



ORDINARY COUNCIL MEETING MINUTES – 19 APRIL 2017 WEST WIMMERA SHIRE COUNCIL

ORDINARY COUNCIL MEETING MINUTES

***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*

HELD: **Wednesday 19 April 2017**

LOCATION: **Benayeo Hall**

COMMENCEMENT: **4.06pm**

IN ATTENDANCE:	
Councillors	Senior Management Group
Bruce Meyer, Mayor Trevor Domaschenz	David Leahy Chief Executive Officer
Richard Hicks Tom Houlihan	Ashley Roberts Acting General Manager Corporate & Community Services
Jodie Pretlove	Robyn Evans General Manager Infrastructure Development & Works

***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

The CEO read the opening prayer

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

3.1 APOLOGIES

Nil

3.2 LEAVE OF ABSENCE

Nil

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.

Nil

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.

Nil

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.



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4.2.1 FREYA HAWKER, APSLEY ALLIGATORS – REQUEST FOR FUNDING

- Apsley Alligators have requested \$6,000/year from Council, to pay a part-time salary to keep this play group operating in Apsley.
- Have read the recommendation in the 19 April 2017 Council Meeting agenda that funding of \$3000/year be provided.
- Is there any explanation about this from Councillors?

Mayor: Council will make a decision later in the meeting.

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

5.1 COUNCILLOR BRUCE MEYER (MAYOR)

16/03/2017	Regional CEOs & Mayors re Canberra Delegation Trip
17/03/2017	CEO David Leahy
21/03/2017	Kaniva Community Sporting Complex Meeting
23/03/2017	CEO David Leahy
24/03/2017	Wimmera Mayoral Gathering, Horsham
24/03/2017	Serviceton & District Action Group, BBQ & Forum
28/03/2017	Canberra Delegation Meetings with Offices of Deputy PM Barnaby Joyce, Minister Scullion, Minister Ciobo
29/03/2017	Canberra Delegation Meetings with Office of Minister Fifield, Hon Joel Fitzgibbon, Hon Anthony Albanese, Minister Frydenberg
30/03/2017	AFL Victoria Local Government Forum, Melbourne
31/03/2017	Longerenong College 2016 Graduation Ceremony
04/04/2017	Audit Committee Meeting
05/04/2017	Councillor Forum, Kaniva
07/04/2017	Council Planning with Senior Management Group, Edenhope
07/04/2017	Official Opening of Kaniva Puppet Shop
10/04/2017	Kaniva Community Sporting Complex Meeting
11/04/2017	Bus Tour of Charam, Douglas and Harrow
11/04/2017	Andrew Broad MP in Edenhope
13/04/2017	Farewell morning tea for Venkat Peteti, GMCCS
17/04/2017	Stawell Gift
19/04/2017	Council Meeting & Community Forum, Benayeo

5.2 COUNCILLOR TREVOR DOMASCHENZ

19/03/2017	Edenhope Golf Club Annual Shire Golf Day
21/03/2017	Wimmera Mallee Tourism Meeting, Nhill
23/03/2017	MAV Workshop, Roles & Responsibilities of a Cr, Swan Hill



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27/03/2017	Edenhope Community Action Network Meeting
04/04/2017	Wimmera Mallee Sustainability Alliance Meeting, Horsham
05/04/2017	Councillor Forum, Kaniva
07/04/2017	Council Planning with Senior Management Group, Edenhope
11/04/2017	Bus Tour of Charam, Douglas and Harrow
11/04/2017	Andrew Broad MP in Edenhope
11/04/2017	Wimmera Development Association Board Meeting, Horsham
18/04/2017	Wimmera Mallee Tourism Meeting
19/04/2017	Council Meeting & Community Forum, Benayeo

Moved: Cr Trevor Domaschenz

Seconded: Cr Jodie Pretlove

That Council acknowledge the excellent efforts of Mr Jesse Iese and Ms Lily Cameron at the 2017 Australian Athletic Championships, and send each of them a letter of congratulations.

Carried (5/0)

5.3 COUNCILLOR RICHARD HICKS

23/03/2017	MAV Workshop, Roles & Responsibilities of a Cr, Swan Hill
24/03/2017	Serviceton & District Action Group, BBQ & Forum
04/04/2017	Public Launch: Grampians Passenger Services Feasibility Study
05/04/2017	Councillor Forum, Kaniva
07/04/2017	Council Planning with Senior Management Group, Edenhope
10/04/2017	RoadSafe Wimmera Meeting, Horsham
11/04/2017	Andrew Broad MP in Edenhope
11/04/2017	Bus Tour of Charam, Douglas and Harrow
13/04/2017	Farewell morning tea for Venkat Peteti, GMCCS
19/04/2017	Council Meeting & Community Forum, Benayeo

Moved: Cr Richard Hicks

Seconded: Cr Tom Houlihan

That Councillors discuss the Grampians Passenger Services Feasibility Study at the next Councillor Forum, and agree on a response to the Study.

Carried (5/0)



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Moved: Cr Richard Hicks

Seconded: Cr Jodie Pretlove

That Council send letters of congratulations to Ms Hattie Shand and Mr Lachie Busiko regarding their recent sporting successes in hockey.

Carried (5/0)

5.4 COUNCILLOR TOM HOULIHAN

20/03/2017	West Wimmera Emergency Management Planning Meeting
24/03/2017	Women on Farms Gathering, Harrow
25/03/2017	Women on Farms Gathering, Harrow
27/03/2017	West Wimmera Pipeline Project Steering Committee Meeting
30/03/2017	AFL Victoria Local Government Forum, Melbourne
05/04/2017	Councillor Forum, Kaniva
10/04/2017	Kaniva Community Sporting Complex Meeting
11/04/2017	Bus Tour of Charam, Douglas and Harrow
11/04/2017	Andrew Broad MP in Edenhope
12/04/2017	Harrow Discovery Centre Committee Meeting
19/04/2017	Council Meeting & Community Forum, Benayeo

Moved: Cr Tom Houlihan

Seconded: Cr Jodie Pretlove

That Goroke Policeman Jim Richardson be sent a letter of congratulations regarding his 35 years of service.

Carried (5/0)

5.5 COUNCILLOR JODIE PRETLOVE

24/03/2017	Women on Farms Gathering, Harrow
25/03/2017	Women on Farms Gathering, Harrow
31/03/2017	Wimmera Southern Mallee Regional Transport Group Meeting
04/04/2017	Audit Committee Meeting
05/04/2017	Councillor Forum, Kaniva
07/04/2017	Council Planning with Senior Management Group, Edenhope
11/04/2017	Bus Tour of Charam, Douglas and Harrow



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11/04/2017 Andrew Broad MP in Edenhope
16/04/2017 Wayne Street at Lake Charlegrark
19/04/2017 Council Meeting & Community Forum, Benayeo

Also: Graincorp meeting at Langley Lodge re future of Carpolac Grain Site

5.6 DAVID LEAHY (CHIEF EXECUTIVE OFFICER)

16/03/2017 Community Service Quality Review
16/03/2017 Telstra Stakeholder Roundtable with Minister Nash & Telstra CEO
16/03/2017 Wimmera Regional CEO Meeting with Mayors
17/03/2017 Worked from Kaniva Office
17/03/2017 Mayor Bruce Meyer, Kaniva
17/03/2017 Kaniva Community Hub open inspection
20/03/2017 Senior Management Group
21/03/2017 Post-Council Staff Meeting
21/03/2017 Occupational Health & Safety Meeting
21/03/2017 Annette Jones, Chair of Women on Farms Gathering 2017
22/03/2017 Regional Development Victoria
23/03/2017 Mayor Bruce Meyer
24/03/2017 Worked from Kaniva Office
24/03/2017 Serviceton & District Action Group, BBQ & Forum
28/03/2017 Canberra Delegation Meetings with Offices of Deputy PM Barnaby Joyce, Minister Scullion, Minister Ciobo
29/03/2017 Canberra Delegation Meetings with Office of Minister Fifield, Hon Joel Fitzgibbon, Hon Anthony Albanese, Minister Frydenberg
30/03/2017 GWM Water Stakeholder Workshop, Horsham
31/03/2017 Wimmera Southern Mallee Community Transport Forum, Horsham
31/03/2017 Bendigo Bank, Edenhope
03/04/2017 Geoffrey Lord & Dr Paul Hemming, Federation University
04/04/2017 Public Launch: Grampians Passenger Services Feasibility Study
05/04/2017 Councillor Forum, Kaniva
05/04/2017 2018 events to commemorate Aboriginal Cricket Tour 150th Anniversary
06/04/2017 Worked from Kaniva Office
06/04/2017 Act@Work Action Group Meeting
06/04/2017 Essential Services Commission, Nhill
06/04/2017 Flood Recovery Meeting, Edenhope
07/04/2017 Council Planning with Senior Management Group, Edenhope
10/04/2017 Regional Development Victoria
11/04/2017 Bus Tour of Charam, Douglas and Harrow
11/04/2017 Senior Management Group & Managers
11/04/2017 Wimmera Development Association Board Meeting, Horsham
12/04/2017 Cricket Australia, Melbourne
13/04/2017 Farewell morning tea for Venkat Peteti, GMCCS
13/04/2017 Wimmera Regional CEO Meeting, Stawell



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18/04/2017 Senior Management Group
19/04/2017 Council Meeting & Community Forum, Benayeo

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

Nil

7.0 CONFIRMATION OF MINUTES FROM PREVIOUS MEETING

RECOMMENDATION:

That the Minutes of the Ordinary Meeting of Council held on Wednesday 15 March 2017, be taken as an accurate record and confirmed.

Moved: Cr Richard Hicks

Seconded: Cr Trevor Domaschenz

That the Minutes of the Ordinary Meeting of Council held on Wednesday 15 March 2017, be taken as an accurate record and confirmed.

Carried (5/0)

8.0 BUSINESS ARISING FROM PREVIOUS MINUTES

Nil

9.0 NOTICES OF MOTION

Nil



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10.0 ASSEMBLY OF COUNCILLORS RECORD

RECOMMENDATION:

That the Assembly of Councillors Record for the Councillor Forum held Wednesday 5 April 2017 be received and noted.

Moved: Cr Richard Hicks

Seconded: Cr Jodie Pretlove

That the Assembly of Councillors Record for the Councillor Forum held Wednesday 5 April 2017 be received and noted.

Carried (5/0)

11.0 DEPUTATIONS AND PETITIONS

Nil



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12.0 CHIEF EXECUTIVE OFFICER AND GOVERNANCE

12.1 DRAFT COUNCIL PLAN 2017-2021

FILE NUMBER: AD0007

REPORT AUTHOR: DAVID LEAHY – CEO

FOR DECISION

Introduction

Council is required under section 125(1) of the Local Government Act 1989 to prepare and approve a Council Plan within a 6 month period after each general election.

Under section 223 of the Local Government Act 1989, a person has the right to make a submission on the proposed plan.

This report is provided to enable Council to endorse the release of the document for submissions.

Declaration of Interests

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

Background

The development of the Council Plan commenced in February 2017 with a number of facilitated sessions undertaken in Gorokey on February 9, 10 & 13 which provided Councillors with the opportunity to propose strategic objectives and agree to a set of proposed actions to support them.

Following the facilitated sessions, the strategic objectives and actions have been circulated to councillors a number of times for comment and further input. A workshop with Councillors on 7 April to refine the actions and the wording of the various descriptions was held and the result of the workshop is the draft document that will be advertised for submissions.

The emphasis of the facilitated workshops was on ensuring that the Council Plan contains objectives and actions that are within the core responsibilities of Local Government. The wellbeing of residents was at the forefront of Councillors thinking when determining the core responsibilities and also service levels within them.



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The process that will be followed from here is for senior staff to develop a resource implications document that will enable timing and priorities to be further developed and will be attached as a reporting tool to the Council Plan.

Council must provide the right for a person to make a submission on the proposed plan in accordance with section 223 of the Local Government Act 1989. Council must also comply with section 125(3A) of the Local Government Act 1989 as follows;

For the purposes of subsection (3), the [Council](#) must ensure that, for at least 28 days after the [public notice](#) is [published](#) under [section 223\(1\)\(a\)](#)—

- (a) a copy of the proposed [Council](#) Plan is available for inspection by the public at—
 - (i) the [Council](#) office and any district offices; and
 - (ii) any other place required by the regulations; and
- (b) the proposed [Council](#) Plan is [published](#) on the [Council](#)'s Internet website.

Councils are also required under section 125(6) (7) to at least once every financial year consider whether the plan requires any adjustment and if the plan is adjusted, advise the Minister. The same opportunities exist for a person to make a submission on the adjustments to a reviewed Council Plan.

Risk Management Implications

Not submitting the Council to the Minister by the prescribed time, will have the Council published in the Departments annual report as failing to meet its legislated requirements.

Legislative Implications

Council is required under section 125 of the Local Government Act 1989 to prepare a Council Plan and a person is entitled people to make submissions in accordance with section 223 of the Local government Act 1989

Environmental Implications

Not Applicable

Financial and Budgetary Implications

The Council Plan provides the direction for the Council over a 4 year period and this will influence the long term financial management of the Council for this period.

Policy Implications

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



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Advocacy Policy
Asset Capitalisation Policy
Asset Management Policy
Borrowing Policy
Building Fee Refunds Policy
Building Permit Information Policy
Business Assistance Scheme Policy
Business Continuity Policy
Commercial Advertising on Council Buildings Policy
Community Grants Policy
Community Halls Policy
Corporate Credit Card and Purchase Cards Policy
Councillor Expense Entitlement & Support Policy
Councillor Code of Conduct Policy
Customer Service Policy
Discretionary Fund Policy
Domestic Firewood Collection Policy
Environmental Policy
Events Policy
External Hire of Plant Policy
Guarantor Policy
Hall Hire Policy – Kaniva Shire Hall
Human Rights Policy
Investment Policy
Media Relations Policy
Onshore Unconventional Gas Exploration Policy
Playground Management Policy
Procurement Policy
Protected Disclosures Policy
Recreation Policy
Road and Street Naming Policy
Social Media Policy
Street Tree Policy
Support to Public Art Policy
Temporary Street Closures Policy
Tourism Policy
Township Amenity Policy
Tree Plantations on Unused Road Reserves Policy
Tree Planting on Road Reserves Policy
Works Unit Road Reserve Risk Management Policy

Council Plan Implications

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



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- Strategic Objective 1: Increase economic activity through the support of existing businesses and new investment
- 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
- Strategic Objective 5: Delivering quality Human Services
- Strategic Objective 6: Strengthen the culture and governance of the organisation

Communication Implications

The proposed plan will be published on the Council web-site, copies made available at the customer service desks of Council (Edenhope and Kaniva) and copies available at the various libraries across the Shire.

Once a person has made a submission on the proposed Council Plan, Council must consider the submissions before endorsing the final document. Any person wishing to make a submission has the right to present their submission to Councillors at a special meeting.

Conclusion

The process of developing a Council Plan is a difficult task and along with the annual budget exercise, is the most important activity that Councillors will undertake. The releasing of the document for submissions is a large step along the way to finally endorsing the work undertaken by Councillors.

All Councillors have been active participants in open and honest discussions during the development of the proposed plan and with the assistance of Richard Baum as the facilitator, were able to understand the vision and motivation of each other a little more.

The success of a Council Plan always hinges on everyone that is involved in both the development and the implementation of the plan, working cohesively and using the plan as the key guide in all strategic decisions that are made.

It is also important that everyone that reads the proposed plan and eventually implements the plan, sees it as a plan for the entire West Wimmera Shire and not an individual town or area plan.

OFFICER RECOMMENDATION:

- 1. That Council resolves to release the attached proposed Council Plan to the public to enable people to make submissions in accordance with section 223 of the Local Government Act 1989.**



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2. That the closing date for submissions to be received on the proposed Council Plan be Wednesday 28 May 2017.
3. That in accordance with section 125(3A) of the Local Government Act 1989, The West Wimmera Shire Council will allow submissions for not less than 28 days from the publishing of a public notice and will also comply with the following;
 - a) A copy of the proposed Council Plan is available for inspection by the public at –
 - i. The Council Offices and any district offices; and
 - ii. Any other place required by the regulations; and
 - b) The proposed Council Plan is published on the Council's Internet website.

Moved: Cr Richard Hicks

Seconded: Cr Jodie Pretlove

1. That Council resolves to release the attached proposed Council Plan to the public to enable people to make submissions in accordance with section 223 of the Local Government Act 1989.
2. That the closing date for submissions to be received on the proposed Council Plan be Wednesday 28 May 2017.
3. That in accordance with section 125(3A) of the Local Government Act 1989, The West Wimmera Shire Council will allow submissions for not less than 28 days from the publishing of a public notice and will also comply with the following;
 - (a) A copy of the proposed Council Plan is available for inspection by the public at –
 - i. The Council Offices and any district offices; and
 - ii. Any other place required by the regulations; and
 - (b) The proposed Council Plan is published on the Council's Internet website.

Carried (5/0)



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Attachments:

No.	Name	RecFind Ref
12.1.1	Draft Council Plan 2017-2021	17/001334



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12.2 WIMMERA DELEGATION TO CANBERRA

FILE NUMBER: AD0007

REPORT AUTHOR: DAVID LEAHY – CEO

FOR INFORMATION

Introduction

This report is provided for information and provides a summary of the advocacy activities undertaken as part of the recent Mayors and CEOs visit to Canberra.

Declaration of Interests

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

Background

Wimmera Councils have been for a number of years, undertaking an annual trip to Canberra to advocate for regional investment in the Wimmera. The trips are organised outside of the Australian Local Government General Assembly and Conference, which provides greater access to key people.

The past delegations have highlighted a number of important regional issues and some positive outcomes have been achieved due largely to the cooperative regional approach. Topics of note, are the continued discussions on the Western Highway duplication and the agreement to fund the Wimmera Weather Radar station, which is likely to come on line some time in 2018.

To enable the delegation to function efficiently and gain access to the appropriate Ministers and key personnel, the delegation has been hosted by the Member for Mallee Mr Andrew Broad.

Mr Broad's office has arranged appointments and escorted delegates to meetings and arranged to have the Prime Minister, Deputy Prime Minister and Coalition Senators join us at different stages throughout the delegations.

West Wimmera Shire was represented by the Mayor Cr Bruce Meyer and the CEO David Leahy. The appointments that were attended by West Wimmera included;

- The office of the Deputy Prime Minister - Mr Barnaby Joyce
- The office of the Indigenous Affairs Minister - Mr Nigel Scullion
- The office of the Tourism Minister - Mr Steve Ciobo
- The office of the Telecommunications Minister – Mr Mitch Fifield



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- The office of the Minister for Energy and Resources – Mr Josh Frydenberg

The topics discussed ranged from data in agriculture and NBN services for Kaniva to the Aboriginal Cricket Tour celebrations. A summary of the discussions is as follows;

Office of the Deputy Prime Minister

The Mayor and CEO were joined by Ralph Kenyon (Executive Officer of the WDA) and the major topic for discussion was the implementation of the commitment to construct a weather radar station in the Wimmera. The meeting was joined by a representative of the Bureau of Meteorology and we were informed that the project is at the procurement stage.

The Bureau is searching for upgraded technology (Dual Polarization) that will detect hail from rain and provide greater intensity of event information. The timing of the installation is likely to be late 2018 and immediately following the meeting we received confirmation of the Victorian Governments commitment to the project.

Also during the discussions we were able to emphasise the inadequacies' of the funding model for roadside pest plants and animals and that Local Government is being forced to shoulder too much burden. The Ministers advisor suggested that they will communicate with the Victorian Government regarding this but they consider it to be a state or local issue.

We were also able to speak briefly about the importance of a rural outreach program and that in the absence of the program formerly run in the Wimmera that there is a greater expectation placed on Local Government to enter the health care space. Both the Mayor and CEO commented that the absence of this service leads to community stresses that go unchecked and ultimately results in productivity drops due to community health.

It was stressed that the issues facing rural and remote communities are not just drought related and the level of service received is not sufficient. Whilst there was no commitment from them to pursue anything regarding this, we will continue to liaise with the Member for Mallee as the negotiations continue.

Office of the Indigenous Affairs Minister

During the visit to the Indigenous Affairs Ministers Office we met his Assistant Adviser and were able to present on the Aboriginal Cricket Tour 150 Anniversary Celebrations.

A run-down of the draft schedule was provided and the adviser was extremely interested in both the event and the ongoing need to have the story secured in school curriculums. As an action from this meeting we were to send a copy of the proposal to the Ministers Office and they will provide us with a contact to the Office of PM and Cabinet in Melbourne. This contact will assist in providing direction on how to best ensure that the story does not get lost.



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In addition to the above, Hindmarsh Shire were able to present on their Wimmera River Cultural Trail proposal. This was also well received and the same commitment was provided to follow through.

It is hoped that the contacts provided will enable greater support from federal and state government and also support any funding applications for the Cricket Tour celebrations.

Office of the Tourism Minister

This meeting provided another great opportunity to promote the Aboriginal Cricket Tour celebrations in 2018. Again the proposal was very well received as it provides an opportunity to promote to an international audience. A copy of the proposed schedule for the event was also sent to the Tourism Ministers Office.

Also promoted during this meeting was the Silo-Art Trail through Yariambiack and the potential to have more of this art commissioned across a larger portion of the Wimmera.

The advice provided by the adviser was to look into the standard of accommodation available as the growing market from China has expectations of high quality, resort style accommodation, which is not currently available in the Wimmera.

Office of the Telecommunications Minister

This delegation consisted of the Mayor of Hindmarsh, the executive officer of the WDA and Mayor and CEO of West Wimmera.

We met with the Ministers Chief Adviser and were given plenty of time to explain how the satellite NBN service has failed Kaniva and Dimboola. The same adviser told the delegation last year that we will return to heap praise on the satellite broadband service, but we were quite clear about how the Kaniva community feels cheated by the system in having to accept the inferior service.

It was also made very clear that the West Wimmera and Hindmarsh Shires will continue to advocate for an improved service that will provide business, students and residents with a broadband connection that is close to the equal of their regional and metropolitan counterparts.

Specifically in West Wimmera's case, the ask is that there be political intervention to enable the right outcome to occur. This was also discussed with Senator Bridgett McKenzie and it was agreed that either the government or NBN needs to take responsibility.

A very good argument for customer satisfaction was provided by the executive officer from the WDA and was not argued by the adviser.

In addition to the NBN discussions, mobile phone service levels were also discussed. Specifically a commitment to continue to fund the mobile black spot program that has been of great benefit in the seat of Mallee. Whilst no commitment was received the benefits of



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the program were acknowledged and the fact that it has received very positive feedback from the electorate.

Office of the Minister for Energy and Resources

We were fortunate that the Minister called in on this discussion prior to having to attend a media commitment.

The main topic for discussion was the fact that the regional network capacity restricts the amount of energy generated in the region from being fed into the network. This has a detrimental effect on alternative energy generation west of Horsham.

Further discussion around the location of the inter-connector into SA occur with the proposal to have the line travel through Hindmarsh and West Wimmera to enable greater feed in opportunities.

Risk Management Implications

Nil

Legislative Implications

Nil

Environmental Implications

Nil

Financial and Budgetary Implications

The costs associated with West Wimmera's involvement in the delegation equates to approximately \$2,000.

Policy Implications

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

Advocacy Policy

Councillor Code of Conduct Policy

Media Relations Policy

Tourism 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 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
- Strategic Objective 5: Delivering quality Human Services
- Strategic Objective 6: Strengthen the culture and governance of the organisation

Communication Implications

This report is available for local media and the general public.

Conclusion

The decision by the Wimmera Councils to attend Canberra outside of the annual National General Assembly and Conference, has resulted in greater levels of dialogue occurring due to more time being available.

The delegations have also had time to meet at length with the Member for Mallee and debrief on the day's activities. The member also provides advice on how to approach certain topics and this would not be the case when trying to compete with many more delegations from all round Australia.

A number of topics have been successfully negotiated throughout the delegations, which include, the weather radar station, the western highway duplication and the next big item is the NBN service for the Wimmera.

The regional cooperative approach is well received in Canberra and support for this type of advocacy is a key point in the proposed Council Plan 2017 – 2021.

OFFICER RECOMMENDATION:

That Council receive and note the report and commit to supporting future delegations.

Moved: Cr Jodie Pretlove

Seconded: Cr Tom Houlihan

That Council receive and note the report and commit to supporting future delegations.

Carried (5/0)

Attachments: Nil



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12.3 S5 DELEGATIONS TO THE CHIEF EXECUTIVE OFFICER

FILE NUMBER: AD0140

REPORT AUTHOR: DAVID LEAHY – CEO

FOR DECISION

Introduction

The following report provides information on the delegations to the Chief Executive Officer.

The template for the delegation review is provided via a subscriptions to Maddock's legal firm who provide the service to Local Government across Victoria.

Declaration of Interests

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

Background

Through the subscription to the delegations review service provided by Maddock's (legal firm) to all of Local Government in Victoria, the attached S5 delegations to the CEO are provided for decision.

In order to ensure effective functioning of Local Government, decision making power is allocated through formal delegations.

There are two types of delegations;

- Firstly there are delegations to special committees and
- Delegations to members of staff.

It is recommended that where Council chooses to act through others (delegations) that it be undertaken through a formal instrument of delegation. The Local Government Act makes express provision for the appointment of delegates to the categories mentioned above.

Where the delegation is applicable to the Chief Executive Officer, he or she has the power to sub – delegate. If the delegation is to an officer other than the Chief Executive Officer the power to sub – delegate does not exist.



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The above mentioned limitation is covered under section 98 of the Local Government Act 1989 as follows;

- *The instrument of delegation to the Chief executive Officer may empower the Chief Executive Officer to delegate a power of the Council other than the power of delegation to a member of Council staff.*

The endorsement by Council of the S5 Delegations to the Chief Executive Officer will enable administrative and operational decisions to be made without the need to resolutions on each decision of the organisation.

An explanation of the delegations to the Chief Executive Officer is provided in the attached explanatory notes. It is also clearly evident through the S6 delegations from Council to members of staff that the broad range of activities in Local Government clearly require detailed delegations to be in place to enable Council to operate effectively.

Risk Management Implications

The potential further delegation of powers by the Chief Executive Officer, does carry some possible “loss of control”.

This is best avoided by regular reviews of delegations and workshopping any changes with Councillors to enable items to be revoked if necessary.

Regular reports on sub – delegation from the Chief Executive Officer will also reduce this risk.

Legislative Implications

Council is required to keep a register of delegations to special committees under sections 87 and 98 of the Local government Act 1989.

Environmental Implications

Nil

Financial and Budgetary Implications

Nil

Policy Implications

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



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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 6: Strengthen the culture and governance of the organisation

Communication Implications

Nil

Conclusion

A commitment to a regular review of the various delegations will ensure that Council is aware of and comfortable with the level of powers delegated to staff. With the broad range of services of Local Government and the many administrative and operational activities associated with the effective running of a Council, a well considered suite of delegations is necessary to ensure that residents are provided with appropriate services to meet their needs.

The sub-delegations from the CEO to other members of staff and from the Council to staff are included as attachments to a subsequent report.

OFFICER RECOMMENDATION:

That, in the exercise of the powers conferred by section 98(1) of the *Local Government Act 1989* (the Act) and the other legislation referred to in the attached instrument of delegation, West Wimmera Shire Council (Council) resolves that:

- 1. There be delegated to the person holding the position, acting in or performing the duties of Chief Executive Officer the powers, duties and functions set out in the attached *Instrument of Delegation to the Chief Executive Officer*, subject to the conditions and limitations specified in that Instrument.**
- 2. The instrument comes into force immediately the common seal of Council is affixed to the instrument.**
- 3. On the coming into force of the instrument all previous delegations to the Chief Executive Officer are revoked.**
- 4. The duties and functions set out in the instrument must be performed, and the powers set out in the instruments must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.**



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5. It is noted that the instrument includes a power of delegation to members of Council staff, in accordance with section 98(3) of the Act.

Moved: Cr Trevor Domaschenz

Seconded: Cr Richard Hicks

That, in the exercise of the powers conferred by section 98(1) of the *Local Government Act 1989* (the Act) and the other legislation referred to in the attached instrument of delegation, West Wimmera Shire Council (Council) resolves that:

1. There be delegated to the person holding the position, acting in or performing the duties of Chief Executive Officer the powers, duties and functions set out in the attached *Instrument of Delegation to the Chief Executive Officer*, subject to the conditions and limitations specified in that Instrument.
2. The instrument comes into force immediately the common seal of Council is affixed to the instrument.
3. On the coming into force of the instrument all previous delegations to the Chief Executive Officer are revoked.
4. The duties and functions set out in the instrument must be performed, and the powers set out in the instruments must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.
5. It is noted that the instrument includes a power of delegation to members of Council staff, in accordance with section 98(3) of the Act.

Carried (5/0)

Attachments:

No.	Name	RecFind Ref
12.3.1	S1 Explanatory Notes	17/001334
12.3.2	S5 Instrument of Delegation Council to the CEO	17/001334



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12.4 DELEGATIONS AND AUTHORISATIONS REVIEW

FILE NUMBER: AD0140

REPORT AUTHOR: DAVID LEAHY – CEO

FOR INFORMATION

Introduction

Council is required to periodically review and update its delegations and authorisations to the CEO and members of Council staff.

The instrument of delegation is provided for in section 98 of the Local Government Act 1989 and covers a number of different delegations and authorisations.

The ability to appoint authorised officers with certain delegated authority is contained in section 224 of the Local Government Act 1989.

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 subscribes to a delegations update service provided by Maddocks, which provides information on legislative change that will require a delegations review.

The last full review conducted at West Wimmera was 2013 and a number of modifications have been suggested as part of this report.

The subscription service provides template documents on the various Instruments of Delegation, Explanatory Notes and Explanatory Guidelines to assist with the review process.

As updates are provided by Maddocks on a six monthly basis, the reviews will be provided to Councillors for discussion and endorsement on the same timeframe.

To assist with the review the explanatory notes and guidelines have been attached to this report along with the updated Instruments of Delegation. This report is specifically pertaining to the following delegations;



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- S6 Instrument of Delegation, Council to other members of staff
- S7 Instrument of Delegation, Chief Executive Officer to members of staff
- S13 Instrument of Delegations of CEO powers, duties and functions
- S14 Instrument of Delegation for by Chief Executive Officer for Vicsmart Applications.

Whilst the S7 delegations – Chief Executive Officer to members of staff is not necessarily required to be endorsed by Council, it has been provided as part of this review to enable Councillors to gain a comprehensive gauge on the breadth of Local Government and to demonstrate the operational nature of many of the delegations.

Risk Management Implications

The largest risk faced by Local Government regarding delegations is the potential for legal action to be taken if delegations are incomplete, incorrect or not contained in a register.

Inadequate delegations can result in legal challenges if the formal process of delegating a power is unsatisfactory and the staff member undertakes an action they are not legally delegated to perform.

Legislative Implications

The legislative ability to implement Instruments of Delegation is contained in section 98 of the Local Government Act 1989.

The ability to appoint authorised officers with delegated authority / powers is contained in section 224 of the Local Government Act 1989.

Environmental Implications

Not Applicable

Financial and Budgetary Implications

Not Applicable

Policy Implications

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

Asset Management Policy
Borrowing Policy
Building Fee Refunds Policy
Building Permit Information Policy
Business Assistance Scheme Policy
Business Continuity Policy



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Commercial Advertising on Council Buildings Policy
Community Grants Policy
Community Halls Policy
Corporate Credit Card and Purchase Cards Policy
Councillor Expense Entitlement & Support Policy
Councillor Code of Conduct Policy
Customer Service Policy
Environmental Policy
Human Rights Policy
Procurement Policy
Protected Disclosures Policy
Temporary Street Closures Policy
Works Unit Road Reserve Risk Management Policy

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 5: Delivering quality Human Services
- Strategic Objective 6: Strengthen the culture and governance of the organisation

Communication Implications

Not Applicable

Conclusion

Utilising the subscription service provided by Maddocks enabled all delegations to be reviewed and circulated to senior staff for any potential modifications. It also enabled the documents to be workshopped with Councillors on 8 March and appropriate feedback / comments included in the delegations.

Future reviews will occur at shorter intervals to ensure that any legislative changes are picked up and the appropriate officer has the correct level of delegation.

OFFICER RECOMMENDATION:

That in the exercise of the powers conferred by section 98(1) of the *Local Government Act 1989* (the Act) and the other legislation referred to in the attached instrument of delegation, West Wimmera Shire Council (Council) RESOLVES THAT -

1. **There be delegated to the members of Council staff holding, acting in or performing the duties of the offices or positions referred to in the attached *Instrument of Delegation to members of Council staff*, the powers, duties and**



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functions set out in that instrument, subject to the conditions and limitations specified in that Instrument.

2. The instrument comes into force immediately the common seal of Council is affixed to the instrument.
3. On the coming into force of the instrument all previous delegations to members of Council staff (other than the Chief Executive Officer) are revoked.
4. The duties and functions set out in the instrument must be performed, and the powers set out in the instruments must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.

Moved: Cr Richard Hicks

Seconded: Cr Tom Houlihan

That in the exercise of the powers conferred by section 98(1) of the *Local Government Act 1989* (the Act) and the other legislation referred to in the attached instrument of delegation, West Wimmera Shire Council (Council) **RESOLVES THAT –**

1. There be delegated to the members of Council staff holding, acting in or performing the duties of the offices or positions referred to in the attached *Instrument of Delegation to members of Council staff*, the powers, duties and functions set out in that instrument, subject to the conditions and limitations specified in that Instrument.
2. The instrument comes into force immediately the common seal of Council is affixed to the instrument.
3. On the coming into force of the instrument all previous delegations to members of Council staff (other than the Chief Executive Officer) are revoked.
4. The duties and functions set out in the instrument must be performed, and the powers set out in the instruments must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.

Carried (5/0)



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Attachments:

No.	Name	RecFind Ref
12.4.1	S6 Delegations – Council to members of staff	17/001334
12.4.2	S7 Delegations – CEO to other members of staff	17/001334
12.4.3	S13 Instrument of delegation of CEO powers, duties and functions	17/001334
12.4.4	S14 Instrument of delegation By CEO for Vicsmart applications	17/001334



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12.5 DRAFT ADVOCACY POLICY

FILE NUMBER: AD0183

REPORT AUTHOR: DAVID LEAHY – CEO

FOR DECISION

Introduction

The following report provides information on the draft advocacy policy. This policy was first adopted in October 1999.

Declaration of Interests

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

Background

The purpose of drafting an advocacy policy is to ensure that advocacy and lobbying to other tiers of government is undertaken according to priorities included in the Council Plan and can assist in addressing issues highlighted by the community.

To enable advocacy efforts to be successful, campaigns will be developed using a strong evidence base and formatted in such a way that all participants in the advocacy, are providing the same information.

The structure and format of the specific advocacy efforts must be created using a consistent format. A template for the development of an advocacy strategy has been developed to assist this process and is provided as an attachment to this report.

Risk Management Implications

Undertaking ad hoc advocacy has the potential to damage Councils reputation and provide an inconsistent message from the Shire.

Legislative Implications

Nil

Environmental Implications

Nil



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Financial and Budgetary Implications

Nil

Policy Implications

This report is supported by the following West Wimmera Shire Council Policy:
Advocacy 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
- 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
- Strategic Objective 5: Delivering quality Human Services
- Strategic Objective 6: Strengthen the culture and governance of the organisation

Communication Implications

Successful advocacy is undertaken using community input where ever possible. Reporting in a transparent way on the results of an advocacy campaign is also essential.

Conclusion

Advocacy can take many forms and is not necessarily just about lobbying for funds. Levels of service, access to services and potentially the reduction in a service are all items that can be advocated for.

The most successful campaigns are well organised, factual and contain genuine community aspirations. It is also critical to ensure that a consistent message is told. The utilisation of specific skill sets provides strength to the effort and enables people to provide greater focus to areas that they are more familiar with.

As a way of ensuring that advocacy efforts align with the Council Plan, an annual strategy could be developed at the same time as the Council Plan review. This would enable all of the topics for a year to be researched thoroughly and provide suitable timeframes for appointments.



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OFFICER RECOMMENDATION:

That Council adopt the reviewed Advocacy Policy.

Moved: Cr Trevor Domaschenz

Seconded: Cr Richard Hicks

That Council adopt the reviewed Advocacy Policy.

Carried (5/0)

Attachments:

No.	Name	RecFind Ref
12.5.1	Draft Advocacy Policy	17/001175
12.5.2	Draft Advocacy Strategy Template	17/001175



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13.0 INFRASTRUCTURE DEVELOPMENT AND WORKS

13.1 POLICY REVIEW: BUILDING PERMIT INFORMATION POLICY

FILE NUMBER: AD0208

REPORT AUTHOR: GILLIAN BRADSHAW

MANAGER PLANNING & ENVIRONMENT

FOR DECISION

Introduction

This report is to review the current *Building Permit Information Policy* which is now due.

Declaration of Interests

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

Background

The West Wimmera Shire Council and previous Councils that formed the current Council disclosed only limited information in relation to Building Permits issued. Usually just the owners' name, the proposed development and the date the permit was issued.

The applicant's address, dollar value of the development or any other information was not included in the report. This prevented commercial enterprises access to the applicant's private information and possible unsolicited contact from these commercial enterprises touting for business.

Currently all the information contained in building permit files is confidential and only available to the owner, relevant Council staff and the Victorian Building Authority (VBA).

Various state government departments and agencies whom require information about building permits issued, usually cite the necessary Act and Section when making an application for information.

Risk Management Implications

Providing Building Permit Information to state government and departments and agencies requests for information under the various Acts is not a risk to Council. Providing the same



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information to commercial enterprises may breach the *Privacy Act* and expose Council to possible litigation from the applicant whose information has been provided to a commercial enterprise.

Legislative Implications

Building permit information is provided each month to the VBA, listing building permits issued, any certificates that have been issued and reporting the amount of Building Levy collected and to be paid.

The various state government departments and agencies whom require information about building permits issued usually cite the necessary Act and Section that permits the request when making the application for information.

Environmental Implications

Not applicable.

Financial and Budgetary Implications

No fees are charged to the various state government departments and agencies for the collection of information in relation to building permits issued. The landowner is provided a copy of the Building Permit when it is issued, this is included in the Building Permit fees paid at the time of application.

Policy Implications

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

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



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Communication Implications

The policy makes it clear that the various state government departments and agencies that may require information about building permits can apply for that information. Commercial enterprises are not able to access the information contained in a building permit to protect the privacy of the owner

Conclusion

Providing Building Permit Information to the VBA each month is a mandatory requirement.

Various state government departments and agencies that require information about building permits issued usually cite the necessary Act and Section that permits the request when making the application for information.

The review of the Building Permit Information Policy recommends no change from the current policy.

OFFICER RECOMMENDATION

That Council adopt the Building Permit Information Policy.

Moved: Cr Jodie Pretlove

Seconded: Cr Richard Hicks

That Council adopt the Building Permit Information Policy.

Carried (5/0)

Attachments:

No.	Name	RecFind Ref
13.1.1	Building Permit Information Policy	17/001334



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13.2 PROJECT REPORT: COUNCIL'S CERTIFICATES OF TITLE CONVERSION

FILE NUMBER: AD0183

REPORT AUTHOR: GILLIAN BRADSHAW

MANAGER PLANNING & ENVIRONMENT

FOR INFORMATION

Introduction

This report is to inform Councillors of a project that reconciled and cleaned up West Wimmera Shire Council's (Council) certificates of title to new eTitles.

Declaration of Interests

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

Background

In June 2016 Council received information from the Department of Environment Land Water and Planning (DELWP) of a project they were offering to all Councils to update the old certificates of titles to a new electronic format, including transferring General Law Deeds to the Torrens Title format. Land Victoria are working towards all councils in Victoria to transfer their titles to the new eTitles format.

Council owns several properties that have a General Law Deed not a Torrens title e.g. The Apsley Public Hall.

If Council were to apply to Land Victoria to convert all the General Law Deeds alone to Torrens Title, the estimated cost would have been approximately \$6,000

Through this eTitles project, the only cost to Council was a fee of \$185.40 for the CEO to sign a document under Section 59A of the *Transfer of Land Act* to transfer all the former Council names to West Wimmera Shire Council.

All certificates of title were previously held in the safe at the Edenhope office. Two council officers provided a spreadsheet of all titles held by West Wimmera Shire, a list of predecessor names, spatial file of the West Wimmera Shire and boxed up and forwarded all titles to Land Victoria in Melbourne.



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Land Victoria reconciled all titles held by Council with those against Land Victoria records and charted all titles to Vicmap where titles for roads or parts of roads exist.

When all titles were checked and reconciled from predecessor names to West Wimmera Shire Council the CEO was requested to sign a document under Section 59A of the *Transfer of Land Act* to enact the transfer of name.

Some old artefact titles of historical value, were requested to be returned due to their age and the buildings they related to e.g. the Edenhope Shire Office site.

The General Law Deeds were returned and have to be retained by Council for 15 years, in case a building is sold during that time. Land Victoria issued “interim” titles for the General Law Deeds which are not confirmed until 15 years has elapsed.

Council has been provided access to the eTitles residing at Land Victoria to download free of charge any of the certificates of title in the name of West Wimmera Shire Council.

Risk Management Implications

Not applicable.

Legislative Implications

Not applicable.

Environmental Implications

Not applicable.

Financial and Budgetary Implications

The cost to Council was a fee of \$185.40 which accompanied a signed application by the CEO under Section 59A of the *Transfer of Land Act* to transfer the names of the previous Councils to West Wimmera Shire Council. There was no other cost to Council.

Policy Implications

Not applicable

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

Not applicable.

Conclusion

This was a one off opportunity, provided by Land Victoria through DELWP, at minimal cost to Council to update our old artefact certificates of title to the new eTitles format. The project is now complete.

OFFICER RECOMMENDATION:

That Council receive this report.

Moved: Cr Richard Hicks

Seconded: Cr Trevor Domaschenz

That Council receive this report.

Carried (5/0)

Attachments: Nil



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14.0 CORPORATE AND COMMUNITY SERVICES

14.1 BUILDING FEE REFUNDS POLICY

FILE NUMBER: FM0055

REPORT AUTHOR: ASHLEY ROBERTS, MANAGER FINANCE

FOR DECISION

Introduction

This report presents the updated Building Fees Policy to Council for consideration and comment.

Declaration of Interests

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

Background

All building works carried out within the shire which fall within the scope of the *Building Act 1993* and associated Building Regulations must obtain the appropriate permit. This includes all new construction as well as renovation and additions to existing buildings. The permit conditions include the payment of the applicable fee. The fee amount varies according to the nature and value of the building works and is outside the scope of the Building Fee Refunds Policy and this report.

On occasion, Council may be asked to refund or waive some or all of the applicable building fee. The Building Fee Refunds Policy outlines the circumstances where Council believes it reasonable to refund or waive some or all of a building fee.

Risk Management Implications

Council is subject to the following risks associated with waiving or refunding building fees:

Financial Risk	from reduced income – a large building development may attract fees in excess of \$10,000
Fraud Risk	It may be possible for officers to refund or waive building fees themselves or their associates are liable for if there are no control around the process



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Reputational Risk Council may suffer reputational damage from an inconsistent application of waivers or refunds of building fees.

The application of a clear and concise policy around the refund or waiver of building fees will mitigate these risks.

Legislative Implications

All building permits and fees are issued and charged in accordance with Victorian Building Regulations.

With all refunds or waivers Council must operate under the 'Principals of Sound Financial Management' as dictated in the *Local Government Act 1989*.

Environmental Implications

Not commented on

Financial and Budgetary Implications

Any refund or waiver of fees will have financial implications via the reduction of income to Council.

Policy Implications

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

Building Fee Refunds 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
- Strategic Objective 2: Increased community amenity – protect unique values of our rural communities
- Strategic Objective 6: Strengthen the culture and governance of the organisation

Communication Implications

The Building Fee Refunds Policy will be made available to all Officers and Councillors. It is important that all Officers and Councillors who are in a position which involves



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communications with community members who are involved in building works are conversant with the policy so as to not give conflicting advice.

Conclusion

The Building Fee Refunds Policy clearly sets out circumstances where Council may consider refunding or waiving all or part of a building fee.

OFFICER RECOMMENDATION:

That Council adopt the draft updated Building Fee Refunds Policy.

Moved: Cr Richard Hicks

Seconded: Cr Bruce Meyer

That Council adopt the draft updated Building Fee Refunds Policy.

Carried (5/0)

Attachments:

No.	Name	RecFind Ref
14.1.1	Draft Building Fee Refunds Policy	17/00974



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14.2 SUPPORT TO APSLEY ALLIGATORS

FILE NUMBER: PR0015

**REPORT AUTHOR: ASHLEY ROBERTS, ACTING GENERAL MANAGER
CORPORATE AND COMMUNITY SERVICES**

FOR DECISION

Introduction

Apsley Alligators, a community run playschool at Apsley, approached Council to help them financially. This report provides the background information for Councillors and seeks Council's assistance to Apsley Alligators.

Declaration of Interests

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

Background

Apsley Alligators met with the CEO on 27th September 2016 and asked for some assistance for funding to run the Apsley Alligators program. Details of the meeting and the proposal were attached to this report.

Subsequently, the CEO, General Manager Corporate and Community Services and the Early Year's Coordinator visited the Apsley Alligators and invited them to attend a Council forum. Since it was a change of the Council, the visit to Council was planned in early 2017.

The General Manager Corporate and Community Services, and the Early Years Coordinator spoke to the Victorian Department of Early Education, and other regional organisations to explore grant opportunities so support this community run play group and were not successful in their pursuit to attract any funding. In consultation with the CEO, the General Manager Corporate and Community Services organised \$1,500 through the Childcare Support budget to keep this service operational in 2017.

The Apsley Alligators committee would like a regular income stream to support this service. Hence a discussion and decision at the Council is required.

Discussion

The Apsley Alligators is a proven success which provides a stimulating learning environment to Children and Families.



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The Apsley Alligators Committee organised a facilitator to run the playgroup and incur \$6,000 expenses per annum on the facilitator. As a result of an experienced facilitator, the sessions create a stimulating learning environment for children and families and provide additional enrolments for the Apsley School.

The model run by Apsley Alligators does not fit in any traditional current models of kindergarten service that could attract funding. Also, the model operates differently to kindergartens. This service is run at the Apsley Primary School, and parents offer a gold coin donation for every session attended.

Apsley community supports this initiative by fundraising in the Apsley Alive event and many other community activities. However, fundraising for \$6,000 every year is creating volunteer fatigue. The Apsley alligators are looking for some consistent support and approached Council for some assistance.

Risk Management Implications

This model is close to playgroup, and all risks associated with the play groups will apply to supporting Apsley Alligators. Like every community initiative, there is significant community input in running this service, and they have a risk of failing if no sustainable support is available.

The Council must consider holistic benefits to the community to support the Apsley Alligators initiative.

Legislative Implications

Not discussed as part of the report.

Environmental Implications

Not commented on

Financial and Budgetary Implications

Council in 2016-17 has \$5,000 to support Childcare arrangements across the Shire. If Council has to support the funding request from Apsley Alligators, Council could extend the usage of the Childcare support budget to Apsley Alligators. The Childcare support funding is utilised to support child care and family day care operations across the Shire when needed. Apsley community does not have a child care and family day care. If Council decides to support Apsley Alligators Council must continue the existing funding of \$5,000 or more in Childcare support line.

Policy Implications

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



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This initiative supports Council's overall ethos to support community wellbeing. No Council Policy directly supports programs like Apsley Alligators.

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

Communication Implications

Not discussed in this report.

Conclusion

It is not a local government's direct role to support and fund play groups. However, in a small rural community, groups like Apsley Alligators provide very valuable community service by utilising volunteer capacity. Council support will provide sustainability to the service delivery of Apsley Alligators.

OFFICER RECOMMENDATION:

That Council consider an allocation of \$3,000 per annum for financial years 2017-18, 2018-19 and 2019-20 in the respective budget processes.

Moved: Cr Tom Houlihan

Seconded: Cr Trevor Domaschenz

That the Apsley Alligators be invited to make a presentation to the next Councillor Forum on Wednesday 3 May 2017, and that this matter be held over until that time.

Carried (5/0)

Attachments:

No.	Name	RecFind Ref
14.2.1	Notes from Apsley Alligators	17/001333



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14.3 VARIATION TO RATE CAPPING

FILE NUMBER: AD0183

**REPORT AUTHOR: ASHLEY ROBERTS, ACTING GENERAL MANAGER
CORPORATE AND COMMUNITY SERVICES**

FOR DECISION

Introduction

This report discusses the opportunity for Council to seek a variation for the rate capping set by the Minister of Local Government for the next four financial years.

Declaration of Interests

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

Background

Council in the Ordinary Council meeting held on 15th Feb 2017 resolved

Moved: Cr Richard Hicks

Seconded: Cr Trevor Domaschenz

That:

- 1. Council endorses officers' actions to investigate with the Essential Services Commission the options for a variation on the Rate Cap set by the Minister for Local Government.**
- 2. Officers bring back information to Council from the investigation as outlined in 1 above, for Council's consideration and decision.**

Carried (5/0)

Further to the resolution above, officers met with the Essential Service Commission (ESC) and undertook the investigation of the opportunities and challenges for the rate capping variation



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Discussion

In considering whether to approve a higher cap, the Commission will have regard to:

- The proposed higher cap and the specified year(s) that it will apply
- The reasons for which the council seeks the higher cap
- How the views of ratepayers and the community have been taken into account in proposing the higher cap
- How the higher cap is an efficient use of council resources and represents value for money
- Whether consideration has been given to reprioritising proposed expenditures and alternative funding options and why the council does not consider those options to be adequate
- That the assumptions and proposals in the application are consistent with the council's long-term strategy and financial management policies set out in the council's planning documents and annual budget.

The discussion with the ESC also identified the following

- ESC understand the pressures that are faced by small rural Councils and will be supporting Council within their scope of operation;
- The process of rate cap variation requires long-term financial planning, clear outcomes targeted to achieve as a result of variation and community consultation;
- There is no prescribed way to undertake community consultation. Also, it is not essential to reach consensus from the community on the variation to the rate capping;
- The Council could apply for a variation for up to 4 years and could decide not to use the variation rate for any given financial year;
- The Council need to specify a rate with which they would like to charge rates. Council cannot seek variation as a percentage above the declared rate cap by the Minister. For example, Council could seek to charge rates at 3.5% per annum for next four years. However, Council cannot ask that they would charge 1.5% above the rate capping rate set by the Minister for the next four years.

Risk Management Implications

Council needs to consider its financial obligations (current and future) to decide on the variation. West Wimmera Shire Council is the lowest rated Council in Victoria. The Council must take into account its financial risk to manage services and assets for the community in the era of decreased non-discretionary grants.

Council will also have reputational risk if the decision is to seek variation above the rate capping rate. The Council should manage that risk by clearly communicating the value of seeking variation with the rate payers.



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Legislative Implications

The Council could seek a variation to the rate cap set by the Minister under the Fair Go Rates System.

Environmental Implications

Not commented

Financial and Budgetary Implications

1% rate rise above the rate capping will generate approximately \$68,000 additional revenue. The compounding effect of a rate variation of 1.5% over four years is close to \$1 million.

Council requires minimal additional resources to manage the rate cap application. The Council could consider a variation application for four years to maximise resources to apply for the rate cap variation.

Policy Implications

Council does not have a policy that decides on variation to the rate cap set by the Minister of the Local Government.

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 5: Delivering quality Human Services
- Strategic Objective 6: Strengthen the culture and governance of the organisation

Communication Implications

Council application to the rate cap variation will be published by ESC on the website including all documentation that Council provides for the application and the decision taken by the Minister on Council's rate capping application.

The Council must undertake community consultation on its intention to apply for a variation. It is important for Council to ensure that community understands the value of the variation (additional rates) over and above the rate set by the Minister of Local Government.



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Conclusion

Council needs to explore all opportunities to make itself financially viable while delivering quality community services. West Wimmera Shire Council collects the lowest rate in a dollar from the rate payers. It is an opportunity for Council to engage with the community on the rate capping variation and apply for a variation considering the feedback from the community.

OFFICER RECOMMENDATION:

That:

- 1. Council undertakes community consultation to set rates at 3.5% per annum for the financial years 2017-18, 2018-19, 2019-20, 2020-21;**
- 2. Considering the feedback from the community on 1 above, Council applies for a variation on the rate capping with the Essential Services Commission.**

Moved: Cr Richard Hicks

Seconded: Cr Trevor Domaschenz

That Council undertakes community consultation to set rates at 3.5% per annum for the financial years 2017-18, 2018-19, 2019-20, 2020-21, and reports back to Council by 17 May 2017 regarding feedback from the community consultation, enabling a decision to be taken by Council on whether to formally apply for a rate cap variation.

Carried (5/0)

Attachments: Nil



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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.*

15.1 EXEMPTION OR AMENDMENT TO BUILDING CODE

Moved: Cr Trevor Domaschenz

Seconded: Cr Richard Hicks

That West Wimmera Shire Council seek an exemption or amendment to the Building Code whereby a building renovation within 400 metres of public toilets or toilets open to the public that have disabled access not have to construct toilets as a mandatory part of the buildings renovation.

Motion lapsed

Moved: Cr Trevor Domaschenz

Seconded: Cr Richard Hicks

That West Wimmera Shire Council seek an exemption or amendment to the Building Code whereby a building renovation within 250 metres of public toilets or toilets open to the public that have disabled access and facilities not have to construct toilets as a mandatory part of the buildings renovation.

Carried (5/0)

16.0 SEALING SCHEDULE

Nil



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17.0 CONFIDENTIAL (PURSUANT TO SECTION 89 LGA 89)

Nil

MEETING CONCLUDED: 5:54PM

NEXT MEETING: WEDNESDAY 17 MAY 2017
EDENHOPE COUNCIL CHAMBER