



ORDINARY COUNCIL MEETING AGENDA – 21 JULY 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 21 July 2016**

LOCATION: **Telopea Downs Hall**

COMMENCEMENT: **4:00pm**

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*



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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.

4.1.1 DAVID WALLIS, SERVICETON & DISTRICT ACTION GROUP – ROAD SIGNAGE AND MOBILE RECYCLING TRAILER

- 1) We seek a report on the progress or otherwise on the re-naming of the road from the Western Highway into Serviceton. The current sign boards are confusing. At the Western Highway the south pointing sign says "Serviceton North Road" and the north pointing sign says "Serviceton North Telopea Downs Road". At least one ambulance has turned south looking for North Serviceton.
- 2) We seek the investigation into the practicality and possibility of setting up a Recycle Material Collection Trailer. This trailer could move to designated points around the Shire for 2 – 3 hours at each point every 2 to 3 months. I have heard of



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this service being provided in another Shire. The trailer would need to be manned to supervise the receipt of material.

Attachments:

No.	Name	RecFind Ref
4.1.1	Question on Notice from David Wallis, Serviceton & District Action Group, 22 June 2016	16/002490

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.

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

5.1 MAYOR, ANNETTE JONES

23/06/2016 CEO David Leahy
24/06/2016 Wimmera Mayoral Gathering, Horsham
24/06/2016 Lions Club of Edenhope 58th Changeover Dinner, Edenhope
25/06/2016 *Away on leave until 6 July 2016*
07/07/2016 CEO David Leahy
07/07/2016 Councillor Forum, Edenhope
12/07/2016 CEO David Leahy
12/07/2016 Gorokey Lions Club 41st Changeover Dinner, Gorokey
15/07/2016 Aboriginal Panels Project Meeting, Edenhope
15/07/2016 Geoffrey Lord & Paul Hemming, Federation University
18/07/2016 CEO David Leahy
19/07/2016 Regional Futures Summit, Bendigo
20/07/2016 Regional Futures Summit, Bendigo
21/07/2016 Council Meetings & Community Forum, Telopea Downs

5.2 COUNCILLOR RON HAWKINS

01/07/2016 VASP Final Project Reference Group Meeting, Horsham
04/07/2016 WWSC Municipal Fire Management Planning Meeting, Gorokey
07/07/2016 Councillor Forum, Edenhope
12/07/2016 Wimmera Development Association Board Meeting, Warracknabeal
18/07/2016 WWSC Municipal Emergency Management Planning Meeting, Gorokey
19/07/2016 Regional Futures Summit, Bendigo
20/07/2016 Regional Futures Summit, Bendigo
21/07/2016 Council Meetings & Community Forum, Telopea Downs



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5.3 COUNCILLOR BRUCE MEYER

17/06/2016	Wimmera Regional Library Corporation Board Meeting
19/06/2016	ALGA National General Assembly 2016, Canberra
20/06/2016	ALGA National General Assembly 2016, Canberra
20/06/2016	National Timber Councils Association General Meeting, Canberra
21/06/2016	ALGA National General Assembly 2016, Canberra
22/06/2016	ALGA National General Assembly 2016, Canberra
30/06/2016	Kaniva Volunteer Taxi Drivers Morning Tea, Kaniva
07/07/2016	Councillor Forum, Edenhope
07/07/2016	Kaniva Lions Club Changeover Dinner, Kaniva
19/07/2016	Regional Futures Summit, Bendigo
20/07/2016	Regional Futures Summit, Bendigo
21/07/2016	Council Meetings & Community Forum, Telopea Downs

5.4 COUNCILLOR RICHARD WAIT

20/06/2016	Wimmera Roadsafe Meeting, Horsham
24/06/2016	Western Highway Action Committee Meeting, Ararat
07/07/2016	Councillor Forum, Edenhope
13/07/2016	Johnny Mullagh Committee of Management Meeting, Harrow
15/07/2016	Aboriginal Panels Project Meeting, Edenhope
19/07/2016	Wimmera Mallee Tourism Meeting, Sea Lake
19/07/2016	Regional Futures Summit, Bendigo
20/07/2016	Regional Futures Summit, Bendigo
21/07/2016	Council Meetings & Community Forum, Telopea Downs

5.5 COUNCILLOR WARREN WAIT

07/07/2016	Councillor Forum, Edenhope
08/07/2016	Goroke Apex Club Handover Dinner, Goroke
21/07/2016	Council Meetings & Community Forum, Telopea Downs

5.6 DAVID LEAHY (CHIEF EXECUTIVE OFFICER)

17/06/2016	General Manager Corporate & Community Services
17/06/2016	Telstra visit to Harrow
17/06/2016	Senior Management Group
19/06/2016	ALGA National General Assembly 2016, Canberra
20/06/2016	ALGA National General Assembly 2016, Canberra
21/06/2016	ALGA National General Assembly 2016, Canberra
22/06/2016	ALGA National General Assembly 2016, Canberra
23/06/2016	Mayor Annette Jones
24/06/2016	Regional Development Victoria



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27/06/2016	Senior Management Group
27/06/2016	General Manager Infrastructure Development & Works
28/06/2016	Apsley Recreation Reserve Project Meeting, Apsley
29/06/2016	Green Triangle Industry Briefing, Portland
30/06/2016	Kaniva Volunteer Taxi Drivers Morning Tea, Kaniva
01/07/2016	General Manager Corporate & Community Services
01/07/2016	VASP Final Project Reference Group Meeting
04/07/2016	David Ghezzi, Road Management Business
04/07/2016	General Manager Infrastructure Development & Works
06/07/2016	Worked in Kaniva
07/07/2016	Manager Economic & Business Development
07/07/2016	Mayor Annette Jones
07/07/2016	Councillor Forum, Edenhope
08/07/2016	General Manager Corporate & Community Services
08/07/2016	Steve Hocking & Laurie Close, Apsley Recreation Reserve
11/07/2016	General Manager Infrastructure Development & Works
11/07/2016	West Wimmera Rural Farming Reticulated Water Supply Workshop
12/07/2016	Mayor Annette Jones
12/07/2016	Vision & Voice Edenhope
12/07/2016	Senior Management Group
12/07/2016	Wimmera Development Association Board Meeting, Warracknabeal
14/07/2016	Wimmera Regional CEOs Meeting
15/07/2016	Geoffrey Lord & Paul Hemming, Federation University
18/07/2016	Senior Management Group
18/07/2016	General Manager Infrastructure Development & Works
18/07/2016	Mayor Annette Jones
19/07/2016	Regional Futures Summit, Bendigo
20/07/2016	Regional Futures Summit, Bendigo
21/07/2016	Council Meetings & Community Forum, Telopea Downs

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

Mr Lavington Fisher, former Councillor of Kowree Shire, Shire President in 1963-1964 and 1967-1968, Councillor for West Riding (first elected in 1961, final term in 1979).

7.0 CONFIRMATION OF MINUTES FROM PREVIOUS MEETING

RECOMMENDATION:

That the Minutes of the Ordinary Meeting of Council held on Thursday 16 June 2016, be taken as an accurate record and confirmed.



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8.0 BUSINESS ARISING FROM PREVIOUS MINUTES

9.0 NOTICES OF MOTION

10.0 COMMITTEE RECOMMENDATIONS AND ASSEMBLY OF COUNCILLORS RECORD

10.1 GENERAL COMMITTEE FOR DECISION

The resolutions arising from the General Committee Meeting held on Thursday 16 June 2016 are now required to be formally adopted by Council on an individual basis.

2.2.1 SUPPORT FOR COUNTRY FIRE AUTHORITY

Moved: Cr Bruce Meyer

Seconded: Cr Richard Wait

1. That West Wimmera Shire Council acknowledges the work of the volunteers in the Country Fire Authority within the Shire.
2. That West Wimmera Shire Council expresses its support for the Country Fire Authority organisation.
3. That West Wimmera Shire Council hopes there is no loss of morale in the current climate, and that the volunteers continue to serve their communities.
4. That West Wimmera Shire Council sends a copy of the motion to each Group Captain within the Shire.

Carried (5/0)



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2.3.1 KANGAROO CULLING

Moved: Cr Warren Wait

Seconded: Cr Ron Hawkins

That Council writes to the relevant Government Department on the reason for the increased number of kangaroos in our Shire, as kangaroos on roads is a serious public safety issue.

Carried (5/0)

Officer Comment – CEO: A letter has been sent to the Minister for Energy, Environment & Climate Change – Hon Lily D'Ambrosio – requesting a meeting during Council's delegation trip to Melbourne next month.

10.2 ASSEMBLY OF COUNCILLORS

RECOMMENDATION:

That the Assembly of Councillors Record for the Councillor Forum held Thursday 7 July 2016 be received and noted.

11.0 DEPUTATIONS AND PETITIONS



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12.0 CHIEF EXECUTIVE OFFICER AND GOVERNANCE

12.1 AMENDMENT TO STATUTORY MEETING DATE AND COUNCIL MEETING VENUES

FILE NUMBER: AD0183

REPORT AUTHOR: ELIZABETH MATUSCHKA

GOVERNANCE & EXECUTIVE SUPPORT OFFICER

FOR DECISION

Introduction

In order to accommodate the anticipated timing of the 2016 Local Council Election results declaration and the requirements of Council's Election Period Policy, this report seeks Council's consideration to:

1. Move the Annual Statutory Meeting from Thursday 3 November 2016 to Thursday 10 November 2016.
2. Reschedule the 20 October 2016 Ordinary Council Meeting and Community Forum in Gympowen to 17 November 2016.
3. Conduct the 20 October 2016 Ordinary Council Meeting in Kaniva.

Declaration of Interests

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

Background

The official date of the Local Council Election is Saturday 22 October 2016. In West Wimmera Shire residents will vote by post, and completed ballot papers must be posted by 6:00pm on Friday 21 October 2016.

To allow more time for completed ballot papers to be delivered to the Victorian Electoral Commission (VEC) by Australia Post, the VEC is extending the period for returning ballot packs by up to nine (9) days.

Except for uncontested elections, the VEC does not expect to have a declaration of the Election results until Friday 4 November 2016.



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Council's Annual Statutory Meeting is currently scheduled for Thursday 3 November 2016. Moving the meeting to Thursday 10 November 2016 will accommodate the expected date for declaration of Election results by the VEC.

In the lead up to the 22 October 2016 Local Council Election, a 32-day Caretaker Period will be in force, commencing at midnight on Tuesday 20 September 2016. During this 32 day period, Council's Election Period Policy dictates that community forums and General Special Committee Meetings are to be deferred until after the Election.

An Ordinary Council Meeting and Community Forum are currently scheduled to take place on Thursday 20 October 2016 in Gymbowen. To comply with Council's Election Period Policy, it is proposed to move the 20 October 2016 Ordinary Council Meeting and Community Forum in Gymbowen to 17 November 2016.

The 20 October 2016 Ordinary Council Meeting would then be held in Kaniva, and would not be preceded by a General Special Committee Meeting.

Simply put, the venue for the October 2016 and November 2016 Council meetings will be swapped.

Risk Management Implications

Nil

Legislative Implications

This report complies with the Victorian Government's Caretaker Period legislation.

Environmental Implications

Nil

Financial and Budgetary Implications

Nil

Policy Implications

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



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Council Plan Implications

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

- Strategic Objective 3: Improve communication and community engagement activities of Council

Communication Implications

Amendments to meeting dates and venues will be publicised on the Shire's website, on community noticeboard flyers and in local newspapers.

Conclusion

The 22 October 2016 Local Council Election and the preceding 32-day Caretaker Period require Council to adjust aspects of its 2016 meeting schedule, to comply with legislative and policy requirements.

OFFICER RECOMMENDATION:

That Council:

- 1. Move the Annual Statutory Meeting from Thursday 3 November 2016 to Thursday 10 November 2016.**
- 2. Reschedule the 20 October 2016 Ordinary Council Meeting and Community Forum in Gymbowen to 17 November 2016.**
- 3. Conduct the 20 October 2016 Ordinary Council Meeting in Kaniva.**

Attachments: Nil



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12.2 WIMMERA HEALTH CARE GROUP – WIMMERA CANCER CENTRE PROJECT – REQUEST FOR FINANCIAL SUPPORT

FILE NUMBER: CS0045

REPORT AUTHOR: DAVID LEAHY, CHIEF EXECUTIVE OFFICER

FOR DECISION

Introduction

To consider a request for financial support from the Wimmera Health Care Group, for the Wimmera Cancer Centre Project.

Declaration of Interests

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

Background

Mr Chris Scott, Chief Executive Officer of the Wimmera Health Care Group (WHCG) attended the 2 June 2016 Councillor Forum in Kaniva, and made a presentation to Councillors.

The WHCG is now seeking financial support from Council, as part of its fund raising activity for the Wimmera Cancer Centre Project in Horsham.

Key details that have been provided about the Project by WHCG are contained in the attached flyer.

Risk Management Implications

Not commented on.

Legislative Implications

Nil.



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Environmental Implications

Nil.

Financial and Budgetary Implications

To be discussed by Councillors.

Policy Implications

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

Business Assistance Scheme 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 modernisation of the Wimmera Cancer Centre in Horsham is a project that has the potential to benefit a high number of West Wimmera residents.

It is also tackling cancer survival rates in the Wimmera, that are lower than the State average and requiring significant investment to rectify. While tackling the situation, the provision of a facility that enables treatment in a dignified environment is seen as critical to the success of the treatment.

As was presented by the CEO of the Wimmera Health Care Group, the project has been successful in receiving funds from both the Federal and State Governments to match what has been a very successful community fund raising effort.

The funds raised to date are getting close to the required reserve required for the project, and any contribution from Local Government would be welcomed by the group.



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OFFICER RECOMMENDATION:

That Council provide \$..... to the Wimmera Health Care Group to contribute towards the construction of the Wimmera Cancer Centre Project.

Attachments:

No.	Name	RecFind Ref
12.2.2	Flyer from Wimmera Health Care Group re Wimmera Cancer Centre Project, June 2016	16/002539



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13.0 INFRASTRUCTURE DEVELOPMENT AND WORKS

13.1 WIDENING OF RUSHTON MEMORIAL GATES AT HENLEY PARK

FILE NUMBER: 16/002024

REPORT AUTHOR: TERRY OUGH, WORKS MANAGER

FOR DECISION

Introduction

West Wimmera Shire Council, (Council) determined at the June 2016 meeting:

2.4.2 MEMORIAL GATES AT HENLEY PARK

That Council staff are asked to investigate the widening of the Rushton Memorial Gates at Henley Park.

Carried (5/0)

This report presents a proposal option to widen the gates for Council's consideration.

Declaration of Interests

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

Background

Gates were installed in 1963 and dedicated to the memory of Mr Rushton who had given hours of in kind work maintaining the Henley Park foreshore area. At the time the roadway was one way only with this Western entrance being the 'IN' access and the Eastern end road being the 'OUT' point.

The narrow opening is problematic for modern traffic, particularly long vehicle access.

A widened gateway would help facilitate long vehicle access, (RV and caravans etc,) to the Henley Park area, including access to the newly installed dump point within the park.

Risk Management Implications

The current narrow opening of the gates limits access tourists and other potential users of the Lake foreshore area. The proposed widening of the gates improves access.



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The proposed works are of a low risk nature. The Works team would undertake the works. They are experienced and have sufficient systems in place to minimise risks during the works.

Legislative Implications

None

Environmental Implications

Nil

Financial and Budgetary Implications

The Works Department estimate of the works is \$1,502.

This consists of removing the two inner pillars, shifting the gates to the second row pillars after repair of steel work on the gates and repainting, transferring the plaque to one of the second row pillar. The gates will be only for aesthetics as opening will be much wider than existing but given the gates are never shut this should not be an issue and will keep with original appeal.

There is an option to modernise the pillars with a covering render to compliment the upgrade of the Henley Park amenities. Estimate for this works would be around \$1,330.

The total estimated amount of \$2,832 could be allocated to the Lake Wallace Foreshore maintenance budget.

Policy Implications

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

Asset Management Policy

Tourism Policy

Township Amenity Policy

Works Unit Risk Management Policy

Council Plan Implications

This report has no direct application under the West Wimmera Shire Council Plan 2013-2017.

This report supports Council's Target 10,000 Strategy.

Communication Implications

No consultation with the community has been undertaken.



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Conclusion

The relatively simple task of widening the gateway into Henley Park and the low cost would allow the flow of two way traffic in and out of the area. This would help facilitate RV and caravan access to the newly installed Dump point within the park.

The opportunity to enhance the existing pillars with render to align with current modernisation of the Henley Park area could be considered during the scheduled works.

OFFICER RECOMMENDATION:

That:

- 1. Council removes the inner pillars of the Rushton Memorial Gates to improve traffic flow in and out of Henley Park.**
- 2. Council render the remaining pillars of the Rushton Memorial Gates.**

Attachments:

No.	Name	RecFind Ref
13.1.1	Photo of Henley Park Gates	16/002682



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13.2 SECTION 173 AGREEMENT – TALLAGEIRA PASTORAL CO. PTY LTD

FILE NUMBER: PA0888

REPORT AUTHOR: GILLIAN BRADSHAW

MANAGER PLANNING AND ENVIRONMENT

FOR DECISION

Introduction

This Section 173 Agreement is a requirement of the planning permit granted on 22nd April 2016 by West Wimmera Shire Council, (Council) to facilitate the removal of native vegetation, 12 Buloke trees 20cm in diameter at 1.3 metres above ground level, for the operation of a centre pivot irrigator.

Declaration of Interests

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

Background

Louis Koch, Tallageira Pastoral Co. applied for a planning permit to remove native vegetation, twelve, (12) Buloke trees, 20cm in diameter at 1.3 metres above ground level for the operation of a centre pivot irrigator.

The Department of Environment and Land Water and Planning (DEWLP) were notified as a referral authority under Section 55 of the Planning and Environment Act 187 as a determining Authority and consented to the granting of the planning permit subject to conditions. Condition 6 states:

Prior to the removal of any native vegetation approved under this permit.....

e) Methods of permanent protection for the offsets, such as the registration on title of a covenant under section 3A of the Victorian Conservation Trust Act 1972, or an agreement under section 173 of the Planning and Environment Act 1987, or an agreement under section 69 of the Conservation Forests and Lands Act 1987, or (subject to agreement) transfer of the land to the Responsible Authority or the Crown.

7) Before any native vegetation is removed, evidence that an offset has been secured must be provided to the satisfaction of DELWP.



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In discussion with Mr Koch about the permanent protection requirement, it was resolved with his decision to protect the offset area with a Section 173 Agreement.

All requirements of the Planning Scheme and referral authorities have been met. The signing and sealing of the Section 173 Agreement will facilitate the permanent protection of the Protection and Recruitment Offset area as required by Condition 6 (e).

Attached is the Section 173 Agreement that is required because of the above criteria, and a Section 181 form for the recording of the agreement.

Risk Management Implications

The Section 173 Agreement ensures compliance with the Planning permit and DELWP condition requirements, therefore negating any risk to Council.

Legislative Implications

By Council signing and sealing the Section 173 Agreement, and then forwarding to Land Victoria for registration on the certificate of title all legal and legislative requirements are met.

Environmental Implications

The environmental effects of the native vegetation removal have been considered by DELWP and consent has been given to the removal of the native vegetation subject to conditions.

Financial and Budgetary Implications

There are no financial or budgetary implications to Council as the cost of the registration of the Section 173 Agreement will be borne by Mr Koch.

Policy Implications

There are no specific Council policies applicable to this matter.

Council Plan Implications

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

- Strategic Objective 1: Increase economic activity through the support of existing businesses and new investment



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Communication Implications

Council advised the applicant in pre-planning meetings that a permanent protection would be required for any offset area, and this was confirmed when the response from DELWP was received and Condition 6(e) stated the requirement for a permanent protection.

In discussion with Mr Koch about the permanent protection requirement, this was resolved with his decision to protect the offset area with a Section 173 Agreement.

Land Victoria will notify Council in writing when the dealing has been registered on the title. The details will then be recorded in the Section 173 Register.

Conclusion

Council is also required to sign the Application by a responsible authority for the making of a recording of an agreement under Section 181 of the *Planning & Environment Act 1987* for each agreement.

OFFICER RECOMMENDATION

That Council sign and seal the following Section 173 Agreement and the form for the recording of an agreement under Section 181 of the Planning & Environment Act 1987:

Tallageira Pastoral Co. – Part of CA67, Parish of Neuarpurr, 9212 Natimuk-Frances Road, Neuarpurr

Attachments:

No.	Name	RecFind Ref
13.2.1	Section 173 Agreement	16/002426
13.2.2	Section 181 Recording of Agreement	16/002426



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13.3 CAPITAL WORKS FINAL REPORT 2015-2016

FILE NUMBER: AD0176

REPORT AUTHOR: SENA VI ABHEYKUN, 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 summary of the Capital Works for 2015 - 2016.

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 was subject to variations throughout the delivery year due to multiple factors including works savings and overruns, weather and unexpected asset failures. These changes were reported to the Council on a regular basis.

The attached Report indicates physical progress as well as financial status. At a glance, in the roads area, 96% of the scheduled projects were completed in 2015/16 financial year, excluding Elizabeth St (Wilson St to Mollison St-4.5m Final Seal each side) and Fire Access Road construction.

This was due to the Elizabeth Street project being deferred as InRoads (the contractor) was not able to accommodate this project in their work plan within this financial year. Also, Council did not receive the anticipated funds for Fire Access Track constructions.

100 % of the building work scheduled in the Capital works program has been completed in this financial year.

Some notable projects include:

- Dorodong Bridge Reconstruction
- Minimag Frances Road Rehabilitation



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- Edenhope and Kaniva Swimming Pool change rooms upgrade

During this year Roads to Recovery funding (R2R) required adjustments and Council officers managed to resolve them successfully.

A sum of \$5,524,049 was spent as at 30 June 2016 against the original budgeted allocation of \$5,458,325.

Risk Management Implications

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

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.

Communication Implications

Not commented on.

Conclusion

The Capital Works Program for the financial year 2015/16 has been satisfactorily completed.



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OFFICER RECOMMENDATION:

That the report be received and noted.

Attachments:

No.	Name	RecFind Ref
13.3.1	Capital Works – 2015-16 Final Report	16/002682



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13.4 'SYPOTTS ROAD' SIGN – CONSTITUENT REQUEST

FILE NUMBER: EN0008

**REPORT AUTHOR: MICHELLE ELLIS, EXECUTIVE ASSISTANT,
INFRASTRUCTURE DEVELOPMENT & WORKS**

FOR DECISION

Introduction

West Wimmera Shire Council (Council) has received a constituent request to erect a sign on the corner of Chenoweth and Lears Road Nurcoung known locally as 'Sypotts Corner.

Declaration of Interests

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

Background

The constituent states in his request that for many years the corner of Chenoweth and Lears Road Nurcoung has been known locally as 'Sypotts Corner, in honour of a Mr J Sypotts and Family, an original selector of Allotment 40 Parish of Nurcoung, (map enclosed) until their home and out buildings were destroyed in the 1944 bushfire.

Risk Management Implications

Disputed naming and undocumented histories can cause conflict amongst communities. This risk would be mitigated with wider community consultation should Council determine to pursue this request.

Legislative Implications

Nil known.

Environmental Implications

Not commented on



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Financial and Budgetary Implications

Should Council pursue this request, community consultation would have the following estimated implications:

- Advertisement costs (West Wimmera Advocate, Goroke Free Press and Kaniva Times)
- Purchase cost of sign - approximately \$200.00
- Installation time – Outdoor staff

Officer recommendation the cost of sign is allocated to the Community Support Fund.

Policy Implications

Not commented on.

Council Plan Implications

This request is not directly supported by the Council Plan.

Communication Implications

As the constituent has only surmised the corner is named after Mr Sypott and Family, it is recommended that the request be advertised in the West Wimmera Advocate, Goroke Free Press and Kaniva Times to allow community comment prior to Council decision to approve.

Conclusion

Council could pursue this constituent request with wider community consultation to confirm broad community support for placing a sign labelled ‘Sypotts Corner’ on the corner of Chenoweth and Lears Road Nurcoung.

OFFICER RECOMMENDATION:

- 1. That Council investigate community support for placing a sign labelled ‘Sypotts Corner’ on the corner of Chenoweth and Lears Road Nurcoung.**
- 2. That the costs of investigating this community support be allocated to the Community Support Fund.**

Attachments:

No.	Name	RecFind Ref
13.4.1	Constituent Letter	16/002374



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14.0 CORPORATE AND COMMUNITY SERVICES

14.1 COMMUNITY SUPPORT FUND POLICY

FILE NUMBER: AD0202

REPORT AUTHOR: ASHLEY ROBERTS, MANAGER FINANCE

FOR DECISION

Introduction

The Community Support Fund (formerly known as the Councillor Discretionary Fund) enables Council to be able to identify and quickly respond to small funding initiatives and/or requests which provide a community benefit in line with Council's goals, and which have not been specifically included in Council's budget.

Declaration of Interests

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

Background

Council provides an amount in budget each year (\$10,000 for the 2015/16 year and the same budgeted for 2016/17) to cover small initiatives and/or funding requests which appear throughout the year.

These initiatives or requests must meet certain criteria:

- Be compatible with the Council Plan;
- Be of benefit to the community;
- Be not more than \$2,000 per case; and
- Not be covered under any other initiative already funded in budget.

Further to this, funds accessed under the Community Support Fund may not be used to repay debts to Council, or as a community contribution to any other Council funding stream.

Risk Management Implications

There is potential for Council to be exposed to risk from any application of the Community Support Fund. This risk may arise from:

- Financial risk through funding being misappropriated



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- Reputational risk through being associated with projects which fail to deliver community benefits or are mismanaged;
- Operational risk through resources being tied up to administer minor items.

To mitigate the potential of this risk all initiatives under the Community Support Fund must be accompanied by a risk assessment and basic business case outlining the resource requirements and anticipated outcomes of the initiative to be funded.

Council must also receive an acquittal at the end of each project funded outlining how the provided funding was spent and identifying the outcomes of the funded project.

Legislative Implications

The Community Support Fund allows for funding for a multitude of small events. This potentially leaves Council open to liability on the legislative front via activities undertaken with Council funding potentially breaching some legislation, inadvertently or otherwise. As part of the risk analysis required by Council for each funding application the relevant legislative implications must be assessed.

Environmental Implications

There are no direct environmental impacts from the Community Support Fund Policy, however, many varied projects may be funded under the Policy, some of which may have environmental impacts. As a result the risk analysis required for all funding applications must regard environmental impact.

Financial and Budgetary Implications

Council has a current year (2015/16) and future year (2016/17) budget of \$10,000 per annum for the application to the Community Support Fund. Council must ensure that no more than the budgeted amount is provided to initiatives under this fund.

The Policy allows for a maximum funding of \$2,000 to apply to any one initiative funded under the Community Support Fund.

Policy Implications

This Policy replaces the Discretionary Fund Policy

Council Plan Implications

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

- Strategic Objective 1: Increase economic activity through the support of existing businesses and new investment



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- Strategic Objective 6: Strengthen the culture and governance of the organisation

Communication Implications

Not commented on

Conclusion

The Community Support Fund Policy replaces the Discretionary Fund Policy. It allows for small initiatives which arise during the year and which have not been budgeted by Council to be funded up to a maximum of \$2,000 for anyone initiative with a total maximum of \$10,000 funded in one financial year.

OFFICER RECOMMENDATION:

That Council adopt the Community Support Fund Policy.

Attachments:

No.	Name	RecFind Ref
14.1.1	Draft Community Support Fund Policy	16/002682



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14.2 VALUATION POLICY

FILE NUMBER: AD0202

REPORT AUTHOR: ASHLEY ROBERTS, MANAGER FINANCE

FOR DECISION

Introduction

Council records a large amount of non-current assets on its Balance Sheet, with non-current assets accounting for over 90% of Council's total assets.

The majority of these non-current assets represent Council's infrastructure, including roads, streets, footpaths, etc. Other non-current assets include Council's buildings and plant and machinery.

Declaration of Interests

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

Background

One of the central tenants of financial reporting is to report assets at their *Fair Value*.

AASB 13 Fair Value Measurement defines the Fair Value of an asset is defined as being: *'the price that would be received to sell an asset in an orderly transaction between market participants at the measurement date.'*

The Standard goes into significant detail about determining *'the price'* component of that definition. We shall not enter into those details, but in summary the standard allows for estimations and replacement costs to be used as a valuation methodology for assets where there are no 'observable inputs' or in other words no fluid markets.

Australian Accounting Standard AASB116 Property, Plant and Equipment states (para 31):

After recognition as an asset, an item of property, plant and equipment whose fair value can be measured reliably shall be carried at a revalued amount, being its fair value at the date of the revaluation less any subsequent accumulated depreciation and subsequent accumulated impairment losses. Revaluations shall be made with sufficient regularity to ensure that the carrying amount does not differ materially from that which would be determined using fair value at the end of the reporting period.



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As a consequence, Council will revalue its non-current assets at regular intervals to ensure that the carrying amount of those assets are not materially different to their Fair Value.

Risk Management Implications

Revaluing Council's non-current assets allows Council to disclose a realistic 'fair' value of those non-current assets in its Balance Sheet.

This has some important implications around financial risk in particular. The carrying value of Council's non-current assets in the Balance Sheet has a direct correlation to the depreciation expense charged on those assets.

Recording depreciation as too low (i.e from non-current assets which have not been revalued correctly) may lead to a reduction in asset renewal spending leading to a run down in asset condition, and also an overstatement of accounting profit for the period. This can have significant effects on grant funding, especially those such as the Victoria Grants Commission which are calculated on a 'relative needs' basis.

Failure to disclose non-current assets at fair value is also grounds for the Victorian Auditor General's Office to provide a qualified audit opinion on Council's financial statements.

Legislative Implications

There are many legislative requirements concerning non-current asset valuation and revaluation. In addition to the aforementioned Australian Accounting Standards, there are a number of Financial Reporting Directives from the Department of Treasury and Finance which Council should be compliant with. A listing of the compliance requirements follows:

Australian Accounting Standards Board (AASB) Standards:

- AASB 116 Property, Plant and Equipment;
- AASB 13 Fair Value Measurement;
- AASB 1041 Revaluation of Non-Current Assets;
- AASB 136 Impairment of Assets;
- AASB 1051 Land Under Roads;
- AASB 138, Intangible Assets
- AASB 5, Non-current Assets Held for Sale and Discontinued Operations
- AASB 1049 Whole of Government and General Government Sector Financial Reporting.

State Government Financial Guidelines. Including the Local Government (Planning and Reporting) Regulations 2014.



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Department of Treasury and Finance - Financial Reporting Directions and Guidance Notes:

- FRD 19, Private Provision of Public Infrastructure - 2003
- FRD 100, Financial Reporting Directions – Framework – 2005
- FRD 103D, Non-Current Physical Assets - 2009
- FRD 106, Impairment of Assets - 2005
- FRD 109, Intangible Assets - 2005
- FRD 118B, Land Under Declared Roads – 2010

The Policy identifies all compliance requirements Council faces.

Environmental Implications

Not commented on

Financial and Budgetary Implications

As previously mentioned, Council may face some significant financial risks from not recording its non-current assets at Fair Value.

Council needs to ensure that sufficient operational funds and resources are available each year to undertake the required asset revaluation process.

Policy Implications

Not commented on

Council Plan Implications

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

- Strategic Objective 6: Strengthen the culture and governance of the organisation

Communication Implications

Not commented on

Conclusion

Council is required to undertake regular revaluations of its non-current assets to ensure that they are disclosed at Fair Value in its Financial Statements. The provision of a valuation policy provides a framework for this.



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OFFICER RECOMMENDATION:

That Council adopt the Valuation Policy.

Attachments:

No.	Name	RecFind Ref
14.2.1	Draft Valuation Policy	16/002682



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14.3 PERFORMANCE REPORTING POLICY

FILE NUMBER: AD0202

REPORT AUTHOR: ASHLEY ROBERTS, MANAGER FINANCE

FOR DECISION

Introduction

Council is committed to keeping all members of the public continually informed of its performance.

Effective performance reporting is critical to the achievement of the council objectives as well as guiding continuous improvement in the effectiveness of activities which support the council strategic direction.

Declaration of Interests

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

Background

Council is required to report on various aspects of its operational and financial performance under the Local Government Performance Reporting Framework (LGPRF).

The LGPRF is a Victorian Government mandated initiative designed to aid in measurement of individual Council's performance and provides comparison among similar size Councils. The LGPRF contains a number of reportable measures on various activities across Council, both financial and non-financial. The data from the LGPRF forms the basis of the Know Your Council Website and is publicly available.

Risk Management Implications

Regular reporting of performance measures allows for greater transparency in Council's operations. This can help to mitigate operational risk due to greater emphasis being placed on the outcomes and deliverables of services Council provides.

Legislative Implications

Council faces legislative performance reporting compliance requirements from the *Local Government Act 1989* and the *Local Government (Reporting and Planning) Regulations 2014*.



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Environmental Implications

Not commented on

Financial and Budgetary Implications

There is significant input required into maintaining performance reporting frameworks such as the LGPRF. Council needs to ensure that sufficient resources are budgeted to be able effectively to produce the necessary data and audit requirements.

Policy Implications

Not commented on

Council Plan Implications

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

- Strategic Objective 6: Strengthen the culture and governance of the organisation

Communication Implications

Not commented on

Conclusion

Council is required to report regularly on the outcomes of its performance both in financial and non-financial terms. The provision of the Performance Reporting Policy provides Council with an outline framework to enable this to occur.

OFFICER RECOMMENDATION:

That Council adopts the Performance Reporting Policy.

Attachments:

No.	Name	RecFind Ref
14.3.1	Draft Performance Reporting Policy	16/002682



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14.4 CARRIED FORWARD PROJECTS RESERVE

FILE NUMBER: AD0202

REPORT AUTHOR: ASHLEY ROBERTS, MANAGER FINANCE

FOR DECISION

Introduction

Council budgets to undertake a number of projects during each year. It is possible due to unforeseen operational issues for these projects to be unfinished at the end of the year (i.e. adverse weather conditions may prevent a road construction job from being completed, etc.). In these instances a budget 'carry over' can be made, to transfer the budget funds necessary to complete the project from one year to the next.

Declaration of Interests

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

Background

In the past Council has made carry over adjustments to its project budgets on a largely ad-hoc basis, with little process being followed. This has led to an amount of confusion as to what projects carry overs have been or should be applied to.

The use of a carry over reserve provides Council for a clear and transparent process with which to record and apply carry over budget adjustments to projects requiring them.

The process is relatively simple, with the project manager nominating that a project requires a carry over and gaining approval from the relevant General Manager or Chief Executive Officer. There are no overall bottom line effects to Council's Balance Sheet. The carry over will appear in the 'adjusted budget' column and a reserve in the balance sheet is maintained to support the budget adjustment.

In fact this process will not only aid in the transparency of which projects require carry overs, but assists Council in calculating its true unrestricted cash available, by 'restricting' the cash needed to complete the carry over project into a discretionary reserve.

There are some clear rules around what carry overs can and cannot be used for (these are attached), including:



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- Carry overs may only be used on discrete projects – an unspent recurrent budget line item cannot be carried over;
- The total of the carry over amount requested plus the actual to date spend on the project cannot be higher than the total amount budgeted for that project – that is a carry over cannot be used to increase the budget of the project – any increase must be referred to the budget review process.
- Carry overs cannot be used to transfer budgets between projects
- A carry over should be only the amount required to complete the project (i.e. if a project is likely to be completed under budget, then the saving should be realised by carrying over the lesser amount, not the total amount of remaining budget).

It is proposed that the Carried Forward Project Reserve be created and used for the completion of the 2015-16 Financial Statements.

Risk Management Implications

The use of the Carried Forward Project Reserve provides for a clear audit trail on the use of project carry forwards. This mitigates financial risk by reducing the potential for unbudgeted expenditure.

Legislative Implications

There are no direct legislative implications concerning the use of discretionary reserves. The use of discretionary reserves for this purpose is a long standing practice within the local government industry.

Environmental Implications

Not commented on

Financial and Budgetary Implications

The use of the Carried Forward Projects Reserve can be a significant aid in developing budgets and budget revisions and provides clear advice on the amount of cash Council requires to complete its desired projects.

Policy Implications

Not commented on

Council Plan Implications

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

- Strategic Objective 6: Strengthen the culture and governance of the organisation



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Communication Implications

The attached set of Carry over Rules and Carry over Request form will be distributed to all staff. All managers will be informed of the application of the Carried Forward Projects Reserve.

Conclusion

The implementation of the Carried Forward Projects Reserve will greatly assist financial and budget management for Council by providing a clear and concise approach and transparent audit trail in the provision of carry overs and remove the confusion the current methodology creates.

OFFICER RECOMMENDATION:

That Council approves the creation and implementation of the Carried Forward Projects Reserve.

Attachments:

No.	Name	RecFind Ref
14.4.1	Carry Over Rules	16/002682
14.4.2	Carry Over Request Form	16/002682



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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

Nil.

17.0 CONFIDENTIAL (PURSUANT TO SECTION 89 LGA 89)

RECOMMENDATION

That Council pursuant to section 89(2) (d) Contractual Matters and (f) Legal advice of the Local Government Act 1989 close the meeting to members of the public at pm to resolve on matters pertaining to the following items:

17.1 BUILDING CONTROL SERVICES

17.2 KANIVA SHIRE HALL FOUNDATION CONTRACT

RECOMMENDATION

That the resolutions pertaining to Confidential / In-Camera items be adopted and made public and that the reports for those items remain In-camera and that Council open the meeting to the public at pm.

MEETING CONCLUDED:

NEXT MEETING:

**THURSDAY 18 AUGUST 2016
KANIVA COUNCIL CHAMBER**