



ORDINARY COUNCIL MEETING MINUTES – 19 SEPTEMBER 2018 WEST WIMMERA SHIRE COUNCIL

HELD: Wednesday 19 September 2018

LOCATION: Edenhope Council Chamber

COMMENCEMENT: 7.00pm

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

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

The Mayor welcomed everyone to the meeting.

2.0 OPENING PRAYER

The CEO read the opening prayer.

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

3.1 APOLOGIES

Nil

3.2 LEAVE OF ABSENCE

Nil

3.3 DECLARATION OF CONFLICT OF INTEREST

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

Mayor Jodie Pretlove declared a conflict of interest in Item 12.3 Lake Charlegrark Funding Payment Extension Request.

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 GEOFF LANGSWORTH – BACK SWAMP DRAINS, EDENHOPE

I would like to bring to your attention the state of the drains flowing from the Back Swamp (Edenhope), under the Elizabeth Street bridge, through Lions Park and then into Lake Wallace.



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My main concern is the rubbish and refuse that has been allowed to accumulate, mainly from the south side of the Elizabeth Street bridge. Both small sections either side of the bridge need a thorough clean up.

The drains and surrounds passing through Lions Park are well maintained, but the area on the southern side appears to be sadly neglected.

I would like to request an urgent “clean up” of these sections be undertaken as soon as possible. I would like to see all Councillors take some time to inspect these areas, and I am sure you will agree with my sentiments.

Mayor: Request has been logged in the Customer Request System for actioning.

Attachments:

No.	Name	RecFind Ref
4.1.1	Question on Notice – Geoff Langsworth – Back Swamp Drains, Edenhope	18/003263

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.

None

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

5.1 COUNCILLOR JODIE PRETLOVE (MAYOR)

20/08/2018 CEO David Leahy
23/08/2018 Wimmera Primary Care Partnership, Horsham
23/08/2018 Local Gov Victoria Briefing – Rural Councils Transformation Program
29/08/2018 CEO David Leahy
29/08/2018 VicRoads Municipal Liaison Meeting, Edenhope
03/09/2018 CEO David Leahy



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05/09/2018 Councillor Forum, Kaniva
07/09/2018 Edenhope Hall Redevelopment Meeting
09/09/2018 Edenhope Bowling Club – Season Opening Event
10/09/2018 CEO David Leahy
17/09/2018 CEO David Leahy
19/09/2018 Ordinary Council Meeting, Edenhope

5.2 COUNCILLOR TREVOR DOMASCHENZ

20/08/2018 CEO David Leahy
05/09/2018 Councillor Forum, Kaniva
07/09/2018 Edenhope Hall Redevelopment Meeting
09/09/2018 Edenhope Bowling Club – Season Opening Event
11/09/2018 Wimmera Development Association Board Meeting
18/09/2018 Wimmera Mallee Tourism Meeting
19/09/2018 Ordinary Council Meeting, Edenhope

5.3 COUNCILLOR RICHARD HICKS

17/08/2018 Western Highway Action Committee, Melton
24/08/2018 Rail Freight Alliance Meeting, Melbourne
28/08/2018 Living Libraries Infrastructure Program Funding Announcement, Melbourne
05/09/2018 Councillor Forum, Kaniva
07/09/2018 Edenhope Hall Redevelopment Meeting
17/09/2018 Rail Freight Alliance Event – Meet 2018 Election Candidates
19/09/2018 Ordinary Council Meeting, Edenhope

5.4 COUNCILLOR TOM HOULIHAN

23/08/2018 Douglas Mine Environment Review Committee Meeting
25/08/2018 Switch-On Ball, Chetwynd Hall
27/08/2018 Edenhope Community Action Network (CAN)
30/08/2018 Grampians Central West Waste & Recovery Group Forum
05/09/2018 Councillor Forum, Kaniva
07/09/2018 Edenhope Hall Redevelopment Meeting
12/09/2018 Harrow Discovery Centre AGM
19/09/2018 Ordinary Council Meeting, Edenhope

5.5 COUNCILLOR BRUCE MEYER

17/08/2018 Wimmera Regional Library Corporation Board Meeting
30/08/2018 Library Review Meeting
07/09/2018 Edenhope Hall Redevelopment Meeting



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11/09/2018 Audit Committee Meeting, Kaniva
11/09/2018 Kaniva Community Sporting Complex Committee Meeting
19/09/2018 Ordinary Council Meeting, Edenhope

5.6 DAVID LEAHY (CHIEF EXECUTIVE OFFICER)

16/08/2018 LGPro CEO Forum, Melbourne
20/08/2018 Senior Management Group
20/08/2018 Councillor Trevor Domaschensz
20/08/2018 Mayor Jodie Pretlove
21/08/2018 Post-Council Staff Meeting
23/08/2018 DELWP Grampians
23/08/2018 Local Gov Victoria Briefing – Rural Councils Transformation Program
24/08/2018 Worked in Kaniva
27/08/2018 Victorian Grants Commission Info Session, Warracknabeal
28/08/2018 Senior Management Group
29/08/2018 Mayor Jodie Pretlove
29/08/2018 VicRoads Municipal Liaison Meeting, Edenhope
30/08/2018 Worked in Kaniva
30/08/2018 Library Review Meeting
30/08/2018 Rural Outreach Program Meeting, Nhill
30/08/2018 Armistice Day Centenary Committee Meeting, Edenhope
31/08/2018 Seasonal Conditions Meeting, Horsham
03/09/2018 Senior Management Group
03/09/2018 Mayor Jodie Pretlove
05/09/2018 Councillor Forum, Kaniva
06/09/2018 *On Leave*
07/09/2018 *On Leave*
10/09/2018 Senior Management Group
10/09/2018 Mayor Jodie Pretlove
10/09/2018 Local Government Inspectorate Compliance Audit
11/09/2018 Unconscious Bias Workshop, Horsham
11/09/2018 Audit Committee Meeting, Kaniva
11/09/2018 Wimmera Development Association Board Meeting
12/09/2018 Local Government Inspectorate Compliance Audit
13/09/2018 Wimmera Regional CEO Meeting
17/09/2018 Mayor Jodie Pretlove
18/09/2018 OH&S Committee Meeting
18/09/2018 Senior Management Group / Managers Meeting
19/09/2018 Ordinary Council Meeting, Edenhope



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5.7 GENERAL DELEGATES REPORTS

Councillors to provide delegates reports to Council meeting in relation to meetings attended in last month for which they have been appointed as Council representative. Verbal or written delegates' reports.

6.0 CONDOLENCES

Mr William ("Bill") Anson, Councillor and Shire President, former Shire of Kowree.

Cr Meyer and Cr Houlihan spoke about Mr Anson's passionate contribution to the region and the local community over many years.

7.0 CONFIRMATION OF MINUTES FROM PREVIOUS MEETING

RECOMMENDATION:

That the Minutes of the Ordinary Meeting of Council held on Wednesday 15 August 2018, be taken as an accurate record and confirmed.

Moved: Cr Richard Hicks

Seconded: Cr Trevor Domaschenz

That the Minutes of the Ordinary Meeting of Council held on Wednesday 15 August 2018 (which are watermarked Unconfirmed V2), be taken as an accurate record and confirmed.

Carried (4/1)

8.0 BUSINESS ARISING FROM PREVIOUS MINUTES

Nil



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9.0 NOTICES OF MOTION

9.1 COUNCILLOR TREVOR DOMASCHENZ – NOM 2018/05 – EDENHOPE COMMUNITY HUB

Preamble

West Wimmera Shire Council has given the go ahead to the demolition and rebuild of the Edenhope Community Hub. There is a resolution in place from June 2015 that may need to be amended.

The Resolution states:

Following community consultation and the in-principal support from the Edenhope Vision and Voice Group to fund raise, that Council supports the development of the new Edenhope Community Hub, contingent on the following:

- *West Wimmera Shire Council receives State or Federal grand funding of 50% or more for the project;*
- *Council will match the community fundraising \$1 for \$1, up to a limit of \$500,000.*

Carried.

\$500,000 is unrealistic for the community to raise for a Council project.

I propose that we check the spelling of the first dot point. Is it meant to be grant, not grand?

I propose that we amend the second dot point to the following.

Motion

That West Wimmera Shire Council contribute up to \$500,000 to the Edenhope Community Hub Project.

Moved: Cr Trevor Domaschenz

Seconded: Cr Richard Hicks

That West Wimmera Shire Council contribute up to \$500,000 to the Edenhope Community Hub Project.

No vote was taken.



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Moved: Cr Tom Houlihan

Seconded: Cr Bruce Meyer

That the motion lie on the table until legal advice is obtained regarding this proposed motion.

Motion Lost (2/3)

Cr Richard Hicks moved an amended motion:

Moved: Cr Richard Hicks

Seconded: Cr Jodie Pretlove

Pending confirmation that the previous Council Motion from June 2015 does not need to be rescinded, that West Wimmera Shire Council contribute up to \$500,000 to the Edenhope Community Hub Project.

The amendment became the motion:

Moved: Cr Richard Hicks

Seconded: Cr Jodie Pretlove

Pending confirmation that the previous Council motion from June 2015 does not need to be rescinded, that West Wimmera Shire Council contribute up to \$500,000 to the Edenhope Community Hub Project.

For 1, Against 3, Abstention 1

Motion Lost

A vote was taken on the original motion:

Moved: Cr Trevor Domaschenz

Seconded: Cr Richard Hicks

That West Wimmera Shire Council contribute up to \$500,000 to the Edenhope Community Hub Project.

Motion Lost (2/3)



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Mayor Pretlove: I wish to temporarily vacate the Chair.

Moved: Cr Trevor Domaschenz

Seconded: Cr Richard Hicks

That Council nominate Cr Richard Hicks to take the Chair.

Carried (3/2)

Moved: Cr Jodie Pretlove

Seconded: Cr Trevor Domaschenz

- 1. Upon receiving advice from the Municipal Association of Victoria (MAV), that Council rescind the previous motion of June 2015 regarding the Edenhope Community Hub Project.**
- 2. That West Wimmera Shire Council support the Edenhope Community Hub Project financially, without locking Council in to a specific amount.**

For 3, Against 1, Abstained 1

Motion Carried

The Mayor Jodie Pretlove resumed the Chair.

Attachments:

No.	Name	RecFind Ref
9.1.1	Notice of Motion 2018/05 – Cr Trevor Domaschenz	18/003287

10.0 ASSEMBLY OF COUNCILLORS RECORD

RECOMMENDATION:

That the Assembly of Councillors Record for the Councillor Forum held Wednesday 5 September 2018 be received and noted.



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Moved: Cr Richard Hicks

Seconded: Cr Trevor Domaschenz

That the Assembly of Councillors Record for the Councillor Forum held Wednesday 5 September 2018 be received and noted.

For 4, Against 0, Abstained 1

Motion Carried

11.0 DEPUTATIONS AND PETITIONS

Nil



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12.0 CHIEF EXECUTIVE OFFICER AND GOVERNANCE

12.1 MAV STATE COUNCIL MOTIONS

FILE NUMBER: AD0006

REPORT AUTHOR: DAVID LEAHY - CEO

FOR DECISION

Introduction

The Municipal Association of Victoria (MAV) Annual Conference and Awards Dinner will be held in Melbourne on Thursday 18 October 2018, and will be followed by the MAV State Council Meeting on Friday 19 October 2018.

An opportunity exists for Council to submit a motion to State Council. Recent correspondence from the MAV confirms that all motions must be of State-wide significance to local government, and that motions are more likely to succeed if they align with the MAV Strategic Work Plan 2017-2019.

Declaration of Interests

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

Background

Councillors have the opportunity to submit a motion to the MAV State Council to be held in Melbourne on Friday 19 October 2018. The venue is the Sofitel Melbourne on Collins.

Motions are required to be of State-wide significance to local government, and must be submitted before close of business on Friday 21 September 2018.

The October 2018 State Council also coincides with the MAV Annual State Conference which will be held on Thursday 18 October 2018. Following the Conference, the Annual Awards Dinner is held, and Councillor Service Awards are presented.

At the Council Assembly of 5 September 2018, a potential motion was discussed regarding the management of roadside pest plants. This subject was a topic discussed with the Advisor to the Environment Minister in March 2018 during Councils Advocacy Campaign to State Parliament.



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The Draft motion is as follows:

1. *West Wimmera Shire Council respectfully requests the MAV write to the Minister for the Environment – the Hon Lily D'Ambrosio and the Roads Minister the Hon Luke Donnellan, seeking assistance for rural shires, with the management of the spread of declared pest plants on arterial roads.*
2. *That the request for assistance be in the form of dedicated officers, specifically tasked with the monitoring and treatment of the problem*
3. *That consideration also be given to the officers managing vegetation growth in roadside drains adjacent to the rural arterial roads.*

Risk Management Implications

Nil

Legislative Implications

Nil

Environmental Implications

The management of the spread of declared noxious weeds across high value agricultural land is a problem that requires cross government cooperation to try and control.

With minimal funding provided for action on the problem, the spread of pest plants continues at an alarming rate.

Financial and Budgetary Implications

Accommodation, conference and dinner costs will be incurred for those wishing to attend the state council.

Currently West Wimmera Shire does have a budget allocation provided to the control of pest plant spread across the region, but may change in the future due to action required on roadside drains and the uncontrolled spread will eventually have an economic impact.

Policy Implications

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

Advocacy 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.
- Strategic Objective 2: Meaningful partnerships to support advocacy priorities and service provision.

Communication Implications

The outcomes of the MAV Conference and State Council are communicated to Councillors and are subject to media releases where appropriate.

Conclusion

The proposed motion to the MAV State Council is of significance to a large portion of Councils within Victoria.

By including the request for assistance with the management of vegetation in roadside drains, it will provide a more uniform approach to the control of roadsides. It is also closely aligned to the advocacy approach taken when meeting with the Ministers advisor in Melbourne in March 2018.

Often the listing of a motion within the agenda of the State Council will promote discussion amongst the effected Councils and will lead to a coordinated response to a large problem.

West Wimmera has lodged motions previously that have brought about a change of practice by the MAV and introduced video links to various meetings to enable small rural shires, with long distances to travel, to attend.

OFFICER RECOMMENDATION:

That:

- 1. Council lodge the following motion/s to the Friday 19 October 2018 Municipal Association of Victoria (MAV) State Council:**
 - a. *West Wimmera Shire Council respectfully requests that MAV write to the Minister for the Environment – the Hon Lily D'Ambrosio and the Roads Minister the Hon Luke Donnellan, seeking assistance for rural shires, with the management of the spread of declared pest plants on arterial roads.***



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- b. *That the request for assistance be in the form of dedicated officers, specifically tasked with the monitoring and treatment of the problem*
- c. *That consideration also be given to the officers managing vegetation growth in roadside drains adjacent to the rural arterial roads.*

2. The CEO be authorised to lodge the motion/s using the online template.

OR:

That Council chooses not to lodge a motion to the Friday 19 October 2018 Municipal Association of Victoria (MAV) State Council.

Moved: Cr Bruce Meyer

Seconded: Cr Richard Hicks

That:

1. Council lodge the following motion/s to the Friday 19 October 2018 Municipal Association of Victoria (MAV) State Council:

- a. *West Wimmera Shire Council respectfully requests that MAV write to the Minister for the Environment – the Hon Lily D'Ambrosio and the Roads Minister the Hon Luke Donnellan, seeking assistance for rural shires, with the management of the spread of declared pest plants on arterial roads.*
- b. *That the request for assistance be in the form of dedicated officers, specifically tasked with the monitoring and treatment of the problem*
- c. *That consideration also be given to the officers managing vegetation growth in roadside drains adjacent to the rural arterial roads.*

2. The CEO be authorised to lodge the motion/s using the online template.

Carried (5/0)

Attachments:

No.	Name	RecFind Ref
12.1.1	Email from MAV regarding 19/10/2018 State Council, 13 August 2018	18/003263
12.1.2	MAV State Council Motion Template	18/003263
12.1.3	MAV Strategic Work Plan 2017-2019	18/003263



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12.2 EDENHOPE MECHANICS HALL – PROJECT CONTROL GROUP

FILE NUMBER: CM0430

REPORT AUTHOR: DAVID LEAHY – CEO

FOR DECISION

Introduction

West Wimmera Shire Council has established Project Control Groups, or Steering Committees for the various large projects that are underway within the Shire.

This report is designed to promote discussion about the membership of a group for the Edenhope Mechanics Hall and also to endorse the suggested membership.

In addition to the suggested membership, it is proposed to advertise for two more community members to join the committee.

Declaration of Interests

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

Background

Following the nomination of the Edenhope Mechanics Hall redevelopment to the Drought Communities Program and the announcement of funding via the Living Libraries fund, it is essential that a Project Control Group (PCG) be established to help guide the project.

The purpose of the group is to act as an information conduit between Council and the various community stakeholders, provide suggestions to Council on variations to scope and to promote the project and utilisation of the finished new facility.

In selecting suggested suitable candidates, the staff have listed local people who have shown interest and drive towards a positive community outcome over a period of time.

It will also be essential that a Councillor Rep is elected to participate as part of the PCG.

The following list of candidates is provided for Councillor discussion, some of which have been approached to ascertain their preparedness to be involved;

- Sara MacDonnell – Bendigo Bank and community volunteer
- Fred Carbery - Interested Community advocate
- Helen Mulraney-Roll – Edenhope Tourism and community volunteer



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- Adrian Schmidt – Former chair of Edenhope Vision & Voice and long-time advocate for a new hall.
- Ann Twyford, Melanie Y’Lang – CEO Wimmera Library Corporation
- Mark Marziale – Director Infrastructure Development and Works (WWSC)
- Sarah Ellis – Economic and Business Development (WWSC)
- Trent Davis – Coordinator Major Projects (WWSC)
- David Leahy – CEO (WWSC)
- Councillor rep - TBA

In addition to the above suggested names, it has been discussed about membership for the schools, the Edenhope Lions and potentially the Historical Society, as reps who may join the discussions at different stages.

Also following the discussions held on 5 September 2018 at the Council Assembly, it was agreed that Council advertise to fill two more positions on the committee. These two positions will ensure that the committee will always operate with a community representative majority.

Risk Management Implications

The PCG will operate under a set of agreed terms to ensure that decision making on variations to scope are all referred to Council.

By operating with a PCG, it will reduce hold ups due to community misinformation.

Legislative Implications

The establishment of a PCG or similar is likely to be a key milestone of the funding agreements.

Environmental Implications

The demolition of the building will need to be undertaken within strict environmental guidelines

Financial and Budgetary Implications

All variations to scope and budget are to be presented to Council for formal approval.

Policy Implications

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

Asset Capitalisation Policy
Asset Management Policy



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Building Permit Information Policy
Communications Policy
Community Engagement Policy
Community Halls Policy
Council Major Hall Hire Policy (Kaniva & Edenhope)
Environmental 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 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

At various stages during the construction of the new facility, information sessions can be held and at the latter stages, site inspections with the community to provide a clear indication of what the finished building can provide.

Regular updates will also be provided as part of the standard Capital Works reports.

Conclusion

The Edenhope Mechanics Hall redevelopment is a project that will boost confidence in the town of Edenhope and will also provide a level of employment for the area during the construction phase.

In order to maximise the opportunities that such a development can provide, it is very important that as much local content as possible is included to help mould the facility into what will best benefit the town and its residents.

Councillors are free to provide suggestions on other reps for the PCG to help with the implementation of this project.



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OFFICER RECOMMENDATION:

That Council endorse the following community and Council representatives onto the Project Control Group for the Edenhope Community Hub (Mechanics Hall Redevelopment) and that Council appoint a Councillor to the group.

- Sara MacDonnell – Bendigo Bank and community volunteer
- Fred Carbery - Interested Community advocate
- Helen Mulraney-Roll – Edenhope Tourism and community volunteer
- Adrian Schmidt – Former chair of Edenhope Vision & Voice and long-time advocate for a new hall.
- Ann Twyford, Melanie Y’Lang – CEO Wimmera Library Corporation
- Mark Marziale – Director Infrastructure Development and Works (WWSC)
- Sarah Ellis – Economic and Business Development (WWSC)
- Trent Davis – Coordinator Major Projects (WWSC)
- David Leahy – CEO (WWSC)
- Councillor rep -

Moved: Cr Trevor Domaschenz

Seconded: Cr Richard Hicks

That Council endorse the following community and Council representatives onto the Project Control Group for the Edenhope Community Hub (Mechanics Hall Redevelopment) and that Council appoint a Councillor to the group:

- Sara MacDonnell – Bendigo Bank and community volunteer
- Fred Carbery - Interested Community advocate
- Helen Mulraney-Roll – Edenhope Tourism and community volunteer
- Adrian Schmidt – Former chair of Edenhope Vision & Voice and long-time advocate for a new hall.
- Ann Twyford or Melanie Y’Lang – CEO Wimmera Library Corporation
- Mark Marziale – Director Infrastructure Development and Works (WWSC)
- Sarah Ellis – Economic and Business Development (WWSC)
- Trent Davis – Coordinator Major Projects (WWSC)
- David Leahy – CEO (WWSC)
- Councillor Rep – Cr Jodie Pretlove

Carried (5/0)

Attachments: Nil



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8.16pm: Cr Pretlove left the room

Moved: Cr Tom Houlihan

Seconded:

That Council nominate Cr Meyer to take the Chair.

Motion lapsed due to lack of a seconder.

Moved: Cr Trevor Domaschenz

Seconded: Cr Richard Hicks

That Council nominate Cr Hicks to take the Chair.

For 2, Against 0, Abstained 2

Motion Carried

12.3 LAKE CHARLEGRARK FUNDING REPAYMENT EXTENSION REQUEST

FILE NUMBER: CM0461

REPORT AUTHOR: DAVID LEAHY – CEO

FOR DECISION

Introduction

The following report is provided to enable Councillors to apply a funding repayment request from the Lake Charlegrark Foreshore Committee, for the final payment of their contribution to the upgrade project.

Declaration of Interests

As the CEO, the writer has acted as chair of the Project Steering Committee for the project.



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Background

The upgrade to facilities at Lake Charlegrark is very close to practical completion and the overall project cost is very close to the budgeted figure that was proposed in the planning phase of the project.

With funds coming from a number of different sources such as, State & Federal Governments, West Wimmera Shire Council, Goroke Apex Club, the Country Music Marathon and a the Lake Charlegrark Foreshore Committee.

During the course of construction at the site, there have been a number of unforeseen financial circumstances that have adversely effected the committee's ability to meet the final payment date. In the committees correspondence (which is attached), they are seeking an extension and have every confidence that they can make the payment as soon as the visitor season commences.

The key objective of the upgrade was to increase both the numbers of visitors and having them extend their stay at the site by providing greater levels of comfort and secure power supply etc. Early indications are that the upgrade will achieve this. The projected increase will enable the committee to make their final payment in a suitable time frame.

Risk Management Implications

Not approving the extension request would hamper the committee finances during a pre-season maintenance period where their funds are most needed.

Legislative Implications

Nil

Environmental Implications

Nil

Financial and Budgetary Implications

The implications to the Council budget are short term and provided a signed agreement can be negotiated, it will have a limited effect on the finances of the organisation.

At the time of writing the project has not faced any significant cost over-run pressures and is on tarded to meet all budgetary expectations.

Policy Implications



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

Asset Capitalisation Policy
Business Assistance Scheme Policy
Business Continuity Policy
Community Support Fund Policy
Guarantor Policy
Tourism 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 6: Participating in activities that address health and wellbeing issues.

Communication Implications

Dialogue with the Foreshore Committee will occur following any decision of Council.

Conclusion

The Foreshore Committee is not seeking a waiver of the final payment but are informing Council of some of the difficulties currently. All other payments that have been expected of the various community groups and the committee have been willingly provided and the committee has every intention of meeting this financial requirement.

OFFICER RECOMMENDATION:

That Council endorse an extension for the final payment (\$20K) to be provided by the Lake Charlegrark Foreshore Committee of Management to [insert date] and that a formal agreement be drawn up and signed to reflect this.



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Moved: Cr Tom Houlihan

Seconded:

1. That Council endorse an extension for the final payment of \$10,000 to be provided by the Lake Charlegrark Foreshore Committee of Management within the current financial year.
2. That the remaining \$10,000 be paid by the Shire from the Financial Assistance Grants.
3. That a formal agreement be drawn up and signed to reflect this.

Lapsed for lack of a seconder.

Moved: Cr Bruce Meyer

Seconded: Cr Trevor Domaschenz

That Council endorse an extension for the final payment (\$20K) to be provided by the Lake Charlegrark Foreshore Committee of Management to 1 March 2019, and that a formal agreement be drawn up and signed to reflect this.

Carried (3/1)

Attachments:

No.	Name	RecFind Ref
12.3.1	Correspondence from Foreshore Committee	18/003263

8.27pm: Cr Jodie Pretlove returned to the room, and resumed the Chair.



ORDINARY COUNCIL MEETING MINUTES – 19 SEPTEMBER 2018 WEST WIMMERA SHIRE COUNCIL

13.0 INFRASTRUCTURE DEVELOPMENT AND WORKS

13.1 STREET TREE POLICY REVIEW

FILE NUMBER: AD0183

REPORT AUTHOR: BERNIE MADDERN, CONTRACTS MANAGER

FOR DECISION

To consider and decide on the revised Draft Council Street Tree Policy, September 2018, including the existing Street Tree Management Plan 2015, with the recommendation for adoption.

Declaration of Interests

No officer declared any interest under the *Local Government Act 1989*, or the *Planning & Environment Act 1989*, in the preparation of this report.

Background

Council has a Street Tree policy which provides guidelines for the selection, location, retention, maintenance and amenity of street trees for the enhancement of residential and community amenity in townships within the Municipality.

The last Street Tree Policy review was carried out in 2010.

The existing Street Tree Management Plan was adopted in 2015.

Risk Management Implications

Insurers JLT of the MAV Limited Mutual Insurance scheme, require that Council develops and adopts a Tree Management Plan for urban street trees to mitigate public liability risk. This plan requires Council to prepare, record and maintain evidence of:

- annual risk inspections (proactive),
- customer requests (reactive),
- maintenance (intervention) plans & reports, including
- all actions and verification of completed works.

Council parks and gardens staff conduct annual inspections to mitigate this risk, as well as contracted arborists to access if required

Legislative Implications

Electrical Safety Act 1998



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Planning & Environment Act 1989

Environmental Implications

The street tree policy and its integrated Street Tree Management Plan ensures that street trees in township zones are managed and maintained to a standard which will ensure public safety, enhance the amenity of the Shire's townships and parks, protect built assets, facilitate appropriate developments, and recognise and comply with the statutory protection of native vegetation.

Financial and Budgetary Implications

The required administrative and operational responsibilities under the legislation detailed in the Policy, and the Risk Management requirements, are to be funded under salaries for existing staff positions in the Budget, with the occasional procurement of professional arborist assessments to evidence decision making.

Policy Implications

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

Council Plan Implications

The Street Tree Policy and the Street Tree Management Plan August 2018, will enable the achievement of the following Strategic Objectives in accordance with 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.

Communication Implications

The Street Tree Policy review was carried out in June and August 2018, by the relevant key Council staff with statutory and administrative responsibilities involving street tree management. The review had regard to the following integral policies and agreements with respect to the statutory and operational management of street trees, as set out below:

- WWSC Street Tree Management Plan; and the
- Township Tree Management Plan & Agreement [with Powercor's Tree management contractors].
- Township Amenity Policy

The review of the draft Policy has also proposed deletion of a number of procedural items, to avoid duplication where they are included in the revised Street Tree Management Plan.



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Conclusion

The draft Street Tree Policy provides the Council's administrative and operational Officers with an updated policy providing guidance in the following key areas:

1. To provide guidelines for the selection, location, retention, maintenance and amenity of street trees for the enhancement of residential and community amenity;
2. To adhere to risk management principles including meeting insurance requirements and the *Electrical Safety Act 1998*;
3. To manage the lopping, removal or destruction of native vegetation and/or significant trees in accordance with the requirements of the Planning & Environment Act 1989;
4. Improved linkages with related Policies and Procedures under the Street Tree Management Plan, and the Township Tree Management Plan with Powercor [and its contractors].

OFFICER RECOMMENDATION:

That Council adopts the revised *West Wimmera Shire Council Street Tree Policy September 2018*, subject to any changes as detailed.

Moved: Cr Trevor Domaschenz

Seconded: Cr Richard Hicks

1. That Council lay the item on the table until the December 2018 Council Meeting, when the Street Tree Policy will be considered in conjunction with the Street Tree Management Plan.
2. Officers are requested to review and where necessary refine definitions currently contained within the draft Street Tree Policy.

Carried (5/0)

Attachments:

No.	Name	RecFind Ref
13.1.1	Street Tree Policy – September 2018	18/002242
13.1.2	Street Tree Management Plan – 2015	18/002240
13.1.3	Powercor Tree Management Plan	14/004222



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14.0 CORPORATE AND COMMUNITY SERVICES

14.1 WEST WIMMERA SHIRE COUNCIL RATING STRATEGY

FILE NUMBER: FM0002

REPORT AUTHOR: ANDREA GASH, MANAGER FINANCE

FOR DECISION

Introduction

The Council Plan 2017-2021 details the Council actions and objectives of the Council over the period of the plan. In line with the Council Plan, the Draft Rating Strategy was developed to provide a fair and equitable policy for all ratepayers.

The Rating Strategy details the rating structure and outlines the charges included for consideration, along with the legislative framework applicable as imposed by 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

In 2011, Council developed a Draft Rating Strategy exploring various options regarding differential rates for residential and farms. Council in previous years determined that a simple formula of a general rate has worked well in the past for Council.

A rating strategy is the method used by Council to consider factors that impact on decisions about the rating system. The rating system determines how Council will raise money from properties and the proportion contributed by each property, but does not dictate the total amount to be raised.

It is noted that some of our neighbouring Councils have a farm and general rate or “differential rates”. Council has traditionally established a rate that is seen as providing a sustainable income to Council without being an impost on the rate payer.

In setting the Municipal and Waste charges a cost recovery component was seen as the most beneficial to Council and the most sustainable for our Ratepayers. Only those ratepayers utilising waste collection are liable for the waste collection charge.



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The State Government introduced a rate capping framework that has been effective from 1 July 2016. Council has made application to the Essential Services Commission (ESC) to vary the rate increase cap for the 2017/18, 2018/19, 2019/20 and 2020/21 years. Council applied for the ESC to allow Council to increase rates by up to 3.5% for each of these years.

Risk Management Implications

The Rating Strategy provide guidance on how Council's rating system will impose rates within stipulated thresholds and legislation.

Legislative Implications

Extract from the *Local Government Act 1989*:

160. Uniform rate

If a Council declares that general rates will be raised by the application of a uniform rate—

(a) the Council must specify a percentage as the uniform rate; and

(b) the general rate for any rateable land is to be determined by multiplying the value of the land (as determined under the valuation system used by the Council) by that percentage.

From July 2013, the Victorian Government introduced a property based fire levy which is collected with a levy imposed through the rates notice.

From 1 July 2016, a rate capping framework was introduced.

Environmental Implications

Nil

Financial and Budgetary Implications

The rates raised by Council make up a significant portion (approximately 35%) of Council revenue each year. The rating strategy will assist Council determine its budget each year.

Policy Implications

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

Asset Management Policy
Borrowings Policy
Business Continuity Policy
Community Support Fund Policy
Council Grants Policy
Investment 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 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.

Communication Implications

Nil

Conclusion

The Rating Strategy provides Council with guidance as to determine the yearly rates and charges.

OFFICER RECOMMENDATION:

That the Draft West Wimmera Shire Council Rating Strategy, as appended, is adopted.

Moved: Cr Richard Hicks

Seconded: Cr Trevor Domaschenz

That the Draft West Wimmera Shire Council Rating Strategy, as appended, is adopted.

Carried (5/0)

Attachments:

No.	Name	RecFind Ref
14.1.1	Draft West Wimmera Shire Council Rating Strategy	18/002749



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14.2 IN PRINCIPLE ADOPTION OF 2017/18 FINANCIAL STATEMENTS

FILE NUMBER: FM0021

REPORT AUTHOR: ANDREA GASH – MANAGER FINANCE

FOR DECISION

Introduction

This report seeks:

1. A resolution by Council giving ‘in principal’ approval to Council’s 2017/18 Annual Financial Statements, including the Performance Report; and
2. Endorsement of two Councillors to certify Council’s 2017/18 Annual Financial Statements and Performance Report.

Declaration of Interests

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

Background

Section 131 (2) of the *Local Government Act 1989* (‘the Act’) requires that Council produce as part of its annual report a set of audited Financial Statements for the financial year.

Section 132(2) of the Act requires that Council give ‘in principle’ approval to its Financial Statements and Performance Statement prior to submission to auditors.

Following this, Section 132 (5) of the Act requires that the Financial Statements and Performance Statement be certified by two Councillors in their final form after any agreed changes recommended by audit have been undertaken.

Therefore to complete its legislative requirements for the provision of annual Financial Statements and Performance Statement Council must follow the following steps:

1. Council receives a draft set of Financial Statements and Performance Statement for their perusal;
2. Council passes a resolution in accordance with S.132(2) of the Act giving ‘in principle’ approval to the Financial Statements and the Performance Statement;



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3. Council passes a resolution in accordance with S.132(5) of the Act authorising two Councillors to sign the Financial Statements in their final (post-audit) form, and also in accordance with S.132(5) of the Act authorising two Councillors to sign the Performance Statement in its final form;
4. After review by the Victorian Auditor General's contractor and after any required and recommended changes to the draft statements are undertaken, the statements are then signed by the two nominated Councillors, the Chief Executive Officer and the Principal Accounting Officer;
5. The Victorian Auditor General issues an audit opinion upon the Financial Statements and the Performance Statement;
6. The Financial Statements and Performance Statements are inserted into the Annual Report which is forwarded to the minister by 30 September; and
7. In accordance with S.134 of the Act Council meets after sending the Annual Report to the minister to discuss the Annual Report, including the Financial Statements and the Performance Statement.

It is considered prudent for Council to nominate three councillors as being signatories to the statements with any two of the three nominated Councillors having authority to sign the statements on Council's behalf, in case of absence or unavailability of any one of the nominated Councillors.

Risk Management Implications

Not commented on.

Legislative Implications

The recommendations arising from this report ensure compliance with the *Local Government Act 1989*.

Environmental Implications

Not commented on.

Financial and Budgetary Implications

Not commented on

Policy Implications

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



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Asset Management Policy
Borrowings Policy
Building Fee Refunds Policy
Communications Policy
Community Strengthening Grants Policy
Community Support Fund Policy
Corporate Credit Card and Purchase Cards Policy
Councillor Expense Entitlement & Support Policy
External Hire of Plant Policy
Fraud Control Policy
Investment 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.

Communication Implications

Not commented on

Conclusion

By adopting the recommendations in this report Council will be fulfilling its obligations under the *Local Government Act 1989*.

OFFICER RECOMMENDATION:

- 1. That Council resolves under S.132 (2) of the *Local Government Act 1989* to give ‘in principal’ approval to the Financial Statements and Performance Statement for the year ended 30 June 2018.**
- 2. That Council resolves under S.132(5) of the *Local Government Act 1989* to nominate three councillors as signatories with authorisation given for any two of the three nominated councillors to certify the Financial Statements and Performance Statement for the year ended 30 June 2018 in their final forms.**



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Moved: Cr Richard Hicks

Seconded: Cr Tom Houlihan

1. That Council resolves under S.132 (2) of the *Local Government Act 1989* to give ‘in principal’ approval to the Financial Statements and Performance Statement for the year ended 30 June 2018.
2. That Council resolves under S.132(5) of the *Local Government Act 1989* to nominate three Councillors as signatories with authorisation given for any two of the three nominated Councillors to certify the Financial Statements and Performance Statement for the year ended 30 June 2018 in their final forms.
3. That Council nominates Mayor Jodie Pretlove, Councillor Bruce Meyer and Councillor Trevor Domaschrenz as its three authorised signatories.

Carried (5/0)

Attachments:

No.	Name	RecFind Ref
14.2.1	Draft Financial Statements 2017-18	18/003154
14.2.2	Draft Performance Statement 2017-18	18/003154



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14.3 NAMING OF NEW ROAD AT BENAYEO

FILE NUMBER: EN0006

REPORT AUTHOR: TRUDIE HOLLAND RATES OFFICER

FOR DECISION

Introduction

West Wimmera Shire Council received a request to name a new road at Benayeo.

Declaration of Interests

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

Background

Council constructed a road for A W Stephens to facilitate the construction of a dwelling for his Son-in-Law Brenton Croucher. This new road has now been completed and now needs to be named and numbered (Rural Roadside Number).

Council has received two requests from both Mr Stephens and Brenton Croucher to name the road either;

- All Wethers Road: because they only run wether sheep on this property.
- Gibson Lane: because this is locally known as “Gibsons” and was the first owners of this land.

This report recommends public consultation by calling for community comment on the proposed naming for this new road.

The following are the four stages in the Road naming process

STAGE 1: Who can propose a new name?	Anyone (individuals, community groups, organisations, government departments or authorities) can propose a new name, change to an existing name or boundary change.
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Who can
propose a name
change?

Who can
propose a
boundary
change?

STAGE 2:

Who can develop a
naming, renaming
or boundary
change proposal?

A naming authority is often responsible for or administering the named location or feature and as part of that role provides the Registrar of Geographic Names with any naming proposals. Naming authorities include councils, government departments and authorities, and some private organisations.

Information on authorities responsible for **road** naming can be found in [Section 3.4](#).

Details of authorities responsible for developing naming proposals for **features** are provided in [Section 4.4](#).

For localities, the authority is usually the council(s) within which the **locality** is situated. See [Section 5](#).

A Geographic Place Names Advisory Committee can develop or review a naming proposal if a road, feature, or locality is determined to have greater than local significance.

[Section 1.5.2](#)

[Section 3](#)

[Section 4](#)

[Section 5](#)

[Section 1.5.5](#).

STAGE 3:

Who can appeal
the naming
proposal?

Anyone (individuals, community groups, organisations, government departments or authorities).

[Section 8](#)

STAGE 4:

Who has authority
to endorse and
enter a name in
VICNAMES?

The Registrar of Geographic Names.

The Minister responsible under the Act may direct the Registrar to enter a name.

[Section 1.5.4](#)

[Section 1.5.3](#)

[Section 1.5.5](#)

[Section 11](#)

Risk Management Implications

Service Providers unable to identify a property

Emergency Services unable to locate a property in time

Other organisations unable to deliver goods and services



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Legislative Implications

- [Local Government Act 1989](http://www.legislation.vic.gov.au) (at www.legislation.vic.gov.au)
- [Road Management Act 2004](http://www.legislation.vic.gov.au) (at www.legislation.vic.gov.au)
- [Aboriginal Heritage Act 2006](http://www.legislation.vic.gov.au) (at www.legislation.vic.gov.au)
- [Aboriginal Heritage Regulations 2007](http://www.legislation.vic.gov.au) (at www.legislation.vic.gov.au)
- [AS/NZS4819:2011 Rural and urban addressing](http://www.saiglobal.com) (at www.saiglobal.com)
- [Survey Co-ordination Act 1958](http://www.legislation.vic.gov.au) (at www.legislation.vic.gov.au)
- [Subdivision \(Procedures\) Regulations 2011](http://www.legislation.vic.gov.au) (at www.legislation.vic.gov.au)

There are some requirements that are pertinent to the two proposed names that Council should be aware of.

All road names must be approved by Geographic Place Names Victoria, the state government body tasked with allocating location, geographic feature and road names. The guidelines that Geographic Place Names Victoria give to naming roads, state that:

- A road should not be named after a living person
- A road should not be named similar to any other road close-by in the locality to avoid confusion (i.e if there is a ‘Smiths Road’, there should be no ‘Smith Road’ close-by etc).
- A road should not be named in a way that may be offensive in any way. Nor should a road be named for comedic purposes or in any way which could confusion with other well used terminology.
- A road name should not include cardinal points of the compass or directions.

In regard to this application it would seem that ‘All Whethers Road’ would seem to be very similar to the often used term ‘All Weather Road’ which is used to denote the status of a road and could be said to cause confusion.

On the other hand ‘Gibson Lane’ tends to fit these recommendations – it does not reference a living person, is not offensive, and is not duplicating any nearby road names.

Environmental Implications

Not commented on.

Financial and Budgetary Implications

Letters/postage and advertisement.

Supply and installation of new signage for the road when approved will be approximately \$700.00.



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Policy Implications

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

Road and Street Naming 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 4: Building on our agricultural and business strengths and supporting economic development.
- Strategic Objective 5: Thriving, safe and diverse local communities.

Communication Implications

Public consultation concerning the proposed road name(s) shall be undertaken via direct communication by letter with surrounding residents and via public advertisement inviting comments.

Conclusion

Council officers are seeking direction as to which road name to release for public consultation in order for this process to begin.

OFFICER RECOMMENDATION:

That Council approve the naming of the new road as ‘Gibson Lane’ and authorise Council Officers to continue with the process of public consultation around this name.

Moved: Cr Richard Hicks

Seconded: Cr Trevor Domaschenz

That Council approve the naming of the new road at Benayeo as ‘Gibson Lane’ and authorise Council Officers to continue with the process of public consultation around this name.

Carried (5/0)

Attachments: Nil



ORDINARY COUNCIL MEETING MINUTES – 19 SEPTEMBER 2018 WEST WIMMERA SHIRE COUNCIL

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.*

Nil

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 SENIOR CITIZEN OF THE YEAR 2018

17.2 NOTICE OF MOTION 2018/04 – COUNCILLOR RICHARD HICKS – LOAN TO KANIVA LEEOR FOOTBALL NETBALL CLUB

17.3 NOTICE OF MOTION 2018/06 – COUNCILLOR RICHARD HICKS – EDENHOPE HUB CONCEPT DESIGN



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Moved: Cr Trevor Domaschenz

Seconded: Cr Richard Hicks

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 8.50pm to resolve on matters pertaining to the following items:

17.1 SENIOR CITIZEN OF THE YEAR 2018

17.2 NOTICE OF MOTION 2018/04 – COUNCILLOR RICHARD HICKS – LOAN TO KANIVA LEEOR FOOTBALL NETBALL CLUB

17.3 NOTICE OF MOTION 2018/06 – COUNCILLOR RICHARD HICKS – EDENHOPE HUB CONCEPT DESIGN

Carried (5/0)

RECOMMENDATION

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

Moved: Cr Trevor Domaschenz

Seconded: Cr Richard Hicks

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 9.20pm.

Carried (5/0)



**ORDINARY COUNCIL MEETING MINUTES – 19 SEPTEMBER 2018
WEST WIMMERA SHIRE COUNCIL**

17.1 SENIOR CITIZEN OF THE YEAR 2018

- 3. That this resolution will be suppressed from publication in the Ordinary Council Meeting Minutes of 19 September 2018.**

**17.2 NOTICE OF MOTION 2018/04 – COUNCILLOR RICHARD HICKS –
LOAN TO KANIVA LEEOR FOOTBALL NETBALL CLUB**

That this matter be laid on the table so that it can be discussed at the next Councillor Forum.

**17.3 NOTICE OF MOTION 2018/06 – COUNCILLOR RICHARD HICKS –
EDENHOPE HUB CONCEPT DESIGN**

- 3. That this motion be kept in camera.**

MEETING CONCLUDED: 9.20PM

**NEXT MEETING: MONDAY 15 OCTOBER 2018
CHARAM HALL**