

Agenda

Ordinary Meeting of Council

Corryong Council Office

Tuesday 1 July 2014

This information is available in alternative formats on request

<p style="text-align: center;">AGENDA FOR THE ORDINARY MEETING OF COUNCIL TO BE HELD AT THE TOWONG SHIRE COUNCIL, CORYONG OFFICE ON TUESDAY 1 JULY 2014 COMMENCING AT 10.00 AM.</p>
--

TABLE OF CONTENTS

1	Opening Prayer.....	3
2	Councillor and Officer presence at the meeting.....	4
3	Apologies and granting of leave of absence	4
4	Declaration of pecuniary interest and/or conflict	4
5	Confirmation of minutes	4
6	Petitions, joint letters and declarations.....	4
7	Assembly of Councillors	4
8	Open Forum.....	4
9	Organisational improvement.....	5
9.1	Finance Report as at 31 May 2014(DCCS).....	5
9.2	Action Sheet Reports (06/05/0010-EA)	5
9.3	Performance Reporting Graphs (DCCS)	5
10	Community wellbeing	6
11	Asset management.....	6
11.1	Works Schedule (DTS)	6
12	Land-use planning	7
12.1	Planning Application 2014/028 (319708-CEO).....	7
13	Environmental sustainability	15
14	Economic and tourism development.....	16
14.1	Economic Development Report (05/01/0001-MED)	16
15	Councillor reports	19
15.1	MAV Emergency Management Committee (Cr Wortmann).....	19
16	Urgent business.....	20
17	Committee minutes.....	20
17.1	Emergency Management Planning Committee (02/02/0005-DTS)	20
17.2	Tourism North East (05/02/0153-CEO)	20
17.3	MAV Representatives, Mayors and CEO's Forum (07/01/0006-Mayor)	21
17.4	Rural Councils Victoria (07/01/0137-CEO)	21
18	Occupational health and safety	22
18.1	OHS Committee (06/04/0212-DCCS).....	22
18.2	Occupational Health and Safety Report (06/04/0212-DCCS)	22
19	Council policies (10/01/0007-CEO)	26
20	Sealing of documents.....	26
21	Confidential.....	27
21.1	Magorra Park Multi-purpose Centre Tender Assessment (DTS).....	28
		2

1 Opening Prayer

"Almighty God, we ask that you be present at this meeting to assist us in our service to the Community through Local Government.

We pray that our decisions will be wise and taken with goodwill and clear conscience.

Amen."

2 Councillor and Officer presence at the meeting

3 Apologies and granting of leave of absence

4 Declaration of pecuniary interest and/or conflict

For the purpose of this section, Councillors must disclose the nature of the conflict of interest in accordance with s79(2) of the Local Government Act.

5 Confirmation of minutes

Ordinary meeting of 3 June 2014.

6 Petitions, joint letters and declarations

7 Assembly of Councillors

A written record of the Assemblies of Councillors from 3 June to 25 June 2014 is included at Appendix 1.

RECOMMENDATION:

THAT THE INFORMATION BE NOTED.

8 Open Forum

9 Organisational improvement

9.1 Finance Report as at 31 May 2014(DCCS)

At the time of printing this report was unavailable. It will be emailed to Councillors before the Council meeting.

9.2 Action Sheet Reports (06/05/0010-EA)

Items requiring action from the 3 June 2014 Council Meeting are attached at Appendix 2.

RECOMMENDATION:

THAT THE REPORT BE NOTED.

9.3 Performance Reporting Graphs (DCCS)

The Performance Reporting Graphs are attached at Appendix 3 for information.

At the time of printing this information was unavailable. The Graphs will be tabled at the Council Meeting.

RECOMMENDATION:

THAT THE REPORT BE NOTED.

10 Community wellbeing

No report.

11 Asset management

11.1 Works Schedule (DTS)

The works scheduled for the period 10 May to 6 June 2014 is attached at Appendix 4 for information.

RECOMMENDATION:

THAT THE REPORT BE NOTED.

12 Land-use planning

12.1 Planning Application 2014/028 (319708-CEO)

- Proposal:** 6m x 2.4m Shipping Container, 2 Water tanks (>4500 litres) and static display of a 'Furphy' Water Cart.
- Property:** Lot 2 LP63042 - 6 Sirl Street (Corner Lobban and Sirl Streets, Bethanga)
- Applicant:** Robert Price on behalf of the Peninsular Men's Shed Group Inc.
- Owner:** Towong Shire Council
- Zoning:** Public Use Zone – 6 (Local Government) (PUZ6)
- Overlays:** Environmental Audit Overlay

Disclosure of Interests (S.80C):

This report was prepared by Mr Ron Mildren of Livingstreets Designs and Mr Simon Hollis, Manager Planning.

At the time of preparation of the report the authors of the report did not have a direct or indirect interest in any matter to which the report or advice relates.

Permit Trigger:

Clause 36.01-2 refers to the Public Use Zone and provides that a Permit is required to:

- Construct a building or construct or carry out works for any use in 'Section 2' of Clause 36.01-1.

Clause 36.01-01 provides a Table of Uses identifying land uses where a permit is not required.

If the proposed use is not compliant with Clause 36.01-6 or the use is not being carried out for or on behalf of the public land manager, then by implication it becomes a 'Section 2' use and a permit is required. There are no prohibited uses listed in the Table of Uses to the Public Use Zone.

The proposed development is not a specified 'Section 1' use or a use carried out for or on behalf of the public land manager. Therefore a permit is required for buildings and works. A buildings and works clause defines 'structures' as falling under the buildings and works requirement.

Relevant State and Local Planning Policies:

There are no State Planning Policies of specific reference or relevance to the proposal.

Clause 22.06 (Shed and Outbuildings) of the Local Planning Policy Framework is relevant to the application.

DESCRIPTION OF PROPOSAL

The application seeks approval for development of the land, being the former Council Depot at Bethanga, as listed below for purposes associated with the 'Men's Shed':

- erection of an approximately 6m by 2.4m shipping container to be used for storage purposes ancillary to the currently approved Men's Shed use;
- the erection of two (2) water tanks greater than 4500 litres each; and
- the erection of a restored 'Furphy' water cart as a static display.

The listed developments are all associated with the current Men's Shed use of the land and are therefore ancillary uses for which only buildings and works approval is required.

A permit is not required for placement of a portable compressor adjacent to the existing building.

SITE DESCRIPTION

The site is located at the corner of Sirl and Lobban Streets, Bethanga and is the former Council Depot site. The site slopes generally to Sirl Street and contains the former Council Depot building which is now used by the Peninsular Men's Shed Group and a 3m x 3m shed at the rear of the main building. The site is fenced by an approximately 1.8m high chain wire fence and has an access point constructed from Sirl Street. There is a large Peppercorn tree on the western side of the property which serves to screen the site when viewed from the west. Landscape plantings are also located along the western property boundary.

A soil test, done in 1988, revealed contaminants at levels greater than EPA guidelines. The contaminants are petroleum hydrocarbons in soil adjacent to the old fuel bowser. Hence the application of an Environmental Audit Overlay (EAO) which is activated only by sensitive use proposals. This is not a sensitive use proposal.

Land around the site is generally used for residential purposes and is within the Township Zone.

HISTORY AND COMMUNITY CONSULTATION:

The application before Council was lodged on 12 May 2014.

Upon receipt of the application, adjoining and nearby land owners were notified about the application pursuant to Section 52 of the Planning and Environment Act.

One objection to the application was received from the owner of abutting land in Lobban Street. The objection submission is provided at Appendix 5.

Comments in response to the submission

Any compliance issues derived from other planning approvals are not a relevant consideration under planning law in respect to this matter. This is a new application that must be considered entirely on its merits.

The objecting submission raises several matters that should be considered:

- What will be the final state of repair and visual presentation of the shipping container?
- Will the shipping container be visually intrusive? If so will that adversely affect amenity of the area?
- Will the 'Furphy' water cart be unsightly and a visual intrusion adversely affecting the amenity of the area?

There is no detail submitted with the application in respect to the state of repair or the intended finished presentation of the shipping container. However in ordinary circumstances what constitutes a shipping container in this context is reasonably well known and matters pertaining to its final presentation can reasonably be dealt with by conditions of the permit.

The question of visual intrusion of the shipping container is somewhat more subjective and should be considered in relative context. The issue raised is in respect to both visual intrusion from the objecting submitter's perspective and more broadly in the landscape. The position adjacent to the existing shed will limit the visual impact within the broader environment and generally the intrusive consequences in this regard are considered minimal in this context.

The visual intrusion impacts when viewed from the objecting submitters perspective is circumstantially different in that the shipping container is to be sited on the side of the existing shed facing the submitters property and could be regarded as, to some extent, in the line of site. This however is influenced by both the linear separation distance of about 75m and the substantial elevation of the submitter's premises above the subject site. Further, the visual intrusion effect on amenity needs to

consider the prevailing relevant amenity consequent of the structures and other existing features more broadly in the general vicinity.

In this case it is not considered sustainable to argue that the visual intrusion of the proposed development is of such significance that a permit ought to be refused.

In respect to the Furphy water cart, it is intended to be renovated and restored and displayed as a feature. It would, in that context, come very close to being regarded as a landscaping or garden feature. However it is a small structure as defined under the planning scheme and therefore requires a permit. In terms of visual effects it ought to be regarded as an enhancement. In terms of effects from the submitter's premises it would have a quite small visual affect because of its size, relative separation distance and position obscured by the main building.

The objecting submission also raises matters that are not the subject of the application at hand:

- objection to the placement of a compressor at the rear of the Council shed.
- placement of a rotary hoe and various piles of pallets and other materials (indiscernible) in the yard.

A permit is not required for placement of the compressor adjacent to the shed nor is a permit required to keep a rotary hoe on the premises. Issues associated with unsightly or cluttered storage of implements and equipment are not a matter for consideration in respect to this application and as appropriate may be dealt with under a different process pursuant to the Planning and Environment Act 1987.

The objecting submitter has not opposed the two proposed rain water tanks.

REFERRALS

There were no referrals required.

TOWONG PLANNING SCHEME REQUIREMENTS

State and Local Planning Policy Framework:

There are no State Planning Policies of specific reference or relevance to the proposal.

Clause 22.06 – Sheds and Outbuildings

The one Local Planning Policy that relates to this application is Clause 22.06. This policy applies to all sheds and outbuildings. Relevant policy objectives of Clause 22.06 are to:

- encourage the appropriate siting, materials and use of sheds and outbuildings; and
- protect the amenity and visual presentation of the Shire.

When making a decision about an application, Clause 22.06 requires the Responsible Authority to have regard to:

- The effect of the proposed building or works on the amenity of the area.
- The dimensions of the building and the effect on neighbourhood character.

In this instance, a permit could be adequately conditioned to mitigate any amenity or neighbourhood character impacts and satisfactorily address the policy requirements.

Clause 36.01 – Public Use Zone – 6 –Local Government (PUZ 6)

Key purposes of the PUZ are:

- *To recognise public land use for public utility and community services and facilities.*
- *To provide for associated uses that are consistent with the intent of the public land reservation or purpose.*

The proposal is related to buildings and works associated with an innominate 'Section 2' use under the Table of Uses to the Public Use Zone. Therefore a permit is required.

Clause 36.01-3 'Application Requirements' provides that:

"An application for a permit by a person other than the relevant public land manager must be accompanied by the written consent of the public land manager, indicating that the public land manager consents generally or conditionally either:

- *To the application for permit being made.*
- *To the application for permit being made and to the proposed use or development."*

In this case the public land manager is Council. As the Council is the Land Owner Section 96 of the Planning and Environment Act 1987 also applies. Council has consented to the lodgement of the application.

Clause 67.01 Exemptions from Section 96(1) and 96(2) of the Act

In accordance with Section 6(2)(ka) of the Act, the following classes of use and development are exempted from Section 96(1) and 96(2) of the Act:

CLASS 1

Use of land for -

Car park, camping and caravan park, **community facility** (including child care centre, maternal and infant welfare centre, neighbourhood house, place of assembly and toilet block), dwelling, extractive industry, hospital, industry, leisure and recreation, office, residential village, retail premises or service station.

The proposal is for a community facility use which is a Class 1 nominated exemption subject to the public notice requirement under Clause 67.02. Public notice was given in accordance with Clause 67.02.

Clause 36.01-4 Decision guidelines

Before deciding on an application to use or subdivide land, construct a building or construct or carry out works, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- *The State Planning Policy Framework (SPPF) and the Local Planning Policy Framework (LPPF), including the Municipal Strategic Statement and local planning policies.*

There are no SPPF, or MSS policies of specific reference or relevance to the proposal. LPPF considerations have been mentioned previously in this report.

- *The comments of any Minister or public land manager having responsibility for the care or management of the land or adjacent land.*

Council as the public land manager has consented to the application being made and has consented to the Peninsular Men's Shed Group Inc occupying the premises.

- *Whether the development is appropriately located and designed, including in accordance with any relevant use, design or siting guidelines.*

There is no specific use, design or siting guidelines relevant to the proposal or subject land.

Clause 45.03 ENVIRONMENTAL AUDIT OVERLAY (EAO)

Although the subject land is affected by the Environmental Audit Overlay (EAO) the proposal does not include introduction of any sensitive use therefore the EAO provisions are not triggered by this application.

Clause 65.01 – Decision Guidelines

The following points are considered appropriate from the Clause 65.01 list. Any listed matters previously dealt with in this report are not repeated in detail and should be taken as read.

- *The matters set out in Section 60 of the Act.*
(a) The Towong Planning Scheme

This report addresses the relevant requirements under the Towong Planning Scheme.

(b) The objectives of planning in Victoria

This proposal is in accordance with the planning scheme provisions and relevant planning law and is considered consistent with the objective of provision of fair orderly, economic and sustainable use of land and other relevant objectives as set out in Section 4 of the Planning and Environment Act 1987.

(c) All objections and other submissions which have been received and which have not been withdrawn

The application has received one objecting submission which is considered in this report.

(d) Any decision and comments of a referral authority which it has received

There are no applicable referral authorities.

○ *The purpose of the zone, overlay or other provision.*

The purpose of the zone is:

- *To recognise public land use for public utility and community services and facilities.*
- *To provide for associated uses that are consistent with the intent of the public land reservation or purpose.*

The proposal is essentially for a public and community service in the provision of services delivered from the 'men's shed' program.

○ *The orderly planning of the area.*

When dealing with Public Use Zoned land in regard to consideration of orderly and proper planning it is normally the case that the land is at least in part continuing to be used for a specified class of public use and the proposal will generally have a relationship with the principle use. In this case the land is essentially not required by Council.

However, probably at least in part, consequent of the contamination of part of the site, the land has been retained in Council ownership. As a general assessment the cost to decontaminate the land most likely would significantly exceed the value of the land. Given that this then means that the land cannot be used for any residential purpose (*without being decontaminated*) then determining what is orderly and proper in the circumstances becomes somewhat more difficult.

In this situation the site is within a surrounding area of Township Zone that has largely been developed for low density residential and rural living lots, yet the subject land cannot be used for residential purposes without clean up.

Therefore only non-sensitive uses can be considered. In considering the non-sensitive uses assessment should be given to the potential impacts and effects upon the surrounding residential amenity.

- *The proximity of the land to any public land.*

The subject land is owned by Council and is therefore public land.

CONCLUSION:

This application is for development of the land, being the former Council Depot at Bethanga, as listed below for purposes associated with the 'Men's Shed':

- erection of an approximately 6 metre by 2.4 metre shipping container to be used for storage purposes ancillary to the currently approved Men's Shed use;
- the erection of two (2) water tanks greater than 4500 litres each; and
- the erection of a restored 'Furphy' water cart as a static display.

It is the Officer's view that that the substantive requirements of the SPPF and LPPF, MSS, the requirements of the Public Use Zone 6 – Local Government, Particular and General Provisions and the Decision Guidelines of Clause 65 of the Towong Planning Scheme are met and this report presents a considered review of the relevant issues and recommendations.

RECOMMENDATION:

THAT COUNCIL HAVING CAUSED NOTICE OF PLANNING APPLICATION NO. 2012/015 TO BE GIVEN UNDER SECTION 52 OF THE *PLANNING AND ENVIRONMENT ACT 1987* AND HAVING CONSIDERED ALL THE MATTERS REQUIRED UNDER SECTION 60 OF THE *PLANNING AND ENVIRONMENT ACT 1987* DECIDES TO ISSUE A NOTICE OF DECISION TO GRANT A PERMIT UNDER THE RELEVANT PROVISIONS OF THE TOWONG PLANNING SCHEME IN RESPECT TO THE LAND KNOWN AND DESCRIBED AS LOT 2 LP63042 (BEING 6 SIRL STREET, BETHANGA), FOR DEVELOPMENT COMPRISING THE ERECTION OF AN APPROXIMATELY 6M BY 2.4M SHIPPING CONTAINER; ERECTION OF TWO (2) WATER TANKS GREATER THAN 4500 LITRES EACH; AND THE ERECTION OF A RESTORED 'FURPHY' WATER CART AS A STATIC DISPLAY, SUBJECT TO THE FOLLOWING CONDITIONS:

- 1. EXCEPT WITH THE PRIOR WRITTEN CONSENT OF THE RESPONSIBLE AUTHORITY THE PROPOSED BUILDINGS AND WORKS MUST BE SITED GENERALLY AS SHOWN ON THE ENDORSED PLAN.**
- 2. THE SHIPPING CONTAINER MUST BE SECURELY ANCHORED TO THE GROUND TO THE SATISFACTION OF THE RESPONSIBLE AUTHORITY.**

3. **WITHIN 60 DAYS OF PLACEMENT OF THE SHIPPING CONTAINER ON THE LAND IT MUST BE RESTORED AS MAY BE NECESSARY TO THE SATISFACTION OF THE RESPONSIBLE AUTHORITY AND PAINTED IN NON-REFLECTIVE NEUTRAL "EARTH" COLOURS SUCH "GREENS", "DARK REDS", "GREYS" OR "BROWNS" OR ALTERNATIVELY CLAD IN ALTERNATIVE CLADDING MATERIAL WHICH MUST BE NON-REFLECTIVE IE NOT "ZINCALUME" TYPE MATERIAL AND OF NEUTRAL "EARTH" COLOURS SUCH AS "GREENS", "DARK REDS", "GREYS" OR "BROWNS".**
 4. **LANDSCAPE SCREENING TO THE SATISFACTION OF THE RESPONSIBLE AUTHORITY MUST BE INSTALLED ON THE WEST SIDE OF THE SHIPPING CONTAINER.**
 5. **THE FURPHY WATER CART MUST BE FULLY RESTORED PRIOR TO PLACEMENT AND MUST BE SECURED IN ITS POSITION. A BASE OF CONCRETE OR OTHER APPROPRIATE MATERIAL MUST BE PLACED UNDER AND IMMEDIATELY AROUND THE FURPHY TANK TO ELIMINATE GRASS OR WEED GROWTH UNDER OR IMMEDIATELY AROUND IT TO THE SATISFACTION OF THE RESPONSIBLE AUTHORITY.**
 6. **THE SITE COMPRISING THE APPROVED BUILDINGS AND WORKS MUST BE MAINTAINED IN A NEAT AND TIDY CONDITION AT ALL TIMES.**
 7. **OVERFLOW WATER FROM THE WATER TANKS MUST BE DISCHARGED TO SATISFACTION OF THE RESPONSIBLE AUTHORITY TO A LEGAL POINT OF DISCHARGE**
- PERMIT EXPIRY**
8. **THIS PERMIT WILL EXPIRE IF THE FOLLOWING CIRCUMSTANCES APPLY:**
 - (a) **THE APPROVED DEVELOPMENT DOES NOT COMMENCE WITHIN 12 MONTHS FROM THE DATE OF THIS PERMIT.**
 - (b) **THE APPROVED DEVELOPMENT IS NOT COMPLETED WITHIN 2 YEARS FROM THE DATE OF THIS PERMIT.**

13 Environmental sustainability

No report.

14 Economic and tourism development

14.1 Economic Development Report (05/01/0001-MED)

Disclosure of Interests (S.80C):

This report was prepared by Mrs Lauren Elvin, Manager Economic Development.

At the time of preparation of the report the officer did not have a direct or indirect interest in any matter to which the report or advice relates.

Background/History:

This report is a bi-monthly progress report on the main Economic Development activities we are delivering throughout the Shire.

Tallangatta Holiday Park Planning Study

Southern Cross Parks have completed the final draft of the Tallangatta Holiday Park Planning Study. On 11 June 2014 the final community consultation session was held at the Tallangatta Sports Centre. Matt Williams of Southern Cross Parks presented the proposed park layout and information and a question and answer session was held to provide a forum for those present to share their thoughts.

The final draft will be listed for discussion at the 15 July 2014 Workshop.

Corryong Airport

An application for the Corryong Airport project has been finalised and has been submitted to the Regional Aviation Fund for feedback. The application seeks funding to provide obstacle lighting on Mt. Elliot, Pilot Activated Lighting (PAL) for the runways at the airport, and to partially support the runway and apron sealing which is contained in the Council's 2013/14 Budget.

The Department of Environment and Primary Industries (DEPI) have been successful in gaining funding to relocate their fire fighting base from Avondale to the Corryong Airport and work will now commence on formalising an agreement with DEPI for their presence on the airfield. As part of their proposed move to the Corryong Airport, DEPI has proposed building a shared terminal / training space for use by both DEPI staff and the public, which could replace the existing ageing terminal building on the site.

Restructuring the site with a new terminal building will also allow Council to consider the provision of space for portable hangars. There have been several enquiries from members of the public seeking to lease space to erect private portable hangars over the past six months and this could provide an income stream to Council from the site. A site meeting with DEPI is currently being coordinated to further discuss site options.

Upper Murray 2030 Vision Plan

Planisphere have been appointed as the consultants for the project and have held their first meetings with the Steering Committee. The first rounds of public consultation are being rolled out, with community art projects running in schools and pre-schools across the Upper Murray. A community survey has been launched and a community bulletin has been sent to all households in the Upper Murray catchment inviting residents to become involved with the project. Planisphere will be on site on Friday 25 July at Walwa and Khancoban and will spend a whole day in Corryong on 26 July to launch the project within the community.

Mobile Communication Black Spot Submission

Alicia Power of VIVID consulting was appointed to write the mobile communication black spot submission to the Federal Department of Communication on behalf of Towong Shire Council. Council staff will continue to liaise directly with the Blackspot working group being facilitated by Ms Cathy McGowan AO, MP to advocate for the identified black spots across Towong Shire.

Impact on Council Policy:

Nil.

State Government Policy Impacts:

Nil.

Budget Impact:

Nil.

Risk Assessment:

Nil.

Community Consultation/Responses:

Nil.

Discussion/Officers View:

The Economic Development area is making good progress in relation to the Council Plan.

RECOMMENDATION:

THAT THE REPORT BE NOTED.

15 Councillor reports

15.1 MAV Emergency Management Committee (Cr Wortmann)

Date of Meeting	13 June 2014
Details About the Activity	<p>The Emergency Management Committee has expanded to include thirty members. The member representation is a very good mix of Councils across Victoria (Metropolitan, Regional and Rural). It is very informative to listen how different emergencies have been managed by local government and emergency services.</p> <p>There was a presentation from Latrobe City Council and its role in the Hazelwood Mine fire response and recovery. This was extremely interesting and highlighted how difficult this emergency was to manage.</p> <p>The Committee also set priorities for our future agendas, which I believe will enhance this Committee's goals and actions we want to achieve for our Councils. Here is the list of priorities.</p> <p>The following priorities (in no order) were identified for future agendas of this Committee:</p> <ol style="list-style-type: none"> 1) Victoria's emergency management reforms – to be a standing agenda item; 2) Emergency Management Victoria (invitation to be extended to Emergency Management Commissioner); 3) local government emergency management clusters and collaborations; 4) training sought for Mayors and Councillors in their responsibilities in relation to emergency management, further the role guides developed by the MAV in 2012; 5) the current status of Integrated Fire Management Planning (IFMP); 6) the role of IGEM, including the performance framework and expectations of local government; 7) the direction/local government responsibilities for flood mitigation, including levees; and 8) comparison/inconsistency of Council resourcing of Emergency Management Officers and practices re: selection of MEMPC Chair.

16 Urgent business

17 Committee minutes

17.1 Emergency Management Planning Committee (02/02/0005-DTS)

The unconfirmed minutes of the meeting held on 21 May 2014 are attached at Appendix 6 for information.

RECOMMENDATION:

THE UNCONFIRMED MINUTES OF THE EMERGENCY MANAGEMENT PLANNING COMMITTEE MEETING HELD ON 21 MAY 2014 BE NOTED.

17.2 Tourism North East (05/02/0153-CEO)

Attached at Appendix 7 is the Tourism North East Quarterly Project Report (May 2014) for information.

RECOMMENDATION:

THAT THE TOURISM NORTH EAST QUARTERLY REPORT (MAY 2014) BE NOTED.

17.3 MAV Representatives, Mayors and CEO's Forum (07/01/0006-Mayor)

The unconfirmed minutes of the meeting held on 5 June 2014 are attached at Appendix 8 for information.

RECOMMENDATION:

THAT THE UNCONFIRMED MINUTES OF THE MAV REPRESENTATIVES, MAYORS AND CEO'S FORUM HELD ON 5 JUNE 2014 BE NOTED.

17.4 Rural Councils Victoria (07/01/0137-CEO)

The unconfirmed minutes of the meeting held on 13 June 2014 are attached at Appendix 9 for information.

RECOMMENDATION:

THAT THE UNCONFIRMED MINUTES OF THE RURAL COUNCILS VICTORIA MEETING HELD ON 13 JUNE 2014 BE NOTED.

18 Occupational health and safety

18.1 OHS Committee (06/04/0212-DCCS)

The unconfirmed minutes of the meeting held on 5 June 2014 are attached at Appendix 10 for information.

RECOMMENDATION:

THE UNCONFIRMED MINUTES OF THE OCCUPATIONAL HEALTH AND SAFETY COMMITTEE MEETING HELD ON 5 JUNE 2014 BE NOTED.

18.2 Occupational Health and Safety Report (06/04/0212-DCCS)

Disclosure of Interests (S.80C):

This report was prepared by Mr Wayne Carter, Occupational Health and Safety Officer.

At the time of preparation of the report the officer did not have a direct or indirect interest in any matter to which the report or advice relates.

Background/History:

This report is the bi-monthly progress report on the main Occupational Health and Safety activities being delivered.

Key areas for noting are as follows:

OHS Action Plan

The OHS Action Plan has been developed to address identified gaps in our OHS systems and this allows us to list and monitor the progress of all OHS items being addressed.

WorkCover

WorkCover claims and Return to Work plans are being managed internally by the OHS Officer. There are currently two claims and these are being actively managed.

Echelon Audit Action Plan

In November/December 2011, Echelon Australia was commissioned by Towong Shire Council to conduct an audit on the Council's current level of alignment with Australian Standard 4801 (requirements for implementing a Occupational Health and Safety Management System) and the proposed Model Work Health and Safety Act (due for implementation in most States Jan 2012).

An Action Plan was developed to address the identified improvement opportunities. Since the last report improvements have been made to Council's OHS documentation, facilities and event risk assessment processes and addressing hearing protection requirements.

The status of these actions at 30 June 2014 was:

Risk Rating	High	Medium	Low	Total
Total Recommendations – Original Risk rating	13	81	28	122
Total Recommendations – Revised Risk Rating	11 ¹	82 ²	29	122
Recommendations addressed / completed	11	57	24	92
% complete	100%	70%	83%	75%
% complete (last report)	100%	48%	52%	53%
Recommendations remaining to be addressed	0	25	5	30 ³

Notes:

1. Reassessed two risks originally rated as High to Medium – both items related to a specific road maintenance task and the signage being used. Further training has been undertaken.
2. Reassessed one risk originally rated as Medium to Low – action required to "Develop and Implement Procedure for OHS information distribution and document control" – reassessed as a Low risk, as there is currently paperwork which covers some information distribution and document control
3. A large number of remaining items refer to current Policies and documents which are due for review throughout 2014.

Safety Improvement Plans – Tallangatta and Corryong Pools

At the request of Council, Life Saving Victoria conducted Aquatic Facility Safety Assessments of the Corryong and Tallangatta Pools on 4 November 2011. The Assessments identified gaps between the Royal Life Saving Society of Australia (RLSSA) Guidelines for Safe Pool Operation and our current pool operations.

A number of best practice actions were recommended to bring operations at both pools more in line with the RLSSA Guidelines.

At 30 June 2014, the following recommendations have been completed:

	Corryong				Tallangatta			
	High	Medium	Low	Total	High	Medium	Low	Total
Total Recommendations with Revised Risk Rating	13	39	18	70	14	49	9	72
Recommendations addressed / completed	13	38	15	66	14	46	6	66
% complete	100%	97%	83%	94%	100%	94%	67%	92%
% complete (last report)	100%	74%	24%	66%	100%	92%	67%	90%
<i>Recommendations remaining to be addressed</i>	0	3	3	6 ¹	0	3	3	6 ¹

Notes:

1. Remaining items are to be addressed during the off-season.

Impact on Council Policy:

Nil.

State Government Policy Impacts:

Nil.

Budget Impact:

Recommendations from the Echelon Audit and the Swimming Pool Safety Improvement Plans are still being addressed and implemented where appropriate. These actions may impact on future year budgets.

Risk Assessment:

All recommendations rated High have been addressed. Lower risk recommendations are continuing to be addressed.

Community Consultation/Responses:

Nil.

Discussion/Officers View:

It is the Officer's view that Council has made steady progress in addressing items in the Echelon Audit Action Plan and the Safety Improvement Plans for both Pools.

RECOMMENDATION:

THAT THE REPORT BE NOTED.

19 Council policies (10/01/0007-CEO)

The following policies were tabled for review at the 1 April and 6 May 2014 Council meetings. The Stock Grid Policy was discussed at a Council workshop on 3 June 2014 and again on 17 June 2014. Both policies are presented at Appendix 11 for adoption.

- Stock Grid (DTS)
- Privacy (DCCS)

RECOMMENDATION:

THAT THE FOLLOWING POLICIES AS AMENDED BE ADOPTED:

- **STOCK GRID**
- **PRIVACY**

The following policy is attached at Appendix 12 for review. Councillors are requested to provide feedback on the policies to the Director Technical Services by 5 August 2014.

- Access to Landfills Out of Hours (DTS)

20 Sealing of documents

No report.

21 Confidential

In accordance with S77(2) information is 'confidential information' if:

- (a) the information was provided to the Council or a special committee in relation to a matter considered by the Council or special committee at a meeting closed to members of the public and the Council or special committee has not passed a resolution that the information is not confidential; or
- (b) the information has been designated as confidential information by a resolution of the Council or a special committee which specifies the relevant ground or grounds applying under section 89(2) and the Council or special committee has not passed a resolution that the information is not confidential; or
- (c) subject to sub-section (3), the information has been designated in writing as confidential information by the Chief Executive Officer specifying the relevant ground or grounds applying under section 89(2) and the Council has not passed a resolution that the information is not confidential.

In accordance with Section 89(2) and 89(3) of the Local Government Act 1989,

- (2) A Council or special committee may resolve that the meeting be closed to members of the public if the meeting is discussing any of the following—
 - (a) personnel matters;
 - (b) the personal hardship of any resident or ratepayer;
 - (c) industrial matters;
 - (d) contractual matters;
 - (e) proposed developments;
 - (f) legal advice;
 - (g) matters affecting the security of Council property;
 - (h) any other matter which the Council or special committee considers would prejudice the Council or any person;
 - (i) a resolution to close the meeting to members of the public.
- (3) If a Council or special committee resolves to close a meeting to members of the public the reason must be recorded in the minutes of the meeting

RECOMMENDATION:

THAT THE MEETING BE CLOSED TO THE PUBLIC TO CONSIDER INFORMATION CONSIDERED UNDER SECTION 89(2)(h) OF THE LOCAL GOVERNMENT ACT TO BE CONFIDENTIAL.

21.1 Magorra Park Multi-purpose Centre Tender Assessment (DTS)