



# **ORDINARY COUNCIL MEETING**

## **AGENDA**

**Wednesday 14 August 2019**

**Commencing at 7.00pm**

**Wycheproof Supper Room**

**367 Broadway, Wycheproof**

**Anthony Judd  
Chief Executive Officer  
Buloke Shire Council**

## ORDER OF BUSINESS

### 1. COUNCIL WELCOME AND STATEMENT OF ACKNOWLEDGEMENT

#### WELCOME

The Mayor Cr Carolyn Stewart will welcome all in attendance.

#### STATEMENT OF ACKNOWLEDGEMENT

The Mayor Cr Carolyn Stewart will acknowledge the traditional owners of the land on which we are meeting and pay our respects to their Elders and to the Elders from other communities who maybe here today.

### 2. RECEIPT OF APOLOGIES

### 3. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

#### **RECOMMENDATION:**

That Council adopt the Minutes of the Ordinary Meeting held on Wednesday, 10 July 2019.

### 4. REQUESTS FOR LEAVE OF ABSENCE

### 5. DECLARATION OF PECUNIARY AND CONFLICTS OF INTEREST

In accordance with Sections 77A, 77B and 78 of the Local Government Act Councillors are required to disclose an "interest" in a decision if they would receive, or could be reasonably perceived as receiving a direct or indirect financial or non-financial benefit or detriment (other than as a voter, resident or ratepayer) from the decision.

Disclosure must occur immediately before the matter is considered or discussed.

### 6. QUESTIONS FROM THE PUBLIC

NIL 5

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**NEXT MEETING**

THE NEXT ORDINARY MEETING OF COUNCIL WILL BE HELD IN WYCHEPROOF SUPPER ROOM, 367 BROADWAY, WYCHEPROOF ON WEDNESDAY, 11 SEPTEMBER 2019 AT 7.00PM.

**Anthony Judd**  
**CHIEF EXECUTIVE OFFICER**

**6. QUESTIONS FROM THE PUBLIC**

Nil

## **7. PROCEDURAL ITEMS**

### **7.1 REPORT OF ASSEMBLY OF COUNCILLORS MEETINGS**

**Author's Title:** Executive Assistant

**Department:** Office of the CEO

**File No:** GO/05/04

**Attachments:** 1 [↓](#) Councillor Briefing Record - 3 July 2019  
2 [↓](#) Councillor Briefing Record - 17 July 2019

#### **RECOMMENDATION**

That the Council note the report of Assembly of Councillor Meetings held on 3 July, and 17 July 2019.

#### **1. Key Points/Issues**

The Local Government Act 1989 (the Act) provides that a record must be kept of any Meeting of Councillors and Staff deemed to be an Assembly of Councillors Meeting as defined in the Act.

An Assembly of Councillors Meeting is defined in the Act as a meeting of Councillors if the meeting considers matters that are likely to be the subject of a Council decision or the exercise of delegation and the meeting is:

A planned or scheduled meeting that includes at least half of the Councillors and a member of Council Staff; or

An Advisory Committee of the Council where one or more Councillors are present.

The Act also provides that the record of any Assembly of Councillors is to be reported to the next practicable Council Meeting and recorded in the Minutes.

A record of the Assembly of Councillors Meetings held on 3 July and 17 July is attached.

**BULOKE SHIRE COUNCIL**  
**RECORD**  
**Councillor Briefing**

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<b>Date and Time:</b>	3 July 2019	<b>Time:</b> 5.00pm- 8.00pm
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<b>Location:</b>	Charlton Council Chamber
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<b>Attendees:</b>	Cr Carolyn Stewart Cr Daryl Warren Cr Graeme Milne Cr David Pollard Cr Ellen White Anthony Judd –Chief Executive Officer Wayne O’Toole– Director of Works and Technical Services Hannah Yu – Director Corporate Services Travis Fitzgibbon – Manager Customer Engagement
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<b>Apologies:</b>	Cr David Vis
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<b>Visitors:</b>	Kaylene Cossar - Charlton Neighbourhood House
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**ITEMS**

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<b>1. Declarations of Pecuniary Conflicts of Interest</b>	Nil
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<b>2. Confirmation of 19 June Councillor Briefing Notes</b>	Agreed
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<b>3. Presentations</b>	
<b>3.1</b> Charlton Neighbourhood House	

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<b>8. Items for Discussion</b>	Nil
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<b>9. Councillor Matters</b>	Nil
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<b>10. CEO Updates</b>	
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<b>11. CEO/Councillor Only time</b>	
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**12. Next Briefing:**

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<b>Date and Time:</b>	17 July 2019	<b>Time:</b> 3.00pm – 6.00pm
<b>Location:</b>	Wycheproof Supper room	

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**13. Briefing Close 7.26pm**

## BULOKE SHIRE COUNCIL

### RECORD

#### Councillor Briefing

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<b>Date and Time:</b>	17 July 2019	<b>Time:</b>	3.00pm – 6.00pm
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<b>Location:</b>	Wycheproof Supper Room
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<b>Attendees:</b>	Cr- David Pollard Cr- Graeme Milne Cr- Ellen White Cr- Carolyn Stewart Cr- David Vis Cr- Daryl Warren  Hannah Yu – Acting Chief Executive Officer Cecilia Connellan – Acting Director Corporate Services Wayne O’Toole– Director of Works and Technical Services Travis Fitzgibbon- Manager Customer Engagement
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<b>Apologies:</b>	
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<b>Visitors:</b>	WycheAlive – Will Rust Nullawil Progress Assoc. – Heath Pollington and Lauren Hogan Karen Fazzani - LMWRRG Stewart Hunt and Peter Miles - 4 Seasons Waste Mark McDonald – Superintendent Waste Services
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## ITEMS

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NO.	TOPIC	PURPOSE
1.	<b>Declarations of Conflicts of Interest</b>	Nil
2.	<b>Briefing Notes 3 July 2019</b>	
3.	<b>Presentations</b>	
	3.1 Wycheproof Caravan Park	

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**3.2** WycheAlive

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**3.3** Nullawil Progress Association

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**4. Items for Discussion**

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**4.1** Contract No. C65

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**4.2** Waste Strategy - workshop session

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**5. Councillor Matters**

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**6. CEO Updates**

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**Next Briefing:**

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**Date and Time:** 7 August 2019

**Time:** 5.00pm – 8.00pm

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**Location:** Birchip Council Chamber

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## 7.2 CORRESPONDENCE INITIATED BY COUNCIL

**Author's Title:** Executive Assistant

**Department:** Office of the CEO

**File No:** GO/06/06

**Attachments:** Nil

### RECOMMENDATION

That Council notes the record of correspondence sent and responses received.

### Table of Correspondence

Council Initiative	Correspondence sent to	Date sent	Date of Response	Summary of Response
Explore opportunities to establish Treaty Agreement with traditional owners, Dja Dja Wurrung Clans Aboriginal Corporation (DDWCAC)	Meeting held with staff and traditional owners of DDWCAC.	Meeting held 30 May 2019	13 June 2019 and 30 July 2019	Thanking Council for the meeting and discussions. Presently still researching the treaty possibility, and still engaging with other LGAs within area. Planning to complete research report by end of Aug 19. Report will go to their Board for consideration to see if possible, and to identify resources to engage in process.

## 7.3 LETTERS OF CONGRATULATIONS AND RECOGNITION OF ACHIEVEMENT/AWARDS

**Author's Title:** Executive Assistant

**Department:** Office of the CEO

**File No:** CR/13/01

**Attachments:** Nil

### RECOMMENDATION

That the Council acknowledge and congratulate the persons and/or groups mentioned in the report for their achievements.

#### 1. Executive Summary

This report acknowledges and congratulates community persons and/or groups for their success in being recognised for a significant achievement or for being a recipient of an honourable award.

The report also informs Council of any letters of congratulations or any particular recognition of achievement that Council has received or been awarded in the past month.

#### 2. Recognition of Achievement Items

Provider	Recipient	Date	Purpose for Recognition
Victoria Police	Sergeant Darren Bull	24 July 2019	Recipient of a Service Medal for Victoria Police
Victoria Police	Senior Constable Dennis Cox	24 July 2019	Recipient of a Service Medal for Victoria Police
Victoria Police	Leading Senior Constable Mark Connell	24 July 2019	Recipient of a National Medal 2 <sup>nd</sup> Clasp and Service Medal 35 year Clasp for Victoria Police.

## 7.4 PLANNING APPLICATIONS RECEIVED - MONTHLY UPDATE

**Author's Title:** Planning Officer

**Department:** Works and Technical Services

**File No:** LP/09/01

**Attachments:** Nil

### RECOMMENDATION

That the Council note information contained in the report on planning applications under consideration by staff and the status of each of these applications.

#### 1. Executive Summary

This report provides information on planning applications under consideration by staff and the status of each of these applications.

#### 2. List of Planning Applications

Application No	Applicant	Address	Date Rec	Summary of Proposal	Status
PPA792/19	Ashley Sheahan	224 Yeungroon-Woosang Road, Yeungroon East	03/05/2019	Three accommodation units associated with the Charlton Feedlot	Awaiting report
PPA801/19	TJ & WJ Bath	Culgoa-Lalbert Road, Culgoa (Lot 2 PS311691)	12/06/2019	Use and development of land for a rural store	Council report
PPA803/19	IKC Commercial	376 Mills Road, Whirily	18/06/2019	Construction of dry sow accommodation	Awaiting report
PPA804/19	Kerri Barry	46 Main Street Culgoa	25/06/2019	Construction of a shaded memorial structure	Permit issued
PPA805/19	Lyle Johnson	1844 Charlton-St Arnaud Road, Coonooer Bridge	10/07/2019	Construction of a farm shed	Referral
PPA806/19	Australian Independent Grain Terminals Pty Ltd	2709 Nullawil Birchip Road, Nullawil	06/07/2019	Construction of a sample stand	Permit issued
PPA807/19	Gordon Bailey	Boundary Road, Pier Millan	25/07/2019	Use of land for outdoor recreation facility (off-road racing event – Camel's Capers Enduro)	Referral

Application No	Applicant	Address	Date Rec	Summary of Proposal	Status
PPA808/19	Buloke Shire Council	Lake Tyrrell Road, Lake Tyrrell	29/07/2019	Use and development of land for the construction of tourist infrastructure and the removal of native vegetation	Referral
PPA809/19	Coonooer Bridge Rec Reserve CoM	Yeungroon-Coonooer Road, Coonooer Bridge (CA 18A Parish of Coonooer East)	31/07/2019	Construction of a shelter over the cannon at Coonooer Bridge War Memorial in a Heritage Overlay	Issued
PPA810/19	Wycheproof Men's Shed	271 Broadway, Wycheproof	31/07/2019	Construction of verandah in front of op-shop in a Heritage Overlay	Issued
PPA782/19	Rohan Fry	56-58 Racecourse Road, Donald	23/01/2019	Use and development of land for a biscuit manufacturing plant	Permit issued

## 7.5 BUILDING PERMITS - MONTHLY UPDATE

**Author's Title:** Compliance Administration Officer

**Department:** Works and Technical Services

**File No:** DB/14/02

**Attachments:** Nil

### RECOMMENDATION

That the Council note information contained in the report on Building Permits approved by staff from 1 July 2019 to 31 July 2019.

#### 1. Executive Summary

This report provides information on Building Permits approved by staff from 1 July 2019 to 31 July 2019.

#### 2. List of Building Permits Approved by Council Surveyor

Permit No.	Address	Project Description	Date Approved
0190041	87 Black Gate Road, DUMOSA	New Building: Machinery Shed	20/06/2019
20190042	16 Morrison Street, BIRCHIP	New Building: Open Shelter Building	20/06/2019
20190043	28 Webster Street, WYCHEPROOF	Re-erect Building: Relocation of Dwelling-Placement of the building on stumps and connection of parts	27/06/2019
20190044	3 Milburns Road, WYCHEPROOF	Other: Bulk Fuel Container Storage	27/06/2019
20190045	45 Hammill Street, DONALD	New Building: Storage Shed	27/06/2019
20190046	2982 Warracknabeal – Birchip Road, WARMUR	Extension: Storage Shed	27/06/2019

**3. List of Building Permits Approved by Private Surveyor**

<b>Permit No.</b>	<b>Address</b>	<b>Project Description</b>	<b>Date Approved</b>
20190036	81 Best Street, SEALAKE	New Building: Shade Structure	03/06/2019
20190037	11-17 Cumming Avenue, BIRCHIP	New Building: Storage Shed	15/06/2019
20190038	27 Corack Street, DONALD	New Building: Dwelling and Storage Shed	06/06/2019
20190039	68 High Street, WYCHEPROOF	New Building: Dependent Persons Building	01/06/2019
20190040	27 Jolly Street, WYCHEPROOF	Alteration: Underpin	20/06/2019
20190047	(CFA Shed) Borong Highway, WOOROONOOK	New Building: Construction of Fire Station, Motor Room, Multipurpose room turnout and amenities	06/03/2019
20190048	36 McCulloch Street, DONALD	New Building: Shed	21/05/2019

**8. GENERAL BUSINESS**

**8.1 POLICY REPORTS**

Nil

## **8.2 MANAGEMENT REPORTS**

### **8.2.1 SWIMMING POOL SEASON 2019/20**

**Author's Title:** Manager Community Facilities

**Department:** Works and Technical Services

**File No:** CP/19/01

**Attachments:** Nil

**Relevance to Council Plan 2017 - 2021**

**Strategic Objective:** Deliver our service in a financially viable way

#### **RECOMMENDATION**

That Council:

1. Sets the 2019/20 swimming pool season to operate from Friday 8 November 2019 until Monday 9 March 2020 for all seven swimming pools;
2. Advertises the 2019/20 pool season dates through its media platforms and displays them at each pool for the duration of the season;
3. Retain the 'cold weather policy' for the 2019/20 season, in which the pools will not open if the temperature is forecast to be 21 degrees or less; and
4. 'Bank' cold weather days for use at the end of the 2019/20 season where the temperature remains above 30 degrees.

#### **1. Executive Summary**

This report seeks Council approval to confirm the opening date of 8 November 2019 and the closing date of 9 March 2020 for the 2019/20 swimming pool season.

#### **2. Discussion**

Traditionally, Council has opened all seven swimming pools in the second week of November and closed them at the end of the second week in March. Consistent with these previous years, the proposed opening and closing dates are 8 November 2019 and 9 March 2020. These dates are the basis of the 2019/20 operational budget.

Council's Aquatic Strategy 2013 provided a recommendation to implement a 'cold weather policy' to close on days of low temperature as a means to reduce costs. This was implemented in the past two seasons and officers and have found this to be a successful way of increasing the season length in some areas, whilst minimising impact on the operational budget.

#### **3. Financial Implications**

The 2019/20 operational budget has been developed with the proposed dates in mind. The inclusion of a cold water procedure and 'banking' system will have a neutral effect on the budgeted position. Pending the availability of lifeguards in March, there may be some employee savings if the season cannot be extended.

#### **4. Cost Shift Considerations**

There are no cost shift considerations in this report.

**5. Community Consultation**

The recommended season dates and cold weather procedures are consistent with previous seasons and comparable with other pools in the Loddon Mallee region. Closing of the pools due to cold weather will not affect user groups who hire the pools outside of Council's designated opening hours. General feedback from users after the last two seasons has been positive regarding the 'banking' of cold weather days.

**6. Internal Consultation**

Internal consultation has occurred with senior management.

**7. Legislative / Policy Implications**

There are no legislative implications with these recommendations.

**8. Environmental Sustainability**

Altering the length of the season would increase electricity and water usage.

**9. Conflict of Interest Considerations**

No officer involved in the preparation of this report had a conflict of interest

**10. Conclusion**

Based on the information provided, it is recommended that the 2019/20 pool season operates from Friday 8 November 2019 until Monday 9 March 2020 at all seven swimming pools and that Council continue with a cold weather procedure of closing the pools if the proposed temperature remains 21 degrees or less and banking those days for use at the end of the pool season.

## 8.2.2 WYCHEPROOF CARAVAN PARK MANAGEMENT

**Author's Title:** Manager Community Facilities

**Department:** Works and Technical Services

**File No:** PR/07/11

**Attachments:** 1 [↓](#) Agreement

**Relevance to Council Plan 2017 - 2021**

**Strategic Objective:** Deliver our service in a financially viable way

### RECOMMENDATION

That Council:

1. Enter into a management agreement for the Wycheproof Caravan Park with Wyche Alive Inc. for up to three years; and
2. Authorise the Chief Executive Officer to finalise negotiations of the proposed management agreement and execute on behalf of Council

### 1. Executive Summary

This report is presented to Council to consider the future management of the Wycheproof Caravan Park.

### 2. Discussion

Wycheproof Caravan Park is located on the Wycheproof Recreation Reserve which is Crown Land, Council is Committee of Management. For more than a decade Council has directly managed the park through appointing a caretaker who has serviced the amenity block and collected fees from campers and residents.

In late 2018, Council was approached by Wyche Alive Inc. the township Forum, raising opportunities for improving the management of the park. They highlighted issues such as the provision of additional hours of site management, a booking system and general improvements that would encourage increased use, thus supporting improved economic outcomes for the Wycheproof Community through increased local spending.

An internal review into the management of the Caravan Park was undertaken in January 2019, with an option analysis developed. This was presented to Councillors at a briefing in March 2019.

As Wycheproof is the only Caravan Park which Council directly manage and the additional financial input would require a reduction in other Council services, it was decided to undertake an Expression of Interest process for the management of the Caravan Park, enabling a more efficient and targeted service.

Council undertook a twenty-eight (28) day expression of interest (EOI) process which was advertised in all three local newspapers and on Council's website. This EOI process concluded on Friday 26 April 2019. Council received two submissions from community groups within Wycheproof expressing interest in managing the park. Subsequent interviews with the submitters were undertaken by a panel comprised of two Council Officers in May 2019.

The panel reviewed the EOI submissions and subsequent information presented in the interviews and utilised this to nominate a preferred organisation to enter into a management agreement. This recommendation was endorsed by Council management. Subsequently

officers have entered into negotiations with the preferred organisation over the past six weeks to establish a management arrangement, and commencement date.

Based on this negotiation, the preferred organisation Wyche Alive Inc. would be prepared to commence operations of the caravan park from Monday 2 September 2019. The recommended terms included;

- Up to three years
- A management fee of \$50 per annum on demand
- All operational costs to be managed by the organisation
- All income to be received by the organisation
- Specific reporting requirements outlined in the attached DRAFT agreement

DELWP has been consulted regarding the proposed management agreement and have confirmed support, noting that Council retains overarching control of the park.

Considering the thorough process undertaken to establish an improved outcome for the Caravan Park, it is recommended Council enter into a management agreement for up to three years with Wyche Alive Inc. for the management of the Wycheproof Caravan Park and authorise the Chief Executive Officer to finalise the agreement terms for a commencement on September 2, 2019.

### **3. Financial Implications**

Council has budgeted for both income and expenditure from the Caravan Park for the 2019/20 Financial Year. There will be a reduction of wages and operational expenses upon entering an agreement, income will also decrease as this would be taken and utilised to manage and improve the caravan park by the management organisation. Council will still insure the main buildings, depreciate these assets, and will need to consider capital Improvements as part of future budgets.

### **4. Cost Shift Considerations**

The endorsement of the recommendations would see a shift in some operational costs to the community organisation, but would also see income generated by the park to be captured and utilised by the organisation to offset these costs.

### **5. Community Consultation**

A consultation process was available for community groups to apply to manage the park. No further consultation with the community has been undertaken due to the operational nature of the service.

### **6. Internal Consultation**

Senior Management and Councillors have been consulted at various stages through this process.

### **7. Legislative / Policy Implications**

There are a number of considerations as part of the future management of the caravan park, including compliance with the Crown Land (Reserves) Act 1978, the Local Government Act 1989, DELWP's Best Practice Management Guidelines for Committees of Management Managing Caravan and Camping Parks on Crown Land 2012 and the Residential Tenancies Act 1997.

### **8. Environmental Sustainability**

There are no significant considerations of environmental sustainability as a part of this report.

### **9. Conflict of Interest Considerations**

No Officer involved in this process and/or report holds a conflict of interest.

**10. Conclusion**

Based on the detailed process outlined within the report, it is recommended Council enter into a management agreement with Wyche Alive Inc. for the management of the Wycheproof Caravan Park.



## WYCHEPROOF CARVAN PARK MANAGEMENT AGREEMENT

### TERMS OF REFERENCE

#### 1. BACKGROUND

- 1.1 Buloke Shire Council will establish from time to time various agreements for management of Council assets. The purpose of this agreement is to manage the Caravan Park in Wycheproof on behalf of Council in the best interests of the Wycheproof community.
- 1.2 The 'Body' has responsibilities as set out in this Terms of Reference document. The Terms of Reference document sets out the structure and basis on which the Organisation can manage the asset, on behalf of Council.
- 1.3 This Terms of Reference document is authorised by a resolution of Council passed on 14 August 2019
- 1.4 This agreement may be terminated by Council with thirty (30) days' notice to the Body, where the Body has not complied with specific requirements of this agreement and/or reasonable direction from Council. Before making a decision to terminate the agreement, Council will meet with the Body and attempt to resolve and mediate any non-compliance matters with regards to specific requirements of the agreement or reasonable direction.
- 1.5 The terms of this agreement will be for up to three (3) years commencing Monday 2 September 2019.
- 1.6 The Body is required to pay a rental fee of \$50 per annum payable by 31 March each calendar year on demand. This will be reviewed annually, with Council reserving the right to increase or decrease this dependent on financial outcomes of the park.

#### 2. PURPOSE

The Body has been engaged for the purpose of:

- 2.1 The Body is engaged for the purpose of ensuring that the Caravan Park in Wycheproof is managed efficiently on behalf of Council, in compliance with legislative requirements and consistent with the community's expectations.

#### 3. OBJECTIVES

The objectives of this agreement are:

- 3.1 To assist Council in the management of the Caravan Park in Wycheproof:
  - 3.1.1 Identifying current and potential issues affecting the viability and economic performance of the Caravan Park.
  - 3.1.2 To undertake maintenance and management duties as required.



- 3.1.3 Manage the permanent caravan park residents including tenancy agreements, fees and charges and communicating with Council on this usage.
- 3.1.4 Advising on, reporting of hazards and/or risks associated with the caravan park, and remediating any issues that arise.
- 3.1.5 To ensure the Park is operating effectively and is resourced efficiently.
- 3.1.6 Compliance with DELWP's Best Practice Management Guidelines for Committees of Management Managing Caravan and Camping Parks on Crown Land 2012 including no longer accepting any new permanent residents.
- 3.1.7 At all times comply with the Crown Land (Reserves) Act 1978 and Residential Tenancies Act 1997.
- 3.1.8 Recognise the 6 (six) permanent residents on execution of this agreement as existing rights users who may remain at the park for the term of this agreement.

#### **4. ROLES AND RESPONSIBILITY**

- 4.1 The role of the Body is:
  - 4.1.1 To manage the Caravan Park operations at Wycheproof.
  - 4.1.2 To regularly communicate operational matters to Council; and
  - 4.1.3 To promote the use of the facility and support its development as a community asset.
  - 4.1.4 To finance the maintenance and upkeep (including utilities) of the Caravan park as required.
  - 4.1.5 Maintain Public Liability Insurance to the value of \$10 million over the activities of the organisation.
- 4.2 The role of Council is:
  - 4.2.1 To maintain oversight and ownership of the built assets at the Caravan Park
  - 4.2.2 To maintain insurance over the buildings (excluding private residences) at the caravan park
  - 4.2.3 Assist with financial support for planned Capital Improvements to the Caravan Park

#### **5. FINANCIAL MANAGEMENT**

- 5.1 The Body shall keep books of accounts and such records will be submitted to Council on an annual basis.
- 5.2 Financial responsibilities of the Body shall include;
  - 5.2.1 The setting of an annual budget;



- 5.2.2 Expenditure consistent with the requirements to manage the park;
- 5.2.3 The setting of hire fees and charges for the use of the park

**6. REPORTING**

The Body shall provide reports to Council of its activities, including;

- 6.1 To provide financial statements and updated facility improvement plans annually;
- 6.2 A Business Plan adjusted annually to reflect changing circumstances
- 6.3 Where requested by Council, the Body must report its activities and performance to a meeting of Council.

**EXECUTED** by the parties on the date set out at the start of this Agreement

The Common Seal of **Wyche Alive Inc** was affixed by authority of the Committee in the presence of:

\_\_\_\_\_ Committee Member

\_\_\_\_\_ Committee Member / Public Officer of the Association

**EXECUTED BY THE COUNCIL** signed for and on behalf of the Buloke Shire Council.

\_\_\_\_\_ CHIEF EXECUTIVE OFFICER

\_\_\_\_\_ WITNESS

### **8.2.3 PROPOSAL TO UNDERTAKE SALE OF COUNCIL PROPERTY**

**Author's Title:** Manager Community Facilities

**Department:** Works and Technical Services

**File No:** CP/02/08

**Attachments:** 1 [↓](#) Aerial Maps - Four Lots of Council Surplus Land

**Relevance to Council Plan 2015 - 2019**

**Strategic Objective:** Deliver our service in a financially viable way

#### **RECOMMENDATION**

That Council:

1. Notes that a 28 day consultation period was undertaken for the proposed sale of Council owned property and no submissions were received;
2. Proceeds with the sale process for 131 Horace Street Sea Lake, 110 Sutcliffe Street Sea Lake, 8 Alexander Avenue Berriwillock and 114 Dempsey Street Wycheproof;
3. Approves Council officers to undertake valuations of the properties and coordinate the sale process; and
4. Authorises the Chief Executive Officer or his delegate to set a reserve price as per Section 189 of the *Local Government Act 1989*.

#### **1. Executive Summary**

This report updates Council on the proposal to sell four properties and seeks approval to undertake valuations and to conduct a process of sale.

#### **2. Discussion**

At the May 2019 Ordinary Meeting of Council, it resolved to undertake the statutory consultation process for the proposed sale of four Council properties:

- 131 Horace Street, Sea Lake (Vacant Land)
- 110 Sutcliffe Street, Sea Lake (Vacant Land)
- 8 Alexander Avenue, Berriwillock (Former Bowls Club precinct)
- 114 Dempsey Street, Wycheproof (Former depot facility)

As per Section 189 (3) of the *Local Government Act 1989* (the Act), a consultation process was undertaken to allow the community to make a submission under Section 223 of the Act. At the conclusion of the consultation period, Council had received no submissions regarding its proposal to sell the abovementioned properties.

The Act requires Council to have an up-to-date valuation on the properties it proposes to sell and therefore it is proposed Council undertake valuations of these properties before the commencement of a sales process.

At the conclusion of the valuation process, it is proposed that a method of sale be established by the Chief Executive Officer or his delegate, being either a public tender or public auction that will generate the best outcome for the community.

The property located at 114 Dempsey Street, Wycheproof is currently zoned Public Use (PZ) with an amendment for planning scheme rezoning to Township (TZ) to be lodged. The sale of this property will be subject to rezoning of the property prior to sale.

Taking into consideration the information provided, it is proposed Council endorse the sale of the four properties outlined above, in compliance with the requirements of the Act.

### **3. Financial Implications**

Council currently pays for some utilities, maintenance and insurance associated with these properties. This would be eliminated through the removal of these surplus assets.

### **4. Cost Shift Considerations**

There are no cost shift implications

### **5. Community Consultation**

A 28 day consultation process has been undertaken which was advertised in the North Central News, Buloke Times and Sea Lake and Wycheproof Times Ensign with no submissions received.

### **6. Internal Consultation**

Senior Management has been consulted throughout the process.

### **7. Legislative / Policy Implications**

Section 189 of the Act specifies the requirements to sell Council property. This process has been undertaken as per these requirements.

### **8. Environmental Sustainability**

There are no environmental sustainability implications.

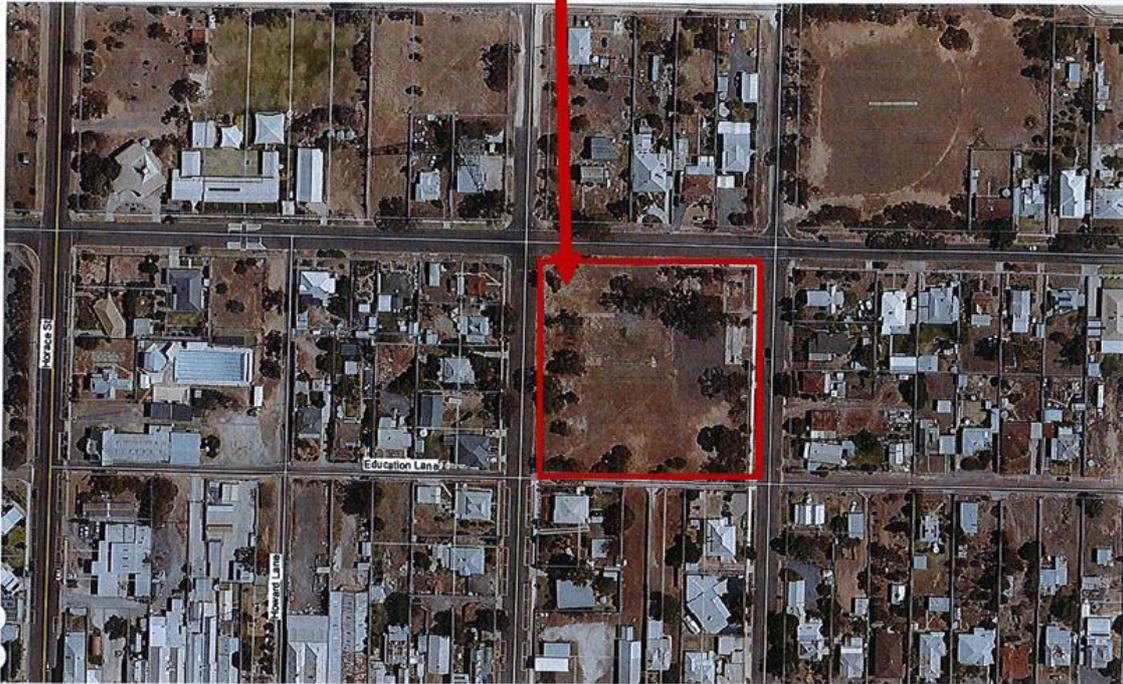
### **9. Conflict of Interest Considerations**

No staff member involved in the preparation of this report had a conflict of interest.

### **10. Conclusion**

It is recommended Council proceed with the sale of 131 Horace Street Sea Lake, 110 Sutcliffe Street Sea Lake, 8 Alexander Avenue Berriwillock, and 114 Dempsey Street Wycheproof.

110 Sutcliffe Street Sea Lake – Former school site



131 Horace Street Sea Lake



114 Dempsey Street Wycheproof



8 Alexander Avenue Berriwillock



## **8.2.4 PLANNING PERMIT APPLICATION 801/19 USE AND DEVELOPMENT OF LAND FOR A RURAL STORE**

**Author's Title:** Planning Officer

**Department:** Works and Technical Services

**File No:** LP/09/01

**Attachments:** Nil

### **Relevance to Council Plan 2017 - 2021**

**Strategic Objective:** Diversify and enhance our local economy.

### **RECOMMENDATION**

That Council consider the planning permit application 801/19 and determine to issue a Notice of Decision to Grant a Planning Permit for the use and development of land for a rural store at Culgoa-Lalbert Road, Culgoa, being Lot 2 on Plan of Subdivision 311691K subject to the following conditions:

1. The use and development as shown on the endorsed plans must not be altered without the written consent of the responsible authority.
2. The use and development must be managed so that the amenity of the area is not detrimentally affected, through the:
  - a. Transport of materials, goods or commodities to or from the land
  - b. Appearance of any building, works or materials
  - c. Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil
  - d. Presence of vermin
3. The use and development of the land must not interfere with surrounding existing uses, including residential uses.
4. The appearance of the subject land, in the opinion of the responsible authority must not adversely affect the amenity of the local area.
5. All earthworks must be maintained in good order and appearance to the satisfaction of the responsible authority.
6. The operator under this permit must control vermin and pests to the satisfaction of the responsible authority.
7. The use may only operate between the hours of:
  - 7.00am and 7.00pm
8. No more than 10,000 tonnes of grain is to be stored in the rural store hereby permitted.
9. Prior to the commencement of the use, traffic lanes must be constructed with crushed rock or gravel to an appropriate engineering standard to carry vehicles associated with the use and to minimise dust generation to the satisfaction of the responsible authority.
10. The development must be accessed by a vehicular crossing from Culgoa-Lalbert Road. The vehicular crossing must be constructed to accommodate B double vehicles. The crossing and road works are to be constructed to the satisfaction of the responsible

authority. Works must be at no cost to the responsible authority.

11. Vehicular crossings and internal roads must be designed to allow all vehicles to drive forwards both when entering and leaving the property.
12. No parking or queuing of trucks is permitted on Culgoa-Lalbert Road.
13. Any damage to the roadway caused by access/egress to the site must be repaired to the satisfaction of the responsible authority and at no cost to the responsible authority.
14. All works must be undertaken in a manner that minimises soil erosion, and any exposed areas of soil must be stabilised to prevent soil erosion to the satisfaction of the responsible authority.
15. The loading and unloading of goods from vehicles must only be carried out on the land and be to the satisfaction of the responsible authority.
16. Suitable access must be provided for emergency vehicles both into and around the development. Roads must be constructed to a standard so that they are accessible in all weather conditions and capable of accommodating a vehicle of 15 tonnes for the trafficable road. The trafficable road width must be a minimum of 6 metres.
17. All storm water runoff from the proposed development hereby permitted must be disposed of onsite, in accordance with the endorsed plans and to the satisfaction of the responsible authority.
18. This permit will expire if one of the following circumstances applies:
  - the use and development is not started within two years of the date of this permit
  - the development is not completed within four years of the date of this permit.

## 1. Executive Summary

An application for a planning permit was received by Council on the 5<sup>th</sup> June 2019 for the use and development of land for a rural store (grain bunker) and associated works at Culgoa-Lalbert Road, Culgoa. The application consists of the construction of two grain bunkers with storage capacity of 10,000 tonnes, and the construction of a weighbridge.

## 2. Discussion

### **Site and Surrounds**

The application is for a rural property on Culgoa-Lalbert Road (Lot 2 PS 311691K). The subject site is 157.08 hectares and contains cropping land and a small dam. In the centre of the site is a larger dam owned by GWM Water. The dam is no longer in use. The subject site adjoins Culgoa-Lalbert Road on the northern boundary, agricultural land to the east and south and borders residential and farming land and the Calder Highway on the western boundary. The land is relatively flat and with a small patch of native vegetation in the north-east corner of the allotment. The site is accessed via a gravel driveway off Culgoa-Lalbert Road.

### **Proposal**

The proposal is to construct two grain bunkers and a weighbridge. The proposed bunkers will be located approximately 50 metres west of the large dam and 250 metres from the northern boundary, running east to west. Each bunker measures 300 metres x 30 metres with a distance of 25 metres between them and will be permitted to hold 5000 tonne of grain. The proposed weighbridge will be located adjacent to the internal road as it turns along the southern edge of the large dam, approximately 400 metres from the northern boundary. The overall concrete pad for the proposed weighbridge measures 30.33 metres x 4.4 metres. The proposal also includes

a parking bay 200 metres x 20 metres east of the large dam. All stormwater will be directed to the smaller dam.

### ***Planning Scheme Provisions***

#### *Zones and overlays*

#### Clause 35.07 Farming Zone (FZ)

The purpose of the Farming Zone is:

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To provide for the use of land for agriculture.
- To encourage the retention of productive agricultural land.
- To ensure that non-agricultural uses, including dwellings, do not adversely affect the use of land for agriculture.
- To encourage the retention of employment and population to support rural communities.
- To encourage use and development of land based on comprehensive and sustainable land management practices and infrastructure provision.
- To provide for the use and development of land for the specific purposes identified in a schedule to this zone.

In accordance with Clause 35.07-1, the use and development of land for a rural store is a Section 2 use, requiring a permit. In accordance with Clause 35.07-4, a permit is required for buildings and works associated with a section 2 use.

#### Clause 42.01 Environmental Significance Overlay, Schedule 2 (ESO2)

The purpose of Schedule 2 to the Environmental Significance Overlay is to protect the channel and reservoir system.

The channel system has been decommissioned and does not have any impact on this proposal.

#### *State Planning Policy Framework*

#### Clause 14.01-1S Protection of agricultural land

The objective of this clause is to protect the state's agricultural base by preserving productive farmland.

Strategies include:

- Identify areas of productive agricultural land, including land for primary production and intensive agriculture.
- Avoid permanent removal of productive agricultural land from the state's agricultural base without consideration of the economic importance of the land for the agricultural production and processing sectors.
- Protect productive agricultural land from unplanned loss due to permanent changes in land use.
- In considering a proposal to use, subdivide or develop agricultural land, consider the:
  - Desirability and impacts of removing the land from primary production, given its agricultural productivity.
  - Impacts on the continuation of primary production on adjacent land, with particular regard to land values and the viability of infrastructure for such production.
  - Compatibility between the proposed or likely development and the existing use of the surrounding land.

- The potential impacts of land use and development on the spread of plant and animal pests from areas of known infestation into agricultural areas.
- Land capability.

#### Clause 14.01-2S Sustainable agricultural land use

The objective of this clause is to encourage sustainable agricultural land use.

Strategies include:

- Ensure agricultural and productive rural land use activities are managed to maintain the long-term sustainable use and management of existing natural resources.
- Support the development of innovative and sustainable approaches to agricultural and associated rural land use practices.
- Encourage diversification and value-adding of agriculture through effective agricultural production and processing, rural industry and farm-related retailing.
- Assist genuine farming enterprises to embrace opportunities and adjust flexibly to market changes.
- Support agricultural investment through the protection and enhancement of appropriate infrastructure.

#### *Local Planning Policy Framework*

#### Clause 21.01-2 Key Influences

The key influences in relation to the municipality include:

- The protection and sustainable use of agricultural land.
- Environmental risk, including salinity, flooding and climate change.
- Management of natural resources.
- Encouraging economic activity.
- Transport connectivity within and beyond the municipality.

#### Clause 21.05-1 Transport

Objective 1 of this clause is to ensure new development is managed to take advantage of the existing road network without unnecessarily increasing the works requirements of Council.

Strategies include:

- Direct development (especially development that generates substantial traffic) to those roads that are able to support it.
- Require developers to meet (where appropriate) the cost of upgrading roads for new development, so that these costs are not unfairly imposed on the community.

#### Clause 22.02 Rural land and sustainable agriculture

The objectives of this clause include:

- To protect high quality agricultural land because of its versatility, productivity and ability to sustain a wide range of agricultural uses without significant degradation.
- To prevent the unsustainable use of agricultural land which results in the loss of the quantity or quality of the natural resources and limits the realisation of the land's full productive potential.
- To prevent land use conflicts between agricultural uses and sensitive uses to ensure that use and development are not prejudicial to agricultural industries or the productive capacity of the land.

The decision guidelines of Clause 65

Before deciding on an application or approval of a plan, the responsible authority must consider, as appropriate:

- The Municipal Planning Strategy and the Planning Policy Framework.
- The purpose of the zone, overlay or other provision.
- Any matter required to be considered in the zone, overlay or other provision.
- The orderly planning of the area.
- The effect on the amenity of the area.
- The proximity of the land to any public land. Factors likely to cause or contribute to land degradation, salinity or reduce water quality.
- Whether the proposed development is designed to maintain or improve the quality of stormwater within and exiting the site.
- The extent and character of native vegetation and the likelihood of its destruction.
- Whether native vegetation is to be or can be protected, planted or allowed to regenerate.
- The degree of flood, erosion or fire hazard associated with the location of the land and the use, development or management of the land so as to minimise any such hazard.
- The adequacy of loading and unloading facilities and any associated amenity, traffic flow and road safety impacts.

***Assessment of application***

The principal objectives of State and Local planning policy is to protect and retain agricultural land for agricultural use where possible and to support and encourage growth and investment in the agricultural sector. The proposal is well supported by the policy framework. The proposed development will use approximately 3 hectares of cropping land, which is considered to be insignificant in relation to the total area of the land (157ha). The proposed use is complementary to the existing use of land. It will allow the applicant to expand their business while continuing to farm the land.

The proposed use and development supports agricultural production. It allows for grain storage closer to the source for local farmers and potentially reducing the distance grain needs to be carted, and therefore cutting costs to local farmers and the wider community. As discussed previously, the 3 hectares being removed from production is minor, considering the proposed use is rural in nature. It is considered that the proposal does not have the potential to limit the operation and expansion of adjoining and nearby agricultural uses. The site has ample capacity to sustain the proposed use, even if the development was to expand.

The proposal makes use of the existing road infrastructure. A power supply is available; however, it will not be utilised at this stage in the development. The computer for the weighbridge uses solar power or a generator. A water supply is not required for this proposal.

The subject land adjoins residential land to the west. The nearest sensitive use to the bunker site is approximately one kilometre. It is considered that these sensitive uses will not be adversely affected by dust, noise or use of farm machinery any more than they would be affected by the current use of land. The traffic and hours of operation are expected to increase during harvest time (4 weeks), however it is considered that the one kilometre distance provides an adequate buffer from these potential impacts.

The proposed bunkers are fully lined to prevent any leaching into the soil and all storm water will be directed to an existing dam. It is not expected that the proposal will impact on soil or water quality. No native vegetation is proposed to be removed and no impact on flora or fauna is expected. The development will not produce any effluent.

It is considered that the degree of flood, erosion or fire hazard associated with the location of the land will not change significantly.

As discussed earlier the proposal will lead to an increase in traffic during harvest time. An average of eight trucks per day, during this time, are expected. A designated 200 metre parking area is provided on the site and the applicant has allowed ample distance (400m) for trucks to pull off the road and queue onsite if necessary. Culgoa-Lalbert Road is straight and unencumbered by visual impacts. Trucks entering and exiting the property will be able to do so safely.

### **3. Financial Implications**

There are no known financial implications for Council.

### **4. Cost Shift Considerations**

There are no known cost shift considerations to Council.

### **5. Community Consultation**

Notice of application was undertaken in accordance with the *Planning and Environment Act 1987* by placing an advertisement in the locally circulating newspaper (Times Ensign) on the 20<sup>th</sup> June 2019 and by sending letters to thirteen adjoining owners and occupiers.

One letter of objection was received in relation to the application. The objection was forwarded to the applicant, who provided a response. After considering the available information, it was decided mediation would not be conducted. The main concern raised by the objector is as follows:

- The proposed use and development is a significant safety risk for other road users, including school buses, due to the increased volume of trucks entering and exiting the site during harvest time on a 100km/h road and the width of the road being too narrow.

As previously discussed, the applicant has provided parking for trucks well off the road. There will be no need for trucks to be queuing on the road. Trucks and farm machinery safely enter and exit the property associated with the current land use. Although there will be an increased average of eight trucks per day during harvest, it is considered that the volume is not overly significant and traffic can enter and exit the site safely.

### **6. Internal Consultation**

The application was referred to Council's Roads and Technical Services. It was determined that an approved turn in, turn out and crossover to meet the standard for B-double trucks would be required for this proposal.

The Manager Infrastructure Planning discussed the objectors concerns with them. The objector was advised that the required crossover was deemed appropriate for this proposal and that at any time should the development expand that the requirements would be reassessed.

### **7. Legislative / Policy Implications**

The actions are in accordance with the *Planning and Environment Act 1987*

### **8. Environmental Sustainability**

There are no known environmental sustainability considerations.

### **9. Conflict of Interest Considerations**

No officer involved in the preparation of this report has a conflict of interest.

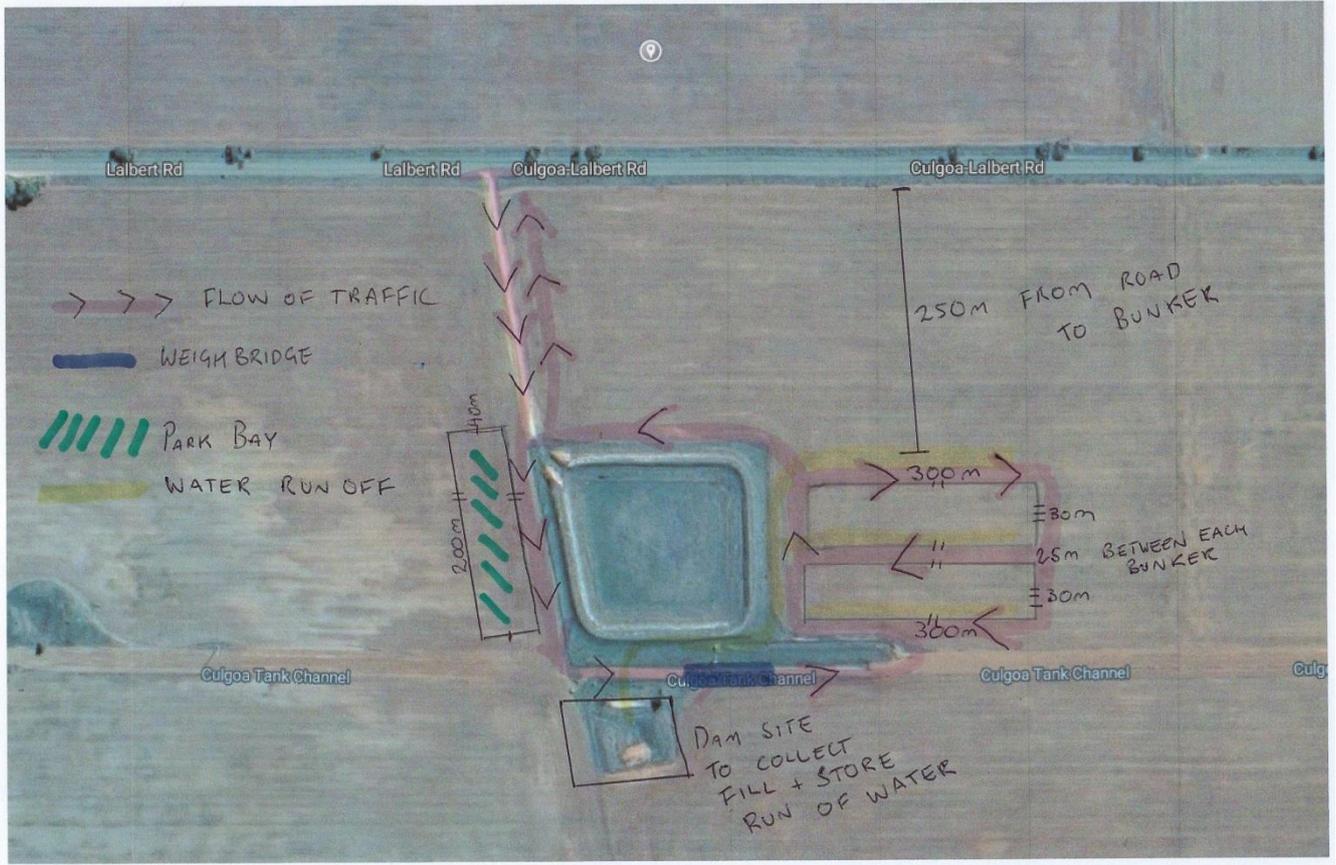
**10. Conclusion**

The proposal is consistent with the objectives of State and Local Planning Policy Framework and with the purpose of the Farming Zone.

A Council determination is sought for the application as the Council's Planning Officer recommends that a Notice of Decision to grant a planning permit be issued.

Council must determine a position on the application for a planning permit and take one of the following options:

- i. Issue a Notice of Decision to Grant a Planning Permit for the proposal, subject to conditions.
- ii. Issue a Notice of Decision to Refuse a Planning Permit for the proposal – appeal rights apply to the applicant.



## 8.2.5 COMMUNITY GRANTS AND SPONSORSHIP GUIDELINES (2019)

**Author's Title:** Director Community Development

**Department:** Community Development

**File No:** GS/09/42

**Attachments:** 1 [↓](#) Community Grants and Sponsorship Guidelines (2019)

**Relevance to Council Plan 2017 - 2021**

**Strategic Objective:** Build a healthy and active community

### RECOMMENDATION

That Council endorse the revised Community Grants and Sponsorship Guidelines (2019).

#### 1. Executive Summary

The Community Grants and Sponsorship Guidelines (*the Guidelines*) were developed and previously endorsed by Council in 2016. Since 2016 the program has provided significant financial support to communities throughout the Shire. It is with the aspiration of continuous improvement that some minor changes to formatting and some new content are recommended to ensure that:

- the program remains 'user friendly' by community members and groups, and that
- the administration functions required to oversee the implementation of the grant program are practical and transparent

#### 2. Discussion

Staff have completed a review of the Community Grants and Sponsorship Guidelines and are recommending a range of changes to improve the process for both Council and potential applicants.

The proposed changes to the Guidelines are as follows:

- **Assessment Criteria (pg2):** Feedback has indicated that understanding and explaining a program or project has been challenging for some applicants. A clearer explanation about what information is being sought may assist applicants to not only complete the application, but will also ensure applicants have planned appropriately thus giving their project the best chance of success. The on-line forms will be changed to ensure alignment with the criteria questions.
- **Sustainability Grant (pg3):** This grant continues to be under subscribed. It is thought that the 2:1 ratio may be a deterrent for many seeking support. Seeking a demonstrated contribution through cash and in-kind rather than mandating a cash ratio may encourage community groups to explore opportunities to engage in sustainability projects
- **Separation of Duties (pg4):** Recent recommendations to the local government sector by the Local Government Inspectorate in relation to community grants programs, indicated that Councils must be able to demonstrate a separation of duties between officers assisting community groups with the grant applications, and staff involved in evaluation. The Guidelines provides this information to applicants and a documented internal process has recently been implemented to ensure this practice is in place.

- **Assessment Timeline** (pg4) – this is a new inclusion. It is important for community members to understand the time it takes to process applications through the cycle of assessment to authorisation; this may assist individuals and groups to plan and prepare applications within timeframes that are achievable.

### **3. Financial Implications**

Council's contribution to the Community Grants and Sponsorship program is determined and detailed annually and made public in the Council Budget

### **4. Cost Shift Considerations**

There are no cost shift considerations in this report.

### **5. Community Consultation**

General feedback provided to council officers from previous applicants over the last 12 month period has been taken into consideration.

### **6. Internal Consultation**

Staff in the Community Development portfolio and Senior Leadership Team have reviewed the Guidelines. Councillors had two briefings in the 2018/19 year to discuss the Program.

### **7. Legislative / Policy Implications**

There are no policy considerations in this report.

### **8. Environmental Sustainability**

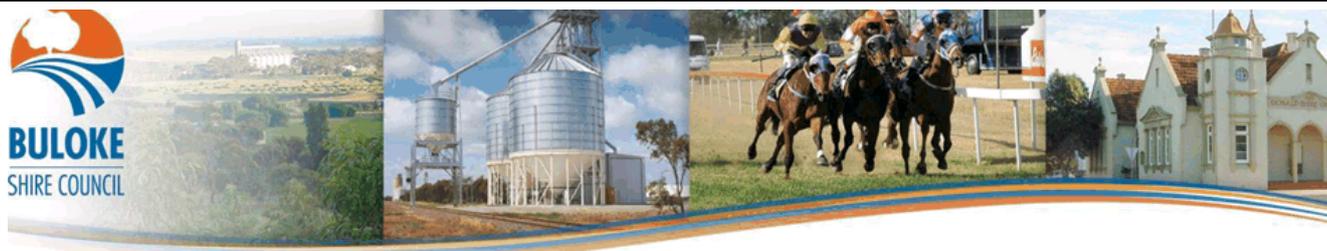
The environmental stream of the grant may become more accessible through these changes.

### **9. Conflict of Interest Considerations**

No officer involved in the preparation of this report had a conflict of interest.

### **10. Conclusion**

It is recommended that Council endorse the Community Grants and Sponsorship Guidelines (2019).



## COMMUNITY GRANTS AND SPONSORSHIP GUIDELINES

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## POLICY STATEMENT

The objective of these Guidelines is to provide a consistent process for Council to allocate funds for the purpose of operating a Community Grants Program that is within the financial means of Council. Council will apply appropriate, transparent and ethical management practices to its grants program to ensure that there is a balance between the responsible administration of public funds and supporting the community in a practical and effective manner.

## PROGRAM OBJECTIVES

The program is designed to meet and respond to Council's priorities and vision as outlined in the Council Plan. Applicants to the Community Grants Program are required to align their project with one or more of Council Plan objectives to be eligible for funding.

Applications may be submitted at any time and will be considered at monthly Ordinary Council Meetings

**You must match Council's funding dollar for dollar either cash or in kind contributions. These may be in the form of cash, assistance from other funding agencies, or "in kind" such as voluntary labour or materials.**

In addition, organisations who have received funding in any one grant category for three consecutive years will be ineligible to apply in that category the following year. This is to ensure money is available to as many organisations as possible and that no organisation becomes dependent on Council for its existence.

## ASSESSMENT CRITERIA

*The following criteria will need to be addressed on the application form*

Why

- Why is the project necessary?

What

- What does the project plan to achieve?

Who

- Who will the project benefit?
- How many people will it benefit?
- Partners in the project/ community support for the project?

How

- How does your Project link with the Council Plan and/or the Buloke Integrated Plan or your community's 2030 community plan? <https://www.buloke.vic.gov.au/building-buloke-2030>
- How will this project encourage involvement and participation?
- How will your project promote living in Buloke?
- How will the project be delivered?
- Budget feasibility & funding sources

Sustainability

- How will the project reduce the carbon footprint, improve the environment or effectively conserve resource usage?
- How will you track or record the impact of this investment in sustainability

*Please note that submitting an application is not a guarantee that the application will be funded.*



## GRANT CATEGORIES AND FUNDING AVAILABLE

### FUNDING TYPE

#### COMMUNITY GRANTS

#### Maximum funding available per application

##### Organisation Support Grant

Assistance with strengthening the capacity and capability of local organisations through improvements to administration, volunteer recruitment, volunteer training, governance training, financial management, grant writing, etc. Can include contributions to Council assistance etc. for the purposes of organisation support

##### Up to \$1,000

You must match Council's funding dollar for dollar either by cash or in kind contributions. These may be in the form of cash, assistance from other funding agencies, or "in kind" such as voluntary labour or materials.

##### Project Support Grant

Assistance with the organisation and management of an event, activity and/or exhibition, specific local self-help project, local history publication, seed funding, minor capital works etc. Can include contributions to offset venue hire, Council assistance etc.

##### Up to \$2,000

You must match Council's funding dollar for dollar either by cash or in kind contributions. These may be in the form of cash, assistance from other funding agencies, or "in kind" such as voluntary labour or materials.

##### Small Capital Equipment Grant

Assistance with the purchase of small capital items such as office equipment, computers, chairs, tables, small electrical equipment, catering equipment, sports equipment, display cabinets, archival materials, etc.

##### Up to \$1,000

1. Applicants must make a 50% financial **cash contribution** towards the project.
2. Applicants can only make one successful application in a twelve month period.

##### Small Grants

Assistance to individuals (inclusive of young people) to attend events, conferences etc. outside of the Shire, including representation in international, national and state sporting and cultural events. While the focus is on individuals it is expected that recipients will be able to demonstrate active involvement in the community and/or local activities. Applicants will need to be endorsed by a local community, cultural or sporting group.

##### Up to \$500

#### SUSTAINABILITY GRANT

##### Community Sustainability Grant

Assistance for projects that contribute to reducing your community's carbon footprint, improve the environment or effectively conserve resource usage. Projects that address energy and water efficiency, biodiversity enhancement and waste reduction will be considered.

##### Up to \$10,000

You will need to demonstrate a contribution of cash or in-kind. Your contribution may consist of cash, assistance from other funding agencies, or 'in kind' such as voluntary labour or materials.

#### SPONSORSHIP

**Applications for sponsorship can be submitted at any time throughout the year. Sponsorship for any event is capped at \$500**

**Sponsorship** Assistance with local events and activities. Sponsorship of individuals teams and groups to participate in sports and cultural events.

##### Negotiated value up to \$500

1. Applications \$250 and under are assessed and approved by Council Officers
2. Applications over \$250 are assessed by Council Officers as per the grants application process before being endorsed by Council.

**NOTE: The total amount available for each funding type will be set by Council annually as part of the Budget process. Once the available funding pool is expended no further grants will be available.**



## COUNCIL AND COMMUNITY PLANS

To help you with completing your application please read the council plan 2017-2021 as well as your corresponding community 2030 plan.

<a href="#">Buloke Council Plan</a>	<a href="#">Donald Community Plan</a>
<a href="#">Buloke Integrated Plan</a>	<a href="#">Nandaly Communtiy Plan</a>
<a href="#">Berrriwillock Community Plan</a>	<a href="#">Nullawil Community Plan</a>
<a href="#">Birchip Community Plan</a>	<a href="#">Sea Lake Community Plan</a>
<a href="#">Charlton Community Plan</a>	<a href="#">Watchem Community Plan</a>
<a href="#">Culgoa Community Plan</a>	<a href="#">Wycheproof Community Plan</a>

## COUNCIL SUPPORT

Council will actively support community members and groups who require assistance to articulate their ideas and plans for a grants request, or who may need assistance to fill out required forms to enable consideration under the community grants, environmental grants and sponsorships requests.

**Please note:** Council must ensure that a separation of duties exists where any officer responsible for assisting applicants to complete their application, will not be the same staff responsible for assessing applications and determining which are to progress to council for consideration at the funding stage.

## DONATIONS

Ad hoc donations are **no longer supported** as they are discretionary with no agreed outcome or expected return.

## ASSESSMENT TIMELINE

Due to the Council Briefing Calendar, the Buloke Shire Council assesses and awards grants and sponsorship on a monthly basis. To be considered for a grant in any given month you must submit a completed application no later than the second Friday of that month. This allows time for administration, assessment and viewing of each application before it is decided upon by council.

If your application needs editing or additions after this time it may be delayed to the following month for assessment.

## APPLYING FOR A GRANT

### Who Can Apply

- Not-for-profit community groups and non-government organisations within the Buloke Shire
- If a group is not incorporated, it can be auspiced (or managed) by an incorporated organisation.
- Groups that run activities for the benefit of residents of the Buloke Shire (any profits not to be taken outside of the Shire).
- Individuals (Sponsorship only)



## How do I submit my Grant application?

An application for Grants and Sponsorships is available from Council's website <http://www.buloke.vic.gov.au/Community-Grants-and-Sponsorship>

For any information about Council's Community Grants and Sponsorships, contact the Manager Community Services on 1300 520 520.

Applications can be submitted as follows:

- Submit your application online at <http://www.buloke.vic.gov.au/community-grants-and-sponsorship>
- Hand deliver your application to: Council's Wycheproof office
- Post your application to:  
Community Services Coordinator  
Buloke Shire Council  
PO Box 1  
Wycheproof VIC 3527
- Email your application to: [buloke@buloke.vic.gov.au](mailto:buloke@buloke.vic.gov.au)

**NOTE: Only completed applications submitted using the application forms available on Council's website will be accepted.**

You must match Council's funding as per the funding guidelines for the individual programs. These may be in the form of cash, assistance from other funding agencies, or "in kind" such as voluntary labour or materials.

Applicants are ineligible to apply for grants under the Grants and Sponsorship Programs if there are any outstanding acquittals from funds provided under a previous application.

The number of applications approved and the value of grants and sponsorships awarded each year will be at Council's discretion. They will reflect the strength of the applications received the particular needs of the Shire as a whole and the alignment of applications received with the Council Plan.

The total amount available to Council for distribution through the Grants Program may vary from year to year as its financial position allows.

Council reserves the right to offer applicants a smaller grant than applied for if it is considered appropriate or if sufficient funds are not available.



## SPONSORSHIP

**The purpose of the Sponsorship Program is to help promote a strong and involved Buloke community by helping deliver successful local events, projects, services and other activities.**

Sponsorship is a business transaction in which Council provides a financial contribution, or value in-kind support, for an event, project, service or activity, in return for agreed commercial and other benefits. It's called a business transaction because it involves an exchange that has a measurable value to each party in commercial, communication or philanthropic terms.

What will Council support under sponsorship?

Buloke Shire Council will only engage in sponsorship where it will assist in achieving the following outcomes:

- Supporting Council's goals and objectives
- Increasing the effectiveness of Council's strategic programs
- Communicating key messages to target audiences
- Enhancing Council's public image and reputation

Council will not sponsor the following:

- Activities that compromise public confidence
- Initiatives and/or events which compete or conflict with Council activities
- Individuals or political parties
- Organisations or events where the funds made available would be used to provide sponsorship or grants to third parties

**If an application is successful, the applicant will be contacted by Council to confirm the terms of sponsorship.**

For more information about sponsorship

For an application form, go to <http://www.buloke.vic.gov.au/Community-Grants-and-Sponsorship> or contact the Community Services Manager on **1300 520 520**.

## INFORMATION PRIVACY AND PERSONAL INFORMATION

Council treats all personal information provided as part of a grant or sponsorship application in accordance with the Privacy and Data Protection Act 2014 and the *Public Records Act 1973*.

The information requested on the application form is collected for the purposes of assessing and processing applications and allocating grant and sponsorship funding. The information will only be used by Council for that primary purpose and will not be disclosed to any other party except as required by law.

If an organisation or individual fails to provide the requested information the application may not be considered for funding.

General information that describes the purpose/ project for which the application is being submitted and the responsible organization or person (both successful and unsuccessful) for which the grant request is being made will be public information.



## NOTIFICATION

Applicants will receive written notification about the success, or otherwise, of their grant or sponsorship application.

Funding must be used for the purposes it has been provided, unless written permission is obtained to vary the project.

If an application is not successful, written notification will be provided with feedback on how the application could be improved in future. The Community Development Manager can also be contacted for feedback.

## Insurance

It is the applicant's responsibility to obtain and maintain adequate insurance (including public liability) with a reputable insurer, in relation to activities carried out by the applicant for the project, to guard against any claims for loss or damage to property and injury or death to persons.

Applicants must provide a Certificate of Currency demonstrating appropriate insurance cover as part of their application.

## Compliance with the Planning and Environment Act, Local Laws, Food Act

Provision of grant funding or sponsorship for events will be dependent on the applicant obtaining all necessary permits as required by the *Planning and Environment Act 1987*, Council's Local Laws, the *Food Act 1984* and the State Government Places of Public Entertainment requirements.

This may require the completion of other application forms and liaison with several Council departments. If an applicant does not need any approvals, this will need to be confirmed in writing.

## ABN and GST

All applicants must have an Australian Business Number (ABN). Organisations that have not registered for an ABN will have the withholding tax (PAYG) of 46.5% deducted from their payment if they do not complete a Statement by a Supplier form. To obtain a form, visit Council's website [www.buloke.vic.gov.au](http://www.buloke.vic.gov.au)

For advice on GST, contact a tax advisor, or the Australian Taxation Office on **13 24 78** or [www.ato.gov.au](http://www.ato.gov.au)

## Acquittals and Reporting

Applicants must acquit funds that have been provided at the completion of the project or activity. This will include providing receipts, invoices, evidence of project expenditure, copies of any relevant media coverage and a written report outlining the activities that were conducted.

For this purpose successful applicants are required to keep all receipts for items purchased. Any unexpended funds must be returned to Council.

For more information or for a copy of an Acquittal Report, go to Council's website <http://www.buloke.vic.gov.au/Community-Grants-and-Sponsorship> or contact the Community Services Manager on **1300 520 520**.



DRAFT



## 8.2.6 SUBMISSION TO ROYAL COMMISSION INTO AGED CARE QUALITY AND SAFETY

**Author's Title:** Director Community Development

**Department:** Community Development

**File No:** CS/16/24

**Attachments:** 1 [↓](#) LMGCC Joint Submission

**Relevance to Council Plan 2017 - 2021**

**Strategic Objective:** Build a healthy and active community

### RECOMMENDATION

That Council Endorse the submission by the Loddon Mallee Group of Councils (LMGC) to the Royal Commission on Aged Care Quality and Safety.

#### 1. Executive Summary

The Royal Commission on Aged Care Quality and Safety was established October 8<sup>th</sup> 2018 and the date for the close of submissions is end of September 2019.

The Regional Directors Forum (Community Development- Directors) meets bi-monthly and consists of the ten councils within both the Loddon and the Mallee, all of which provide some level of direct service to the aged and disability sector.

The Terms of Reference (ToR) of the Commission extend far beyond the remit of Council. The LMGCC have determined that the following matter within the ToR is one in which all councils have a shared strongly vested interest:

c) The future challenges and opportunities for delivering accessible, affordable and high quality aged care services in Australia, including:

- (i) in the context of changing demographics and preferences, in particular people's desire to remain living at home as they age; and
- (ii) In remote, rural and regional Australia.

#### 2. Discussion

Buloke Shire Council together with LGAs across Victoria is currently planning for the changing environment of Aged and Disability services being driven by Commonwealth reforms. The work that we are undertaking as a council to assess our capacity for direct service delivery in this market has provided Council with information about the challenges and opportunities that will come in this changing environment. Given the current impetus for the Royal Commission it is clear that Council need to be confident that any real, perceived or potential risk to the aged in our community are addressed as a matter of the highest priority in the design of aged care services including the specific challenges of services in rural settings.

The key objective for Buloke Shire Council's participation in this submission is to ensure that the vision of The *World Health Organisation* (endorsed by the MAV) can be achieved in Buloke.

*"An age-friendly world enables people of all ages to actively participate in community activities and treats everyone with respect, regardless of their age. It is a place that makes it easy for older people to stay connected to people that are important to them. It helps people stay healthy*

*and active even at the oldest ages and provides appropriate support to those who can no longer look after themselves."*

**3. Financial Implications**

There are no financial implications in this report

**4. Cost Shift Considerations**

There are no cost shift implications in this report

**5. Community Consultation**

No community consultation was required for this submission to be made.

**6. Internal Consultation**

The Senior Leadership Team, Manager of Community Services and Councillors have been briefed and participated in workshops that provided an overview of the current Commonwealth reforms in Aged Care and Disability Services; this information is the foundation on which the joint submission to the Royal Commission has been based.

**7. Legislative / Policy Implications**

There are no legislative / policy implications in this report.

**8. Environmental Sustainability**

There are no environmental sustainability considerations in this report.

**9. Conflict of Interest Considerations**

No officer involved in the preparation of this report had a conflict of interest

**10. Conclusion**

It is recommended that Council endorse the submission by the Loddon Mallee Group of Councils (LMGC) to the Royal Commission on Aged Care Quality and Safety.

## **Submission to the Royal Commission into Aged Care Quality and Safety**

### **Loddon Mallee Group of Councils, Victoria**

The following submission to the Royal Commission into Aged Care is made on behalf of the Loddon Mallee Group of Councils (LMGCs) which is comprised of the following:

- City of Greater Bendigo
- Buloke Shire Council
- Campaspe Shire Council
- Central Goldfields Shire Council
- Gannawarra Shire Council
- Loddon Shire Council
- Macedon Ranges Shire Council
- Mildura Rural City Council
- Mount Alexander Shire Council
- Swan Hill Rural City Council

#### **Key Points:**

- The Loddon Mallee Group of Councils (LMGC) has invested significantly to understand the impact of reform on our capacity to deliver home support services (aged care and disability).
- The LMGC hold significant concerns for our communities' access to affordable and high quality home support services in the current and emerging reform environment.
- The reforms place an unfair and inequitable burden on regional and rural councils.
- Strategies are required to proactively avoid and respond to thin markets. Government should use its market influence and pricing mechanisms to ensure that affordable and high quality home support services are delivered to regional and rural areas.
- The rurality index (Modified Monash Model, ARIA Model and others) used by NDIA and CHSP do not reflect Victorian conditions.
- Financial assistance should be provided to ease the burden of structural adjustments, particularly for small to medium Councils where ongoing viability and cost to council require transition out of service delivery arrangements.
- Continued uncertainty is negatively impacting on current provision of quality home care with increasing pressure on workforce, reduced investment in innovation and lack of financial sustainability for regional and rural services.
- The impact of local government's withdrawal as a home support provider does not appear to be a primary consideration for either the Commonwealth government or National Disability Insurance Agency.
- The LMGCs are together advocating for appropriate policy and funding mechanisms to ensure quality service delivery in our region and for services to our most vulnerable community members to be fair and equitable.

## Introduction

This submission responds to the following matters in the Royal Commission's Terms of Reference:

c) The future challenges and opportunities for delivering accessible, affordable and high quality aged care services in Australia, including:

- (i) in the context of changing demographics and preferences, in particular people's desire to remain living at home as they age; and
- (ii) In remote, rural and regional Australia.

### **1. The impact of reform on Victorian local government providers of accessible, affordable and high quality home support services**

Since the early 1980's Victorian Councils have extensively invested in and provided home support services that have enabled disabled and aging community members to remain living at home as long as possible. The investment and organisational commitment to aged care and disability support services has become emblematic of the relationship between local government and its community. Investment in the former HACC service was a means of expressing a strong commitment to the most vulnerable members of the community; including older people, people with a disability or mental illness and people at risk of homelessness.

The current reform in the aged care and disability support sector reflects a comprehensive restructuring of the entire industry on a national scale. This will be intentionally disruptive to existing models and mechanisms of service delivery, and the role that local government plays in the delivery of home support services will need to be assessed. Local government withdrawal as a home support provider (and funder) does not appear to be a primary consideration for either the Commonwealth government or National Disability Insurance Agency.

There are a significant number of concepts that have implications for all Victorian local councils providing home support service, including:

- Competition policy

There is a renewed interest in 'competition policy' as a driver of national productivity. It is likely that future government policy decisions will be based on market and competition principles meaning that the local government direct service role will face greater market exposure. Given the inherent cost structures and lack of competitive economies of scale it is difficult to see how councils can exist as a viable home support service provider across most program areas.

- Competitive neutrality

Local government must remove any inherent advantage gained through its public ownership, which may expose its relatively high cost structures and lack of economies of scale.

- Monopoly market

The previous protected market conditions under the Home and Community Care (HACC) program system will be completely dismantled to facilitate open competition and improved efficiency.

- Market efficiencies

In most program areas the Commonwealth government is seeking to apply market economic principles to reduce costs of delivery, including reducing transaction costs through having fewer contracts and entering into those with larger organisations operating across vast geographic areas. The Commonwealth appear have an interest in moving towards larger contracts with a smaller number of large organisations and there is a medium-level of risk that it may not have an interest in maintaining individual agreements with Victorian councils after June 2022.

- Consumer demand driven market

Block-funded commissioned services may be progressively removed, however continued provision of accessible, affordable and high quality aged care services will require block funding to be retained in some areas to ensure viable and sustainable service provision. The application of the Monash Model to allocate funding will not support Victorian providers.

- Competition

CDC will mean that local government will need to compete with organisations with lower cost structures, broader integrated service offerings and economies of scale. To comply with Competitive Neutrality Principles councils have the option of adopting full cost recovery for services, corporatisation or commercialisation. Most councils do not deem any of these as practical within the current environment.

- Competitive neutrality

Given that councils may be required to restructure their operations to remove inherent operational subsidies, it is difficult to see how their operations could be viable and sustainable. There are, however, public interest test provisions that if met would allow local government to operate in a competitive market with subsidies in place.

- Assessment

Under the previous integrated HACC model the assessment function was a holistic review of the person in the context of their community and acted as the 'tap' that controlled service access, demand and supply. This integrated approach is being dismantled with a complete separation of functions and narrower focus on service intake.

### **Critical participation factors**

There are a range of factors that will be critical in determining if local government will be able to invest and participate in home support service provision. These include:

- Mandate to Operate

It is understood that the Commonwealth will increasingly shift to demand-led and consumer-driven funding models using the most efficient providers possible. This

could mean that local councils might not have a mandate to operate. If a mandate is granted, it would likely be under a 'competitive provider' model, which would bring into play other legislative and market implications. Councils will also have an obligation to determine if they are best placed, or the most efficient means of providing services.

- Policy settings

Victorian local councils have been long-term contributors in supporting the viability of the integrated HACC service model. The current reforms provide an excellent opportunity for local government to completely review its policy in relation to services and support older people and people with a disability and to put in place transition plans to achieve its objectives.

- Market / client segmentation

There is emerging evidence that vulnerable members of the community are being negatively impacted by the current reforms and are having difficulty transitioning and maintaining contact with the new system. Councils could play an important role in assisting these individuals to access and maintain connection with the new programs at a local level.

- Market conditions

The current reforms are driving a very significant restructure within the not-for-profit and for-profit service provider sector. Wide-scale mergers and acquisitions are totally transforming the market landscape with very large entities operating across multiple states providing highly integrated service offerings tailored to respond to consumer-driven funding mechanisms. It is difficult to see how local government might be able to compete on an equal footing with such organisations. However, concerns remain regarding the development of robust markets in rural or regional areas. A strategic approach to policy and funding is imperative to avoid system failure in areas known to be at high risk of thin markets.

- Innovation

There are a range of innovative responses emerging that will likely transform service delivery in the coming decades. These responses are occurring across the entire service landscape and will impact the efficiencies and effectiveness of services provided in the future.

- Timing

The timing of the reforms is a critical issue for councils, the fracturing of a previously integrated system is creating serious operational and administrative burdens for councils and significant demands on management and leadership. This includes:

- the ambiguity regarding the post-2022 architecture of the CHSP means that it is difficult for councils to plan and invest in change;
- uncertainty regarding the future viability of HACC-PYP is increasing.

The aged care and disability reforms are underpinned by fundamental shift of accountabilities and responsibilities. The Commonwealth has clearly stated that it 'will take full funding, policy, management and delivery responsibility for a consistent and unified aged care system covering basic home care through to residential care'. Victorian councils are not

a nominated actor, do not have a structural or programmatic responsibility and local government is not named as a program funding partner in legislation.

It is critical that the policy deliberations and decisions over the next 12 to 18 months deliver clarity in terms of the future role and function of Victorian local government as home support providers, as well as identifying the core principles that will underpin future strategic planning and policy making in this important service and program space.

## **2. CASE STUDY: Challenges associated with delivering accessible, affordable and high quality home support home care services to those who wish to remain at home and/or those living in remote, rural and regional Australia.**

### **2.1 Introduction to Victoria's Loddon Mallee Region**

In 2017, the Loddon Mallee Region's (LMR) population was approximately 332,000 people, of which, 20% (66,400 people) were 65 years and above (65+). All Loddon and Mallee local government areas have a higher proportion of the 65+ age group than the Victorian state average of 15.6%. The four municipalities of Buloke, Central Goldfields, Gannawarra and Loddon are all closer to 30%. Mt Alexander has 24.2%, Campaspe 22.9%, Mildura and Swan Hill each 19%, and Macedon Ranges and the City of Greater Bendigo 18% and 17% respectively.

Each of the 10 LMGCs fund, manage and deliver a range of home support services including;

- Meal and food services
- Domestic assistance
- Personal care
- Home maintenance
- Social support
- Respite
- Housing assistance
- Sector Support and Development
- Regional Assessment Services.

Services delivered by Councils are funded through five main sources; Commonwealth Home Support Program (CHSP), Home and Community Care Program for Younger People (HACC-PYP), Victorian Regional Assessment Service (VRAS), direct client contributions towards the cost of services and direct Rate-payer Subsidy of Services.

In 2016/17 the LMGCs delivered nearly 360,000 hours of home support services including;

- 136,800 hours of Home Support
- 33,408 hours of Respite
- 70,780 hours of personal care
- 25,990 hours of home maintenance
- 69,700 hours of social support
- 22,700 hours of assessment services
- 140,600 delivered meals.

The LMGCs currently employ approximately 140 FTE Community Support Workers. The workforce is primarily women, working in a part time capacity, with the average age being in the mid 50's. Many of these workers have been employed for long periods of time by their respective councils.

Relevant characteristics of the Loddon Mallee Region include:

- The region is home to Bendigo, one of Victoria's largest and fastest growing regional cities, and Mildura, the major regional town in the north of the region, yet 84% of our regional townships have a population less than 3,000 people.
- The low numbers of people per 100 square kilometres creates service sustainability issues across the region. The hollowing out of townships presents particular losses for older people, many of whom 'age in place' without access to appropriate services, including activities and opportunities for social connection.
- Older people in the region have poorer health and wellbeing than Victorian average, in particular across indicators of obesity and chronic disease.
- Nine out of the ten local government areas have relatively high levels of disadvantage, with three being in the four most disadvantaged areas in Victoria (SEIFA).
- The region has higher than average unemployment and higher than average percentages of low income families and individuals.

## **2.2 Challenges for delivering home support services**

The Loddon Mallee Group of Councils (LMGC) has invested significantly to understand the impact of reform on our capacity to deliver home support services. This work has confirmed that there is a disproportionate impact on the sustainability of services for the LMGCs compared to our metropolitan neighbours.

Providers of home support services in the Loddon Mallee are facing specific challenges including;

- For the Loddon Mallee region there is a very high risk of a 'thin market', that is, an insufficient number of service providers across aged and disability service areas and not enough trained workers to meet demand.
  - Very low density of participants per 100 square kilometres which impacts service sustainability for Councils wishing to continue service delivery
  - Very low density of participants in some areas which is not attractive to alternate providers and will impede the development of 'market' models
  - The reliance on the current workforce, many of whom are aging themselves, to deliver services in geographically isolated townships
  - Increased unit costs due to increased travel requirements (vehicle costs and time)
- The inability of councils to deliver services at current set unit prices without subsidisation.
- The risk of alternate providers operating in more densely populated areas and not servicing outlying areas leaving Council to deliver high cost services (both complex care and remote participants) further impeding financial viability
- The rurality index (Modified Monash Model, ARIA Model and others) used by NDIA and CHSP not reflecting Victorian conditions.

The additional costs incurred in sustaining rural and remote delivery of services are significant for the LMR, however no parts of Loddon and only small parts of the Mallee region are classified a 'remote community' under the Modified Monash Model. Providers are not eligible for the home care viability supplement or the NDIS special pricing to stimulate market supply.

Accordingly, there is a disproportionate impact on the sustainability of services for the LMGCs compared to their metropolitan neighbours, and there is a very high risk of a 'thin market', that is, an insufficient number of service providers across aged and disability service areas.

The LMGCs support the pursuit of service delivery that is high quality, equitable and financially sustainable. The principles of competition policy, competitive neutrality and consumer directed care are understood. The transition to such a model in the context of rural and regional areas requires specific consideration with regard to strategic planning and rollout. Without due consideration and action the LMGCs maintain that consumers in these areas will not benefit from the reforms with some potentially being denied access to services they currently receive.

Within the next 12 months all LMG councils will be undertaking work to confirm the council position on:

- (a) its mandate, accountability and responsibility for aged care and disability services in the context of the aged care reforms;
- (b) its responsibility for continuity of services to the community including the role it might play in supporting delivery or providing a 'safety net';
- (c) the potential impact of National Competition Policy and Consumer Directed Care on current operations;
- (d) the increasing financial and operational burden of maintaining services to remote communities in the context of decreasing financial scale; and
- (e) the very significant changes in aged and disability program design and funding mechanisms.

#### *Thin markets*

As noted above, within the Loddon Mallee Region there is a high risk of thin markets across many towns and outlying communities. The significant challenge of service delivery is illustrated by data that the lowest metropolitan region has 5,668 people aged over 65 per 100 square kilometres and the two lowest rural regions in LMGC have relative densities of below 100 per 100 square kilometres.

There is real risk that councils may be the only available service provider in high risk, high cost remote service delivery which will serve to amplify the current financial viability and sustainability issues faced by LMGCs. With the rollout of the NDIS there are examples where there are no registered service providers to deliver some service types nor is there availability of qualified or skilled staff to deliver services. This will only become more evident when reforms across other service types rollout.

In some areas of the Loddon Mallee, Local Government is the sole service provider or one of few. If councils no longer have a mandate to operate in the reformed home support environment alternate service providers will need to be incentivised to establish in these areas. Until this occurs there will be a reduction, or at least no increase in independence or consumer choice and control.

#### *Service delivery cost*

The high cost of service delivery for LMGCs, due to embedded structure costs, scale of operations and enterprise agreement commitments, coupled with the higher cost associated with rural service delivery means that LMGCs are moderately to heavily subsidised. LMGCs do not consider options to meet the NCP as viable at this time.

It is anticipated that the unit cost of service delivery for the LMGCs will increase as program scale decreases. The impact of this is being seen within Councils that have not registered as NDIS providers and have seen a significant reduction in service demand for HACC-PYP.

Service level impacts for Councils as reforms, including the introduction of the NDIS and continued uncertainty in the aged care sector, are beginning to become apparent. Some of the LMGCs are observing increased absenteeism, work cover claims and self-reported stress associated with employment uncertainty. Service managers have concerns about individuals health and wellbeing and have reported feeling disempowered to act given they themselves do not know the future outcomes.

#### *Impact on staff*

Recruitment and retention of staff is proving problematic with an increased reliance on temporary and casual contractual arrangements seen within some of the LMGCs. Given the majority of the Community Care workforce are women, at direct care level through to management, recruitment and retention issues must be considered through a gender equity lens. Continued uncertainty and in turn recruitment and retention issues are resulting in both small remaining workforces working very long hours to cover workforce gaps and in other areas as reduction in hours worked compared to previously, both which negatively impact individual employees.

### **3 Next steps**

Each of the LMGCs has a 30 year history of delivering services to community with the primary purpose of supporting independence and sustained health and wellbeing. The LMGCs have strong connections with their local community, including those whom require high quality, safe and accessible supports to remain living at home.

The LMGCs will be acting to advocate for fair and equitable service access for community, particularly our most marginalised and vulnerable. Given the high social contract Councils have with local communities there is a very high likelihood that if there is system failure communities will look to Councils resolve issues.

LMGCs are now reassessing individual council policy and investment in the context of the shift in accountability, responsibility and authority to the Commonwealth. Each Council is considering the role they will play with some already ceasing service delivery and reimagining their role within advocacy, navigation, market stimulation and workforce development.

The LMGCs are together advocating for appropriate policy and funding mechanisms to ensure services to our most vulnerable community members is fair and equitable.

#### **LMGCs request that the Royal Commission:**

1. Note the challenges for delivering accessible, affordable and high quality aged care services in Victoria.
2. Consider the impact of local government's potential withdrawal as a home support provider.
3. Note that councils require a strategic position from the Commonwealth Government on how remote service delivery can be viably sustained in the context of the broader reforms, including:

- (i) A policy and funding response to the unfair and inequitable burden placed on regional and rural councils in Victoria;
  - (ii) Confirmation of timing associated with the introduction of proposed changes and new program conditions; and
  - (iii) market influence and pricing mechanisms to ensure that accessible, affordable and high quality home support services are available.
4. That clarity is urgently needed on transition and post-transition arrangements for the CHSP from the Commonwealth Government, including:
- (i) an explanation of how a market-model and client-directed-care might apply in the Loddon Mallee region;
  - (ii) the mechanisms available to ensure program viability and continuity of service; and
  - (iii) legal advice on the implications of National Competition
5. That financial assistance be provided to ease the burden of structural adjustments, particularly for small to medium councils where ongoing viability and cost to council require transition out of service delivery arrangements.

#### 4 **Conclusion**

The LMGCs recognise that reform within the Aged Care Sector is necessary to meet the needs of our growing elder population into the future. Ongoing, long term uncertainty is negatively impacting the current provision of home care and significant concerns are held regarding the bearing this has on the provision of high quality, safe and affordable home care services right now and into the future. System failures that do not support elders to remain living in their own homes contribute to a cascade of undesirable consequences for both residential and acute services as well as individual health outcomes.

## 8.2.7 LOCAL GOVERNMENT POWER PURCHASING AGREEMENT

**Author's Title:** Coordinator Public Health and Emergency Management

**Department:** Community Development

**File No:** EM/06/01

**Attachments:** 1 [↓](#) Local Government Power Purchase Agreement

**Relevance to Council Plan 2017 - 2021**

**Strategic Objective:** Diversify and enhance our local economy.

### RECOMMENDATION

That Council:

1. Agrees to a commitment to purchase 100% of Council's electricity via the Local Government Power Purchase Agreement; and
2. Noting that the value of the potential Power Purchase Agreement contract exceeds the CEO's delegation, authorises the CEO to sign the contract documentation resulting from the PPA tender process.

### 1. Executive Summary

Last year Buloke Shire Council joined a group of 39 Victorian Councils to investigate the viability of a joint Local Government Power Purchase Agreement (LG PPA). The business case for this project has returned favourably and the proposal now has real potential to provide Councils with clean energy at a competitive price. This report outlines the benefits of the LG PPA proposition and how it will help Council achieve its clean energy goals.

### 2. Discussion

The following points relate to key facts, benefits, and the decision timeline requirements of this proposal.

- The LG PPA members make up the largest PPA buyers' group in Australia and over 25% of Victorian local government's electricity load will be purchased through this arrangement.
- The LG PPA is a cost-effective way to transition some of our electricity to 100% renewable energy, demonstrated by comprehensive cost analysis and market-testing results.
- Purchasing renewable power through a PPA represents a significant known step in a transition to a 100% renewable power organisation.
- Councils must confirm their participation through an Agreement by mid-August 2019. This is a once-off opportunity and is unlikely to be available again if Council decides not to participate now, before the project group goes to Tender.

The LG PPA is a unique opportunity to join a group of 39 Victorian Councils in in the biggest Council renewable energy purchasing activity in Australia to date. The LG PPA group engaged industry leading advice to examine the costs, risks, and market appetite for a power purchase agreement using the load types specific to Council operations. The results showed that as an aggregate group, participating Councils could save up to 12% on their electricity use charges over ten years.

The group is now preparing for the Tender stage of this project and Councils who wish to continue with this project need to sign a Participation Agreement by mid-August 2019. This will ensure that the loads tendered to market are firm commitments upon which retailers will base their prices.

The Local Government Power Purchase Agreement (“LG PPA”) is an opportunity for Council to achieve a reduction of our greenhouse emissions and also save considerable money. This group of 39 Victorian Councils has nominated over 140 Megawatt-hours of annual electricity load to this proposal, over a quarter of the total Victorian LGA electricity load. If this agreement proceeds it will represent the largest buyers' group ever established in Australia and will be the largest single activity that any group has ever undertaken to reduce greenhouse gas emissions from Council operations.

Power Purchase Agreements (PPAs) have existed for many years for large energy consumers, however renewable energy PPAs are becoming increasingly popular for organisations who want to demonstrate a commitment to sustainability. They differ from a standard retail power contract as they provide a direct contractual link between an energy user and a specific source, in this case a solar or wind farm project or portfolio.

PPAs typically have a contract duration of at least 10 years. This provides income certainty for renewable power investors and removes a significant roadblock to building new renewable power projects. In this way, PPAs provide direct investment in renewable power and enables new renewable energy generation projects to be realised.

Other Australian renewable energy PPA buyer groups include the Victorian Government, Melbourne Renewable Energy Project (led by City of Melbourne), Sunshine Coast Council, Mars Group, Commonwealth Bank and Telstra. Melbourne's water authorities are also working together to form a renewable energy PPA Buyers' Group.

### The LG PPA Proposition

It is proposed that Buloke Shire Council commit to purchasing its Street Lights and Small Market electricity accounts through the LG PPA. At the moment we have committed our street lighting (unmetered – 158 MWh) (20%) Leading energy market consultants Energetics conducted detailed cost modelling on behalf of the LG PPA group, providing detailed Net Present Cost (NPC) forecasts over 10 years for the combined group as well as providing a tool to predict tailored results for each Council.

Energy market prices are influenced by many factors and so cannot be forecast with absolute certainty, however results from the model provided by Energetics showed that Buloke Shire Council could save up to \$24,000 over 10 years (158 MWh) through this agreement.

If Council commits 100% of our energy usage, it would represent a saving of \$172,000 over 10 years.

Nearly all Council's involved in the CVGA have already committed to purchasing its Street Lights and Small Market electricity accounts (100% energy usage) through the LG PPA contract from July 2020.

### **3. Financial Implications**

This opportunity will allow Council to save up to \$172,000 over ten years on power costs. The approach to collaboration over a 10 year period provides a less risk approach to a very volatile energy market. Currently councils are exposed every 2 years to increases in wholesale prices. Under this proposal, councils will be able to budget with more certainty over the longer term.

### **4. Cost Shift Considerations**

There are no cost shift considerations in relation participation in this agreement

### **5. Community Consultation**

There has been no community consultation in relation to this agreement.

**6. Internal Consultation**

The Senior Leadership Team was consulted in relation to this agreement.

**7. Legislative / Policy Implications**

This report directly responds to many of Council's strategic policy documents and complements many activities Council has taken in the past. The Council Plan and Buloke 2030 Plan reference our need to reduce our carbon footprint and this project compliments our commitment to Take2 Pledge and investment of solar and energy efficiency fittings to our Council and community buildings.

**8. Environmental Sustainability**

The Local Government Power Purchase Agreement ("LG PPA") is an opportunity for Council to achieve a reduction of our greenhouse emissions

**9. Conflict of Interest Considerations**

No officer involved in the preparation of this policy or the preparation of this report has a conflict of interest.

**10. Conclusion**

It is proposed that Buloke Shire Council participate in the LG PPA by signing an Agreement and purchasing its Street Lights and Small Market electricity accounts (100% of our usage) through the LG PPA contract from July 2020.

# Local Government Power Purchase Agreement

## Offer Summary

### Overview

The first phase of Local Government Power Purchase Agreement (LG PPA) Project ‘*The Project*’ has recently concluded and has delivered the following key outputs:

- business case report, investigating the value proposition of a retail PPA for power and renewable energy
- Commercial services report, assessing the required procurement, governance and contract administration for the project

Overall, the results and findings of the first phase demonstrate there is considerable value in a retail aligned PPA for Buyers’ Group. As such, the Buyers’ Group (with Darebin City Council as the lead organisation) have decided to proceed to market for a new retail-PPA electricity agreement by a Request for Tender (RFT). The project’s procurement partner, the Municipal Association of Victoria (MAV) will act as tendering agent on behalf of the Buyers’ Group.

### Future financial contributions

In line with previous stages, each Council will be required to contribute financially, to help cover various project costs, such as advisory services, media and promotions and procurement/tendering activities. A tiered contribution model has been established to maximise potential involvement from all Victorian councils in the market engagement process (based on *Know Your Council* [classifications](#)):

Category	Continuing Councils	New Councils
<b>Metropolitan and Interface Councils</b>	\$25,000 +GST	\$35,000 +GST
<b>Regional City Councils</b>	\$12,000 +GST	\$17,000 +GST
<b>Large Shire Councils</b>	\$4,000 +GST	\$5,500 +GST
<b>Small Shire Councils</b>	\$3,000 +GST	\$4,000 +GST

All contributions will be required to be paid to the lead organisation- Darebin City Council once the Buyers’ Group composition has been determined for the future stages.

### Proposed next steps

The key stages of the project along with anticipated timelines are as follows:

<b>Tender Development</b>	2 months- August – September
<b>Tender Period</b>	1 month- October

<b>Tender Evaluation and Negotiation</b>	2 months- November – December
<b>Sign new contracts</b>	1 week- January 2020

### Registering your Council's interest

Only new Councils wishing to join the Buyers' Group need to register their interest. By doing so, each Council will be able to access more detailed information about the project including:

- Business Case Report- Completed by Energetics
- Commercial Report- completed by Landell Consulting
- Frequently Asked Questions – LG PPA Project
- Price Modelling Tool- For new Councils

New Councils can interest their interest at [www.victoriangreenhousealliances.org/](http://www.victoriangreenhousealliances.org/)

### Confirming involvement

Councils have until **COB Friday August 9, 2019** to confirm their commitment by signing and returning the Letter of Agency (Attachment B) issued by the MAV.

### Further questions and assistance

The Executive Officers of the Victorian Greenhouse Alliances and the Project Manager are also available to answer questions.

<b>Project Manager</b>	Scott McKenry	David Meiklejohn
Hugh Butcher	Executive Officer	Executive Officer
Energy Projects Officer	Eastern Alliance for Greenhouse Action (EAGA)	Northern Alliance for Greenhouse Action (NAGA)
Darebin City Council	03 9298 4250	0422 458 690
8470 8514	<a href="mailto:scott.mckenry@maroondah.vic.gov.au">scott.mckenry@maroondah.vic.gov.au</a>	<a href="mailto:david@naga.org.au">david@naga.org.au</a>
<a href="mailto:Hugh.Butcher@darebin.vic.gov.au">Hugh.Butcher@darebin.vic.gov.au</a>		
Fran MacDonald	Robert Law	Bronwyn Chapman
Executive Officer	Executive Officer	Executive Officer
Western Alliance for Greenhouse Action (WAGA)	Central Victorian Greenhouse Alliance (CVGA)	Goulburn Broken Greenhouse Alliance (GBGA)
03 9249 4864	0467 692 827	0402 912 303
<a href="mailto:FranM@brimbank.vic.gov.au">FranM@brimbank.vic.gov.au</a>	<a href="mailto:eo@cvga.org.au">eo@cvga.org.au</a>	<a href="mailto:eo@gbga.com.au">eo@gbga.com.au</a>

Dominique La Fontaine

Executive Officer

South East Councils Climate Change  
Alliance

(SECCCA)

03 9709 9210

[dlafontaine@seccca.org.au](mailto:dlafontaine@seccca.org.au)

**8.3 FINANCIAL REPORTS**

Nil

**8.4 ORGANISATIONAL REPORTS**

Nil

**8.5 REPORTS FROM COUNCILLORS**

Nil

## **9. OTHER BUSINESS**

### **9.1 NOTICES OF MOTION**

#### **9.1.1 FRANKSTON CITY COUNCIL CONTAINER DEPOSIT SCHEME**

**Author's Title:** Councillor

**Department:** Office of the CEO

**File No:** GO/09/01

**Attachments:** 1 [↓](#) NoM Support for Container Deposit Scheme in Victoria

#### **RECOMMENDATION**

That Council

1. Support the stance of Frankston City Council to motivate the Victorian Government to introduce a Container Deposit Scheme; and
2. Call for the Municipal Association of Victoria to advocate for a Container Deposit Scheme to be implemented in Victoria as a matter of urgency.

#### **Background**

Victoria has long been in need of the Container Deposit Scheme. Every other State and Territory in Australia has an existing scheme or plans to implement a scheme.

This is a motion put by Frankston City Council, who have written to the Minister for Environment the Hon Lily D'Ambrosio MP, to advocate for a container Deposit Scheme for Victoria and to seek an update on efforts undertaken by the Victorian Government to introduce Legislation to mandate a Container Deposit Scheme in Victoria.

Shire of Buloke

Notice of Motion

The following Notice of Motion is made in accordance with Division 5 of the Buloke Shire Council Meetings Procedure and Common Seal – Local Law No 15

Title: SUPPORT FOR CONTAINER DEPOSIT SCHEME IN VICTORIA.

Background VICTORIA HAS LONG BEEN IN NEED OF THE CONTAINER DEPOSIT SCHEME THAT ALREADY EXISTS, OR IS PLANNED TO EXIST VERY SOON, IN ALL OTHER AUSTRALIAN STATES & TERRITORIES. THIS IS A MOTION PUT BY FRANKSTON CITY COUNCIL, WHO HAS WRITTEN TO THE MINISTER FOR THE ENVIRONMENT, THE HON. LIZ D'AMOROSIO, TO ADVOCATE FOR A CONTAINER DEPOSIT SCHEME (CDS) FOR VICTORIA AND TO SEEK AN UPDATE ON EFFORTS UNDERTAKEN BY THE VICTORIAN GOVERNMENT TO INTRODUCE LEGISLATION TO MANDATE A CDS IN VICTORIA.

Motion: THAT BULOKE SHIRE COUNCIL SUPPORT THE STANCE OF FRANKSTON CITY COUNCIL TO MOTIVATE THE VICTORIAN GOVERNMENT TO INTRODUCE A CDS, TO CALL FOR THE M.A.N. TO ADVOCATE FOR THIS CDS AND TO DO THIS SO A CDS IS IMPLEMENTED IN VICTORIA AS A MATTER OF URGENCY.

Moved: Cr Catherine L. Milne

Signature and Date  Monday 22 July 2019.

Chief Executive Officer \_\_\_\_\_

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Council Meeting Agenda	
Council Reference Number	

## 9.1.2 SOCIAL HOUSING AVAILABILITY IN BULOKE

**Author's Title:** Cr Ellen White

**Department:** Office of the CEO

**File No:** GO/09/01

**Attachments:** 1 [↓](#) Notice of Motion - Social Housing Wycheproof

### RECOMMENDATION

That Council:

1. Investigate opportunities to increase social housing across the Shire; and
2. Meet with Housing and Homelessness staff from DHHS to discuss the replacement of the social housing flats in Wycheproof that were destroyed by fire.

### Background

Approximately 18 months ago, a fire destroyed a social housing flat in High Street Wycheproof. The flats on either side were also damaged. Since then, the buildings have been untouched by the owners, the Department of Health and Human Services.

An enquiry regarding the status of the flats has revealed that DHHS intends to demolish the buildings, but have no plans to replace them.

Given that, on any given day, there are 25,000 people sleeping rough or living in emergency or unsafe accommodation, and that the Victorian Government wish to make housing more accessible for everyone, it seems a travesty that these homes are to be demolished.

The Buloke Shire Council may have a small population, but as family violence is on the increase, young people have to move to another town for work, and many people are looking outside of the city for accessible and affordable housing, social housing is essential.

**Shire of Buloke**

**Notice of Motion**

The following Notice of Motion is made in accordance with Division 5 of the Buloke Shire Council Meetings Procedure and Common Seal – Local Law No 15

**Title: Social Housing Availability in Buloke**

**Background**

Approximately 18 months ago, a fire destroyed a social housing flat in High St Wycheproof. The flats on either side were also damaged. Since then, the buildings have been untouched by the owners, the Department of Health and Human Services. An enquiry regarding the status of the flats has revealed that DHHS intends to demolish the buildings, but have no plans to replace them.

Given that, on any given day, there are 25,000 people sleeping rough or living in emergency or unsafe accommodation, and that the Victorian Government wish to make housing more accessible for everyone, it seems a travesty that these homes are to be demolished.

The Buloke Shire council may have a small population, but as family violence is on the increase, young people have to move to another town for work, and many people are looking outside of the city for accessible and affordable housing, social housing is essential.

**Motion:**

The Buloke Shire Council to investigate opportunities to increase social housing across the Shire, and

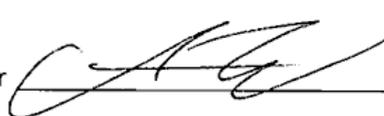
The Buloke Shire Council meet with Housing and Homelessness staff from DHHS to discuss the replacement of the social housing flats in Wycheproof that were destroyed by fire.

Moved: Cr White

Signature and Date

 2/8/19

Chief Executive Officer

 2/8/19

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**9.2 QUESTIONS FROM COUNCILLORS**

Nil

**9.3 URGENT BUSINESS**

Nil

**9.4 ANY OTHER BUSINESS**

Nil

## 9.5 MATTERS WHICH MAY EXCLUDE THE PUBLIC

**RECOMMENDATION:**

That Council closes the meeting to the public pursuant to Section 89(2) of the Local Government Act 1989 to consider the following items, which are confidential for the reasons indicated:

- |       |  |                         |
|-------|--|-------------------------|
| 9.5.1 | CONTRACT NO. C63 2018/19 EXTERNAL PLANT HIRE AND ASSOCIATED SERVICES (SCHEDULE OF RATES) | (d) contractual matters |
| 9.5.2 | CIRCULAR MOTION - C65 2018/19 SUPPLY MULTIPLE PREFABRICATED AMENITIES BUILDINGS          | (d) contractual matters |
| 9.5.3 | CHIEF EXECUTIVE OFFICER KEY PERFORMANCE MEASURES 2019/20                                 | (a) personnel matters   |

**RECOMMENDATION:**

That Council reopens the meeting to the public pursuant to Section 89(2) of the Local Government Act 1989 and brings only the resolutions for Items 9.5.1 and 9.5.2 from the closed session into open session.

## 10. MEETING CLOSE