



**MINUTES – COUNCIL MEETING TO ELECT THE MAYOR – 6 NOV 2020
WEST WIMMERA SHIRE COUNCIL**

HELD:	Friday 6 November 2020
LOCATION:	Kaniva Shire Hall – Supper Room 15 Baker Street, Kaniva
COMMENCEMENT:	10:00am
PUBLIC ACCESS:	Live Streamed from Council’s website www.westwimmera.vic.gov.au

IN ATTENDANCE:	
Councillors	Senior Management Group
Bruce Meyer OAM – Mayor Jodie Pretlove – Deputy Mayor	David Leahy Chief Executive Officer
Trevor Domaschenz Tom Houlihan Tim Meyer	Ashley Roberts Director Corporate & Community Services
	Mark Marziale Director Infrastructure Development & Works
	Officers Elizabeth Matuschka, Governance Manager

*The West Wimmera Shire Council Governance Rules
set out the meeting procedure rules for this Council Meeting.*

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 – CHIEF EXECUTIVE OFFICER

OFFICER RECOMMENDATION:

That in view of the current COVID-19 Pandemic and the social distancing restrictions put in place by the Australian and Victorian Governments, public access to this meeting be limited to live streaming via Council's website.

2.0 OPENING PRAYER – CHIEF EXECUTIVE OFFICER

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. Amen.

3.0 APOLOGIES

Nil

4.0 LEAVE OF ABSENCE

Nil



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5.0 OATH OF OFFICE AND COUNCILLOR CODE OF CONDUCT

Pursuant to the Local Government Act 2020

Section 30 Oath or Affirmation of Office

(1) A person elected to be a Councillor is not capable of acting as a Councillor **until** the person has taken the oath or affirmation of office in the manner prescribed by the regulations.

(2) The oath or affirmation of office must be—

(a) administered by the Chief Executive Officer; and

(b) dated and signed before the Chief Executive Officer; and

(c) recorded in the minutes of the Council, whether or not the oath or affirmation was taken at a Council meeting.

Section 139 Councillor Code of Conduct

This section of the Act states that all Councillors must comply with the existing Code of Conduct, until it is reviewed and adopted within four (4) months of a General Election.

Pursuant to Section 5(c) of the Local Government (Governance and Integrity) Regulations 2020, Gazetted on 20 October 2020:

The oath or affirmation of office is to be taken by a Councillor in accordance with Part 2 of the *Oaths and Affirmations Act 2018*, in the following form:

I will undertake the duties of the office of Councillor in the best interests of the municipal community.

I will abide by the Councillor Code of Conduct and uphold the standards of conduct set out in the Councillor Code of Conduct.

I will faithfully and impartially carry out and exercise the functions, powers, authorities and discretions vested in me under the **Local Government Act 2020** and any other Act to the best of my skill and judgement.

West Wimmera Shire Council's Chief Executive Officer:

1. Administered the Oath or Affirmation of Office Declaration, made by each individual Councillor-Elect.
2. Witnessed each Councillor's signing of the Oath of Office, stating that they will abide by the Councillor Code of Conduct.

Attachments:

No.	Name	RecFind Ref
5.1	WWSC Councillor Code of Conduct – adopted 20 June 2019	AD0186



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OATH OR AFFIRMATION OF OFFICE

I will undertake the duties of the office of Councillor in the best interests of the municipal community.

I will abide by the Councillor Code of Conduct and uphold the standards of conduct set out in the Councillor Code of Conduct.

I will faithfully and impartially carry out and exercise the functions, powers, authorities and discretions vested in me under the **Local Government Act 2020** and any other Act to the best of my skill and judgement.

Councillor

On this day: 2020

Signature witnessed by:

David Leahy – Chief Executive Officer

On this day: 2020



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6.0 MAYORAL TERM

*Local Government Act 2020
Section 23 (3) Before the election of the Mayor, a Council, other than the Greater Geelong City Council, must determine by resolution whether the Mayor is to be elected for a 1 year or a 2 year term.*

RECOMMENDATION:

That the next Mayor of West Wimmera Shire Council be elected for a one / two year term.

Moved: Cr J Pretlove
Seconded: Cr T Domaschenz

That the next Mayor of West Wimmera Shire Council be elected for a one year term.

Not voted on

Cr Houlihan moved an amendment

Moved: Cr T Houlihan
Seconded:

That the next Mayor of West Wimmera Shire Council be elected for a two year term

The Motion lapsed for lack of a seconder

Moved: Cr Jodie Pretlove

Seconded: Cr Trevor Domaschenz

That the next Mayor of West Wimmera Shire Council be elected for a one year term.

Carried (4/1)



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7.0 ELECTION OF MAYOR

Governance Rules Part B

4. Election of the Mayor

The Chief Executive Officer must facilitate the election of the Mayor in accordance with the provisions of the Local Government Act 2020.

5. Method of Voting

The election of the Mayor must be carried out by a show of hands.

6. Determining the Election of the Mayor

6.2 The Chief Executive Officer must open the meeting at which the Mayor is to be elected, and invite nominations for the office of Mayor.

6.3 Nominations for the office of Mayor can be received in the following ways:

6.3.1 In writing and in a form prescribed by the Chief Executive Officer; or

6.3.2 Via a verbal nomination at the meeting as called for by the CEO

6.3.3 Written nominations must be seconded / co-signed by another Councillor.

6.3.4 The seconder of a nomination has the right to nominate one other Councillor.

RECOMMENDATION:

That Council elect Councillor as Mayor of West Wimmera Shire Council.

The CEO announced that he has received a written nomination from Cr Domaschenz, nominating Cr Pretlove as Mayor, which has been seconded by Cr Pretlove.

Cr Houlihan verbally nominated Cr B Meyer as Mayor, seconded by Cr T Meyer.

The CEO called for a vote by a show of hands:

Votes for Cr Pretlove: two votes

Votes for Cr B Meyer: three votes

The CEO declared that Cr Bruce Meyer has been elected Mayor for the next 12 months.

The CEO remained in the chair, at the request of the Mayor.



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8.0 APPOINTMENT OF DEPUTY MAYOR

Local Government Act 2020

20A Office of Deputy Mayor

(1) A Council may establish an office of Deputy Mayor.

(2) If the Council has established an office of Deputy Mayor, the provisions of this Act relating to the office of Deputy Mayor apply.

Governance Rules

7. Election of Deputy Mayor and Chairs of Delegated Committees

Any election for:

7.1 Any office of Deputy Mayor; or

7.2 Chair of a Delegated Committee

will be regulated by Rules 4-6 (inclusive) of this Chapter, as if the reference to the:

7.3 Chief Executive Officer is a reference to the Mayor; and

7.4 Mayor is a reference to the Deputy Mayor or the Chair of the Delegated Committee (as the case may be).

Introduction

The majority of Local Councils within Victoria elect a Deputy Mayor.

West Wimmera Shire Council elected a Deputy Mayor for the first time in its history, for the 2019-2020 year.

During this time, the Deputy Mayor stepped in to undertake Mayoral duties on several occasions, including when a video link connection with the Mayor was temporarily lost during a Council Meeting, and when the Mayor declared a conflict of interest in a matter before Council, vacated the Chair and left the room.

On these occasions, the transfer of responsibility from the Mayor to the Deputy Mayor occurred immediately, allowing proceedings to continue seamlessly and in a professional manner.

The Deputy Mayor also steps in to attend official events on behalf of Council, when the Mayor is unavailable.

The proposed term for the Deputy Mayor is 12 months.



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OFFICER RECOMMENDATIONS:

That Council elect Councillor as Deputy Mayor of West Wimmera Shire Council for 2020-2021.

OR

That Council resolves not to elect a Deputy Mayor for 2020-2021.

**Moved: Cr Tim Meyer
Seconded: Cr Jodie Pretlove
That Council elect a Deputy Mayor.**

Carried (5/0)

**Moved: Cr Bruce Meyer
Seconded: Cr Trevor Domaschenz
That Council elect Councillor Jodie Pretlove as Deputy Mayor of West Wimmera Shire Council for 2020-2021.**

Carried (5/0)

10.19am: Mayor Meyer took the chair



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9.0 DATE & PLACE OF COUNCIL MEETINGS – SCHEDULE FOR 2021

FILE NUMBER: AD0183

REPORT AUTHOR: ELIZABETH MATUSCHKA, GOVERNANCE MANAGER

FOR DECISION

Introduction

In an election year and pursuant to Council's Governance Rules, Division 1 Section 9, Council determines the schedule for its Council Meetings for the next calendar year at the meeting following the declaration of the Council.

Declaration of Interests

No officer declared an interest under the *Local Government Act 2020* in the preparation of this report.

Background

Council Meetings are held on a monthly basis, with the exception of January when there is no meeting, and are generally held on the third Wednesday of the month commencing at 2.00pm. The previous Council resolved that 2.00pm be the Council Meeting start time, so it does not need to be re-resolved.

The Councillor Forum is also held on a monthly basis, with the exception of January when there is no meeting, and are generally held on the first Wednesday of the month. The venue alternates between Edenhope and Kaniva.

The majority of the eleven Council Meetings for the year are held in Edenhope and Kaniva.

Prior to the COVID-19 pandemic, three Council Meetings each year were held in other locations, and included a meal with the community and a Community Forum. In 2020 the Community Forums were cancelled due to the COVID-19 restrictions, and these Council Meetings reverted to Edenhope and Kaniva.

Recurrent timing clashes with RCV & MAV Annual Events

Each year, there is a trio of annual events which inevitably clash with Council's scheduled Council Meetings.



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These are the Rural Councils Victoria (RCV) Annual Forum and AGM, the Municipal Association of Victoria's (MAV) Annual Conference, and the Municipal Association of Victoria's State Council in Melbourne, held from Wednesday to Friday in the third week of October, and attended by the CEO and all Councillors.

At the time of writing this report the RCV/MAV event dates in 2021 had not been confirmed.

Accordingly, the meeting schedule included in the Officer Recommendation at the end of this report includes the following change to the normal meeting schedule:

- October 2021 Council Meeting: scheduled for Monday 18 October 2021, to allow Councillors time to travel to Melbourne the following afternoon.

Another annual three-day event which also usually clashes with a scheduled Council Meeting is the Australian Local Government Association (ALGA) National Congress in Canberra, attended by the Mayor and the CEO, or the Mayor and another Councillor.

However in 2021 the ALGA National Congress this been scheduled to take place on 20-23 June 2021, the week following the scheduled Council Meeting, so there is no clash.

Venue and frequency for Community Forums

For 2021, it is recommended that no Community Forums be held during the first half of the year, to accommodate the continuing uncertainty surrounding ongoing COVID-19 restrictions.

It is also recommended that two Community Forums be planned for the second half of the year, on the proviso that these can be cancelled if further public health issues arise.

Councillors are advised that the planning of Community Forums requires at least six weeks of lead time, which includes liaising with the relevant community committee groups regarding their availability to host the Meeting and Forum, organising catering with the committee, generating publicity including the required Council Meeting advertisement, inviting the relevant communities, and receiving RSVPs.

Community Forums are open to all residents of the Shire.



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The following chart shows that among the larger towns within West Wimmera, Council has not visited Harrow and Apsley since 2014 and 2015 respectively, so these are the suggested venues for the two Community Forums in 2021:

Community Forum Town / Locality	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2021
Apsley	✓					✓					✓
Goroke						✓				✓	
Harrow					✓						✓
Lawloit						✓				✓	
Minimay					✓						
Serviceton		✓			✓				✓		

Risk Management Implications

Not commented on.

Legislative Implications

West Wimmera Shire Council is required to meet on a regular basis, to conduct its formal business.

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:

Advocacy Policy

Communications Policy

Community Engagement Policy

Customer Service Policy



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Council Plan Implications

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

- Strategic Objective 1: A proactive, well governed, professional and financially sustainable organisation that encourages community participation.
- Strategic Objective 2: Meaningful partnerships to support advocacy priorities and service provision.
- Strategic Objective 5: Thriving, safe and diverse local communities.
- Strategic Objective 6: Participating in activities that address health & wellbeing issues.

Communication Implications

Council Meetings and Community Forums are publicised on the Shire's website and Facebook page. Advertisements are placed in the local newspapers. Flyers are distributed throughout the Shire. Invitations are sent to residents living in the region of the Community Forum to alert them to the event, however any Shire residents may attend.

Conclusion

Council meets regularly to conduct its business, and takes every opportunity to interact and engage with the local community, to listen to its issues and concerns.



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OFFICER RECOMMENDATION:

That Council adopt the proposed meeting schedule (date & place) as listed below as the dates and venues for Council Meetings, Community Forums and Councillor Forums for 2021:

Month	Date	Meeting	Venue
February	Wed 3 Feb 2021	Councillor Forum	Kaniva
	Wed 17 Feb 2021	Council Meeting	Edenhope
March	Wed 3 Mar 2021	Councillor Forum	Edenhope
	Wed 17 Mar 2021	Council Meeting	Kaniva
April	Wed 7 Apr 2021	Councillor Forum	Kaniva
	Wed 21 Apr 2021	Council Meeting	Edenhope
May	Wed 5 May 2021	Councillor Forum	Edenhope
	Wed 19 May 2021	Council Meeting	Kaniva
June	Wed 2 Jun 2021	Councillor Forum	Kaniva
	Wed 16 Jun 2021	Council Meeting	Edenhope
July	Wed 7 Jul 2021	Councillor Forum	Edenhope
	Wed 21 Jul 2021	Council Meeting & Community Forum	Apsley
August	Wed 4 Aug 2021	Councillor Forum	Kaniva
	Wed 18 Aug 2021	Council Meeting	Kaniva
September	Wed 1 Sep 2021	Councillor Forum	Edenhope
	Wed 15 Sep 2021	Council Meeting	Edenhope
October	Wed 6 Oct 2021	Councillor Forum	Kaniva
	Mon 18 Oct 2021	Council Meeting	Harrow
November	Wed 3 Nov 2021	Council Meeting to elect Mayor	Edenhope
	Wed 3 Nov 2021	Councillor Forum	Edenhope
	Wed 17 Nov 2021	Council Meeting & Community Forum	Kaniva
December	Wed 1 Dec 2021	Councillor Forum	Kaniva
	Wed 15 Dec 2021	Council Meeting	Edenhope



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Moved: Cr T Houlihan
Seconded:

That every fourth Meeting next year be held in Harrow.

The Motion lapsed for lack of a seconder.



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Moved: Cr Jodie Pretlove

Seconded: Cr Trevor Domaschenz

That Council adopt the proposed meeting schedule (date & place) as listed below as the dates and venues for Council Meetings, Community Forums and Councillor Forums for 2021:

Month	Date	Meeting	Venue
Feb	Wed 3 Feb 2021	Councillor Forum	Kaniva
	Wed 17 Feb 2021	Council Meeting	Edenhope
Mar	Wed 3 Mar 2021	Councillor Forum	Edenhope
	Wed 17 Mar 2021	Council Meeting	Kaniva
Apr	Wed 7 Apr 2021	Councillor Forum	Kaniva
	Wed 21 Apr 2021	Council Meeting	Edenhope
May	Wed 5 May 2021	Councillor Forum	Edenhope
	Wed 19 May 2021	Council Meeting	Kaniva
Jun	Wed 2 Jun 2021	Councillor Forum	Kaniva
	Wed 16 Jun 2021	Council Meeting	Edenhope
Jul	Wed 7 Jul 2021	Councillor Forum	Edenhope
	Wed 21 Jul 2021	Council Meeting & Community Forum	Apsley
Aug	Wed 4 Aug 2021	Councillor Forum	Kaniva
	Wed 18 Aug 2021	Council Meeting	Kaniva
Sep	Wed 1 Sep 2021	Councillor Forum	Edenhope
	Wed 15 Sep 2021	Council Meeting	Edenhope
Oct	Wed 6 Oct 2021	Councillor Forum	Kaniva
	Mon 18 Oct 2021	Council Meeting	Harrow
Nov	Wed 3 Nov 2021	Council Meeting to elect Mayor	Edenhope
	Wed 3 Nov 2021	Councillor Forum	Edenhope
	Wed 17 Nov 2021	Council Meeting & Community Forum	Kaniva
Dec	Wed 1 Dec 2021	Councillor Forum	Kaniva
	Wed 15 Dec 2021	Council Meeting	Edenhope

Carried (4/1)



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10.0 APPOINTMENTS TO REGIONAL AND STATE BODIES

Council makes a series of appointments to regional and State bodies as detailed below. Councillors also sit on other State bodies as individuals, but usually receive Council endorsement.

It is appropriate that Council representatives and alternate representatives to these bodies be appointed, as well as the CEO or a Director of Council, in certain cases.

The term of the appointment is twelve months commencing from today's meeting.

REGIONAL / STATE BODY	PREVIOUS REPRESENTATIVE/S 2019/2020	PROPOSED REPRESENTATIVE 2020/2021	ALTERNATE REPRESENTATIVE 2020/2021
Big Desert National Park Fire Control Committee	Cr Hicks Director IDW Alt: Cr B Meyer		
Crabtree Estate	Cr B Meyer Alt: Cr Domaschenz		
Douglas Mine Environment Review Committee	Cr Houlihan Alt: Cr Pretlove		
Grampians Central West Waste and Resource Recovery Group – Forum Group (GCWRRG)	Cr Houlihan Alt: Cr Domaschenz		
Johnny Mullagh Interpretive Centre Inc	Cr Houlihan CEO Alt: None		
Kaniva Community Sporting Complex	Cr B Meyer Director CCS Alt: Cr Houlihan		
Little Desert National Park Fire Control Committee	Cr Hicks Director IDW Alt: Cr Pretlove		
Municipal Association of Victoria (MAV)	Cr B Meyer Alt: Cr Pretlove	Mayor	Deputy Mayor (if any)
Municipal Emergency Management Planning (MEMP) Committee	Cr Houlihan Director IDW Alt: Cr Pretlove		
Note:	<i>From 1 Dec 2020: Municipal Emergency Management Planning (MEMP) Committee to be Chaired by WWSC CEO or his nominated Officer, pursuant to Emergency Management Legislation Amendment Act 2018 (2020)</i>		



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Municipal Fire Prevention Committee	Cr Houlihan Director IDW Alt: Cr Domaschenz		
Note	<i>On 1 Dec 2020: Municipal Fire Prevention Committee to be repealed by Emergency Management Legislation Amendment Act 2018 (2020)</i>		
North West Municipalities Association (NWMA)	Cr B Meyer Alt: Cr Pretlove	Mayor	Deputy Mayor (if any)
Rail Freight Alliance (RFA)	Cr Hicks Alt: Cr B Meyer		
Rural Councils Victoria (RCV)	Cr B Meyer CEO Alt: Cr Pretlove	Mayor	Deputy Mayor (if any)
West Wimmera Landcare Network	Cr Domaschenz Alt: None		
West Wimmera Rural Water Supply Project Steering Committee	Cr Houlihan Alt: Cr Pretlove		
West Wimmera Shire Cemeteries Trust	All Councillors Sec: Director CCS		
West Wimmera Shire Youth Council	Cr Pretlove Alt: Cr Domaschenz		
Western Highway Action Committee (WHAC)	Cr Hicks Director IDW Alt: Cr B Meyer		
Wimmera Development Association (WDA)	Cr Domaschenz CEO Alt: Cr Pretlove		
Wimmera Mallee Regional Tourism Association	Cr Domaschenz Alt: Cr Pretlove		
Wimmera Mallee Sustainability Alliance (WMSA)	Cr Houlihan Alt: Cr Domaschenz		
Wimmera Primary Care Partnership (PCP)	Cr Pretlove CEO Alt: None		
Wimmera Regional Library Corporation (WRLC)	Cr B Meyer Director CCS Alt: Cr Hicks		
Wimmera Southern Mallee Regional Transport Group (WSMRTG)	Cr Hicks Director IDW Alt: Cr Pretlove		



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RECOMMENDATION:

That the appointments of Council representatives to regional and State bodies, as detailed in the table below, be accepted and the relevant bodies be advised.

REGIONAL / STATE BODY	PREVIOUS REPRESENTATIVE/S 2019/2020	PROPOSED REPRESENTATIVE 2020/2021	ALTERNATE REPRESENTATIVE 2020/2021
Big Desert National Park Fire Control Committee	Cr Hicks Director IDW Alt: Cr B Meyer		
Crabtree Estate	Cr B Meyer Alt: Cr Domaschenz		
Douglas Mine Environment Review Committee	Cr Houlihan Alt: Cr Pretlove		
Grampians Central West Waste and Resource Recovery Group – Forum Group (GCWRRG)	Cr Houlihan Alt: Cr Domaschenz		
Johnny Mullagh Interpretive Centre Inc	Cr Houlihan CEO Alt: None		
Kaniva Community Sporting Complex	Cr B Meyer Director CCS Alt: Cr Houlihan		
Little Desert National Park Fire Control Committee	Cr Hicks Director IDW Alt: Cr Pretlove		
Municipal Association of Victoria (MAV)	Cr B Meyer Alt: Cr Pretlove	Mayor	Deputy Mayor (if any)
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Rural Councils Victoria (RCV)	Cr B Meyer CEO Alt: Cr Pretlove	Mayor	Deputy Mayor (if any)
West Wimmera Landcare Network	Cr Domaschenz Alt: None		
West Wimmera Rural Water Supply Project Steering Committee	Cr Houlihan Alt: Cr Pretlove		
West Wimmera Shire Cemeteries Trust	All Councillors Sec: Director CCS		
West Wimmera Shire Youth Council	Cr Pretlove Alt: Cr Domaschenz		
Western Highway Action Committee (WHAC)	Cr Hicks Director IDW Alt: Cr B Meyer		
Wimmera Development Association (WDA)	Cr Domaschenz CEO Alt: Cr Pretlove		
Wimmera Mallee Regional Tourism Association	Cr Domaschenz Alt: Cr Pretlove		
Wimmera Mallee Sustainability Alliance (WMSA)	Cr Houlihan Alt: Cr Domaschenz		
Wimmera Primary Care Partnership (PCP)	Cr Pretlove CEO Alt: None		
Wimmera Regional Library Corporation (WRLC)	Cr B Meyer Director CCS Alt: Cr Hicks		
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Moved: Cr Jodie Pretlove

Seconded: Cr Tom Houlihan

That the appointments of Council representatives to regional and State bodies, as detailed in the table below, be accepted and the relevant bodies be advised.

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Big Desert National Park Fire Control Committee	Cr Hicks Director IDW Alt: Cr B Meyer	Cr T Meyer Director IDW	Cr Pretlove
Crabtree Estate	Cr B Meyer Alt: Cr Domaschenz	Cr B Meyer	Cr Domaschenz
Douglas Mine Environment Review Committee	Cr Houlihan Alt: Cr Pretlove	Cr Houlihan	Cr Pretlove
Grampians Central West Waste and Resource Recovery Group – Forum Group (GCWRRG)	Cr Houlihan Alt: Cr Domaschenz	Cr Houlihan	Cr Domaschenz
Johnny Mullagh Interpretive Centre Inc	Cr Houlihan CEO Alt: None	Cr Houlihan CEO	Cr T Meyer
Kaniva Community Sporting Complex	Cr B Meyer Director CCS Alt: Cr Houlihan	Cr B Meyer Director CCS	Cr Houlihan
Little Desert National Park Fire Control Committee	Cr Hicks Director IDW Alt: Cr Pretlove	Cr Pretlove Director IDW	Cr T Meyer
Municipal Association of Victoria (MAV)	Cr B Meyer Alt: Cr Pretlove	Cr B Meyer	Cr J Pretlove
Municipal Emergency Management Planning (MEMP) Committee	Cr Houlihan Director IDW Alt: Cr Pretlove	Cr Houlihan Director IDW	Cr Pretlove
Note:	<i>From 1 Dec 2020: Municipal Emergency Management Planning (MEMP) Committee to be Chaired by WWSC CEO or his nominated Officer, pursuant to Emergency Management Legislation Amendment Act 2018 (2020)</i>		
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West Wimmera Rural Water Supply Project Steering Committee	Cr Houlihan Alt: Cr Pretlove	Cr Houlihan	Cr Pretlove
West Wimmera Shire Cemeteries Trust	All Councillors Sec: Director CCS	All Councillors Sec: Director CCS	None
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Wimmera Mallee Regional Tourism Association	Cr Domaschenz Alt: Cr Pretlove	Cr Domaschenz	Cr Pretlove
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Wimmera Primary Care Partnership (PCP)	Cr Pretlove CEO Alt: None	Cr Pretlove CEO	Cr Domaschenz
Wimmera Regional Library Corporation (WRLC)	Cr B Meyer Director CCS Alt: Cr Hicks	Cr B Meyer Director CCS	Cr Pretlove
Wimmera Southern Mallee Regional Transport Group (WSMRTG)	Cr Hicks Director IDW Alt: Cr Pretlove	Cr Pretlove Director IDW	Cr T Meyer

Carried (5/0)



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**11.0 AUDIT & RISK COMMITTEE (ADVISORY COMMITTEE) – SECTION
53 OF LOCAL GOVERNMENT ACT 2020**

53 Council must establish an Audit and Risk Committee

(1) A Council must establish an Audit and Risk Committee.

(2) An Audit and Risk Committee is not a delegated committee.

(3) An Audit and Risk Committee must—

(a) include members who are Councillors of the Council; and

(b) consist of a majority of members who are not Councillors of the Council and who collectively have—

(i) expertise in financial management and risk; and

(ii) experience in public sector management; and

(c) not include any person who is a member of Council staff of the Council.

(4) The chairperson of an Audit and Risk Committee must not be a Councillor of the Council.

(5) Sections 123 and 125 and Division 2 of Part 6 apply to a member of the Audit and Risk Committee who is not a Councillor as if the member were a member of a delegated committee.

(6) A Council may pay a fee to a member of an Audit and Risk Committee who is not a Councillor of the Council.

AUDIT & RISK COMMITTEE	PREVIOUS REPRESENTATIVES 2019/2020	PROPOSED 2020/2021 REPRESENTATIVES
Councillors	Cr B Meyer Cr Pretlove Alternate: Cr Houlihan	
Independent members	Mr Geoff Price (Chair until June 2020 – then resigned) Ms Monica Revell Ms Celeste Gregory	_____(Chair) Ms Monica Revell Ms Celeste Gregory
Council Officer Contact	Director Corporate & Community Services (DCCS) Manager Finance	Director Corporate & Community Services (DCCS) Finance Coordinator



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FOR DECISION

RECOMMENDATION:

That Council elect the representatives to Council’s Audit & Risk Committee as detailed in the table below for 2020/2021.

AUDIT & RISK COMMITTEE	PREVIOUS REPRESENTATIVES 2019/2020	PROPOSED 2020/2021 REPRESENTATIVES
Councillors	Cr B Meyer Cr Pretlove Alternate: Cr Houlihan	
Independent members	Mr Geoff Price (Chair until June 2020 – then resigned) Ms Monica Revell Ms Celeste Gregory	_____ (Chair) Ms Monica Revell Ms Celeste Gregory
Council Officer Contact	Director Corporate & Community Services (DCCS) Manager Finance	Director Corporate & Community Services (DCCS) Finance Coordinator



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Moved: Cr Jodie Pretlove

Seconded: Cr Tim Meyer

That Council elect the representatives to Council’s Audit & Risk Committee as detailed in the table below for 2020/2021.

AUDIT & RISK COMMITTEE	PREVIOUS REPRESENTATIVES 2019/2020	2020/2021 REPRESENTATIVES
Councillors	Cr B Meyer Cr Pretlove Alternate: Cr Houlihan	Cr B Meyer Cr Pretlove Alternate: Cr Domaschenz
Independent members	Mr Geoff Price (Chair until June 2020 – then resigned) Ms Monica Revell Ms Celeste Gregory	_____ (Chair) Ms Monica Revell Ms Celeste Gregory
Council Officer Contact	Director Corporate & Community Services (DCCS) Manager Finance	Director Corporate & Community Services (DCCS) Finance Coordinator

Carried (5/0)



MINUTES – COUNCIL MEETING TO ELECT THE MAYOR – 6 NOV 2020 WEST WIMMERA SHIRE COUNCIL

12.0 APPOINTMENTS TO ADVISORY COMMITTEES

Council has established several Advisory Committees, which are a non-legislated type of committee, and have been set up to provide advice to Council.

Any recommendations from these committees for action or expenditure must be taken by Council in a Council Meeting, by formal resolution of Council.

Council's current Advisory Committees are:

COMMITTEE	PREVIOUS REPRESENTATIVES 2019/2020	PROPOSED REPRESENTATIVES 2020/2021
CEO Performance Planning Advisory Committee	All Councillors	All Councillors
West Wimmera Shire Kaniva Recreation Reserve Advisory Committee	Cr B Meyer Alt: Cr Houlihan Director CCS Community Members: Kaniva Community Sporting Complex Kaniva Cricket Club Kaniva Hockey Club Kaniva Leeor United Football Club Kaniva Leeor United Netball Club Kaniva Lions Club	
West Wimmera Shire Sustainability Advisory Committee	Cr Domaschenz Cr Pretlove Director IDW	



**MINUTES – COUNCIL MEETING TO ELECT THE MAYOR – 6 NOV 2020
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FOR DECISION

RECOMMENDATION:

That Council elect the representatives to the Advisory Committees as detailed in the table below:

COMMITTEE	PREVIOUS REPRESENTATIVES 2019/2020	PROPOSED REPRESENTATIVES 2020/2021
CEO Performance Planning Advisory Committee	All Councillors	All Councillors
West Wimmera Shire Kaniva Recreation Reserve Advisory Committee	Cr B Meyer Alt: Cr Houlihan Director CCS Community Members: Kaniva Community Sporting Complex Kaniva Cricket Club Kaniva Hockey Club Kaniva Leeor United Football Club Kaniva Leeor United Netball Club Kaniva Lions Club	
West Wimmera Shire Sustainability Advisory Committee	Cr Domaschenz Cr Pretlove Director IDW	



**MINUTES – COUNCIL MEETING TO ELECT THE MAYOR – 6 NOV 2020
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Moved: Cr Trevor Domaschenz

Seconded: Cr Jodie Pretlove

That Council elect the representatives to the Advisory Committees as detailed in the table below:

COMMITTEE	PREVIOUS REPRESENTATIVES 2019/2020	REPRESENTATIVES 2020/2021
CEO Performance Planning Advisory Committee	All Councillors	All Councillors
West Wimmera Shire Kaniva Recreation Reserve Advisory Committee	Cr B Meyer Alt: Cr Houlihan Director CCS Community Members: Kaniva Community Sporting Complex Kaniva Cricket Club Kaniva Hockey Club Kaniva Leer United Football Club Kaniva Leer United Netball Club Kaniva Lions Club	Cr B Meyer Alt: Cr Houlihan Director CCS Community Members: Kaniva Community Sporting Complex Kaniva Cricket Club Kaniva Hockey Club Kaniva Leer United Football Club Kaniva Leer United Netball Club Kaniva Lions Club
West Wimmera Shire Sustainability Advisory Committee	Cr Domaschenz Cr Pretlove Director IDW	Cr Houlihan Cr Pretlove Director IDW

Carried (5/0)



MINUTES – COUNCIL MEETING TO ELECT THE MAYOR – 6 NOV 2020 WEST WIMMERA SHIRE COUNCIL

13.0 WEST WIMMERA SHIRE TOURISM ADVISORY COMMITTEE

Introduction

Council established the West Wimmera Shire Tourism Advisory Committee some years ago, which is a non-legislated type of committee, and has been set up to provide advice to Council.

Any recommendations from this committee for action or expenditure must be taken by Council in a Council Meeting, by formal resolution of Council.

For the period from November 2019 until October 2020, the West Wimmera Shire Tourism Advisory Committee was comprised of the following members:

Community Members: Kelvin Moar, John Langens, Lyn Powell, Sue Close
Councillors: Cr Domaschenz and Cr Pretlove

The Committee has been in recess and has not met during the past 12 months. More recently Council has been made aware of renewed interest in resuming these Advisory Committee Meetings, and would like to advertise for expressions of interest from interested members of the community.

In order to attract a wide cross-section of Committee members the following suggestions are made:

1. Membership of the Advisory Committee to include residents from Harrow, Dergholm, Edenhope, Apsley, Gorokey, Kaniva, Serviceton and Districts.
2. Business owners as well as community members are encouraged to apply.
3. The Advisory Committee comprise a maximum of 11 community members.
4. The Advisory Committee include one Councillor representative as Committee Chair, one alternate Councillor representative, and one Council Officer.



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RECOMMENDATION 1

That membership of the West Wimmera Shire Tourism Advisory Committee include:

- a. Cr as the Councillor Representative and as Chair of the Committee for the next 12 months.**
- b. Cras the alternate Councillor Representative, and as Acting Chair for the Committee when required, for the next 12 months.**
- c. A Council Officer in an ongoing capacity.**

RECOMMENDATION 2

That:

- 1. Council calls for Expressions of Interest from members of the community to join the West Wimmera Shire Tourism Advisory Committee for a term of two years.**
- 2. The term of appointment for the selected community members conclude on 31 October 2022, and thereafter such appointments be for a term of two years.**
- 3. Membership of the Committee includes residents from Harrow, Dergholm, Edenhope, Apsley, Goroke, Kaniva, Serviceton and Districts, provided there is interest expressed from residents in these locations.**
- 4. Business owners as well as community members be encouraged to apply.**
- 5. The Advisory Committee comprises a maximum of 11 business and community members.**



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Moved: Cr Trevor Domaschenz

Seconded: Cr Tom Houlihan

That membership of the West Wimmera Shire Tourism Advisory Committee include:

- a. Cr Trevor Domaschenz as the Councillor Representative and as Chair of the Committee for the next 12 months.**
- b. Cr Jodie Pretlove as the alternate Councillor Representative, and as Acting Chair for the Committee when required, for the next 12 months.**
- c. A Council Officer in an ongoing capacity.**

Carried (5/0)

Moved: Cr Trevor Domaschenz

Seconded: Cr Jodie Pretlove

That:

- 1. Council calls for Expressions of Interest from members of the community to join the West Wimmera Shire Tourism Advisory Committee for a term of two years.**
- 2. The term of appointment for the selected community members conclude on 31 October 2022, and thereafter such appointments be for a term of two years.**
- 3. Membership of the Committee includes residents from Harrow, Dergholm, Edenhope, Apsley, Goroke, Kaniva, Serviceton and Districts, provided there is interest expressed from residents in these locations.**
- 4. Business owners as well as community members be encouraged to apply.**
- 5. The Advisory Committee comprises a maximum of 11 business and community members.**
- 6. That Expressions of Interest be called for as soon as possible.**

Carried (5/0)



MINUTES – COUNCIL MEETING TO ELECT THE MAYOR – 6 NOV 2020
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RECOMMENDATION

1. That Council pursuant to Section 66 (2)(a) of the Local Government Act 2020 close the meeting to members of the public at am to resolve on matters pertaining to Item 14 – Interim CEO.
2. That as required by Section 66 (5) (a) and (b) of the Local Government Act 2020, Council hereby records the ground or grounds for determining to close the meeting to the public as follows:

Grounds: LG Act 2020 Section 3 Confidential Information definition (a) Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released.

Explanation: This agenda item now includes consideration of commercial in confidence documents provided by external recruitment consultancies, regarding the hiring of an Interim CEO for West Wimmera Shire Council.

Moved: Cr Jodie Pretlove

Seconded: Cr Tom Houlihan

1. That Council pursuant to Section 66 (2)(a) of the Local Government Act 2020 close the meeting to members of the public at 11.12am to resolve on matters pertaining to Item 14 – Interim CEO.
2. That as required by Section 66 (5) (a) and (b) of the Local Government Act 2020, Council hereby records the ground or grounds for determining to close the meeting to the public as follows:

Grounds: LG Act 2020 Section 3 Confidential Information definition (a) Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released.

Explanation: This agenda item now includes consideration of commercial in confidence documents provided by external recruitment consultancies, regarding the hiring of an Interim CEO for West Wimmera Shire Council.

Carried (5/0)



MINUTES – COUNCIL MEETING TO ELECT THE MAYOR – 6 NOV 2020 WEST WIMMERA SHIRE COUNCIL

14.0 INTERIM CHIEF EXECUTIVE OFFICER

FILE NUMBER: HR0033

REPORT AUTHOR: DAVID LEAHY, CHIEF EXECUTIVE OFFICER

FOR DECISION

Introduction

West Wimmera Shire Council (Council) is required to appoint an Interim Chief Executive Officer (CEO).

Declaration of Interests

No officer declared an interest under the *Local Government Act 1989* and the *Local Government Act 2020* in the preparation of this report.

Background

Following almost five years in the role, the current CEO – Mr David Leahy – has resigned to take up a position with another Victorian Local Council. He will depart West Wimmera on Friday 27 November 2020.

Council is now required to appoint an Interim CEO, who will undertake the role while the recruitment of next CEO takes place.

In late October 2020 instructions were provided to the WWSC Human Resource Manager to identify and contact external Employment Agencies, with the view to obtaining a short list of potential candidates for the Interim CEO position. This step was taken to progress the matter while the outcome of the Local Council Election was being determined.

The Council Meeting scheduled for Wednesday 18 November 2020 will provide an opportunity for Council to select an Interim CEO, from the list of names provided.

Risk Management Implications

It is important that Council appoints a suitable Interim CEO before the end of November 2020, so that a handover can take place with David Leahy before he leaves West Wimmera.

This will provide a smooth transition for the organisation, and minimise any risk management implications brought about by a change of personnel.



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Legislative Implications

The Local Government Act 1989 continues to apply to the recruitment of the CEO.

Section 94 of the Local Government Act 1989 states that Council may appoint an Acting CEO for a period of less than 12 months, without being required to advertise the role in the local newspapers.

From 1 July 2021, the employment and remuneration of Local Government CEOs will be governed by the new Local Government Act 2020.

Environmental Implications

Not commented on.

Financial and Budgetary Implications

The CEO salary is included in the 2020/2021 budget.

Policy Implications

There are no current West Wimmera Shire Council Policies directly relating to the employment of the CEO, or an Interim CEO.

From 1 July 2021, the employment and remuneration of Local Government CEOs will be governed by the new Local Government Act 2020.

The new Council will then be required to prepare and adopt a CEO Employment and Remuneration Policy no later than the December 2021 Council Meeting.

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

Once an Interim CEO is appointed, their identity will be publicised on Council's website and Facebook page, and announced to the local media.



**MINUTES – COUNCIL MEETING TO ELECT THE MAYOR – 6 NOV 2020
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Conclusion

West Wimmera Shire Council (Council) is required to appoint an Interim Chief Executive Officer (CEO) as soon as possible, following the resignation of Mr David Leahy.

OFFICER RECOMMENDATION:

That Council appoint an Interim Chief Executive Officer from the list of candidates received from external Employment Agencies, as sourced by the WWSC Human Resource Manager.

OR

That Council appoint an Interim Chief Executive Officer who has been identified through local networks within the West Wimmera Shire region.

MEETING CONCLUDED: 11.12 AM



WEST WIMMERA SHIRE COUNCIL

OATH OR AFFIRMATION OF OFFICE

I will undertake the duties of the office of Councillor in the best interests of the municipal community.

I will abide by the Councillor Code of Conduct and uphold the standards of conduct set out in the Councillor Code of Conduct.

I will faithfully and impartially carry out and exercise the functions, powers, authorities and discretions vested in me under the **Local Government Act 2020** and any other Act to the best of my skill and judgement.

Councillor Jodie Pretlove

On this day:^{6th} November 2020

Signature witnessed by:

David Leahy – Chief Executive Officer

On this day:⁶ November 2020



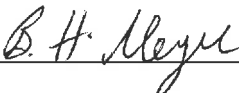
WEST WIMMERA SHIRE COUNCIL

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Councillor Bruce Meyer

On this day: ^{6th}..... November 2020

Signature witnessed by:



David Leahy – Chief Executive Officer

On this day: ⁶..... November 2020



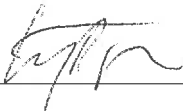
WEST WIMMERA SHIRE COUNCIL

OATH OR AFFIRMATION OF OFFICE

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Councillor Tim Meyer

On this day: ^{6th}..... November 2020

Signature witnessed by:



David Leahy – Chief Executive Officer

On this day: ⁶..... November 2020



WEST WIMMERA SHIRE COUNCIL

OATH OR AFFIRMATION OF OFFICE

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I will faithfully and impartially carry out and exercise the functions, powers, authorities and discretions vested in me under the **Local Government Act 2020** and any other Act to the best of my skill and judgement.

Councillor Trevor Domaschenz

On this day:6..... November 2020

Signature witnessed by:

David Leahy – Chief Executive Officer

On this day:6..... November 2020



WEST WIMMERA SHIRE COUNCIL

OATH OR AFFIRMATION OF OFFICE

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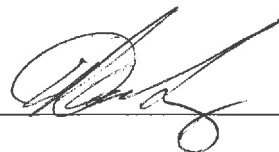
I will faithfully and impartially carry out and exercise the functions, powers, authorities and discretions vested in me under the **Local Government Act 2020** and any other Act to the best of my skill and judgement.



Councillor Tom Houlihan

On this day:⁶..... November 2020

Signature witnessed by:



David Leahy – Chief Executive Officer

On this day:⁶..... November 2020

ELECTION OF THE WEST WIMMERA SHIRE COUNCIL MAYOR
Friday 6th November 2020

I hereby nominate Councillor **Jodie Pretlove** to be the next Mayor of West Wimmera Shire Council.

Name: **TREVOR DOMASCHENZ**

Sign: 

Date: **6/11/2020**

Seconder: **JODIE PRETLOVE**

Sign: 

Date: **6-11-2020**