



WELCOME

TO THE WEST

West Wimmera Shire Council

AGENDA

COUNCIL MEETING

Wednesday 15 May 2024
2:00 pm

Council Chambers
Edenhope Council Offices
49 Elizabeth Street, Edenhope Vic
3318

PUBLIC ACCESS

Open to the public and Live streaming from
Council's website:
www.westwimmera.vic.gov.au



Councillors and Shire Map



MAYOR
Cr. Tim Meyer



**DEPUTY
MAYOR**
**Cr. Tom
Houlihan**



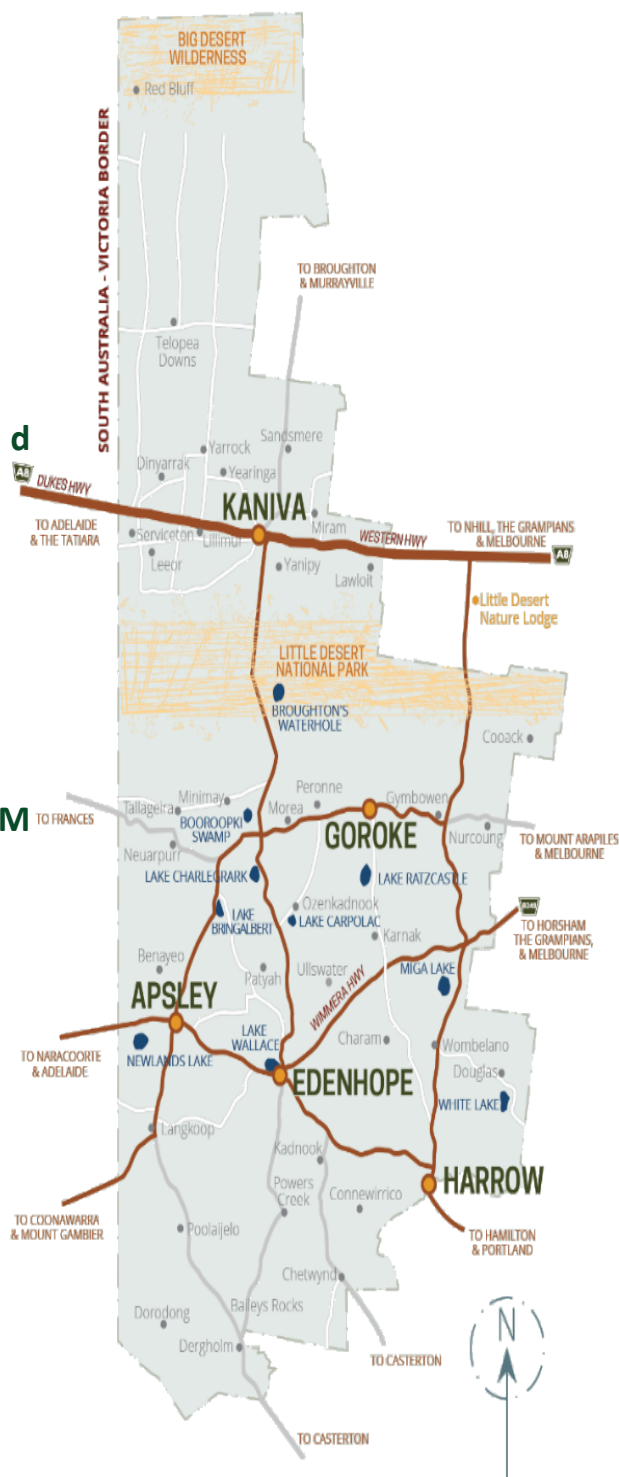
**Cr. Richard
Hicks**



**Cr. Bruce
Meyer OAM**



**Cr. Jodie
Pretlove**





COUNCIL VISION

Our West Wimmera community is healthy, thriving, diverse, harmonious, prosperous, and self-sustaining, with regional and global connectivity.

OUR VALUES

INNOVATIVE – We will proactively respond to change, are optimistic about our future and pursue continuous improvement in everything that we do.

ACCOUNTABLE – We will be responsible, take ownership of our actions and are committed to good governance, excellence, transparency, achievement of goals and advocating for our community

UNITED – We will do everything within our ability to encourage and form trusting relationships, to work together as one team to achieve our goals and advocate for 'One West Wimmera'.

COLLABORATIVE – 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.

OUR GOALS





Purpose of Council meetings

- (1) Council holds scheduled meetings and, when required, unscheduled meetings to conduct the business of Council.*
- (2) Council is committed to transparency in decision making and, in accordance with the Local Government Act 2020, Council and Delegated Committee meetings are open to the public and the community are able to attend.*
- (3) Meetings will only be closed to members of the public, in accordance with section 66 of the Act, if:*
 - (a) there are clear reasons for particular matters to remain confidential; or*
 - (b) a meeting is required to be closed for security reasons; or*
 - (c) it is necessary to enable the meeting to proceed in an ordinary manner.*
- (4) A meeting closed to the public for the reasons outlined in sub-rule 3(b) or 3(c) will continue to be livestreamed. In the event a livestream is not available:*
 - (a) the meeting may be adjourned; or*
 - (b) a recording of the proceedings may be available on the Council website*

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 5 Questions from the Gallery.

This Council meeting will be recorded for live streaming.

Councillors pledge

As Councillors of West Wimmera Shire Council, we solemnly and sincerely declare and affirm that we will consider each item on this agenda in the best interests of the whole municipal community.



REQUIRED TO ATTEND:

Councillors:

Tim Meyer, Mayor
Tom Houlihan, Deputy Mayor
Richard Hicks
Bruce Meyer OAM
Jodie Pretlove

Executive Leadership Team:

David Bezuidenhout - Chief Executive Officer (CEO)
James Bentley - Director Corporate & Community Services (DCCS)
Brendan Pearce - Director Infrastructure Development & Works (DIDW)



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1 Welcome

2 Acknowledgement of Country

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.

3 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.

4 Apologies, Leave of Absences, Declaration of Conflict of Interest

4.1 Apologies

4.2 Leave of Absence

4.3 Declaration of Conflict of Interest

All Councilors 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.



5 Questions from the Gallery

5.1 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 submitted subsequent to that deadline can be lodged electronically to KaddieCother@westwimmera.vic.gov.au, no later than two hours prior to the Council Meeting.

5.1.1 Kate Shurvell - Kaniva Shire Hall

Question:

Can the community please receive an update on the Council's investigation into the Kaniva Shire Hall, as per the resolution of the November Council meeting and discussion during the March Council meeting?

Answer:

XxxxEnterAnswerxxxx.



Question:

What does the West Wimmera Shire Council have in place with regard to the Kaniva Shire Hall to ensure it is safe, maintained, and fit for use by the community in the long term?

Answer:

XxxxEnterAnswerxxxx.

5.2 Verbal Questions without Notice

RECOMMENDATION:

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

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.



6 Delegates Reports

Delegate Reports are for providing feedback on formal council business and are for information only

6.1 Councillor Tim Meyer (Mayor)

Date	Event
25/04/2024	Kaniva ANZAC Day Service
01/05/2024	Councillor Forum
04/05/2024	AJ & PA McBride Shearing Shed Opening
06/05/2024	Apsley Racecourse and Recreation Reserve Committee of Management Meeting
07/05/2024	Strategic Leadership Team Meeting
15/05/2024	Pre-Council Meeting
15/05/2024	Council Meeting

6.2 Councillor Tom Houlihan (Deputy Mayor)

Date	Event
25/04/2024	Dergholm Dawn Service ANZAC Day
25/04/2024	Harrow ANZAC Day Service
01/05/2024	Councillor Forum
07/05/2024	Strategic Leadership Team Meeting
15/05/2024	Pre-Council Meeting
15/05/2024	Council Meeting

6.3 Councillor Richard Hicks

Date	Event
03/05/2024	Rail Freight Alliance
15/05/2024	Pre-Council Meeting
15/05/2024	Council Meeting



6.4 Councillor Bruce Meyer OAM

Date	Event
25/04/2024	Goroke ANZAC Day Service
01/05/2024	Councillor Forum
15/05/2024	Pre-Council Meeting
15/05/2024	Council Meeting

6.5 Councillor Jodie Pretlove

Date	Event
25/04/2024	Apsley ANZAC Day Service
01/05/2024	Councillor Forum
15/05/2024	Pre-Council Meeting
15/05/2024	Council Meeting

7 Condolences

Nil



8 Confirmation of Previous Minutes

8.1 Council Meeting held on Wednesday, 17 April 2024

RECOMMENDATION:

That the Minutes of the Council Meeting held on Wednesday, 17 April 2024 be taken as an accurate record and confirmed.

Attachments

Nil

9 Business Arising From Previous Minutes

10 Notices of Motion

There were no Notices of Motion submitted for the agenda.

11 Councillor Forum Record

11.1 Councillor Forum Record Wednesday, 3 April 2024

RECOMMENDATION:

That the Record for the Councillor Forum Record Wednesday, 3 April 2024 be received and noted.

11.2 Community Forum Record Wednesday, 17 April 2024

RECOMMENDATION:

That the Record for the Community Forum Record Wednesday, 17 April 2024 be received and noted.



11.3 Councillor Forum Record Wednesday, 1 May 2024

RECOMMENDATION:

That the Record for the Councillor Forum Record Wednesday, 1 May 2024 be received and noted.

12 Deputations and Petitions

There were no Petitions or Deputations submitted for the agenda.



13 Chief Executive Officer

13.1 Alterations to Council Meeting Dates

Directorate: Corporate and Community Services

Report Author: Governance Coordinator

Report Purpose: For Decision

Purpose

Council may need to consider altering the dates for the July Council Meeting and September Community Forum/Council Meeting under Section 12 of Council's Governance Rules.

OFFICER RECOMMENDATION:

That Council:

- 1. Reschedule the July Council Meeting from Wednesday 17 July 2024 to Wednesday 24 July 2024 at 2:00pm at the Edenhope Council Chambers.**
- 2. Reschedule the July Councillor Forum from Wednesday 3 July to Wednesday 10 July 2024 at 9.00am at the Kaniva Council Chambers.**
- 3. Consider the following options for the September Community Forum/Council Meeting**
 - a. Change the location of the Council Meeting on 21 August 2024 from Kaniva to Telopea Downs and reschedule the September Community Forum to be also held in Telopea Downs on 21 August 2024 at 1.00pm.**
 - b. Reschedule the September Community Forum and Council Meeting at Telopea Downs from 18 September 2024 to Monday 16 September 2024.**
 - c. Reschedule the September Community Forum at Telopea Downs to a date in September that does not fall within the election period and change the location of the September Council Meeting.**

Declaration of Interest

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

Background

Under Section 12 of the Governance Rules, Council may alter the dates and times of Council Meetings that have been approved at Council's Statutory Meeting. Consideration needs to



be given to the July Council Meeting and September Community Forum and Council Meeting dates.

The Australian Local Government Association (ALGA) National General Assembly is an annual event and is scheduled to be held from 2 – 5 July 2024. The July Councillor Forum is scheduled to be held 3 July 2024. As it is important for Council to be represented at this event, it is proposed that the July Councillor Forum be changed from 3 July 2024 to 10 July 2024 and the July Council Meeting be moved from 17 July 2024 to the 24 July 2024.

On 30 April 2024 Council were notified that there have been amendments to the *Local Government (Electoral) Regulations 2020*, which relate to the 2024 Local Government elections and in particular the commencement of the Election Period which will now be 17 September 2024. At Council's Statutory Meeting, Council scheduled the September Community Forum and Council Meeting to be held 18 September 2024 at Telopea Downs. Under Council's Election Period Policy, Council is unable to hold community forums within the election period. Consideration needs to be given to rescheduling the community forum to a date that does not fall within the election period.

Council may consider the following:

- Change the location of the Council Meeting on 21 August 2024 from Kaniva to Telopea Downs and reschedule the September Community Forum to be also held in Telopea Downs on 21 August 2024 at 1.00pm.
- Reschedule the September Community Forum and Council Meeting at Telopea Downs from 18 September 2024 to Monday 16 September 2024.
- Reschedule the September Community Forum at Telopea Downs to a date in September that does not fall within the election period and change the location of the September Council Meeting.

Risk Management Implications

Risk identified: There are no obvious risks for Council to mitigate or eliminate in regard to the proposal considered for funding support in this report.

Legislative Implications

Not Applicable

Environmental Implications

Nil

Financial and Budgetary Implications

The financial risk rating has been assessed as: Low



Policy Implications

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

Not applicable

Council Plan Implications

This report supports the following sections of the West Wimmera Shire Council Plan 2021 – 2025:

Goal 4 – Good Governance

4.4 Develop a high performing accountable organisation.

Communication Implications

No Communication Implications

Gender Equality

No Gender Impact Assessment is required

Attachments

Nil

Conclusion

Under Section 12 of the Governance Rules, Council should consider altering the dates for the July Council Meeting and Forum due to a conflicting event and also the September Community Forum/Council Meeting so that a Community Forum can be still held within the Shire outside of the election period in accordance with the Local Government (Electoral) Regulations 2020 and Council's Election Period Policy.



14 Corporate and Community Services

14.1 Community Support Grant Applications - Liability Insurance

Directorate: Corporate and Community Services

Report Author: Community Development and Tourism Manager

Report Purpose: For Decision

Purpose

Council has received two applications under the Community Support Grant Guideline: Stream B - Public and Products Liability Insurance Contribution for Council's consideration. Council Officers have assessed these applications as eligible for determination by Council.

OFFICER RECOMMENDATION:

That Council approves the Community Support Grant applications under Stream B - Public and Products Liability Insurance Contribution from:

- **Bills Gully Reserve and Hall Committee for the amount of \$408.10**
- **Poolaijelo Public Hall and Recreation Reserve for the amount of \$800.00**

Declaration of Interest

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

Background

Council's Community Support Grant Guideline: **Stream B - Public and Products Liability Insurance Contribution provides support to approved applicants with respect to:**

Public and Products Liability Insurance:

- Not-for-profit committees administering non-council-owned halls that provide a service to the community. Council will consider applications for financial assistance for public and products liability insurance.
- Council may pay a maximum contribution of \$800 per year towards public and products liability Insurance based on the details contained in the application.

Applications received



Bills Gully Reserve and Hall Committee has already paid \$408.10 for its public liability insurance and has applied to Council for full reimbursement in the amount of \$408.10 (refer attachment 14.1.1).

Poolaijelo Public Hall and Recreation Reserve has already paid \$856.88 for its public liability insurance and has applied to Council for a partial reimbursement in the amount of \$800.00 (refer attachment 14.1.3).

Officers have assessed both applications as eligible for Council determination in accordance with Council's Grants Policy and its Community Support Grant Guideline (refer attachments 14.1.2 and 14.1.4).

Risk Management Implications

Risk identified:

There are no obvious risks for the Council to mitigate or eliminate regarding the proposal considered for funding support in this report.

Legislative Implications

Not Applicable

Environmental Implications

Nil

Financial and Budgetary Implications

Nil

Policy Implications

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

Council Grants Policy

Council Plan Implications

This report supports the following sections of the West Wimmera Shire Council Plan 2021 – 2025:

Goal 1 – Liveable & Healthy Community

1.1 Create a healthy, active, and vibrant community.



1.4 Deliver quality services that support community life.

1.5 Support and encourage our events, cultural and arts communities.

Communication Implications

No Communication Implications

Gender Equality

No Gender Impact Assessment is required.

Conclusion

The two applications in this report have been submitted under the Community Support Grant Guideline: Stream B - Public and Products Liability Insurance Contribution and have been assessed by officers as eligible for determination by Council. Under the Guideline, if Council approves these applications, the maximum financial assistance available for liability insurance reimbursement is \$800 or the total actual cost of the liability insurance policy, whichever is the lesser.

Attachments

Nil



14.2 Community Support Grant Applications - Community Support

Directorate: Corporate and Community Services

Report Author: Community Development and Tourism Manager

Report Purpose: For Decision

Purpose

Council has received three applications under the Community Support Grant Guideline: Stream A – Community Support Contribution for its consideration. Officers have assessed these applications as eligible for determination by Council.

OFFICER RECOMMENDATION:

That Council:

- 1. Approves the Community Support Grant applications under Stream A – Community Support Contribution from:**
 - **Kaniva & District Progress Association for the amount of \$10,000**
 - **Apsley Alligators for the amount of \$5,000**
 - **Edenhope Tourism Incorporated for the amount of \$10,000**
- 2. Approval is subject to the satisfactory acquittal of any previous grant funding.**

Declaration of Interest

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

Background

In recognition of the important contribution that not-for-profit community organisations make to the infrastructure and fabric of the townships of the West Wimmera Shire, Council will consider an annual financial contribution to assist such organisations in helping to fulfil Council's strategic goal of building and maintaining supported, cohesive communities.

Council's Community Support Grant Guideline: Stream A - Community Support Contribution provides support to approved applicants with respect to:

Community Support Contribution:



- Council approved, not-for-profit incorporated organisations that promote the interests of the community

Applications received

The Kaniva & District Progress Association has applied to Council for a Community Support Contribution of \$10,000 (refer attachment 14.2.2).

Apsley Alligators has applied to Council for a Community Support Contribution of \$5,000 (refer attachment 14.2.1).

Edenhope Tourism Incorporated has applied to Council for a Community Support Contribution of \$10,000 (refer attachment 14.2.3).

Officers have assessed all three applications as eligible for Council determination in accordance with Council's Grants Policy and its Community Support Grant Guideline (refer attachments 14.2.4, 14.2.5 and 14.2.6).

Risk Management Implications

Not Applicable

Legislative Implications

Not Applicable

Environmental Implications

Nil

Financial and Budgetary Implications

The financial risk rating has been assessed as: Low

Policy Implications

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

Council Grants Policy

Council Plan Implications



This report supports the following sections of the West Wimmera Shire Council Plan 2021 – 2025:

Goal 1 – Liveable & Healthy Community

- 1.1 Create a healthy, active, and vibrant community.
- 1.5 Support and encourage our events, cultural and arts communities.
- 1.7 Improve the liveability of the shire to assist in growing our population into the future.

Goal 2 – Diverse and Prosperous Economy

- 2.2 Promote the Shire as a great place to visit, live and invest.

Communication Implications

No Communication Implications

Gender Equality

No Gender Impact Assessment is required

Conclusion

West Wimmera Shire Council is committed to working in partnership with the community to encourage, develop and support community-based organisations and the wide range of quality recreational, cultural, social, and business group initiatives they undertake, to form a positive contribution to the Shire and strengthen the development of a supported, cohesive community.

The three applications in this report have been submitted under the Community Support Grant Guideline: Stream A – Community Support Contribution and have been assessed by officers as eligible for determination by Council.

Attachments

Nil



15 Infrastructure Development and Works

15.1 Extension to the Existing Road Maintenance Contract with the Department of Transport

Directorate: Infrastructure Development and Works

Report Author: Operations Manager

Report Purpose: For Decision

Purpose

This report seeks approval to extend the contract duration of the existing Road Maintenance Contract with the Department of Transport and Planning.

OFFICER RECOMMENDATION:

That Council authorise the CEO to extend the Contract 10025 with the Department of Transport and Planning to 31 December 2024 on the general terms contained in the briefing report.

Declaration of Interest

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

Background

West Wimmera Shire Council has a long history of undertaking the maintenance of arterial road infrastructure on behalf of the Department of Transport and Planning, and its predecessor organisations.

The current contract (contract 10025), commenced on 1 July 2019 and expires on 30 June 2024.

Communication has been received from the Department of Transport and Planning requesting an extension to this contract to 31 December 2024. The reason for this extension is to enable the Department of Transport and Planning time to facilitate a new contract with different terms and conditions across all regional Victoria. This new contract will be termed the Victorian Road Maintenance Contract.

Our current understanding is the Department of Transport and Planning will be seeking Council's interest in entering this new contract in due course.

The extension excludes management of the Western Highway and the associated infrastructure, as previously agreed by Council.



Council will be seeking an increase to the price of several scheduled items, where the rise and fall changes have not been reflective of actual cost increases.

The extension to this current contract affects Council's income. This is anticipated to be more than \$300,000 over the six-month period and provides for employment opportunities and efficiencies of operation.

Risk Management Implications

Risk identified: Financial risk
People risk

Legislative Implications

Not Applicable

Environmental Implications

Nil

Financial and Budgetary Implications

The financial risk rating has been assessed as: Medium

Policy Implications

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

Not applicable

Council Plan Implications

This report supports the following sections of the West Wimmera Shire Council Plan 2021 – 2025:

Goal 2 – Diverse and Prosperous Economy

2.3 Facilitate the development of the local economy and jobs.

Communication Implications

No Communication Implications

Gender Equality

No Gender Impact Assessment is required

Conclusion



Communication has been received from the Department of Transport and Planning requesting an extension to the Road Maintenance Contract with Council, be extended for an additional 6 months until 31 December 2024.

Attachments

1. C N 10025 - Proposed Extension for Municipality of West Wimmera 2024 (signed) from DTP [15.1.1 - 1 page]



Department of Transport
and Planning

PO Box 580
Ballarat, VIC 3353 Australia
www.transport.vic.gov.au

Ref: DOC/24/101298

24 April 2024

Mr David Bezuidenhout
Chief Executive Officer
West Wimmera Shire Council
PO Box 201
EDENHOPE VIC 3318

Dear Mr Bezuidenhout

**PROPOSED EXTENSION OF CONTRACT NUMBER 10025 FOR MAINTENANCE OF
VARIOUS ARTERIAL ROADS**

I refer to the above contract between West Wimmera Shire Council and the Department of Transport and Planning for the delivery of a range maintenance services throughout the municipal area, which expires on 30 June 2024.

The Department of Transport and Planning would like to offer West Wimmera Shire Council a further six month extension to 31 December 2024. This extension will exclude the maintenance of the Western Hwy as per councils request on letter dated 25 September 2023. You are requested to consider the above and provide a response before 24 May 2024.

Subject to agreement to the contract extension, Schedules 1 and 5 of the existing contract will continue to apply for the proposed extended contract period. Please note that Section 199 - Provision for Adjustment of Contract Sum will also continue to apply to the contract rates.

I would like to thank West Wimmera Shire Council for your continued support and service provided to the Department of Transport and Planning and the community.

Please contact Kathy Sceney, Associate Director Commercial & Performance on 0427 758 119 should you wish to discuss this matter further.

Yours sincerely

Liam Butcher
Director Maintenance Operations





16 Sealing Schedule

Nil.

17 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.*

18 Confidential Reports

RECOMMENDATION:

That Council pursuant to Section 66 (2)(a) of the Local Government Act 2020 close the meeting to members of the public at {time} to resolve on matters pertaining to the following items:

18.1 Business Streetscape Grant Application

Reason for confidentiality:

Local Government Act 2020, Section 3 - Private commercial information



19 Close of Meeting

Next Meeting:

Wednesday, 19 June 2024

Kaniva Council Chamber