



ORDINARY COUNCIL MEETING MINUTES – 14 OCTOBER 2019 WEST WIMMERA SHIRE COUNCIL

HELD: Monday 14 October 2019

LOCATION: Edenhope Council Chamber

COMMENCEMENT: 2.03pm

IN ATTENDANCE:

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

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.

Cr Jodie Pretlove provided a written Statement of Disclosure of Conflict of Interest, which declared an indirect interest – conflicting duty (S 78 of LG Act 1989) in relation to the following items:

- 14.1 Community Strengthening Grants Program 2019-2020 Round 1
- 17.2 Service of Bins at Transfer Stations CM0502

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.

None received



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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.

4.2.1 GEOFF LANGSWORTH, EDENHOPE HISTORICAL SOCIETY – REQUEST TO WEST WIMMERA SHIRE COUNCIL CEMETERY TRUST

- The Edenhope Historical Society wrote to the West Wimmera Shire Council Cemetery Trust on 5 July 2019, advising of activity in progress at the Edenhope Cemetery.
- Have not yet received a response, or an acknowledgement of receipt of this correspondence.

DCCS apologised for not responding yet or acknowledging receipt of the letter. Will respond shortly.

4.2.2 TONI DOMASCHENZ, EDENHOPE – LAKE WALLACE FORESHORE PLAN & TENNIS CLUB TOILET BLOCK

- Understand that upgrade plans for the Lake Wallace Foreshore have been put on hold pending development of the Lake Wallace Foreshore Management Plan.
- However have noticed that Council staff are undertaking work along the foreshore. Why is this happening?
- Has community consultation for the Lake Wallace Foreshore Management Plan been abandoned?
- The Tennis Club Toilet Block has been locked, with no community consultation.

DIDW: Development of the Lake Wallace Foreshore Strategic Plan is underway. Community representatives have been invited to attend all meetings that have been held to date.



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Cr Domaschenz: Not all community representatives are interested in attending high level technical meetings regarding the Lake Wallace Foreshore.

DIDW: Council continues to have obligations regarding the safety of its assets. The toilet block adjacent to the Edenhope Tennis Club has been assessed as unsafe and unsanitary for public use, following a risk assessment. Therefore it has been locked to protect members of the public. This toilet block also does not meet minimum disabled access standards.

4.2.3 TONI DOMASCHENZ, EDENHOPE – EDENHOPE COMMUNITY CENTRE

- Is there a publicly available document detailing the total cost of the Edenhope Community Centre? Has the kitchen fit-out been costed and included?

CEO: The total cost of the Edenhope Community Centre is still being refined. It has not yet been finalised, as we are seeking further external grants and community contributions for the project.

5.0 DELEGATES REPORTS (FOR INFORMATION ONLY) AS PROVIDED BY COUNCILLORS PRIOR TO AGENDA BEING ISSUED

5.1 COUNCILLOR JODIE PRETLOVE (MAYOR)

25/09/2019	CEO David Leahy
30/09/2019	Wimmera Primary Care Partnership Meeting, Horsham
01/10/2019	CEO David Leahy
02/10/2019	Councillor Forum, Kaniva
03/10/2019	Edenhope Community Centre Project Advisory Group
05/10/2019	Goroke Agricultural Show
10/10/2019	Audit & Risk Committee Meeting
10/10/2019	Victorian Cross Border Commissioner, Mt Gambier
12/10/2019	Kaniva Agricultural Show
14/10/2019	CEO David Leahy
14/10/2019	Citizenship Ceremony
14/10/2019	Council Meeting, Edenhope



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5.2 COUNCILLOR TREVOR DOMASCHENZ

23/09/2019	Edenhope Hospital Q&A Event
01/10/2019	Wimmera Mallee Tourism Meeting, Warracknabeal
02/10/2019	Councillor Forum, Kaniva
08/10/2019	Wimmera Development Association Board Meeting
14/10/2019	Citizenship Ceremony
14/10/2019	Council Meeting, Edenhope

5.3 COUNCILLOR RICHARD HICKS

19/09/2019	Rail Freight Alliance Meeting, Melbourne
20/09/2019	Rail Freight Alliance Conference, Melbourne
02/10/2019	Councillor Forum, Kaniva
14/10/2019	Citizenship Ceremony
14/10/2019	Council Meeting, Edenhope

5.4 COUNCILLOR TOM HOULIHAN

01/10/2019	Victoria Police Service Medal Presentation
02/10/2019	Councillor Forum, Kaniva
05/10/2019	Goroke Agricultural Show
12/10/2019	Kaniva Agricultural Show
14/10/2019	Citizenship Ceremony
14/10/2019	Council Meeting, Edenhope

Mayor Pretlove: Councillor Houlihan, please liaise with the Governance Officer or Tess Underwood regarding what you are planning to attend from within the Councillor Diary.

5.5 COUNCILLOR BRUCE MEYER

02/10/2019	Councillor Forum, Kaniva
10/10/2019	Audit & Risk Committee Meeting
12/10/2019	Kaniva Agricultural Show
14/10/2019	Citizenship Ceremony
14/10/2019	Council Meeting, Edenhope

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.



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6.0 CONDOLENCES

Nil

7.0 CONFIRMATION OF MINUTES FROM PREVIOUS MEETING – 18 SEP 2019

RECOMMENDATION:

That the Minutes of the Ordinary Meeting of Council held on Wednesday 18 September 2019, 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 18 September 2019, be taken as an accurate record and confirmed.

**Motion Carried
(For: 4 / Against: 0 / Abstention: 1)**

8.0 BUSINESS ARISING FROM PREVIOUS MINUTES

Nil

9.0 NOTICES OF MOTION

Nil



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10.0 ASSEMBLY OF COUNCILLORS RECORD – 2 OCT 2019

RECOMMENDATION:

That the Assembly of Councillors Record for the Councillor Forum held Wednesday 2 October 2019 be received and noted.

Moved: Cr Richard Hicks

Seconded: Cr Jodie Pretlove

That the Assembly of Councillors Record for the Councillor Forum held Wednesday 2 October 2019 be received and noted.

Carried (5/0)

11.0 DEPUTATIONS AND PETITIONS

Nil



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12.0 CHIEF EXECUTIVE OFFICER AND GOVERNANCE

12.1 CITIZENSHIP CEREMONY DRESS CODE

FILE NUMBER: PR0001

REPORT AUTHOR: ELIZABETH MATUSCHKA, GOVERNANCE OFFICER

FOR DECISION

Introduction

West Wimmera Shire Council (Council) is required to establish a Dress Code for Citizenship Ceremonies, to reflect the significance of the occasion, and provide a copy of this Dress Code to the Australian Government's Department of Home Affairs.

Declaration of Interests

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

Background

On 19 September 2019 the Honourable David Coleman MP, Minister for Immigration, Citizenship, Migrant Services and Multicultural Affairs wrote to Council announcing that a new version of the Australian Citizenship Ceremonies Code (the Code) had been issued.

This new Code took effect on the date of the Minister's letter, being 19 September 2019.

A key change in the Code requires individual Local Councils to:

- Establish a Dress Code for Citizenship Ceremonies it conducts on behalf of the Australian Government, to reflect the significance of the occasion.
- Provide a current copy of Council's Dress Code to the Australian Government's Department of Home Affairs.

Council has not previously set a dress code for Citizenship Ceremonies, and this matter was discussed at the 2 October 2019 Councillor Forum in Kaniva.



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The Australian Government's Instrument of Authorisation adopted on 3 January 2019 (Australian Citizenship Instrument 2019 – LIN 19/066) states that the Presiding Officer for Citizenship Ceremonies conducted at West Wimmera Shire must be one of the following:

1. Mayor.
2. Deputy Mayor.
3. Chief Executive Officer.
4. General Manager.

Risk Management Implications

Not commented on.

Legislative Implications

The new Australian Citizenship Ceremonies Code follows the *Australian Citizenship Act 2007*, and sets out the legal and other requirements for conducting citizenship ceremonies, as well as the roles and responsibilities for those involved in citizenship ceremonies.

There are three strict legal requirements for conducting citizenship ceremonies, under the *Australian Citizenship Act 2007*:

1. An authorised presiding officer must conduct the ceremony.
2. The preamble must be read aloud to the conferees.
3. The pledge of commitment must be made aloud before an authorised presiding officer.

Environmental Implications

Nil

Financial and Budgetary Implications

Nil

Policy Implications

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



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Council Plan Implications

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

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

Communication Implications

Citizenship Candidates will be provided with details of Council's Dress Code for Citizenship Ceremonies, in advance of their Citizenship Ceremony.

Details of Council's Dress Code for Citizenship Ceremonies will also be:

- Added to Council's website.
- Emailed to all staff and Councillors.
- Sent to the Australian Government's Department of Home Affairs.

Conclusion

West Wimmera Shire Council is required to establish a Dress Code for Citizenship Ceremonies, to reflect the significance of the occasion, and provide a copy of this Dress Code to the Australian Government's Department of Home Affairs.

OFFICER RECOMMENDATION:

That West Wimmera Shire Council adopts the following Dress Code for Citizenship Ceremonies it conducts, to reflect the significance of the occasion:

- **The Presiding Officer will wear formal business attire.**
- **Citizenship Candidates and other people attending the Ceremony will be requested to wear neat casual attire.**
- **Ceremony attendees may also elect to wear national and cultural dress.**



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Moved: Cr Richard Hicks

Seconded: Cr Bruce Meyer

That West Wimmera Shire Council adopts the following Dress Code for Citizenship Ceremonies it conducts, to reflect the significance of the occasion:

- **The Presiding Officer will wear formal business attire.**
- **Citizenship Candidates and other people attending the Ceremony will be requested to wear neat casual attire.**
- **Ceremony attendees may also elect to wear national and cultural dress.**

Carried (5/0)

Attachments: Nil



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12.2 COUNCIL PLAN STATUS REPORT

FILE NUMBER: AD0189

REPORT AUTHOR: DAVID LEAHY - CEO

FOR DECISION

Introduction

The following report and revised spreadsheet provides an update to Councillors on the various actions taken with respect to the implementation of key objectives contained in the West Wimmera Shire Council Plan 2017-2021.

The attached spreadsheet was updated on 19 September 2019 and was presented to Council at the Assembly meeting of 2 October 2019.

Declaration of Interests

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

Background

Following the completion of the Council Plan in 2017, the senior staff of the day developed a resourcing document to enable the various actions to be tracked for progress and also to highlight issues that could possibly prevent certain objectives from being achieved.

In addition to the resource document, a separate document covering all of the advocacy actions was also developed and this has been used to develop priorities around topics to advocate for at a state level on behalf of the West Wimmera Community.

The attached document has once again been colour coded to enable the items that have changed since the last report was provided to be highlighted.

An example of items that have changed their status since the last report include;

- The expansion of the Mental Health Rural Outreach program and the continued cooperative advocacy by agencies across the Wimmera to gain recurrent funding
- The joint advocacy approach with Southern Grampians Shire for investment in the Rural Pipeline and the development of documents to ramp up the effort.
- The success of a Rural Councils Transformation Program business case and the commencement of the implementation.



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- The updated status of the Edenhope Hall development.
- Installation of new mobile phone towers.
- Status of the access to a broadband – fixed wireless service for the Kaniva area.
- Planning for concentrated effort of advocacy for the West Grampians Pipeline.

In addition to the above there have been further works completed in a number of recurrent programs, such as Computer Savvy Seniors, Youth Programs and Wimmera Mallee Tourism.

It should also be noted that Council has been successful with applications for round two of the fixing country roads program. In total four projects have received funds up to a total contribution \$1.45m, with these works to commence by the end of 2019.

Risk Management Implications

Not reporting on the actions of the Council Plan can lead to Council straying from its agreed strategic direction.

Legislative Implications

Council is required under the Local government Act to develop a Council Plan and report on its implementation.

Environmental Implications

Nil

Financial and Budgetary Implications

Nil

Policy Implications

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

Advocacy Policy
Asset Capitalisation Policy
Asset Management Policy
Borrowings Policy
Building Fee Refunds Policy
Building Permit Information Policy
Business Assistance Scheme Policy
Business Continuity Policy



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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
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
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.



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- Strategic Objective 2: Meaningful partnerships to support advocacy priorities and service provision.
- Strategic Objective 3: Quality sustainable community services and infrastructure.
- Strategic Objective 4: Building on our agricultural and business strengths and supporting economic development.
- Strategic Objective 5: Thriving, safe and diverse local communities.
- Strategic Objective 6: Participating in activities that address health and wellbeing issues.
- Strategic Objective 7: Providing access to and promoting the natural environment.

Communication Implications

Council can choose items from the report and attachment that they wish to provide media comment on.

Conclusion

The Council Plan is the key strategic document developed by Council that provides direction for the organisation. The reporting on the progress of the actions contained within it is critical to ensure that the direction remains focussed.

Along with the advocacy efforts that have been undertaken, Council has made good progress towards achieving a high number of the targets set via the planning process.

OFFICER RECOMMENDATION:

That Council accepts the updated status report on actions pertaining to the Council Plan 2017-2021.

Moved: Cr Richard Hicks

Seconded: Cr Trevor Domaschenz

That Council accepts the updated status report on actions pertaining to the Council Plan 2017-2021.

Carried (5/0)

Attachments:

No.	Name	RecFind Ref
12.2.1	Resource Plan Reporting – at 19 September 2019	AD0198



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13.0 INFRASTRUCTURE DEVELOPMENT AND WORKS

OFFICER RECOMMENDATION:

That the Report regarding the Lake Wallace Toilet Block adjacent to the Bowling Club and Tennis Courts in Edenhope, which was laid on the table at the 18 September 2019 Ordinary Council Meeting, be raised from the table for discussion at the 14 October 2019 Ordinary Council Meeting.

Moved: Cr Richard Hicks

Seconded: Cr Bruce Meyer

That the Report regarding the Lake Wallace Toilet Block adjacent to the Bowling Club and Tennis Courts in Edenhope, which was laid on the table at the 18 September 2019 Ordinary Council Meeting, be raised from the table for discussion at the 14 October 2019 Ordinary Council Meeting.

Carried (5/0)



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13.1 LAKE WALLACE TOILET BLOCK ADJACENT BOWLING CLUB AND TENNIS COURTS, EDENHOPE

FILE NUMBER: PS0030

REPORT AUTHOR: JOHN GRIFFITHS, MANAGER ENGINEERING

FOR DECISION

Introduction

The Lake Wallace toilet block adjacent to the Bowling Club and tennis courts is in a state of disrepair.

In recent times there has been correspondence from the Bowling Club showing their concern.

The purpose of this report is for Council to resolve the future of the toilet block both in the short and long term.

Declaration of Interests

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

Background

This Report was tabled at Council's Meeting held 18 September 2019, where it was resolved that the matter lay on the table, for later consideration.

The Lake Wallace toilet block adjacent to the Bowling Club and Tennis courts is a West Wimmera Shire Council asset located on reserve under Council Management.

The toilet block historically has served the Tennis Club, patrons of the Bowling Club and the general public.

The Bowling Club has toilets within its own Clubrooms and the general public are served by the toilets at Henley Park and Elizabeth Street however the facilities are still used during the tennis season by junior tennis Clubs, for tennis finals and by visitors.

Asset inspections by Council officers identified serious issues with the amenities and recommended Council funding for planning new facilities in the 2019/20 budget. Council did not fund this item pending the completion of the Lake Wallace Management Plan.



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Recently there has been correspondence from the Bowling Club expressing concern at the condition of the facilities and their ongoing maintenance. The Bowling Club requests Council undertake appropriate repairs.

The cost of repairing the facilities would be significant and possibly similar to or more than constructing a new facility.

As the facilities are in a poor state of disrepair and provide Health and safety issues, the doors have been temporarily fixed closed. Signage advising of alternative facilities has been placed on the exterior of the building.

Risk Management Implications

Reputation is a key asset of Council. Public amenities are a key facility council provides for visitors. First impressions are often lasting ones therefore it is important that all public amenities are in a good condition.

As the committee of management for the site, West Wimmera Shire Council is responsible for the liability risks associated with the facility.

Some current risks include:

- Reputation
- Public Health – Current facility is unhygienic
- Cost – The cost implication to repair or reconstruct is considerable and unbudgeted.
- Community Expectation

Legislative Implications

The *Public Health and Wellbeing Act 2008 s.24* states that the function of a Council under this Act is to seek to protect, improve and promote public health and wellbeing in the community by –

(g) Ensuring that the municipal district is maintained in a clean and sanitary condition.

Given the current condition of this toilet block with cracks in the walls, the urinal not having a sealed surface around it, broken water pipes and broken and exposed cisterns cannot be classed as sanitary.

Environmental Implications

Pooling stagnant water, constantly wet surfaces and exposed and broken cisterns as well as old toilets and cracked piping that are open to the weather will provide ideal breeding grounds for bacteria and mosquitoes.



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Financial and Budgetary Implications

It is considered financially unviable to refurbish the existing facility as it has reached the end of its design life.

To supply and construct a new facility similar to that at the Kaniva wetlands would cost in the order of \$80,000.

Alternatively, a design and estimate for an extension to the Tennis Clubrooms for a single accessible toilet incorporating an external door could be undertaken.

There is no allowance in Council's 2019/20 capital works budget for this asset.

Policy Implications

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

Asset Management Policy
Asset Disposal 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 3: Quality sustainable community services and infrastructure.

Communication Implications

Correspondence to the Bowling Club has not yet been provided. This is pending Council's direction.

As an interim, signage has been placed externally on the facility advising of its closure until further notice.

Conclusion

Council needs to acknowledge that the facility is in a state of disrepair and to resolve its future intention with regards to toilet facilities in this area.



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OFFICER RECOMMENDATION:

That:

- 1. Council endorse the closure of the toilet block due to its current state of disrepair.**
- 2. Council consider funding the demolition of the toilet block when preparing the 2020/2021 budget.**
- 3. Council consider options for the replacement of the toilet block when preparing the 2020/2021 budget.**

Moved: Cr Trevor Domaschenz

Seconded: Cr Richard Hicks

That:

- 1. Council endorse the closure of the toilet block due to its current state of disrepair.**
- 2. Council consider funding the demolition of the toilet block when preparing the 2020/2021 budget.**
- 3. Council consider options for the replacement of the toilet block when preparing the 2020/2021 budget.**
- 4. Council provide, empty and clean a portable toilet adjacent to the public tennis courts as an interim measure.**
- 5. Council arrange a meeting with the Edenhope Bowling Club to discuss the future of the toilet block, and to convey a Council response to their letter.**

Carried (5/0)

Attachments:

No.	Name	RecFind Ref
13.1.1	Edenhope Bowling Club Correspondence	PS0030
13.1.2	Lake Wallace Toilet Block Map	PS0030
13.1.3	Lake Wallace Toilet Block _ Defects List	PS0030



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14.0 CORPORATE AND COMMUNITY SERVICES

14.1 COMMUNITY STRENGTHENING GRANTS PROGRAM 2019-2020 ROUND 1

FILE NUMBER: PR0118

**REPORT AUTHOR: NOLA MCFARLANE, MANAGER COMMUNITY AND
ECONOMIC DEVELOPMENT**

FOR DECISION

Introduction

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

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

Round one grants closed Monday 30 September 2019. Three applications for grants were received, one for community events and two for community infrastructure/equipment. The grants have been assessed and a recommendation will be made at the October Council Meeting

Declaration of Interests

No officer declared an interest under the *Local Government Act 1989* in the preparation of this report, or the assessment of the applications for grant funding.

Background

Community strengthening grants are open for application twice per financial year, round one being in the first quarter (July – September) and round two in the third quarter (January – March). Grants must be submitted on the published forms and submitted within the opening period to be eligible for assessment by the panel.

Applications must be from eligible applicants (community based not for profits, incorporated or sponsored by an incorporated organisation). They are then assessed against



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a number of selection criteria as well as the requirements of the specific funding categories. The criteria are tabulated below. The panel assessed that all applications were eligible and met the mandatory selection criteria.

Mandatory Selection Criteria Assessed as pass or fail	Ineligibility (Council will not fund): Must meet these criteria to qualify
Meets recognised community need	Retrospective funding for projects commenced prior to receipt of grant funding
Will strengthen liveability	Applications for 100% funding, organisations are required to contribute financial and/ or in-kind to the project within the requirements established in each specific grant program guidelines.
Has been designed to foster community engagement and participation	Fundraising activities.
Will primarily benefit the residents in the West Wimmera community, and benefits the broader community rather than just the members of the applicant organisation	Core business and operational responsibilities of the organisation.
Encourages a strong sense of community wellbeing that supports learning, participation, inclusiveness, healthy lifestyles and environmental sustainability	Staff wages and salaries and ongoing operational, maintenance or administrative costs.
The project can stand alone and will not require recurrent funding from council	Ongoing projects or a duplication of existing services.
Wherever possible, goods and services are being sourced from WW suppliers	Support for individual pursuit without community benefit.
	Projects that do not involve the WWSC community.
	Services or activities which are considered to be primarily the responsibility of the State or Federal Governments.
	Applicants that have failed to correctly acquit funding with Council in the past
	Applicants who have received funding from Council within the last 12 months.

Applications are then assessed against the criteria of the particular funding category the application is applying to.

Applications were received against the community event and community infrastructure categories which were scored against the criteria listed in the Community Strengthening Guidelines listed below, along with the weightings applied to each criterion.



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Community Events	max	Community infrastructure	max
Produces a positive event or festival which is clearly defined and researched	10	increase community participation in projects and activities	10
Creates a direct benefit to residents of West Wimmera	10	Demonstrates a high level of community need, or where the service or program is in danger of being discontinued, contributes to a solution	10
Encourages participation by the wider community	5	assists groups operate more effectively	10
Have an emphasis on cultural celebration or recreation event rather than fund raising	5	encourages and supports the involvement of volunteers	5
		improves OH&S	5
		contributes to environmental sustainability	5
		Goods and services sourced locally	5
Total	30	Total	50

The evaluation panel comprised of the following members of Council staff:

- Director Corporate and Community Services.
- Manager Engineering.
- Manager Economic and Community Development.
- Occupational Health and Safety and Risk Coordinator.

Each panel member independently scored the applications against the above criteria and the average score informed the recommendation

Applicant	Mandatory	Qualify	Category assessment	Grant request	Project cost	Panel score	Recommendation ^d
	pass/fail	yes/no		\$	\$		
Peronne Hall	pass	yes	Facilities – installation of solar panels & replacement of non-compliant switchboard	5,000	11,647	28.3/50	Fund
Windmill Stitchers	pass	yes	Events – holding a quilt display & demonstration of quilting	500	1,000	22.3/30	Fund
Charlegrark CMM	pass	yes	Facilities – replacement of old manual lift doors with roller doors	4,913	7,370	25.5/50	Fund



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Risk Management Implications

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

Two of the applications (the community infrastructure grants) list a reduction in community risk as a key deliverable of their projects.

Legislative Implications

No known implications

Environmental Implications

One of the projects seeks to provide renewable energy (power) to a community building, resulting in a potential positive environmental impact. The other two projects have no foreseeable Environmental implication.

Financial and Budgetary Implications

A total of \$50,000.00 is allocated in the 2019-20 budget, for two rounds of Community Strengthening Grants. This funding has been divided between the three categories as follows:

- Community Events \$4,000.00.
- Community Projects \$10,000.00.
- Facilities Upgrades and Equipment \$36,000.00

Policy Implications

This report is supported by the following West Wimmera Shire Council Policy:
Council Grants Policy
Support to Community Events Policy

Council Plan Implications

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

- Strategic Objective 3: Quality sustainable community services and infrastructure.
- Strategic Objective 5: Thriving, safe and diverse local communities.



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- Strategic Objective 6: Participating in activities that address health and wellbeing issues.

Communication Implications

Community Strengthening grants were promoted through Council's social and media channels. Grant applicants have received an email acknowledgement of their submission of application and will be advised of the outcome of the Council decision once made.

Given the low application numbers in round one a targeted campaign of promotion will be developed, including opportunities for assistance with the process of applying for the second round in 2020

Successful applicants will be asked to provide updates for follow up media on the outcomes of their projects and the impacts for their communities.

Grants must be acquitted within 12 months of being awarded.

Conclusion

Round one of the Community strengthening grants was lightly subscribed, and all the applications met the policy.

OFFICER RECOMMENDATION:

1. That West Wimmera Shire Council Community Strengthening Grants Round One 2019/20 be awarded as follows:

Applicant	Category	Grant request
Peronne Hall	Facilities	\$ 5,000
Windmill Stitchers	Events	\$ 500
Charlegrark Country Music Marathon	Facilities	\$ 4,913

2. That the successful applicants be notified of the process for claiming awarded grant funding.

Moved: Cr Richard Hicks

Seconded: Cr Tom Houlihan

That Council consider each grant application individually.

Carried (5/0)



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Moved: Cr Bruce Meyer

Seconded: Cr Tom Houlihan

1. That a West Wimmera Shire Council Community Strengthening Grant Round One 2019/20 be awarded as follows:

Applicant	Category	Grant request
Peronne Hall	Facilities	\$ 5,000

2. That the successful applicant be notified of the process for claiming awarded grant funding.

Motion Carried
(For: 3 / Against: 1 / Abstention: 1)

Moved: Cr Richard Hicks

Seconded: Cr Tom Houlihan

1. That a West Wimmera Shire Council Community Strengthening Grant Round One 2019/20 be awarded as follows:

Applicant	Category	Grant request
Windmill Stitchers	Events	\$ 500

2. That the successful applicant be notified of the process for claiming awarded grant funding.

Carried (5/0)



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3.33pm: Mayor Jodie Pretlove left the room.

Moved: Cr Tom Houlihan

Seconded: Cr Richard Hicks

That Cr Bruce Meyer assume the Chair.

Carried (4/0)

Moved: Cr Tom Houlihan

Seconded: Cr Richard Hicks

- 1. That the West Wimmera Shire Council Community Strengthening Grant Round One 2019/20 application from the Lake Charlegrark Country Music Marathon be laid on the table until the November 2019 Council Meeting, to allow time for ownership of the servery building to be clarified.**
- 2. That this information be brought for information to the November 2019 Councillor Forum.**

Carried (4/0)

Attachments: Nil

3.49pm: Mayor Pretlove returned to the room and resumed the Chair.



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14.2 BUSINESS CONTINUITY POLICY

FILE NUMBER: AD0068

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

FOR DECISION

Introduction

West Wimmera Shire Council (Council) employs delivers over 70 services to our community. All of these services provide a benefit to our community, with a number being time critical. Failure to deliver some of these services may lead to public health issues, and certainly reputational damage to Council.

A Business Continuity Policy and plan is critical to enable Council to continue to deliver these services in the event of an emergency or other event which impacts on Council's regular service delivery capacity.

This report requests Council formally adopt the revised Business Continuity Policy.

Declaration of Interests

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

Background

The delivery of Council services is the key reason for Council's continued operations. There may at times be events that occur that directly affect Council's ability to deliver those services.

Having a Business Continuity Policy and Plan is critical in allowing Council to respond to those events and maintain service delivery.

A new Business Continuity Plan is currently being developed by Council. It will define the operational methodology that will be implemented to ensure business continuity. The Business Continuity Policy provides over-arching strategic guidance to the development of that plan and defines roles and responsibilities.

Council's existing Business Continuity Policy has been reviewed with the following amendments made:



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- The introduction and background has been revised to replace the reference to a ‘disaster’ with an ‘event’ to recognise that a business continuity issue may arise from something which is not classified as a disaster.
- Replacing ‘Council Office’ with ‘Council Worksite’ – recognises that business continuity can occur with all service delivery methodologies.
- Amend reference to epidemic/pandemic to cover events that may not directly affect Council staff but can seriously strain Council resources.
- Insert a line that Council an act of criminal activity may present Council with a business continuity issue.

Risk Management Implications

Council may be at potentially critical risk from change activities. This risk can include:

- Financial risk from Council not being able to raise income or pay expenses from system failure.
- Operational risk from Council failing to be able provide its services.
- Legislative risk from Council being unable to perform it legislated tasks.
- Legal risk from Council being unable to perform it obligations under any contract it has entered into.
- Reputational risk from a failure to provide services to the community.

The provision of a Business Continuity Policy forms an important part of Council’s internal control process to mitigate risk.

Legislative Implications

A Business Continuity Plan is one of the Governance and Management items required by the *Local Government (Planning and Reporting) Regulations 2014*. A Business Continuity Policy forms part of the framework of an effective Business Continuity Plan.

Environmental Implications

Not commented on.

Financial and Budgetary Implications

While there are no direct financial costs arising from the Business Continuity Policy, it is likely that Council will incur some expense in implementing its Business Continuity Plan.

It is however likely that not having a Business Continuity Policy or Plan would cost Council a greater amount form lost revenue and service capacity.



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Policy Implications

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

As with any Council Policy, the Business Continuity Policy will be distributed to all staff and relevant contractors. It forms an important part of Council's internal control process and as such it is vital that all staff are aware of its content and application.

Conclusion

The Business Continuity Policy forms an important part of Council's internal control structure aimed at mitigating risk. It forms an over-arching guidance structure for the Business Continuity Plan which enables Council to continue its operations in the event of an incident which may affect Council's service delivery capacity.

OFFICER RECOMMENDATION:

That Council adopt the draft revised Business Continuity Policy.

Moved: Cr Richard Hicks

Seconded: Cr Trevor Domaschenz

That Council adopt the draft revised Business Continuity Policy.

Carried (5/0)

Attachments:

No.	Name	RecFind Ref
14.2.2	Draft Revised Business Continuity Policy	C19/006768



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14.3 FINANCIAL REPORT AS AT 30 SEPTEMBER 2019

FILE NUMBER: FM0062

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

FOR DECISION

Introduction

One of the principles of sound financial management involves the regular review of an entity's financial performance and position.

This report provides Council with a review of Council's financial performance and position at the end of September 2019.

Background

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

The financial reports show an analysis of the actuals to budget forecasts at 30 September 2019. Where significant variances that are greater than \$20,000 and 10% between actual amounts and forecast figures at 30 September 2019, a note is provided to give an explanation for the variance. The financial reports include a Comprehensive Income Statement, a capital report and Balance Sheet to give a true indication of Council's operations, the capital works program and the financial position.

Risk Management Implications

Financial risks exist where officers are not adhering to budgets.

Legislative Implications

Section 138(1) of the *Local Government Act 1989* requires that Council is provided with financial reports a minimum of every three months comparing the budgeted revenue and expenditure with actual revenue and expenditure.



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Environmental Implications

Nil

Financial and Budgetary Implications

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

Policy and Council Plan Implications

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

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

Communication Implications

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

Conclusion

Council's preliminary financial performance and position at 30 September 2019 is attached for Council's information, in accordance with the requirements of S.138 (1) of the Act.

4.12pm: Cr Houlihan left the room

4.14pm: Cr Houlihan returned to the room

4.18pm: Cr Houlihan left the room

4.20pm: Cr Houlihan returned to the room

OFFICER RECOMMENDATION:

That the preliminary financial reports as at 30 September 2019 be received and noted.

Moved: Cr Richard Hicks

Seconded: Cr Trevor Domaschenz

That the preliminary financial reports as at 30 September 2019 be received and noted.

Carried (5/0)



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Attachments:

No.	Name	RecFind Ref
14.3.1	Financial Performance Report September 2019	C19/007832



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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.*

Moved: Cr Bruce Meyer

Seconded: Cr Richard Hicks

That Council consider the following late item of business:

15.1 IN PRINCIPLE APPROVAL OF REVISED 2018-19 FINANCIAL STATEMENTS AND PERFORMANCE STATEMENT

Carried (5/0)



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15.1 IN PRINCIPLE APPROVAL OF REVISED 2018-19 FINANCIAL STATEMENTS AND PERFORMANCE STATEMENT

FILE NUMBER: FM0021

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

FOR DECISION

Introduction

West Wimmera Shire Council (Council) produces a set of Annual Financial Statements and a Performance Statement for each financial year which represents the financial performance of Council throughout the year and its financial position as at the end of each year.

These Annual Financial Statements and Performance Statement are audited by the Victorian Auditor General's Office (VAGO) for accuracy and completeness.

This report seeks:

1. A resolution by Council to give 'in principal' approval to Council's 2018/19 Annual Financial Statements; and
2. Endorsement of Council to nominate two Councillors to certify Council's 2018/19 Annual Financial Statements.

Declaration of Interests

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

Background

The Council reviewed and endorsed Council's 2018-19 Financial Statements and Performance Statement at its Ordinary Meeting on 18 September 2019.

Since then the Audit and Risk Committee have requested one change to the Financial Statements:



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1. That the \$2.5 million ‘found assets’ arising from the discovery that Council had never assigned a valuation to its formed surface non-paved non-sealed roads be treated as a prior period error and adjusted through opening balances rather than being brought to account through the Comprehensive Income Statement as an income item. This adjustment effectively reduces income by \$2.5 million whilst increasing the opening balance of Council’s Roads asset class and also Council’s opening equity balance. It has no effect on Council’s sustainability ratios or underlying result as the item was treated as non-recurrent income.

The attached Financial Statements and Performance Statements reflect these changes.

As this change reflects a material change to the Comprehensive Income Statement it is a requirement for Council to re-assess and clear the Financial Statements for submission to the Victorian Auditor General’s Office.

The revised Financial Statements and the Performance Statement were presented to a meeting of Council’s Audit and Risk Committee on Thursday 10 October 2019. The Audit and Risk Committee reviewed the changes and resolved to accept these changes and endorse that Council approve in principle the amended Financial Statements and Performance Statement.

Risk Management Implications

Council may be at risk of not receiving audit clearance from the Victorian Auditor General’s Office if it does not follow the correct procedure.

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

The net effect of the change to Council’s Financial Statements arising from the audit recommendation is to reduce Council’s total Comprehensive Surplus by \$2.5 million to \$5.97million. However Council’s total equity figure and asset valuations do not change, as the increase is simply treated as an adjustment to the opening balance of those items, rather than an income item.

Council’s underlying result does not change. The ‘found asset’ value was treated as non-recurrent income and excluded from the underlying result. Accordingly none of Council’s sustainability ratios are affected. The Performance statement is unaffected.



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Policy Implications

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

Asset Capitalisation Policy

Asset Management Policy

Council Plan Implications

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

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

Communication Implications

The revised Financial Statements will be forwarded to the Victorian Auditor General's Office for final approval. Once final approval is gained they will be forwarded to the Minister for Local Government and the State Library as part of Council 2018-19 Annual Report.

Conclusion

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

OFFICER RECOMMENDATION:

- 1. That the Audit Committee endorses that Council resolves under S.132 (2) of the Local Government Act 1989 to give 'in principal' approval to the amended Financial Statements and Performance Statement for the year ended 30 June 2019.**
- 2. That the Audit Committee endorses 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 2019 in their final forms.**



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Moved: Cr Richard Hicks

Seconded: Cr Bruce Meyer

1. That the Audit Committee endorses that Council resolves under S.132 (2) of the Local Government Act 1989 to give 'in principal' approval to the amended Financial Statements and Performance Statement for the year ended 30 June 2019.
2. That the Audit Committee endorses 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 2019 in their final forms.

Carried (5/0)

Attachments:

No.	Name	RecFind Ref
15.1.1	Draft Revised Financial Statements	FM0021
15.1.2	Draft Performance Statement	FM0021



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16.0 SEALING SCHEDULE

Nil

4.26pm: The Mayor announced a short break

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 2019

17.2 SERVICE OF BINS AT TRANSFER STATIONS CMO502

17.3 REQUEST FOR POSSIBLE SALE OR TRANSFER OF COUNCIL LAND (PART CA70 LOT 1 TP424903 HARROW)

17.4 OFFER TO PURCHASE LAND AT KANIVA INDUSTRIAL ESTATE

Moved: Cr Richard Hicks

Seconded: Cr Tom Houlihan

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 4.35pm to resolve on matters pertaining to the following items:

17.1 SENIOR CITIZEN OF THE YEAR 2019

17.2 SERVICE OF BINS AT TRANSFER STATIONS CMO502

17.3 REQUEST FOR POSSIBLE SALE OR TRANSFER OF COUNCIL LAND (PART CA70 LOT 1 TP424903 HARROW)

17.4 OFFER TO PURCHASE LAND AT KANIVA INDUSTRIAL ESTATE

Carried (5/0)



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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 Richard Hicks

Seconded: Cr Trevor Domaschenz

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 5.45pm.

Carried (5/0)

17.1 SENIOR CITIZEN OF THE YEAR 2019

- 1. Confidential**
- 2. Confidential**
- 3. Confidential**
- 4. That Council resolves that in future previous recipients can be nominated but are ineligible to receive the Award on a subsequent occasion, and that this be clearly noted on the Application Forms along with a list of previous Award recipients.**



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17.2 SERVICE OF BINS AT TRANSFER STATIONS CMO502

1. That Council accepts the tender submitted by Dawnmock Pty Ltd for Contract CM0502 “Service of Bins at Transfer Stations” in accordance with the specifications of Contract CM0502 at the tendered rates submitted.
2. That the Contract Agreement Documents for Contract CM0502 “Service of Bins at Transfer Stations” be signed and sealed by Council following their preparation.

17.3 REQUEST FOR POSSIBLE SALE OR TRANSFER OF COUNCIL LAND (PART CA70 LOT 1 TP424903 HARROW)

RESOLUTION 1

That Council resolves to instruct Officers to write to Mr Edwards and remind him of its resolution made July 2013 on this matter, which stated:

That Council:

- a) *Advise Mr Matthew Edwards he should pursue an application to the Registrar of Titles pursuant to Section 60 of the Transfer of Land Act 1958 claiming title by adverse possession of part of crown allotment 70 Parish of Harrow.*
- b) *Council fund the legal costs of the adverse possession claim by Mr Matthew Edwards to the Registrar of Titles pursuant to Section 60 of the Transfer of Land Act 1958 claiming title by adverse possession of part of crown allotment 70 Parish of Harrow (five acres).*



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RESOLUTION 2

1. That Council resolves to require an investigation and report by the West Wimmera Shire Council Audit and Risk Committee of the collection of rates by other persons/organisations, on any property owned by Council.
2. That the required report should give consideration to the question as to whether it is appropriate to reimburse the ratepayer any rates paid from the time of ownership, with respect to such situations.

RESOLUTION 3

That Council in accordance with Section 189 of the *Local Government Act 1989*, Council expresses its intent to sell or transfer the subject land, CA 70 Parish of Harrow, Lot 1 on TP 424903D VOL 02132 FOL251:

- By issue of public notice of its intent to sell or transfer the land for at least 4 weeks prior to selling the land (S.189(2)(a)); and,
- To obtain a current valuation from a valuer authorised under S.13DA(2) of the *Valuation of Land Act 1960* (S.189(2)(b)) not more than 6 months before the date of sale; and
- To accept and consider submissions from any interested persons under S.223 of the *Local Government Act 1989* (S.189(3))



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17.4 OFFER TO PURCHASE LAND AT KANIVA INDUSTRIAL ESTATE

- 1. Confidential**
- 2. That Council resolve to sell the block of land at 7 Industrial Drive Kaniva subject to the following conditions:**
 - a. Purchaser to construct fencing at its own expense, in accordance with the Kaniva Industrial Estate guidelines, being black chain link fencing; and**
 - b. Purchaser to construct a shed within 12 months of settlement date.**
- 3. That Council instruct Council Officers to generate the necessary documentation to complete the sale process.**

MEETING CONCLUDED: 5.45PM

**NEXT MEETING: WEDNESDAY 20 NOVEMBER 2019
GOROKE MEMORIAL HALL**