



## COUNCIL MEETING MINUTES – 21 JULY 2021 WEST WIMMERA SHIRE COUNCIL

<b>HELD:</b>	<b>Wednesday 21 July 2021</b>
<b>LOCATION:</b>	<b>Microsoft Teams</b>
<b>COMMENCED:</b>	<b>2.00pm</b>
<b>PUBLIC ACCESS:</b>	<b>Recording uploaded to website post meeting</b>

<b>IN ATTENDANCE:</b>	
<b>Councillors</b>	<b>Senior Management Group</b>
Bruce Meyer OAM, Mayor Jodie Pretlove, Deputy Mayor Trevor Domaschenz Tom Houlihan Tim Meyer	David Bezuidenhout Chief Executive Officer (CEO)
	Vin McKay Interim Director Corporate & Community Services (DCCS)
	John Hicks Interim Director Infrastructure Development & Works (DIDW)
	<b>Officers:</b> Kaddie Cother, Governance Support Officer Melanie Jordan, Finance Coordinator James Magee, Assets GIS Coordinator

*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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## **COUNCIL MEETING MINUTES – 21 JULY 2021 WEST WIMMERA SHIRE COUNCIL**

### **1.0 WELCOME**

#### **ACKNOWLEDGEMENT:**

**The West Wimmera Shire Council acknowledges the traditional custodians of the land on which we meet, and pays respect to their elders, past, present and emerging.**

#### **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 a recording post meeting via Council's website.**

**Moved: Cr Jodie Pretlove**

**Seconded: Cr Trevor Domaschenz**

**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 a recording post meeting via Council's website.**

**Carried (5/0)**

### **2.0 OPENING PRAYER – CEO**

**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**



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### 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 2020 with regard to Conflict of Interest disclosures.*

None Declared



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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](mailto:govmanager@westwimmera.vic.gov.au), no later than two hours prior to the Council Meeting.



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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)*

Nil



## **COUNCIL MEETING MINUTES – 21 JULY 2021 WEST WIMMERA SHIRE COUNCIL**

### **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)**

16/06/2021	Kaniva Community Sporting Complex Meeting
17/06/2021	WWSC Update with WWHS
18/06/2021	Wimmera Southern Mallee Media & Council Liaison Meeting
30/06/2021	Council Plan Listening Post – Apsley
30/06/2021	Council Plan Listening Post – Dergholm
30/06/2021	Kaniva & District Progress Association Meeting
01/07/2021	Council Plan Listening Post – Goroke
06/07/2021	Council Plan Listening Post – Kaniva
06/07/2021	Council Plan Listening Post – Serviceton
07/07/2021	Councillor Forum
07/07/2021	Lions Club Changeover Dinner – Kaniva
09/07/2021	Mayoral Lunch
09/07/2021	Lions Club Changeover Dinner – Edenhope
13/07/2021	Stuart Grimley MP Meeting
13/07/2021	Lions Club Changeover Dinner – Goroke
15/07/2021	Kaniva A&P Society Melbourne Cup Tour
16/07/2021	Wimmera Southern Mallee Media & Council Liaison Meeting
21/07/2021	SMG Agenda Review
21/07/2021	Council Meeting

#### **5.2 COUNCILLOR JODIE PRETLOVE (DEPUTY MAYOR)**

25/06/2021	Council Plan Listening Post – Edenhope
28/06/2021	Wimmera Primary Care Partnership Meeting
07/07/2021	Councillor Forum
16/07/2021	Goroke Senior Citizens 50 <sup>th</sup> Celebration
21/07/2021	SMG Agenda Review
21/07/2021	Council Meeting





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### **5.3 COUNCILLOR TREVOR DOMASCHENZ**

07/07/2021	Councillor Forum
07/07/2021	Edenhope Racecourse Meeting
13/07/2021	Wimmera Development Association Board Meeting
21/07/2021	SMG Agenda Review
21/07/2021	Council Meeting

### **5.4 COUNCILLOR TIM MEYER**

18/06/2021	Western Highway Action Committee Meeting
21/06/2021	Project Control Group Meeting – Goroke Recreation Reserve
22/06/2021	Dorodong Hall Committee Meeting
29/06/2021	Council Plan Listening Post – Harrow
01/07/2021	Council Plan Listening Post – Goroke
06/07/2021	Council Plan Listening Post – Kaniva
06/07/2021	Council Plan Listening Post – Serviceton
06/07/2021	Apsley Racecourse & Recreation Reserve Meeting
07/07/2021	Councillor Forum
15/07/2021	Kaniva A&P Society Melbourne Cup Tour
21/07/2021	SMG Agenda Review
21/07/2021	Council Meeting

### **5.5 COUNCILLOR TOM HOULIHAN**

16/06/2021	Kaniva Community Sporting Complex Meeting
29/06/2021	Council Plan Listening Post – Harrow
30/06/2021	Council Plan Listening Post – Apsley
30/06/2021	Council Plan Listening Post – Dergholm
01/07/2021	Council Plan Listening Post – Goroke
06/07/2021	Council Plan Listening Post – Kaniva
06/07/2021	Council Plan Listening Post – Serviceton
07/07/2021	Councillor Forum
21/07/2021	SMG Agenda Review
21/07/2021	Council Meeting



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### **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**

### **7.0 CONFIRMATION OF MINUTES FROM PREVIOUS MEETING – 16 JUNE 2021**

#### **RECOMMENDATION:**

**That the Minutes of the Council Meeting held on Wednesday 16 June 2021 be taken as an accurate record and confirmed.**

**Moved: Cr Tim Meyer**

**Seconded: Cr Tom Houlihan**

**That the Minutes of the Council Meeting held on Wednesday 16 June 2021 be taken as an accurate record and confirmed, noting an error in the report and resolution which will be dealt with as a late item of business in 14.1**

**Carried (5/0)**

### **8.0 BUSINESS ARISING FROM PREVIOUS MINUTES**

Nil

### **9.0 NOTICES OF MOTION**

Nil



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### **10.0 COUNCILLOR FORUM RECORD – 7 JULY 2021**

#### **RECOMMENDATION:**

**That the Record for the Councillor Forum held Wednesday 7 July 2021 be received and noted.**

**Moved: Cr Tim Meyer**

**Seconded: Cr Jodie Pretlove**

**That the Record for the Councillor Forum held Wednesday 7 July 2021 be received and noted.**

**Carried (5/0)**

### **11.0 DEPUTATIONS AND PETITIONS**

**Nil**



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### 12.0 INFRASTRUCTURE DEVELOPMENT & WORKS

#### 12.1 WOMBELANO RECREATION RESERVE

##### FILE NUMBER:

**REPORT AUTHOR: JOHN HICKS - ACTING DIRECTOR INFRASTRUCTURE  
DEVELOPMENT AND WORKS**

##### FOR DECISION

#### Introduction

The Subject land	Wombelano Crown Lands Recreation Reserve Allot. 1 Sec. 4 TOWNSHIP OF WOMBELANO Standard Parcel Identifier (SPI): 1~4\PP5870
Area of the Land	Approx. 3 Ha
Owner/Title Holder	Minister for Crown Lands (Reserves), Managed by DELWP
Current Ratepayer Previous Ratepayer	Not rateable
SV Current 2020	N/A
CIV Current 2020	N/A
Use & Development	Recreation Reserve The land is developed for an oval, WWSC developed and maintains a drought relief bore.

This report seeks Council's response to DELWP inquiry regarding future Committee of Management involvement with the land.

#### Declaration of Interests

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

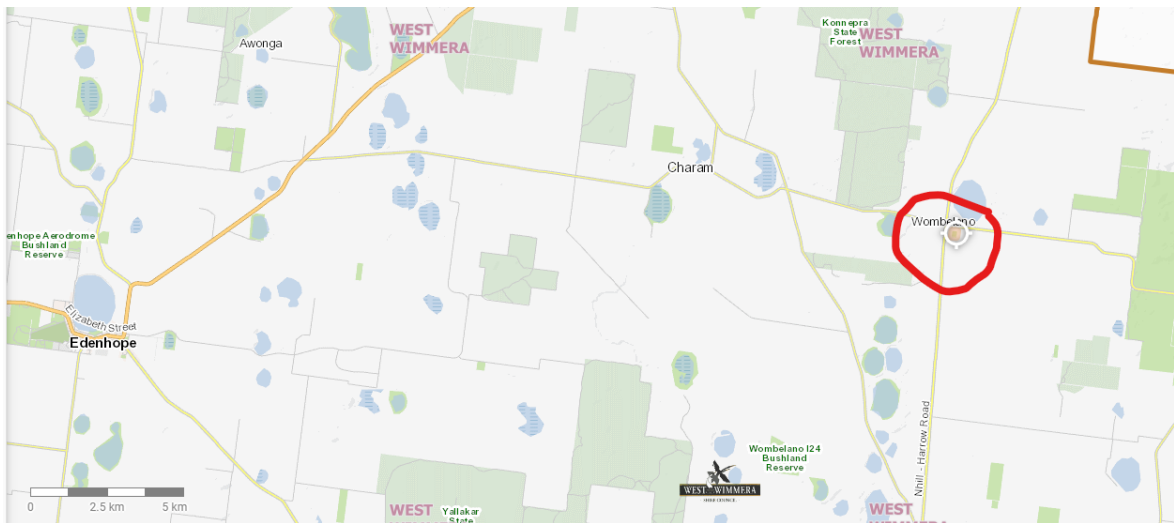
#### Background



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Following initial brief discussions in November 2019, confirmed in email February 2021, DELWP Crown Land Managers, sought BGLC and West Wimmera Shire Council's interest in Wombelano Recreation Reserve (Crown land, 0201023 in the map below), after the appointed community based Committee of Management advised it was no longer being used.

Location Map: (below)



The Subject Land: (Aerial photo map below)





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### Encroachments

Existing structures, including buildings and the oval formation, appear to have encroached upon the adjoining unmade roads. The drought relief bore is positioned within the road reserve.

### Risk Management Implications

Council may be subject to the following risks if it became COM:

- Financial risk - unbudgeted costs could arise in the course of accepting responsibility as Committee of Management for maintenance of the property, or indirectly in the opportunity costs from utilising the land for some other higher value use.
- Governance and Compliance risk - statutory requirements of a Committee of Management [COM], in accordance with the Crown Lands COM Guidelines.

There are no current infrastructure projects or other Council uses planned for the subject land, and Council's current maintenance costs and asset liability risk exposure would increase if it were to take up Committee of Management responsibility.

### Legislative Implications

*Local Government Act 1989, and Local Government Act 2020*

No community members are interested in using it for recreation purposes. Community sports clubs in the area have been consolidating to larger organisations with higher quality facilities.

*Planning & Environment Act 1987 and the West Wimmera Planning Scheme –*

Zone: Farming Zone FZ

Overlays: ESO2 – Environmental Significance Overlay Schedule 2

### Environmental Implications

The encroachments, structures over the road reserve, would only become an issue if Council made the adjoining roads.

### Financial and Budgetary Implications

Rates Classification: Non-rateable

Should Council nominate to become the COM for the Recreation Reserve, expected costs would include management, administration and maintenance of the Reserve.

### Policy Implications



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

Asset Capitalisation Policy  
Asset Management Policy  
Community Halls Policy  
Environmental Policy  
Recreation Policy  
Procurement Policy

### **Council Plan Implications**

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

- Strategic Objective 1: A proactive, well governed, professional and financially sustainable organisation that encourages community participation.
- Strategic Objective 3: Quality sustainable community services and infrastructure.
- Strategic Objective 5: Thriving, safe and diverse local communities.
- Strategic Objective 7: Providing access to and promoting the natural environment.

### **Communication Implications**

Council officers will continue to liaise with the DELWP Crown Lands Program Manager.

### **Conclusion**

Council can respond to DELWP that it is not interested in nominating as Committee of Management.



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### **OFFICER RECOMMENDATION:**

**That Council responds to DELWP:**

- 1. it will not assume Committee of Management in regard to the aforementioned crown land.**
- 2. it request DELWP continue to enable turn-around access to the drought relief bore.**

**Moved: Cr Tom Houlihan**

**Seconded: Cr Trevor Domaschenz**

**That Council responds to DELWP:**

- 1. It will not assume Committee of Management in regard to the aforementioned crown land.**
- 2. It request DELWP continue to enable turn-around access to the drought relief bore.**
- 3. It requests DELWP to forward any proceeds from any sale of facilities at the Wombelano Recreation Reserve to the Miga Lake CFA Fire Brigade.**

**Carried (5/0)**





**12.2 ROAD MANAGEMENT PLAN & REGISTER OF PUBLIC ROADS  
(REVIEW 2021)**

**FILE NUMBER:**

**REPORT AUTHOR: JAMES MAGEE, ASSETS/GIS COORDINATOR**

**FOR DECISION**

Introduction

To enable Council to adopt a Road Management Plan (RMP) for a four year period in accordance with the Road Management Act 2004. Council's last Road Management Plan was adopted in 2017. A RMP is a voluntary plan which Council may undertake under the Road Management Act 2004. It may be used as a defence against common law proceedings

Declaration of Interests

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

Background

Council first adopted a RMP in 2004. The plan has been amended and endorsed by Council three times since then with the last review being in 2017. The plan must be reviewed each four years, after each Council election.

The RMP establishes a management system for the inspection and maintenance road management functions of a road authority which is based on policy, operational objectives and available resources. It also sets relevant intervention levels for safety defects in relation to the discharge of duties in the performance of those road management functions.

Risk Management Implications

A RMP is adopted to assist with a defence against a common law claim by providing a systematic inspection regime, a set of maintenance intervention levels for road defects and a corresponding set of response times to repair the defect. The RMP also details the obligations of road users under section 17A of the Road Safety Act 1986.

The RMP intervention levels and response times adopted need to be achievable, and definitely not aspirational, to provide maximum protection in defending claims.



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The RMP includes an “Exceptional Circumstances” clause whereby Council has the power to suspend its RMP for a period if it cannot undertake its requirements due to extreme events such as floods, fire or pandemic or due to sudden lack of physical or financial resources.

### Legislative Implications

Municipal RMPs must be reviewed in accordance with the Road Management (General) Regulations 2005. They should review standards and priorities for inspection and maintenance and ensure they are appropriate. Budgets and available resources should be taken into account.

Council should also compare their proposed RMP with that of other similar Councils to determine if it meets industry standards.

### Environmental Implications

Nil

### Financial and Budgetary Implications

Consultation with Management and Supervisory staff within the Infrastructure, Development and Works sector has established that the works that may be required to achieve the requirements of the RMP can be undertaken within current and projected available budget resources.

### Policy and Strategy Implications

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

- Asset Management Policy
- Asset Management Strategy
- Customer Request Procedure
- Complaints Handling 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 3: Quality sustainable community services and infrastructure.
- Strategic Objective 5: Thriving safe and diverse local communities.



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### Communication Implications

The draft Road Management Plan must be advertised for public review and allow 28 days for submissions. Council should then review those submissions, amend their draft if they see fit to do so, and then adopt the plan at a Council Meeting.

The notice advertising the review of the plan must be placed in a locally circulating newspaper and the Government Gazette.

### Gender Equality

A Gender Impact Assessment (as defined in the Gender Equality Act 2020) has been conducted on this policy, and where appropriate, changes have been made to the policy to address the principles of the Gender Equality Act 2020

### Conclusion

The draft Road Management Plan is prepared and ready for public submissions. Once submission period is complete, the RMP may then be amended and adopted by Council. Attached is Councils draft Road Management Plan 2021-2025 including the Public Road Register.



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### OFFICER RECOMMENDATION:

That the West Wimmera Shire Council

1. Invite public submissions on the draft Road Management Plan 2021-2025 placing a notice in the Government Gazette, locally circulating newspapers and the Council website.
2. Review any submissions, amend the draft Road Management Plan if they deem appropriate, and adopt the Road Management Plan at a subsequent Council Meeting.

**Moved:** Cr Jodie Pretlove

**Seconded:** Cr Trevor Domaschenz

That the West Wimmera Shire Council

1. Invite public submissions on the draft Road Management Plan 2021-2025 placing a notice in the Government Gazette, locally circulating newspapers and the Council website.
2. Review any submissions, amend the draft Road Management Plan if they deem appropriate, and adopt the Road Management Plan at a subsequent Council Meeting.

Carried (5/0)

### Attachments:

No.	Name	RecFind Ref
B2	Road Management Plan – 2021 Draft SMG	
B3	Road Management Plan 2021-2025 Title Page	
B4	West Wimmera Shire Road Register	



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### 13.0 CORPORATE & COMMUNITY SERVICES

#### 13.1 BORROWINGS POLICY

**FILE NUMBER: FM0021**

**REPORT AUTHOR: MELANIE JORDAN, FINANCE COORDINATOR**

#### FOR DECISION

##### Introduction

West Wimmera Shire Council (Council) faces numerous community demands and desires for services and public asset provision which necessitates the management of a significant amount of funds. Council has a range of funding sources available to it in the provision of these services and community assets, one of which is making use of borrowings.

Basic financial management principles require that management and controls be placed upon the sourcing of funds via borrowings, and as such there are requirements around Council borrowings under the *Local Government Act 2020* (the Act). In accordance with the principals of sound financial management it is prudent for Council to institute its own policy around borrowings in addition to the requirements of the Act.

The draft updated Borrowings Policy is attached for Councillor's information, seeking formal adoption by Council.

##### Declaration of Interests

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

##### Background

Borrowings can be an important source of funding for business activity. Council has the potential to investigate the use of borrowings to fund future capital works programs which have the potential to provide Council with additional or improved economic benefits.

The use of borrowings should provide a net benefit to any business undertaking them, and as such it is very important to have an effective control framework around borrowings to ensure that Council does indeed receive a net benefit from undertaking any such borrowings and that any debt servicing costs Council incurs do not negatively impact Council's service provision standards.



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The Borrowings Policy was last reviewed by Council at its May 2020 Ordinary Council Meeting. It is important to regularly review and update this policy so that Council can keep abreast of evolving business practices and circumstances placed upon Council. No significant changes are proposed to the policy, other than amendments in relation to the new *Local Government Act 2020*.

The relevant section in the *Local Government Act 2020* (section 104) came into effect on 1 July 2021. The sections governing borrowings from the *Local Government Act 1989* (sections 144 – 148) were repealed from 1 July 2021.

It should be noted that the *Local Government Act 2020* does not mention borrowings in as much prescriptive detail as its predecessor. This is in line with the direction of the new Act taking a more principle and conceptual based approach than its more prescriptive based antecedent legislation.

The *Local Government Act 2020* prescribes the following regarding borrowings:

### **104 Borrowings**

A Council cannot borrow money unless the proposed borrowings were included in the budget or a revised budget.

The draft Borrowings Policy as attached maintains the basic principles that:

- Council should fund its own ongoing activities and ongoing maintenance of its public assets via rates and/or operating grants or contributions from government. This principle provides that future generations (i.e via deferred costs from future loan principle and interest payments) should not pay for current maintenance and consumption of assets or services.
- Council should consider borrowings as a manner of providing for long lived assets that provide inter-generational and longer term benefit to our community.
- There may be times when, despite its best efforts and intent, Council can be exposed to a financial obligation that is beyond its direct control, and it may be more beneficial to Council to utilise borrowings to extinguish that liability. A good example of this is where Council is made liable for a superannuation fund call.
- Whilst recognising these principles, Council should consider the use of borrowings to fund these longer term projects and benefits at all stages when considering rate increases. This is especially so when Council considers applying for a variation to the published rate cap, where detail of the consideration of the use of borrowings shall be included in any application to vary the rate cap.



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### Risk Management Implications

Borrowings provide potential financial and reputational risks to Council. Borrowings have the potential to provide benefits and problems to Council.

However, uncontrolled borrowings can have a catastrophic effect upon Council's financial sustainability, through cash flow issues with repayments, which in turn restricts the cash available for Council to use in delivering services to the community. Adhering to the Borrowings Policy mitigates these risks.

### Legislative Implications

Council borrowings are controlled through the provisions of the *Local Government Act 2020*. Council may not enter into any borrowings during a financial year unless those borrowings are included in that financial year's Annual Budget. If Council wishes to enter into borrowings during a financial year where they are not included in the budget Council must prepare and release a Revised Budget for which another public consultation period is required.

Local Government Victoria, through the Loans Council, also monitor the sector's borrowing activity and must approve all new borrowings undertaken by Council. The draft Borrowings Policy addresses these compliance requirements.

### Environmental Implications

Not commented on.

### Financial and Budgetary Implications

Failure to have effective guidelines around borrowings may lead Council to incur significant debt redemption and servicing costs. This may have a significant effect on Council's ongoing operational cash flow with a corresponding negative influence on service provision.

It is a requirement of the Act that all proposed borrowings and debt redemption and servicing costs be included in Council's annual budget. If Council undertakes borrowings during a year where it has not included them in its adopted budget, then it must go through a full budget revision process.

### Policy Implications

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

Asset Management Policy  
Asset Management Strategy  
Borrowings Policy

### Council Plan Implications



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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 3: Quality sustainable community services and infrastructure.

### Communication Implications

The Borrowing Policy will be made available to all staff, for use as guidance when preparing strategic plans.

Any proposed new borrowings must be included in Council's Annual Budget.

### Gender Equality

A Gender Impact Assessment (as defined in the Gender Equality Act 2020) has been undertaken in relation to this matter in accordance with the Gender Equality Act (2020).

### Conclusion

The Borrowing Policy provides Council with clear guidelines to control future borrowings whilst promoting financial sustainability.





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### **OFFICER RECOMMENDATION:**

**That Council adopt the draft Borrowings Policy as presented**

**Moved: Cr Trevor Domaschenz**

**Seconded: Cr Jodie Pretlove**

**That Council adopt the draft Borrowings Policy as presented**

**Carried (5/0)**

### **Attachments:**

<b>No.</b>	<b>Name</b>	<b>RecFind Ref</b>
1	WWSC_Council Policy_Borrowings Policy_DRAFT	C20/002974



## COUNCIL MEETING MINUTES – 21 JULY 2021 WEST WIMMERA SHIRE COUNCIL

### 13.2 MINUTES OF AUDIT & RISK COMMITTEE MEETING HELD 15 JUNE 2021

**FILE NUMBER: FM0021**

**REPORT AUTHOR: MELANIE JORDAN, FINANCE COORDINATOR**

#### **FOR DECISION**

#### Introduction

This report presents West Wimmera Shire Council (Council) with the minutes of the Audit and Risk Committee Meeting held 15 June 2021.

#### Declaration of Interests

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

#### Background

Section 53 (1) of the *Local Government Act 2020* requires that each Council establish an Audit and Risk Committee. The Audit and Risk Committee is a formally appointed Advisory Committee of Council.

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

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



## COUNCIL MEETING MINUTES – 21 JULY 2021 WEST WIMMERA SHIRE COUNCIL

### Risk Management Implications

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

### Legislative Implications

The *Local Government Act 2020* requires that each Council establish an Audit and Risk Committee.

### Environmental Implications

Not commented on.

### Financial and Budgetary Implications

Not commented on.

### Policy Implications

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

Fraud & Corruption Control Policy  
Risk Management Policy

### Council Plan Implications

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

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

### Communication Implications

Not commented on.

### Gender Equality

A Gender Impact Assessment (as defined in the Gender Equality Act 2020) has been undertaken in relation to this matter in accordance with the Gender Equality Act (2020).

### Conclusion



## COUNCIL MEETING MINUTES – 21 JULY 2021 WEST WIMMERA SHIRE COUNCIL

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

### **OFFICER RECOMMENDATION:**

**That Council receives the draft minutes of the Audit and Risk Committee meeting held 15 June 2021.**

**Moved: Cr Trevor Domaschenz**

**Seconded: Cr Jodie Pretlove**

**That Council receives the draft minutes of the Audit and Risk Committee meeting held 15 June 2021.**

**Carried (5/0)**

### **Attachments:**

<b>No.</b>	<b>Name</b>	<b>RecFind Ref</b>
1	2021 06 15 Audit Committee MINUTES - unconfirmed	E21/



## COUNCIL MEETING MINUTES – 21 JULY 2021 WEST WIMMERA SHIRE COUNCIL

### 14.0 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.*

**Moved:** Cr Tom Houlihan

**Seconded:** Cr Tim Meyer

**That Council consider the following late items of business:**

#### **14.1 BUDGET 2021/22 RESOLUTION RECOMMENDATION**

**FILE NUMBER:**

**REPORT AUTHOR: VIN MCKAY, DIRECTOR CORPORATE & COMMUNITY SERVICES**

**14.2 A: To reschedule the first possible Council Meeting to Apsley**

**B: Authorise a forum venue change on the 4<sup>th</sup> of August due to an anticipated power outage in Kaniva.**

**Carried (5/0)**



## COUNCIL MEETING MINUTES – 21 JULY 2021 WEST WIMMERA SHIRE COUNCIL

### **14.1 BUDGET 2021/22 COUNCIL REPORT CORRECTION**

**FILE NUMBER: FM0055**

**REPORT AUTHOR: VIN MCKAY, DIRECTOR CORPORATE & COMMUNITY SERVICES**

#### **FOR DECISION**

##### Introduction

At it's Meeting on 16 June, Council took final resolutions to adopt the 2021/22 Annual Budget.

Unfortunately there was a typographical error in Part 8 of the Recommendations relating to waste management service charges. This translated into incorrect figures also appearing in the formal resolution taken by Council.

##### Declaration of Interests

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

##### Background

Council Officers discovered the error in Part 8 of the Officer Recommendation and subsequent Council Resolution when preparing the minutes of the 16 June Meeting for consideration at the 21 July Meeting.

The correct figures were presented in both the Officer Recommendation and subsequent resolution at the previous meeting where Council resolved to place the Draft Budget on Public Exhibition. At all times throughout the Budget development and subsequent adoption, the figures pertaining to Waste Management were correctly presented in the actual Budget Document which was an attachment to the various Reports.

Officers have taken legal advice in relation to this unfortunate error. That advice confirmed that Council should take a further resolution to clarify the correct charges which will apply to Waste Management Service charges. No other action is required other than noting that the error has occurred when the Council is adopting the Minutes of the 16 June Meeting.

The correct charges are as follows:

- Urban 120 litre bin collection: \$326
- Rural 120 litre bin collection: \$315
- Commercial 240 litre bin collection: \$424



## COUNCIL MEETING MINUTES – 21 JULY 2021 WEST WIMMERA SHIRE COUNCIL

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### Risk Management Implications

Any risk arising from this error will be ameliorated through adopting the correct service charges for Waste Management Services at this meeting.

### Legislative Implications

N/A

### Environmental Implications

N/A

### Financial and Budgetary Implications

Financial implications will be addressed by taking the appropriate resolutions correcting the error.

### Policy Implications

N/A

### Council Plan Implications

N/A

### Communication Implications

N/A

### Gender Equality

N/A

### Conclusion

Whilst the official, and now adopted 21/22 Budget Document, contains the correct and publically exhibited charges in relation to Waste Management Services, Council clarifies any ambiguity which may have arisen as a result of the unfortunate typographical error through this process proposed by our legal advisors.



## **COUNCIL MEETING MINUTES – 21 JULY 2021 WEST WIMMERA SHIRE COUNCIL**

### **OFFICER RECOMMENDATION:**

**That Council:**

- 1. Notes that the charges adopted in Part 8 of the Budget resolutions taken at its June 16 Council Meeting in relation to Waste Management Services were incorrect due to a typographical error.**
- 2. Notes the charges, as expressed in the adopted Budget Document, are correct and were correct at each stage of the Budget development process.**
- 3. Resolves that in accordance with Section 162 of the Local Government Act 1989, Council proposes to declare the following annual waste management service charges for the period commencing 1 July 2021 and ending 30 June 2022:**
  - a. Urban 120 litre bin collection \$326**
  - b. Rural 120 litre bin collection \$315**
  - c. Commercial 240 litre bin collection \$424**

**Moved: Cr Tom Houlihan**

**Seconded: Cr Trevor Domaschenz**

**That Council:**

- 1. Notes that the charges adopted in Part 8 of the Budget resolutions taken at its June 16 Council Meeting in relation to Waste Management Services were incorrect due to a typographical error.**
- 2. Notes the charges, as expressed in the adopted Budget Document, are correct and were correct at each stage of the Budget development process.**
- 3. Resolves that in accordance with Section 162 of the Local Government Act 1989, Council proposes to declare the following annual waste management service charges for the period commencing 1 July 2021 and ending 30 June 2022:**
  - a. Urban 120 litre bin collection \$326**
  - b. Rural 120 litre bin collection \$315**
  - c. Commercial 240 litre bin collection \$424**

**Carried (5/0)**





**COUNCIL MEETING MINUTES – 21 JULY 2021  
WEST WIMMERA SHIRE COUNCIL**

**14.2 A: To reschedule the first possible Council Meeting to Apsley**

**B: Authorise a forum venue change on the 4<sup>th</sup> of August due to an anticipated power outage in Kaniva.**

**Moved: Cr Trevor Domaschenz**

**Seconded: Cr Tom Houlihan**

**That the West Wimmera Shire Council**

**A: Reschedule the first possible Council Meeting to Apsley, VIC 3319**

**B: Authorise a forum venue change on the 4<sup>th</sup> of August due to an anticipated power outage in Kaniva.**

**Carried (5/0)**



## **COUNCIL MEETING MINUTES – 21 JULY 2021 WEST WIMMERA SHIRE COUNCIL**

### **15.0 SEALING SCHEDULE**

#### **15.1 PROVISION OF INTERNAL AUDIT SERVICES – FORM OF AGREEMENT**

##### **OFFICER RECOMMENDATION:**

**That Council Sign & Seal the Provision of Internal Audit Services, Form of Agreement Contract CMO537 between the West Wimmera Shire Council and RSD Audit.**

**Moved: Cr Jodie Pretlove**

**Seconded: Cr Trevor Domaschenz**

**That Council Sign & Seal the Provision of Internal Audit Services, Form of Agreement Contract CMO537 between the West Wimmera Shire Council and RSD Audit.**

**Carried (5/0)**

**MEETING CONCLUDED: 2:56PM**

**NEXT MEETING: WEDNESDAY 18 AUGUST 2021  
KANIVA COUNCIL CHAMBER**