



## ORDINARY COUNCIL MEETING AGENDA – 16 AUGUST 2017 WEST WIMMERA SHIRE COUNCIL

**TO BE HELD:** Wednesday 16 August 2017

**LOCATION:** Edenhope Council Chamber

**COMMENCEMENT:** 7.00pm

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### REQUIRED TO ATTEND:

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

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

*West Wimmera Shire Council Local Law No.7, 2017*

*42. Gallery to be silent*

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

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### ***Vision Statement:***

*Our Wimmera Shire communities are healthy, thriving, diverse, harmonious,  
prosperous and self-sustaining, with regional and global connectivity*



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## ORDINARY COUNCIL MEETING AGENDA – 16 AUGUST 2017 WEST WIMMERA SHIRE COUNCIL

### 1.0 WELCOME

### 2.0 OPENING PRAYER

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

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

#### 3.1 APOLOGIES

#### 3.2 LEAVE OF ABSENCE

#### 3.3 DECLARATION OF CONFLICT OF INTEREST

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

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

#### 4.1 WRITTEN QUESTIONS ON NOTICE

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

#### 4.2 VERBAL QUESTIONS WITHOUT NOTICE

*Time permitting, this section of the Agenda allows members of gallery to ask verbal questions of Councillors, through the Mayor. At all other times during the meeting, members of the gallery are required to be silent, pursuant to West Wimmera Shire Council Local Law No.7, 2017.*



## ORDINARY COUNCIL MEETING AGENDA – 16 AUGUST 2017 WEST WIMMERA SHIRE COUNCIL

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

#### **5.1 COUNCILLOR BRUCE MEYER (MAYOR)**

21/07/2017 CEO David Leahy, Kaniva  
24/07/2017 WWSC Budget Information Session, Edenhope  
24/07/2017 AFL Wimmera Mallee Commission Meeting, Horsham  
25/07/2017 WWSC Budget Information Session, Kaniva  
26/07/2017 VicRoads Country Roads Forum, Nhill  
26/07/2017 Kaniva Museum Committee Meeting  
28/07/2017 Wimmera Mayoral Gathering, Horsham  
02/08/2017 Councillor Forum, Kaniva  
02/08/2017 Special Meeting of Council, Kaniva  
02/08/2017 Regional Partnerships Regional Assembly, Horsham  
09/08/2017 Councillor Forum, Edenhope  
09/08/2017 Special Meeting of Council, Edenhope  
10/08/2017 MAV Rural & Regional Forum (via Skype)  
11/08/2017 CEO David Leahy  
15/08/2017 CEO David Leahy  
16/08/2017 Ordinary Council Meeting, Edenhope

#### **5.2 COUNCILLOR TREVOR DOMASCHENZ**

21/07/2017 Wimmera Mallee Tourism, Warracknabeal  
27/07/2017 Community Strengthening Grants Information Session, Goroke  
02/08/2017 Councillor Forum, Kaniva  
02/08/2017 Special Meeting of Council, Kaniva  
02/08/2017 Regional Partnerships Regional Assembly, Horsham  
08/08/2017 Wimmera Development Association Board Meeting  
09/08/2017 Councillor Forum, Edenhope  
15/08/2017 Wimmera Mallee Tourism Meeting  
16/08/2017 Ordinary Council Meeting, Edenhope

#### **5.3 COUNCILLOR RICHARD HICKS**

02/08/2017 Councillor Forum, Kaniva  
02/08/2017 Special Meeting of Council, Kaniva  
09/08/2017 Councillor Forum, Edenhope  
09/08/2017 Special Meeting of Council, Edenhope  
10/08/2017 Road User Pricing Seminar, Melbourne  
14/08/2017 RoadSafe Wimmera AGM & Meeting, Horsham  
16/08/2017 Ordinary Council Meeting, Edenhope



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### 5.4 COUNCILLOR TOM HOULIHAN

24/07/2017	AFL Wimmera Mallee Commission Meeting, Horsham
30/07/2017	WorkSafe Football Match Day Luncheon, Edenhope
31/07/2017	Director IDW re Community Consultative Committee Meeting
31/07/2017	West Wimmera Pipeline Project Steering Committee Meeting
31/07/2017	Community Consultative Committee for WW Pipeline Project
02/08/2017	Councillor Forum, Kaniva
02/08/2017	Special Meeting of Council, Kaniva
02/08/2017	Community Strengthening Grants Information Session, Edenhope
02/08/2017	Community Strengthening Grants Information Session, Harrow
04/08/2017	Grampians Waste Group – Local Government Forum, Halls Gap
08/08/2017	Sheepvention 2017, Hamilton
08/08/2017	National Australia Bank Representative re closure of NAB Harrow
09/08/2017	Councillor Forum, Edenhope
09/08/2017	Special Meeting of Council, Edenhope
09/08/2017	Harrow Discovery Centre Committee Meeting
16/08/2017	Ordinary Council Meeting, Edenhope

### 5.5 COUNCILLOR JODIE PRETLOVE

09/08/2017	Councillor Forum, Edenhope
09/08/2017	Special Meeting of Council, Edenhope
16/08/2017	Ordinary Council Meeting, Edenhope

### 5.6 DAVID LEAHY (CHIEF EXECUTIVE OFFICER)

20/07/2017	Resource Plan for WWSC Council Plan 2017-2021
21/07/2017	Mayor Bruce Meyer, Kaniva
24/07/2017	<i>On annual leave for two weeks</i>
07/08/2017	Presentation to Probus Club, Edenhope
08/08/2017	Senior Management Group
08/08/2017	Wimmera Development Association Board Meeting
09/08/2017	Councillor Forum, Edenhope
09/08/2017	Special Meeting of Council, Edenhope
09/08/2017	2018 Aboriginal Cricket
09/08/2017	Harrow Discovery Centre Committee Meeting
10/08/2017	MAV Rural & Regional Forum (via Skype)
10/08/2017	Wimmera Southern Mallee Community Transport Forum
11/08/2017	Mayor Bruce Meyer, Kaniva
14/08/2017	Senior Management Group
14/08/2017	Regional Development Victoria
14/08/2017	Goroke College
15/08/2017	Mayor Bruce Meyer, Kaniva
16/08/2017	Ordinary Council Meeting, Edenhope



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### **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**

### **7.0 CONFIRMATION OF MINUTES FROM PREVIOUS MEETING**

#### **RECOMMENDATION:**

**That the Minutes of the Ordinary Meeting of Council held on Wednesday 19 July 2017, be taken as an accurate record and confirmed.**

### **8.0 BUSINESS ARISING FROM PREVIOUS MINUTES**

### **9.0 NOTICES OF MOTION**

### **10.0 SPECIAL MEETING OF COUNCIL MINUTES**

#### **10.1 SPECIAL MEETING OF COUNCIL MINUTES – 2 AUG 2017**

#### **RECOMMENDATION:**

**That the Minutes of the Special Meeting of Council held on Wednesday 2 August 2017, be taken as an accurate record and confirmed.**

### **11.0 DEPUTATIONS AND PETITIONS**



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### 12.0 CHIEF EXECUTIVE OFFICER AND GOVERNANCE

#### 12.1 REVIEW OF HUMAN RIGHTS POLICY

**FILE NUMBER: AD0202**

**REPORT AUTHOR: DAVID LEAHY – CEO**

#### **FOR DECISION**

##### Introduction

Council is required to develop policies and procedures that are compatible with the Victorian Charter of Human Rights and Responsibilities Act 2006 and to enable this, a policy was developed and first adopted in 2010 and this report is a summary of the review of that policy.

##### Declaration of Interests

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

##### Background

Human Rights are considered to be the fundamental pillars for democratic societies to live in an environment of peace, freedom and justice. All of these qualities are contained within the Victorian Charter of Human Rights and Responsibilities Act 2006 which guides the development of Local Government Policies.

The West Wimmera Shire Council policy on Human Rights has recently been reviewed to ensure that it complies with the Victorian Charter of Human Rights and Responsibilities Act 2006.

The reviewed document contains no changes to the policy content and has only undergone formatting modifications.

##### Risk Management Implications

The review ensures compatibility with the Victorian Charter

##### Legislative Implications

Compatibility with the Victorian Charter of Human Rights and Responsibilities Act 2006





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### Environmental Implications

Nil

### Financial and Budgetary Implications

Nil

### Policy Implications

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

Advocacy Policy

Asset Capitalisation Policy

Asset Management Policy

Borrowings Policy

Building Fee Refunds Policy

Building Permit Information Policy

Business Assistance Scheme Policy

Business Continuity Policy

Communications Policy

Community & Commercial Advertising on Council Buildings & Structures Policy

Community Engagement Policy

Community Halls Policy

Community Strengthening Grants Policy

Community Support Fund Policy

Corporate Credit Card and Purchase Cards Policy

Council Major Hall Hire Policy (Kaniva & Edenhope)

Councillor Code of Conduct Policy

Councillor Expense Entitlement & Support Policy

Customer Service Policy

Domestic Firewood Collection Policy

Election Period Policy

Environmental Policy

External Hire of Plant Policy

Fraud Control Policy

Guarantor Policy

Human Rights Policy

Investment Policy

Media Relations Policy

Onshore Unconventional Gas Exploration Policy

Playground Management Policy

Procurement Policy

Protected Disclosures Policy

Recreation Policy

Reserve Risk Management Policy

Road and Street Naming Policy

Social Media Policy



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Street Tree Policy  
Support to Community Events 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 WWSC 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 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.
- Strategic Objective 5: Thriving, safe and diverse local communities.
- Strategic Objective 6: Participating in activities that address health and wellbeing issues.

### Communication Implications

The policy can be communicated once the reviewed version is adopted and it will be included on the Council website.

### Conclusion

The review of this policy is part of an ongoing review of all policies to ensure that they are brought before Council at the prescribed review period.

### **OFFICER RECOMMENDATION:**

**That Council endorse the reviewed Human Rights Policy.**

### **Attachments:**

No.	Name	RecFind Ref
12.1.1	Draft Human Rights Policy	17/003012



## ORDINARY COUNCIL MEETING AGENDA – 16 AUGUST 2017 WEST WIMMERA SHIRE COUNCIL

### 13.0 INFRASTRUCTURE DEVELOPMENT AND WORKS

#### 13.1 REQUEST TO DISCONTINUE AN UNUSED SURVEYED ROAD – APSLEY

**FILE NO: PS0007**

**AUTHOR: GILLIAN BRADSHAW,  
MANAGER PLANNING AND ENVIRONMENT**

#### **FOR DECISION**

##### Introduction

West Wimmera Shire Council (Council) has received written correspondence from a landowner requesting the extension of the lease of an unused surveyed road to facilitate the lease of the road for agricultural purposes from the Department of Environment Land Water and Planning (DELWP).

This report seeks Council's approval to advertise intent.

##### Declaration of Interests

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

##### Background

Council has received written correspondence from a landowner requesting the extension of the lease of an unused surveyed road to facilitate the lease of the road for agricultural purposes from DELWP.

The road is located to the west of Lot 1 PS308979 (Part CA25, 26) and Lot 1 LP215892 (Part CA26) Parish of Boikerbert, and is approximately 950 metres long, refer attachment.

The Landowner currently owns Lot 1 PS308989 (Part CA25, 26) and Lot 1 LP215892 (Part CA26) Parish of Boikerbert with the unused surveyed road on the western boundary of both allotments. The landowner currently leases a portion of the unused surveyed road from DELWP and wishes to extend the road lease by approximately 950 metres, using the unused surveyed road for the grazing of livestock. The landowner can only apply for the lease of the unused surveyed road if Council gives consent.



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### Risk Management Implications

When an unused road is licensed it is effectively declared ‘unused’ for public traffic purposes. The road is then removed from Council’s list of roads, and therefore no longer Council’s responsibility. The road is currently unlicensed.

The licensed road is unused and unmade and the lease of unused surveyed roads has allowed agricultural use in the past. The road is not used by any other residents in the district.

### Legislative Implications

Pursuant to Section 206, Schedule 10, Clause 3 of the *Local Government Act 1989* Council can resolve to formally discontinue the road.

The road reserve, if discontinued would not be subject to the care and responsibility of Council under the *Road Management Act 2004*.

### Environmental Implications

There are no negative environmental implications. There is some native vegetation on the unlicensed road but the grazing of the road reserve by livestock will have little environmental impact on the native vegetation.

### Financial and Budgetary Implications

Any costs associated with the subsequent licensing process are borne by DELWP and/or the Landowner.

If Council relinquishes management of the road reserve, it will not need to undertake maintenance. This will provide a cost saving to Council.

### Policy Implications

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

There are no direct implications on Council’s plans or policies.

### 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 4: Building on our agricultural and business strengths and supporting economic development.

### Communication Implications

The proposed road closure will need to be advertised in the West Wimmera Advocate and all adjoining landowners notified by letter, which will invite submissions for Council consideration.

### Conclusion

The road reserve is currently unused and unlicensed. No residents in the district use this road. Council may declare the unused road ‘discontinued’ and proceed with advertising including a public notification period.

### **OFFICER RECOMMENDATION:**

**That Council Pursuant to Section 206, Schedule 10, Clause 3 of the *Local Government Act 1989*;**

- 1. Declare the road located west of Lot 1 PS308979 (Part CA25, 26) and Lot 1 LP215892 (Part CA26) Parish of Boikerbert as ‘discontinued’.**
- 2. That a notice be placed in the local newspaper and that adjoining landowners be advised in writing of the proposed road closure with a period of 28 days to respond.**

### **Attachments:**

<b>No.</b>	<b>Name</b>	<b>RecFind Ref</b>
13.1.1	Letter of request from landowner and site plan	17/002516



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### 13.2 REQUEST TO CLOSE AN UNUSED SURVEYED ROAD – BENAYEO

**FILE NO: PS0007**

**AUTHOR: GILLIAN BRADSHAW,  
MANAGER PLANNING AND ENVIRONMENT**

#### **FOR DECISION**

##### Introduction

This report seeks to rectify an error in a previous report in order to progress the resolution of that report.

At the 17<sup>th</sup> May 2017 West Wimmera Shire Council (Council) meeting resolved the following:

**Moved Cr Richard Hicks**  
**Seconded Cr Jodie Pretlove**

*That Council resolve pursuant to Section 204 (1), (2) and (3) of the Local Government Act 1989 to:*

- 1. Declare the unused surveyed road located south of Crown Allotment 41, Parish of Benayeo and north of Lot 1 LP215892 and Lot 2 PS308979 Parish of Boikerbert not required for public traffic purposes.*
- 2. That Council advertise the road closure in the Victorian Government Gazette.*
- 3. That DELWP be notified in writing of the resolution to close the road.*
- 4. That the applicant and the adjoining landholders be notified in writing of the resolution to close the road.*

#### **Carried (5)**

The section of the *Local Government Act 1989* stated in the officer's report and therefore the resolution was incorrect. It should have read "Section 206, Schedule 10, Clause 3 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.



## ORDINARY COUNCIL MEETING AGENDA – 16 AUGUST 2017 WEST WIMMERA SHIRE COUNCIL

### Background

The section of the *Local Government Act 1989* stated in the officer's report and therefore the resolution was incorrect. It should have read "Section 206, Schedule 10, Clause 3 of the *Local Government Act 1989*, as the road is not reasonably required for public use.

The Landowner of crown allotment 41 parish of Benayeo is in the process of purchasing the land described as Lot 1 LP215892 and Lot 2 PS308979 Parish of Boikerbert which abuts the southern boundary of the unused surveyed road.

The land owner wishes to use the unused surveyed road for the grazing of livestock, and to create a link between the two properties. The landowner can only apply for the lease of the unused surveyed road if Council gives consent, as the road is not reasonably required for public use.

### Risk Management Implications

Rescinding/amending the resolution of the 17<sup>th</sup> May 2017 Council meeting to correctly state "Section 206, Schedule 10, Clause 3" of the *Local Government Act 1989* will reduce and any risk to Council.

### Legislative Implications

Pursuant to Section 206 Schedule, 10 Clause 3 of the *Local Government Act 1989* Council can resolve to formally discontinue the use of the road as the road is not reasonably required for public use.

The road reserve, if discontinued would not be subject to the care and responsibility of Council under the *Road Management Act 2004*.

### Environmental Implications

There are no negative environmental implications. There is some native vegetation on the licensed road but the grazing of the road by livestock will have little environmental impact on the native vegetation.

### Financial and Budgetary Implications

Any costs associated with the subsequent licensing process are borne by the DELWP and/or the Landowner.

If Council relinquishes management of the road reserve, it will not need to undertake maintenance. This will provide a cost saving to Council.



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### Policy Implications

This report is supported by the following West Wimmera Shire Council Policy:  
Environmental 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 4: Building on our agricultural and business strengths and supporting economic development.

There are no direct implications on Council's plans or policies.

### Communication Implications

The proposed road closure was advertised in the West Wimmera Advocate and all adjoining landowners notified by letter, and no submissions were received.

### Conclusion

The road reserve is currently unused and unlicensed. No residents in the district use this road. Council may declare the road 'discontinued' and notify the applicant landowner, adjoining landowners and DELWP of the resolution.

### **OFFICER RECOMMENDATION:**

**That Council resolve pursuant to Section 206, Schedule 10, Clause 3 of the Local Government Act 1989 to:**

- 1. Declare the unused surveyed road located south of Crown Allotment 41, Parish of Benayeo and north of Lot 1 LP215892 and Lot 2 PS308979 Parish of Boikerbert not required for public traffic purposes.**
- 2. That Council advertise the road discontinuance in the Victorian Government Gazette.**
- 3. That DELWP be notified in writing of the resolution to discontinue the road.**
- 4. That the applicant and the adjoining landholders be notified in writing of the resolution to discontinue the road.**

### **Attachments:**

No.	Name	RecFind Ref
13.2.1	Letter from landowner & site plan showing unused road	17/000731





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### 13.3 COUNCIL POLICY REVIEW: EXTERNAL HIRE OF PLANT POLICY

**FILE NUMBER: AD0202**

**REPORT AUTHOR: TERRY OUGH, MANAGER OF WORKS**

#### **FOR DECISION**

##### Introduction

The current *External Hire of Plant Policy* is due for review. This report introduces amendments to the previous policy.

##### Declaration of Interests

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

##### Background

The External Hire of Plant Policy provides framework for Council to offer and conduct private work for customers and community members/groups.

Private works is an extension of Council service and must not impede Council's obligations to the Road Management Plan and service level requirements.

Private work and Plant Hire is approved following consideration of employee availability and a suitably qualified operator.

The reviewed policy reinforces the priority of Council's works over individual private works requests.

##### Risk Management Implications

External hire of plant introduces unnecessary risks for Council. Risks include disagreement on scope of works after completion, debtors refusing to pay or delay in payment and inappropriate use of plant.

These risks are mitigated with:

1. Strengthening of the policy wording, and
2. Clearer procedures for staff and operatives (not included in this report - operational)



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### Legislative Implications

Not relevant

### Environmental Implications

Not commented upon

### Financial and Budgetary Implications

External hire of plant generally is cost neutral for Council and on odd occasions contributes to some cost to Council. This is deemed to be a part of the extended service by Council to the community.

### Policy Implications

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

Asset Capitalisation Policy

Asset Management Policy

External Hire of Plant 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 3: Quality sustainable community services and infrastructure.

### Communication Implications

The outcome of the policy will be promoted to staff and operatives who deliver the External Hire of Plant. It will not be promoted as a service to the community as it is a service that Council would prefer not to provide where possible.

### **OFFICER RECOMMENDATION:**

**That Council receive and accept the reviewed policy.**

### **Attachments:**

No.	Name	RecFind Ref
13.3.1	WWSC External Hire of Plant Policy 2017	17/002835



## ORDINARY COUNCIL MEETING AGENDA – 16 AUGUST 2017 WEST WIMMERA SHIRE COUNCIL

### **13.4 2016-2017 CAPITAL WORKS PROGRAM END OF FINANCIAL YEAR REPORT**

**FILE NUMBER: AD0176**

**REPORT AUTHORS:**

**ROBYN EVANS, DIRECTOR DEVELOPMENT AND WORKS**

**TERRY OUGH, WORKS MANAGER**

**JOHN GRIFFITHS, MANAGER OF ENGINEERING**

**ASHLEY ROBERTS, DIRECTOR CORPORATE AND COMMUNITY SERVICES**

### **FOR INFORMATION**

#### Introduction

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

This report provides the Capital Works summary report of activities and expenditure for the 2016/17 financial year.

#### Declaration of Interests

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

#### Background

The 2016/2017 Capital Works Program was adopted by Council as part of its overall budget for the 2016/2017 financial year.

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

The majority of delays were with community infrastructure assets, such as playgrounds and community buildings and halls. This was partly due to the lack of a Built Assets dedicated resource.

The attached Progress Report indicates physical progress as well as Financial Progress. The majority of projects have been completed with the exceptions mainly within the



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buildings, structures & land and open space areas. The uncompleted projects are either “in progress” or “on hold” for varying reasons.

A sum of \$5,100,016 had been either been spent or committed as at 30 June 2016 out of budgeted allocation of \$6,026,511.

### Risk Management Implications

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

Impact of the 2016 September October Storm and Flood events on the business as usual Roads capital works and maintenance plans have been understandably disruptive. This was managed through weekly meetings between the Flood Project Team and the Works and Assets Manager (now Manager Engineering.)

Specifically for community assets, a temporary Built Assets Officer has been appointed part-time since March 2017. This has seen a catch-up on outstanding items such as the Kaniva Town Hall, Playgrounds Audit and Calico and Candles.

The continuation of this role for the 2017/2018 year should ensure the carry-over from this financial year is less likely to occur.

### Legislative Implications

Primary legislative requirements stem from the

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

Other related legislative requirements triggered with the program delivery include:

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

### Environmental Implications

There are no Environmental Implications associated with this report.

### Financial and Budgetary Implications

As per the tabled program.

### Policy Implications

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



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### Council Plan Implications

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

- Strategic Objective 3: Quality sustainable community services and infrastructure.

### Communication Implications

Capital Works update reports are provided on a regular basis to Council Forum for comments.

### Conclusion

The Capital Works Program has been successfully delivered for a range of capital works projects during the 2016/2017 financial year. Mitigation actions specifically for community assets should reduce the backlog for the 2017/2018 delivery year for this asset sub-category.

### **OFFICER RECOMMENDATION:**

**That Council note the 2016/2017 Capital Works Annual report.**

#### **Attachments:**

<b>No.</b>	<b>Name</b>	<b>RecFind Ref</b>
13.4.1	2016 – 2017 Capital Works Program EOFY reports	17/002830



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### 13.5 WEST WIMMERA SHIRE COUNCIL DOMESTIC ANIMAL MANAGEMENT PLAN 2017-2021

**FILE NUMBER: AD0046**

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

#### **FOR DECISION**

##### Introduction

The Domestic Animal Management Plan (the Plan) will guide domestic animal management by the West Wimmera Shire Council (Council) for the next 4 years. The plan identifies strategies and actions to implement the vision, aims and objectives for animal management and contains recommendations for a wide range of actions to be undertaken by the Council in a programmed approach. The Plan will enable Council to maintain a balance between competing interests of animal management and to accommodate new requirements of the *Domestic Animals Act 1994* (the Act).

Council provides services that maximize the social, economic and environmental benefits to residents and visitors to the West Wimmera Shire.

Animal management and responsible pet ownership are key functions of Council's Ranger / Local laws Officer.

##### Background

The Draft 2017-21 Domestic Animals management Plan was presented to Council at the 16<sup>th</sup> June Ordinary Meeting. At this meeting Council moved.

*Moved: Councillor Richard Hicks*

*Seconded: Councillor Trevor Domaschenz*

*That Council:*

- 1. Accept the 2017 - 2021 Draft West Wimmera Shire Council Domestic Animal Management Plan;*
- 2. Authorise the Chief Executive Officer to advertise the Draft 2017-2021 West Wimmera Shire Council Domestic Animal Management Plan calling for public submissions; and*
- 3. Pending no submissions received adopt the 2017 – 2021 West Wimmera Shire Council Domestic Management Plan at the 16<sup>th</sup> August 2017 Council Meeting.*

*Carried (5/0)*



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Council advertised in the Kaniva Times, West Wimmera Advocate and on Council's website advising residents of the draft plan and requesting submissions be presented to Council.

### **No submissions were received.**

Council is required to develop and adopt a Domestic Animal Plan every 4 years. Following community consultation, the plan will be sent to the Secretary of the Department of Economic Development, Jobs, Transport and Resources.

The plan is to be reviewed annually and Council must publish evaluations of its implementation of the plan in its annual report.

There is considerable evidence to support the benefits of pet ownership. However, along with pet ownership comes responsibility, not only in the care of the animals owned but in considering impacts on neighbours' and the community, other domestic animals and livestock.

The State Government has provided a framework in the Act which is the responsibility of Local Government to apply and enforce. Application of the requirements of the Act provide for Council to take a strategic approach in the management of animals and pets in its community. This strategy provides Council with a sound basis and direction from which it can plan, co-ordinate and make future decisions to meet the needs of the community for the years to come.

The Plan include information on:

- Training of Authorised Officers
- Registration and identification
- Nuisance
- Dog attacks
- Dangerous, Menacing and Restricted Breed Dogs
- Overpopulation and High Euthanasia
- Domestic Animal Businesses
- Other Matters

### Risk Management Implications

Encouraging responsible pet ownership within the Shire focusing on registration, micro-chipping and responsible de-sexing of dogs and cats, effective control of dogs in public areas and the behaviour of dogs and cats will minimise the social and environmental risks that dogs and cats have in our community.

Risk reduction strategies include professional development of delegated officers, ensuring knowledge of the Act and an understanding of animal and human behaviour. Additionally we know that enforcement of legislation will not, on its own, result in long-term voluntary



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changes in behaviour and it needs to be supplemented by a range of non-regulatory approaches such as public education programs.

### Legislative Implications

Under Section 68A of the *Domestic Animals Act 1994*, every Council must prepare a domestic animal management plan, as follows:

#### **68A Councils to prepare domestic animal management plans**

- (1) *Every Council must, in consultation with the Secretary (of the Department of Primary Industries), prepare at 4 year intervals a domestic animal management plan.*
- (2) *A domestic animal management plan prepared by a Council must—*
  - (a) *set out a method for evaluating whether the animal control services provided by the Council in its municipal district are adequate to give effect to the requirements of this Act and the regulations; and*
  - (b) *outline programs for the training of authorised officers to ensure that they can properly administer and enforce the requirements of this Act in the Council's municipal district; and*
  - (c) *outline programs, services and strategies which the Council intends to pursue in its municipal district—*
    - (i) *to promote and encourage the responsible ownership of dogs and cats; and*
    - (ii) *to ensure that people comply with this Act, the regulations and any related legislation; and*
    - (iii) *to minimise the risk of attacks by dogs on people and animals; and*
    - (iv) *to address any over-population and high euthanasia rates for dogs and cats; and*
    - (v) *to encourage the registration and identification of dogs and cats; and*
    - (vi) *to minimise the potential for dogs and cats to create a nuisance; and*
    - (vii) *to effectively identify all dangerous dogs, menacing dogs and restricted breed dogs in that district and to ensure that those dogs are kept in compliance with this Act and the regulations; and*
  - (d) *provide for the review of existing orders made under this Act and local laws that relate to the Council's municipal district with a view to determining whether further orders or local laws dealing with the*





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*management of dogs and cats in the municipal district are desirable;  
and*

*(e) provide for the review of any other matters related to the management of dogs and cats in the Council's municipal district that it thinks necessary; and*

*(f) provide for the periodic evaluation of any program, service, strategy or review outlined under the plan.*

*(3) Every Council must—*

*(a) review its domestic animal management plan annually and, if appropriate, amend the plan; and*

*(b) provide the Secretary with a copy of the plan and any amendments to the plan; and*

*(c) publish an evaluation of its implementation of the plan in its annual report.*

The Domestic Animal Management Plan 2017-2021 is due on the 3<sup>rd</sup> of November 2017 to the Secretary, Department of Primary Industries – Bureau of Animal Welfare.

### Environmental Implications

Domestic animals can and do have a negative impact on the environment if not cared for appropriately and responsibly.

### Financial and Budgetary Implications

There is a current annual budget allocation toward the delivery of the Domestic Animal Management Plan.

There will be no additional impact of the reviewed plan on the budgetary process from the budget allocation to the Domestic Animal Management Plan 2012-2016

### Policy Implications

There are no direct policies of West Wimmera Shire Council Policy relating to the Domestic Animal Management Plan.

### 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 5: Thriving, safe and diverse local communities.
- Strategic Objective 6: Participating in activities that address health and wellbeing issues.

### Communication Implications

Advertisements for public consultation for the Draft 2017-2021 West Wimmera Shire Council Domestic Animal Management Plan were placed in the Kaniva Mail Times, West Wimmera Advocate and the Council website. A copy of the Draft Plan was available at both Municipal Offices.

Submissions were able to be submitted to council until the end of July 2017.

**No submissions were received during this period.**

### Conclusion

The Domestic Animal Management Plan 2017-2021 is due on the 3<sup>rd</sup> of November 2017 to the Secretary, Department of Economic Development, Jobs, Transport and Resources.

As Council received no submissions to be considered regarding the draft plan it is recommended that Council adopt the Draft 2017-2021 West Wimmera Shire Council Domestic Animal Management Plan.

### **OFFICER RECOMMENDATION:**

**That Council adopt the Draft 2017 – 2021 West Wimmera Shire Council Domestic Management Plan.**

### **Attachments:**

No.	Name	RecFind Ref
13.5.1	West Wimmera Shire Council Domestic Animal Management Plan 2017-2021 Draft	17/002170



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### 14.0 CORPORATE AND COMMUNITY SERVICES

#### 14.1 DRAFT BUSINESS ASSISTANCE SCHEME POLICY

**FILE NUMBER: FM0055**

**REPORT AUTHOR: ASHLEY ROBERTS, DIRECTOR CORPORATE AND COMMUNITY SERVICES**

#### **FOR DECISION**

##### Introduction

This report presents Council updated the draft Business Assistance Scheme Policy, as presented to the August Councillor Forum.

##### Declaration of Interests

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

##### Background

Council has a commitment to providing a growing and sustainable local economy for our shire.

To allow this to happen Council will:

- Support for local businesses that will enable them to enhance their profitability;
- Foster competitiveness and provision of employment opportunities, Council recognises that the creation of employment for the region is one of the most critical challenges that we face; and
- Encourage attraction of new businesses to the region.

As a part of providing this Council recognises that to attract new or expanding businesses Council may provide assistance, in the form of financial or business advice to allow these businesses to flourish.

The Business Assistance Scheme Policy provides Council with a structured framework in which to provide this assistance within.



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Broadly speaking the Business Assistance Scheme Policy allows that Council may provide assistance to new or expanding businesses in the following ways:

- Temporary rate assistance
- Assistance with permits and the regulatory process – either through fee relief or advice
- In kind support via infrastructure, etc
- Media profile
- Business advice

Assistance will be provided only where businesses can demonstrate financial and environmental sustainability and show an economic benefit in the longer term to the West Wimmera Community.

### Risk Management Implications

Council may be subject to financial and reputational risk arising from supporting private sector businesses –i.e providing assistance to businesses that have no or questionable long term benefits to our Community.

The provision of the Business Assistance Scheme Policy provides a mitigating control mechanism for this risk by providing a defined framework for decision making.

### Legislative Implications

Any funding options undertaken by Council must comply with the provisions of the *Local Government Act 1989* and any other relevant legislation pertinent to the option chosen.

### Environmental Implications

A provision of the Business Assistance Scheme Policy includes that any business provided with support must demonstrate that their operations are environmentally sustainable.

### Financial and Budgetary Implications

Any assistance provided under this policy includes a financial and budgetary implication.

Direct assistance via the temporary reduction in rates obviously provides a cost to Council via reduced revenue. Any rate relief under this policy must not be for a period of greater than 3 years and must not exceed 75% of rates levied. The short term reduction in rates provided under the Business Assistance Scheme Policy should provide Council with a longer term benefit from greater rate income by increased property valuation.

Likewise and assistance via the waiver of permit fees will directly impact Council via reduced income. Once again this should be offset longer term by increased rate revenue.



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### Policy Implications

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

### Council Plan Implications

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

- Strategic Objective 4: Building on our agricultural and business strengths and supporting economic development.

### Communication Implications

The provisions of the Business Assistance Scheme Policy will be communicated to all existing and potential new businesses.

### Conclusion

The Business Assistance Scheme Policy provides Council with a framework for providing new and expanding businesses assistance to create new and grow existing economic benefits to our Community.

### **OFFICER RECOMMENDATION:**

**That Council adopts the draft Business Assistance Scheme Policy.**

### **Attachments:**

No.	Name	RecFind Ref
14.1.1	Draft Business Assistance Scheme Policy	17/002806



## ORDINARY COUNCIL MEETING AGENDA – 16 AUGUST 2017 WEST WIMMERA SHIRE COUNCIL

### 14.2 ADOPTION OF WEST WIMMERA SHIRE COUNCIL 2017/18 BUDGET AND 2017/18 – 2020/21 STRATEGIC RESOURCE PLAN

**FILE NUMBER: FM0055**

**REPORT AUTHOR: ASHLEY ROBERTS, DIRECTOR CORPORATE AND  
COMMUNITY SERVICES**

#### **FOR DECISION**

##### Introduction

This report presents West Wimmera Shire Council (Council) with the final draft 2017/18 Budget and 2017/18-2020/21 Strategic Resource Plan for adoption.

##### Declaration of Interests

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

##### Background

Section 127 of the *Local Government Act 1989 (the Act)* requires that Council prepare a budget for each financial year, and that such budget be in the form of and containing the information required by the regulations (currently the *Local Government (Planning and Reporting) Regulations 2014 (the Regulations)*). Council's 2017-2018 budget as presented complies with these requirements of the Act and the Regulations.

Section 130 (3) of the Act requires that Council must adopt its annual budget by 30 June each year. However, an extension on this timeline was granted by the Minister for Local Government to 31 August for the 2017/18 budget year. This extension was granted to all Councils and was as a result of new Council Plans being required in this year and potential rate cap variations being assessed.

As per Section 129 of the Act, Council resolved at its Special Meeting held 5 July 2017 to consult with the community and receive submissions (in accordance with Section 223 of the Act) on the draft budget up to 5.00pm Friday 4 August 2017. Council held a special meeting to consider the submission received on 9 August 2017.

The attached draft 2017/18 budget and draft 2017/18–2020/21 Strategic Resource Plan as presented is inclusive of any changes made as part of the consultation period.



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Council has made application to the Essential Services Commission (ESC) to vary the rate increase cap for the 2017/18, 2018/19, 2019/20 and 2020/21 years. Council applied for the ESC to allow Council to increase rates by up to 3.5% for each of these years.

Council has been informed by the ESC that its application has been approved, meaning that Council has the option of increasing rates by up to 3.5% for each of these 4 years. The attached draft 2017/18 budget and draft 2017/18-2020/21 Strategic Resource Plan include rate increases of 3.5% for each of these years.

### Risk Management Implications

The provision of an annual budget and medium term Strategic Resource Plan form central planks in Council's internal control mechanisms.

The annual budget and Strategic Resource Plan allow Council to have a baseline for measuring its financial performance and sustainability, and also allow Council to control and allocate its resources forming a strong mitigation to financial, fraud, operational and reputational risk to Council.

### Legislative Implications

Council is required under the Act to prepare and adopt a budget for each financial year.

Extracts Local Government Act 1989:

### **127. Council must prepare a budget**

- (1) A Council must prepare a budget for each financial year.
- (2) The Council must ensure that the budget contains—
  - (a) financial statements in the form and containing the information required by the regulations;
  - (b) a description of the services and initiatives to be funded in the budget;
  - (c) a statement as to how the services and initiatives described under paragraph (b) will contribute to achieving the strategic objectives specified in the Council Plan;
  - (d) Major Initiatives, being initiatives identified by the Council as priorities, to be undertaken during the financial year;
  - (da) for services to be funded in the budget, the prescribed indicators of service performance that are required to be reported against in the performance statement under section 131;
  - (db) the prescribed measures relating to those indicators;
  - (e) any other information required by the regulations.
- (3) The Council must ensure that the budget also contains—
  - (a) the information the Council is required to declare under section 158(1);
  - (b) if the Council intends to declare a differential rate under section 161, the



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- information listed in section 161(2);
- (c) if the Council intends to declare a differential rate under section 161A, the information listed in section 161(2).
- (4) The Council must ensure that, if applicable, the budget also contains a statement—
- (a) that the Council intends to apply for a special Order to increase the Council's average Rate cap for the financial year under section 185E; or
  - (b) that the Council has made an application to the Essential Services Commission for a special Order under section 185E and is waiting for the outcome of the application; or
  - (c) that a special Order has been made in respect of the Council and a higher cap applies for the financial year.

### **129. Public notice**

- (1) As soon as practicable after a Council has prepared a budget or revised budget, the Council must give public notice.
- (2) A person has a right to make a submission under section 223 on any proposal contained in the budget or revised budget.
- (3) In addition to any other requirements specified by this Act, the notice referred to in sub-section (1) must—
- (a) contain any details required by the regulations; and
  - (b) advise that copies of the budget or revised budget are available for inspection for at least 14 days after the publication of the notice at—
    - (i) the Council office and any district offices; and
    - (ii) any other place required by the regulations; and
  - (c) advise that the proposed budget or revised budget is published on the Council's Internet website for at least 28 days after the publication of the notice.
- (4) A copy of the budget or revised budget must be displayed at the places specified under sub-section (3)(b) and (c).

### **130. Adoption of budget or revised budget**

- (1) A Council may adopt a budget or revised budget if it has complied with all of the relevant requirements of this Act relating to budgets and revised budgets.
- (2) The Council must give public notice of its decision under sub-section (1).
- (3) The Council must adopt the budget by 30 June each year, or such a date fixed by the Minister by notice published in the Government Gazette.
- (4) The Council must submit a copy of the budget or revised budget to the Minister within 28 days after adopting the budget under subsection (3) or adopting the revised budget under subsection (1).
- (5) The Minister may extend the period within which a Council must comply with sub-section (4).





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- (6) If a Council fails to submit a copy of the budget to the Minister within the time allowed, the Secretary must ensure that details of the failure are published in the annual report of the department.
- (7) A Council must give the Minister any details concerning its budget or revised budget that the Minister requests.
- (8) A Council must comply with sub-section (7)—
- (a) within 14 days of receiving a request in writing for the details from the Minister; or
  - (b) within any longer period specified by the Minister in the request.
- (9) A copy of the budget or revised budget must be available for inspection by the public at—
- (a) the Council office and any district offices; and
  - (b) any other place required by the regulations.

As mentioned earlier, the Minister for Local Government varied the adoption date of the budget from the usual 30 June to 31 August.

### Environmental Implications

Not commented on

### Financial and Budgetary Implications

The adoption of the Council Budget annually and the four year Strategic Resource Plan are the fundamental building blocks in Council's financial management framework.

The budget set the basis for which Council Officers implement Council's strategic direction, as contained within the Council Plan, and to ensure the prudent and equitable allocation of Council's resources, whilst the Strategic Resource Plan allows Council to provide short/medium term planning to ensure efficient and sustainable resource allocation.

### Policy Implications

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

Advocacy Policy  
Asset Capitalisation Policy  
Asset Management Policy  
Borrowings Policy  
Communications Policy  
Community Engagement Policy  
Fraud Control Policy  
Investment Policy  
Procurement Policy

### Council Plan Implications

This report supports all 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 4: Building on our agricultural and business strengths and supporting economic development.
- Strategic Objective 5: Thriving, safe and diverse local communities.
- Strategic Objective 6: Participating in activities that address health and wellbeing issues.
- Strategic Objective 7: Providing access to and promoting the natural environment.

### Communication Implications

Highlights of the draft Budget 2017/2018 and draft Strategic Resource Plan 2017/18-2020/21 as prepared have been advertised and communicated pursuant to the above detailed legislative provisions.

This includes advertising and publishing details of the draft budget in local papers and Council's website. Copies of the draft documents have also been available at Council's Customer Service Centres at Edenhope and Kaniva and also on Council's website.

Once adopted copies of the adopted Budget and Strategic Resource Plan will be placed in Council's customer service centres and on Council's website. Copies of each document will also be forwarded to the Minister for Local Government and the State Library.

### Conclusion

Council is required under the Act to prepare, and after a suitable public submission period and considering any submissions made, adopt a budget each year.

This activity also forms the most fundamental building block in Council's financial management framework and is of critical importance in providing for effective financial management.

The draft budget as presented fulfils all of these requirements.



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### **OFFICER RECOMMENDATION:**

**That Council:**

- 1. Adopt the 2017/18 Budget and forward projections as set out within the Strategic Resource Plan contained within the budget papers, along with any adopted amendments resultant from any public submissions received and considered by Council; and**
- 2. As per the budget document, raise a total amount of rates and charges of \$7,141,287 for the 2017/18 financial year; and**
- 3. That Council declare the following rates and charges:**
  - General rate \$0.3566 cents in the dollar of CIV**
  - Municipal Charge \$142.78**
  - Waste Collection Charge \$285.41 per unit; and**
- 4. Public Notice of the adoption of the budget be made; and**
- 5. Advise any person(s) making a submission as to the outcome of that submission; and**
- 6. Forward a copy of the adopted 2017/18 Budget to the Minister for Local Government, and make copies of the adopted 2017/18 Budget available for public perusal at Council's Customer Service Centres in Edenhope and Kaniva, and also on Council's website.**

### **Attachments:**

<b>No.</b>	<b>Name</b>	<b>RecFind Ref</b>
14.2.1	Draft 2017/18 Budget	17/002355
14.2.2	Draft 2017/18 – 2020/21 Strategic Resource Plan	17/002355



## ORDINARY COUNCIL MEETING AGENDA – 16 AUGUST 2017 WEST WIMMERA SHIRE COUNCIL

### 14.3 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, following discussion at two recent Councillor Forums and the July 2017 Council Meeting.

##### 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.

##### Environmental Implications

Not commented on



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### 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 2017-2021:

- 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.**

#### **Attachments:**

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



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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

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

#### RECOMMENDATION

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

**17.1 KANIVA SHIRE HALL FOUNDATION REPAIRS CM0452**

**17.2 STREET CLEANING AND PIT CLEANING SERVICES KANIVA CM0459**

**17.3 STREET CLEANING AND PIT CLEANING SERVICES EDENHOPE  
APSLEY GOROKE AND HARROW CM0460**

#### 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.

**MEETING CONCLUDED:**

**NEXT MEETING:**

**20 SEPTEMBER 2017  
KANIVA COUNCIL CHAMBER**