



## ORDINARY COUNCIL MEETING AGENDA – 19 MAY 2016 WEST WIMMERA SHIRE COUNCIL

### ORDINARY COUNCIL MEETING AGENDA

**Mission Statement:** *West Wimmera Shire Council will work in partnership with the community, business and government to develop and enhance a productive, healthy and safe community by providing leadership, services, advocacy and good governance*

**TO BE HELD:** Thursday 19 May 2016  
**LOCATION:** Kaniva Council Chamber  
**COMMENCEMENT:** 7.30pm

REQUIRED TO ATTEND:	
Councillors	Senior Management Group
Annette Jones, Mayor	David Leahy Chief Executive Officer
Ron Hawkins	
Bruce Meyer	Venkat Peteti General Manager Corporate & Community Services
Richard Wait	
Warren Wait	Robyn Evans General Manager Infrastructure Development & Works

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

*West Wimmera Shire Council Local Law No.7, 2012*

*38. Gallery to be silent*

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

**Vision Statement:** *West Wimmera Shire delivers the very best experience and opportunity that rural living has to offer*



## ORDINARY COUNCIL MEETING AGENDA – 19 MAY 2016 WEST WIMMERA SHIRE COUNCIL

### TABLE OF CONTENTS

<b>1.0</b>	<b>WELCOME</b>	<b>4</b>
<b>2.0</b>	<b>OPENING PRAYER</b>	<b>4</b>
<b>3.0</b>	<b>APOLOGIES, LEAVE OF ABSENCE, DECLARATION OF CONFLICT OF INTEREST</b>	<b>4</b>
3.1	APOLOGIES	4
3.2	LEAVE OF ABSENCE	4
3.3	DECLARATION OF CONFLICT OF INTEREST	4
<b>4.0</b>	<b>QUESTIONS FROM THE GALLERY (maximum of 30 minutes)</b>	<b>4</b>
4.1	WRITTEN QUESTIONS ON NOTICE	4
4.2	VERBAL QUESTIONS WITHOUT NOTICE	4
<b>5.0</b>	<b>DELEGATES REPORTS (FOR INFORMATION ONLY) AS LISTED IN THE COUNCIL KEPT COUNCILLOR DIARY</b>	<b>5</b>
5.1	MAYOR, ANNETTE JONES	5
5.2	COUNCILLOR RON HAWKINS	5
5.3	COUNCILLOR BRUCE MEYER	5
5.4	COUNCILLOR RICHARD WAIT	6
5.5	COUNCILLOR WARREN WAIT	6
5.6	DAVID LEAHY (CHIEF EXECUTIVE OFFICER)	6
5.7	GENERAL DELEGATES REPORTS	7
<b>6.0</b>	<b>CONDOLENCES</b>	<b>7</b>
<b>7.0</b>	<b>CONFIRMATION OF MINUTES FROM PREVIOUS MEETING</b>	<b>8</b>
<b>8.0</b>	<b>BUSINESS ARISING FROM PREVIOUS MINUTES</b>	<b>8</b>
<b>9.0</b>	<b>NOTICES OF MOTION</b>	<b>8</b>
<b>10.0</b>	<b>COMMITTEE RECOMMENDATIONS, ASSEMBLY OF COUNCILLORS RECORD, SPECIAL MEETING OF COUNCIL</b>	<b>8</b>



## ORDINARY COUNCIL MEETING AGENDA – 19 MAY 2016 WEST WIMMERA SHIRE COUNCIL

10.1	GENERAL COMMITTEE	8
10.2	ASSEMBLY OF COUNCILLORS	10
10.3	SPECIAL MEETING OF COUNCIL	10
<b>11.0</b>	<b>DEPUTATIONS AND PETITIONS</b>	<b>10</b>
<b>12.0</b>	<b>CHIEF EXECUTIVE OFFICER AND GOVERNANCE</b>	<b>11</b>
12.1	KANIVA AGRICULTURAL & PASTORAL SOCIETY – REQUEST FOR WAIVER OF BUILDING APPROVAL FEE	11
12.2	STRUCTURE OF RURAL COUNCILS VICTORIA – MOVE TO BECOME AN INCORPORATED ASSOCIATION	14
12.3	DRAFT COMMUNICATION AND ENGAGEMENT PLAN	19
<b>13.0</b>	<b>INFRASTRUCTURE DEVELOPMENT AND WORKS</b>	<b>22</b>
13.1	NUISANCE CATS ISSUES FOR COUNCIL MANAGEMENT	22
13.2	CAPITAL WORKS UPDATE	27
<b>14.0</b>	<b>CORPORATE AND COMMUNITY SERVICES</b>	<b>29</b>
14.1	RESPONSIBLE FINANCIAL MANAGEMENT – LIMITS ON COUNCIL BORROWINGS AND PROCEDURE FOR BORROWING	29
14.2	FINANCIAL REPORT AS AT 31 MARCH 2016	37
<b>15.0</b>	<b>LATE ITEMS OF BUSINESS</b>	<b>40</b>
<b>16.0</b>	<b>SEALING SCHEDULE</b>	<b>40</b>
<b>17.0</b>	<b>CONFIDENTIAL (PURSUANT TO SECTION 89 LGA 89)</b>	<b>40</b>



## ORDINARY COUNCIL MEETING AGENDA – 19 MAY 2016 WEST WIMMERA SHIRE COUNCIL

### 1.0 WELCOME

### 2.0 OPENING PRAYER

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

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

#### 3.1 APOLOGIES

#### 3.2 LEAVE OF ABSENCE

#### 3.3 DECLARATION OF CONFLICT OF INTEREST

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

### 4.0 QUESTIONS FROM THE GALLERY (maximum of 30 minutes)

#### 4.1 WRITTEN QUESTIONS ON NOTICE

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

#### 4.2 VERBAL QUESTIONS WITHOUT NOTICE

*Time permitting, this section of the Agenda allows members of gallery to ask verbal questions of Councillors, through the Mayor. At all other times during the meeting, members of the gallery are required to be silent, pursuant to West Wimmera Shire Council Local Law No.7, 2012.*



## ORDINARY COUNCIL MEETING AGENDA – 19 MAY 2016 WEST WIMMERA SHIRE COUNCIL

### **5.0 DELEGATES REPORTS (FOR INFORMATION ONLY) AS LISTED IN THE COUNCIL KEPT COUNCILLOR DIARY**

#### **5.1 MAYOR, ANNETTE JONES**

29/04/2016 CEO David Leahy  
29/04/2016 Budget 2016-2017 Workshop, Edenhope  
02/05/2016 CEO David Leahy  
02/05/2016 Service Review Workshop #6, Edenhope  
05/05/2016 Pre-recording of question for Q&A Program, Horsham  
05/05/2016 Councillor Forum, Edenhope  
06/05/2016 Benayeo Estate WW1 Soldier Settlement – Memorial Unveiling  
09/05/2016 CEO David Leahy  
12/05/2016 Rural Councils Victoria – Mayors, Councillors & CEOs Forum, Melbourne  
13/05/2016 MAV State Council, Melbourne  
16/05/2016 CEO David Leahy  
19/05/2016 Meeting to discuss Aboriginal Panels Project, Edenhope  
19/05/2016 Official Opening, Edenhope Hospital Staff Accommodation Building  
19/05/2016 Tour of Edenhope Cemetery to inspect upgrade work  
19/05/2016 Council Meetings, Kaniva

#### **5.2 COUNCILLOR RON HAWKINS**

22/04/2016 Western Highway Action Committee Meeting, Stawell  
24/04/2016 Miga Lake Estate WW1 Soldier Settlement – Memorial Unveiling  
25/04/2016 Anzac Day Ceremony, Apsley  
25/04/2016 Mortat Estate WW1 Soldier Settlement – Memorial Unveiling  
29/04/2016 Budget 2016-2017 Workshop, Edenhope  
02/05/2016 Service Review Workshop #6, Edenhope  
02/05/2016 Victorian Skills Commissioner – regional consultation, Horsham  
05/05/2016 Special Meeting of Council, Edenhope  
05/05/2016 Councillor Forum, Edenhope  
10/05/2016 Wimmera Development Association Board Meeting, Stawell  
19/05/2016 Meeting to discuss Aboriginal Panels Project, Edenhope  
19/05/2016 Official Opening, Edenhope Hospital Staff Accommodation Building  
19/05/2016 Tour of Edenhope Cemetery to inspect upgrade work  
19/05/2016 Council Meetings, Kaniva

#### **5.3 COUNCILLOR BRUCE MEYER**

25/04/2016 Anzac Day Ceremony, Kaniva  
25/04/2016 Cove Estate WW1 Soldier Settlement – Memorial Unveiling  
29/04/2016 Budget 2016-2017 Workshop, Edenhope  
02/05/2016 Service Review Workshop #6, Edenhope  
05/05/2016 Special Meeting of Council, Edenhope



## ORDINARY COUNCIL MEETING AGENDA – 19 MAY 2016 WEST WIMMERA SHIRE COUNCIL

- 05/05/2016 Councillor Forum, Edenhope
- 10/05/2016 Kaniva Community Sporting Complex Meeting
- 19/05/2016 Meeting to discuss Aboriginal Panels Project, Edenhope
- 19/05/2016 Official Opening, Edenhope Hospital Staff Accommodation Building
- 19/05/2016 Tour of Edenhope Cemetery to inspect upgrade work
- 19/05/2016 Council Meetings, Kaniva

### **5.4 COUNCILLOR RICHARD WAIT**

- 25/04/2016 Anzac Day Ceremony, Harrow
- 25/04/2016 Mortat Estate WW1 Soldier Settlement – Memorial Unveiling
- 05/05/2016 Special Meeting of Council, Edenhope
- 05/05/2016 Councillor Forum, Edenhope
- 11/05/2016 Johnny Mullagh Interpretive Centre Special Committee Meeting
- 17/05/2016 Wimmera Mallee Tourism Meeting, Sea Lake
- 19/05/2016 Meeting to discuss Aboriginal Panels Project, Edenhope
- 19/05/2016 Official Opening, Edenhope Hospital Staff Accommodation Building
- 19/05/2016 Tour of Edenhope Cemetery to inspect upgrade work
- 19/05/2016 Council Meetings, Kaniva

### **5.5 COUNCILLOR WARREN WAIT**

- 23/04/2016 Re-enactment of charge of Light Horse Brigade
- 23/04/2016 Official opening of Light Horse Brigade Exhibition, Red Tail Gallery
- 25/04/2016 Anzac Day Ceremony, Goroke
- 25/04/2016 Mortat Estate WW1 Soldier Settlement – Memorial Unveiling
- 29/04/2016 Budget 2016-2017 Workshop, Edenhope
- 05/05/2016 Councillor Forum, Edenhope
- 19/05/2016 Meeting to discuss Aboriginal Panels Project, Edenhope
- 19/05/2016 Official Opening, Edenhope Hospital Staff Accommodation Building
- 19/05/2016 Tour of Edenhope Cemetery to inspect upgrade work
- 19/05/2016 Council Meetings, Kaniva

### **5.6 DAVID LEAHY (CHIEF EXECUTIVE OFFICER)**

- 22/04/2016 Mal Coutts, Wimmera Uniting Care
- 26/04/2016 Post-Council Staff Meeting
- 26/04/2016 Senior Management Group Meeting
- 26/04/2016 Kaniva Recreation Reserve Assets Meeting
- 26/04/2016 Stuart Hicks and Zach Robinson
- 27/04/2016 Countrywide Energy
- 28/04/2016 MAV STEP Visit
- 29/04/2016 Mayor Annette Jones
- 29/04/2016 Budget 2016-2017 Workshop, Edenhope



## ORDINARY COUNCIL MEETING AGENDA – 19 MAY 2016 WEST WIMMERA SHIRE COUNCIL

29/04/2016	Farewell to two outdoor staff, Edenhope Depot
30/04/2016	Harrow Recreation Reserve Committee
02/05/2016	Mayor Annette Jones
02/05/2016	Service Review Workshop #6, Edenhope
02/05/2016	Victorian Skills Commissioner – regional consultation, Horsham
03/05/2016	Draft Terms of Reference, Asset Management Steering Committee
03/05/2016	Senior Management Group Meeting
04/05/2016	OH&S Meeting, Edenhope
04/05/2016	Friends of Lake Wallace & Wimmera CMA
04/05/2016	SED Advisory
05/05/2016	Special Meeting of Council, Edenhope
05/05/2016	Councillor Forum, Edenhope
06/05/2016	Worked in Kaniva
09/05/2016	Apsley Recreation Reserve Committee
09/05/2016	Mayor Annette Jones
09/05/2016	Regional Development Victoria
09/05/2016	Senior Management Group Meeting
10/05/2016	Paula Clark, Wimmera Regional Library Corporation, Horsham
10/05/2016	Wimmera Development Association Board Meeting, Stawell
11/05/2016	Worked in Kaniva
12/05/2016	Rural Councils Victoria – Mayors, Councillors & CEOs Forum, Melbourne
13/05/2016	MAV State Council, Melbourne
16/05/2016	Senior Management Group Meeting
16/05/2016	Mayor Annette Jones
16/05/2016	Sport & Recreation Victoria
16/05/2016	Goroke Community re Playground Petition
16/05/2016	Edenhope College School Council Meeting
19/05/2016	Meeting to discuss Aboriginal Panels Project, Edenhope
19/05/2016	Official Opening, Edenhope Hospital Staff Accommodation Building
19/05/2016	Tour of Edenhope Cemetery to inspect upgrade work
19/05/2016	Council Meetings, Kaniva

### **5.7 GENERAL DELEGATES REPORTS**

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

### **6.0 CONDOLENCES**



## ORDINARY COUNCIL MEETING AGENDA – 19 MAY 2016 WEST WIMMERA SHIRE COUNCIL

### 7.0 CONFIRMATION OF MINUTES FROM PREVIOUS MEETING

#### RECOMMENDATION:

That the Minutes of the Ordinary Meeting of Council held on Thursday 21 April 2016, be taken as an accurate record and confirmed.

### 8.0 BUSINESS ARISING FROM PREVIOUS MINUTES

### 9.0 NOTICES OF MOTION

### 10.0 COMMITTEE RECOMMENDATIONS, ASSEMBLY OF COUNCILLORS RECORD, SPECIAL MEETING OF COUNCIL

#### 10.1 GENERAL COMMITTEE

#### FOR DECISION

The resolutions arising from the General Committee Meeting held on Thursday 21 April 2016 are now required to be formally adopted by Council.

#### RECOMMENDATION:

That the resolutions arising from the General Committee Meeting, being resolutions from the meeting held on Thursday 21 April 2016, as listed below, be adopted on an individual resolution basis.

#### 2.2.1 PANELS TELLING STORY OF ABORIGINAL CRICKET

Moved: Cr Warren Wait

Seconded: Cr Ron Hawkins

That we erect three panels with writing on both sides telling the story of aboriginal cricket in our area, to be erected near the Bendigo Bank.

Carried (3/2)

Officer Comment – GMCCS:





## ORDINARY COUNCIL MEETING AGENDA – 19 MAY 2016 WEST WIMMERA SHIRE COUNCIL

### 2.2.2 BOARD AT BIG FISH, EDENHOPE

**Moved:** Cr Warren Wait

**Seconded:** Cr Ron Hawkins

**That we put a board up at the Big Fish stating how it got there and what it is about.**

**Carried (4/1)**

Officer Comment – GMCCS:

### 2.3.1 GUM TREE LEAF DIE BACK

**Moved:** Cr Ron Hawkins

**Seconded:** Cr Warren Wait

**That West Wimmera Shire Council note the gum tree leaf die back and that we investigate a possible cause.**

**Carried (5/0)**

Officer Comment – GMIDW:

### 2.4.1 GRANTS UNDERWRITTEN BY COUNCIL

**Moved:** Cr Annette Jones

**Seconded:** Cr Warren Wait

**That:**

- 1. Council be informed of any current grants that Council has underwritten.**
- 2. Council be provided with detailed information relating to matters such as the time frame and the amount, to ensure that there is a clear understanding of Council liabilities.**
- 3. Appropriate processes be established to ensure that this information is communicated to Council in a timely manner, according to good governance practices.**



## ORDINARY COUNCIL MEETING AGENDA – 19 MAY 2016 WEST WIMMERA SHIRE COUNCIL

4. The requirements and Councillor expectations regarding “good governance practices” be discussed at Forum prior to being presented to Council for resolution.

Carried (5/0)

Officer Comment – GMCCS:

### 10.2 ASSEMBLY OF COUNCILLORS

#### RECOMMENDATION:

That the Assembly of Councillors Record for the Councillor Forum held Thursday 5 May 2016 be received and noted.

### 10.3 SPECIAL MEETING OF COUNCIL

That the Minutes of the Special Meeting of Council held on Thursday 5 May 2016, be taken as an accurate record and confirmed.

#### Attachments:

No.	Name	RecFind Ref
10.3.1	Minutes of Special Meeting of Council, 5 May 2016	16/001710

### 11.0 DEPUTATIONS AND PETITIONS



## ORDINARY COUNCIL MEETING AGENDA – 19 MAY 2016 WEST WIMMERA SHIRE COUNCIL

### 12.0 CHIEF EXECUTIVE OFFICER AND GOVERNANCE

#### 12.1 KANIVA AGRICULTURAL & PASTORAL SOCIETY – REQUEST FOR WAIVER OF BUILDING APPROVAL FEE

**FILE NUMBER: PS0396**

**REPORT AUTHOR: ELIZABETH MATUSCHKA**

**GOVERNANCE & EXECUTIVE SUPPORT OFFICER**

#### **FOR DECISION**

##### Introduction

The Kaniva Agricultural and Pastoral Society has written to Council requesting that a building approval fee of \$549.00 be waived.

##### Declaration of Interests

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

##### Background

The Kaniva Agricultural and Pastoral Society has written to Council requesting that a building approval fee of \$549.00 be waived.

A copy of this letter is attached.

In their letter the Committee states:

- The Society plans to construct a veranda along the length of the east side of the Community Pavilion, at the Kaniva Recreation Reserve.
- The veranda will provide shelter for people attending events held at the Recreation Reserve including the Kaniva Show, the Kaniva Car and Bike Show, football and cricket matches, and a variety of other functions.
- The Society states that it is a not for profit organisation.

##### Risk Management Implications

Not commented on.



## ORDINARY COUNCIL MEETING AGENDA – 19 MAY 2016 WEST WIMMERA SHIRE COUNCIL

### Legislative Implications

Nil.

### Environmental Implications

Nil.

### Financial and Budgetary Implications

Council could consider providing the requested financial assistance from the Councillor Donations Fund. The total amount budgeted for 2015-2016 is \$10,000, of which approximately \$6000 remains available.

### Policy Implications

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

- Discretionary Fund Policy

### Council Plan Implications

This report supports the following section/s of the West Wimmera Shire Council Plan 2013-2017:

- Strategic Objective 2: Increased community amenity – protect unique values of our rural communities

### Communication Implications

Not commented on.

### Conclusion

The Kaniva Recreation Reserve is an important facility within the greater Kaniva community.

### **OFFICER RECOMMENDATION:**

**That Council provides the Kaniva Agricultural and Pastoral Society with funding of \$549.00 from the Councillor Donations Fund, to be used to pay the building approval fee for the construction of a veranda at the Kaniva Recreation Reserve.**



## ORDINARY COUNCIL MEETING AGENDA – 19 MAY 2016 WEST WIMMERA SHIRE COUNCIL

### Attachments:

No.	Name	RecFind Ref
12.1.1	Letter from Kaniva A&P Society re building approval fee waiver	16/000684



## ORDINARY COUNCIL MEETING AGENDA – 19 MAY 2016 WEST WIMMERA SHIRE COUNCIL

### 12.2 STRUCTURE OF RURAL COUNCILS VICTORIA – MOVE TO BECOME AN INCORPORATED ASSOCIATION

**FILE NUMBER: AD0152**

**REPORT AUTHOR: DAVID LEAHY, CHIEF EXECUTIVE OFFICER**

#### **FOR DECISION**

##### Introduction

Rural Councils Victoria (RCV) has written to Council advising that it is planning to become an incorporated entity, and seeking Council's support for the move.

##### Declaration of Interests

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

##### Background

RCV is an unincorporated organisation which represents the interests of rural councils within Victoria and currently has 38 members, of which West Wimmera Shire Council is one.

The RCV's work includes:

1. providing opportunities for networking and professional development;
2. activities directed at ensuring the sustainability of rural councils; and
3. activities to assist rural communities to remain sustainable.

This occurs via a number of mechanisms, including the:

1. organisation of forums and conferences for member councils;
2. engagement of consultants to undertake project work; and
3. applying for Government grants, particularly through Regional Development Victoria.

Given that the RCV is not a separate legal entity, it conducts its business through a 'Secretariat'. This involves the Executive appointing a willing Council member to essentially act as its agent, providing administrative support and entering into contracts on its behalf.



## ORDINARY COUNCIL MEETING AGENDA – 19 MAY 2016 WEST WIMMERA SHIRE COUNCIL

### **Incorporation of RCV**

As the RCV is currently unincorporated, Council is, together with all other member councils, exposed to liability in respect of its operations.

To address this, and to enable the RCV to operate with greater independence and ease, it is proposed to incorporate the RCV as an incorporated association. It will be called 'Rural Councils Victoria Incorporated' and will operate in accordance with the draft Rules, attached to this report.

The benefits of the RCV being incorporated include that it:

1. is recognised as a separate legal entity, with protection from debts for members and perpetual succession;
2. has the power to own and hold property, enter into contracts and otherwise act as any other legal entity would;
3. cannot distribute profit to its members;
4. must operate in accordance with a set of rules, including a statement of purpose – being the draft Rules attached to this report; and
5. is operated by a Committee of Management and a Secretary, which are responsible for ensuring that all legislative obligations are complied with, and purposes are being achieved.

The RCV fulfils a number of functions that are important to rural councils in Victoria. Perhaps most importantly, it currently has responsibility for applying for Government grants, particularly through Regional Development Victoria, which are of benefit to rural councils.

It will be important that the RCV is incorporated to enable it to carry on those functions with greater independence and flexibility while still being subject to the views of its member councils.

It is not expected that the manner in which the RCV operates will be different from its current operations, although election to the Committee of Management will be based on slightly different zones, as set out in the draft Rules attached to this report.



## ORDINARY COUNCIL MEETING AGENDA – 19 MAY 2016 WEST WIMMERA SHIRE COUNCIL

### Exercise of Entrepreneurial Powers

As Council will, if in favour of this proposal, be participating in the formation and operation of a separate legal entity, it is required, in accordance with s 193 of the *Local Government Act 1989 (LG Act)*, to have regard to the risks involved and comply with ss 193(5A) and (5B) of the LG Act.

Council is advised that:

1. the **total investment** involved in Council's participation in the formation of Rural Councils Victoria Limited is:

**\$0**

Council will be required to continue paying membership fees, as fixed by the Committee from time to time, but will not be required to invest anything in respect of the incorporation; and

2. the **total risk** involved in Council's participation in the formation of Rural Councils Victoria Limited is:

**\$0**

Any liability for the activities of Rural Councils Victoria Limited will attach to it, not to the individual members.

So, the total investment and risk exposure will be \$0, meaning that Council is not required to take any further action in relation to this matter under s 193(5C) of the LG Act.

### Next Steps

If the RCV continues operating as an unincorporated association, there is a risk that its individual members, including Council, will be exposed to liability if the RCV fails to properly conduct its business. Furthermore, it will be unable to enter into contractual arrangements on its own behalf – instead relying on the Secretariat council to do so.

It is therefore recommended that Council accepts the analysis of Council's investment and risk exposure and votes in favour of the RCV being incorporated on the basis of the draft Rules attached to this report.

It is proposed that a vote of all current members will be held at the next meeting of RCV to be held on Friday 10 June 2016. The vote will, if a majority is in favour, authorise Jim Nolan,





## ORDINARY COUNCIL MEETING AGENDA – 19 MAY 2016 WEST WIMMERA SHIRE COUNCIL

Chief Executive Officer of Pyrenees Shire Council (the current Secretariat council), to apply to the Registrar of Incorporated Associations for the incorporation of RCV and approve the draft Rules.

### Risk Management Implications

Not commented on.

### Legislative Implications

Not commented on.

### Environmental Implications

Nil.

### Financial and Budgetary Implications

Rural Councils Victoria has advised that there are no financial and budgetary implications for Council, as a result of RCV becoming an incorporated entity.

Council currently pays an annual membership fee of \$3300 (including GST) to RCV.

### Policy Implications

This report is supported by a range of West Wimmera Shire Council Policies, which collectively seek to ensure the sustainability of this Council.

### Council Plan Implications

This report supports the following section/s of the West Wimmera Shire Council Plan 2013-2017:

- Strategic Objective 3: Improve communication and community engagement activities of Council
- Strategic Objective 6: Strengthen the culture and governance of the organisation

### Communication Implications

Not commented on.



## ORDINARY COUNCIL MEETING AGENDA – 19 MAY 2016 WEST WIMMERA SHIRE COUNCIL

### Conclusion

Rural Councils Victoria (RCV) has written to Council advising that it is planning to become an incorporated entity, and seeking Council's support for the move.

### OFFICER RECOMMENDATION:

**That:**

- 1. The proposed incorporation of Rural Councils Victoria does not involve an investment and/or risk exposure that exceeds the thresholds set out in s 193(5C) of the *Local Government Act 1989*;**
- 2. Council votes in favour of authorising Jim Nolan, Chief Executive Officer of Pyrenees Shire Council, to apply to the Registrar of Incorporated Associations for the incorporation of Rural Councils Victoria Incorporated;**
- 3. Council approves the draft Rules attached to this report as 'Attachment A' as the Rules for Rural Councils Victoria Incorporated; and**
- 4. Council authorises Cr [insert name] to vote on Council's behalf on this matter, in accordance with this resolution, at the meeting of RCV to be held on Friday 10 June 2016.**

### **Attachments:**

<b>No.</b>	<b>Name</b>	<b>RecFind Ref</b>
12.2.1	Letter from RCV to CEO re structure of Rural Councils Victoria, 21 Apr 2016	16/001772
12.2.2	Draft Rules for RCV Incorporated	16/001772



## ORDINARY COUNCIL MEETING AGENDA – 19 MAY 2016 WEST WIMMERA SHIRE COUNCIL

### **12.3 DRAFT COMMUNICATION AND ENGAGEMENT PLAN**

**FILE NUMBER: AD0204**

**REPORT AUTHOR: KELLIE JORDAN, MANAGER OF ECONOMIC &  
BUSINESS DEVELOPMENT**

#### **FOR DECISION**

##### Introduction

The West Wimmera Shire Council Plan indicates the need to develop a plan to “improve the delivery of Council information to the community and other stakeholders”.

The draft Communication and Engagement Action Plan sets a framework for council communications. It gives direction to all media, online, internal, marketing, publications and public relations communications activity undertaken on behalf of West Wimmera Shire Council.

Currently, there are no documents/plans that oversee council’s corporate communications. Some of the actions within the plan are already undertaken, while some will be new to council. The plan provides a clear outline of how council’s corporate communications shall be undertaken.

##### Declaration of Interests

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

##### Background

The WWSC Draft Communication and Engagement Action Plan was developed in 2015 for internal use. The document has not as yet been endorsed by council. The action plan evolved through informal consultation with various council employees, councillors and members of the community. It is a comprehensive document that covers all areas of council’s corporate communications and provides direction and clarity for council employees, councillors, stakeholders and the community.



## ORDINARY COUNCIL MEETING AGENDA – 19 MAY 2016 WEST WIMMERA SHIRE COUNCIL

As stated in the document, the plan will be reviewed annually or as required, due to the ever-changing nature of technology. This will ensure council delivers efficient and effective communication and engagement going forward.

While it has been historically suggested in the Local Government sector that a communications strategy can have the effect of “gagging” Councillors, this is not the case. The primary purpose is to provide all of the necessary information to Council spokespersons to enable them to provide balanced communications when either speaking at a public forum or to the media.

### Risk Management Implications

There are no direct risks linked to this matter. However, should council not adopt and implement such a process, there is a high level of risk to the organisation around potentially ambiguous communication (incoming and outgoing) and engagement.

### Legislative Implications

Council is not obligated to have a communications plan by legislation. This Action Plan is of an operational nature. Although it is recognised that legislation directly and indirectly affects the council corporate communications.

### Environmental Implications

Nil

### Financial and Budgetary Implications

There will be minor, indirect financial implications linked to the Action Plan such as training costs and existing expenses for internet hosting, advertising etc. These will be factored in to the annual budgetary process.

There are no major financial implications linked to the Action Plan. However it should be noted that the plan has been developed with budget constraints in mind, which impacts the level and type of corporate communications undertaken by West Wimmera Shire Council.

In regard to human resource implications, there is currently a resource allocated for .6FTE whose capacity is overextended.



## ORDINARY COUNCIL MEETING AGENDA – 19 MAY 2016 WEST WIMMERA SHIRE COUNCIL

### Policy and Council Plan Implications

One of council's values is to 'consult and engage our communities in all key issues'. This is linked to Strategic Objective 3 of the Council Plan, to improve communication and community engagement activities of council. The communications and engagement action plan aligns directly with action 3.1 that council will develop an internal media and community engagement plan. The overall aim of this action is to improve the delivery of council information to the community and other stakeholders.

There are a number of other actions listed under Strategic Objective 3 of an operational nature relating to council's corporate communications. These actions have been reviewed and included in the communications and engagement action plan.

### Communication Implications

The purpose of adopting and implementing this Action Plan is to ensure council's corporate communications are managed in a professional, responsive manner.

### Recommendation

**That Council endorse the draft WWSC Communication and Engagement Action Plan version 2.1, as per attachment.**

#### **Attachments:**

No.	Name	RecFind Ref
13.3.1	Draft WWSC Communication and Engagement Action Plan v2.1	16/001634



## ORDINARY COUNCIL MEETING AGENDA – 19 MAY 2016 WEST WIMMERA SHIRE COUNCIL

### 13.0 INFRASTRUCTURE DEVELOPMENT AND WORKS

#### 13.1 NUISANCE CATS ISSUES FOR COUNCIL MANAGEMENT

**FILE NUMBER: EN0001**

**REPORT AUTHOR: ADRIAN SCHMIDT, LOCAL LAWS OFFICER/ RANGER**

#### **FOR DECISION**

##### Introduction

At the Ordinary Council meeting on 18 June 2015 Councillors unanimously requested a report be presented investigating the extent of the problem posed by cats, possible solutions and budgetary implications.

Additionally, in March 2016, Council recently received a letter from the Australian Government Department of Environment requesting Council's assistance in the fight against extinction of threatened species caused by feral cats.

The objective of this report is to report back to Council as requested, to inform Council of the feral and domestic cat issues such as the effect on the environment and the disturbances in towns due to stray cats, and to promote discussion.

##### Declaration of Interests

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

##### Background

The Federal Minister for the Environment, the Hon Greg Hunt MP, has released a Threat Abatement Plan 2015 for Predation by Feral Cats. The goal of this threat abatement plan (TAP) is to minimise the impact of feral cats on biodiversity in Australia.

The plan contains 4 objectives:

- Effectively control feral cats in different landscapes;
- Improve effectiveness of different control options for feral cats;
- Develop and maintain alternative strategies for threatened species recovery; and
- Increase public support for feral cat management and promote responsible cat ownership



## ORDINARY COUNCIL MEETING AGENDA – 19 MAY 2016 WEST WIMMERA SHIRE COUNCIL

The TAP contains 22 actions items across the four main objectives. Some action items may affect council operations across all cat, (domestic, stray and feral) management activities

As per the letter from the Australian Government Threatened Species Commissioner, feral cats are driving many of our threatened species to extinction, with each feral cat capable of killing 1400 native animals each year on average.

The strategy's feral cat target commits to culling 150,000 feral cats this year, building to two million feral cats by 2020. Also mentioned in the letter is *"your services and regulatory function as a local Government mean you have a very important role in feral cat control."*

The Federal Government's own figures put the feral cat population at between 15 and 23 million. The Australian Wildlife Conservancy said that if each feral cat killed between five and 30 animals a day, a minimum of 75 million native animals would be killed daily.

Female cats in Australia reach sexual maturity at 10-12 months and have an average of two litters per year. Studies have found the mean litter size of domestic cats to be 3.88 kittens with larger cats tending to have more kittens in the litter.

### **Cat impacts on native fauna**

The Commonwealth TAP for Predation by Feral Cats lists 36 mammal, 35 bird, 7 reptile and 3 amphibian native species that are threatened and are known or perceived to be under threat from cats. Small mammals constitute the largest component of the cat's diet in Australia. Birds represent the second most important component in the diet of cats.

### **Disease**

There is evidence of the potential threat from cats to native species through dissemination of disease and parasites.

Horsham Rural City Council and Hindmarsh Council both have a sunset to sunrise cat curfew however they do not have compulsive desexing of cats.

Attachment 2 is a list of some other Council's that have restrictions on cats with some brief points relating to cats.

### **Risk Management Implications**

Not commented on.



## ORDINARY COUNCIL MEETING AGENDA – 19 MAY 2016 WEST WIMMERA SHIRE COUNCIL

### Legislative Implications

Council is able to make local laws (*Local Government Act 1989*) to regulate domestic cats, such as compulsory de-sexing and/or a curfew e.g. in towns from sunset to sunrise.

The status and management of cats in Australia is covered by legislation at the Commonwealth, State and Local Government levels.

In 1992 the feral cat in Australia was listed as a Key Threatening Process under the *Endangered Species Protection Act 1992*, now incorporated in the *Environment Protection and Biodiversity Conservation Act 1999*.

In 1994 the Australian Nature Conservation Agency held a workshop to forge a national approach to cat control, and a *Threat Abatement Plan for Predation by Feral Cats* was produced in 1999 to promote the recovery of vulnerable and endangered native species.

The *Domestic (Feral and Nuisance) Animals Act 1994* forms a legal distinction between owned and unowned cats and provides a basis for local Councils to mount an effective response to nuisance, straying, unowned and feral cats.

Under the *Wildlife Act 1975*, an authorised officer may seize a dog or cat found in a State Wildlife Reserve or Nature Reserve and the animal may be destroyed within eight days if ownership is not claimed.

The *Prevention of Cruelty to Animals Act 1986* contains the obligations and offences associated with all animals in Victoria.

### Environmental Implications

As per the letter from the Australian Government Threatened Species Commissioner dated 11 March 2016 feral cats are driving many of our threatened species to extinction, with each feral cat capable of killing 1400 native animals each year on average.

### Financial and Budgetary Implications

Currently it is mandated that cats be registered with Council however current resourcing levels limit capacity to enforce.

Any change to the level of service and approach that Council determines to be appropriate to reduce the feral numbers cats and enforce the Community Local Law would determine budget adjustments, including increased income from enforcement.





## ORDINARY COUNCIL MEETING AGENDA – 19 MAY 2016 WEST WIMMERA SHIRE COUNCIL

### Policy Implications

This report is supported by the following West Wimmera Shire Council Policy, plans and Local Law:

- Environmental Policy
- Township Amenity Policy
- West Wimmera Shire Council Domestic Animal Management Plan 2013-2017
- West Wimmera Shire Council Community Local Law

### Council Plan Implications

This report supports the following section/s of the West Wimmera Shire Council Plan 2013-2017:

- Strategic Objective 2: Increased community amenity – protect unique values of our rural communities
- Strategic Objective 3: Improve communication and community engagement activities of Council
- Strategic Objective 4: Increase community confidence in Council Service Levels

### Communication Implications

Council's electronic newsletter, also the web site and media outlets could be utilised in any promotion of Council's approach to managing feral cats.

### Conclusion

Officers currently do not have the capacity to undertake a wide scale trapping program. Council supplies cat traps that are delivered to properties as requested by residents. Essentially it is a reactive service not a proactive service.

Management of feral cats would see intensive cat control in prioritised areas (e.g. transfer stations, reserves) that are the most likely to see positive results or have the greatest impact.

The ability of Council to trap feral cats alone is limited therefore to working with community to reduce feral cat population.

If Council was to strictly enforce the current Community Local Law 2012 and implement a trapping program for feral and unregistered cats, this would lead to a reduction in fighting and nuisance caused by domestic and feral cats. This program would also have a substantial impact on addressing the environmental issues.



## ORDINARY COUNCIL MEETING AGENDA – 19 MAY 2016 WEST WIMMERA SHIRE COUNCIL

### **OFFICER RECOMMENDATION:**

#### **That Council:**

1. **Compile a brief information pack for residents on the values of desexing, the environmental and social impacts of domestic and feral cats.**
2. **Write to the Minister for Environment, Climate Change and Water requesting that feral cats be classified as a pest animal.**
3. **Support community groups to implement a trapping program to reduce feral cats emanating from townships.**

#### **Attachments:**

<b>No.</b>	<b>Name</b>	<b>RecFind Ref</b>
13.1.1	Correspondence - Gregory Andrews, Threatened Species Commissioner	16/001297
13.1.2	Councils with cat restrictions	16/001698
13.1.3	Threat abatement plan for predation by feral cats 2015	16/001437



## ORDINARY COUNCIL MEETING AGENDA – 19 MAY 2016 WEST WIMMERA SHIRE COUNCIL

### 13.2 CAPITAL WORKS UPDATE

**FILE NUMBER: AD0176**

**REPORT AUTHOR: SENA VI ABEYKOON, ASSETS MANAGER**

#### **FOR INFORMATION**

##### Introduction

West Wimmera Shire Council's (Council) Capital Works program is a significant component of Council's budget and operations.

This report provides the monthly tabling of the Capital Works Progress Update.

##### Declaration of Interests

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

##### Background

The 2015/2016 Capital Works Program (the program) was adopted by Council in May 2015 through the budget process.

As usual, the program is subject to variations throughout the delivery year due to multiple factors including works savings and overruns, weather and unexpected asset failures.

The updated program was circulated to Council in December 2015 and further tabled for discussion at the March 2016 Councillor Assembly.

The attached Progress Report indicates physical progress as well as Financial Progress. At a glance 61% of the 88 scheduled projects are completed. 50 projects out of 88 projects 100% completed and 10 projects partly completed. A sum of 4,667,186 has been spent as at 5<sup>th</sup> May 2016 out of budgeted allocation of 5, 281,952. The remainder of uncompleted projects are expected to complete before end of June 2016.

##### Risk Management Implications

The program is constantly monitored by assets and works staff to achieve delivery.



## ORDINARY COUNCIL MEETING AGENDA – 19 MAY 2016 WEST WIMMERA SHIRE COUNCIL

### Legislative Implications

Primary legislative requirements stem from the

- *Local Government Act 1989*,
- *The Road Management Act 2004*.

Other related legislative requirements triggered with the program delivery include:

- *Planning and Environment Act 1987*,
- *Building Act 1993* and regulations.

### Environmental Implications

Not commented on.

### Financial and Budgetary Implications

As per the tabled program.

### Policy and Council Plan Implications

The program delivers obligations under the Council's Road Management Plan 2013 and services utilising the asset base.

### Communication Implications

Not commented on.

### Conclusion

The Capital Works Program, as updated, is tracking well and adjustments in the roads are within normal seasonal and operational responses. The adjustments in the buildings are necessary to respond to urgent issues arising and will be further discussed by Council in the pending Built Assets Strategy development.

### **OFFICER RECOMMENDATION:**

**That the report is received and noted.**

#### **Attachments:**

No.	Name	RecFind Ref
13.2.1	Capital Works Progress - May 2016	16/001830



## ORDINARY COUNCIL MEETING AGENDA – 19 MAY 2016 WEST WIMMERA SHIRE COUNCIL

### 14.0 CORPORATE AND COMMUNITY SERVICES

#### 14.1 RESPONSIBLE FINANCIAL MANAGEMENT – LIMITS ON COUNCIL BORROWINGS AND PROCEDURE FOR BORROWING

**FILE NUMBER: AD0022**

**REPORT AUTHOR: VENKAT PETETI, GENERAL MANAGER CORPORATE  
& COMMUNITY SERVICES**

#### **FOR INFORMATION**

##### Introduction

This report provides a summary to Council on the challenges with Council's financials and provides an understanding of the impacts of borrowing large sums of money. This report also provides any legal requirements to borrow large sums of money.

##### Declaration of Interests

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

##### Background

West Wimmera Shire Council General Committee in its meeting held on 17 September 2015 resolved the following.

**Moved: Councillor Bruce Meyer**

**Seconded: Councillor Richard Wait**

**That Council is given a report detailing procedures and limits regarding any Council financial borrowings.**

**Carried**

Also, in the light of the proposed rate capping regime, it is essential for Council to know the limitations around borrowing large sums of money.



## ORDINARY COUNCIL MEETING AGENDA – 19 MAY 2016 WEST WIMMERA SHIRE COUNCIL

A small rural Council like West Wimmera is under significant pressure due to the current fiscal climate in Victorian Local Government. There are two major areas of concern

1. Freeze on CPI indexation on Victorian Grants Commission Grants; and
2. Rate capping regime set to commence from the financial year 2016-17.

The table below provides the impact due to the two aspects of Council's long-term financial position

The below model assumes that CPI indexation is at 2.5%, and average rate rise from Council is set at 4.5%.

Year	VGC grants			Council rates		
	without CPI indexation	with CPI indexation	difference	With capping	No rate capping	difference
2016-17	\$ 4,858,717	\$ 4,980,185	\$ 121,468	\$ 6,521,287	\$ 6,692,734	\$ 171,447
2017-18	\$ 4,858,717	\$ 5,104,690	\$ 245,973	\$ 6,684,319	\$ 6,993,907	\$ 309,588
2018-19	\$ 4,858,717	\$ 5,232,307	\$ 373,590	\$ 6,851,427	\$ 7,308,633	\$ 457,206
2019-20	\$ 4,858,717	\$ 5,363,114	\$ 504,397	\$ 7,022,713	\$ 7,637,521	\$ 614,808
2020-21	\$ 4,858,717	\$ 5,497,192	\$ 638,475	\$ 7,198,281	\$ 7,981,210	\$ 782,929
2021-22	\$ 4,858,717	\$ 5,634,622	\$ 775,905	\$ 7,378,238	\$ 8,340,364	\$ 962,126
2022-23	\$ 4,858,717	\$ 5,775,488	\$ 916,771	\$ 7,562,694	\$ 8,715,680	\$ 1,152,987
2023-24	\$ 4,858,717	\$ 5,919,875	\$ 1,061,158	\$ 7,751,761	\$ 9,107,886	\$ 1,356,125
2024-25	\$ 4,858,717	\$ 6,067,872	\$ 1,209,155	\$ 7,945,555	\$ 9,517,741	\$ 1,572,186
2025-26	\$ 4,858,717	\$ 6,219,569	\$ 1,360,852	\$ 8,144,194	\$ 9,946,039	\$ 1,801,845

**Total for 10 years**      \$ 48,587,170      \$ 55,794,913      \$ 7,207,743      \$ 73,060,468      \$82,241,715      \$ 9,181,247

The total reduction in funds from rate capping and VGC freeze in indexation over ten yrs.      **\$ 16,388,990**

It is clear from the above table that Council would have significant reductions in its revenue and to manage financial sustainability Council must maintain financial discipline.

### Discussion

West Wimmera Shire Council is known for its sound financial management principles. For the financial year, 2015-16 Council's budgeted revenue is \$18.12 million, and budgeted revenue from rates is \$6.8 million which makes, revenue from rates is 37.8% of the total revenue.

Council currently has a borrowing of approximately \$405,000, which Council borrowed to meet the shortfall of the defined benefits superannuation scheme. Council's current borrowings are at 5.9% of the total rate revenue, which keeps Council's financial risk at "low level". If



## ORDINARY COUNCIL MEETING AGENDA – 19 MAY 2016 WEST WIMMERA SHIRE COUNCIL

Council's borrowings increase more than \$1.5 million; Council would be considered "high risk" as per the sustainable indicators set by Victorian Auditors General's Office. Council will be considered financially irresponsible if "high risk" financial sustainable risk continues for more than two years in a row.

The extract from the Local Government Act 1989 (the Act) provides Council's obligations in Implementing sound financial management practices

### ***LOCAL GOVERNMENT ACT 1989 - SECT 136***

#### ***Principles of sound financial management***

- (1) A Council must implement the principles of sound financial management.
- (2) The principles of sound financial management are that a Council must—
  - (a) manage financial risks faced by the Council prudently, having regard to economic circumstances;
  - (b) pursue spending and rating policies that are consistent with a reasonable degree of stability in the level of the rates burden;
  - (c) ensure that decisions are made, and actions are taken having regard to their financial effects on future generations;
  - (d) ensure full, accurate and timely disclosure of financial information relating to the Council.
- (3) The risks referred to in subsection (2)(a) include risks relating to—
  - (a) the level of Council debt;
  - (b) the commercial or entrepreneurial activities of the Council;
  - (c) the management and maintenance of assets;
  - (d) the management of current and future liabilities;
  - (e) changes in the structure of the rates and charges base.

#### **How much money Council could borrow?**

The Act is not prescriptive on how much money Council could borrow. However, the repayment capacity of the Council would be the significant factor in determining the money Council could borrow. Council must meet the loan repayment obligations from its rate revenue



## ORDINARY COUNCIL MEETING AGENDA – 19 MAY 2016 WEST WIMMERA SHIRE COUNCIL

source. From 2016-17 Victorian Government is setting up new rate capping regime. The rate cap set for 2016-17 is 2.5%, which does not cover all cost escalations for Council i.e. staff cost increase of 2.7% with the enterprise bargaining agreements.

Council cannot repay the debt using existing rate base. Hence, Council needs to increase rates to meet the needs of loan servicing. Council needs to apply for an increase of rates over and above the set rate with the Essential Services Commission (ESC).

Council's projected operating deficit for the 2015-16 financial year is at \$261,000. There are no surplus funds available to borrow money and service from existing operating capacity.

Council could rationalise various services to achieve operating surplus, which could be used to service any future loans.

### Let's look at a scenario to explain the numbers in details

To explain the impacts, let's assume Council borrows \$10 million to be repaid in 40 years (long term loan) and let's assume Council manage to secure a loan at 4.5% (similar to an average house mortgage loan). The repayment per annum on a \$10 million loan at 4.5% is \$543,431.47 (\$450,000 interest plus \$93,431.47 in principle)

### Scenario 1: Let's understand servicing the loan by identifying savings through operations

Service	Descriptions	Nett cost to Council (Total cost – external funds)	No of job losses if this service is not delivered (no of people)	Impact on community
<b>Home and Community Services</b>	- Home care Services including, personal care for aged and disable, post-acute care, respite care, living at home assessments, meals on wheels	\$69,288	24	Devastating- Council leverages external funds to deliver essential services to old and disable people and create local jobs





## ORDINARY COUNCIL MEETING AGENDA – 19 MAY 2016 WEST WIMMERA SHIRE COUNCIL

<b>Library Services</b>	Running libraries in Edenhope, Kaniva, Gorokey, Harrow	\$170,936	4	Significant
<b>Early years Service</b>	- Provide Kindergartens in Edenhope, Kaniva, Gorokey and support to Family Daycare and Childcare	\$264,128	10	Devastating- Significant long-term impacts if the early years education is not delivered
<b>Community grants</b>	Provide grants to communities to	\$43,000	0	Significant- community organisations will struggle to undertake minor improvements and events
Total		\$547,352	38	

As outlined in the above table, operational savings come at a cost to community

There will be significant job losses if services are discontinued. If communities don't receive these services people leave West Wimmera Shire, and it would have an exponential impact on population decline and sustainability of West Wimmera Shire Council as a local government entity.

### **Scenario 2: Increasing rate revenue to meet the loan service requirements.**

Considering the rate capping regime, it is not feasible to increase rates without an exemption application to ESC. It is not guaranteed that ESC will exempt West Wimmera Shire Council to borrow large sums of money without a strong business case for growth. Council could aim for an increase in rateable properties.

Council rates come from farms and houses. Let's assume Council borrows \$10 million to increase the population.



## ORDINARY COUNCIL MEETING AGENDA – 19 MAY 2016 WEST WIMMERA SHIRE COUNCIL

On average rates on a household is at \$650 per annum. If Council needs to raise additional \$543,000 from new rates from new houses per annum, Council must have additional 835 properties across West Wimmera Shire Council as a minimum. Council's big townships Edenhope and Kaniva have close to 400 houses. The potential benefits that come out of borrowing \$10 million should demonstrate a business case for creating two additional townships similar to Kaniva and Edenhope.

### **Scenario 3: Sell assets and raise funds**

Council's balance sheet has the Civil infrastructure of \$145 million, which includes roads, footpaths, stormwater drainage assets, and bridges. They cannot be sold.

Council balance sheet has \$17.5 million worth of land and buildings. These buildings include the two civic centres, depots, Shire Halls, Transfer Stations and assets used by communities (i.e. Men's sheds, neighbourhood house, etc.). There is no significant parcel of land or spare buildings available that Council could sell and realise \$543,000 each year or \$10 million investment.

Council has a cash balance of \$8.7 million at the end of 2014-15 financial years. This number is inflated by pre-payment of Victorian Government grants.

Council makes payments of approximately half a million each week to meet its creditor and staff payments. Council average cash balance of \$5.5 million covers Council for less than three months.

In summary Council's balance, sheet and operations are very slim; there is no room to borrow large sums of money while meeting day to day obligations.

### **Procedure for borrowing**

If borrowing does not require an increase of rates, Council does not require taking special permission.

As part of the budget document Council must disclose new borrowings. In 2015-16, West, Wimmera Shire Council's budget has no new borrowings. If Council decides to borrow 2015-16, a variation to the adopted 2015-16 budget must be undertaken including inviting submissions from members of the community pursuant to section 226 of the Local Government Act 1989.

Every year State Government conducts a survey on proposed borrowings; if the proposed borrowings increase the financial risks of the Council, Local Government Victoria would likely question Council's financial management practices.



## ORDINARY COUNCIL MEETING AGENDA – 19 MAY 2016 WEST WIMMERA SHIRE COUNCIL

### Risk Management Implications

Not discussed separately, explained in the scenarios above.

### Legislative Implications

Discussed above

### Environmental Implications

Not applicable

### Financial and Budgetary Implications

Not discussed separately, explained in the scenarios above.

### Policy Implications

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

Borrowing Policy

### Council Plan Implications

This report supports the following section/s of the West Wimmera Shire Council Plan 2013-2017:

- Strategic Objective 3: Improve communication and community engagement activities of Council
- Strategic Objective 4: Increase community confidence in Council Service Levels
- Strategic Objective 5: Delivering quality Human Services
- Strategic Objective 6: Strengthen the culture and governance of the organisation

### Communication Implications

Not commented on

### Conclusion

For a small Council like West Wimmera with only 37.8% of revenue from rates, it is responsible financial management to keep borrowings low. West Wimmera Shire Council leverages grants from State and Federal Governments and provides essential services to the



## ORDINARY COUNCIL MEETING AGENDA – 19 MAY 2016 WEST WIMMERA SHIRE COUNCIL

community and creates local jobs. Council must conduct proper due diligence before any new borrowings to comply with its obligations under Local Government Act 1989.

### **OFFICER RECOMMENDATION:**

**That Council receives and notes the report on procedures and limitations of Council's borrowing powers and various risks and implications associated with borrowings large sums of money.**

**Attachments: Nil**



## ORDINARY COUNCIL MEETING AGENDA – 19 MAY 2016 WEST WIMMERA SHIRE COUNCIL

### 14.2 FINANCIAL REPORT AS AT 31 MARCH 2016

**FILE NUMBER: FM0062**

**REPORT AUTHOR: ASHLEY ROBERTS, ACTING FINANCE MANAGER**

#### **FOR INFORMATION**

##### Introduction

Management of WWSC are required to constantly review their budgets and ensure they remain accurate. As part of a rigorous budget reviewing process, management have committed to conduct budget forecast updates on a quarterly basis and update figures regularly.

##### Declaration of Interests

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

##### Background

WWSC has in previous years undertaken a mid-year budget review process and update any budget figures at that time once per year. This review included taking up any relevant carry forwards from the previous financial year.

Included in the attached financial reports are forecast updates to budget figures along with actual amounts to show how Council is performing in relation to budgets. The most significant forecast updates include acknowledging the variation due to prepayment of 50% of Council's Victoria Grants Commission allocation and adjustments to capital works primarily to carry forward incomplete projects from 2014-2015 and as a result of the additional Roads to Recovery funding for the current year.

The financial reports show an analysis of the annual forecast compared to the actual figures at 31 December 2015, along with comparing actuals to forecasts at 31 March 2016. Where variances that are greater than \$20,000 and 10% between actual amounts and forecast figures at 31 March 2016, a note is provided to give an explanation for the variance. The financial reports include an Operating Report, a Capital Report and Balance Sheet to give a true indication of Council's operations, capital works program and financial position.



## ORDINARY COUNCIL MEETING AGENDA – 19 MAY 2016 WEST WIMMERA SHIRE COUNCIL

### Risk Management Implications

Financial risks exist where officers are not adhering to budgets. Project delivery and resource allocation risks also exist where budgets are not being monitored and adhered to as the potential arises for Council to allocate more than necessary resources to individual jobs, therefore reducing resources available for other projects.

### Legislative Implications

Section 138 of the Local Government Act 1989 requires that Council is provided with financial reports a minimum of every three months comparing the budgeted revenue and expenditure with actual revenue and expenditure.

### Environmental Implications

Nil

### Financial and Budgetary Implications

Updates to budget figures need to be justified and officers are required to find equivalent savings where expenditure is increasing, wherever possible.

### Policy Implications

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

None

### Council Plan Implications

This report supports the following section/s of the West Wimmera Shire Council Plan 2013-2017:

- Strategic Objective 4: Increase community confidence in Council Service Levels
- Strategic Objective 6: Strengthen the culture and governance of the organisation

### Communication Implications

Council's Finance Manager will continue to work with officers and managers to educate and enable financial management of their department.



## ORDINARY COUNCIL MEETING AGENDA – 19 MAY 2016 WEST WIMMERA SHIRE COUNCIL

### Conclusion

The improved process for monitoring budgets has been well accepted and implemented by staff so that the corporate financial system will be regularly updated with more accurate information. This will aid management and Council to make more accurately informed decisions.

### **OFFICER RECOMMENDATION:**

**That the financial reports as at 31 March 2016 be received and noted.**

### **Attachments:**

<b>No.</b>	<b>Name</b>	<b>RecFind Ref</b>
14.2.1	Operating Report	16/001830
14.2.2	Capital Report	16/001830
14.2.3	Balance Sheet	16/001830
14.2.4	Notes to the Financial Report	16/001830



## ORDINARY COUNCIL MEETING AGENDA – 19 MAY 2016 WEST WIMMERA SHIRE COUNCIL

### 15.0 LATE ITEMS OF BUSINESS

Pursuant to Local Law No.7 (2012), Meeting Procedure and Common Seal Local Law 2012, West Wimmera Shire Council:

#### *25. Urgent Business*

*Business must not be admitted as urgent business unless it:*

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

### 16.0 SEALING SCHEDULE

### 17.0 CONFIDENTIAL (PURSUANT TO SECTION 89 LGA 89)

**MEETING CONCLUDED:**

**NEXT MEETING:**

**THURSDAY 16 JUNE 2016  
EDENHOPE COUNCIL CHAMBER**