



ORDINARY COUNCIL MEETING AGENDA – 17 APRIL 2018 WEST WIMMERA SHIRE COUNCIL

TO BE HELD: Tuesday 17 April 2018

LOCATION: Douglas Memorial Hall

COMMENCEMENT: 11.00am

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.

Nil

4.2 VERBAL QUESTIONS WITHOUT NOTICE

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



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

5.1 COUNCILLOR JODIE PRETLOVE (MAYOR)

22/03/2018	Public Meeting re Edenhope Mechanics Hall Redevelopment
23/03/2018	Wimmera Mayoral Gathering
27/03/2018	Advocacy Trip to Melbourne
28/03/2018	Advocacy Trip to Melbourne
04/04/2018	CEO David Leahy
04/04/2018	Councillor Forum, Edenhope
04/04/2018	Public Meeting re Edenhope Mechanics Hall Redevelopment
09/04/2018	CEO David Leahy
11/04/2018	Rural Councils Victoria – Councillors & CEOs Forum, Melbourne
12/04/2018	NBN Representative at Lake Charlegrark
13/04/2018	2018-2019 Budget Meeting, Kaniva
13/04/2018	Longerenong College Graduation Ceremony, Longerenong
16/04/2018	CEO David Leahy
17/04/2018	Ordinary Council Meeting & Community Forum, Douglas

5.2 COUNCILLOR TREVOR DOMASCHENZ

22/03/2018	Public Meeting re Edenhope Mechanics Hall Redevelopment
27/03/2018	Advocacy Trip to Melbourne
28/03/2018	Advocacy Trip to Melbourne
30/03/2018	Manning Tourism Stand at Halls Gap event
04/04/2018	Councillor Forum, Edenhope
04/04/2018	Public Meeting re Edenhope Mechanics Hall Redevelopment
11/04/2018	Rural Councils Victoria – Councillors & CEOs Forum, Melbourne
13/04/2018	2018-2019 Budget Meeting, Kaniva
17/04/2018	Ordinary Council Meeting & Community Forum, Douglas

5.3 COUNCILLOR RICHARD HICKS

22/03/2018	Public Meeting re Edenhope Mechanics Hall Redevelopment
27/03/2018	Advocacy Trip to Melbourne
04/04/2018	Councillor Forum, Edenhope
04/04/2018	Public Meeting re Edenhope Mechanics Hall Redevelopment
09/04/2018	RoadSafe Wimmera Meeting, Kaniva
11/04/2018	Rural Councils Victoria – Councillors & CEOs Forum, Melbourne
13/04/2018	2018-2019 Budget Meeting, Kaniva
17/04/2018	Ordinary Council Meeting & Community Forum, Douglas



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5.4 COUNCILLOR TOM HOULIHAN

22/03/2018	Public Meeting re Edenhope Mechanics Hall Redevelopment
24/03/2018	Bay Riders / Harrow Bush Nursing Centre Long Lunch
26/03/2018	Edenhope Community Action Network Meeting
31/03/2018	First IX Anniversary Events in Edenhope
04/04/2018	Councillor Forum, Edenhope
04/04/2018	Public Meeting re Edenhope Mechanics Hall Redevelopment
10/04/2018	West Wimmera Recreational Trails Strategy Review Meeting
10/04/2018	Kaniva Community Sporting Complex Committee Meeting
13/04/2018	2018-2019 Budget Meeting, Kaniva
17/04/2018	Ordinary Council Meeting & Community Forum, Douglas

5.5 COUNCILLOR BRUCE MEYER

22/03/2018	Public Meeting re Edenhope Mechanics Hall Redevelopment
27/03/2018	Advocacy Trip to Melbourne
28/03/2018	Advocacy Trip to Melbourne
31/03/2018	First IX Anniversary Events in Edenhope
01/04/2018	First IX Anniversary Events in Edenhope & Lake Bringalbert
13/04/2018	2018-2019 Budget Meeting, Kaniva
17/04/2018	Ordinary Council Meeting & Community Forum, Douglas

5.6 DAVID LEAHY (CHIEF EXECUTIVE OFFICER)

22/03/2018	Public Meeting re Edenhope Mechanics Hall Redevelopment
26/03/2018	Senior Management Group
27/03/2018	Advocacy Trip to Melbourne
28/03/2018	Advocacy Trip to Melbourne
04/04/2018	Mayor Jodie Pretlove
04/04/2018	Councillor Forum, Edenhope
04/04/2018	Public Meeting re Edenhope Mechanics Hall Redevelopment
06/04/2018	Greg Wood, Hindmarsh Shire Council
09/04/2018	Regional Development Victoria
09/04/2018	Mayor Jodie Pretlove
09/04/2018	First XI Meeting, Edenhope
10/04/2018	Senior Management Group & Managers
10/04/2018	Reid Mather, Victorian Rail Alliance
11/04/2018	Rural Councils Victoria – Councillors & CEOs Forum, Melbourne
12/04/2018	Wimmera Regional CEOs Meeting, Horsham
12/04/2018	James McGee, Acting CEO, Yarriambiack Shire Council
13/04/2018	2018-2019 Budget Meeting, Kaniva
13/04/2018	Richie Dodds, CEO, West Wimmera Health Service
16/04/2018	Senior Management Group
16/04/2018	Mayor Jodie Pretlove
17/04/2018	Ordinary Council Meeting & Community Forum, Douglas



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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 21 March 2018, be taken as an accurate record and confirmed.

8.0 BUSINESS ARISING FROM PREVIOUS MINUTES

9.0 NOTICES OF MOTION

Nil

10.0 ASSEMBLY OF COUNCILLORS RECORD

RECOMMENDATION:

That the Assembly of Councillors Record for the Councillor Forum held Wednesday 4 April 2018 be received and noted.

11.0 DEPUTATIONS AND PETITIONS



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12.0 CHIEF EXECUTIVE OFFICER AND GOVERNANCE



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13.0 INFRASTRUCTURE DEVELOPMENT AND WORKS



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14.0 CORPORATE AND COMMUNITY SERVICES

14.1 SUPPORT TO COMMUNITY EVENTS POLICY

FILE NUMBER: FM0045

REPORT AUTHOR: ASHLEY ROBERTS – DIRECTOR CORPORATE AND COMMUNITY SERVICES

FOR DECISION

Introduction

West Wimmera Shire Council (Council) often provides support to community events held within the municipality upon request from the providers of those community events.

The Support to Community Events Policy provides a framework for Council to provide this support.

Declaration of Interests

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

Background

There are numerous community run events held within the shire each year. These can range from repeat events such as the various P&A Society Annual Shows, to one off events, such as the First XI celebrations.

Most, if not all, of these events request assistance from Council in some form or another, be it from community grants to assistance with planning and marketing or additional rubbish collection services and road closures.

The Support To Community Events Policy ('the Policy') provides Council with a framework with which to provide this assistance.

The Policy provides for differing levels of support for differing sized events, based on the predicted number of attendees. This is due to the differing needs of different sized events – for example a very small event of less than 50 attendees may not require additional rubbish removal or toilet cleans, where an event of 500+ attendees most likely would require such support.



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The Policy only applies to events that are run by recognised community groups or members of the West Wimmera community and which are open to the public to attend. Private or restricted functions are not eligible for support under the Policy.

Risk Management Implications

Council may be at reputational risk if community events are not effectively supported or if a perception that some events are supported to a greater extent than others. The Policy mitigates this risk by providing a standardised framework for event support.

Legislative Implications

Any support given must be compliant with the requirements of the *Local Government Act 1989* and any other applicable legislation.

Environmental Implications

There may be environmental risk implications to Council from the lack of provision of sufficient sanitation (i.e rubbish removal and toilet cleans). The Policy mitigates this by outlining when this support should be given.

Financial and Budgetary Implications

There may be financial risk arising from the costs to Council from providing support under the Policy. For the 2017/18 financial year Council budgeted \$4,200 for community support.

Policy Implications

This report is supported by the following West Wimmera Shire Council 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 1: A proactive, well governed, professional and financially sustainable organisation that encourages community participation.
- Strategic Objective 5: Thriving, safe and diverse local communities.
- Strategic Objective 6: Participating in activities that address health and wellbeing issues.



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Communication Implications

The Support to Community Events Policy provides the framework on which Council's Community Support Officer provides information to the organisers of community events.

Conclusion

The Support to Community Events Policy provides a framework for the consistent and reasonable application of Council support to community events. The application of the policy mitigates many of the risks to Council from these community events.

OFFICER RECOMMENDATION:

That Council resolves to adopt the Support to Community Events Policy as attached.

Attachments:

No.	Name	RecFind Ref
14.1.1	Support to Community Events Policy	18/001149



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14.2 MAYORAL AND COUNCILLOR ALLOWANCES

FILE NUMBER: FM0045

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

FOR DECISION

Introduction

West Wimmera Shire Council (Council) Councillor and Mayoral allowances are required to be reviewed annually and any necessary adjustments made accordingly.

The following report provides information on the current allowances, the increase in thresholds and superannuation.

Declaration of Interests

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

Background

Councils across Victoria are categorised into three groups by the Victorian Government and allowance ranges are determined for each category.

West Wimmera Shire is one of 22 Category One Councils. Within this category, a minimum and maximum is set for Councillors and a maximum threshold set for Mayors. The thresholds in 2016 were as follows

- Councillors: \$8,324 to \$19,834
- Mayor: Up to \$59,257

Under section 73B of the Local Government Act 1989, the Minister for Local Government makes a determination of an annual adjustment factor and accordingly the current allowances paid to Councillors and the mayor were adjusted by 2.0% on 1 December 2017.

The current ranges since the adjustment are;

- Councillors \$8,490 to \$20,231
- Mayor: Up to \$60,442



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The current allowances paid to Councillors and the Mayor are below the upper limits of the thresholds. Currently Councillors are paid \$18,996 pa (plus 9.5% superannuation). The Mayoral allowance is \$44,328 pa (plus 9.5% superannuation).

The current payments equate to \$1,211 below the upper limit and the Mayoral allowance \$16,114 below the upper limit for category one Councils.

Allowances are set at individual Councils by an order in Council, which means that Councillors are required to make a decision at an Ordinary Meeting of Council to determine the allowances for the next twelve months.

Risk Management Implications

Council faces legislative compliance and reputational risk from breaching the Act by not resolving an allowance level for Councillors and the Mayor at an Ordinary Council Meeting.

Council may also face budget risk if insufficient funds are budgeted to cover Councillor Allowances.

Legislative Implications

Section 73B of the Local Government Act 1989 (*'the Act'*) enables the Minister to determine the adjustment factor annually.

Section 74(1A) of the Act allows Council to review and determine the level of the Councillor and Mayoral allowance after an Order in Council is made by the Governor in Council under section 74B varying the range payable by the Minister under section 73B.

Environmental Implications

Not commented on

Financial and Budgetary Implications

Council's Annual Budget contains allocations sufficient to cover the increased Councillor and Mayoral Allowances.

Policy Implications

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

Councillor Code of Conduct Policy
Councillor Expense Entitlement & Support 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.

Communication Implications

The decision to determine the allowance levels paid to Councillors and the Mayor are made in an open Ordinary Council Meeting and is open to the public.

Conclusion

Section 74(1) requires Councils to review and determine the level of Councillor and Mayoral allowances.

This report has been provided for discussion with a subsequent report to be provided to the 17 April Council Meeting.

OFFICER RECOMMENDATION:

That Council resolves to adopt Councillor and Mayoral Allowances for 2018 being:

- **Councillor allowance \$18,996 pa + 9.5% superannuation allowance**
- **Mayoral allowance \$44,328 pa + 9.5% superannuation allowance**

Attachments:

No.	Name	RecFind Ref
14.2.1	Local Government Victoria Bulletin 32	18/001138



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14.3 FINANCIAL REPORT AS AT 31 MARCH 2018

FILE NUMBER: FM0062

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 a review of Council's financial performance and position at the end of March 2018.

Declaration of Interests

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

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 three months.

The financial reports show an analysis of the actuals to budget forecasts at 31 March 2018. Where significant variances that are greater than \$20,000 and 10% between actual amounts and forecast figures at 31 March 2018, a note is provided to give an explanation for the variance. The financial reports include a Comprehensive Income Statement, a capital report and Balance Sheet to give a true indication of Council's operations, the capital works program and the financial position. A listing of all budget variations which have been made for the year to date detailing the amount of the variation and the reason for the variation is also included.

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.



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Environmental Implications

Nil

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 Implications

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

- Asset Capitalisation Policy
- Investment Policy

Council Plan Implications

This report supports the following section 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 Finance Manager will continue to work with officers and managers to educate and enable financial management of their department.

Conclusion

Council's financial performance and position at 31 March 2018 is attached for Council's information, in accordance with the requirements of S.138 (1) of the Act.

OFFICER RECOMMENDATION:

That the financial reports as at 31 March 2018 be received and noted.

Attachments:

No.	Name	RecFind Ref
14.3.1	Financial Performance Report March 2018	18/001266



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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 AIR CONDITIONING MAINTENANCE CIVIC BUILDINGS CMO471

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:

**16 MAY 2018
KANIVA COUNCIL CHAMBER**