



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

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 July 2017**

LOCATION: **South Lillimur Fire Shed
29 Commercial Road, Lillimur**

COMMENCEMENT: **4.00pm**

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

Mayor Bruce Meyer welcomed in the gallery.

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

Nil

4.0 QUESTIONS FROM THE GALLERY (maximum of 30 minutes)

4.1 WRITTEN QUESTIONS ON NOTICE

Nil

4.2 VERBAL QUESTIONS WITHOUT NOTICE

4.2.1 LYN POWELL – TRUCK AND CAR WASH, KANIVA

Some time ago there was an article in the paper regarding a new truck and car wash in Kaniva. The article did not indicate that it was meant to be for Council use only and this may have stopped a development of a public car wash in the Industrial Estate.

DIDW – Not aware of the article or any plan for a public car wash but will take the question on notice.

Cr. Meyer – At one stage a private operator approached council with a proposal and enquired about grant money for the project. As there was no grant money available, the proposal was abandoned.



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4.2.2 LYN POWELL – TOURISM VISION FOR WEST WIMMERA

What is the tourism vision for the Shire? Noted that the Kaniva Visitor Information Centre has had no local content on display for months. Also, why is the touch screen, which is full of information, never turned on?

DCCS – will follow up on the tourism brochure stock levels. Council has been in negotiations with current tenant and indicated that we require the touch screen to be turned on.

4.2.3 LYN POWELL – CONFUSING PARKING SIGNAGE CNR BAKER AND PHILLIPS STREETS

There is signage on corner of Baker and Phillips Streets indicating parking which is actually private parking for the bowls club. It has caused confusion to caravans trying to get to caravan park.

Cr. Meyer - Sign has been shifted to Sports Street but asks for DIDW to investigate.

4.2.4 LYN POWELL – SPEED LIMIT, KANIVA SERVICE LANES

Concerned about the speed limit in Commercial Street service lanes, Kaniva. Currently 40km speed limit but wondered if it is possible to reduce this further.

CEO - VicRoads need to determine the speed limit of roads and an application would need to be lodged with them. He believes it would be unlikely for any lower limit to be approved.

4.2.5 LYN POWELL – MADDEN STREET TOILETS

Would like to see better signage directing people to the Madden Street toilets and also asked what works were happening there.

DIDW – A small refurbishment of toilets is underway with minor works due to be completed soon.

Would KDPA be able to hold a competition for someone to paint a mural on the toilets, indicating they are a toilet?

4.2.6 BUTCH WITMITZ – KANIVA SHIRE HALL

What is happening with the repair of the Kaniva Shire Hall?

DIDW - signage will be put up around the hall to let people know what is happening. Tender is open at the moment for foundation repair. There are also plans to undertake works on the roof. Council is planning to investigate options for the Hall to make it a more utilised space. Significant funds have been allocated in the draft budget for the repair works.



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4.2.7 BUTCH WITMITZ – GARDENING CONTRACT KANIVA

Has the tender for the gardening in Kaniva been let?

DIDW - Confidential discussions have been held with contractor so unable to discuss at this time.

4.2.8 BUTCH WITMITZ – VCAL STUDENTS WORK EXPERIENCE WITH THE COUNCIL

Butch's grandson has just completed work experience with the Council parks and gardens team and thoroughly enjoyed it. He would like to continue but has been told that due to high demand, Council has a policy to only allow students to complete 1 term.

DIDW – question taken on notice. She is unaware of formal policy.

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

5.1 COUNCILLOR BRUCE MEYER (MAYOR)

18/06/2017	ALGA National General Assembly of Local Government, Canberra
19/06/2017	ALGA National General Assembly of Local Government, Canberra
19/06/2017	National Timber Councils Association AGM, Canberra
20/06/2017	ALGA National General Assembly of Local Government, Canberra
21/06/2017	ALGA National General Assembly of Local Government, Canberra
27/06/2017	Joint Standing Committee – National Broadband roll-out, Adelaide
29/06/2017	Edenhope Kindergarten Art Show Opening
30/06/2017	Audit Committee Meeting, Kaniva
30/06/2017	CEO David Leahy, Kaniva
01/07/2017	Edenhope Lions Club Changeover Dinner
04/07/2017	Goroke Lions Club Changeover Dinner
05/07/2017	Councillor Forum
05/07/2017	Special Meeting of Council
07/07/2017	CEO David Leahy, Kaniva
13/07/2017	CEO David Leahy, Kaniva
18/07/2017	Kaniva Community Sporting Complex Meeting
19/07/2017	Ordinary Council Meeting & Community Forum, Lillimur



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5.2 COUNCILLOR TREVOR DOMASCHENZ

20/06/2017	Wimmera Mallee Tourism Meeting, Dimboola
28/06/2017	2018 Aboriginal Cricket Anniversary Committee Meeting
03/07/2017	Edenhope Racecourse & Recreation Reserve Public Meeting
05/07/2017	Councillor Forum
05/07/2017	Special Meeting of Council
11/07/2017	Wimmera Development Association Board Meeting, Horsham
18/07/2017	Wimmera Mallee Tourism Meeting, Lascelles
19/07/2017	Ordinary Council Meeting & Community Forum, Lillimur

5.3 COUNCILLOR RICHARD HICKS

18/06/2017	<i>On leave for four weeks</i>
19/07/2017	Ordinary Council Meeting & Community Forum, Lillimur

5.4 COUNCILLOR TOM HOULIHAN

26/06/2017	West Wimmera Pipeline Project Steering Committee Meeting
29/06/2017	Harrow Recreation Reserve Project inspection with CEO
03/07/2017	West Wimmera Municipal Fire Management Planning Meeting
05/07/2017	Councillor Forum
05/07/2017	Special Meeting of Council
17/07/2017	West Wimmera Emergency Management Planning Meeting
18/07/2017	Harrow Bush Nursing Centre meeting
18/07/2017	Kaniva Community Sporting Complex Meeting
19/07/2017	Ordinary Council Meeting & Community Forum, Lillimur

5.5 COUNCILLOR JODIE PRETLOVE

18/06/2017	ALGA National General Assembly of Local Government, Canberra
19/06/2017	ALGA National General Assembly of Local Government, Canberra
20/06/2017	ALGA National General Assembly of Local Government, Canberra
21/06/2017	ALGA National General Assembly of Local Government, Canberra
05/07/2017	Councillor Forum
05/07/2017	Special Meeting of Council
12/07/2017	Lake Charlegrark Project Steering Committee Meeting
19/07/2017	Ordinary Council Meeting & Community Forum, Lillimur

5.6 DAVID LEAHY (CHIEF EXECUTIVE OFFICER)

20/06/2017	Post-Council Staff Meeting
23/06/2017	Women On Farms Gathering 2017 Committee
23/06/2017	Horsham Rural City Council
26/06/2017	Senior Management Group
26/06/2017	West Wimmera Pipeline Project Steering Committee Meeting
26/06/2017	Edenhope College School Council Meeting



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27/06/2017	Joint Standing Committee – NBN Services, Adelaide
28/06/2017	2018 Aboriginal Cricket Anniversary Committee Meeting
29/06/2017	Harrow Recreation Reserve Project inspection with Cr Houlihan
30/06/2017	Audit Committee Meeting, Kaniva
30/06/2017	Mayor Bruce Meyer, Kaniva
03/07/2017	Senior Management Group
05/07/2017	Councillor Forum
05/07/2017	Special Meeting of Council
07/07/2017	Mayor Bruce Meyer, Kaniva
10/07/2017	Rural Living Campaign Steering Committee
11/07/2017	Senior Management Group & Managers
11/07/2017	Public Launch – Western Rail Advocacy Program, Stawell
11/07/2017	Wimmera Development Association Board Meeting, Horsham
12/07/2017	Lake Charlegrark Project Steering Committee Meeting
12/07/2017	Andy Smith, Kirkham Smith Consultants
13/07/2017	Wimmera Regional CEO Meeting, Horsham
13/07/2017	Mayor Bruce Meyer, Kaniva
17/07/2017	Senior Management Group
17/07/2017	Act @ Work Committee Meeting
18/07/2017	Regional Development Victoria
19/07/2017	Ordinary Council Meeting & Community Forum, Lillimur

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 Friday 16 June 2017, be taken as an accurate record and confirmed.

Moved: Councillor Richard Hicks

Seconded: Councillor Jodie Pretlove

That the Minutes of the Ordinary Meeting of Council held on Friday 16 June 2017, be taken as an accurate record and confirmed.

Carried (5/0)



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8.0 BUSINESS ARISING FROM PREVIOUS MINUTES

Nil

9.0 NOTICES OF MOTION

Nil

10.0 ASSEMBLY OF COUNCILLORS RECORD, MINUTES OF SPECIAL MEETINGS OF COUNCIL

10.1 ASSEMBLY OF COUNCILLORS – 7 JUNE 2017

RECOMMENDATION:

That the Assembly of Councillors Record for the Councillor Forum held Wednesday 7 June 2017 be received and noted.

Moved: Councillor Richard Hicks

Seconded: Councillor Jodie Pretlove

That the Assembly of Councillors Record for the Councillor Forum held Wednesday 7 June 2017 be received and noted.

Carried (5/0)

10.2 SPECIAL MEETING OF COUNCIL – 16 JUNE 2017

RECOMMENDATION:

That the Minutes of the Special Meeting of Council held on Friday 16 June 2017 regarding the Council Plan 2017-2021, be taken as an accurate record and confirmed.

Moved: Councillor Richard Hicks

Seconded: Councillor Jodie Pretlove

That the Minutes of the Special Meeting of Council held on Friday 16 June 2017 regarding the Council Plan 2017-2021, be taken as an accurate record and confirmed.

Carried (5/0)



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10.3 ASSEMBLY OF COUNCILLORS – 5 JULY 2017

RECOMMENDATION:

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

Moved: Councillor Trevor Domaschenz

Seconded: Councillor Jodie Pretlove

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

Carried (5/0)

10.4 SPECIAL MEETING OF COUNCIL – 5 JULY 2017

RECOMMENDATION:

That the Minutes of the Special Meeting of Council held on Wednesday 5 July 2017 regarding the draft Council Budget 2017-2018, be taken as an accurate record and confirmed.

Moved: Councillor Jodie Pretlove

Seconded: Councillor Tom Houlihan

That the Minutes of the Special Meeting of Council held on Wednesday 5 July 2017 regarding the draft Council Budget 2017-2018, be taken as an accurate record and confirmed.

Carried (5/0)

11.0 DEPUTATIONS AND PETITIONS

Nil



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12.0 CHIEF EXECUTIVE OFFICER AND GOVERNANCE

12.1 LOCAL GOVERNMENT COMMUNITY SATISFACTION SURVEY RESULTS

FILE NUMBER: AD0016

REPORT AUTHOR: DAVID LEAHY – CEO

FOR DECISION

Introduction

The following report is a summary of the results of the Local Government Community Satisfaction Survey.

The survey was conducted by JWS Research and is undertaken at the same time every year. A total 403 residents were surveyed across various age groups and a mix of both mobile and fixed line phone interviews to cater for the diversity of residents.

Declaration of Interests

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

Background

JWS Research conducted Community Satisfaction Survey interviews during the period between 1 February and 30 March 2017. A total of 403 interviews were completed and the results of the interviews / surveys is attached to this report.

The sample size of residents to be surveyed was determined by matching the demographic profile of West Wimmera as derived from the latest ABS population estimates. Contact information was purchased from an accredited supplier of publicly available phone records and this included up to 10% mobile numbers.

Following consecutive years of declining rating figures, the West Wimmera Shire Council overall performance rating increased by six points (since 2016 results), which places it higher than pre 2015 figures.

This rating of 64 index points is higher than the state-wide average (of 59 points) and significantly higher than the Small Rural group index figure of 58.



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The rating of 64 is represented by performance rating increases in 5 of the 7 core categories. The highlights of these increased ratings are in consultation and engagement (increase of 5 points) and overall Council direction (increase of 5 points).

Other areas returning positive survey results is in the areas of appearance of public spaces and recreational facilities, which have both returned figures higher than the state-wide and small rural group averages.

Ratings for customer rose slightly to 74 points which is well above the state-wide and small rural group average of 69 points. Of the surveyed residents, 67% of them have had recent contact with customer service staff which provides further evidence of this survey result being an outstanding result.

The only rating area that suffered a score decrease is sealed local roads, which dropped by 3 points.

Risk Management Implications

Nil

Legislative Implications

Councils are required to undertake the survey and results are posted on the know your council website

Environmental Implications

Nil

Financial and Budgetary Implications

A small cost is associated with the survey being completed and the cost is controlled by the number of questions asked and level of analysis within the report.

Policy Implications

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

Advocacy Policy

Customer Service Policy

Media Relations Policy

Council Plan Implications

This report supports the following section/s of the West Wimmera Shire Council Plan 2017-2021:



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- Strategic Objective 1: A proactive, well governed, professional and financially sustainable organisation that encourages community participation.
- Strategic Objective 2: Meaningful partnerships to support advocacy priorities and service provision.
- Strategic Objective 3: Quality sustainable community services and infrastructure.
- Strategic Objective 5: Thriving, safe and diverse local communities.
- Strategic Objective 6: Participating in activities that address health and wellbeing issues.

Communication Implications

Following the presentation of results to Councillors, a media release can be developed for further communication of the results and any actions agreed upon to remedy low scores.

Conclusion

The community satisfaction survey is undertaken independent of Council operations and provides an opportunity for residents to provide their opinion of the service levels provided by way of a score.

While the survey does not get to every resident, JWS Research attempt to cover all age demographics and have achieved a sample size that is commensurate with the Shire population.

The results are a positive for the Shire and provide some guidance as to what services are of highest importance and what level of service people are expecting or satisfied with.

A copy of the full survey results has been provided to each Councillor and a summary of key details is provided as attachments to this report.

OFFICER RECOMMENDATION:

That Council accept the Community Satisfaction Survey results and provide local media statements to explain the results.

Moved: Councillor Richard Hicks

Seconded: Councillor Tom Houlihan

That Council accept the Community Satisfaction Survey results and provide local media statements to explain the results.

Carried (5/0)



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Attachments:

No.	Name	RecFind Ref
12.1.1	Community Satisfaction Survey Results – Summary Report	17/002116
12.1.2	Community Survey – Data	17/002116



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12.2 DRAFT COUNCIL GRANTS POLICY

FILE NUMBER: PR0015

REPORT AUTHOR: DAVID LEAHY - CEO

FOR DECISION

Introduction

The following report provides a summary of the review of the Community Strengthening Grants Policy Review that was recently completed. The draft has rolled a number of Council Grant programs into the same policy to ensure that the same principles apply to all of the grants.

It highlights some of the alterations, which include, the requirement to provide matching funds and total funding parameters being set by Council resolution for each round of grants.

Declaration of Interests

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

Background

The Council Grants programs have in the most recent rounds, seen a significant rise in the number of groups applying.

This increase in applications has highlighted a number of areas where the process needs to be strengthened to enable as many groups as possible to access the funding stream.

The review process was undertaken by the Economic Development Officer, the Tourism and Communications Officer, with input from the CEO.

Some of the modifications to the policy include, a limit (cap) on the amount that can be applied for, total funds available per application being set via Council resolution, assessments to be undertaken by a panel with a report to Council, using a weighted score process to assess the applications and including a requirement for applications to provide a financial contribution.

Risk Management Implications

Risk assessments will form part of the application assessment process.



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Legislative Implications

Nil

Environmental Implications

Nil

Financial and Budgetary Implications

A potential cap on applications is suggested as one of the alterations to the policy.

Council set the annual allocation to community strengthening grants as a part of the annual budget process. Council will also be required to set parameters for available funds prior to each advertised round of grants.

Policy Implications

This report is supported by the following West Wimmera Shire Council Policy:
Community Strengthening Grants Policy
Community Support Fund Policy

Council Plan Implications

This report supports the following section/s of the West Wimmera Shire Council Plan 2017-2021:

- Strategic Objective 1: A proactive, well governed, professional and financially sustainable organisation that encourages community participation.
- Strategic Objective 2: Meaningful partnerships to support advocacy priorities and service provision.
- Strategic Objective 3: Quality sustainable community services and infrastructure.

Communication Implications

Community strengthening grants information sessions are provided regularly to assist groups with applications. These sessions will continue and will be communicated through local media and West Wimmera Shire social media sites.

Conclusion

By providing funds to small groups across the West Wimmera Shire, to assist largely volunteers, to improve their facilities or to purchase equipment to assist them in providing their service to residents, a positive and pro-active image of the Shire is promoted to the community.



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The feedback on the program is extremely positive and the information sessions have been held, were very well received by all that attended.

To enable a fair distribution of the funds available each year, it is necessary to have a number of checks and balances within a policy document to support decisions on successful or unsuccessful applications.

OFFICER RECOMMENDATION:

That Council adopts the reviewed Council Grants Policy.

Moved: Councillor Richard Hicks

Seconded: Councillor Tom Houlihan

That Council adopts the reviewed Council Grants Policy.

Carried (5/0)

Moved: Councillor Richard Hicks

Seconded: Councillor Trevor Domaschenz

That the Community Strengthening Grants Program Guidelines and Information for Applicants, as tabled, be endorsed for the budget period forthcoming.

Carried (5/0)

Attachments:

No.	Name	RecFind Ref
12.2.1	Draft Council Grants Policy	17/002632



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13.0 INFRASTRUCTURE DEVELOPMENT AND WORKS

13.1 COUNCIL POLICY REVIEW: DOMESTIC FIREWOOD COLLECTION POLICY

FILE NUMBER: AD0208

**REPORT AUTHOR: GILLIAN BRADSHAW MANAGER PLANNING &
ENVIRONMENT**

FOR DECISION

Introduction

This report is to review the current *Domestic Firewood Collection Policy* which is now due. This report has not considered any firewood collection position by VicRoads on VicRoads' roads.

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 (Council) aims to balance the desire of individuals to collect firewood from Council's controlled roads with road safety and social justice concerns.

The Shire has a long history of external interest in firewood for commercial gain and personal use.

Council's policy has previously been to allow for firewood collection for low income permit applicants on locally controlled roads. VicRoads has its own policy for firewood collection on VicRoads' roads.

In the 2015 policy review, Council determined that residents only can be issued permits for firewood collection. This is in part due to the difficulty for VicPol to effectively determine who is legitimately collecting firewood and who isn't, which is resolved by the understanding that South Australian number plates are automatically deemed illegitimate. (Obviously this does not relate to Victorian registered vehicles illegitimately collecting across Victorian Local Government areas.)



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Collection of firewood carries risks for Council, particularly if a road accident is caused by a resident collecting firewood.

Risk Management Implications

Restricting firewood collection on Council's controlled local roads through a permit system, somewhat mitigates Council's exposure to risks through inappropriate firewood collection. Obviously risk to Council still exists, however it is deemed by Council that issuing permits balances the desire of locals to access free firewood from Council's controlled local roads and the risks Council carries by issuing such permits. The existing risks include:

- Council would be held liable if an accident occurred as a result of roadside firewood collection
- Council would be held liable if native vegetation was damaged or illegally removed as a result of roadside firewood collection.

These risks are mitigated by the permits issued containing specific conditions such as safe parking of collection vehicles and the prohibition of collecting any firewood other than firewood that is laying on the ground.

Further, this risk is mitigated by Council taking action against permit holders who breach their permit conditions, where Council is advised of the breach.

Legislative Implications

Road Management Act 2004

Road Safety Act 1986

Environment Protection Act 1970

Planning and Environment Act 1987

Environment Protection and Biodiversity Conservation Act 1999 (C'wealth)

Environmental Implications

As identified under the 'Risk Implications' section.

Financial and Budgetary Implications

No fees are charged for permit applications, transferring the administrative cost of this policy to Council.

Policy Implications

This report is reviewing the following West Wimmera Shire Council Policy:

- Domestic Firewood Collection 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 1: A proactive, well governed, professional and financially sustainable organisation that encourages community participation.
- Strategic Objective 5: Thriving, safe and diverse local communities.
- Strategic Objective 7: Providing access to and promoting the natural environment.

Communication Implications

Continued dialogue with VicPol and West Wimmera residents regarding this policy is important. Updates to the policy and reminders for appropriate collection methods can be included with permits as they are issued, and through Council's webpage.

Conclusion

Allowing roadside firewood collection is a balance between supporting community wants and Council's risks. The proposed policy aims to reduce risks whilst still enabling limited resident firewood collection.

OFFICER RECOMMENDATION:

That Council endorse the reviewed Domestic Firewood Collection Policy 2017.

Moved: Councillor Trevor Domaschenz

Seconded: Councillor Richard Hicks

That Council endorse the reviewed Domestic Firewood Collection Policy 2017.

Carried (5/0)

Attachments:

No.	Name	RecFind Ref
13.1.1	WWSC Domestic Firewood Collection Policy review V1 2017 6 15	17/002632



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14.0 CORPORATE AND COMMUNITY SERVICES

14.1 COMMUNITY ENGAGEMENT POLICY

FILE NUMBER: FM0055

REPORT AUTHOR: ASHLEY ROBERTS

DIRECTOR, CORPORATE AND COMMUNITY SERVICES

FOR DECISION

Introduction

This report presents the updated Community Engagement Policy to Council for consideration and comment. The report is the summary of the presentation provided to Councillors at the Council Assembly of 5 July 2017.

Declaration of Interests

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

Background

The Community Policy allows for Council to provide a framework for ensuring that all Council's community engagement activities are targeted to the appropriate audience and provides for review and evaluation to enable Council to be as effective as possible with its community engagement activities.

Risk Management Implications

Council is subject to significant risk arising from not undertaking community engagement or from undertaking ineffective community engagement. Council may suffer from severe reputational damage by undertaking poor or no community engagement and may allocate its scarce resources ineffectively by doing so.

The provision of the Community Engagement Strategy mitigates this risk.

Legislative Implications

Various sections of the *Local Government Act 1989* require that Council undertake certain community engagement activities. The provision of the Community Engagement Policy aids Council in effectively fulfilling these requirements.



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Environmental Implications

Not commented on

Financial and Budgetary Implications

Ineffective community engagement may lead to ineffective allocation of funds. The Community Engagement Policy assists with mitigating this risk.

Policy Implications

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

Community Engagement Policy

Council Plan Implications

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

- Strategic Objective 1: A proactive, well governed, professional and financially sustainable organisation that encourages community participation.

Communication Implications

The Community Engagement Policy provides a structured framework under which effective community engagement plans and procedures can be developed. All staff will be informed of the Community Engagement Policy when developing individual engagement plans.

Conclusion

The Community Engagement Policy provides a framework for Council to effectively undertake community engagement activities which will ensure community involvement in Council decisions, allow compliance with the *Local Government Act 1989* and ensure that Council allocates its resources effectively.

OFFICER RECOMMENDATION:

That Council adopt the draft updated Community Engagement Policy.

Moved: Councillor Richard Hicks

Seconded: Councillor Jodie Pretlove

That the item 14.1 Community Engagement Policy be deferred to be discussed at the next Councillor Forum.

Carried (5/0)



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Attachments:

No.	Name	RecFind Ref
14.1.1	Draft Community Engagement Policy	17/002431



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

14.2 RATE RECOVERY AND FINANCIAL HARDSHIP POLICY

FILE NUMBER: FM0055

REPORT AUTHOR: LETTIE KORF, RATES CO-ORDINATOR

FOR DECISION

Introduction

This report presents the updated Rate Recovery and Financial Hardship Policy to Council for consideration and comment. The report is the summary of the presentation provided to Councillors at the Council Assembly of 5 July 2017.

Declaration of Interests

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

Background

The Rate Recovery and Financial Hardship Policy provides Council with clear parameters around the effective collection and recovery of outstanding rates and charges, whilst providing mechanisms to assist ratepayers who are experiencing financial hardship.

The policy outlines the steps and methodology Council will use in the recovery of outstanding rates. Put simply, this process includes:

1. The charging of interest on overdue rates;
2. The issue of an Overdue / Final Payment notice;
3. Referral of the debt to Council's contract debt collectors;
4. Legal action.

If a legal judgement is granted in Council's favour and the outstanding amounts remain unpaid, then Council may elect to instigate one of the following actions, any of which would require a court order:

- Letter to Mortgagee requesting the mortgagee remit the amount of the unpaid rates to Council. The mortgagee would then on charge this to the ratepayer. This is of course, is only practical where the property concerned has an active mortgage.
- Rent demand – where the property is leased, Council may apply to have the rent income diverted to pay the outstanding rates.
- Sale of property – if a property debt has been outstanding for 3 years or more and there is no likelihood that the outstanding amount will be paid, Council may apply to have the property sold to recover the outstanding amount.



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At any stage a ratepayer may request that Council enter into a Special Payment Arrangement with them in order to repay the outstanding amount. Such an arrangement needs to be of such nature that the debt will actually be reduced. Council will not enter any agreement which simply defers the payment of debt which continues to rise.

A ratepayer may also apply at any stage to Council for assistance due to financial hardship. For assistance to be granted the ratepayer must show Council that they are suffering a legitimate financial hardship. Assistance granted due to financial hardship is not designed to be an ongoing matter, but rather to provide the ratepayer with time to restructure their financial affairs and as such would not normally extend beyond 12 months.

Details of assistance for financial hardship are included in the policy.

Risk Management Implications

Council is subject to significant risk arising from unpaid rates and the methodology implemented to recover unpaid rates.

Financial Risk – Where Council is unable to raise or receive revenue, resulting in Council spending being placed in jeopardy.

Operational Risk – Where Council is unable to fund its operational commitments;
and

Reputational Risk – Where Council suffers severe reputational risk arising from the inability to continue its necessary operations or from the use of inappropriate debt collection methodologies.

The provision of a Rate Recovery and Financial Hardship Policy sets out a structured set of parameters around mitigating this risk.

Legislative Implications

The *Local Government Act 1989 (the Act)* sets out strict guidelines around the raising of rates, the application of penalty interest on overdue rates, and the collection of unpaid rates. The Act also requires that Council allow for relief for ratepayers who are experiencing financial hardship.

This policy fulfils these legal requirements.

Environmental Implications

Not commented on



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Financial and Budgetary Implications

Council is subject to significant financial risk from unpaid rates and charges. These may have major financial and budgetary implications if not mitigated.

Policy Implications

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

Rate Recovery and Financial Hardship Policy

Council Plan Implications

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

- Strategic Objective 1: A proactive, well governed, professional and financially sustainable organisation that encourages community participation.
- Strategic Objective 3: Quality sustainable community services and infrastructure.

Communication Implications

Council officers and Council's debt collection contractors are made aware of all provision of this policy and are instructed to inform all ratepayers with outstanding balances as to their rights under this policy.

Conclusion

The Rate Recovery and Financial Hardship Policy provides Council with clear parameters around the effective collection and recovery of outstanding rates and charges, whilst providing mechanisms to assist ratepayers who are experiencing financial hardship.

OFFICER RECOMMENDATION:

That Council adopt the draft updated Rate Recovery and Financial Hardship Policy.

Moved: Councillor Richard Hicks

Seconded: Councillor Jodie Pretlove

That Council adopt the draft updated Rate Recovery and Financial Hardship Policy.

Carried (5/0)



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Attachments:

No.	Name	RecFind Ref
14.2.1	Rate Recovery and Financial Hardship Policy	17/002425



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15.0 LATE ITEMS OF BUSINESS

Pursuant to Local Law No.7 (2017), Meeting Procedure and Common Seal Local Law 2017, West Wimmera Shire Council:

28. *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

16.1 EDENHOPE LAKESIDE CARAVAN PARK LEASE TO SPENCER & LUCAS

OFFICER RECOMMENDATION:

That Council sign and seal the Edenhope Lakeside Caravan Park Lease granted to Paul Spencer and Leanne Lucas.

Moved: Councillor Richard Hicks

Seconded: Councillor Jodie Pretlove

That Council sign and seal the Edenhope Lakeside Caravan Park Lease granted to Paul Spencer and Leanne Lucas.

Carried (5/0)

17.0 CONFIDENTIAL (PURSUANT TO SECTION 89 LGA 89)

RECOMMENDATION

That Council pursuant to section 89(2) (d) Contractual Matters 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 CM0454 CLEANING OF MUNICIPAL BUILDINGS KANIVA

17.2 CM0455 CLEANING OF MUNICIPAL BUILDINGS EDENHOPE



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Moved: Councillor Richard Hicks

Seconded: Councillor Tom Houlihan

That Council pursuant to section 89(2) (d) Contractual Matters of the Local Government Act 1989 close the meeting to members of the public at 5.30pm to resolve on matters pertaining to the following items:

17.1 CM0454 CLEANING OF MUNICIPAL BUILDINGS KANIVA

17.2 CM0455 CLEANING OF MUNICIPAL BUILDINGS EDENHOPE

Carried (5/0)

RECOMMENDATION

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

Moved: Councillor Richard Hicks

Seconded: Councillor Jodie Pretlove

That the resolutions pertaining to Confidential / In-Camera items be adopted and made public (except where the resolution restricts publication) and that the reports for those items remain In-camera and that Council open the meeting to the public at 6.00pm.

Carried (5/0)

17.1 CLEANING OF MUNICIPAL BUILDINGS KANIVA

- 1. That Council accepts the tender submitted Cleaning Wizard for Contract CM0454 “Cleaning of Municipal Buildings Kaniva” in accordance with the specifications of Contract CM0454 for the lump sum price of \$92,062.84.**
- 2. That the Contract Agreement Documents for Contract CM0454 “Cleaning of Municipal Buildings” be signed and sealed by Council following their preparation.**



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17.2 CLEANING OF MUNICIPAL BUILDINGS EDENHOPE

1. That Council accepts the tender submitted by Cleaning Wizard for Contract CM0455 “Cleaning of Municipal Buildings Edenhope” in accordance with the specifications of Contract CM0455 for the lump sum price of \$110,799.56.
2. That the Contract Agreement Documents for Contract CM0455 “Cleaning of Municipal Buildings Edenhope” be signed and sealed by Council following their preparation.

17.3 REASSIGNMENT OF LEASE KANIVA WINDMILL CAFE

1. That Council endorses the reassignment of the lease for the Council owned property situated at 41 Commercial Street Kaniva from the current tenant Ms Lucy Jakim, to the new business owners Ms Carmel Solly, Mr Zacharyyah Robinson and Mr Stuart Hicks; and
2. That Council sign and seal the reassigned lease for 41 Commercial Street Kaniva in the name of Ms Carmel Solly, Mr Zacharyyah Robinson and Mr Stuart Hicks.

MEETING CONCLUDED: 6.00PM

**NEXT MEETING: 16 AUGUST 2017
EDENHOPE COUNCIL CHAMBER**