



ORDINARY COUNCIL MEETING AGENDA – 21 MARCH 2018 WEST WIMMERA SHIRE COUNCIL

TO BE HELD: Wednesday 21 March 2018

LOCATION: Edenhope Council Chamber

COMMENCEMENT: 7.00pm

REQUIRED TO ATTEND:	
Councillors	Senior Management Group
Jodie Pretlove, Mayor Trevor Domaschenz	David Leahy Chief Executive Officer
Richard Hicks Tom Houlihan Bruce Meyer	Ashley Roberts Director – Corporate & Community Services
	Peter Rogers Acting 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.*

Vision Statement:

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



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1.0 WELCOME

2.0 OPENING PRAYER

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

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

3.1 APOLOGIES

3.2 LEAVE OF ABSENCE

3.3 DECLARATION OF CONFLICT OF INTEREST

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

4.0 QUESTIONS FROM THE GALLERY (maximum of 30 minutes)

4.1 WRITTEN QUESTIONS ON NOTICE

Questions on Notice are to be submitted to Council no later than the Monday 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.

4.1.1 ANITA MCGUIGAN, HARROW – UNTREATED WATER IN HARROW

Being that the UN Sustainability Development Goal number 6 is to ensure access to safe water maintaining this is essential to human health and economic prosperity, will Council work proactively to ensure water is safe to drink in Harrow and if so, how?

Attachments:

No.	Name	RecFind Ref
4.1.1	Question on Notice from Anita McGuigan, 21 March 2018	18/000925



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4.1.2 ANN VAUGHAN, HARROW – DISABILITY ACCESS TO THE HARROW BUSH NURSING CENTRE

How will Council address the urgent issue of dangerous and unsustainable access from vehicle to footpath to the Harrow Bush Nursing Centre for the public using Centre services and also the Ambulance attending to emergencies?

Attachments:

No.	Name	RecFind Ref
4.1.21	Question on Notice from Ann Vaughan, 21 March 2018	18/000925
4.1.22	Letter from Harrow Bush Nursing Centre, received 14 March 2018	18/000925

4.1.3 STEPHEN HOCKING, APSLEY – APSLEY RECREATION RESERVE

Flood control?

[Mr Hocking has confirmed that the Apsley Recreation Reserve is owned by the Victorian Department of Environment, Land, Water & Planning DELWP and managed by a Section 86 Committee approved by DELWP]

Attachments:

No.	Name	RecFind Ref
4.1.3	Question on Notice from Stephen Hocking, 21 March 2018	18/000925

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.

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

5.1 COUNCILLOR JODIE PRETLOVE (MAYOR)

22/02/2018 Lake Charlegrark Project Steering Committee Meeting
23/02/2018 CEO & MAV Facilitator
26/02/2018 Annual Advocacy Trip to Canberra with CEO & other Councils



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27/02/2018	Annual Advocacy Trip to Canberra with CEO & other Councils
28/02/2018	Annual Advocacy Trip to Canberra with CEO & other Councils
05/03/2018	Superintendent Paul Margetts, Victoria Police
05/03/2018	CEO David Leahy
07/03/2018	Councillor Forum, Kaniva
10/03/2018	Edenhope Cup Races
11/03/2018	Johnny Mullagh Cup, Harrow
14/03/2018	Councillors & CEO re Melbourne Advocacy Trip
14/03/2018	CEO David Leahy
19/03/2018	CEO David Leahy
21/03/2018	Ordinary Council Meeting, Edenhope

5.2 COUNCILLOR TREVOR DOMASCHENZ

23/02/2018	CEO & MAV Facilitator
28/02/2018	Gill Bradshaw & Sarah Ellis re confidential matter
07/03/2018	Councillor Forum, Kaniva
08/03/2018	WWSC Budget Information Session, Harrow
10/03/2018	Edenhope Cup Races
11/03/2018	Johnny Mullagh Cup, Harrow
11/03/2018	First XI Legends Concert, Harrow
13/03/2018	Wimmera Development Association Board Meeting
14/03/2018	Councillors & CEO re Melbourne Advocacy Trip
18/03/2018	Trophy Presentation at West Wimmera Shire Golf Day
20/03/2018	Wimmera Mallee Tourism Meeting, Culgoa
21/03/2018	Ordinary Council Meeting, Edenhope

5.3 COUNCILLOR RICHARD HICKS

23/02/2018	CEO & MAV Facilitator
07/03/2018	Councillor Forum, Kaniva
14/03/2018	Councillors & CEO re Melbourne Advocacy Trip
21/03/2018	Ordinary Council Meeting, Edenhope

5.4 COUNCILLOR TOM HOULIHAN

22/02/2018	West Wimmera Rural Water Supply Project Steering Committee
22/02/2018	Douglas Mine Environment Review Committee Meeting
23/02/2018	GWM Water
27/02/2018	Paul Stewart & Adam Cassidy, Cricket Australia
27/02/2018	Chairing Harrow First XI Committee Meeting
28/02/2018	Gill Bradshaw & Sarah Ellis re confidential matter
01/03/2018	Grampians Central West Waste Group Forum, Ballarat
02/03/2018	Cocktail Party for “The Spirit of the First XI of 1868” Art Prize
06/03/2018	Chairing Harrow First XI Committee Meeting
07/03/2018	Councillor Forum, Kaniva
10/03/2018	Harrow National Bush Billycart Championship Race



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10/03/2018	Edenhope Cup Races
11/03/2018	Johnny Mullagh Cup, Harrow
11/03/2018	First XI Legends Concert, Harrow
14/03/2018	Councillors & CEO re Melbourne Advocacy Trip
19/03/2018	Municipal Emergency Management Planning Committee
20/03/2018	Kaniva Community Sporting Complex Meeting
21/03/2018	Ordinary Council Meeting, Edenhope

5.5 COUNCILLOR BRUCE MEYER

23/02/2018	CEO & MAV Facilitator
28/02/2018	Kaniva Museum Committee Meeting
06/03/2018	WWSC Budget Information Session, Kaniva
07/03/2018	Councillor Forum, Kaniva
10/03/2018	Edenhope Cup Races
11/03/2018	Johnny Mullagh Cup, Harrow
11/03/2018	First XI Legends Concert, Harrow
14/03/2018	Councillors & CEO re Melbourne Advocacy Trip
14/03/2018	Kaniva & District Progress Association Meeting
20/03/2018	Kaniva Community Sporting Complex Meeting
21/03/2018	Ordinary Council Meeting, Edenhope

5.6 DAVID LEAHY (CHIEF EXECUTIVE OFFICER)

22/02/2018	Lake Charlegrark Project Steering Committee Meeting
22/02/2018	West Wimmera Rural Water Supply Project Steering Committee
23/02/2018	Councillors & MAV Facilitator
26/02/2018	Annual Advocacy Trip to Canberra with Mayor & other Councils
27/02/2018	Annual Advocacy Trip to Canberra with Mayor & other Councils
28/02/2018	Annual Advocacy Trip to Canberra with Mayor & other Councils
01/03/2018	Jeffrey Sambell
05/03/2018	Senior Management Group
05/03/2018	Superintendent Paul Margetts, Victoria Police
05/03/2018	Mayor Jodie Pretlove
05/03/2018	WWSC Budget Information Session, Edenhope
06/03/2018	Regional Shared Services Group Meeting, Horsham
06/03/2018	WWSC Budget Information Session, Kaniva
06/03/2018	Harrow First XI Committee Meeting
07/03/2018	Bendigo Bank, Edenhope
07/03/2018	Councillor Forum, Kaniva
08/03/2018	WWSC Budget Information Session, Harrow
10/03/2018	Edenhope Cup Races
11/03/2018	Johnny Mullagh Cup, Harrow
13/03/2018	Senior Management Group & Managers
14/03/2018	Councillors re Melbourne Advocacy Trip
14/03/2018	Mayor Jodie Pretlove
15/03/2018	LGPro CEO Forum, Melbourne



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19/03/2018	Senior Management Group
19/03/2018	Mayor Jodie Pretlove
20/03/2018	Local Government Bill Workshop, Horsham
21/03/2018	Ordinary Council Meeting, Edenhope

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 – 21 FEB 2018

RECOMMENDATION:

That the Minutes of the Ordinary Meeting of Council held on Wednesday 21 February 2018, be taken as an accurate record and confirmed.

8.0 BUSINESS ARISING FROM PREVIOUS MINUTES

9.0 NOTICES OF MOTION

Nil



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10.0 ASSEMBLY OF COUNCILLORS RECORD – 7 MAR 2018

RECOMMENDATION:

That the Assembly of Councillors Record for the Councillor Forum held Wednesday 7 March 2018 be received and noted.

11.0 DEPUTATIONS AND PETITIONS



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12.0 CHIEF EXECUTIVE OFFICER AND GOVERNANCE

12.1 SUBMISSION OF MOTION TO NATIONAL GENERAL ASSEMBLY OF LOCAL GOVERNMENT

FILE NUMBER: AD0183

REPORT AUTHOR: DAVID LEAHY - CEO

FOR DECISION

Introduction

The National General Assembly of Local Government will be held in Canberra on 17 – 20 June 2018.

The following report is to formally adopt the motion and enable the CEO to lodge the motion via the on-line portal. It is also an opportunity for Council to endorse the attendance at the National General Assembly of a second Councillor to accompany the Mayor.

Declaration of Interests

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

Background

The National General Assembly held in Canberra each year, brings together Councillors from across the Country to network, participate in the annual conference and the general assembly where motions are placed, debated and voted on.

The deadline for submitting a motion to the National General Assembly is 30 March 2018.

The attached draft motion is prepared in accordance with the standards applied via the ALGA web-site for lodging a motion.

An opportunity also exists for a second Councillor to accompany the Mayor at the National General Assembly and Council can endorse this also as part of this resolution.

Risk Management Implications

Nil



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Legislative Implications

Nil

Environmental Implications

Nil

Financial and Budgetary Implications

Attendance at the National General Assembly is essential if a motion is submitted to enable it to be spoken to by the mover.

The National General Assembly has traditionally been attended by the Mayor and CEO, however the CEO promoted the opportunity for a second Councillor to attend in 2017, rather than the CEO.

Costs associated with attendance are budgeted for and include, travel costs (airfares or vehicle), accommodation, registration at the conference and assembly and costs of attendance at formal dinners.

Policy Implications

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

Advocacy Policy

Communications Policy

Councillor Code of Conduct Policy

Councillor Expense Entitlement & Support 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 6: Participating in activities that address health and wellbeing issues.



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Communication Implications

The outcomes of a National General Assembly are generally communicated via media releases following the event. Additional opinion is occasionally sought regarding any controversial motions or debates that have arisen during the assembly.

Conclusion

The draft motion to the National General Assembly has been circulated for comment and has been generally accepted. When lodging the motion via the online portal, it is a requirement to state whether or not the motion has received the approval of Council.

The opportunity for a second Councillor to attend rather than the CEO, presents a great chance for a Councillor to observe the management of such a large assembly and to meet with, network and learn from other Councillors from across Australia.

OFFICER RECOMMENDATION:

1. **That Council endorse the following motion to the National General Assembly of Local Government:**

West Wimmera Shire Council recommends:

1. *That the Australian Local Government Association write to the Federal Telecommunications Minister, to convey the ongoing discontent with telecommunications blackspots and erratic internet services in Rural Australia.*
 2. *That the correspondence clearly state that the lack of telecommunications and internet service is acting as an inhibitor to economic development, growth in existing business, the provision of modern education programs and creates difficulties for emergency service management during emergency events.*
 3. *That the Federal Government fund the closing of the telecommunications gap that exists between rural and urban residents.*
2. **That Council approve Cras the second attendee at the National General Assembly of Local Government to be held in Canberra 17 – 20 June 2018.**

Attachments:

No.	Name	RecFind Ref
12.1.1	Motion to General Assembly	18/000925



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13.0 INFRASTRUCTURE DEVELOPMENT AND WORKS

13.1 POLICY ADOPTION: ASSET MANAGEMENT STRATEGY

FILE NUMBER: AD0208

REPORT AUTHOR: DAVID GYFORD, ASSETS AND GIS COORDINATOR

FOR DECISION

Introduction

The Asset Management Strategy is a high level document which outlines West Wimmera Shire Council (Council)'s present and future aspirations in relation to the increasing field of Asset Management. The strategy also looks at the current values of Council's asset groups, Asset Management Plans, renewal gaps and also of importance, the Asset Management Improvement Plan.

This report seeks Council's adoption of the Asset Management Strategy.

Declaration of Interests

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

Background

The Asset Management Strategy (the Strategy) has evolved over time with its primary goal to inform the Council of the importance and current situation of its assets, and to guide the assets into the future.

Councillors have had several workshops to develop the Strategy and associated documents, including the 11th October 2017, and most recently the 14th February 2018. Council's Asset Management Steering Group has met several times to consider the evolution of the Strategy and associated asset management documents.

Council will review the Strategy every four years.

Risk Management Implications

Risk plays an important role in how we manage and maintain our assets. The Strategy outlines risk components, though these are more highly implemented in other documents like Asset Management Plans.



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Legislative Implications

In 2014 the Victorian Government made a number of changes to the planning and accountability requirements for Local Government following the introduction of the *Local Government Amendment (Performance Reporting and Accountability) Act 2014*, and the *Local Government (Planning and Reporting) Regulations 2014*. These changes were designed to strengthen and modernise the planning and accountability framework for Victorian councils.

Councils must now take into account, services and initiatives contained in any plan adopted by the Council. This reinforces the need for councils to consider financial and non-financial resource implications in all plans they formally adopt. Alignment between Asset Management Plans and Long-Term Financial Plans is vital.

Environmental Implications

The Strategy provides a framework for environmental consideration through lifecycle and sustainability considerations and therefore provides risk mitigation for Council.

Financial and Budgetary Implications

The resources required to implement the plan are factored into Council's Budget.

Policy Implications

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

Asset Capitalisation Policy
Asset Management Policy

Council Plan Implications

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

- Strategic Objective 2: Meaningful partnerships to support advocacy priorities and service provision.
- Strategic Objective 3: Quality sustainable community services and infrastructure.
- Strategic Objective 6: Participating in activities that address health and wellbeing issues.
- Strategic Objective 7: Providing access to and promoting the natural environment.



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Communication Implications

With the increased requirement of councils to engage with their communities, it will become more and more incumbent on Council to explain Council's policies and strategies. A communications strategy relating to Council's Asset Management Strategy and other associated documents could be considered.

Conclusion

The Strategy has been widely updated to reflect the changing and contemporary approach to asset management at Council.

OFFICER RECOMMENDATION:

That Council adopt the “West Wimmera Shire Council Asset Management Strategy 2018 – 2022”.

Attachments:

No.	Name	RecFind
13.1.1	West Wimmera Shire Council Asset Management Strategy 2018 – 2022	18/000925



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13.2 POLICY ADOPTION: ASSET MANAGEMENT POLICY

FILE NUMBER: AD0208

REPORT AUTHOR: DAVID GYFORD, ASSETS AND GIS COORDINATOR

FOR DECISION

Introduction

The Asset Management Policy (the Policy) is part of the framework that enables strategic and quality governance of West Wimmera Shire Council (Council) owned and/or responsible for assets.

The Policy reflects Council Plan objectives pertaining to Asset Management and service delivery.

The purpose of the Policy, is to ensure that Council manages its assets in accordance with:

- National and State legislation, guidelines, frameworks and codes,
- Council's policies and procedures, and
- Council's current Council Plan.

The primary objective is to provide 'fit for purpose' assets to enable sustainable service levels.

Declaration of Interests

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

Background

The Policy has evolved over time with its primary goal to inform the Council of the importance of Asset Management, and to guide the Council into the future.

Councillors have had several workshops to develop the Policy and associated documents, including the 11th October 2017, and most recently the 14th February 2018. Council's Asset Management Steering Group has met several times to consider the evolution of the Policy and associated asset management documents.

Council will review the Policy every four years.



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Risk Management Implications

Without good asset management, Council services cannot be delivered to the acceptance of the community. The risks are:

- Service levels which do not meet the community expectations.
- An increase in renewal gap which will lead to unsustainability of Council infrastructure.
- Increased litigation risk from poorly maintained infrastructure.

Legislative Implications

Local Government Act 1989

Environmental Implications

The Policy provides a framework for environmental consideration through lifecycle and sustainability considerations and therefore provides risk mitigation for Council.

Financial and Budgetary Implications

The resources required to implement the plan are factored into Council's Budget.

Policy Implications

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

Asset Capitalisation Policy
Procurement Policy

Council Plan Implications

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

- Strategic Objective 2: Meaningful partnerships to support advocacy priorities and service provision.
- Strategic Objective 3: Quality sustainable community services and infrastructure.
- Strategic Objective 6: Participating in activities that address health and wellbeing issues.
- Strategic Objective 7: Providing access to and promoting the natural environment.



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Communication Implications

With the increased requirement of councils to engage with their communities, it will become more and more incumbent on Council to explain Council's policies and strategies. A communications strategy relating to Council's Asset Management Policy and other associated documents could be considered.

Conclusion

The Policy has been updated to reflect the changing and contemporary approach to asset management at Council.

OFFICER RECOMMENDATION:

That Council adopt the “West Wimmera Shire Council Asset Management Policy”.

Attachments:

No.	Name	RecFind Ref
13.2.1	WWSC Asset Management Policy	18/000925



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13.3 POLICY ADOPTION: ASSET DISPOSAL POLICY

FILE NUMBER: AD0208

REPORT AUTHOR: DAVID GYFORD, ASSETS AND GIS COORDINATOR

FOR DECISION

Introduction

The Asset Disposal Policy is the framework that enables strategic, quality governance of West Wimmera Shire Council (Council) controlled assets through the whole lifecycle of the asset, from acquisition to disposal. The policy meets the relevant Council Plan objectives pertaining to Asset Management and service delivery.

Declaration of Interests

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

Background

The Asset Disposal Policy (see attached,) has evolved over time with its primary goal to inform the Council of the importance of asset management asset disposal processes, and to guide the Council into the future.

Council will review the Asset Disposal Policy every two years.

Risk Management Implications

Without good asset management, Council services cannot be delivered to the acceptance of the community. The risks are:

- Service levels which do not meet the community expectations.
- An increase in renewal gap which will lead to unsustainability of Council infrastructure.
- Increased litigation risk from poorly maintained infrastructure.

This policy helps mitigate the above risks to Council by providing a framework to dispose of unwanted assets.

Legislative Implications

Local Government Act 1989



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Environmental Implications

Environmental implications are likely to differ according to the asset. The Asset Disposal Policy considers lifecycle and environmental benefits in the consideration.

Financial and Budgetary Implications

At this point in time, costs to dispose of assets are negotiated case by case with Council. With the development of Council's Long-term Financial plan and the major projects pipeline, it is predicted that future budgets will nominate discrete budget for planned disposals.

Disposing of an asset is usually a short-term financial impact, delivering savings to Council over the longer-term.

Policy Implications

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

Asset Capitalisation Policy
Asset Management Policy
Procurement Policy

Council Plan Implications

The Asset Disposal Policy supports the following section/s of the West Wimmera Shire Council Plan 2017-2021:

- Strategic Objective 2: Meaningful partnerships to support advocacy priorities and service provision.
- Strategic Objective 3: Quality sustainable community services and infrastructure.
- Strategic Objective 6: Participating in activities that address health and wellbeing issues.

Communication Implications

With the increased requirement of councils to engage with their communities, it will become more and more incumbent on Council to explain Council's policies and strategies.

A communications strategy relating to Council's Asset Management Strategy and the other associated documents could be considered.



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Conclusion

The Asset Disposal Policy has been updated to reflect the changing approach to Asset Management at Council.

OFFICER RECOMMENDATION:

That the “West Wimmera Shire Council Asset Disposal Policy” be adopted by Council.

Attachments:

No.	Name	RecFind Ref
13.3.1	WWSC Asset Disposal Policy	18/000925



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13.4 REVIEW OF WEST WIMMERA SHIRE COUNCIL PROCUREMENT POLICY

FILE NUMBER: AD0192

REPORT AUTHOR: BERNIE MADDERN, CONTRACTS MANAGER

FOR DECISION

Introduction

This report is to enable West Wimmera Shire Council (Council) to review the existing Council Procurement Policy pursuant to S186A of the *Local Government Act 1989*.

Declaration of Interests

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

Background

Procurement for local government is guided by legislation (*Local Government Act 1989*, S186A) and the 2013 Victorian Local Government Best Practice Procurement, (VLGBPP) Guidelines.

The underlying principles of the VLGBPP Guidelines direct local governments to ensure their procurement practices:

- Achieve value for money and continuous improvement
- Ensure resources are used efficiently and
- Achieve compliance with relevant legislative requirements
- Achieve high standards of fairness, openness, probity, transparency,
- Minimise the cost of bidding for potential suppliers

In November 2008, amendments to the Local Government Act were passed which included a new section, S186A that requires a Council to prepare and approve a procurement policy. In response to the legislative amendments, and the Procurement Strategy, the Municipal Association of Victoria (MAV) through its services arm, MAV Procurement, assisted councils to prepare or update their procurement policy.

March 2018, MAV issued an updated procurement benchmark guidelines for councils, (see attached.)



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Currently the minimum spend thresholds in council's policy are:

Tenders:

Purchase of all goods and services for which the estimated expenditure exceeds \$150,000, and building and construction works for which the estimated expenditure exceeds \$200,000, must be undertaken by public tender as per the thresholds contained in the *Local Government Act 1989*.

Quotations:

Purchase of goods and services having a total \$150,000 and works having a total valuation of \$200,000 or less may be undertaken using the procurement by quotation method as described below:

- Items with a value between \$2,000 to \$8,000 – request for quotation:

A minimum of one written, or email must be obtained and the details recorded before placing an order (similar details must be recorded where more than one supplier has quoted) and documented in the Council's record system.

- Items with a value \$8,001 to \$25,000 – request for quotation:

Council will receive a minimum of two written quotations or as directed by the relevant Department Manager.

The quotation offering the best value for money must be confirmed by the supplier on company letterhead and the order placed with that firm.

- Items with a value \$25,001 to \$80,000 – request for quotation:

Council will receive a minimum of three written quotations or as directed by the relevant General Manager.

Quotations returned by the nominated closing date must be evaluated and a recommendation made in favour of the supplier offering the best value for money outcome.

- Items with a value \$80,001 to \$150,000 – request for quotation:

Council will receive a minimum of three written quotations or as directed by the Chief Executive Officer.

Quotations returned by the nominated closing date must be evaluated and a recommendation made in favour of the supplier offering the best value for money outcome.

Council's procurement policy is available for inspection and is posted on Council's website. This policy must also be reviewed annually in accordance with the *Local Government Act 1989*.



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Council last reviewed this policy in April 2015, and it has now been subject of another review.

Risk Management Implications

The VLGBPP guidelines provide direction for Council for improvements in procurement.

Adopting the updated procurement policy mitigates any risk with not complying with LGV direction. (Refer to 186A (7) in Legislative Implications below)

Council has exposed itself to risk under the *Local Government Act 1989* by failing to perform annual procurement reviews. This risk is now addressed through centralising policy reviews with the CEO's office and policies such as the Procurement Policy which require annual review, will now be identified.

Legislative Implications

Extract Local Government Act 1989:

186A Procurement policy

(1) A Council must prepare and approve a procurement policy.

(2) A Council must within 12 months after the commencement of section 67 of the Local Government Amendment (Councillor Conduct and Other Matters) Act 2008 prepare and approve a procurement policy.

(3) A procurement policy must include any matters, practices or procedures which are prescribed for the purposes of this section.

(4) A Council must have regard to guidelines made under subsection (5) in preparing a procurement policy.

(5) The Minister may make guidelines with respect to the form or content of a procurement policy.

(6) Guidelines made under subsection (5) must be published in the Government Gazette.

(7) At least once in each financial year, a Council must review the current procurement policy and may, in accordance with this section, amend the procurement policy.

(8) A copy of the current procurement policy must be available for inspection by the public—

(a) at the Council office; and

(b) on the Council's Internet website.

(9) A Council must comply with its procurement policy.



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(10) In this section procurement policy means the principles, processes and procedures that will apply to all purchases of goods, services and works by the Council.

Adoption of the reviewed Procurement Policy will meet legislative requirements.

Environmental Implications

Nil

Financial and Budgetary Implications

Nil

Policy Implications

This report is supported by the following West Wimmera Shire Council Policy:
Procurement 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.
- Strategic Objective 5: Thriving, safe and diverse local communities.

Communication Implications

Two Procurement Policy reviews were carried out on Wednesday 18 October 2017 and Tuesday 23 January 2018 by several key Council staff involved in procurement.

The review primarily covered the following clauses:

Clause 2.3	Procurement thresholds and Competition – no change
Clause 2.4	Delegation of Authority - no change
Clause 2.11	Contract Management – no change
Clause 3.1	Integration with Council Strategy – no change
Clause 3.2	Achieving Value for Money – no change
Clause 3.6	Support Local Business – no change



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It was noted that the new Local Government Act is due to be released in 2018 and a new Procurement Policy will be required placing greater emphasis on collaboration with other councils.

A separate workshop was held with Councillors on Tuesday 30 January 2018, with the following changes recommended:

Clause 1.2 Scope

Add *“external funding streams”* to last paragraph.

Clause 1.3 Purpose

Delete dot point - *“increase the probability of obtaining the right outcome when purchasing goods and services”*

Add new dot point – *“transparency”*

Clause 2.2.1 Structure

Add *“innovation”* to third dot point

Clause 2.3 Procurement Thresholds and Competition

2.3.1 Requirements

Add wording to read *“a single procurement process cannot be broken up into smaller items to avoid public tender or higher level of authorization”*.

2.3.2 Minimum Spend Competition Thresholds

Add wording to read *“when placing orders consideration will be given to cumulative spend with any single contractor for like works in regard to whether a tender process shall be entered into”*.

Clause 3.6 Support Local Business

Change first dot point to read *“Encouragement of the support of competitive local/regional business and industry”*

Note: In addition to clause 3.2 Achieving Value for Money, procurement procedures will also have regard to Best Value Principles contained *Section 208, Division 3 of the Local Government Act 1989*.

Conclusion

The review processes identified some minor changes in the Procurement Policy, and it is recommended that the policy be adopted at the March Council meeting with the identified changes as listed and the updating of relevant staff titles.

A review of the MAV procurement benchmarking guidelines confirm Council’s drafted Procurement Policy as tabled.



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OFFICER RECOMMENDATION:

That Council endorse the West Wimmera Shire Council Procurement Policy as reviewed dated March 2018.

Attachments:

No.	Name	RecFind Ref
13.4.1	WWSC Procurement Policy	17/004770
13.4.2	MAV Benchmarking to Enhance Council Procurement Outcomes	18/000887



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13.5 MUNICIPAL EMERGENCY RESOURCE OFFICER APPOINTMENT

FILE NUMBER: AD0201

REPORT AUTHOR: MICHELLE ELLIS, EXECUTIVE ASSISTANT

INFRASTRUCTURE, DEVELOPMENT AND WORKS

FOR DECISION

Introduction

West Wimmera Shire Council (Council) is mandated under the *Emergency Management Act 1986* to appoint a person (or persons) to be the Municipal Emergency Resource Officer (MERO).

Due to the resignation of the current MERO, Council need to appoint a replacement.

Declaration of Interests

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

Background

The appointed MERO is currently the Director of Infrastructure, Development and Works, Ms Robyn Evans, who after recently tendering her resignation will be leaving her role 16 March 2018 and Council without an appointed MERO.

The current MERO has nominated three deputy MEROs: 1st Terry Ough, 2nd John Griffiths and 3rd Bernie Maddern. By appointing multiple MEROs, Council can cover staff leave or unavailability.

Risk Management Implications

Council will mitigate the risk of failing in its obligation under the *Emergency Management Act 1986* to have a person appointed to the role of MERO by appointing a successor MERO as soon as practicably possible with the deputy MEROs fulfilling this role during the appointment period.

Legislative Implications

Emergency Management Act 1986 – Section 21



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- (1) A municipal council must appoint a person or persons to be the municipal emergency resource officer or municipal emergency resource officers.*
- (2) A municipal emergency resource officer is responsible to the municipal council for ensuring the co-ordination of municipal resources to be used in emergency response and recovery.*

Environmental Implications

Nil commented on

Financial and Budgetary Implications

Nil commented on

Policy Implications

Nil commented on

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 5: Thriving, safe and diverse local communities.

Communication Implications

Once the MERO role has been appointed, Emergency Management Victoria (EMV), Incident Control Centres (Horsham, Mildura and Heywood) and the Wimmera Emergency Management Resource Sharing Program (WEMRSP) will all be formally notified. CrisisWorks (Councils emergency management portal) will also be updated to reflect the new appointment.

Conclusion

Under the Act, more than one officer can be appointed Council MERO. By appointing multiple MEROs, Council can cover staff leave or unavailability.

Although all Officers would be appointed, Terry Ough would be lead MERO with John Griffiths and Bernie Maddern nominated as deputies.



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OFFICER RECOMMENDATION:

That Council appoint Terry Ough, John Griffiths and Bernie Maddern, Officers of West Wimmera Shire Council as West Wimmera's Municipal Emergency Resource Officers.

Attachments: Nil



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13.6 WASTE AND RECYCLING: EMERGING ISSUES UPDATE AND CONTRACT VARIATION

FILE NUMBER: AD0183

**REPORT AUTHOR: TERRY OUGH, WORKS MANAGER, BERNIE MADDERN,
CONTRACTS MANAGER, ROBYN EVANS, DIRECTOR INFRASTRUCTURE
DEVELOPMENT AND WORKS**

FOR DECISION

Introduction

Waste and recycling services are critical and essential services for West Wimmera Shire Council (Council) incorporating kerbside waste and recycling collection, operation of transfer stations, and transfer of waste to Dooen landfill.

Council is currently monitoring emerging issues on a rapidly changing environment for waste and recycling.

This report tables a contract variation decision made to keep the kerbside recycling service going.

This report also aims to brief Council on emerging issues within the recycling industry for discussion on response options, as far as officers are aware at the time of writing.

This report is not intended to be definitive of the issues due to the current environment and no officers are dedicated full-time to monitoring and reporting on this portfolio.

Declaration of Interests

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

Background

Council conducts kerbside waste and recycling services in nominated township zones, and these services attract a standard compulsory waste charge annually along with Council rates. Townships are of Apsley, Edenhope, Goroke, Harrow, Kaniva, Lillimur, Miram and Serviceton.

Centres for disposal of a broad range of waste and recycling, including green waste, are situated across the Shire for the general public. These centres are transfer stations only as



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Council no longer provides landfill. The transfer stations are located at Apsley, Chetwynd, Dergholm, Edenhope, Goroke, Harrow and Kaniva. Council has two closed transfer station sites at Lemon Springs and Serviceton.

Council delivers the township kerbside waste and recycling service through a contract (CMO390) with Wimmera Mallee Waste (WMW) which expires 28 February 2019. The transfer stations are run by Council employees.

A rural kerbside recycling service is not provided as this has been regarded as unviable due to the low number of tenements and distances travelled.

Council committed to funding for two rural recycling service collection points; one at Serviceton and one at Harrow with a small grant from the Grampians Central West Waste, Resource and Recycling Group (GCWWRRG.) The offering to Serviceton was ultimately declined by the community due to fears of it being used as a rubbish dump. Consequently the total funding was allocated to the Harrow Recreational Reserve who constructed a recycling collection point which they are using for fundraising.

Council kerbside recycling

- Current status and data

The kerbside recycling service is carried out on a fortnightly basis utilising 240 litre wheelie bins. There are 1400 tenements in this service.

The volume of recyclables collected during 2016/2017 was 195 tonnes. Once collected this material becomes the property of the contractor who is then required to on sell through a recognised recycler.

Council waste and recycling transfer stations

- Current status and data

Council operates seven transfer stations throughout the municipality which collect predominately recyclable materials and a smaller volume of chargeable waste.

The combined kerbside waste and transfer station waste for 2016/2017 was 900 tonnes which was taken to Dooen landfill. Approximately 95% of this waste is from the kerbside service.

Council waste and recycling education and community activities

- Events trailer

The Council owns a specifically designed waste trailer capable of holding a number of waste and recycling bins, and this trailer is available for use free of charge for all community events. Over 16/17 and to date in 17/18, the following events utilised Council's free service:

Edenhope show
Edenhope Henley
Edenhope races



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Apsley Alive
Goroke Show
Harrow Billy Carts
Kaniva car & bike show
Kaniva show
Lake Charlegrark Music Marathon

- Website and kerbside calendar

The Council website contains details of transfer station opening times and various applicable fees for disposal of waste, and the recycling contractor produces an annual calendar for householders highlighting fortnightly collection dates in each township. There is the opportunity to improve community education and information.

Grampians Central West Waste and Resource Recovery Group (GCWWRRG)

Local Government participation in regional Waste, Resource and Recovery Groups is determined through legislation, specifically the *Sustainability Victoria Act 2005*, 49C Waste and Resource Recovery Groups

(g) Subject to section 49D, the following Waste and Resource Recovery Groups are established—

- (a) the Barwon South West Waste and Resource Recovery Group;
- (b) the Gippsland Waste and Resource Recovery Group;
- € the Goulburn Valley Waste and Resource Recovery Group;
- (d) the Grampians Central West Waste and Resource Recovery Group;
- € the Loddon Mallee Waste and Resource Recovery Group;
- (f) the Metropolitan Waste and Resource Recovery Group;
- (g) the North East Waste and Resource Recovery Group.

Council's membership on the GCWWRRG is represented by Cr Tom Houlihan through the annual Council Statutory meeting.

A key activity of all WRRGs is to develop a regional strategies and plans. Regional strategies need to be aligned with the State-wide regional waste and resource recovery strategy and the implementation plans also need to align with the State-Wide Waste and Resource Recovery Infrastructure Plan. The Regional Waste and Resource Recovery Implementation Plans are created under the *Environment Protection Act 1970*.

Current and emerging issues

China Waste Ban:

China has recently imposed a waste import ban on recyclables which has had a ripple effect throughout Australia, and this flow on effect has resulted in many recyclers to either refuse the acceptance of comingled recyclables or pay a significantly higher gate fee to deposit their recycling at processing centres.



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Wheelie Waste contractor for Macedon Ranges and Mount Alexander Shires have suspended their kerbside collection service as they were unable to sustain the increased costs, leaving over 10,000 homes to stockpile their rubbish. Both Shires are in emergency discussions with the State Government and their contractor.

Shepparton Regional City Council suggests their budget will be \$1,000,000 negatively impacted by the ban.

Obviously West Wimmera will not be impacted to the above degrees due to our smaller volumes and less population.

Other authorities, including Hunter Resource Recovery in NSW, are suggesting that more stockpiling of recyclable is an inevitability after Visy Industries' recent decision to inform four waste companies servicing regional Victoria that from February 9 it will no longer accept recyclables collected on behalf of councils.

Overall market for recyclables

Business variations (eg scrap metal prices) have always made it difficult for local processors. Currently the cycle is downward, with depressed recyclables market are continuing to spread, causing uncertainty with the long-term destination of paper, cardboard, cans and bottles collected through local government. Without a market for recycled goods, recycling processors are already refusing to accept recycling material from Council waste contractors, or are increasing prices fivefold to accept recyclable materials.

Victoria and region

A series of unfortunate incidents with waste and recycling, including the massive industrial fire in Melbourne's north-west of a stockpile of tyres which caused toxic smoke and hazardous material across Broadmeadows, Campbellfield, Coolaroo and further neighbouring suburbs.

The Environment Protection Authority (EPA) is working constructively with Councils to support the increased compliance as a result of incidents such as the tyre fire in Coolaroo.

GCWWRRG TARG is investigating a regional recycling trailer for items that are no longer able to be collected from local transfer stations. Further update on this initiative will be provided in future reports.

Risk Management Implications

As yet not understood, Council's move recently to become 'our own insurer' may or may not be relevant to the risks in the new era of waste and recycling management.

This risk will be assessed in consultation with the Director of Corporate and Community Services, as well as taking advice from MAV.



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Financial risks may well be mitigated for a couple of months through the State Government announcement of 21 February 2018, that 4 months of councils' increased costs for providing recycling services to communities, may be met until 30 June 2018.

West Wimmera submitted an application for that support on 7 March 2018. (See attached application.)

In order to maintain community recycling services, the DIDW has approved an increase in contract costs (through variation.) This is in line with other councils across Victoria.

Additional costs borne by Wimmera Mallee Waste since the China ban to mid-February 2018 are \$13,493.20 from 103.76 tonnes collected. The cost increase is due to increased gate fees, increased insurance premiums, travelling and toll fees.

What do we do if no landfill available?

If no landfill is available Council could consider stockpiling the recyclables in the short term, possibly in a vacant grain shed until a viable market was found. There would be no foreseeable extra cost with this other than the shed lease.

What do we do with recycling if State assistance does not continue past 30 June 2018?

Option 1.

Council could instruct the current contractor to take all recyclables to the Dooen landfill at a cost of \$111.64 per tonne for landfill charges. Based on current volumes this would cost Council approximately \$22,000 per annum. This would not be recommended as it does not deal with the recycling issue and landfill services are only going to increase in cost and difficulty of access in the future.

For Council to recover this cost from ratepayers, this would result in an increased waste charge of approximately \$18 across the 1,400 tenements to cover this additional landfill cost. This represents a 6.3% increase to the current charge.

Option 2.

Continue to cover the contract variation costs of the additional cost to the contractors in order to maintain the recycling service.

For Council to recover this cost from ratepayers, waste and recycling kerbside fees and charges would need to increase by approximately \$22 per tenement.

Option 3 (or concurrent with the above)

Another option is to work regionally to re-invigorate local recycling groups such as the sheltered workshops and community fundraising efforts to sort recycling at source. Many of these have previously closed due to councils moving away from separating recycling to comingling.



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Council has previously considered a business proposition from local provider Dawnmock, for a glass crushing service that would provide road material for Council, as well as offering a profit making enterprise through extending the service to neighbouring Victorian councils. Enterprises such as these could be explored again in light of the current environment.

Dumping:

There would be no increased risk if Council continues to collect recyclables.

Service to Community:

Waste operations are an essential service provided by councils and if Council ceased to collect recyclables, households would revert back to placing all waste/recycling in one bin as was the case up until the introduction of the current system in 1999.

Legislative Implications

Environmental Protection Act 1970

Local Government Act 1989

Planning and Environment Act 1987

Pollution of Waters by Oil and Noxious Substances Act 1986

Sustainability Victoria Act 2005

Water Act 1989

Environmental Implications

Whilst at the time of writing the future in recycling for the Shire is as yet unknown, it is fair to assume that any stockpiling and/or reduction in recycling across the Shire, will have environmental implications.

Financial and Budgetary Implications

The current additional cost to Council for 2017/2018 is \$13,493.20 up to mid-February.

Future costs are unknown at this stage and are dependent on the outcome of the industry crisis.

There has been some changes with the gate fees and most collectors are paying \$60 per tonne. If these costs remain the anticipated cost to council would be \$975 per month for gate fees.

Policy Implications

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

Advocacy Policy

Asset Management Policy



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Borrowings Policy
Environmental Policy
Township Amenity 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 4: Building on our agricultural and business strengths and supporting economic development.
- Strategic Objective 5: Thriving, safe and diverse local communities.

Communication Implications

Council has a lobbying position paper:
“Waste & Recycling”

Council could consider updating this paper to reflect the ongoing increased cost of providing the recycling service in our Shire.

Victorian State Government:

Victorian Environment Minister Lily D’Ambrosio is quoted as saying “As a matter of urgency we are working with industry, local councils and other governments to find the best way to manage our recyclable materials in the short term while the longer-term solutions are identified”.

MAV

The Municipal Association of Victoria (MAV) Chief Executive Rob Spence said: “We know of 22 regional councils at the moment, and they are in various states of impact”.

“We’re working with state and local governments to find a satisfactory resolution, but the indications are pricing will increase for councils.”

Council’s Contractor

WMW first advised Council of a comingled recycling price increase on 18 January 2018. They had previously been delivering recyclables to SKM in Melbourne and receiving income of between \$30 - \$40 per tonne, however this company experienced two fires in 2017 and were forced to close operations indefinitely.



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WMW then commenced delivering materials to Polytrade at \$20 per tonne resulting in a \$50 - \$60 loss to WMW (income to charge.) which they had been absorbing on West Wimmera's behalf.

However on 1 January Polytrade increased their gate fees to \$90 per tonne creating a significant financial impact on WMW which is unsustainable. WMW advise they could no longer provide the service in these circumstances.

From 1 July 2017 to mid-February 2018 WMW have collected 103.76 tonnes of recyclables at a gate fee cost to them of \$7,393.20. WMW provided initial costs on 7 February of \$7,393.20 for additional gate fees, and a further email sent on 20 February with a breakdown of other costs including transport, insurance and tolls. The total additional costs to date are \$13,493.20

With the Director of Infrastructure Development and Works commitment to continue the residents' kerbside recycling service, through meeting the additional costs through a contract variation, WMW has assured Council that all bins will continue to be collected and all recyclables will be recycled.

Conclusion

Waste and recycling are critical services for the Shire and our community.

Recent events such as stockpile fires of tyres and the China ban on accepting co-mingled recycling have required operational reviews by the sector, including local government.

There will be implications for the sector including operations and budgets; largely as yet unknown.

The impact on West Wimmera was to lose the recycling service, however the contract was varied to cover the increased gate cost to ensure Council's recycling service to the community can continue.

West Wimmera has applied to the State Government for \$30,000 funding to cover our shortfalls up to the 30 June 2018.

Council can consider the various option, including increasing fees and charges, for 1 July 2018 onwards. Other options include lobbying and working with GCWWRRG to develop regional alternatives and local small business enterprises.

Ongoing updates will be provided to Council as information becomes available.



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OFFICER RECOMMENDATION:

That Council:

- 1. Note the report as tabled, and**
- 2. Consider the 2018/2019 fees and charges for waste and recycling in light of the current situation, and**
- 3. Consider lobbying State Government for further assistance and support.**

Attachments:

No.	Name	RecFind Ref
13.6.1	West Wimmera Application Form for Ministerial Approval – S 186 Recycling Services	18/000925
13.6.2	Management & Storage of Combustible Recyclable & Waste Materials – Guideline August 2017	18/000925



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14.0 CORPORATE AND COMMUNITY SERVICES

14.1 KANIVA SPORTING COMPLEX REQUEST FOR ASSISTANCE

FILE NUMBER: FM0021

REPORT AUTHOR: ASHLEY ROBERTS, DIRECTOR CORPORATE AND COMMUNITY SERVICES

FOR INFORMATION

Introduction

West Wimmera Shire Council (Council) has received a request for funding assistance from the Kaniva Community Sporting Complex to assist in paying their insurance premium.

Declaration of Interests

The Director of Corporate and Community Services declares an interest as a member of the committee of management of the Kaniva Community Sporting Complex.

This report is prepared on an information only basis and no recommendations or actions are proposed.

Background

The Kaniva Community Sporting Complex ('the Complex') is a community sporting facility located on the corner of Farmers and Budjik Streets Kaniva. The facility consists of a gym, basketball courts and squash courts. Badminton is also played at the facility.

The Complex is managed by a volunteer committee of management and sits on Crown Land. Neither the building nor any equipment is listed on Council's Asset Register.

The Complex is funded via contributions made by users, both individuals and groups (i.e junior basketball group, etc). The Kaniva College also makes an annual contribution and in return has access to the facility for school use.

All operating expenses and maintenance are covered by these contribution amounts. The Complex employs one part time administrator/caretaker to co-ordinate user access and administrative tasks.

The committee of management is seeking assistance from Council to meet an increase in insurance costs, arising from a significant re-valuation of the building. The building was



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recently re-valued for insurance purposes which resulted in an increase in the annual insurance premium from \$2,928.20 to \$6,052.42.

The large increase in premium can be attributed to the fact that the previous insurance valuation being over 15 years old, arguably resulting in the facility being significantly under-insured in recent years.

Risk Management Implications

Council may face reputational risk by not assisting a not for profit community group meet its insurance or regulatory requirements. Conversely Council must consider any reputational risk by providing perceived unwarranted assistance to any group.

Council may also face budget risk by allocating funds which are not in an existing budget.

Legislative Implications

Any funding provided by Council must be in line with the 'principles of sound financial management' outlined within the *Local Government Act 1989* and also comply with any other laws.

Environmental Implications

Not Commented on

Financial and Budgetary Implications

Council does not specifically budget for any assistance given to community groups to cover operational costs. Any contribution would require a budget revision.

Council must be careful in its treatment of any assistance given. If Council were to expect a good or service in return for the assistance (i.e sponsorship signage) then it is possible that a Goods and Services Tax (GST) liability would arise to Council, however if Council were to treat the payment as a one-off donation, then it is likely that no GST liability would be incurred by Council.

Policy Implications

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

Advocacy Policy

Community Halls Policy

Community Support Fund 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 1: A proactive, well governed, professional and financially sustainable organisation that encourages community participation.
- 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

It is likely that any decision by Council to provide or not to provide assistance to the Kaniva Community Sporting Complex will be widely discussed by the community. Council must carefully articulate the reasoning behind any decision and precedent that may or may not be sent to mitigate any potential reputation risk to Council.

Conclusion

The Kaniva Community Sporting Complex provides an important community facility to the Kaniva community.

The committee of management of the Complex has requested Council assistance in covering the insurance bill for the facility, which has increased substantially as a result of a re-valuation of the complex's insurance value.

OFFICER RECOMMENDATION:

That Council consider the Kaniva Community Complex Inc. request for assistance in covering the increased cost of insurance.

Attachments:

No.	Name	RecFind Ref
14.1.1	Letter of request from Kaniva Sporting Complex Inc.	18/000588



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14.2 REQUEST FOR BUSINESS ASSISTANCE – EDENHOPE PAWFLECTION GROOMING

FILE NUMBER: FM0021

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

FOR INFORMATION

Introduction

West Wimmera Shire Council (Council) has received a request for business assistance funding a new business which has been established in Edenhope. The business is known as Edenhope Pawfection Grooming, and is establishing a physical presence in Elizabeth Street Edenhope.

Declaration of Interests

No officer has declared a conflict of interest in this report.

Background

Council provides an amount of funds (\$15,000) in its annual budget each year to provide business assistance to help new businesses set up and/or to assist existing business to grow.

Ms Cassandra Stringer is in the process of establishing a business known as Edenhope Pawfection Grooming. The business is located at 141 Elizabeth Street Edenhope and provides a pet grooming service.

The building is a former residential property which is being converted so that it is fit for purpose. All necessary planning approvals have been sought and given.

Ms Stringer has requested assistance from Council under the Business Assistance Scheme to help with the start up costs involved in setting up the business.

In accordance with the Business Assistance Scheme Policy adopted by Council at its Ordinary Meeting held 16 August 2017, Ms Stringer has submitted a business plan, as attached. The Business Plan provides business costings, a SWOT analysis, market research and a marketing plan.



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In reviewing the Business Plan as provided by Ms Stringer, it is recommended that Council provide funding of \$5,000.00 to her under the Business Assistance Scheme to help with the costs associated with setting up the business.

Risk Management Implications

Council may face reputational risk by not assisting a new business to start up in the community. Economic Development is a key factor in the Council Plan and Council must be perceived to be supporting development where appropriate

Council may budget risk by allocating funds to support new businesses. As with any new venture be it undertaken by Council or the private sector there is risk that the business will not be sustainable. The provision of a business plan by Ms Stringer mitigates this risk.

Legislative Implications

Any funding provided by Council must be in line with the 'principles of sound financial management' outlined within the *Local Government Act 1989* and also comply with any other laws.

Environmental Implications

The business will consume in its operations an amount of chemical cleaners, washes, etc and create some animal waste. These items were considered in the planning process and it was considered that the business does not present a high environmental risk.

Financial and Budgetary Implications

Council has a budget each year to provide business assistance to new businesses starting up and existing businesses to expand of up to \$15,000. To date one payment has been made from this fund for a total \$1,172.00.

Any new business within the shire adds to our regional economy which will draw income into the municipality.

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:



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- 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.
- Strategic Objective 5: Thriving, safe and diverse local communities.

Communication Implications

Council may highlight the contributions it makes via business assistance by a profile of the business in a future copy of the West Wimmera Wire. This would in itself also represent a form of business assistance by providing marketing and promotion.

Conclusion

Council has received a request for assistance under the Business Assistance Scheme to help with the costs of a new business start-up within the Edenhope community. The request complies with the requirements of Council's Business Assistance Scheme Policy. Council has embedded economic development in its Council Plan. This request provides Council with an opportunity to act upon its Council Plan principal to encourage development. Any development within the municipality adds to our regional economy and brings the benefits of new services and products to our municipality.

OFFICER RECOMMENDATION:

That Council approve the request for assistance under the Business Assistance Scheme Policy by Ms Cassandra Stringer of Edenhope Pawfection Grooming and allocate \$5,000 from the Business Assistance Fund.

Attachments:

No.	Name	RecFind Ref
14.2.1	Business Plan Edenhope Pawfection Grooming	18/00731



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14.3 KANIVA COMMUNITY HUB LOAN AGREEMENT

FILE NUMBER: FM0021

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

FOR INFORMATION

Introduction

West Wimmera Shire Council (Council) resolved at its December 2017 Confidential Meeting:

That Council resolves to enter into a repayment schedule agreement with the Kaniva Leeor United Football Club which enables the club to repay the principal amount of \$200,000 to Council under the following terms:

1 That the agreement be for a total of 10 years from the date of signing of the agreement;

2 That the first two years be interest free;

3 That there be a minimum repayment to Council from the Kaniva Leeor United Football Club of 20% (\$40,000) of the original principal amount over the first two years of the agreement;

4 That Council have the right to charge interest at the statutory interest rate applicable in that year for any missed payments;

5 That Council and the Kaniva Leeor United Football Club begin negotiations for the terms of the remaining 8 years of the repayment period, including what interest rate may apply, not later than 18 months from the date of signing the agreement.

Council officers have consulted with our legal representatives to produce a loan agreement to cover these requirements.

Declaration of Interests

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



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Background

As part of the agreement between Council and the Kaniva-Leeor United Football club to fund the remaining \$200,000 contribution for the construction of the Kaniva Community Hub, Council and the club committed to entering into a loan agreement, the terms of which were per the resolution of the December Confidential Council Meeting as shown above.

Council has prepared a loan agreement as attached for Councillors perusal. It must be stated that there are a number of unusual elements to the loan which differ from a regular loan schedule. The fact that there is no up-front agreement on the interest rate applicable after the interest free period (these are to be negotiated post the implementation of the agreement) makes it virtually impossible to prepare a set repayment schedule as per a usual loan agreement, and as such one is not provided until such time as the remaining principal and interest rate has been determined after the interest free period.

Risk Management Implications

Without a formal loan agreement with the Kaniva-Leeor United Football Club, Council may be at financial risk of not receiving the agreed contribution. The draft loan agreement dictates the conditions on which Council expects to be repaid the amount, and states the penalties for defaulting on the loan (forfeiture of the building to Council).

Legislative Implications

Any loan agreement entered into by Council must be in accordance with the principles of sound financial management as espoused by the *Local Government Act 1989* and other legislation.

Environmental Implications

Not commented on.

Financial and Budgetary Implications

Council will be required to budget for the income received under the loan agreement. Council will amend its forward budgets as shown in its Strategic Resource Plan and Long Term Financial Plan to reflect these.

Policy Implications

This report is supported by the following West Wimmera Shire Council Policy:
Guarantor Policy
Risk 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.
- Strategic Objective 6: Participating in activities that address health and wellbeing issues.

Communication Implications

Council will need to take care in communication to the Kaniva Leeor Football club the implications of the loan agreement.

Conclusion

A loan agreement between Council and the Kaniva Leeor United Football Club has been provided for Councillors perusal and comment. A copy of the same agreement has been provided to the Kaniva Leeor United Football Club for comment.

OFFICER RECOMMENDATION:

That Council:

- 1. Receives the draft loan agreement between Council and the Kaniva Leeor United Football Club Inc.**
- 2. Resolves to enter into a loan agreement with Kaniva Leeor United Football Club Inc. for the repayment of \$200,000 provided by Council for the completion of the Kaniva Community Hub project as per the attached draft loan agreement.**

Attachments:

No.	Name	RecFind Ref
14.3.1	Draft loan agreement WWSC and KLUFC	18/00370



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14.4 FINANCIAL REPORT – HALF-YEAR REVIEW DECEMBER 2017

FILE NUMBER: FM0045

REPORT AUTHOR: ANDREA GASH, MANAGER FINANCE

FOR INFORMATION

Introduction

One of the principles of sound financial management involves the regular review of an entity's financial performance and position. This report provides Council with the results of the half-yearly review of Council's Budget at the end of the second quarter of the 2017/18 financial year, which are included in the February 2018 Comprehensive Income Statement.

Background

The *Local Government Act (1989)* ('the Act') requires Council to implement the principles of sound financial management (s.136 (1)). Section 138(1) of the Act requires that Council be presented with a statement comparing budgeted revenue and expenditure for the financial year to date at least every 3 months.

The attached reports show the budget variations and an analysis of the actuals to budget forecasts and the revised budget at 28 February 2018. Significant variances that are greater than \$20,000 and 10% between actual amounts and revised budget figures will be presented in the March Quarterly Finance Reports.

Risk Management Implications

Financial risks exist where officers are not adhering to budgets.

Legislative Implications

Section 138(1) of the Local Government Act 1989 requires that Council is provided with financial reports a minimum of every three months comparing the budgeted revenue and expenditure with actual revenue and expenditure. It is considered prudent to provide Council with the budget variation results.

Environmental Implications

Nil



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Financial and Budgetary Implications

Financial and budgetary performance reporting and oversight form the fundamental building blocks of sound financial management. Without oversight of financial and budgetary performance Council may find itself unable to meet its obligations and desired community outcomes.

Policy and Council Plan Implications

Nil

Communication Implications

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

Conclusion

Council's financial performance at 28 February 2018 is attached for Council's information, in accordance with the requirements of S.138 (1) of the Act.

OFFICER RECOMMENDATION:

- 1. That the Comprehensive Income Statement as at 28 February 2018 be received and noted.**
- 2. That Council approve the budget variations requested in the financial reports.**

Attachments:

No.	Name	RecFind Ref
14.4.1	Comprehensive Income Statement February 2018	18/000924
14.4.2	List of Budget Amendments	18/000924
14.4.3	Half Year Budget Review Commentary	18/000924
14.4.4	Capital Operating Reconciliation	18/000924



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14.5 COMMUNITY STRENGTHENING GRANTS PROGRAM 2017-18 ROUND

2

FILE NUMBER: PR0015

**REPORT AUTHOR: HEIDI GAJIC, TOURISM & COMMUNICATIONS
OFFICER**

FOR DECISION

Introduction

Round two of the West Wimmera Shire Council Community Strengthening Grants Program 2017-18 closed Friday 23 February 2018. Thirteen applications were received across the three categories

Declaration of Interests

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

Background

The Community Strengthening Grants program is designed to promote and increase participation of local residents in community initiatives, to build and strengthen local networks and partnerships and to support community leadership, learning and skill development.

Through the program, council will provide financial assistance to community groups and organisations to support the provision of programs, activities and services which respond to identified community needs, contribute to the building of a stronger community, develop innovative approaches and local social issues and are in accordance with council's strategic objectives.

Risk Management Implications

Community Strengthening Grants present minimal risk to council. The policy requires a successful applicant to manage the grant funding themselves. Each application has been assessed against the policy guidelines, ensuring a transparent and equitable process has been followed.



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Legislative Implications

Nil implications.

Environmental Implications

Nil implications.

Financial and Budgetary Implications

A total of \$48,550.50 is allocated in the 2017-18 budget, for two rounds of Community Strengthening Grants. This funding has been divided between the three categories as follows:

- Community Events \$3,000.00.
- Community Projects \$10,000.00.
- Facilities Upgrades and Equipment \$30,000.00.

A total of \$15,294.90 was allocated in Round 1 with the remaining \$33,255.60 available for Round 2.

Policy Implications

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

Council Grants Policy

Support to Community Events Policy

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

Communication Implications

The Community Strengthening Grants program was promoted extensively through advertisement in the West Wimmera Wire, council website, local newspapers, community newsletters and social media.

Community Information Sessions were advertised for Apsley, Edenhope, Goroke, Harrow and Kaniva with all but Edenhope cancelled due to lack of response. The information sessions provide the community a platform to workshop ideas and receive feedback, prior



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to submitting an application. The information session was attended by 2 community representatives, with a further 9 community representatives who were unable to attend the information sessions having a private consultation.

All applicants receive written acknowledgment of receipt of their application, followed up by written notification of the funding decision following the council meeting. Successful applicants will be provided with constructive feedback as appropriate. Unsuccessful applicants are able to request feedback should they wish.

Further media will take place following the confirmation of successful applications, as well as media associated with individual applications.

Conclusion

Round 2 of the Community Strengthening Grants Program 2017-18 is well-subscribed with strong applications and projects submitted for consideration.

OFFICER RECOMMENDATION:

That Council allocate the following funding to applications under Round 2 of the 2017-2018 West Wimmera Shire Council Community Strengthening Grants:

- **Apsley Vehicle Machinery Preservation Society \$1,000.00**
- **Dergholm Social Club \$750.00**
- **Edenhope Adult Riding Club \$3,602.00**
- **Benayeo Hall Inc \$5,000.00**
- **Goroke Golf Club \$1,894.67**
- **Minimay Recreations & Memorial Hall Incorp \$900.00**
- **Kaniva Hockey Club Inc \$2,969.99**
- **Harrow & District Recreation Reserve \$5,000.00**
- **Edenhope P&A Society \$5,000.00**

Attachments:

No.	Name	RecFind Ref
14.5.1	West Wimmera Shire Community Strengthening Grant applications 2017-18 – Round 2 Final Summary	18/000704



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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

Nil

17.0 CONFIDENTIAL (PURSUANT TO SECTION 89 LGA 89)

RECOMMENDATION

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

17.1 CHIEF EXECUTIVE OFFICER'S KEY PERFORMANCE INDICATORS AND REMUNERATION REVIEW

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:

**18 APRIL 2018
DOUGLAS MEMORIAL HALL**