



ORDINARY COUNCIL MEETING AGENDA – 19 DECEMBER 2018 WEST WIMMERA SHIRE COUNCIL

TO BE HELD: Wednesday 19 December 2018

LOCATION: Edenhope Council Chamber

COMMENCEMENT: 2.00pm

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
	Mark Marziale 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.

4.2 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 PROVIDED BY COUNCILLORS PRIOR TO AGENDA BEING ISSUED

5.1 COUNCILLOR JODIE PRETLOVE (MAYOR)

27/11/2018 CEO David Leahy
29/11/2018 North West Municipalities Association Dinner, Swan Hill
30/11/2018 North West Municipalities Association Meeting & Conference
04/12/2018 Audit Committee Meeting, Kaniva
05/12/2018 CEO David Leahy
05/12/2018 Councillor Forum, Edenhope
10/12/2018 Local Government Inspectorate
10/12/2018 CEO David Leahy
11/12/2018 Wimmera Mayoral Gathering, Horsham
11/12/2018 Edenhope Hall Tender Presentation
12/12/2018 Official Opening of Lake Charlegrark Project by Andrew Broad MP
12/12/2018 Official Opening of Gorokey Play Space by Andrew Broad MP
17/12/2018 CEO David Leahy
18/12/2018 Edenhope Hall Redevelopment Project Advisory Group
19/12/2018 Ordinary Council Meeting, Edenhope
19/12/2018 Edenhope College Presentation Night & WWSC Student Citizenship Award

5.2 COUNCILLOR TREVOR DOMASCHENZ

05/12/2018 Councillor Forum, Edenhope
11/12/2018 Edenhope Hall Tender Presentation
11/12/2018 Wimmera Development Association Board Meeting
12/12/2018 Wimmera Southern Mallee Tourism Project, Horsham
14/12/2018 Gorokey College Presentation Night & WWSC Student Citizenship Award
18/12/2018 Wimmera Mallee Tourism Meeting, Rainbow
19/12/2018 Ordinary Council Meeting, Edenhope

5.3 COUNCILLOR RICHARD HICKS

29/11/2018 North West Municipalities Association Dinner, Swan Hill
30/11/2018 North West Municipalities Association Conference, Swan Hill
05/12/2018 Councillor Forum, Edenhope
11/12/2018 Edenhope Hall Tender Presentation
14/12/2018 Western Highway Action Committee, Ballarat
18/12/2018 Kaniva College Presentation Night & WWSC Student Citizenship Award
19/12/2018 Ordinary Council Meeting, Edenhope



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5.4 COUNCILLOR TOM HOULIHAN

05/12/2018	Councillor Forum, Edenhope
11/12/2018	Edenhope Hall Tender Presentation
19/12/2018	Ordinary Council Meeting, Edenhope

5.5 COUNCILLOR BRUCE MEYER

04/12/2018	Audit Committee Meeting, Kaniva
05/12/2018	Councillor Forum, Edenhope
11/12/2018	Edenhope Hall Tender Presentation
19/12/2018	Ordinary Council Meeting, Edenhope

5.6 DAVID LEAHY (CHIEF EXECUTIVE OFFICER)

23/11/2018	Working in Kaniva Office
26/11/2018	Senior Management Group
26/11/2018	Edenhope & District Memorial Hospital AGM
27/11/2018	Post-Council Staff Meeting
27/11/2018	Mayor Jodie Pretlove
28/11/2018	Working in Kaniva Office
30/11/2018	GWM Water Customer & Stakeholder Workshop
03/12/2018	Senior Management Group
04/12/2018	Victorian Ombudsman Workshop on Conflict of Interest
05/12/2018	Mayor Jodie Pretlove
05/12/2018	Councillor Forum, Edenhope
06/12/2018	Wimmera Southern Mallee Regional Partnership Meeting
07/12/2018	White Ribbon Breakfast at Edenhope Memorial Hospital
07/12/2018	Seasonal Conditions Meeting, Horsham
10/12/2018	Local Government Inspectorate
10/12/2018	Mayor Jodie Pretlove
11/12/2018	Senior Management Group & Managers
11/12/2018	Edenhope Hall Tender Presentation
11/12/2018	Wimmera Development Association Board Meeting
12/12/2018	Official Opening of Lake Charlegrark Project by Andrew Broad MP
12/12/2018	Official Opening of Goroke Play Space by Andrew Broad MP
13/12/2018	Wimmera Regional CEOs Meeting
14/12/2018	Working in Kaniva Office
17/12/2018	Mayor Jodie Pretlove
19/12/2018	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

7.0 CONFIRMATION OF MINUTES FROM PREVIOUS MEETING – WEDNESDAY 21 NOVEMBER 2018

RECOMMENDATION:

- 1. That the Minutes of the Ordinary Meeting of Council held on Wednesday 21 November 2018 be corrected by deleting Mark Marziale from the list of Officers in attendance.**
- 2. That the amended Minutes be taken as an accurate record and confirmed.**

8.0 BUSINESS ARISING FROM PREVIOUS MINUTES

9.0 NOTICES OF MOTION

10.0 ASSEMBLY OF COUNCILLORS RECORD – 5 DEC 2018

RECOMMENDATION:

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

11.0 DEPUTATIONS AND PETITIONS



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12.0 CHIEF EXECUTIVE OFFICER AND GOVERNANCE

12.1 STATUS REPORT – COUNCIL PLAN 2017-2021

FILE NUMBER: AD0183

REPORT AUTHOR: DAVID LEAHY – CEO

FOR INFORMATION

Introduction

The following report is provided in accordance with Chief Executive Officer KPI #1 and as an update on the progress of actions contained within the West Wimmera Shire Council Plan 2017 – 2021.

Information provided within the report is derived from the projects listed within the resource plan as presented to Councillors in November 2017.

The status report in spreadsheet form has been provided in hard copy to all Councillors as it is easier to follow in hard copy.

Declaration of Interests

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

Background

The West Wimmera Shire Council Plan commenced development in February 2017 and underwent a series of workshops and discussions prior to being opened up for public comment.

To enable the plan to be implemented where possible, a resource plan was also developed and presented to Councillors, along with an advocacy plan.

The purpose of the resource plan is to identify where external resources are required, to break-down the large aspirational objectives into smaller, manageable projects and to assign responsibility to certain staff and departments.

It also provided a suggested timeline for activities to occur and this has been further highlighted in the attached reporting format.



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The attached document provides a spreadsheet for each strategic objective. Each spreadsheet has the current volume of work completed per action (expressed as a percentage), any potential hurdles to completing the task and suggested completion dates.

The report is colour coded to enable areas of concern to be highlighted easily and information provided on the status has been provided by the nominated officer.

This report was last provided in August at the Ordinary Council Meeting and some changes have been made to the previous version. It has subsequently been presented to a Council Assembly on Wednesday 5 December.

As per the August report, areas that have changed status in any way since the last report have been shaded yellow in the comments section and a number of percentage figures have been adjusted.

The following is a list of items within the various strategic objectives that have changes highlighted.

- Strategic Objective 1 Priority Action 1.1 highlights the DCCS is a member of the Hindmarsh Shire audit committee and that Cr Houlihan is nominated Chair of WMSA
- Strategic Objective 1 Priority Action 1.1.2 explains the process in place for a shared HR service and the RCTP expression of interest
- Strategic Objective 1 Priority Action 1.1.3 provides an update on the compulsory on-line training program.
- Strategic Objective 1 Priority Action 1.4 reflects the Rural Councils Transformation Proposal
- Strategic Objective 1 Priority Action 1.1.5 provides an update on the status of the shared building surveyor service
- Strategic Objective 2 Priority Action 2.1.1 provides an update on the 2019 advocacy program and is also contained with item 2.5.6
- 2.2.4 explains that the rural pipeline business case was presented to Govt. prior to caretaker
- 2.3.2 Explains the status of the recreational water study and that it has been publicly released.
- 2.6 Explains the motion to MAV State Council
- 2.6.4 Provides info on Rural CEO's forum with senior DELWP staff.
- 3.3 Update on the status of infrastructure project funding applications
- 3.4.2 Explains the presentation to Council on the road revaluation project.
- 3.4.3 Successful grant application to Fixing Country Roads Program
- 5.3.1 Provides info on Youth Council events undertaken in October and November
- 5.4.1 Update on positive exposure through first xi events and pick my project
- 6.1.2 Public Health and Wellbeing Plan review endorsed at November meeting



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- 6.1.3 Two positions filled for mental health outreach program and program to commence in late 2018
- 7.1.1 Explains the involvement of West Wimmera in Cricket Australia Documentary

Risk Management Implications

Not reporting on the status of the Council Plan presents a risk of not adhering to the agreed strategic direction of the organisation.

By not following the agreed strategic direction as set out in the Council Plan, a significant financial risk is faced by Council.

Legislative Implications

Council is required to produce a Council Plan and present it to the Minister in accordance with the Local Government Act 1989.

This requirement will not change under the proposed new 2018 Local Government Act.

Environmental Implications

Nil

Financial and Budgetary Implications

As outlined in the Council Plan.

Policy Implications

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

Advocacy Policy

Asset Capitalisation Policy

Asset Management Policy

Borrowings Policy

Building Fee Refunds Policy

Building Permit Information Policy

Business Assistance Scheme Policy

Business Continuity Policy

Communications Policy

Community & Commercial Advertising on Council Buildings & Structures Policy

Community Engagement Policy

Community Halls Policy

Community Support Fund Policy

Corporate Credit Card and Purchase Cards Policy

Council Grants Policy



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Council Major Hall Hire Policy (Kaniva & Edenhope)
Councillor Code of Conduct Policy
Councillor Expense Entitlement & Support Policy
Customer Service Policy
Domestic Firewood Collection Policy
Election Period Policy
Environmental Policy
External Hire of Plant Policy
Fraud Control Policy
Guarantor Policy
Human Rights Policy
Investment Policy
Media Relations Policy
Onshore Unconventional Gas Exploration Policy
Playground Management Policy
Procurement Policy
Protected Disclosures Policy
Recreation Policy
Reserve Risk Management Policy
Road and Street Naming Policy
Social Media Policy
Street Tree Policy
Support to Community Events Policy
Support to Public Art Policy
Temporary Street Closures Policy
Tourism Policy
Township Amenity Policy
Tree Plantations on Unused Road Reserves Policy
Tree Planting on WWSC Road Reserves Policy
Works Unit Road Reserve Risk Management Policy

Council Plan Implications

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

- Strategic Objective 1: A proactive, well governed, professional and financially sustainable organisation that encourages community participation.
- Strategic Objective 2: Meaningful partnerships to support advocacy priorities and service provision.
- Strategic Objective 3: Quality sustainable community services and infrastructure.
- Strategic Objective 4: Building on our agricultural and business strengths and supporting economic development.
- Strategic Objective 5: Thriving, safe and diverse local communities.



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- Strategic Objective 6: Participating in activities that address health and wellbeing issues.
- Strategic Objective 7: Providing access to and promoting the natural environment.

Communication Implications

Status reports on the Council Plan can be communicated via media releases and newsletter articles etc.

Conclusion

Council has the opportunity at any time to adjust sections of the Council Plan and readvertise it for public comment.

It is important to ensure that the overall Council Plan remains as a high level strategic document and that any adjustments are investigated for resource implications and timing implications.

All goals contained within the Council Plan must also align with the long term financial plan of Council.

OFFICER RECOMMENDATION:

That Council accepts the attached status report (as at 22 November 2018) on the West Wimmera Shire Council Plan 2017-2021.

Attachments:

No.	Name	RecFind Ref
12.1.1	Resource Plan Reporting 22 Nov 2018 DL	C18/000497



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13.0 INFRASTRUCTURE DEVELOPMENT AND WORKS

13.1 REVIEW OF STREET TREE POLICY & STREET TREE MANAGEMENT PLAN

FILE NUMBER: PS0389

**REPORT AUTHOR: BERNIE MADDERN, CONTRACTS MANAGER
& MARK MARZIALE, DIRECTOR IDW**

FOR DECISION

Purpose

For consideration and adoption, subject to variations, of the revised Draft Council Street Tree Policy, including the revised Street Tree Management Plan.

Declaration of Interests

No officer declared any interest under the *Local Government Act 1989*, or the *Planning & Environment Act 1987*, 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.

Earlier versions of the Street Tree Policy were considered at the July & September 2018 Meetings of Council, and comments from those Forums have been integrated into the December 2018 Version of the Policy.

The Street Tree Management Plan has also been revised for consideration.

Risk Management Implications

Insurers JLT of the MAV Limited Mutual Insurance scheme, require Council to develop and adopt a Tree Management Plan for urban street trees to mitigate public liability risk.



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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

Planning & Environment Act 1987

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.



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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.

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 resolves to adopt the revised *West Wimmera Shire Council Street Tree Policy*, and the *Street Tree Management Plan*, as reviewed, version dated December 2018.

Attachments:

No.	Name	RecFind Ref
13.1.1	Street Tree Policy	E18/000214
13.1.2	Street Tree Management Plan Revised Dec 2018	E18/000214
13.1.3	Powercor Tree Management Plan	14/004222
13.1.4	Previous Street Tree Policy with tracked changes	E18/000214



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13.2 PROPOSED TREE REMOVAL – LAKE WALLACE FORESHORE

FILE NUMBER: PSO389

REPORT AUTHOR: BERNIE MADDERN, CONTRACTS MANAGER

FOR DECISION

Introduction

Consideration of a report on a street tree removal application received from John Griffiths West Wimmera Shire Council, for the removal of one large Cypress Pine tree adjacent to the boat ramp at the Lake Wallace foreshore Edenhope.

Background

The Council has budgeted to undertake the Lake Wallace Foreshore Upgrade during the 2018/2019 financial year. This work includes concrete footpaths, retaining wall and a new boat ramp. Adjacent to the boat ramp is a large Cypress Pine tree which is impacting on the existing boat ramp through root damage and compromising access to the ramp. It is envisaged that tree roots will cause damage to the new ramp due to its close proximity.

The tree removal request for this tree was received from John Griffiths West Wimmera Shire Council of 49 Elizabeth Street on 29th October 2018.

This request has been referred to Council as it is deemed as an aged and significant tree situated on public land in a Township, as per Council resolution at the 21 November 2013 meeting.

Applicant:

John Griffiths (West Wimmera Shire Council - Request dated 29/10/2018)

Adjacent boat ramp at Henley Park Lake Wallace Foreshore Edenhope

Applicants Reason:

- To enable construction of a new boat ramp
- Levelling out the top end of the ramp is difficult with the tree roots existing
- The alignment and access to the ramp is compromised by the tree
- Over time the tree roots will damage the new ramp
- The tree is old and nearing the end of its useful life.



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Risk Management Implications

Any street tree can pose a potential risk to the general public, however this risk is mitigated through Council's street tree management program through annual inspections and is audited annually by Council's insurers CMP.

The identified risks associated with this tree are structural damage to the concrete boat ramp caused by tree roots, and collision with the tree by boat trailers and vehicles due to its close proximity.

A recent individual risk assessment has been carried out by Council's Manager Infrastructure John Griffiths on this tree. The assessment states that the future risks is structural damage to the proposed new boat ramp caused by tree roots, new boat ramp not being able to be constructed to new design levels without damaging the tree roots and compromising the tree, and vehicles colliding with the tree when accessing the new boat ramp.

Legislative Implications

Compliance with the Electrical Safety Victoria (Electric Line Clearance) Regulations 2010.

Environmental Implications

This tree is quite large, established and quite old. It provides valuable shade in summer for lake users and swimming pool patrons. However, as there are a number of mature trees along the foreshore, its removal would not greatly change the aesthetics of the area.

Financial and Budgetary Implications

The cost of the tree removal will be allocated against the Lake Wallace Foreshore Upgrade if Council decided that the tree is to be removed.

Cost of removal	\$2,500.00	(approx.)
Cost of stump removal	<u>\$200.00</u>	(approx.)
Total Cost	\$2,700.00	

Policy Implications

The removal of this tree falls within clause 5.2.1 the Tree Removal criteria in Council's Street Tree Policy which states:

The tree is alleged to be substantially responsible for damage occurring to public or private hardscape features and property and no other viable other means can be identified which will address the damage and retain the tree.



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At a Council meeting on 22 November 2013, Council resolved:

1. That a copy of the risk assessment and costs of removal of the large tree in the park on the foreshore of Lake Wallace in Edenhope be tabled at the December 2013 Ordinary Council Meeting.
2. That if it is deemed that an aged and significant tree needs to be removed from public land in townships by Council employees or workers contracted by Council, then Council first receive a risk assessment (where appropriate) and a costing for the removal of the tree, before making a decision on the removal of the tree.
3. That for definition purposed, “an aged and significant tree” be taken to mean “if in doubt, it should go through Council”.

Council Plan Implications

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

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

Communication Implications

The tree removal request dated 29/10/18 for the street tree removal was received from John Griffiths Councils Infrastructure Manager stating that the tree roots are causing damage to the boat ramp compromising access to the boat ramp risking collisions with the tree.

Conclusion

This Cypress tree is well established, but is situated directly adjacent to the concrete boat ramp where it will be subject to damage from tree root as, and its location poses a risk of collision during access to the boat ramp.

OFFICER RECOMMENDATION:

That Council resolves to remove the Cypress tree situated adjacent to the boat ramp at the Lake Wallace Foreshore, Edenhope. The tree will be removed in order to ensure road traffic safety at that location, and prevent damage to public infrastructure.

Attachments:

No.	Name	RecFind Ref
13.2.1	Tree Removal Request	C18/000061
13.2.2	Tree Risk Assessment	C18/000063



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13.3 CORELLA MANAGEMENT PROGRAM

FILE NUMBER: AD0103

REPORT AUTHOR: PHIL PERRET

PLANNING AND ENVIRONMENT MANAGER.

FOR DECISION

Introduction

This report is to provide West Wimmera Shire Council (Council) with details of the options available to council staff to manage the damage and nuisance caused by Corellas around settlements and infrastructure in the West Wimmera Shire. It seeks a decision to support the redirection of some funds budgeted to manage corellas towards support for landholders control programs on farmland close to the town.

Declaration of Interests

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

Background

Following on from a request at Council meeting on 21/11/2018 additional information is being provided to council on the control options available and progress.

Council resolved in the November 2018 meeting that;

Staff apply immediately for all the necessary permits to cull and disperse problem Corella flocks from within town boundaries where they are a major issue, damaging infrastructure as referred to in 2.6.2 of our current Council Plan;

As a result, Councils Local Laws Ranger has split the application for shooting in a populous place into the components of utilising a “Bird Scare” and that under the “Wildlife Destruction Permit” to reduce numbers. This is anticipated to speed up the process to be granted a permit to use the “Bird Scare’s” in the towns which is still expected to be a number of weeks away if successful. These applications are being pursued.

The second part of the resolution of the November Meeting of Council is provided as follows.



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Staff identify, investigate and report to Council the effectiveness of alternative Corella control measures referred to in this report, and compare and incorporate them to the current listed corella management plan (2013-2017) by the December 2018 forum for discussion;

These options will be included in the updated Corella Management Plan for 2019 and beyond. The options are summarised in this report.

Risk Management Implications

The Corella Management Plan actions have the potential for risks to People, Reputation, Service Delivery, Legal and Compliance and Management Impact. These impacts are explained in the following sections.

Poisoning

There is no legal avenue for staff to undertake poisoning of Corellas.

Trapping

Trapping would be expected to yield limited kills and not expected to create change to behaviour of flocks.

Shooting

Council requires permission of the Landholder, and meeting any requirements they place on permission, Wildlife Destruction Permit from DELWP where the birds are destroyed prior to being able to apply for the shooting in a populous place. Council insurers also require all licences and permissions in place together with detailed planning and risk management in place prior to commencement of any shooting program.

Legal requirement	Details of requirement	Notes
Permission from landholder	Identification required for all titles where shooting or scaring is to occur	
Destruction of wildlife	Permit based on landholder permission and subject to landholder conditions	Delegated, licenced staff
Shooting in a populous place	Requires above permission and dependant on detailed plans of location and management.	Staff licences and corporate licence holder
Communication planning	Required for insurers, corporate risk management and OHS management of risk.	Requires media articles Public meetings Notification of affected landholders (including business, dog and horse owners in town)



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		Contingency planning for adverse media. Ongoing communication with agencies as control proceeds.
Training, documented procedures and record keeping	Required for insurers, corporate risk management and OHS management of risk.	Required for traffic management. Dealing with protesters and confrontation. Shooting minimum standards proficiency. Checking of firearms in safe condition. Defined roles, shooters, spotters, traffic management and coordinator. List of all contacts of participants, senior staff and agencies. Safety and daily briefings Safe storage of firearms. Collection of birds Procedure for humane destruction of injured birds Dealing with the media. Process for complaints Recording of statistics Process for stopping shoots.
Equipment checking and documentation	OHS and insurers	All equipment fit for purpose. PPE, firearms, air horns, high vis. Shooting stations and arcs or fire.

Scaring

Council requires permission of the Landholder (generally DELWP), and meeting any requirements they place on permission, Shooting in a populous place is also required to discharge the “bird scare”

Disturbing with drones

At the time of writing this option is being explored with licenced drone operators and a quote of \$530 was received for undertaking 2 hours of trialling by a fully licenced operator.

Support for farmers undertaking Corella management close to the town.



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Council staff are currently investigating options for possible community support grants for impacted farmers. Under Victorian Legislation farmers can control corellas without a permit where they are suffering damage to property. At the time of writing discussions are occurring with DELWP staff and legal advice is being sought.

Legislative Implications

Legislative requirements are discussed by method. Council insurer requires all regulatory requirements to be met for any control method undertaken.

Poisoning

Whilst there is some anecdotal evidence that poisoning may be effective, past Departmental trials indicated that poisoning was ineffective. There are no poisons available “on label” that can be legally used for Corella control. DELWP have advised that they would not support poisoning programs on public land in an urban environment.

Trapping

Trapping has shown limited success in controlling Corellas and only small numbers were captured.

Wildlife Destruction Permits

Council requires permission of the Landholder, and meeting any requirements they place on permission, Wildlife destruction Permit from DELWP is required where the birds are destroyed prior to being able to apply for the shooting in a populous place. Council insurers also require all licences and permissions in place together with detailed planning and risk management in place prior to commencement of any shooting program.

In order to potentially speed up the process for approval for some control program in town, the application for “Bird Scare” activities has been split from the shooting program. This is anticipated to simplify parts of the application process and speed up the timelines for approval for a Bird Scare program and then provide further evidence for the need for the shooting program within the town.

Scaring

Council requires permission of the Landholder, and meeting any requirements they place on permission, shooting in a populous place is also required to discharge the “bird scare”. By applying for this separately to the shooting program it is hoped that some simplified information requirements would be approved by DELWP, Victoria Police and Council insurers, thus allowing a program to be started sooner, in some form.

Disturbing with drones

At the time of writing this option is being explored with licenced drone operators. Licenced operators require insurance, training and be a certified operator to be compliant with the Civil Aviation Safety Authority



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Support for farmers undertaking Corella management close to the town.

Under Victorian Legislation farmers can control corellas without a permit where they are suffering damage to property. Discussion is occurring with DELWP staff and legal advice is being sought in relation to any potential liability on council.

Environmental Implications

Because of the longevity of the birds, the control program would require to be an annual program to change behaviour or significantly reduce numbers around the town.

Dead animals would be collected and buried by council staff in suitably licenced facilities.

Disturbance to amenity is expected to occur with the birds present as well as with and scaring or shooting program.

Financial and Budgetary Implications

It is anticipated that based on past expenditure that the control program will cost in excess of the \$30,000 budgeted for the current financial year and considerable staff time required for the management and communication associated with implementation of control programs.

It is suggested that due to the expected timescale to meet the requirements to be able to manage in the town that up to \$15,000 is redirected from the control budget to support farmers undertaking control work if this can be undertaken legally. The undertaking of support funding for farmers to undertake work in the area may reduce the population around the towns and reduce the impact on community assets.

A full review of the Corella Management Plan is proposed for the 2019/20 financial year.

Policy Implications

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

Communications Policy
Community Engagement Policy
Environmental Policy
Media Relations 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 3: Quality sustainable community services and infrastructure.



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- Strategic Objective 6: Participating in activities that address health and wellbeing issues.
- Strategic Objective 7: Providing access to and promoting the natural environment.

Communication Implications

The implementation of the program will require a communication plan including considerable engagement with community and stakeholders, notification with adjacent landholders, horse and dog owners, advertising and regular press releases. Evaluation of any program and reporting back to the community at the end of the program should also occur.

Conclusion

There are numerous regulatory barriers and anticipated delays to proceeding with a direct Corella management program as well as risks to reputation and budget. The direct management program undertaken by council staff may not proceed in a timely manner and redirection of part of the budgeted funds to pay for an indirect control program to reduce numbers surrounding the town.

OFFICER RECOMMENDATION:

That the Council resolves to support the use of up to \$15,000 of the existing Corella control budget (\$30,000) towards a Corella management reimbursement program to the satisfaction of the responsible authorities.

Attachments: Nil



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14.0 CORPORATE AND COMMUNITY SERVICES

14.1 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.

Under section 73B of the *Local Government Act 1989* (the 'Act'), the Minister for Local Government makes a determination of an annual adjustment factor for all Councillor and Mayoral allowances. Accordingly the current allowances paid to Councillors and the Mayor were adjusted by 2.0% on 1 December 2018.

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 2017 were as follows

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

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 2018. The current ranges since the adjustment are;

- Councillors \$8,660 to \$20,636



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- Mayor: Up to \$61,651

With the 2.0% escalation applied, from 1 December 2018 the following allowances will apply:

- Councillors are paid **\$19,376** pa (plus 9.5% superannuation).
- The Mayoral allowance is **\$45,215** pa (plus 9.5% superannuation).

The current payments equate to \$1,260 below the upper limit and the Mayoral allowance \$16,436 below the upper limit for category one Councils.

Under Section 73B(5) of the Act Council must increase its level of Councillor and Mayoral allowances in accordance by the escalation factor gazetted by order of the Minister for Local Government.

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 level of the allowances.

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 73B(5) requires Council to apply this adjustment factor.

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

Environmental Implications

Not commented on.

Financial and Budgetary Implications

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



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Policy Implications

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

This report is supported by the following West Wimmera Shire Council 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.

Communication Implications

The increases to Councillor and Mayoral Allowances have been advertised in the *Victoria Government Gazette S514* on 29 October 2018 in accordance with the provisions of the Act.

Conclusion

The Minister for Local Government has in accordance with Section 73B of the Act applied a 2.0% escalation factor to Councillor and Mayoral allowances to apply from 1 December 2018. This escalation to allowances has been advertised in the *Victorian Government Gazette S514* on 29 October 2018. Accordingly under S.73B(5) of the Act Council must apply a 2.0% escalation to Councillor and Mayoral Allowances.

Under S.74(1) Council must review and determine the level of Councillor and Mayoral allowances. This report recommends the allowances for the next 12 months.

OFFICER RECOMMENDATION:

That Council resolve that in accordance with Section 73 of the *Local Government Act 1989*, from 1 December 2018 Councillor and Mayoral allowances will increase by 2.0% to:

- Councillor allowance \$19,376 pa + 9.5% superannuation allowance.
- Mayoral allowance \$45,215 pa + 9.5% superannuation allowance.

Attachments:

No.	Name	RecFind Ref
14.1.1	Government Gazette S 514	C18/000070



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14.2 AUDIT AND RISK COMMITTEE CHARTER REVIEW

FILE NUMBER: FM0060

REPORT AUTHOR: ANDREA HAYES, MANAGER FINANCE

FOR DECISION

Introduction

West Wimmera Shire Council (Council) established an Audit and Risk Committee in 2013, with the Audit Committee Charter (“Charter”) being adopted May 2013. The Charter has not undergone a substantial review since that time, therefore it is timely that the Charter be reviewed and updated to better reflect current needs and requirements of the Audit and Risk Committee.

Declaration of Interests

No officer declared an interest under the *Local Government Act 1989* (“The Act”) in the preparation of this report.

Background

The first step toward an effective Audit and Risk Committee and to ensure that Council achieves compliance with the Act is to constitute a charter of operations for the Audit and Risk Committee.

The attached Draft Charter seeks to update the existing Charter, while maintaining the more relevant points outlined in the existing Charter.

Risk Management Implications

The Charter outlines the duties and responsibilities of the Audit and Risk Committee, providing a further layer of reassurance that the Committee has guidelines to functioning effectively.

Legislative Implications

The first step toward an effective Audit and Risk Committee is to ensure that Council achieves compliance with the Act and to constitute a charter of operations for the Committee.



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Environmental Implications

Not commented on.

Financial and Budgetary Implications

The review of the Charter has no budget impact.

Policy Implications

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

Fraud & Corruption Control Policy
Risk Management Policy

Council Plan Implications

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

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

Communication Implications

Not commented on.

Conclusion

The updated Audit and Risk Committee Charter provides Council with a mechanism for compliance with Section 139 of the *Local Government Act 1989*. It also provides a sound basis for the operation and responsibilities of the Committee.

OFFICER RECOMMENDATION:

That Council adopts the Audit and Risk Committee Charter.

Attachments:

No.	Name	RecFind Ref
14.2.1	Audit Committee Charter (adopted 16 May 2013)	15/004401
14.2.2	Draft Audit and Risk Committee Charter V3 (updated version)	C18/000417



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14.3 REPLACEMENT OF EXTERNAL MEMBER TO WEST WIMMERA SHIRE AUDIT COMMITTEE

FILE NUMBER: AD0185

REPORT AUTHOR: ANDREA HAYES, MANAGER FINANCE

FOR DECISION

Introduction

Section 139 of the *Local Government Act (1989)* requires that each Council establish an Audit Committee. The Audit Committee is a formally appointed Advisory Committee of Council.

The Audit Committee's role is to report to Council and provide appropriate advice and recommendations relevant to its charter in order to facilitate decision making by Council in relation to the discharge of its responsibilities.

Council's Audit Committee Charter mandates to have three external members. One of the external members Ms Jess Adler stepped down from Audit Committee due to her other commitments. Ms Adler formally stepped down at the Audit Committee meeting held 11th September 2018, and this report seeks Council's approval for a replacement for Ms Adler.

Declaration of Interests

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

Background

Council's Audit Committee Charter mandates to have three external members. As a result of Ms Adler's resignation, there is a vacancy for an external member, which needs to be filled. This report seeks Council approval to advertise for a replacement for Ms Adler.

Risk Management Implications

A functioning Audit Committee is an essential governance requirement for every Council. It is important to have quality external membership in the Audit Committee. Council Officers are ensuring Council engage quality external Audit Committee members.



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Legislative Implications

The *Local Government Act 1989* requires that each Council establish an Audit Committee.

Environmental Implications

Not commented on.

Financial and Budgetary Implications

Budget provisions were made to support the costs associated with Audit Committee external members. The only additional cost would be that of advertising, which can be accommodated within budget.

Policy Implications

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

Risk Management Policy
Fraud and Corruption Control 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 West Wimmera Shire Council Audit Committee Chairman and other external members were notified of the proposed advertisement and will be kept informed on Council's decision.

Conclusion

Quality external membership is essential to a functional Audit Committee and it is hoped that in advertising, Council are making efforts to maintain quality external membership of the West Wimmera Shire Council Audit Committee.



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OFFICER RECOMMENDATION:

That Council:

- 1. Note the resignation of Ms Jess Adler as an external member of West Wimmera Shire Council's Audit Committee; and**
- 2. Approves advertising for an external member for the West Wimmera Shire Council Audit Committee.**

Attachments: Nil



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14.4 UNCONFIRMED MINUTES OF THE AUDIT COMMITTEE MEETING HELD 4 DECEMBER 2018

FILE NUMBER: FM0021

REPORT AUTHOR: ANDREA HAYES, MANAGER FINANCE

FOR INFORMATION

Introduction

All meetings of the Audit Committee are minuted in line with good governance practices. The minutes of the meeting held 4 December 2018 are presented in confidence to Council for information purposes in line with the Audit Committee Charter.

Declaration of Interests

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

Background

Section 139 align with new act of the *Local Government Act 1989* requires that each Council establish an Audit Committee. The Audit is a formally appointed Advisory Committee of Council.

The Audit and Risk Committee's role is to report to Council and provide appropriate advice and recommendations relevant to its charter in order to facilitate decision making by Council in relation to the discharge of its responsibilities. The Audit and Risk Committee plays a key role in assisting Council to fulfil its governance and overseeing responsibilities in relation to financial reporting, internal control, risk management systems, ethical accountability and the internal audit function.

The Audit and Risk Committee (The Committee) does not have executive powers or authority to implement actions in areas over which management has responsibility and does not have any delegated financial responsibility. The Committee does not have any management functions and is therefore independent of management. The Committee does not have any role in relation to issues normally addressed by Council or a sub-committee of Council, which may have delegated powers and financial management responsibilities in relation to budgets, financing decisions and expenditure priorities. The Committee is a separate activity and acts independently of Council and does not have any role in relation to financial management issues or have any executory role or powers.



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Risk Management Implications

There are significant risk management implications from not providing governance and overseeing responsibilities in relation to financial reporting, internal control, risk management systems, ethical accountability and the internal audit function.

Legislative Implications

The *Local Government Act 1989* requires that each Council establish an Audit Committee.

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:

Risk Management 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 minutes of the Audit Committee are distributed to Councillors in confidence.

Conclusion

The minutes of the previous Audit Committee meeting are attached for Councillor's information.



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OFFICER RECOMMENDATION:

That Council receives the unconfirmed minutes of the prior Audit Committee meeting held 4 December 2018.

Attachments:

No.	Name	RecFind Ref
14.4.1	Unconfirmed Audit Committee Meeting minutes held 4 December 2018	C18/000414



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14.5 NAMING OF NEW ROAD - REDGUM LANE

FILE NUMBER: PS0248

REPORT AUTHOR: TRUDIE HOLLAND, RATES OFFICER

FOR DECISION

Introduction

Further to the Council resolution on 19 September 2018 to name a new road in the Bringalbert area, council officers proceeded with the required steps to implement this. Office of Geographic Names declined the road name proposal of Gibson Lane. Office of Geographic Names have pre-approved this road to be named Redgum Lane.

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).

Gibson Lane submission was given to Office of Geographic Names, this submission was declined for the reason that the proposed road name was duplicated by the existing Gibson Street in Apsley.

With the support of the land owner and his surrounding neighbours the Office of Geographic Names now support this road to be named Redgum Lane.

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

Legislative Implications

- *Local Government Act 1989* (at www.legislation.vic.gov.au)
- *Road Management Act 2004* (at www.legislation.vic.gov.au)



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- [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)

All road names must be approved by Office of Geographic Names, the state government body tasked with allocating location, geographic feature and road names. The guidelines that Office of Geographic Names 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.

Redgum Lane fits 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.

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.



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- 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

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

Conclusion

Redgum Lane is agreed to be a suitable name for the road by the landowner and the Office of Geographic Names and should be supported by Council.

OFFICER RECOMMENDATION:

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

Attachments: Nil



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15.0 LATE ITEMS OF BUSINESS

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

28. *Urgent Business*

Business must not be admitted as urgent business unless it:

- i. *Relates to or arises out of a matter which has arisen since distribution of the agenda; and*
- ii. *Cannot safely or conveniently be deferred until the next Ordinary Meeting.*

16.0 SEALING SCHEDULE

17.0 CONFIDENTIAL (PURSUANT TO SECTION 89 LG ACT 1989)

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 AUSTRALIA DAY AWARDS 2019

17.2 LAKE WALLACE FORESHORE UPGRADE CM0483

17.3 MOOREE BRIDGE STRENGTHENING CM0488

17.4 RAISE NOTICE OF MOTION FROM THE TABLE

17.5 EDENHOPE CULTURAL & COMMUNITY HUB CM0484

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:

**WED 20 FEBRUARY 2019
EDENHOPE COUNCIL CHAMBER**