



# **AGENDA**

## **Ordinary Meeting of Council**

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**9:30am Wednesday 28 September 2022**

**VENUE:**

Council Chambers  
Yarriambiack Shire Council  
34 Lyle Street, Warracknabeal Vic 3393

**Next Meeting**

Wednesday 26 October 2022

Copies of the Yarriambiack Shire Council's Agendas and Minutes  
can be obtained online at [www.yarriambiack.vic.gov.au](http://www.yarriambiack.vic.gov.au)

*OUR VISION:*

A connected rural community who values its land and wellbeing.

We will achieve this vision through:

- ✓ Supporting agriculture
- ✓ Strengthening business and tourism
- ✓ Staying connected through infrastructure
- ✓ Being a supportive Council
- ✓ Looking after our communities
- ✓ Being environmentally friendly

*CONTINUOUS IMPROVEMENT:*

We drive continuous and sustainable improvement in service provision, operational efficiency, and stakeholder relations to create a leading organisation.

**Recording**

Consistent with section 2.44.3 of our Governance Rules, consent given by the Chair to the recording of any Council Meeting must be obtained prior to the commencement of the Council Meeting.

**Live Streaming**

Council meetings will now be live streamed to allow those interested in viewing proceedings greater access to Council decisions and debate without attending the meeting in person.

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## **1 WELCOME**

## **2 ACKNOWLEDGEMENT AND PRAYER**

Cr K Zanker to open the meeting at 9:30am by acknowledging the Indigenous Community and offering the opening prayer.

### **Acknowledging Traditional Owners**

'I would like to acknowledge that this meeting is being held on the traditional lands of the Wotjobaluk, Jaadwa, Jadawadjali, Wergaia and Jupagulk people, and I pay respects to their Elders, both past, present and emerging'.

### **Prayer**

*Almighty God, without whom no Council can stand, nor anything prosper we ask that you be present and guide us in our deliberations today. We pray that we will be fair in our judgements and wise in our actions and that decisions will be made with goodwill and a clear conscience for the betterment and welfare of the people of Yarriambiack Shire.*

*Amen*

## **3 PRESENT**

## **4 APOLOGIES OR REQUEST FOR LEAVE OF ABSENCE**

## **5 CONFIRMATION OF MINUTES**

### **5.1 Minutes of the ordinary Council Meeting - Wednesday 24 August 2022**

Minutes of the Ordinary Council Meeting held on Wednesday 24 August 2022 be taken as an accurate record and confirmed

**Recommendation:**

That the minutes of the Ordinary Meeting of Council held on Wednesday 24 August 2022, as circulated be taken as read and confirmed.

### **5.2 Minutes of the Closed Council Meeting - Wednesday 24 August 2022**

Minutes of the Closed Council Meeting held on Wednesday 24 August 2022 be taken as an accurate record and confirmed

**Recommendation:**

That the minutes of the Closed Council Meeting of Council held on Wednesday 24 August 2022, as circulated, be taken as read and confirmed.

### **5.3 Minutes of the Special Council Meeting - Wednesday 14 September 2022**

Minutes of the Special Council Meeting held on Wednesday 14 September 2022 be taken as an accurate record and confirmed.

**Recommendation:**

That the minutes of the Ordinary Meeting of Council held on Wednesday 14 September 2022, as circulated be taken as read and confirmed.

## 6 DECLARATION OF CONFLICT OF INTEREST

Pursuant to Division 2 – Conflict of Interest, of the *Local Government Act 2020* general and material conflict of interest must be declared prior to debate on specific items within the agenda; or in writing to the Chief Executive Officer before the meeting.

A Councillor who has declared a conflict of interest in respect of a matter must;

- a) Disclose the conflict of interest in the manner required by the Yarriambiack Shire Council Governance Rules.
- b) Exclude themselves from the decision-making process in relation to that matter, including any discussion or votes on the matter at any Council meeting or delegated committee, and any action in relation to the matter.

General conflict of interest is if a relevant person has an interest in a matter if an impartial, fair-minded person would consider that the person's private interests could result in that person acting in a manner that is contrary to their public duty

- a) *Private interests* mean any direct or indirect interest of a relevant person that does not derive from their public duty and does not include an interest that is only a matter of personal opinion or belief.
- b) *Public duty* means the responsibilities and obligations that a relevant person has to members of the public in their role as a relevant person.

Material conflict of interest is if a relevant person has an interest in respect of a matter if an affected person would gain a benefit or suffer a loss depending on the outcome of the matter

- a) The benefit or loss incurred may be directly or indirectly

OR

- b) In a pecuniary or non-pecuniary form.

Councillors are also encouraged to declare circumstances where there may be a perceived conflict of interest.

## 7 BUSINESS ARISING

### 7.1 Business arising from previous Minutes

Nil

### 7.2 Ongoing and Pending Action List

| <b>Council Meeting</b> | <b>Recommendation Action</b>   | <b>Action Taken</b>   |
|------------------------|--|---|
| 24 August 2022         | Write a letter of reply to Warracknabeal Townscape Committee in response of the petition lodged for installation of Wombat Crossings   | Letter dated 06 September 2022 hand delivered to Townscape Committee. |
| 24 August 2022         | Council Report to be presented in October on recommended actions from Wombat Crossing petition.  |   |
| 24 August 2022         | Write to David Hardy, Secretary Rail Futures Institute Inc regarding their seeking political commitment of Victoria's Rail Grain Handling System and reminding them of the regions Mineral Sands transport | Letter dated 21 September 2022 sent to                                |

## 8 PETITIONS

Nil

## 9 CORRESPONDENCE

Nil

## 10 SPECIAL COMMITTEES

Nil

## 11 ACTIVITY REPORTS

### 11.1 Mayor's Report

#### Prepared by Kylie Zanker

|              |   |
|--------------|---|
| 24 August    | AICD-Briefing for Rural Councils Victoria Training for Directors and Councillors  |
| 29 August    | Attended Presentation with CEO Tammy Smith to Rural North West Health regarding Council's Strategic Plan and Direction                        |
| 30 August    | Attended Radio interview with Flow FM   |
| 2 September  | Attended Rural Council Victoria (RCV) Forum in Daylesford   |
| 6 September  | Attended Warracknabeal Action Group (WAG) Annual General Meeting  |
| 14 September | Attended Council Forum and Special Meeting<br><br>Attended Warracknabeal Housing Forum Discussion   |
| 16 September | Attended Municipal Association Victoria (MAV) Special State Council Meeting   |
| 19 September | Attended DOT Meeting  |
| 20 September | Attended Beulah Supermarket Discussions with Wayne Street and Beulah representatives<br><br>Attended Warracknabeal Housing Availability Forum |
| 26 September | Attended Internal Audit and Risk Committee Meeting  |
| 27 September | Attended Rural Northwest Health All Access Board Meeting in Hopetoun  |
| 29 September | Attended Councillor / CEO informal briefing via TEAMS   |



## 11.2 Councillor's Reports

### Cr A McLean

- 14 September Attended Council Forum and Special Meeting
- 20 September Meeting with Street Ryan and Beulah Cooperative members to discuss Beulah Supermarket
- Attended Councillor / CEO informal briefing via ZOOM

### Cr T Hamilton

- 30 August Attended Wimmera Development Association (WDA) Board Meeting
- 7 September Attended Murtoa Big Weekend Meeting
- 8 September Attended Stick Shed Meeting
- 9 September Attended Rail Freight Meeting via ZOOM
- 12 September Attended Rupanyup Progress Association Meeting
- 14 September Attended Council Forum and Special Meeting
- 20 September Attended Councillor / CEO informal briefing via ZOOM
- Attended Murtoa Progress Association Annual General Meeting

### Cr G Massey

- 31 August Attended RFDS Community Meeting on Patient Transport
- 6 September Attended Warracknabeal Action Group (WAG) Meeting
- 12 September Chaired Senior Citizens Annual General Meeting in Warracknabeal
- 14 September Attended Council Forum and Special Meeting
- 20 September Attended Community Housing Meeting in Warracknabeal

### Cr C Lehmann

- 14 September Attended Council Forum and Special Meeting
- 16 September Hopetoun Old School Site Advisory Committee Meeting
- 20 September Meeting with Street Ryan and Beulah Cooperative members to discuss Beulah Supermarket
- Attended Councillor / CEO informal briefing via ZOOM
- 21 September Attended Beulah Progress Association Meeting

**Cr C Heintze**

- 26 August Attended Partners in Ag event, Rupanyup
- 2 September Attended Rural Councils Victoria meeting in Daylesford
- 7 September Attended Minyip Progress Association Meeting
- 8 September Attended Childcare Centre discussion at Murtoa
- 12 September Attended Rupanyup Progress Association Meeting via ZOOM
- 14 September Attended Yarrilinks Meeting in Minyip
- 20 September Attended Online Council Discussion

**Cr K Kirk**

On Leave

### 11.3 Chief Executive Officer Report

#### Prepared by Tammy Smith

|              |  |
|--------------|--|
| 24 August    | AICD-Briefing for Rural Councils Victoria Training for Directors and Councillors   |
| 25 August    | Wimmera Southern Mallee By Five Steering Committee Meeting   |
| 25 August    | On-site meeting with Landowner in Speed  |
| 26 August    | Wimmera Southern Mallee Taskforce Meeting  |
| 29 August    | Rural Northwest Health Board Meeting Presentation (online) with Mayor Zanker   |
| 30 August    | Wimmera Development Association Strategic Planning Consultation  |
| 31 August    | Reforming in-home Aged Care and Regulations update   |
| 31 August    | Stick Shed Meeting to discuss Place of Public Entertainment requirements   |
| 01 September | CEO and Director Forum Daylesford  |
| 02 September | Rural Council's Victoria Forum Daylesford  |
| 05 September | Rail Freight Alliance – online meeting with CEO  |
| 05 September | Have Home Safe and Homes Victoria Meeting  |
| 06 September | Wimmera Action Group AGM – special guest presentation  |
| 06 September | Townscape Meeting Warracknabeal  |
| 07 September | CEO's, Department Jobs Precincts and Regions and MAV online Meeting  |
| 08 September | Our Lady's Help of Christians Catholic School Murtoa Childcare Meeting   |
| 09 September | Mineral Sands – Key Stakeholders Meeting – Maroona to Portland Line  |
| 12 September | Seymour Heritage Railway Centre Meeting  |
| 14 September | Council Forum & Special Meeting  |
| 15 September | Rural Council's Victoria meeting with Department of Transport  |
| 16 September | Hopetoun Old School Site Advisory Committee Meeting  |
| 16 September | Meeting with Acting CEO Rural Northwest Health (online)  |
| 19 September | Meeting with Wimmera Development Association representatives, Donald Mineral Sands representative and Minyip Progress Association representatives to discuss Housing opportunities |
| 19 September | Department of Transport Meeting (with Mayor Kylie Zanker)  |
| 20 September | Meeting with Street Ryan and Beulah Cooperative members to discuss Beulah Supermarket  |
| 20 September | Meeting with Department Health and Aged Care and Rural Council's Victoria regarding Aged Care reforms  |
| 20 September | Murtoa Progress Association Annual General Meeting – Guest Speaker   |

- 20 September    Attended Councillor / CEO informal briefing via Teams
- 21 September    Yaapeet Community meeting regarding town maintenance
- 21 September    Women's Health Grampians meeting with CEO
- 26 September    Audit and Risk Committee Special Meeting

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**12 REPORTS FOR INFORMATION AND DECISION – COUNCILLORS**

Nil

**13 REPORTS FOR DECISION – OFFICE OF THE CHIEF EXECUTIVE OFFICER**

Nil

## 14 REPORTS FOR DECISION – DIRECTORATE BUSINESS STRATEGY AND PERFORMANCE

| Organisational Performance Responsibilities  | Corporate Services Responsibilities   |
|--|---|
| <ul style="list-style-type: none"> <li>• Human Resources</li> <li>• Customer Service</li> <li>• Executive Assistant to CEO</li> <li>• Records (Information Management)</li> <li>• Information Communication Technology</li> <li>• Governance</li> <li>• Risk</li> <li>• Audit and Planning</li> <li>• Occupational Health and Safety</li> <li>• Corporate System Administration (Happy HR, AvePoint, RelianSys, Learning Management System)</li> </ul> <p>Manager Organisational Performance delegated roles:</p> <ul style="list-style-type: none"> <li>• Return to Work Coordinator</li> <li>• Freedom of Information Officer</li> <li>• Privacy Officer</li> <li>• Welfare Officer</li> </ul> | <ul style="list-style-type: none"> <li>• Payroll</li> <li>• Accounts Payable</li> <li>• Procurement and Contracts</li> <li>• Debtors</li> <li>• Insurance</li> <li>• Rates</li> <li>• Corporate Planning (Performance Reporting)</li> <li>• Media and Communications</li> <li>• Corporate System Administration (Property, Rating, Animal Management, Infringement, Financial, Happy HR Payroll, Website)</li> </ul> <p>Manager Corporate Services delegated role:</p> <ul style="list-style-type: none"> <li>• Principal Accounting Officer</li> </ul> |

## 14.1 Performance Reporting Framework

*Prepared by Tony Caccaviello, Director Business Strategy and Performance*

### SUMMARY

The Local Government Planning and Reporting Regulations 2020, Governance and Management Checklist in Report of Operations requires Council to have a Performance Reporting Framework. Council adopted its Performance Reporting Framework on 27 November 2019 and has completed a review of the document in line with the changes in the *Local Government Act 2020*, and the adoption of Council's Risk Management Manual and Risk Appetite.

### RECOMMENDATION

That Council:

- a) Adopted the revised Yarriambiack Shire Council Performance Reporting Framework as attached.
- b) Rescind the Yarriambiack Shire Council Performance Reporting Framework that was adopted in November 2019.

### ATTACHMENTS

[Attachment: Yarriambiack Shire Council Performance Reporting Framework \(revision 2\)](#)

### DISCUSSION

A review of Council's Performance Reporting Framework has been undertaken and has been revised to reflect the *Local Government Act 2020*, the revised Local Government Planning and Reporting Regulations 2020 and Council's Risk Appetite that is embedded in the Council adopted Risk Management Manual.

The Performance Reporting Framework outlines the legislative framework in which Council must operate and includes the reporting timeline and the documents to be presented to Council, to meet the statutory requirements.

### RELEVANT LAW

*Local Government Act 2020*

Local Government Planning and Reporting Regulation 2020

### COUNCIL PLANS AND POLICIES

- a) Council Plan 2021/2025 – Key Objective 4: A Council Who Serves Its Community
- b) Council Budget 2022/2023
- c) Risk Management Manual
- d) Annual Report

### RELATED COUNCIL DECISIONS

Council Meeting – 27 November 2019, Performance Reporting Framework

### OPTIONS

The governance principles in section 9 of the *Local Government Act 2020* is that priority is to be given to achieving the best outcomes for the municipal community, including future generations.

The option presented in this report to provide the Council with a revised and updated Performance Reporting Framework, that guides when performance reports are to be

presented to Council and the Audit and Risk Committee, enhances governance and oversight, and promotes transparency in decision making.

### **SUSTAINABILITY IMPLICATIONS**

Council must give effect to the overarching governance principles in section 9 of the *Local Government Act 2020*, when considering sustainability implications.

*Financial:* Yarriambiack Shire Council is heavily reliant on operational and capital grants as a source of revenue funding. This poses a significant financial risk to Council. The reduction in the rate cap decreases Councils' ability to raise source revenue.

### **COMMUNITY ENGAGEMENT**

Engagement has not been undertaken to develop the Performance Reporting Framework.

In accordance with section 9 of the *Local Government Act 2020*, Council must in the performance of its role give effect to the overarching governance principles.

The financial and non-financial performance indicators are utilised as a tool for decision making to achieve good governance.

Council adopted a Community Engagement Policy which is applied when developing and consulting with the community in relation to the Annual Budget development and adoption.

### **GENDER IMPACT ASSESSMENT**

A gender impact assessment is not required for this report.

### **RISK**

Utilising the Risk Management Framework the following assessment has been made:

| <b><i>Strategic Risk Description and Residual Risk Level</i></b>              | <b><i>Action to Mitigate/Reduce Risk</i></b>  | <b><i>Does Action maintain or reduce Residual Risk Level</i></b> |
|---|---|--|
| Corporate Governance, Compliance and Liability Risk - Residual Risk Level Low | Revised and updated the Performance Reporting Framework outlined in the Local Government Planning and Reporting Regulations 2020 Schedule 1.  | Maintains Residual Risk Level                                    |
| Financial Risk - Residual Risk Level Medium                                   | The quarterly Financial and Non-Financial Performance Report included in the Performance Reporting Framework includes Budget v Actual reporting, which enables management, Audit and Risk Committee and Councillors to monitor the financial performance of Council and assess and address risks as they arise. | Maintains Residual Risk Level                                    |
| Program and Project Risk - Residual Risk Level Medium                         | The quarterly Financial and Non-Financial Performance Report incorporates detailed project reporting, providing enhanced oversight on the performance of projects.  | Maintains Residual Risk Level                                    |
| Strategy Execution and Change Management Risk - Residual Risk Level Medium    | The quarterly Council Plan actions update enables Council to monitor its strategy execution and assess its performance against its Council Plan actions.  | Maintains Residual Risk Level                                    |

### **REGIONAL, STATE AND NATIONAL PLANS AND POLICIES**

Not Applicable

### **CONFLICTS OF INTEREST**

All officers involved in the preparation of this report have declared that they do not have a conflict of interest in the subject matter of this report.



## 14.2 2021/2022 Carry Forwards Project Report

**Prepared by Paul Brumby, Acting Director Assets and Operations (who at the time of writing this report was Acting Director Business Strategy and Performance)**

At the end of each financial year every Council has a number of budgeted capital works and operating projects that are yet to be completed. This report identifies the budgeted capital works and operating projects that will be brought forward from previous years and scheduled for completion in the 2022/2023 financial year and sets out the revised carry forward expenditure budget for each of these projects.

### RECOMMENDATION

That Council notes the 2021/2022 Carry Forwards Project Report.

### ATTACHMENTS

[Attachment: 2021/2022 Carry Forwards Project Report](#)

### DISCUSSION

Each year Council adopts a budget that sets out the capital works and operating projects to be undertaken during that financial year. Due to several factors including the timing of grant funding announcements, inclement weather, and the availability of contractors, materials and staff (particularly during the COVID pandemic), at the end of the financial year (30 June) Council inevitably has a number of budgeted capital works and operating projects that are yet to be completed.

These projects are then rescheduled for completion in the following financial year, in order to ensure that the projects that were promised to our community are delivered to them. The 2021/2022 Carry Forwards Project Report identifies the projects that have been budgeted for in previous years, but are still yet to be delivered, and sets out the revised carry forward expenditure budget estimated for delivery of each of these projects.

### RELEVANT LAW

*Local Government Act 2020*

- Section 94 – the Budget

### COUNCIL PLANS AND POLICIES

- a) Council Plan 2021/2025 – Key Objective 4: A Council Who Serves Its Community
- b) Council Budget 2021/2022
- c) Council Budget 2022/2023
- d) Yarriambiack Shire Council Budget Framework & Guidelines

### RELATED COUNCIL DECISIONS

23 June 2021 Council Meeting

#### RECOMMENDATION

That in accordance with Section 94 of the *Local Government Act 2020* (the Act) the 2021/22 Budget as tabled be adopted

#### Resolution

Moved Cr K Kirk Seconded Cr T Hamilton

That the recommendation be adopted

Carried

## OPTIONS

As this report recommends "that Council notes the 2021/2022 Carry Forwards Project Report", Council could choose not to adopt the recommendation.

## SUSTAINABILITY IMPLICATIONS

*Economic:* Economic issues have been considered during the budget process.

*Social:* Social issues have been considered during the budget process. Media releases were developed to highlight the key projects and activities included in the proposed budget and members of the public were invited to make written submissions on the proposed budget.

*Environmental Considerations:* Environmental issues have been considered during the budget process.

*Climate change:* There are no climate change considerations arising from this report.

*Financial:* This report contains information on capital works and operating projects that have either been adopted during past budget processes or added into the Council projects list as a result of matters arising between budget cycles.

## COMMUNITY ENGAGEMENT

Proposed Council Budgets are placed on public exhibition for several weeks each year and members of the public are invited to make submissions on the proposed budget and any item contained within it. The proposed Budgets were advertised in local newspapers and made available for inspection at the Warracknabeal and Hopetoun Office and on Council's website. Community consultation sessions on the proposed Budget are traditionally held across the shire and online during April and May.

## GENDER IMPACT ASSESSMENT

A gender impact assessment is not required for this report.

## RISK

Utilising the Risk Management Framework the following assessment has been made:

| <b>Strategic Risk Description and Residual Risk Level</b>                     | <b>Action to Mitigate/Reduce Risk</b>   | <b>Does Action maintain or reduce Residual Risk Level</b> |
|---|---|---|
| Corporate Governance, Compliance and Liability Risk - Residual Risk Level Low | This report provides Councillors and members of our community with a transparent view of the capital works and projects that were not completed at 30 June 2022 and which are scheduled for completion in the 2022/2023 financial year. | Maintains Residual Risk Level                             |
| Financial Risk - Residual Risk Level Medium                                   | This report details the financial implications of delivering those capital works and projects that were not completed at 30 June 2022, but were funded in previous budgets.   | Maintains Residual Risk Level                             |
| Reputational Risk - Residual Risk Level Low                                   | Previous budgets have promised to our community the delivery of projects that were not delivered (either in part or in full) by 30 June 2022. This report provides an ongoing commitment to deliver these projects.                     | Reduces Residual Risk Level                               |

## REGIONAL, STATE AND NATIONAL PLANS AND POLICIES

Not applicable.

## CONFLICTS OF INTEREST

All officers involved in the preparation of this report have declared that they do not have a conflict of interest in the subject matter of this report.

## 15 REPORTS FOR DECISION – DIRECTORATE ASSETS AND OPERATIONS

| Operations Responsibilities   | Assets Responsibilities   | Development Services Responsibilities   |
|---|---|---|
| <ul style="list-style-type: none"> <li>Town Maintenance</li> <li>Capital Works &amp; Maintenance Programs- Roads, footpaths, kerb &amp; Channel, Bridges &amp; Culverts</li> <li>Parks &amp; Gardens Gravel Pits</li> <li>Plant &amp; Equipment</li> <li>Transfer Stations</li> </ul> | <ul style="list-style-type: none"> <li>Aerodromes</li> <li>Technical</li> <li>Services Asset</li> <li>Engineer Asset</li> <li>Inspectors</li> <li>GIS</li> <li>Caravan Parks</li> </ul> | <ul style="list-style-type: none"> <li>Planning</li> <li>Building</li> <li>Projects</li> <li>Sustainability &amp; Environment</li> <li>Transfer Station Compliance</li> </ul> |

### 15.1 Permits issued by Assets and Operations Department – August 2022

#### RECOMMENDATION:

That Council:

Note the permits issued by Council between 1 August 2022 and 31 August 2022

| Reference No            | Description                      | Address       | Date of Issue |
|-------------------------|----------------------------------|---------------|---------------|
| <b>Building Permits</b> |                                  |               |               |
| BLD 20220296            | Extension to Dwelling            | Areegra       | 18/08/2022    |
| BLD 20220301            | Installation of Shade Sails      | Warracknabeal | 08/08/2022    |
| BLD 20220305            | Installation of Flag Pole        | Warracknabeal | 31/08/2022    |
| <b>Planning Permits</b> |                                  |               |               |
| TP21-22                 | Shed Construction                | Warracknabeal | 29/08/2022    |
| TP22-22                 | Fuel Depot<br>Caravan Dump Point | Minyip        | 11/08/2022    |
| TP23-22                 | Garage Construction              | Warracknabeal | 29/08/2022    |
| TP26-22                 | Shed Construction                | Warracknabeal | 29/08/2022    |
| TP29-22                 | Garage Construction              | Warracknabeal | 29/08/2022    |
| TP30-22                 | Farm Shed Construction           | Kewell        | 19/08/2022    |
|                         |                                  |               |               |

## 15.2 Capital Works Program Alterations 2022/2023

*Prepared by Joel Turner, Manager Infrastructure & Works*

### SUMMARY

This report recommends changes to the 2022/2023 Capital Works Program to respond to rapid changes in the condition of several roads in Council's network. The recommendation is that Council defers all or part of some capital works projects on roads that are able to remain serviceable until the 2023/2024 financial year, in order to undertake unscheduled capital works on roads that need urgent repair.

### RECOMMENDATION

That Council adopts the changes to the 2022/2023 Capital Works Program as outlined below:

### Road Projects To Be Added Or Lengthened:

| ROAD NAME                             | LENGTH TO BE ADDED       | FUNDING  | BUDGET AMOUNT ADDED |
|---------------------------------------|--------------------------|--|---------------------|
| Burrum Lawler Road<br>4m RESHEET      | 1,000m                   | Local Roads and Community Infrastructure Program Phase 3 | \$36,000            |
| Lawler Carron Road<br>4m RESHEET      | 3,000m                   | Roads to Recovery  | \$108,000           |
| Waller Road<br>4m RESHEET             | 550m                     | Local Roads and Community Infrastructure Program Phase 3 | \$20,000            |
| Walden Road<br>4m RESHEET             | 2,800m                   | Roads to Recovery  | \$101,000           |
| Minyip Rich Avon Road<br>2m SHOULDERS | 2,700m + Existing amount | Council/Victoria Grants Commission                       | \$119,000           |
| 3LK Road<br>4m RESHEET                | 380m + Existing amount   | Roads to Recovery  | \$14,000            |
| Moyles Road<br>4m RESHEET             | 800m                     | Roads to Recovery  | \$19,000            |
| <b>TOTAL</b>                          | <b>11,230m</b>           |  | <b>\$417,000</b>    |

### Road Projects To Be Deferred Or Reduced

| ROAD NAME                       | TOTAL LENGTH IN BUDGET | LENGTH TO BE REMOVED | FUNDING                    | BUDGET AMOUNT REMOVED |
|---------------------------------|------------------------|----------------------|----------------------------|-----------------------|
| Linghams Road<br>4m RESHEET     | 820m                   | 820m                 | Victoria Grants Commission | \$30,000              |
| Dyers Estate Road<br>4m RESHEET | 1,800m                 | 1,800m               | Council                    | \$58,000              |
| Len Matthews Road<br>4m RESHEET | 550m                   | 550m                 | LRCI3                      | \$20,000              |
| Martins Road<br>4m RESHEET      | 1,600m                 | 1,600m               | Roads to Recovery          | \$58,000              |

| ROAD NAME                             | TOTAL LENGTH IN BUDGET | LENGTH TO BE REMOVED | FUNDING           | BUDGET AMOUNT REMOVED |
|---------------------------------------|------------------------|----------------------|-------------------|-----------------------|
| Pine Hill Road<br>4m RESHEET          | 1,620m                 | 1,620m               | Roads to Recovery | \$58,000              |
| Walders Road<br>4m RESHEET            | 1,340m                 | 1,340m               | Roads to Recovery | \$48,000              |
| Banyena Pimpinio Road<br>2m SHOULDERS | 3,470m                 | 900m                 | LRCI3             | \$40,000              |
| Dimboola Minyip Road<br>2m SHOULDERS  | 1,800m                 | 1,800m               | Roads to Recovery | \$79,000              |
| Nandaly Tempy Road<br>2m SHOULDERS    | 1,600m                 | 800m                 | Roads to Recovery | \$26,000              |
| <b>TOTAL</b>                          | <b>14,600m</b>         | <b>11,230m</b>       |                   | <b>\$417,000</b>      |

### Alteration Summary

| ACTIVITIES           | Distance removed from Capital Works Plan | Distance added to Capital Works Plan |
|----------------------|--|--------------------------------------|
| <b>Shoulders</b>     | <b>3500m</b>                             | <b>2700m</b>                         |
| <b>Resheets</b>      | <b>7730m</b>                             | <b>8530m</b>                         |
| <b>TOTAL LENGTHS</b> | <b>11,230m</b>                           | <b>11,230m</b>                       |
| <b>TOTAL COST</b>    | <b>\$417,000</b>                         | <b>\$417,000</b>                     |

### ATTACHMENTS

[Attachment: Capital Works Program Alterations - Photos](#)

### DISCUSSION

#### Road deterioration issues:

The current road condition issues can be attributed to a number of factors including the timing of the release of the capital works program, road inspection regimes and the crop sowing season; and wet weather after program adoption.

These factors can conceal roads that need repair but appear to be in reasonable condition. Roads that appear to be fine during inspections sometimes deteriorate more rapidly than expected and fail during late autumn/winter after the capital works program for the following financial year has been adopted.

These factors are unavoidable and will continue to cause issues into the future. Through additional inspections, CRMs, and local knowledge the issue can be managed by additional monitoring, and program alterations can occur.

### RELEVANT LAW

Section 10 of the *Local Government Act* provides that subject to any limitations or restrictions imposed by the Act or any other Act, Council has the power to do all things necessary or convenient to be done in connection with the performance of its role.

## COUNCIL PLANS AND POLICIES

From the council plan strategic objectives 1 and 4 are applicable to this decision.

*Objective 1: Good Governance*

*Objective 4: A Planned Future*

## RELATED COUNCIL DECISIONS

This type of decision has occurred in most previous years, and I believe it will need to occur in the future as the strain on our road network increases. The roads can rapidly deteriorate in a matter of weeks. If this occurs after the Capital Works Program has been adopted, an alteration to the Capital Works Program is the only way to repair these roads in a timely manner.

## OPTIONS

1. Leave the Capital Works Program as is and alleviate the safety concerns with signage and maintenance work until next financial year.
2. Alter the Capital Works Program and fund the roads that have recently come to light as dangerous sections in need of urgent repair.

## SUSTAINABILITY IMPLICATIONS

*Economic:* Maintain the most economical routes for freight from farms to storage facilities and ports.

*Social:* Safety for road users, currently not very safe, traffic control is in place to reduce risk. Improve roads for improved transport routes from farms to major freight routes.

*Financial:* there are no financial implications for Council as the recommended option is a reallocation of the existing budget.

## COMMUNITY ENGAGEMENT

The community has voiced concerns for several of these roads and the need for them to be repaired. Others were identified through inspections after the sowing season and the wetter months.

## GENDER IMPACT ASSESSMENT

A gender impact assessment is not required for this report.

## RISK

Utilising the Risk Management Framework the following assessment has been made:

| <b>Strategic Risk Description and Residual Risk Level</b>                     | <b>Action to Mitigate/Reduce Risk</b>  | <b>Does Action maintain or reduce Residual Risk Level</b> |
|---|--|---|
| Corporate Governance, Compliance and Liability Risk - Residual Risk Level Low | Divert existing budget resources from capital works on roads that pose a low or medium risk to drivers, to those roads that currently pose a high risk to drivers.   | Reduces Residual Risk Level                               |
| Program and Project Risk - Residual Risk Level Medium                         | Budgeted capital works types are being reallocated from one physical location to another, but Council is still undertaking the same task types as budgeted   | Maintains Residual Risk Level                             |
| Reputational Risk - Residual Risk Level Low                                   | Council changing its capital works program in response to changed road conditions demonstrates that Council is flexible in managing its capital works program to reallocate funds to those roads that need the most urgent attention | Reduces Residual Risk Level                               |

**REGIONAL, STATE AND NATIONAL PLANS AND POLICIES**

Roads to Recovery funding is provided to Council as a lump sum to allocate across the road network as Council determines. The Local Roads and Community Infrastructure funding program of works can be edited to match the recommended alterations to the Capital Works program.

**CONFLICTS OF INTEREST**

All officers involved in the preparation of this report have declared that they do not have a conflict of interest in the subject matter of this report.

### 15.3 Mixed Recycling and Glass Recycling Collection Service Survey

*Prepared by Paul Brumby, Acting Director Assets and Operations*

#### SUMMARY

In response to community feedback about the introduction of the glass recycling collection service in July 2022 and the simultaneous move from a fortnightly to four-weekly mixed recycling collection service, Council undertook a mixed recycling and glass recycling collection service survey to better understand the impact of these changes.

654 survey responses were received, which represents approximately 20% of the properties receiving the Council recycling collection service. Analysis of the feedback received in the survey has led to the following recommended changes to Council's recycling collection services:

- The mixed recycling collection service frequency is changed from four-weekly to fortnightly
- The glass recycling collection service frequency is changed from four-weekly to bimonthly.

#### RECOMMENDATION

That Council:

1. Reverts to a fortnightly mixed recycling collection service commencing the week beginning Monday 10 October 2022
2. Moves to a bimonthly glass recycling collection service commencing the week beginning Monday 26 September 2022
3. Provides one or more additional glass recycling bins to those properties requesting an extra bin or bins – collection of additional bins will be charged at the same rate as the recycling charge (currently \$143.01 per bin per year)
4. Offers free drop-off of glass recyclables at Council transfer stations
5. Communicates the changes to its recycling collection services across all Council media channels
6. Publishes and distributes a new 2022/2023 waste collection calendar to all households and businesses receiving a Council waste collection service
7. Undertakes a recycling collection service survey in October 2023.

#### ATTACHMENTS

Nil

#### DISCUSSION

The Victorian State Government's policy position on household waste management is documented at [www.vic.gov.au/victorias-plan-circular-economy](http://www.vic.gov.au/victorias-plan-circular-economy). Council is required to implement the initiatives included in the State policy position. Part of this policy platform is to move to a standard four-bin waste service for all households across the State of Victoria. The four standard bins are:

- Glass (purple lid)
- Food organics and garden organics (green lid)
- Mixed recyclables (yellow lid)
- Household rubbish (red lid)



The objective of introducing a glass recycling collection service is to reduce the overall contamination in mixed recycling and thereby increasing the value of sorted recyclables. The main problem with the current mixed recycling collection service is that glass containers break during the collection and compaction process, resulting in shards of glass embedding themselves in other recyclable materials such as paper, cardboard and plastic. This then reduces the value of the sorted recyclables (paper, cardboard and plastic) and increases the cost of reprocessing these items.

All Councils have until 2030 to introduce a glass recycling service. In an attempt to gain early traction with this change, the State Government provided grants to incentivise Councils to act early. Council was successful in obtaining a State grant to cover the majority of the cost (\$92,000) of Council purchasing the glass recycling bins. Had Council chosen to delay the introduction of the glass recycling service until closer to 2030, the full cost of purchasing the glass recycling bins would have had to be funded by Yarriambiack Shire ratepayers.

When introducing the glass recycling collection service, Council chose to minimise the cost of this change by simply substituting one fortnightly mixed recycling collection service with a glass recycling collection service. The new recycling collection service of four-weekly glass recycling collection and four-weekly mixed recycling collection was introduced from 1 July 2022.

In response to community feedback about the introduction of the new recycling collection service, Council undertook a mixed recycling and glass recycling collection service survey to better understand the impact of these changes.

Each household receiving a recycling collection service was sent a hard copy survey, and the survey was also available through Council's website. Council received 654 survey responses – 258 online and 396 hard copy responses.

The questions asked in the survey were:

1. *How often do you prefer your yellow mixed recycling bin collected?*

*Fortnightly*

*Four-weekly*

2. *How often do you prefer your purple glass recycling bin collected?*

*Four weekly*

*Bimonthly*

*Quarterly*

*Half Yearly*

3. *How full is your recycling bin each fortnight?*

*Empty – 1/3 full*

*1/3-1/2 full*

*1/2-2/3 full*

*Full*

4. *Since the introduction of the purple bin, how full is your glass bin each fortnight?*

*Empty – 1/3 full*

*1/3-1/2 full*

*1/2-2/3 full*

*Full*

5. *I am aware that increased bin collections will result in an increased municipal waste charge. I would support an increased waste charge for a better service?*

Yes

No

6. Do you understand what items should be placed in your yellow mixed recycling bin?

Yes

No

Yes – but would like more information

7. Would you use a kerbside food and garden organic waste bin service?

Yes

No

Unsure

8. How often would you like the food and garden organic waste service?

Weekly

Fortnightly

Rarely/Never

9. Where do you live?

The survey results indicated there was a clear preference for a fortnightly mixed recycling collection service with 87% of respondents opting for a more regular service. This position was supported by a second indicator whereby 63% of respondents indicated that their mixed recycling bin was full each fortnight.

Given the majority of residents already have a 240-litre mixed recycling bin, there is relatively little scope for increasing bin sizes in lieu of returning to a fortnightly mixed recycling collection service, noting that there may be larger families who may still benefit from a 360-litre recycling bin. The overall Shire survey result was complimented by similar results across all communities with more than 80% of respondent communities choosing a fortnightly mixed recycling service.

The preferred frequency of the glass recycling collection service was more varied, and this is consistent with the reality that not all households use glass packaging equally. Indeed, some residents made it very clear that they hardly use any glass packaging at all or re-purpose any glass jars that they have for other purposes (jams and preserves for example).

Survey respondents were relatively evenly divided about the frequency of the glass recycling collection service – with approximately 27% of respondents preferring four-weekly, quarterly or half yearly collections, whilst just over 17% preferring a bimonthly collection. In aggregate, 54% of respondents indicated that their preferred frequency for the glass recycling collection service was either quarterly or half-yearly, whilst 46% of respondents indicated that their preferred frequency for the glass recycling collection service was either fortnightly or bimonthly.

It should also be noted that the survey was conducted during winter, at a time when there is likely to be less glass packaging consumed than there might be the case over the spring/summer/autumn seasons. The timing of this survey may skew the responses to this question at this point in time.

The question regarding waste charges saw 62% of respondents indicate that they were not prepared to pay an increase in waste charges for an improved service, whilst 38% of respondents were willing to pay more if there was an improved recycling collection service.

It was very pleasing to see that all but two respondents indicated that they understood what should go into their mixed recycling bin, although 16% indicated that they would like more information on what items can be put into the mixed recycling collection.

Based on the survey results it is clear that:

- The vast majority of respondents want the mixed recycling service frequency returned to a fortnightly collection.
- There is an extremely varied view from respondents on the glass recycling service frequency with equal respondents wanting four-weekly and six-monthly collections.
- Around two-thirds of respondents indicated that they are price-sensitive to changes in the recycling service cost.

The cost of each glass recycling collection run across the Shire is approximately \$4,500. If Council adopts the recommendations in this report, it will result in an additional four glass recycling collection runs for the 2022/2023 financial year. This additional cost of approximately \$18,000 will need to be funded by reallocation of existing budgets, as part of the mid-year review of Council's overall budget.

### **RELEVANT LAW**

*Circular Economy (Waste Reduction & Recycling) Act 2021*

*Environment Protection Act 2017*

*Sustainability Victoria Act 2005*

### **COUNCIL PLANS AND POLICIES**

Yarriambiack Shire Resource Recovery and Waste management Strategy

### **RELATED COUNCIL DECISIONS**

Nil

### **OPTIONS**

Resource recovery and waste management services are largely a non-negotiable service for Council to provide. What is negotiable is the frequency of the provision of these services.

Council has the option of setting the frequency of its recycling service collections as it sees fit. However, the survey results indicate that a fortnightly mixed recycling collection service is clearly a non-negotiable service for the vast majority of survey respondents.

Council has at least four options for the frequency of the glass recycling collection service:

- Monthly
- Bimonthly
- Quarterly
- Half-yearly

### **SUSTAINABILITY IMPLICATIONS**

Resource recovery and waste management is one of the few functions of Council that has a significant economic, financial and environmental impact, while at the same time impacting every member of the community. It is also an area where there are considerable changes in expectations from both a State and Federal Government perspective and as well as a community perspective.

The perceived lack of public trust in the recycling system has made introducing new recycling services more difficult. Council has received grant funding for the purchase and commissioning of a glass crushing machine in Warracknabeal. Once the glass crusher is operational (in early 2023) it will become easier to demonstrate the value of the glass recycling collection service to our community.


Changes to the Environment Protection Act have increased the General Environmental Duty imposed on Council. One example of the impact of this change is the way that transfer

stations deal with a variety of waste streams such as green waste, which will no longer be able to be burnt.

### COMMUNITY ENGAGEMENT

Community engagement on Council's mixed recycling and glass recycling collection service included many telephone calls, an online and hard copy survey. A detailed summary of the responses to this survey was presented to Councillors at the Council Forum held on 14 September 2022. The key findings of this survey have been incorporated into this report.

### GENDER IMPACT ASSESSMENT

| <i>Gender Impact Assessment (GIA)</i>   | <i>Status</i>  |
|---|--|
| Does this Council report recommendation<br>a) Introduce a new policy, program and/or service; or<br>b) Is it a review of a policy, program and/or service;<br>that directly and significantly impacts the public? | YES <input checked="" type="checkbox"/><br>A GIA has been completed.<br>NO<br>A GIA is not required.                                 |
| Link to Gender Impact Assessment  | GIA -  <a href="#">GIA - Kerbside Recycling.pdf</a> |

### RISK

Utilising the Risk Management Framework the following assessment has been made:

| <i>Strategic Risk Description and Residual Risk Level</i>      | <i>Action to Mitigate/Reduce Risk</i>  | <i>Does Action maintain or reduce Residual Risk Level</i> |
|--|--|---|
| Environmental Sustainability Risk - Residual Risk Level Medium | The Resource Recovery & Waste Management Strategy provides a framework to reduce environmental sustainability risks  | Reduces Residual Risk Level                               |
| Financial Risk - Residual Risk Level Medium                    | The Resource Recovery & Waste Management Strategy will focus on reducing operational costs while maintaining service delivery in conjunction with the expectations of the community  | Maintains Residual Risk Level                             |
| Reputational Risk - Residual Risk Level Low                    | The recommended changes to Council's recycling services demonstrates to the Community that Council has heard its frustrations with the changes made to the service and has taken remedial action to better align Council's recycling services with community expectations. | Reduces Residual Risk Level                               |

### REGIONAL, STATE AND NATIONAL PLANS AND POLICIES

National Waste Policy, Recycling Victoria, Grampians Central West Waste & Resource Recovery Group Waste & Resource Recovery Infrastructure Plan

### CONFLICTS OF INTEREST

All officers involved in the preparation of this report have declared that they do not have a conflict of interest in the subject matter of this report.

## 16 REPORTS FOR DECISION – DIRECTORATE COMMUNITY DEVELOPMENT AND WELLBEING

| Community Health Responsibilities  | Community and Economic Development Responsibilities  |
|--|--|
| <ul style="list-style-type: none"> <li>Local Laws (including infringement and animal management)</li> <li>Sale Yards Environmental Health Sports and Recreation</li> <li>Positive Ageing (Commonwealth Home Support Program, Brokered &amp; Packaged care)</li> <li>Leisure Centre Kindergartens Playgroup</li> <li>Maternal Child Health (including enhanced services)</li> <li>Immunisation Program</li> </ul> | <ul style="list-style-type: none"> <li>Libraries</li> <li>Economic Development Community Development Tourism</li> <li>Housing Youth</li> <li>Stakeholder Engagement</li> </ul> |

### 16.1 Permits Issued by Community Development and Wellbeing Department - August 2022

#### RECOMMENDATION

That Council:

Note the permits issued by Council between 1 August 2022 and 31 August 2022.

| Reference No                       | Description                             | Name / Location | Date of Issue |
|------------------------------------|---|-----------------|---------------|
| <b>Local Laws Permits</b>          |   |                 |               |
| 07-22                              | Permit to keep a maximum of one beehive | Woomelang       | 31/08/2022    |
| 13-22                              | Street Trade Permit                     | Warracknabeal   | 04/08/2022    |
| <b>Firewood collection Permits</b> |   |                 |               |
|                                    | Roadside Firewood Collection Permit     | Minyip          | 5/08/2022     |
|                                    |   |                 |               |
|                                    |   |                 |               |
| <b>Septic Tank Permits</b>         |   |                 |               |
|                                    |   |                 |               |

## 17 OTHER BUSINESS

### 17.1 Councillor Matters

## 18 CLOSED (CONFIDENTIAL) SESSION

That, in accordance with sections 66(1) and 66(2)(a) of the *Local Government Act 2020*, the meeting be closed to members of the public for consideration of the following confidential item:

|   |  |
|---|--|
| <b>18.1</b>   | <b>C313-2023 Design and Construct and Install, Two x 2 Bedroom Units in Woomelang and Murtoa</b> |
| <p>This Agenda item is confidential information for the purpose of section 3(1) of the Local Government Act 2020:</p> <ol style="list-style-type: none"><li>because it is Council business information, being information that would prejudice Council's position in commercial negotiations if prematurely released (section 3(1)(a)); and</li><li>this ground applies because the Agenda Item concerns the progress of ongoing contractual negotiations that would, if prematurely released, diminish the strength of Council's position in those negotiations.</li></ol> |  |

## 19 Next Meeting

26 October 2022

**CLOSE**

\_\_\_\_\_ **Mayor**