e. 1%) reduction in the interest rate when compared to a tender process undertaken with the banking sector. This saving is significant when the borrowing amounts are considered.

Legislation, Council Plan, Strategy and Policy Implications

Council Plan 2013 – 2017:

Financial Sustainability Strategy. *We will provide leadership and advocacy to improve the financial position of the Northern Grampians Shire.*

Strategic Objective. *Participating in regional approaches to shared services and procurement.*

Options

Option A

That Council resolves to participate in the Local Government Funding Vehicle. **(Recommended)**

Option B

The alternative to participation in the LGFV is for Council to solely source funds via a tender process with the major banks on a bilateral basis, as the sector has done historically. **(Not Recommended)**

Reporting

Implications	Considered in this report?	Implications identified?
Social	No	No
Heritage/Cultural	No	No
Amenity	No	No
Human Rights/Privacy	No	No
Environmental	No	No
Economic & Marketing	No	No
Risk Management	Yes	No
Financial	Yes	Yes
Asset Management	No	No

Consultation

As this is an internal administration matter community consultation is not required.

Officer's Declaration of Interest

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

Manager Responsible – John Traill

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

Attachments

Victorian Local Government Funding Vehicle (LGFV) - Term Sheet
[Attachment 9.8]

9.9 Economic and Development Partnerships Project

Division: Business Services and Tourism
Environment and Regulatory Services

Director: Sanjay Manivasagasivam, Director Infrastructure
and Environment

Manager: Jim Nolan, Director Economic and Community
Kathleen Gosden, Manager Environment and
Regulatory Services

Author/Position: Debbie Bach, Manager Economic Growth
Robert Newbury Team Leader Planning and
Development Services

File No: Debbie Bach, Manager Economic Growth
10 02 012A

Summary

This report provides a review of the projects being conducted within the Shire by the Business Services and Tourism department and the Planning and Development Services department.

Economic growth remains a top priority within the Business Services and Tourism department and the Planning and Development Services departments, with both teams focused on supporting business and development within the Shire, through making the most of the strengths and comparative advantages of the Northern Grampians area, together with engagement with businesses and communities across the municipality.

To achieve economic growth within the Shire, Council officers offer a number of programs through the business services department. The New Resident Program is one of these and is highlighted in the attachment to this report.

RESOLUTION

That Council notes the officer's report and attachment.

Moved: Cr W Rice
Seconded: Cr M Reid

Carried

Background/Rationale

Please refer to the attached Economic Partnerships report.

Legislation, Council Plan, Strategy and Policy Implications

This report will contribute towards the delivery of the Council Plan as follows:

Objectives

- Improved the social and economic viability of the Shire.

Strategies

Red tape reduction strategy

- Reviewing all internal policies and procedures to move towards a risk matrix approach and remove duplication or multiple handling of requests

Economic Strategy

- Attracting and encouraging new enterprises while supporting existing businesses through the implementation of targeted industry sectors plans; and
- Creating industrial development opportunities in St Arnaud and Stawell.

Options

No options other than to receive the report are suggested.

Reporting

Implications	Considered in this report?	Implications identified?
Social	No	No
Heritage/Cultural	No	No
Amenity	No	No
Human Rights/Privacy	No	No
Environmental	No	No
Economic & Marketing	No	No
Risk Management	No	No
Financial	No	No
Asset Management	No	No

Officer's Declaration of Interest

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

Manager Responsible – Kathleen Gosden, Manager, Environment and Regulatory Services

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

Manager Responsible – Debbie Bach, Manager, Economic Growth
In providing this advice as the Manager and co-Author Responsible, I have no disclosable interests in this report.

Author - Robert Newbury, Team Leader Planning and Development Services
In providing this advice as a co-Author, I have no disclosable interests in this report.

Attachments

Economic Partnerships Project Monthly Report for April 2014 [**Attachment 9.9**]

9.10 Grampians Peaks Trail Project

Division: Business Services and Tourism
Director: Jim Nolan, Director Economic and Community
Manager: Debbie Bach, Manager Economic Growth
Author/Position: Justine Linley, Chief Executive Officer
File No: 10 02 012A

Summary

The Grampians Peaks Trail is a 13 day/12 night walk currently under development to provide visitors with a direct, world class experience of the peaks and panoramic views of the Grampians National Park. The 144 km Grampians Peaks Trail will connect some of the Grampians' most spectacular peaks, from the massive sandstone outcrops around Mount Zero in the north to Mount Abrupt overlooking the surrounding volcanic plains in the south. The trail will wind through vegetation varying from low lying heathlands to high elevation woodlands. On completion, the Grampians Peaks Trail will become a drawcard for local and international experience seekers, in a similar way to the renowned Overland Track in Tasmania and the Milford Track in New Zealand.

The Grampians Peaks Trail is being developed under the Walk Victoria's Icons program which will position Victoria and the Grampians as a key nature-based tourism destination. Other walks within the portfolio are the Great Ocean Walk, the Falls to Hotham Alpine Crossing and the Coastal Wilderness Walk in East Gippsland.

Council's CEO, Mrs Linley, has been a participant in the Grampians Peaks Trail Taskforce for the past 12 months and a masterplan for the construction of the trail and associated works has now been completed and is out for consultation.

The Peaks Trail project has been listed as a key regional and transformational project in the Wimmera Southern Mallee Regional Strategic Plan since 2010, the Grampians Regional Development Australia Regional Plan and in the Grampians Tourism Destination Management Plan.

RESOLUTION

That Council –

- 1. notes the officer's report and provides in principle support for the implementation of the Grampians Peaks Trail; and**
- 2. writes to the Chief Executive of Parks Victoria and the Minister for Environment urging acceptance of the Masterplan and a commitment for state government funding towards the completion of the trail.**

Moved : Cr K Hyslop

Seconded: Cr J Hosemans

Carried

Background/Rationale

The concept of the Peaks Trail began in late 2005 early 2006 following the first major fires (Mt Lubra) in the Grampians National Park in many years.

The Grampians Peaks Trail will be a world-class, long distance walking experience, showcasing the beauty and majesty of Gariwerd's natural and cultural landscapes. Visitors undertaking the 144 kilometre, multi-day walk will experience one of the great icon walks of Australia, representing a "must do" walking experience with an estimated visitation of 23,000 people per year by 2020.

The Grampians Peaks Trail will unite a disparate collection of existing tracks into a unified and identifiable trail from Mount Zero in the north to Dunkeld in the south. Visitors can undertake the walk at any time of year with a wide range of experiences, walk options, levels of difficulty and accommodation types available along the trail, broadening the appeal of walking and providing opportunities for day walkers, overnight walkers, experienced bush walkers and school groups, as well as encourage participation from people who otherwise may not have considered the walk. Walkers will be both independent (self-guided) and guided (assisted) as part of a range of walking products.

The walk is expected to generate 32,000 visitor nights in 2015, increasing to over 80,000 visitor nights by 2025 when all segments of the trail are operational. The total number of walkers using the Grampians Peaks Trail is expected to increase from 13,800 people in 2015 to over 34,000 people by 2025. On-walk accommodation is central to the experience of an iconic multi-day walk such as the Grampians Peaks Trail. As such, there will be both low and high yield accommodation along the walk which provide a range of experiences and broaden the appeal to a more diverse market.

The default accommodation for the entire length of the Grampians Peaks Trail will be hiker camps (planned to be provided by Parks Victoria), with camping on designated tent platforms and will be used by both independent and guided walkers. On-walk hiker lodges will be provided by the private sector; these are roofed structures which may include showers, toilet and kitchen facilities and will provide a more comfortable walking experience. They will cater for a higher yield market and be used by guided walkers. Off-park accommodation will also be provided adjacent to the National Park, yet close to the walk, allowing walkers the opportunity to stay in more comfortable accommodation.

A number of potential settings exhibiting a variety of landscapes may be suitable for the establishment of roofed accommodation. The purpose of these examples is to indicate the variety of opportunities available.

The major economic benefit is the increased visitor spending and employment flowing directly from people who have come to walk the Grampians Peaks Trail, as well as increased visitation to the Grampians in general.

In 2015 the trail will generate an estimated \$2.55 million, increasing to \$6.39 million by 2025.

Another important benefit is the capital expenditure and construction employment associated with building the Grampians Peaks Trail that will support 45 direct and 70 indirect full time jobs, helping to generate employment in the region.

The Grampians Peaks Trail will cost an estimated \$26 million and will be implemented in three stages.

Stage 1A is currently nearing completion with funding allocated by the State Government (Rosea Loop). The full Stage 1 focuses on the central segment around Halls Gap. Stages 2 and 3 of the trail will be in both the northern and southern sections of the park. The Grampians Peaks Trail will celebrate the unique flora, fauna, geology and cultural heritage of Gariwerd in a manner that is sympathetic and respectful of the landscape. The trail will be managed to the highest level of environmental stewardship and sustainability for future generations to enjoy, based on an understanding of natural values, ecological processes, and the specific requirements of significant plants and animals.

The Grampians Peaks Trail will allow more effective management of walking in the National Park and promote cultural and environmental awareness. All Grampians Peaks Trail infrastructure will be designed and constructed in accordance with the National Parks Act and the Park's Management Plan, avoid disturbance to the environment wherever possible, and undertake appropriate monitoring to ensure that visitor impacts are thoroughly understood and appropriate management plans and techniques can be implemented.

To ensure its enduring quality and economic sustainability, the Grampians Peaks Trail must be constructed, maintained and operated to the highest standards to achieve a full cost recovery for maintenance and operation, and in partnership with the private sector. The proposed business model assumes that the core walk infrastructure, including the trail and hiker camps, will be publicly funded in a staged manner over a number of years. The private sector will provide the products and services, as well as roofed accommodation, to augment the experience and operation of an iconic multi-day walking experience.

Legislation, Council Plan, Strategy and Policy Implications

This report will contribute towards the delivery of the Council Plan as follows:

Objectives

- Improved the social and economic viability of the Shire.

Strategies

Economic Strategy

- Developing Halls Gap as a tourism resort town

Options

Option A

That Council provide in principle support to the implementation of the Grampians Peaks Trail project and write to the Chief Executive of Parks Victoria and the Minister for Environment to encourage state government funding support for this important regional project. **(recommended)**

Option B

That Council note that the draft masterplan has been prepared and declines to comment (not recommended).

Reporting

Implications	Considered in this report?	Implications identified?
Social	No	No
Heritage/Cultural	Yes	No
Amenity	Yes	No
Human Rights/Privacy	No	No
Environmental	Yes	Yes
Economic & Marketing	Yes	Yes
Risk Management	No	No
Financial	Yes	No
Asset Management	No	No

Officer's Declaration of Interest

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

Author – Justine Linley, Chief Executive Officer

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

Attachments

Grampians Peaks Trail Draft Masterplan 2014 **[Attachment 9.10]**

10. NOTICES OF MOTION OR RESCISSION

11. REPORTS FROM COUNCILLORS/COMMITTEES

Councillors provided brief reports on their activities on behalf of Council since the last Council meeting.

11.1 St Arnaud Community Recreation Committee Meeting- 13 November, 2013

[06-08-043A]

11.2 Stawell Community Recreation Committee Meeting- 4 February, 2014

[06-08-042A]

11.3 Queen Mary Botanic Gardens Committee- 19 February, 2014

[1-4900-6500]

11.4 St Arnaud Community Recreation Committee Meeting- 27 February, 2014

[06-08-043A]

RESOLUTION

That the reports be received.

Moved: Cr W Rice

Seconded: Cr M Emerson

Carried

12. URGENT BUSINESS

13. PUBLIC QUESTION TIME

14. CLOSURE OF MEETING PURSUANT TO SECTION 89(2) OF THE LOCAL GOVERNMENT ACT 1989

A Council or Special Committee may resolve that the meeting be closed to members of the public if the meeting is discussing any of the following :

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

14.1 Contract No. C37 2011/2012 Painting Works for Council Facilities

RESOLUTION:

That the meeting be closed to consider the items listed pursuant to section 89(2) of the *Local Government Act 1989*.

Moved: Cr W Rice

Seconded: Cr M Emerson

Carried

OPEN COUNCIL RESUMED

The Chief Executive Officer reported that the following decision had been taken in Closed Council.

14.1 To extend Contract No. C37 2011/2012 – Painting Works for Council Facilities for a period of one year.

15. CLOSE

There being no further business, the Mayor declared the meeting closed at 7.50pm.

Confirmed

[Cr Kevin Erwin, Mayor]

Date: 2 June, 2014