



## COUNCIL MEETING AGENDA – 15 DECEMBER 2021 WEST WIMMERA SHIRE COUNCIL

**TO BE HELD:** Wednesday, 15 December 2021

**LOCATION:** Edenhope Council Chambers

**COMMENCEMENT:** 2.00pm

**PUBLIC ACCESS:** Open to the public and a recording will be loaded to website post meeting

REQUIRED TO ATTEND:	
Councillors	Senior Management Group
Bruce Meyer OAM, Mayor	David Bezuidenhout
Jodie Pretlove, Deputy Mayor	Chief Executive Officer (CEO)
Trevor Domaschenz	Vin McKay
Tim Meyer	Interim Director Infrastructure, Development and Works (DIDW)
Tom Houlihan	James Bentley
	Director Corporate and Community Services (DCCS)

*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

#### 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.

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

#### 4.1.1 BITUMEN HARROW – GREG BUTTLE, EDENHOPE.

Subject: Bitumen to be laid West side Harrow Road between George Street and Windsor Avenue.

Question:

Could the Council please advise when they will actually carry out laying the bitumen. I asked the question over a year ago and was advised that it was in the budget for this financial year. Mayor Meyer also spoke to me personally advising me that Council was going to do this job. This was at the community meeting at Henley Park attended by consultants from Bendigo in reference to Lake Wallace.



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This would go a long way to improving the look of the town as visitors enter from Harrow.

Thank you.

### **RECOMMENDATION:**

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

### **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.**



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### **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)**

19/11/2021	NWMA Meeting
19/11/2021	Wimmera Southern Mallee Media & Council Liaison Meeting
26/11/2021	MAV Representatives and CEOs Forum
01/12/2021	Councillor Forum
01/12/2021	LINK Neighbourhood presents the launch of Tales of the Overland Book Launch and Morning Tea.
02/12/2021	Grampians Community Power Hub
03/12/2021	West Wimmera Shire Council Christmas Party
06/12/2021	Edenhope School Student Citizenship Awards 2021
06/12/2021	Major Projects Discussion Meeting
07/12/2021	Strategic Leadership Meeting with CEO
10/12/2021	Volunteer Morning Tea
12/12/2021	Bernie Maddern's Farewell – 46 Years of Service.
15/12/2021	Council Meeting

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

22/11/2021	Wimmera Primary Care Partnership Committee of Management Meeting
01/12/2021	Councillor Forum
06/12/2021	Major Projects Discussion Meeting
07/12/2021	Strategic Leadership Meeting with CEO
10/12/2021	Volunteer Morning Tea
12/12/2021	Bernie Maddern's Farewell – 46 Years of Service.
13/12/2021	Wimmera Primary Care Partnership Committee of Management Meeting
15/12/2021	Council Meeting

#### **5.3 COUNCILLOR TREVOR DOMASCHENZ**

26/11/2021	White Ribbon Day, Edenhope – Sausage Sizzle and Guest Speaker
27/11/2021	Welcome to Apsley and BBQ Area Grand Opening
01/12/2021	Councillor Forum
10/12/2021	Volunteer Morning Tea
12/12/2021	Bernie Maddern's Farewell – 46 Years of Service.
14/12/2021	Wimmera Mallee Tourism
14/12/2021	Wimmera Development Association Annual General Meeting followed by Extraordinary General Meeting.
15/12/2021	Council Meeting



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### **5.4 COUNCILLOR TIM MEYER**

22/11/2021	Project Control Group – Goroke Recreation Reserve – Pavilion & Change Rooms
01/12/2021	Councillor Forum
03/12/2021	Western Highway Action Committee Meeting
03/12/2021	West Wimmera Shire Council Christmas Party
06/12/2021	Major Projects Discussion Meeting
10/12/2021	Volunteer Morning Tea
12/12/2021	Bernie Maddern's Farewell – 46 Years of Service.
15/12/2021	Council Meeting

### **5.5 COUNCILLOR TOM HOULIHAN**

01/12/2021	Councillor Forum
03/12/2021	West Wimmera Shire Council Christmas Party
06/12/2021	Major Projects Discussion Meeting
10/12/2021	Volunteer Morning Tea
10/12/2021	Grampians Central West Waste & Resource Recovery Group Forum
12/12/2021	Bernie Maddern's Farewell – 46 Years of Service.
15/12/2021	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**

### **7.0 CONFIRMATION OF MINUTES FROM PREVIOUS MEETING – 17 NOVEMBER 2021**

#### **RECOMMENDATION:**

**That the Minutes of the Council Meeting held on Wednesday, 17 November 2021 be taken as an accurate record and confirmed.**





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

### **9.0 NOTICES OF MOTION**

#### **9.1 LAKE WALLACE WEED MANAGEMENT – NOM 2021/04 – CR. TREVOR DOMASCHENZ.**

Lake Wallace in Edenhope has an issue with being able to access the water, which remains deep enough to fish, ski, jetski, sail, swim and kayak. A recent petition run for only 2 weeks identified the depth of feeling on the issue by locals and visitors alike. None of these very important activities that provide enjoyment to locals and tourists can presently be done. This affects the local social amenity and the ability to attract tourists to help our local tourism industries like the pub, cafes, servos, accommodation, butchers, supermarkets, clothing shops etc. in Edenhope recover from a disastrous two years. The benefits are not just to Edenhope as through-traffic generates spending in the whole region, as they shop or have a beer along the way to the lake, on the way – home or locally. The Street Ryan study estimates that the economic impacts of this “lost” tourism are worth around \$800,000 per year.

Lake Wallace has an issue with a proliferation of aquatic plants that are interfering with the natural aeration of the lake. Aquatic vegetation such as water ribbons will remain an issue as water levels will remain low over the summer months. Hot temperatures can cause the plants to break down, which can cause a range of environmental and social issues from decomposing vegetation including lowering dissolved oxygen levels which may impact (kill) aquatic life and smell. Blue green algae blooms can be a result of the weed decomposition and because the weeds interfere with natural aeration that prevents blooms and there are no boats on the water to aerate the water. I believe we are very close to that stage already. We have the ability to intervene in this looming disaster, by cutting some of the weeds and allowing boat access to help with water aeration.

We will also have an increased issue with accessing the lake with a weedcutter or any watercraft as the water level drops over summer, without urgent intervention as the boat ramp needs extending as and if the water keeps receding.

Following resolutions passed by Council, in consultation with the community, engineering designs were drawn up and approved in January 2016 to extend the boat ramp another 90 metres into the lake to around the 1 metre depth mark. I still have those plans. Volunteers were all ready to go to assist council with labour and offers of equipment. I still have the volunteer pledges here but they are out of date. Before the go



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ahead was given it rained and now 6 years on is the first time you can actually see the end of the boat ramp but still under water a bit. We missed the opportunity from 2011 through to 2014 from having a usable lake because it couldn't be accessed and now we are missing the opportunity to use the lake even though it has more water.

As the water level recedes I would like to see the boat ramp extended in stages to enable present and future safe access to the wonderful waters of Lake Wallace. I will assist with a loader if applicable. I would hope that WWSC liaise with GWM Water and WCMA to get the best possible outcome.

I believe the motions below will allow for a low cost weedcutter to be designed and built and operate within the budget if it could be built to the compliance standards required by council.

### Motions

1. That West Wimmera Shire Council immediately liaise and apply to the Wimmera Catchment Management Authority for a works on a waterway permit, as a trial, to trim as deep as possible and remove the cut aquatic plants. This to be to the extent necessary on up to 20% of the lake area to provide some natural aeration to the lake to keep the fish and yabbies alive and provide access to boats for locals and tourists alike.
2. That the West Wimmera Shire Council allocate a sum of money of \$50,000 for the above purpose to cut the aquatic vegetation as a trial on up to 20% of the lake.
3. That West Wimmera Shire Council allocate \$15,000 for a staged boat ramp extension and liaise with volunteers to drive the dollar further and apply for a works on a waterway permit for the ramp if applicable.

### Attachments:

No.	Name	RecFind Ref
9.1.1	Notice of Motion – 2021/04 – Cr. Trevor Domaschenz	



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### **10.0 COUNCILLOR FORUM RECORD AND ANNUAL STATUTORY MEETING TO ELECT THE MAYOR**

#### **10.1 COUNCILLOR FORUM RECORD- 3 DECEMBER 2021**

##### **RECOMMENDATION:**

**That the Record for the Councillor Forum held Wednesday, 1 December 2021 be received and noted.**

#### **10.2 MINUTES OF ANNUAL STATUTORY MEETING TO ELECT THE MAYOR - 3 NOVEMBER 2021**

##### **RECOMMENDATION:**

**That the Minutes of the Annual Statutory Meeting to elect the Mayor held on Wednesday, 3 November 2021 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 PROPOSED COMPLAINTS POLICY

**FILE NUMBER:**

**REPORT AUTHOR: VIN MCKAY, INTERIM DIRECTOR INFRASTRUCTURE  
DEVELOPMENT AND WORKS**

#### **FOR DECISION**

##### Introduction

The purpose of this report is to provide the opportunity for Council to approve a new *Complaints Policy* (the Policy). **Attachment 1**

##### Declaration of Interests

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

##### Background

Section 107 of the LGA 2020 provides that every council must, by 31 December 2021, develop, adopt and keep in force a Complaints Policy.

The specific legislative requirements are shown in Attachments 1 and 2 imbedded in the Policy document.

##### Policy development

The proposed Policy has been based on Council's existing Complaints Handling Policy (February 2020) but has been updated to:

- a) meet the requirements of the LGA 2020;
- b) reflect relevant provisions in the policies of comparable councils;
- c) incorporate provisions recommended by the Ombudsman;



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- d) provide that in addition to applying to Councillors, Council staff and contractors, the Policy extends to members of Council committees and volunteers;
- e) include additional definitions;
- f) clarify roles and responsibilities;
- g) establish the process for receiving, processing and resolving complaints;
- h) provide for a review of decisions made;
- i) establish what exclusions apply; and
- j) establishing processes for dealing with unreasonable complainants.

An addition has been made under *Roles – 2. Chief Executive Officer* to include that the CEO is responsible for:

- c) processing complaints which have been received from a Councillor concerning another Councillor in accordance with the Councillor Code of Conduct and referring the matter to the Local Government Inspectorate for investigation if necessary;
- e) appointment of external advisers or investigators.

At the December Councillor Forum it was proposed that this Policy would supersede the Complaints and Grievances Policy – Kindergartens, however it has been decided that it would be preferable to keep this as a separate policy.

### Risk Management Implications

The proposed Policy is a legislative requirement. Non-compliance could attract the attention of Local Government Victoria.



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### Legislative Implications

A complaints policy is a legislative requirement.

### Environmental Implications

Not applicable.

### Financial and Budgetary Implications

Not applicable.

### Policy Implications

The proposed Policy will supersede the following Council policy which needs to be revoked:

- a) Complaints Handling Policy (February 2020).

The proposed Policy is supported by the following Council policies:

- a) Community Engagement Policy (February 2021);
- b) Information Privacy Policy (March 2021);
- c) Protected Disclosures Policy (June 2018);
- d) Public Interest Disclosure Policy (June 2020); and
- e) Public Transparency Policy (June 2020).

### Council Plan Implications

This report supports the following section of the Council Plan 2021-2025:

- Goal 4 – Good Governance



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### Communication Implications

The proposed Policy will be published on the Council website and staff training will be conducted.

### Gender Equality

A Gender Impact Assessment has been undertaken in relation to this matter in accordance with the *Gender Equality Act 2020*

### Conclusion

The proposed Policy meets the requirements of the LGA 2020 and will replace the existing Complaints Handling Policy (February 2020).

### **OFFICER RECOMMENDATION**

**It is recommended that the proposed *Complaints Policy* be adopted and the existing Complaints Handling Policy (February 2020) be revoked.**

#### **Attachments:**

<b>No.</b>	<b>Name</b>	<b>RecFind Ref</b>
12.1.1	Draft Complaints Policy	



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### 12.2 LAKE WALLACE PETITION

**FILE NUMBER:**

**REPORT AUTHOR: KATIE FROST, GOVERNANCE COORDINATOR**

#### **FOR DECISION**

##### Introduction

At the November Council Meeting, a petition was presented to Council requesting that the following points be considered:

1. To organise immediately (Summer 2021) the cutting of the aquatic weeds in sections from Lake Wallace to an acceptable level for recreational use.
2. Request WWSC to enable access to the lake at boat ramps.
3. When water level is unacceptable, West Wimmera Shire explore options with GWM Water to maintain good water levels for social, environmental and economic life for the community.

The petition contained 361 physical signatures and a copy of the petition was distributed directly to Councillors as privacy issues prevented inclusion within the agenda.

This report addresses the Petition process to satisfy Council's governance obligations. The substance of the petitioners' requests will be considered in future Council and Councillor Forum reports.

##### Declaration of Interests

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

##### Background

In accordance with Council's Governance Rules, Division 9 – Petitions and Joint Letters, 54.1 it was resolved at the November Meeting:

*That Council receive and note the petition and that Council Officers prepare a progress report on points 1 through to 3 of the petition to bring to the next Councillor Forum.*





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In terms of the Governance rules, a response should also be provided to the petitioners. The purpose of this report is to propose a response back to the petitioners which would advise that:

- Council Officers will continue to investigate the matters raised (as per media release dated 9<sup>th</sup> November 2021).
- Once Council has the opportunity to consider the feasibility and options study, the petitioners will be informed of Council's decision.

### Risk Management Implications

Nil

### Legislative Implications

Under Council's Governance Rules, Division 9 – Petitions and Joint Letters, the petition met all necessary requirements to be received by Council.

### Environmental Implications

N/A

### Financial and Budgetary Implications

N/A

### Policy Implications

This report is guided by Council's Governance Rules

### Council Plan Implications

This report supports the following section/s of the West Wimmera Shire Council Plan 2021-2025:

- Goal 4 – Good Governance

### Communication Implications

N/A



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### Gender Equality

N/A

### Conclusion

Council's investigation of these matters is currently being undertaken (as per media release dated 9<sup>th</sup> November 2021). Progress reports have been provided to Councillors at the December Councillor Forum in accordance with the resolution taken at the November Council Meeting.

### **OFFICER RECOMMENDATION:**

- 1. That Council note and receive the information in this report.**
- 2. That the petitioners be advised that officers will continue to investigate the matters raised (as per media release dated 9<sup>th</sup> November 2021), and once Council has the opportunity to consider the feasibility and options study, the petitioners be informed of Council's decision.**

### **Attachments:**

<b>No.</b>	<b>Name</b>	<b>RecFind Ref</b>
12.2.1	Media Release	



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### 12.3 COUNCILLOR & MAYORAL ALLOWANCES

**FILE NUMBER:**

**REPORT AUTHOR: KATIE FROST, GOVERNANCE COORDINATOR**

#### **FOR DECISION**

##### Introduction

An important reform of the Local Government Act 2020 (2020 Act) is the transfer of responsibilities in determining mayoral, deputy mayoral and councillor allowances to the Victorian Independent Remuneration Tribunal (the Remuneration Tribunal). However, until the Remuneration Tribunal makes its first determination on allowances, the allowance framework under the Local Government Act 1989 (1989 Act) continues to apply, despite the repeal of those relevant provisions last year. Section 39(6) of the 2020 Act provides for this transitional arrangement. Under section 74(1) of the 1989 Act, councils must review and determine the level of mayoral and councillor allowances within six months of a general election or by 30 June, whichever is later. This review has not been undertaken and needs to be considered at this December Council Meeting.

In undertaking their reviews, councils must ensure that a person has a right to make a submission under section 223 of the 1989 Act (as required by section 74(4)). Mayors and councillors are entitled to receive an allowance while performing their duty as an elected official. The Victorian Government sets the upper and lower levels for allowances paid to councillors. The allowance package is based on a three-category model of Council allowances, based on revenue and population figures and ensures Councils can retain flexibility and discretion to set allowances within a range in consultation with their community. Once adopted, following a Statutory advertising and submission process, Councillors are entitled to receive the new Councillor or Mayoral allowance. The current allowance will be paid until that date.

##### Declaration of Interests

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

##### Background

Current annual allowances set for this Council are a Mayoral allowance of \$ 46,120.00 per annum and a Councillor allowance of \$19,764.00 per annum which was resolved at the December Council Meeting in 2020.



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The current allowance range applicable to this Council is: Category 1 – Councillors from \$8,833 - \$21,049 and up to \$62,884 for the Mayor, per annum.

Superannuation at 10% (as of 1 July 2021) is paid in addition to the allowance. Councillors are not employees of their Council and do not receive employment benefits like leave entitlements.

### Risk Management Implications

NA

### Legislative Implications

Until the Remuneration Tribunal makes its first determination on allowances, the allowance framework under the Local Government Act 1989 (1989 Act) continues to apply. Section 39(6) of the 2020 Act provides for this transitional arrangement. Under section 74(1) of the 1989 Act, councils must review and determine the level of mayoral and councillor allowances within six months of a general election or by 30 June, whichever is later.

### Environmental Implications

Not applicable.

### Financial and Budgetary Implications

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

### Policy Implications

Councillor Expense Entitlement and Support Policy

### Council Plan Implications

This report supports the following section of the Council Plan 2021-2025:

- Goal 4 – Good Governance



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### Communication Implications

The determinations made by the Minister concerning Councillor and Mayoral allowances are published via ministerial media release.

### Gender Equality

Not commented on.

### Conclusion

The Office of Local Government has advised that Councillors are unable to change any aspect of their allowances during their term. The indexation set by the Minister for Local Government automatically applies the allowances each year.

Allowances set through this process remain in force until the Victorian Independent Remuneration Tribunal determines the allowances under the *Local Government Act 2020*. The determination will be made on the 18th December 2021.

### **OFFICER RECOMMENDATION**

**That Council resolve to set the allowance levels for the Mayor and Councillors within the following ranges which have been set for Category 1 Councils:**

**Councillors: \$8,833 - \$21,049**

**Mayors up to \$62,884**

#### **Attachments:**

No.	Name	RecFind Ref



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### 13.0 CORPORATE AND COMMUNITY SERVICES

#### 13.1 CONSIDERATION OF ANNUAL REPORT 2020

**FILE NUMBER: AD0039**

**REPORT AUTHOR: LEILANI DAWES, REVENUE MANAGER**

#### **FOR DECISION**

##### Introduction

West Wimmera Shire Council (Council) has prepared the Annual Report including the audited financial statements and performance statements in accordance with the *Local Government Act 1989*.

Following submission to the Minister, Council is required to consider the Annual Report in a meeting open to the public pursuant with Section 134 of the *Local Government Act 1989*.

##### Declaration of Interests

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

##### Background

The Annual Report, Financial Statements and Performance Statement have been previously considered and adopted by Council. On the 19 November 2021, Council received the signed audit reports back from VAGO allowing for final compilation of the reports and submission to the Minister. An extension for submission of the Annual Report had been provided to all Councils until 30 November 2021 due to delays experienced by the auditors.

In accordance with s134 of the *Local Government Act 1989*, Council is required to consider the Annual Report at a meeting open to the public within 4 weeks of submission to the Minister, following a fourteen day minimum exhibition period. This exhibition period opened 24 November 2021 and copies have been made available online and at the Customer Service centres as required by the legislation.



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### Risk Management Implications

Failure to consider the Annual Report at a meeting open to the public will be in breach of the *Local Government Act 1989* requirements and may have reputational and transparency implications.

### Legislative Implications

The *Local Government Act 1989* continues to apply to the preparation of council 2020-21 annual reports in accordance with the savings and transitional provisions in section 329 (7)(b) of the *Local Government Act 2020*. Regulation 16 in the Local Government (Planning and Reporting) Regulations 2020 includes savings and transitional provisions, meaning the Local Government (Planning and Reporting) Regulations 2014 also continue to apply to council 2020-21 annual reports.

The recommendations arising from this report ensure compliance with the *Local Government Act 1989*.

### Environmental Implications

None identified

### Financial and Budgetary Implications

The Annual Report and Financial Statements provide information to the community of Council's expenditure during the 2020/2021 financial year.

### Policy Implications

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

- Asset Capitalisation Policy
- Asset Disposal Policy
- Asset Management Policy
- Asset Management Strategy
- Borrowings Policy
- Communications Policy
- Community Engagement Policy
- Community Support Fund Policy
- Corporate Credit Card and Purchase Cards Policy
- Council Grants Policy
- Fraud & Corruption Control Policy
- Guarantor Policy
- Investment Policy
- Procurement Policy



## COUNCIL MEETING AGENDA – 15 DECEMBER 2021 WEST WIMMERA SHIRE COUNCIL

### Council Plan Implications

This report supports the following section/s of the West Wimmera Shire Council Plan 2021-2025:

- Goal 4 – Good Governance
- Goal 5 – Our Commitment

### Communication Implications

In accordance with Sections 131 and 134 of the Act, public notice via local media and Council's website has been provided at least 14 days prior to the Council Meeting to consider the Annual Report advising that:

- Council would consider the Annual Report for 2020/2021 at a Council Meeting that is open to the public.
- That Council has received the Audit Report in relation to the 2020/2021 financial accounts.
- Those copies of the Annual Report, including the Audit Report, will be available for inspection at Council's two customer service centers and on Council's website.

This document has been available for inspection by the public and published on Council's website. Copies have been on display at Councils' Edenhope and Kaniva Customer Service Centres.

### 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 compiled Annual Report for 2020/2021 is attached for consideration at the December Council Meeting following the public exhibition period in accordance with s134 of the *Local Government Act 1989*.





## COUNCIL MEETING AGENDA – 15 DECEMBER 2021 WEST WIMMERA SHIRE COUNCIL

### **OFFICER RECOMMENDATION:**

**That the Annual Report for 2020/21 including the audited financial and performance statements be received and considered by Council in accordance with s134 of the Local Government Act 1989.**

### **Attachments:**

<b>No.</b>	<b>Name</b>	<b>RecFind Ref</b>
13.1.1	WWSC Annual Report 2020-2021	C21/008748
13.1.2	WWSC Annual Report 2020-2021 Gender Impact Assessment	



## COUNCIL MEETING AGENDA – 15 DECEMBER 2021 WEST WIMMERA SHIRE COUNCIL

### **13.2 GRANT FUNDING APPLICATIONS – REGIONAL TOURISM INVESTMENT FUND AND LOCAL SPORTS INFRASTRUCTURE FUND.**

**FILE NUMBER:**

**REPORT AUTHOR: SARAH ELLIS, MANAGER BUSINESS PERFORMANCE AND DEVELOPMENT.**

#### **FOR DECISION**

##### Introduction

West Wimmera Shire Council (Council) has an opportunity to submit application in two Victorian State Government Funding Programs. The Regional Tourism Investment Fund and The Local Sports Infrastructure Fund. Applications for these programs closed on 14<sup>th</sup> January and 7<sup>th</sup> February respectively.

This report seeks Council's funding support and endorsement to submit applications for these funding programs.

##### Declaration of Interests

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

##### Background

In order submit applications Council needs to provide written support and confirmation of a financial contribution to the proposed projects.

##### The Regional Tourism Investment Fund (RTIF)

This round of the Regional Tourism Investment Fund will support new and innovative tourism infrastructure projects that will drive visitation and private investment, deliver more jobs and improved tourism outcomes for the state's visitor economy. The funding ratio for this funding program is \$3(RTIF): \$1(local) and there is an expressions of interest process which is required in advance of a formal application. Applications close 14<sup>th</sup> January.

Possible application options and funding scenarios were considered at the Councillor Forum on Wednesday 1 December and at a follow up meeting on Monday 6 December.



## COUNCIL MEETING AGENDA – 15 DECEMBER 2021 WEST WIMMERA SHIRE COUNCIL

Following consideration at those meetings, there are two projects proposed for the RTIF funding:

1. Edenhope Caravan Park Upgrade
2. Wimmera Mallee Tourism - Joint Cabin Project (include 2 cabins in Kaniva, Lake Charlegrark, Gorokey and Harrow)

### Local Sports Infrastructure Fund

The 2021-22 Local Sports Infrastructure Fund (LSIF) is a state-wide competitive Victorian Government investment program that funds the development of high-quality, accessible community sport and active recreation infrastructure.

Possible application options and funding scenarios for this funding program were also considered at the Councillor Forum on Wednesday 1 December and at a follow up meeting on Monday 6 December.

Following consideration at those meetings, there are three projects proposed for this LSIF funding:

1. Municipal Sport and Recreation Strategy
2. Apsley Netball/Tennis Courts and Lighting Upgrade or Harrow Netball/Tennis Courts and Lighting Upgrade
3. Edenhope Equine Facility Upgrade.

It should also be noted the Edenhope Football Change Rooms and Oval Lighting project is still a priority for Council and officers are continuing to liaise with AFL Victoria and Sport and Recreation on possible funding sources for this project.

The identified projects for these funding rounds have been selected as they are projects which Council has in a shovel ready position. Officers are continuing to work with Community groups to get projects shovel ready so that Council can make the most of funding opportunities when they become available. Studies and Strategies such as the proposed Municipal Sport and Recreation Strategy will continue to help guide and assist with funding applications and are often a key to success.

We continue to encourage Community members with project ideas to log them in Council's innovation platform on Council's website or at the Council offices so they can be recognised and progressed.

### Risk Management Implications

Not commented on



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### Legislative Implications

Not commented on

### Environmental Implications

Not commented on

### Financial and Budgetary Implications

Of relevance to consideration of projects in this report is that Council has received an additional \$3,056,022 for capital projects in Phase 3 of the Federal Government's Local Roads and Community Infrastructure (LRCI) Program.

Also, to be noted, \$27,000 has been allocated as matching funds towards the Municipal Sport and Recreation Strategy in the current 2021/22 budget.

### Policy Implications

Asset Management Policy  
Asset Management Strategy  
Communications Policy  
Community Engagement Policy  
Recreation Policy  
Risk Management Policy  
Tourism Policy

### Council Plan Implications

This report supports the following section/s of the West Wimmera Shire Council Plan 2021-2025:

- Goal 1 – Liveable & Healthy Community
- Goal 2 – Diverse and Prosperous Economy
- Goal 4 – Good Governance

### Communication Implications

Not commented on



## COUNCIL MEETING AGENDA – 15 DECEMBER 2021 WEST WIMMERA SHIRE COUNCIL

### Gender Equality

Not Commented on, will be addressed for individual projects

### Conclusion

These funding programs provide a significant funding opportunity to Council to support and develop assets across the West Wimmera Shire.

Additional work is still required to finalise the applications, however Council's endorsement of the applications and approval of the required matching funding will allow this work to be completed and, subject to no unforeseen issues arising, applications can be submitted.

### **OFFICER RECOMMENDATION:**

**That Council authorise the CEO to provide a letter of support and approve funding applications for the following to be submitted:**

- 1. To the Regional Tourism Infrastructure fund for the Edenhope Caravan Upgrade with Council funding of up to \$350,000**
- 2. To the regional tourism infrastructure fund for the Wimmera Mallee Tourism - Joint Cabin Project with Council funding of up to \$500,000.**
- 3. To the Local Sports Infrastructure Fund for the Apsley or Harrow Netball/Tennis Court Upgrade and Lighting project, with Council funding of up to \$300,000.**
- 4. To the Local Sports Infrastructure Fund for the Edenhope Equine Facility Upgrade, with Council funding of up to \$200,000**
- 5. To the Local Sports Infrastructure Fund for Municipal Sport and Recreation Strategy with Council contribution as per the 2021/22 budget of \$27,000.**

### **Attachments:**

No.	Name	RecFind Ref



## COUNCIL MEETING AGENDA – 15 DECEMBER 2021 WEST WIMMERA SHIRE COUNCIL

### **13.3 COMMUNITY STRENGTHENING GRANT APPLICATION FOR CONSIDERATION**

**FILE NUMBER: PR0120**

**REPORT AUTHOR: SARAH ELLIS, MANAGER BUSINESS PERFORMANCE  
AND DEVELOPMENT.**

#### **FOR DECISION**

##### Introduction

West Wimmera Shire Council (Council) at the November 17<sup>th</sup>, 2021, Council meeting resolved that the Community Strengthening Grant Application submitted by St Malachy's Primary School Parents Association be carried over for further clarification and should be referred to the Councillor Forum for further consideration. This has now been completed and the application is returned to Council for decision.

##### Declaration of Interests

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

##### Background

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

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

Round One of the 2021-22 West Wimmera Shire Council Community Strengthening Grants Program closed Sunday 17 October 2021. Eleven applications were approved at the Council meeting 17 November 2021, and one was carried over for further discussion.



## COUNCIL MEETING AGENDA – 15 DECEMBER 2021 WEST WIMMERA SHIRE COUNCIL

(One application was deemed ineligible)

**Moved: Cr. Jodie Pretlove**

**Seconded: Cr. Tim Meyer**

**1. That Council approve the following Community Strengthening Grant applications and authorise Council Officers to process grant payments:**

- a) **Kaniva and District Progress Association – Eat, Stay, Play Community Data Base - \$5,000.00**
- b) **Day of the Dackel – Day of the Dackel 2022- \$750.00**
- c) **Edenhope RSL- Anzac Day Celebrations 2022 - \$750.00**
- d) **Goroke Bowls Club – Scoreboard Upgrade - \$2332.00**
- e) **Kaniva Leor United Football Club Inc. - \$5,000.00**
- f) **Kowree Tennis Association – New Tennis Nets - \$876.00**
- g) **Lockhart Racecourse & Recreation Reserve – Fence Repair and Replacement - \$1,617.00**
- h) **Serviceton Golf Club – New Signs - \$788.00**
- j) **Kaniva Golf Club – New mower /cart Shed - \$5000.00**

**2. That Council carryover the following Community Strengthening Grant applications to the December Councillor Forum to discuss and clarify eligibility:**

- i) **St Malachy's Primary School Parents Association – ½ Court Basketball - \$5,000.00**

**Carried (3/2 against)**

Applications must be from eligible applicants (community based not for profits, incorporated, or sponsored by an incorporated organisation). They are then assessed against several selection criteria as well as the requirements of the specific funding categories.



## COUNCIL MEETING AGENDA – 15 DECEMBER 2021 WEST WIMMERA SHIRE COUNCIL

The eligibility criteria for the grant program is listed below. Council has previously not supported schools through this funding as it is seen as the core business and operational responsibility of the organisation and is also a service for which the state government has the primary responsibility. However, in this case, the application is from a parent's group and is for a project that will be accessible to the whole community. The project however will be on school property and will become a school asset. It should also be noted that there is also a ½ court basketball court at the Lions Park for community use. The Grant Program Guidelines are therefore not providing clear guidance to Council on this application.

### ELIGIBILITY CRITERIA

#### Eligible Applicants

- Community-based not-for-profit organisations
- Incorporated groups or organisations
- An unincorporated organisation sponsored by an incorporated organisation (other than West Wimmera Shire Council)

#### Ineligible Applicants

- Individuals
- Applicants who have not satisfactorily acquitted previous council grants
- Applicants who have received a council grant within the previous twelve months
- Applicant not based within West Wimmera Shire

#### Eligible Applications

- Demonstrate that the purpose of the grant meets a recognised community need in accordance with the relevant funding categories.
- Community infrastructure, including upgrades to facilities and purchase of equipment
- Organisational development, including skill development and strategic business development
- Community development projects and activities
- One-off events or new elements for community events and festivals held within West Wimmera Shire

#### Ineligible Applications

- Core business and operational responsibilities of the organisation
- Staff wages and salaries and ongoing operational, maintenance or administrative costs
- Retrospective funding for projects commenced prior to receipt of grant funding
- Ongoing projects or a duplication of existing services
- Support for individual pursuit without community benefit
- Projects that do not involve the West Wimmera Shire Council community
- Services or activities which are considered to be primarily the responsibility of the State or Federal Governments.
- Incomplete applications and those without the required supporting documents





## COUNCIL MEETING AGENDA – 15 DECEMBER 2021 WEST WIMMERA SHIRE COUNCIL



### Risk Management Implications

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



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Council could be subject to compliance risk with recipients not meeting permit requirements, however successful applications will be reviewed by our regulatory team.

### Legislative Implications

N/A

### Environmental Implications

N/A

### Financial and Budgetary Implications

St Malachy's Primary School Parents Association is seeking \$5,000 on a \$2 for \$1 Basis.

There are budgeted funds available to support this Community Strengthening Grant application if it is deemed successful by Council.

### Policy Implications

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

- WWSC Community Strengthening Grants Policy

### Council Plan Implications

This report supports the following section/s of the West Wimmera Shire Council Plan 2021-2025:

- Goal 1: Liveable and Healthy Community

### Communication Implications

The Community Strengthening Grants program was promoted through advertisements on the Council website, local newspapers, community newsletters, and social media.

### Conclusion

The St Malachy's Primary School Parents Association is seeking Community Strengthening Grant funding of \$5,000 on a \$2 for \$1 basis. It is not clear in the guideline that this is an eligible project, and it is presented to Council to make a final decision.



## COUNCIL MEETING AGENDA – 15 DECEMBER 2021 WEST WIMMERA SHIRE COUNCIL

### **OFFICER RECOMMENDATION:**

1. That Council **approves/does not** approve the Community Strengthening Grant application from St Malachy's Primary School Parents Association.  
**And if Approved**
2. Authorises Council officers to progress the grant payment.

### **Attachments:**

No.	Name	RecFind Ref



## COUNCIL MEETING AGENDA – 15 DECEMBER 2021 WEST WIMMERA SHIRE COUNCIL

### **13.4 STREETSCAPE PLANS KANIVA AND EDENHOPE**

#### **FILE NUMBER:**

**REPORT AUTHOR: SARAH ELLIS, MANAGER BUSINESS PERFORMANCE  
AND DEVELOPMENT**

#### **FOR DECISION**

##### Introduction

Wimmera Mallee Tourism received funding to complete streetscape plans for Kaniva and Edenhope. Thomson Hay was engaged to undertake an additional consultation period to ensure that Council is comfortable to endorse the final plans so they can be used to leverage future funding opportunities.

Following two rounds of consultation, Thomason Hay Landscape Architects presented the plans at the July Councillor Forum before the plans were put out to the community for a final consultation period in August, which included a presentation of the plans to the Kaniva and Edenhope communities.

The consultants have now developed a revised set of plans following the final round of community consultation. These plans are presented to Council to seek endorsement.

Following endorsement of these plans, the final stage will be to have a Quantity surveyor complete a pricing schedule on the plans so that they can be used as future funding opportunities arise. Any funding applications will be presented to Council for approval. In the short-term however current funding can be used to instal and action some of the smaller items on the plans and guide in maintenance and ongoing works decisions.

Once the quantity surveyor work is completed officers will develop a priority list for Council's consideration for consideration in future budget deliberations.

##### Declaration of Interests

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

##### Background

Wimmera Mallee Tourism received federal funding from the Building Better Regions program for the Trading of the Trails project. This project included several plans and



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support tools that have been completed over the past 2 years to support the Wimmera Mallee Region to improve tourism offering and assist with future funding applications. One of these projects included in this work were streetscape plans for Kaniva and Edenhope.

The tender required the successful appointee to create streetscape plans for the Kaniva Central Activity areas in both Kaniva and Edenhope.

The Edenhope Central Activities Area, for this project, is defined as the commercial area along Elizabeth Street (Wimmera Highway) from the roundabout at Wallace Street in the east to Lions Park (Orme Street) in the west.

The Kaniva Central Activities Area, for this project, was defined as the commercial area along Commercial Street (Western Highway) from the Webb Street intersection in the east to the Kaniva Wetlands and Fauna Park in the west (with consideration to linkages of this commercial centre to the new silo art in Band Park). However, due to time constraints this was scaled back to include the commercial area from the Madden Street roundabout to Baker Street.

Sub-objectives of these streetscape detailed plans are to:

- Improve the aesthetics of the towns' streetscapes
- Project positive and distinctive images for the towns
- Improve the towns' liveability, safety, and functionality
- Present the township as an attractive visitor destination or stopover
- Provide linkages between the towns' commercial centres and the emerging tourism attractions.

Specific tasks are:

- i) Streetscape designs to deliver cohesiveness in the appearance of the townships.
- ii) Preparation of town entry (and any other recommended) signage plans and guidelines.
- iii) Designs for pedestrian and cycle movements/pathways.
- iv) Designs for adequate visitor parking to access key sites, attractions, and commercial areas (both standard vehicles and longer or articulated recreational vehicles and trailers).
- v) Development of a planting schedule and style guide.
- vi) Ensure the designs comply with relevant Acts, other legislation, and Australian Standards, including AS1428.1 (2000) Access and Mobility Australian Standards.
- vii) The preparation of a quantity survey estimate for proposed streetscape works.
- viii) Tender documentation for construction plans.

Funding timeframes did mean that there was an urgency placed on original consultation periods, however the final consultation period gave time for the community to provide additional feedback and attend a presentation on the plans. There has been good feedback provided across the three consultations and this have been considered and incorporated into the final plans presented.



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### Risk Management Implications

There is a reputation risk if Council were to not continue with this project and complete the plans as the community has invested time and effort into reviewing and providing feedback thus far in the process.

### Legislative Implications

NIL

### Environmental Implications

NIL

### Financial and Budgetary Implications

The work undertaken by the consultants is fully funded by the Wimmera Mallee Tourism Project. There is no current financial commitment from Council.

### Policy Implications

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

- Procurement Policy.

### Council Plan Implications

This report supports the following section/s of the West Wimmera Shire Council Plan 2021-2025:

- Goal 2 – Diverse and Prosperous Economy

2.4.1 Create vibrant and attractive town centres. Seek funding and partnership opportunities to implement streetscape plans for Edenhope and Kaniva.

2.4.6 Actively work to improve the appearance of main streets and town entrances across the shire.

- Goal 5 – Our Commitment

Part 4. We will actively and openly consult with you and work constructively with community organisations, agencies, the business community, and other levels of government to our community's benefit.



## COUNCIL MEETING AGENDA – 15 DECEMBER 2021 WEST WIMMERA SHIRE COUNCIL

### Communication Implications

The final consultation stage for this project was completed which included a survey and a public presentation in Kaniva and Edenhope to go through the plans and how they have been developed.

The consultation was advertised through Local Newspapers, Noticeboards, Councils Website and Facebook page.

The plans have been updated to reflect the feedback from Community members.

### 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

This project has been fully funded by the Wimmera Mallee Tourism Project Funding and is a great opportunity for Council to have detailed plans on the streetscapes ready to leverage future funding opportunities. Council has an important role to play in leading improvements to aesthetics of the towns to attract visitors and improve the towns' liveability, safety, and functionality.

### **OFFICER RECOMMENDATION:**

**That Council endorses the Streetscape Plans (attached) for Kaniva and Edenhope.**

#### **Attachments:**

<b>No.</b>	<b>Name</b>	<b>RecFind Ref</b>
13.4.1	Edenhope Streetscape Precedent Images	C21/008753
13.4.2	Edenhope Streetscape Concept Plans	C21/008754
13.4.3	Kaniva Streetscape Precedent Images	C21/008751
13.4.4	Kaniva Streetscape Concept Plans	C21/008752





## COUNCIL MEETING AGENDA – 15 DECEMBER 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.*

### **OFFICER RECOMMENDATION:**

That Council consider the following late items of business:





## COUNCIL MEETING AGENDA – 15 DECEMBER 2021 WEST WIMMERA SHIRE COUNCIL

### 15.0 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 items:

**ITEM 15.1: 2022 AUSTRALIA DAY AWARDS AND 2021 WEST WIMMERA SHIRE COUNCIL SENIOR CITIZEN OF THE YEAR AWARD**

**ITEM: 15.2: KANIVA CARAVAN PARK AMENITIES BLOCK**

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:

**Item 15.1: 2022 AUSTRALIA DAY AWARDS AND 2021 WEST WIMMERA SHIRE COUNCIL SENIOR CITIZEN OF THE YEAR AWARD**

**Grounds:** (f) personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs.

**Explanation:** This report contains confidential information regarding nominations received for the 2022 Australia Day Awards and 2021 West Wimmera Shire Council Senior Citizen of the Year Award.

3. 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:

**Item 15.2: KANIVA CARAVAN PARK AMENITIES BLOCK**

**Grounds:** (g) private commercial information, being information provided by a business, commercial or financial undertaking that—

(i) relates to trade secrets; or

(ii) if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage;

**Explanation:** This report contains Council business information regarding commercial negotiations and private commercial information provided by the tenderers for the Kaniva Caravan Park Amenities Block.



## **COUNCIL MEETING AGENDA – 15 DECEMBER 2021 WEST WIMMERA SHIRE COUNCIL**

### **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:**

**WEDNESDAY, 16 FEBRUARY 2022  
KANIVA COUNCIL CHAMBER**