



COUNCIL MEETING AGENDA – 18 NOVEMBER 2020 WEST WIMMERA SHIRE COUNCIL

TO BE HELD:	Wednesday 18 November 2020
LOCATION:	Edenhope Community Centre 76 Elizabeth Street, Edenhope
COMMENCEMENT:	2.00pm
PUBLIC ACCESS:	Live Streaming from Council's website www.westwimmera.vic.gov.au

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

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

*Members of the public are reminded that they are required to remain silent
during this meeting, except during Section 4.0 Questions from the Gallery.*

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

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

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, LEAVE OF ABSENCE, DECLARATION OF CONFLICT OF INTEREST

3.1 APOLOGIES

3.2 LEAVE OF ABSENCE

3.3 DECLARATION OF CONFLICT OF INTEREST

All Councillors have a personal responsibility to ensure they are aware of the provisions mandated in the Local Government Act 2020 with regard to Conflict of Interest disclosures.



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4.0 QUESTIONS FROM THE GALLERY (maximum of 30 minutes)

4.1 WRITTEN QUESTIONS ON NOTICE

Governance Rules – Division 8 Section 53:

53.4 Questions submitted to Council can be submitted as follows:

53.4.1 In writing, stating the name and address of the person submitting the question and generally be in a form approved or permitted by Council; and

53.4.2 Placed in the receptacle designated for the purpose at the place of the meeting at least two hours prior to the Council meeting, or be lodged electronically at the prescribed email address at least two hours prior to the Council meeting.

53.5 No person may submit more than two questions at any one meeting.

The Question on Notice template is available from the Edenhope and Kaniva Council Offices, and from Council's website.

Written Questions on Notice submitted to Council no later than the deadline of 5:00pm on the Monday in the previous week to the relevant Council Meeting, will be included in the Agenda.

Written Questions on Notice submitted subsequent to that deadline can be lodged electronically to govmanager@westwimmera.vic.gov.au, no later than two hours prior to the Council Meeting.

RECOMMENDATION:

That Council suspend Standing Orders for the purpose of receiving questions without notice from members of the Gallery.



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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, following the removal of standing orders and when prompted by the Mayor (Governance Rules Division 8 S53.4.3)

Members of the Gallery providing verbal questions without notice at a Council Meeting must state their name, to be recorded in the minutes (Governance Rules Division 8 S53.4.4)

No person may submit more than two questions at any one meeting (Governance Rules Division 8 S53.5)

RECOMMENDATION:

That Council resume Standing Orders.

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

5.1 COUNCILLOR BRUCE MEYER OAM (MAYOR)

22/10/2020	CEO David Leahy
23/10/2020	Mayoral Gathering
04/11/2020	VEC Declaration of Local Council Election
06/11/2020	Council Meeting to Elect the Mayor
06/11/2020	Councillor Forum
11/11/2020	Councillor Induction Program with Senior Management Group
13/11/2020	Wimmera Southern Mallee Media & Council Liaison Meeting
18/11/2020	Council Meeting

5.2 COUNCILLOR JODIE PRETLOVE (DEPUTY MAYOR)

04/11/2020	VEC Declaration of Local Council Election
06/11/2020	Council Meeting to Elect the Mayor
06/11/2020	Councillor Forum
11/11/2020	Councillor Induction Program with Senior Management Group
17/11/2020	Council Agenda Review with Senior Management Group
18/11/2020	Council Meeting



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5.3 COUNCILLOR TREVOR DOMASCHENZ

04/11/2020	VEC Declaration of Local Council Election
06/11/2020	Council Meeting to Elect the Mayor
06/11/2020	Councillor Forum
10/11/2020	Wimmera Development Association Board Meeting & AGM
11/11/2020	Councillor Induction Program with Senior Management Group
17/11/2020	Wimmera Mallee Regional Tourism Association Meeting
17/11/2020	Council Agenda Review with Senior Management Group
18/11/2020	Council Meeting

5.4 COUNCILLOR TIM MEYER

04/11/2020	VEC Declaration of Local Council Election
06/11/2020	Council Meeting to Elect the Mayor
06/11/2020	Councillor Forum
11/11/2020	Councillor Induction Program with Senior Management Group
16/11/2020	ALGA National Roads and Transport Congress
17/11/2020	ALGA National Roads and Transport Congress
17/11/2020	Council Agenda Review with Senior Management Group
18/11/2020	Council Meeting

5.5 COUNCILLOR TOM HOULIHAN

04/11/2020	VEC Declaration of Local Council Election
06/11/2020	Council Meeting to Elect the Mayor
06/11/2020	Councillor Forum
11/11/2020	Councillor Induction Program with Senior Management Group
17/11/2020	Council Agenda Review with Senior Management Group
18/11/2020	Council Meeting

5.6 GENERAL DELEGATES' REPORTS

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

6.0 CONDOLENCES



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7.0 CONFIRMATION OF MINUTES FROM PREVIOUS MEETING – 21 OCT 2020

RECOMMENDATION:

That the Minutes of the Council Meeting held on Wednesday 21 October 2020 be taken as an accurate record and confirmed.

8.0 BUSINESS ARISING FROM PREVIOUS MINUTES

9.0 NOTICES OF MOTION

None received

10.0 COUNCILLOR FORUM RECORD & MINUTES OF COUNCIL MEETING TO ELECT THE MAYOR

10.1 COUNCILLOR FORUM RECORD – 6 NOV 2020

Summary of matters discussed at the Councillor Forum:

a)	Community Support Fund Policy
b)	Financial Performance Report at 30 September 2020
c)	Supply of Road Maintenance Truck CM0533

RECOMMENDATION:

That the Record for the Councillor Forum held Friday 6 November 2020 be received and noted.



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

RECOMMENDATION:

That the Minutes of the Council Meeting to Elect the Mayor, held on Friday 6 November 2020 in Kaniva, be taken as an accurate record and confirmed.

11.0 DEPUTATIONS AND PETITIONS



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12.0 CHIEF EXECUTIVE OFFICER AND GOVERNANCE

12.1 APPOINTMENT OF COUNCILLORS TO GOROKE RECREATION RESERVE AND LAKE WALLACE STRATEGIC PLAN PROJECT COMMITTEES

FILE NUMBER: AD0183

REPORT AUTHOR: DAVID LEAHY – CEO

FOR DECISION

Introduction

This report seeks to appoint Councillors to two key projects which have project committees currently operating.

The two projects are the Goroke Recreation Reserve Facilities Upgrade Committee and the Lake Wallace Strategic Plan Committee.

Declaration of Interests

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

Background

Planning is well underway for the upgrade of facilities at the Goroke Recreation Reserve, following successful grant application (\$1.755m) from Sport and Recreation Victoria.

To date the project has undergone the design phase and is in a position to be advertised for tender.

In 2018 the Council resolved to appoint a Councillor to all project control groups for major projects. The appointed Councillor to this committee will be required to attend meetings, held in the evening, either on-line (zoom) or in person at Goroke as needed. The current meeting schedule is fortnightly and will revert to monthly meetings once construction commences.

The Lake Wallace Strategic Plan committee has met a number of times previously and has now appointed a consultant to coordinate the development of the final plan/strategy.



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Now that the consultant has been appointed, the meeting schedule will be more regular and have traditionally be held in Edenhope during the working day.

The life of this committee is unknown at this stage, but it could be assumed that it will run for up to six months.

Risk Management Implications

Nil

Legislative Implications

Nil

Environmental Implications

Nil

Financial and Budgetary Implications

The appointed Councillors will not have financial authority over the projects and will be required to periodically report to Council if there are any financial issues.

Policy Implications

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

- Asset Capitalisation Policy
- Asset Management Policy
- Asset Management Strategy
- Building Fee Refunds Policy
- Building Permit Information Policy
- Communications Policy
- Community Engagement Policy
- Councillor Code of Conduct Policy
- Environmental Policy
- Procurement Policy
- Tourism Policy
- Township Amenity Policy

Council Plan Implications

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



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- Strategic Objective 1: A proactive, well governed, professional and financially sustainable organisation that encourages community participation.
- Strategic Objective 3: Quality sustainable community services and infrastructure.
- Strategic Objective 7: Providing access to and promoting the natural environment.

Communication Implications

Community newsletter items will be published throughout the two projects to ensure that the activities and decisions of the committees are clearly understood by the community. t

Conclusion

These two committees contain a number of diverse stakeholders, ranging from government agency staff to community based sporting and special interest groups.

The Councillor/s appointed to these committees will be required to represent Council in discussions with all of these groups, and provide balanced community leadership where required.

With significant federal funds to be spent over the next two years, primarily designed to stimulate the local economy, further appointments of Councillors to committees for projects will follow.

OFFICER RECOMMENDATION 1

That Council appoint Cr..... to the Goroke Recreation Reserve project committee.

OFFICER RECOMMENDATION 2

That Council appoint Cr..... to the Lake Wallace Strategic Plan committee.

Attachments: Nil



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13.0 INFRASTRUCTURE DEVELOPMENT AND WORKS



14.0 CORPORATE AND COMMUNITY SERVICES

14.1 COMMUNITY SUPPORT FUND POLICY

FILE NUMBER: AD0007

REPORT AUTHOR: ASHLEY ROBERTS, DIRECTOR CORPORATE AND COMMUNITY SERVICES

FOR DECISION

Introduction

West Wimmera Shire Council (Council) allocates an amount of funding annually to a Community Support Fund which enables Council to be able to identify and quickly respond to small funding initiatives and/or requests which provide a community benefit in line with Council's goals, and which have not been specifically included in Council's budget.

The Community Support Fund Policy ('the Policy') provides a framework for Council to effectively manage this fund. Council adopted the current Community Support Fund Policy at its Ordinary Meeting held 20 November 2019. The policy is to be reviewed annually.

This report presents Council with a revised and updated Community Support Fund Policy and seeks that Council formally adopt the revised Community Support Fund Policy.

Declaration of Interests

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

Background

The revision to the Community Support Fund makes a small number of amendments:

- Adding the *Local Government Act 2020* to Section 2 of the Policy 'Legislative Requirements'.
- Updating the reference under Section 3 of the Policy 'Ethics and Conflicts of Interest' to include the conflict of interest provisions of the *Local Government Act 2020*.



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- Amending point 4 in Section 5 of the Policy ‘Ineligible Initiatives’ by replacing the line stating ‘ Initiatives that have been deemed ineligible for funding under any other Council funding stream’ with ‘Initiatives that have been rejected for funding by Council under any other Council funding stream’. This reflects the possibility that a project may be eligible under the Community Support Fund but at the same time be ineligible under another Council funding program (ie: Community Grants) and may be something which Council deems to be a valuable initiative worthy of support.
- Minor grammatical corrections to Section 7 of the Policy (deleting duplicated words).

Risk Management Implications

There is potential for Council to be exposed to risk from any application of the Community Support Fund. This risk may arise from:

- Financial risk through funding being misappropriated
- Reputational risk through being associated with projects which fail to deliver community benefits or are mismanaged
- Operational risk through resources being tied up to administer minor items.

To mitigate the potential of this risk all initiatives under the Community Support Fund must be accompanied by a risk assessment and basic business case outlining the resource requirements and anticipated outcomes of the initiative to be funded.

Council must also receive an acquittal at the end of each project funded outlining how the provided funding was spent and identifying the outcomes of the funded project.

Council must also ensure that any applicant is made aware of any permit or regulatory requirements that may be applicable to funding applications.

Legislative Implications

The Community Support Fund allows for funding for a multitude of small events. This potentially leaves Council open to liability on the legislative front via activities undertaken with Council funding potentially breaching some legislation, inadvertently or otherwise. As part of the risk analysis required by Council for each funding application the relevant legislative implications must be assessed.

Environmental Implications

There are no direct environmental impacts from the Community Support Fund Policy, however, many varied projects may be funded under the Policy, some of which may have



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environmental impacts. As a result the risk analysis required for all funding applications must regard environmental impact.

Financial and Budgetary Implications

Council has a current year (2020/21) budget of \$10,000.00 per annum for the application to the Community Support Fund. Council must ensure that no more than the budgeted amount is provided to initiatives under this fund.

The Policy allows for a maximum funding of \$2,000.00 per individual or \$5,000.00 per group or organisation to apply to any one initiative funded under the Community Support Fund.

In the current year to date there has been \$3,214.00 allocated from the Community Support Fund – this was applied to the Edenhope Kindergarten Parents Advisory Group to assist with the replacement of blinds at the Edenhope Kindergarten.

Policy Implications

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

Council Plan Implications

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

- Strategic Objective 1: A proactive, well governed, professional and financially sustainable organisation that encourages community participation.
- Strategic Objective 2: Meaningful partnerships to support advocacy priorities and service provision.
- Strategic Objective 3: Quality sustainable community services and infrastructure.
- Strategic Objective 4: Building on our agricultural and business strengths and supporting economic development.
- Strategic Objective 5: Thriving, safe and diverse local communities.
- Strategic Objective 6: Participating in activities that address health and wellbeing issues.

Communication Implications

The Community Support Fund Policy is a publicly accessible document under section 8 of the *Freedom of Information Act 1982*.



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Conclusion

The attached revision of the Community Support Fund Policy updates the version of the Policy adopted by Council at the November 2019 Ordinary Council Meeting.

There have been a small number changes proposed to be made to the Policy as highlighted above.

OFFICER RECOMMENDATION:

That Council adopts the revised Community Support Fund Policy.

Attachments:

No.	Name	RecFind Ref
14.1.1	Revised Community Support Policy	C20/009049



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14.2 FINANCIAL PERFORMANCE REPORT AT 30 SEPTEMBER 2020

FILE NUMBER: FM0068

REPORT AUTHOR: MELANIE JORDAN, FINANCE COORDINATOR

FOR DECISION

Introduction

This report presents West Wimmera Shire Council (Council) with the Financial Performance Report for the period ended 30 September 2020.

Declaration of Interests

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

Background

The *Local Government Act 1989* ('the Act') requires Council to implement the principles of sound financial management (s.136 (1)). Section 138(1) of the Act requires that Council be presented with a statement comparing actual to 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 2020. Where significant variances exist between actual amounts and budgeted figures, a note is included to provide an explanation for the variance. The financial reports include a Comprehensive Income Statement, Balance Sheet and Capital Works Statement to give a true indication of Council's operations, capital works program and 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 Implications

Nil

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

Conclusion

Council's financial performance at 30 September 2020 is attached for Council's information, in accordance with the requirements of s.138 (1) of the Act.

OFFICER RECOMMENDATION:

That the Financial Performance Report as at 30 September 2020 be received and noted.

Attachments:

No.	Name	RecFind Ref
14.2.1	Financial Performance Report as at 30 September 2020	E20 /000359



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15.0 LATE ITEMS OF BUSINESS

Pursuant to West Wimmera Shire Council Governance Rules – Division 3 Section 20:

20. Urgent Business

If the agenda for a Council meeting makes provision for urgent business, business cannot be admitted as urgent business other than by resolution of Council, and only then if it:

20.1 relates to or arises out of a matter which has arisen since distribution of the agenda; and

20.2 cannot safely or conveniently be deferred until the next Council meeting.

16.0 SEALING SCHEDULE



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**17.0 CONFIDENTIAL (PURSUANT TO LG ACT 2020 SECTION 66 (2)(a))
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 pm to resolve on matters pertaining to the following item:

17.1 SUPPLY OF A ROAD MAINTENANCE TRUCK CM0533

2. That as required by Section 66 (5) (a) and (b) of the Local Government Act 2020, Council hereby records the 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, and

Definition (g) private commercial information, being information provided by a business, commercial or financial undertaking that relates to trade secrets, or if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage.

Explanation: This report contains Council business information regarding commercial negotiations for the supply of a Road Maintenance Truck CM0533, and private commercial information provided by the tenderers.



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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.

MEETING CONCLUDED:

NEXT MEETING:

WED 16 DECEMBER 2020