



West Wimmera Shire Council

MINUTES

COUNCIL MEETING

Wednesday 18 December 2024
2:00 pm

Council Chambers
Kaniva Council Office
25 Baker Street, Kaniva Victoria
3419





Councillors and Shire Map



MAYOR
Cr. Tim Meyer



**DEPUTY
MAYOR**
Cr. Jodie Pretlove



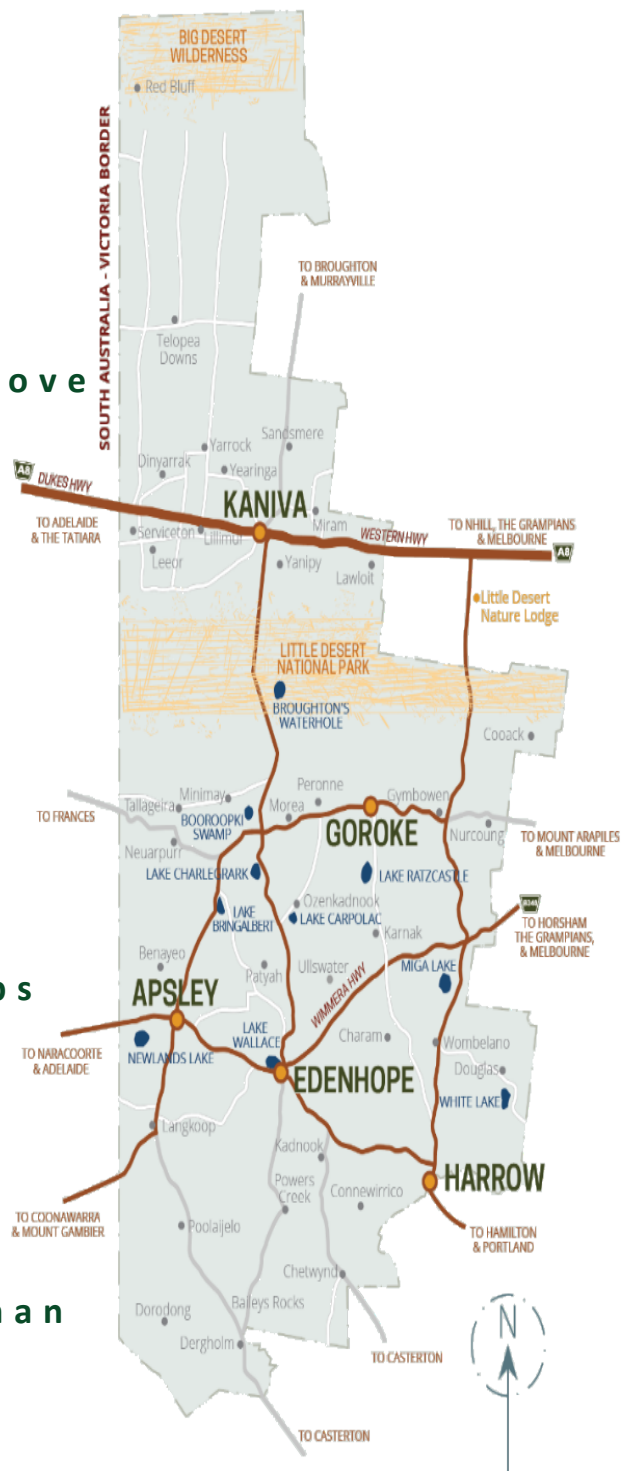
**Cr. Richard
Hicks**



Cr. Helen Hobbs



Cr. Tom Houlihan





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.

Recording of Meeting and Disclaimer

Please note every Council Meeting (other than items deemed confidential under section 3 (1) of the Local Government Act 2020) is being recorded and streamed live on West Wimmera Shire Council's website in accordance with Council's Governance Rules. Live streaming allows everyone to watch and listen to the meeting in real time, giving you greater access to Council debate and decision making and encouraging openness and transparency. All care is taken to maintain your privacy; however, as a visitor in the public gallery, your presence may be recorded. By remaining in the public gallery, it is understood your consent is given if your image is inadvertently broadcast. Opinions expressed or statements made by individual persons during a meeting are not the opinions or statements of West Wimmera Shire Council. Council therefore accepts no liability for any defamatory remarks that are made during a meeting.



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.



In Attendance:

Councillors:

Tim Meyer, Mayor
Jodie Pretlove, Deputy Mayor
Richard Hicks
Helen Hobbs
Tom Houlihan

Executive Leadership Team:

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

Officers:

Kaddie Cother - Governance Coordinator
Philippa Hicks - Executive Assistant to the CEO
Leanne Lucas - Rating and Finance Coordinator
John Hutchins - Community Development Manager



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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

Nil

4.2 Leave of Absence

Nil

4.3 Declaration of Conflict of Interest

Cr Jodie Pretlove declared a conflict of interest in item 18.3 - Australia Day Awards, Community Event, stating that she is the treasurer of the Lake Charlegrark Music Marathon Committee.

Cr Richard Hicks declared a conflict of interest in item 18.4 - Australia Day Awards, Citizen of the Year, stating that he share farms with an applicant.



5 Questions from the Gallery

5.1 Written Questions on Notice

No questions on notice were received for inclusion in the agenda.



5.2 Verbal Questions without Notice

No questions without Notice.



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
04/12/2024	Councillor Forum
06/12/2024	Confidential Council Meeting
10/12/2024	Audit & Risk Committee Meeting
11/12/2024	Citizenship Ceremony
11/12/2024	Councillor Induction Training
12/12/2024	MAV Mayoral Training
17/12/2024	Kaniva College Awards Night
18/12/2024	Pre-Council Meeting
18/12/2024	Council Meeting

6.2 Councillor Jodie Pretlove (Deputy Mayor)

Date	Event
28/11/2024	WWSC Christmas Event
04/12/2024	Councillor Forum
04/12/2024	Lake Bringalbert Foreshore Committee Meeting
06/12/2024	Confidential Council Meeting
10/12/2024	Deputy Mayor Training
10/12/2024	Audit & Risk Committee Meeting
11/12/2024	Citizenship Ceremony
11/12/2024	Councillor Induction Training
17/12/2024	Edenhope College Awards Night
18/12/2024	Pre-Council Meeting
18/12/2024	Council Meeting



6.3 Councillor Richard Hicks

Date	Event
28/11/2024	WWSC Christmas Event
29/11/2024	Western Highway Action Committee
04/12/2024	Councillor Forum
06/12/2024	Confidential Council Meeting
11/12/2024	Citizenship Ceremony
11/12/2024	Councillor Induction Training
18/12/2024	Pre-Council Meeting
18/12/2024	Council Meeting

6.4 Councillor Helen Hobbs

Date	Event
28/11/2024	WWSC Christmas Event
04/12/2024	Councillor Forum
06/12/2024	Confidential Council Meeting
11/12/2024	Citizenship Ceremony
11/12/2024	Councillor Induction
18/12/2024	Pre-Council Meeting
18/12/2024	Council Meeting

6.5 Councillor Tom Houlihan

Date	Event
28/11/2024	WWSC Christmas Event
04/12/2024	Councillor Forum
06/12/2024	Confidential Council Meeting
11/12/2024	Citizenship Ceremony
11/12/2024	Councillor Induction
17/12/2024	Goroke College Awards Night
18/12/2024	Pre-Council Meeting
18/12/2024	Council Meeting

7 Condolences

Nil



8 Confirmation of Previous Minutes

8.1 Council Meeting held on Wednesday, 20 November 2024

RECOMMENDATION:

That the Minutes of the Council Meeting held on Wednesday, 20 November 2024 be taken as an accurate record and confirmed.

Moved: Cr Richard Hicks

Seconded: Cr Jodie Pretlove

That the Minutes of the Council Meeting held on Wednesday, 20 November 2024 be taken as an accurate record and confirmed.

CARRIED UNANIMOUSLY (5 / 0)

Attachments

Nil

8.2 Unscheduled Council Meeting held on Friday, 6 December 2024

Deferred to February Council Meeting.

Attachments

Nil



9 Business Arising From Previous Minutes

10 Notices of Motion

10.1 Notice of Motion - Swimming Pool Free Entry

Notice of Motion Number: 202412

MOTION:

That West Wimmera Council resolves to provide free entry to the shire managed swimming pools for the month of January 2025 to residents of the West Wimmera Shire who are holders of a Commonwealth Health Care Card.

Moved: Cr Richard Hicks

Seconded: Cr Helen Hobbs

That West Wimmera Council resolves to provide free entry to the shire managed swimming pools for the month of January 2025 to residents of the West Wimmera Shire who are holders of a Commonwealth Health Care Card.

LOST (2 / 3)

Cr Richard Hicks called for a division

For:

Cr Helen Hobbs and Cr Richard Hicks

Aganst:

Cr Tim Meyer, Cr Jodie Pretlove and Cr Tom Houlihan

EXPLANATION

At its November 2018 and a subsequent July 2019 and November 2023 Council Meeting, Council resolved to accept similar motions. This support by Council during the summer seasons was considered a very important initiative by many community residents, and enabled financially-disadvantaged children access to the pools to learn water safety and swimming skills, and to socialise with the peers and friends (without being socially deprived or ostracised). Unfortunately, the 2023-24 initiative was not rigorously actioned by the



shire. A similar low-cost Council-supported initiative is considered appropriate for January 2025.

Attachments

1. Scan 20241209 [10.1.1 - 1 page]

11 Councillor Forum Record

11.1 Councillor Forum Record, Wednesday, 6 December 2024

Deferred to February Council Meeting.

12 Deputations and Petitions

There were no Petitions or Deputations submitted for the agenda.

13 Chief Executive Officer

No Reports



14 Corporate and Community Services

14.1 S6 Instrument of Delegations

Directorate: Corporate and Community Services

Report Author: Governance Manager

Report Purpose: For Decision

Purpose

The *Local Government Act 2020* provides that a council and its Chief Executive Officer (CEO) may, by Instrument of Delegation, delegate to a member of staff any power, duty or function of the Council other than some powers (such as adoption of the budget), that are reserved for Council decision. The purpose of this report is for Council to consider an updated S6 Instrument of Delegation from the Council to various positions in the organisation.

OFFICER RECOMMENDATION:

That Council:

- 1. Adopts the attached S6 Instrument of Delegation.**
- 2. Authorise the Council Seal to be affixed to the S6 Instrument of Delegation.**

Moved: Cr Jodie Pretlove

Seconded: Cr Tom Houlihan

That Council:

- 1. Adopts the attached S6 Instrument of Delegation.**
- 2. Authorise the Council Seal to be affixed to the S6 Instrument of Delegation.**

CARRIED UNANIMOUSLY (5 / 0)

Declaration of Interest

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



Background

Every six months, delegations are reviewed by Council's solicitors who update any new, changed or deleted provisions of legislation. A review was completed in July with updated provisions relating to the *Planning and Environment Act 1987*, the *Food Act 1984* and the *Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020*. These updated provisions (see attachment) will be included into the S6 Instrument of Delegations once approved by Council.

Delegations are essential to enable Council staff to carry out operational duties particularly in areas which involve enforcement, such as town planning, local laws, environmental health and animal management. The S6 Instrument of Delegations referred to must be approved by Council as distinct from others which can be delegated by the CEO. The current delegation from Council to various positions in the organisation was approved on 20 March 2024.

Risk Management Implications

Risk identified:

Regulatory risk

Legislative Implications

The report complies with the requirements of the:
Local Government Act 2020

Environmental Implications

Not applicable

Financial and Budgetary Implications

Not applicable

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

Equal Impact Assessment

No Equal Impact Assessment is required

Conclusion

Council is responsible for ensuring that its delegations are current at all times. The proposed update of the S6 Instrument of Delegations from Council is necessary in order to ensure compliance with the *Local Government Act 2020*.

Attachments

1. S 6 Instrument of Delegations Reviewed December 2024 [**14.1.1** - 174 pages]
2. S 6 Instrument of Delegation - Members of Staff Updates November 2024 [**14.1.2** - 18 pages]



14.2 Naming of an Unnamed Road off D Hawkers Road Lillimur to Zenda Lane

Directorate: Corporate and Community Services

Report Author: Finance and Rating Coordinator

Report Purpose: For Decision

Purpose

At the September 2024 Councillor forum, Councillors were advised of the proposed commencement of community consultation in relation to naming of an unnamed road off D Hawkers Road Lillimur.

Community consultation has now been completed, and the proposal to name the unnamed road Zenda Lane has received support from local community members, with no objections to the proposed naming having been received.

OFFICER RECOMMENDATION:

That Council:

1. Authorise the naming of the section of unnamed road off D Hawkers Road Lillimur to Zenda Lane Lillimur.
2. Authorise officers to submit the new road name to Geographic Names Victoria for formal approval and gazettal.

Moved: Cr Richard Hicks

Seconded: Cr Jodie Pretlove

That Council:

1. Authorise the naming of the section of unnamed road off D Hawkers Road Lillimur to Zenda Lane Lillimur.
2. Authorise officers to submit the new road name to Geographic Names Victoria for formal approval and gazettal.

CARRIED UNANIMOUSLY (5 / 0)

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 Geographic Naming Policy outlines the guidelines and principles that Council officers must follow with respect to the proposed naming of a road, feature, or locality within Shire boundaries. Proper naming of roads, features, and localities is crucial for several reasons, including:

- Public safety: Ensuring accurate identification of locations
- Emergency management: Enabling efficient emergency response and service delivery
- Orientation and communication: Assisting in navigation and logistical coordination
- Service delivery: Supporting effective provision of goods and services
- Map and atlas production: Ensuring accurate cartography
- Natural disaster relief: Facilitating relief efforts during emergencies

The naming process has been initiated for the currently unnamed section of road off D Hawkers Road at Lillimur, which is not yet listed on Council's Road Register. It is planned to add this road to the register during the next review, which is scheduled to take place within twelve months of the 2024 Council election.

For administrative reasons, it is more practical to have the road named before it is incorporated into Council's Road Register. This ensures that the name is officially recognized and obviates any potential for delay in the registration process.

Council received a letter dated 28 August 2024 from Mr Sam Hawker, who outlined that the currently unnamed road provides primary access to a house and sheds on his property. Mr Hawker is the sole property owner on both sides of the unnamed road off D Hawkers Road at Lillimur. In his letter, he has proposed that the road be named Zenda Lane after his late mother, Mrs Zenda Hawker. Mr Hawker's proposal is motivated by the desire to recognise Mrs Hawker's significant contribution to the life of the local community over many years.

At the September 2024 Councillor forum, Councillors were advised of the proposed commencement of community consultation in relation to naming of the unnamed road. Community consultation has now been completed, and the proposal to name the unnamed road Zenda Lane has received support from local community members, with no objections to the proposed naming having been received.



Risk Management Implications

Risk identified:

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



Legislative Implications

The report complies with the requirements of the:

Local Government Act 1989

Local Government Act 2020

Geographic Place Names Act 1998

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:

Geographic Naming Policy

Council Plan Implications

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

Goal 4 – Good Governance

4.1 Ensure long term financial sustainability.

4.2 Engage with the community in a timely and respectful way.

Communication Implications

Public consultation has been undertaken regarding the proposed naming. It commenced on 2 October 2024 and closed at 5pm 1 November 2024.

The following consultation was undertaken:

- Eight letters including a survey were mailed to affected residents, ratepayers and businesses
- Website publication
- Newspaper publication

Council has not received any objections to the proposed naming. Two responses in favour of the proposed naming have been received.



Table 1: Results of Consultation

Type of consultation	Amount	Non-Responses (Tacit Consent)
Response from Website/Newspaper publications	0	-
Letters sent to surrounding Owners/Ratepayers	8	6
Responses to surrounding Owners/Ratepayers letter	2 (in agreement)	

Equal Impact Assessment

No Equal Impact Assessment is required

Conclusion

Road naming is the responsibility of Council under the *Local Government Act 1989* and must be carried out in accordance with the *Geographic Place Names Act 1998*. Following the completion of community consultation and subject to Council's approval, the proposed new road name can be submitted to Geographic Names Victoria for formal approval and gazettal.

Attachments

1. BI Nash - Response Agree [**14.2.1** - 1 page]
2. Sam Hawker Letter 28 Aug 24 RE Zenda Lane proposal [**14.2.2** - 1 page]
3. TE KE Hawker - Response Agree [**14.2.3** - 1 page]
4. WWSC Letter to residents road naming Zenda Lane [**14.2.4** - 3 pages]



15 Infrastructure Development and Works

No Reports



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 to resolve on matters pertaining to the following items:

- 18.1 Business Streetscape Grant Application**
- 18.2 Sale of Land for Unpaid Rates s181**
- 18.3 Australia Day Awards – Community Event of the Year**
- 18.4 Australia Day Awards – Citizen of the Year**
- 18.5 Australia Day Awards – Community Group of the Year**
- 18.6 Australia Day Awards – Young Citizen of the Year**



Moved: Cr Richard Hicks

Seconded: Cr Tom Houlihan

That Council pursuant to Section 66 (2)(a) of the Local Government Act 2020 close the meeting to members of the public at 2:42 pm to resolve on matters pertaining to the following items:

- 18.1 Business Streetscape Grant Application**
- 18.2 Sale of Land for Unpaid Rates s181**
- 18.3 Australia Day Awards – Community Event of the Year**
- 18.4 Australia Day Awards – Citizen of the Year**
- 18.5 Australia Day Awards – Community Group of the Year**
- 18.6 Australia Day Awards – Young Citizen of the Year**

CARRIED UNANIMOUSLY (5 / 0)

Reasons for Confidentiality -

Local Government Act 2020, Section 3 - Private commercial information

Local Government Act 2020, Section 3 - Personal information

Local Government Act 2020, Section 3 - Council business Information

19 Close of Meeting

Next Meeting:

Wednesday, 19 February 2024

Edenhope Council Chambers