



MINUTES

Ordinary Meeting of Council

9:30am Wednesday 27 July 2022

VENUE:

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

Next Meeting

Wednesday 24 August 2022

Copies of the Yarriambiack Shire Council's Agendas and Minutes
can be obtained online at 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

Councillor Kylie Zanker Warracknabeal Ward

COUNCILLORS:

Councillor Tom Hamilton Dunmunkle Ward - via ZOOM
 Councillor Corinne Heintze Dunmunkle Ward - via ZOOM
 Councillor Andrew McLean Hopetoun Ward
 Councillor Chris Lehmann Hopetoun Ward
 Councillor Graeme Massey Warracknabeal Ward

OFFICERS:

Tammy Smith Chief Executive Officer
 Paul Brumby Acting Director Business Strategy and Performance
 Gavin Blinman Director Community Development and Wellbeing
 Michael Evans Director Assets and Operations
 LaVergne Lehmann Waste and Sustainability Officer (present for Waste Management Strategy presentation)

4 APOLOGIES OR REQUEST FOR LEAVE OF ABSENCE

Councillor Karly Kirk Warracknabeal Ward

5 CONFIRMATION OF MINUTES

5.1 Minutes of the ordinary Council Meeting held on Wednesday 29 June 2022 be taken as an accurate record and confirmed.

Minutes of the Ordinary Council Meeting held on Wednesday 29 June 2022 be taken as an accurate record and confirmed

Recommendation:

That the minutes of the Ordinary Meeting of Council held on Wednesday 29 June 2022, as circulated be taken as read and confirmed.

Moved Cr C Lehmann Seconded Cr G Massey

That the recommendation be adopted

Carried

5.2 Minutes of the Closed Council Meeting held on 29 June 2022 be taken as an accurate record and confirmed.

Minutes of the Closed Council Meeting held on Wednesday 29 June 2022 be taken as an accurate record and confirmed

Recommendation:

That the minutes of the Closed Council Meeting of Council held on Wednesday 29 June 2022, as circulated, be taken as read and confirmed.

Moved Cr T Hamilton Seconded Cr G Massey

That the recommendation be adopted

Carried

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.

No Conflict of Interest received

7 BUSINESS ARISING**7.1 Business arising from previous Minutes****7.2 Ongoing and Pending Action List**

Council Meeting	Recommendation Action	Action Taken

8 PETITIONS

Nil

9 CORRESPONDENCE

Nil

10 SPECIAL COMMITTEES

Audit and Risk Committee Meeting held on 21 July 2022; Draft Minutes will be included in the August Council Agenda.

11 ACTIVITY REPORTS

11.1 Mayor's Report

Prepared by Kylie Zanker

29 June	Attended Rotary Handover Dinner
1 July	Attended Western Action Committee Meeting CEO / Mayor catch up
7 July	Attended Department of Transport meeting (online)
8 July	CEO / Mayor catch up
9 July	Attended Brim Netball/Tennis Court Official Opening
13 July	Attended Council Forum Officiated two citizenship ceremonies
14 July	Attended Hopetoun Recreation Reserve lighting Official Opening
15 July	Undertook Diversity and wellness training (online)
21 July	Attended Internal Audit and Risk Committee Meeting
22 July	CEO / Mayor catch up

11.2 Councillor's Reports

Cr A McLean

- 12 July Attended Sunraysia Highway Improvement Committee Meeting in Birchip
- 13 July Attended Council Forum
- 14 July Attended Official Opening of Hopetoun Recreation Reserve Lighting Upgrade

Cr T Hamilton

- 20 July Met with Andy Meddick MP in Warracknabeal

Cr G Massey

- 5 July Attended Masterplan Presentation for Anzac Park, Warracknabeal
- 7 July Attended Minyip Lions Club Changeover Dinner
- 9 July Attended Brim Netball/Tennis Court Official Opening
- 13 July Attended Council forum
- 19 July Attended launch of Wimmera Mallee Tourism Strategy, Dimboola
- 20 July Met with Andy Meddick MP at Warracknabeal
- 26 July Attended Wimmera Mallee Tourism Meeting via ZOOM

Cr C Lehmann

- 13 July Attended Council Forum
- 14 July Attended Official Opening of Hopetoun Recreation Reserve Lighting Upgrade
- 18 July Attended Beulah Store Community Meeting

Cr C Heintze

- 6 July Attended Minyip Progress Association Meeting
- 9th July Attended Brim Netball/Tennis Court Official Opening
- 13 July Attended Council Forum
- 27th July Attended Council Meeting

Cr K Kirk

On Leave

11.3 Chief Executive Officer Report**Prepared by Tammy Smith**

29 June	Rotary Club Warracknabeal change over Dinner
01 July	Meeting with Wimmera Development Association and representatives from Minyip Progress Association to discuss housing opportunities.
06 July	Department of Jobs, Precincts and Regions, Local Government CEO's and Municipal Association Victoria Forum - online
09 July	Brim Netball and Tennis Court Opening at Brim Recreation reserve
11 – 15 July	On Annual Leave
18 July	Beulah Co-operative Meeting
19 July	Wimmera Mallee Tourism Strategy Launch – Master of Ceremonies
20 July	Andy Meddick MP visit to Warracknabeal
20 July	West Vic Business Meeting
21 July	Wimmera Regional CEO Meeting - online
21 July	Audit and Risk Committee Meeting
22 July	Rural Council's Victoria Meeting
23 July	Community Meeting Murtoa to discuss increased vandalism and CCTV options

12 REPORTS FOR INFORMATION AND DECISION – COUNCILLORS

Nil

13 REPORTS FOR DECISION – OFFICE OF THE CHIEF EXECUTIVE OFFICER

13.1 Council Plan Year 2 Actions

Prepared by Tammy Smith, Chief Executive Officer

SUMMARY

Council must adopt and prepare a Council Plan for the period of at least the next four financial years after a general election. Council must also prepare a Community Vision with an outlook of at least the next 10 years. The Council Plan 2021 – 2025 was adopted on the 25 August 2021 and incorporates the Municipal Health and Wellbeing Plan for the second time and the Long-Term Financial Plan.

This report presents the Council Plan Actions for year two, that aligns with the strategic objectives of the plan.

RECOMMENDATION

That Council:

Adopt the revised Council Plan 2021-2025 that includes the addition of the year two Council Plan Actions.

Moved Cr G Massey Seconded Cr T Hamilton

That the recommendation be adopted

Carried

ATTACHMENTS

[Attachment: Yarriambiack Council Plan 2021 - 2025 including Year two actions](#)

DISCUSSION

The Council Plan 2021-25 incorporating the Community Vision, Public Health and Wellbeing Plan, Long Term Financial Plan and Community Engagement Policy was adopted by Council in August 2021 after undertaking a community consultation process, in accordance with Council's Community Engagement Policy.

The Council Plan presents four overarching strategic objectives to guide Council's direction over the next four years.

The Council Plan year two actions have been developed based on the strategic objectives and have undertaken a community consultation process, in accordance with Council's Community Engagement Policy.

RELEVANT LAW

The requirement for a Council Plan, 10-year Community Vision, 10-year Long Term Financial Plan are set out at Part 4, Division 1 Planning and Financial Management of the *Local*

Government Act 2020. The requirement for Council to have a Public Health and Wellbeing Plan is set out in the *Public Health and Wellbeing Act 2008*.

COUNCIL PLANS AND POLICIES

The Council Plan is the overarching Plan that sets the strategic objectives for Council over the four-year term. The objectives are used to drive the development of other plans, policies, services and activities undertaken by Council.

RELATED COUNCIL DECISIONS

On 25 August 2021, Council adopted the Council Plan 2021-2025.

OPTIONS

1. Council could opt to not endorse the Council Plan year two actions and request that further deliberative engagement occur.

SUSTAINABILITY IMPLICATIONS

The Council Plan is the overarching document that sets the strategic direction for Council operations. It determines the priorities, how they will be resourced through finance and staff and has clear measures for success in meeting the objectives.

The Council Plan has objectives for growing the economy through diversification, strengthening the environment through a range of measures that combat emissions and waste recovery, concentrating on delivering community wellbeing services that are critical to our townships health and ensuring that Council serves the community in all aspects of governance.

COMMUNITY ENGAGEMENT

In the development of the Council Plan, extensive community consultation was undertaken with over thirty community sessions held across fourteen townships through day and evening meetings with approximately 200 residents attending.

Hard copy surveys were sent to all households and made available online with 356 responses received and collated.

Targeted online stakeholder meetings with youth, seniors, state health, education and government representatives.

Draft Council Plan pop-up sessions were scheduled across the Shire, providing municipal residents the opportunity to provide feedback on the draft Plan in person.

The draft Council Plan 2021-2025 was placed on public exhibition from 24 June to 20 August 2021 and adopted by Council on 25 August 2021.

The Year two actions were developed based on the strategic objectives of the adopted Council Plan, and were reviewed by Councillors, prior to being placed on public exhibition in accordance with the Community Engagement Policy.

At the time of writing the report, no public submissions were received on the Year Two Council Plan Actions.

GENDER IMPACT ASSESSMENT

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

RISK

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

Strategic Risk Description and Residual Risk Level	Action to Mitigate/Reduce Risk	Does Action maintain or reduce Residual Risk Level
Corporate Governance, Compliance and Liability Risk - Residual Risk Level Low	Council Plan Actions progress reported quarterly in accordance with Council's Performance Management Framework and reported on by the Mayor on an annual basis as required by the new Act.	Maintains Residual Risk Level
Strategy Execution and Change Management Risk - Residual Risk Level Medium	Operational resources including staff and finance attributed to the Council Plan objectives so they can be achieved.	Maintains Residual Risk Level
Reputational Risk - Residual Risk Level Low	Measures that are independently verified to ensure ongoing targets are being met.	Maintains Residual Risk Level

REGIONAL, STATE AND NATIONAL PLANS AND POLICIES

The Draft Council Plan relies on a number of regional and state plans and policies including:

- Wimmera Mallee Destination Management Plan
- WDA Housing Strategy 2020
- Victorian Government Active Recreation Strategy
- Victorian Government Recycling Victoria
- Wimmera Mallee Tourism Strategy

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 REPORTS FOR DECISION – DIRECTORATE BUSINESS STRATEGY AND PERFORMANCE

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

14.1 Quarterly Financial and Non-Financial Reporting

Prepared by: Paul Brumby, Acting Director Business Strategy and Performance

SUMMARY

In accordance with the *Local Government Act 2020* and the Local Government (Planning and Reporting) Regulations 2020, Council is required to have an integrated approach to strategic planning with the requirement that monitoring, and performance reporting is to be adopted.

RECOMMENDATION

That Council:

- a) adopt the Quarterly Modified Financial and Non-Financial Performance Report as of 30 June 2022 as attached to this report.

Moved Cr C Lehmann Seconded Cr C Heintze

That the recommendation be adopted

Carried

ATTACHMENTS

[Attachment: Modified Financial and Non-Financial Performance Reporting Quarter 4](#)

DISCUSSION

Schedule 1 of the Local Government (Planning and Reporting Regulations) 2020, identifies that Council must produce the following reports within identified time frames as below:

- a) Quarterly Budget Reports, comparing actual and budgeted results and an explanation of any material variations must be completed.
- b) Risk Reports, 6-monthly reports of strategic risks to Council's operations, their likelihood and consequences of occurring and risk minimisation strategies.
- c) Performance Reports, 6-monthly reports of indicators measuring financial and non-financial performance, including the performance indicators referred to in section 98 of the Act.

The Management Team has adopted a holistic approach to meet the requirements of the Local Government Act and Regulations, by compiling a Quarterly Financial and Non-Financial Performance Report.

The report incorporates budget, risk and performance reporting. The Council's risk appetite has been utilised to develop non-financial performance indicators for reporting purposes.

The report is presented to the Management Team and the Audit and Risk Committee, prior to the scheduled Council meeting each quarter.

RELEVANT LAW

Local Government Act 2020 – Section 97 Quarterly Budget Report

Local Government (Planning and Reporting) Regulations 2020

COUNCIL PLANS AND POLICIES

- Annual Budget 2021-2022
- Performance Reporting Framework
- Risk Management Manual

RELATED COUNCIL DECISIONS

Minutes 26 May 2021 – Adoption of the Annual Budget 2021-2022

Minutes 19 January 2022 – Financial and Non-Financial Performance Reporting (Quarter 2)

Minutes 23 February 2022 – Local Government Performance Reporting (half Year Report)

Minutes 27 April 2022 – Financial and Non-Financial Performance Reporting (Quarter 3)

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 Council with a quarterly report encompassing both financial and non-financial performance reporting, provides enhanced governance and oversight, and promotes transparency in decision making.

Options to be considered:

- a) The Reports could be separated into three distinct reports, opposed to a combined overarching report.
- b) The Risk Report and Performance Reports could be moved to 6 monthly in line with the Local Government Act requirements, with the Budget Reports being quarterly only.

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. The quarterly report outlines Council's financial position against the adopted budget.

GENDER IMPACT ASSESSMENT

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

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>
Corporate Governance, Compliance and Liability Risk - Residual Risk Level Low	The quarterly report incorporates the reporting requirements as outlined in the Local Government Planning and Reporting Regulations 2020 Schedule 1.	Maintains Residual Risk Level
Financial Risk - Residual Risk Level Medium	The quarterly report 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 report incorporates detailed project reporting, providing enhanced oversight on the performance of projects.	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 Declaration of 2022/23 Rates and Charges

Prepared by Chantelle Pitt, Revenue Co-ordinator

SUMMARY

The 2022/23 Council Budget was adopted at the Council meeting on 29 June 2022, which included the amount Council intended to raise by rates and charges for 2022/23. Council is now presented with declaration of rates and charges for adoption.

RECOMMENDATION

That Council pursuant to the *Local Government Act 2020* and the *Local Government Act 1989*:

1. Declare the rates, municipal charge and annual service charges for the 2022/23 financial year as follows:

a) That an amount of \$13,318,512 be declared as the amount which Council intends to raise by general rates, municipal charge, annual service charges and Windfarms in lieu of rates, which the amount is calculated as follows:

General Rates	\$11,541,031
Municipal Charge	\$397,909
Kerbside Waste Collection	\$834,310
Kerbside Recycling Collection	\$445,262
Windfarms in lieu of rates	\$100,000
Total	\$13,318,512

b) A general rate of 0.003872 cents in the dollar of the Capital Improved Value be declared for the period 1 July 2022 to 30 June 2023.

c) A farm differential rate of 0.002420 cents in the dollar of the Capital Improved Value be declared for the period 1 July 2022 to 30 June 2023.

d) A municipal charge of \$79.06 per assessment be declared for the period 1 July 2022 to 30 June 2023.

e) Annual services charges be declared for the period 1 July 2022 to 30 June 2023 as follows:

Residential 80L Kerbside Waste Collection	\$146.96
Residential 120L Kerbside Waste Collection	\$204.02
Residential 240L Kerbside Waste Collection	\$397.09
Commercial 120L Kerbside Waste Collection	\$204.02
Commercial 240L Kerbside Waste Collection	\$397.09
Rural 80L Kerbside Waste Collection	\$146.96
Rural 120L Kerbside Waste Collection	\$204.02
Rural 240L Kerbside Waste Collection	\$397.09
Residential Kerbside Recycling Collection	\$143.01
Commercial Kerbside Recycling Collection	\$143.01
Rural Kerbside Recycling Collection	\$143.01

f) That Council adopts the return of the revaluation of properties within the Yarriambiack Shire as at 1 January 2022 from the Valuer General.

g) That interest at the rate prescribed in the *Local Government Act 1989* be payable in respect of any of the aforesaid rates and charges which are not paid by the dates prescribed in the *Local Government Act 1989*.

h) That the Chief Executive Officer be authorised to levy and recover the aforesaid general rates, annual service charges and municipal charge.

Moved Cr G Massey Seconded Cr C Lehmann

That the recommendation be adopted

Carried

ATTACHMENTS

Nil

DISCUSSION

The adopted 2022/23 Council Budget provides an increase in general rate revenue of 1.72% for the 2022/23 year. The rate cap has been set at 1.75% by the Minister for Local Government.

Council intends to raise \$13,318,512 which includes rates (\$11,541,031), municipal charge (\$397,909), service charges (\$1,279,572) and Windfarm in lieu of rates (\$100,000).

Council believes differential rates contribute to the equitable and efficient distribution of the rate burden to ratepayers. The differential rate ratios are as follows:

- General Land (100% of the general rate in the dollar)
- Farm Land (62% of the general rate in the dollar)

The rates in the dollar to be applied for the 2022/23 year are as follows:

Type	cents/\$CIV
General Land	0.3872
Farm Land	0.2420

The municipal charge will increase from \$77.70 to \$79.06 per rateable assessment for the 2022/23 year. A person may apply to Council for an exemption from the payment of a municipal charge on rateable land in accordance with Section 159(3) of the *Local Government Act 1989*.

Annual service charges for the collection and disposal of refuse and recycling will increase by 1.75%. A waste service charge and a recycling service charge will be made on all improved properties within Council, excluding commercial and rural properties where such services are provided only upon request.

Interest will be charged at the rate prescribed by Section 172(2)(a) of the *Local Government Act 1989* to rates and charges which are not paid by the dates fixed by the Minister pursuant to Section 167(2) of the *Local Government Act 1989*.

Council will treat all valid pensioner rebate applications applicable for the 2021/22 financial year as continuing applications for the 2022/23 financial year, subject to applicable certification by the Department of Family, Fairness and Housing.

Other rebates and concessions (subject to further resolution by Council) are as follows:

- a) The rate reduction for new housing developments, in accordance with the Yarriambiack Shire Council's Debt Management, Relief and Hardship Policy.
- b) Interest will be waived for employees using payroll deductions for the payment of rates. This is in accordance with the Yarriambiack Shire Council Enterprise Agreement No. 9 – 2021.

RELEVANT LAW

Local Government Act 2020

- Section 94 – the Budget

Local Government Act 1989

- Section 159 Municipal charge
- Section 172 Council may charge interest on unpaid rates and charges
- Section 167 Payment of rates and charges

COUNCIL PLANS AND POLICIES

Yarriambiack Shire Council Enterprise Agreement No. 9.

- Clause 10.9 – Payroll Deductions

Yarriambiack Shire Council Revenue & Rating Plan 2022-26

Yarriambiack Shire Council Debt Management, Relief and Hardship Policy

RELATED COUNCIL DECISIONS

Yarriambiack Shire Council Minutes 29 June 2022

14.2 Adoption of the 2022/23 Budget

1. That in accordance with Section 94 of the *Local Government Act 2020* (the Act) the 2022/23 Budget as tabled be adopted.

SUSTAINABILITY IMPLICATIONS

Economic: Economic issues have been taken into account during the budget process.

Financial: The rates and charges to be levied have been calculated in compliance with the State Government's Fair Go Rates system, with the rate cap having been set at 1.75% by the Minister for Local Government.

COMMUNITY ENGAGEMENT

The proposed Budget was placed on public exhibition from May 2022 to June 2022 inclusive. The Budget was advertised in local newspapers and made available for inspection at the Warracknabeal and Hopetoun Office and on Council's website.

GENDER IMPACT ASSESSMENT

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

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>
Corporate Governance, Compliance and Liability Risk - Residual Risk Level Low	External Audit Program -Crowe appointed by VAGO as external auditor	Maintains Residual Risk Level
Financial Risk - Residual Risk Level Medium	Financial Systems and Reports -Best of Breed System implemented to provide greater financial compliance and monitoring. Financial Reports developed and dashboards for greater compliance monitoring.	Maintains Residual Risk Level
Strategy Execution and Change Management Risk - Residual Risk Level Medium	Community Consultation & Council Plan - Council Plan being built on Community Expectations and Legislative Governance Requirements. Strategic Resource Plan and Long Term Financial Plan to be included in the Budget for 2022-23. Reporting to Council and Audit and Risk Committee -Financial and Non- Financial Performance Reporting, KPI progress on Council Plan.	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.

15 REPORTS FOR DECISION – DIRECTORATE ASSETS AND OPERATIONS

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

15.1 Permits issued by Assets and Operations Department – June 2022

RECOMMENDATION:

That Council:

Note the permits issued by Council between 1 June 2022 and 30 June 2022

Moved Cr A McLean Seconded Cr G Massey

That the recommendation be adopted

Carried

Reference No	Description	Address	Date of Issue
Building Permits			
BP97-21	Installation of Essential Services (Yarriambiack Shire Council)	Warracknabeal	3/6/2022
BP32-22	Shed	Warracknabeal	3/6/2022
BP41-22	Storage Shed	Warracknabeal	9/6/2022
BP46-22	Warehouse	Warracknabeal	21/6/2022
BP36-22	Workers Unit	Turriff	21/6/2022
Planning Permits			
TP07-22	Garage	Warracknabeal	0/6/2022
TP18-22	Farm Shed	Hopetoun	7/6/2022
TP14-22	Dwelling	Warracknabeal	7/6/2022
TP17-22	Farm Shed	Rupanyup	21/06/2022
TP51-21	Industrial Shed	Lascelles	20/6/2022
TP15-22	Garage	Hopetoun	20/6/2022
TP25-22	Shed	Murtoa	21/6/2022

15.2 Resource Recovery and Waste Management Strategy

Prepared by La Vergne Lehmann, Waste and Sustainability Co-Ordinator

SUMMARY

The Resource Recovery and Waste Management Strategy has been designed as a three-year strategy, to enable further deliberative engagement to occur with our community over the next three years, to inform a more detailed and comprehensive strategy into the future.

The roll out of the glass recycling bin has highlighted the challenges of providing a universal service that is not utilised in a consistent way across the community. This means more work needs to be done to ensure that the community understands the waste and recycling services and the costs associated with that service provision.

We have received fifteen survey responses for the strategy and other feedback at community meetings. The responses have largely supported the overall direction of the strategy with the main issues highlighted including a food and garden organics collection, more waste and recycling education, improved transfer station operations and hard rubbish collections.

RECOMMENDATION

That Council: Adopt the three-year Resource Recovery and Waste Management Strategy as attached to this report.

Moved Cr A McLean Seconded Cr G Massey

That the recommendation be adopted

Carried

ATTACHMENTS

[Attachment: Resource Recovery and Waste Management Strategy](#)

DISCUSSION

We have received fifteen survey responses for the strategy and other feedback at community meetings. The responses from the feedback largely supported the strategy contents. The main issues raised (in no particular order) are:

1. Food and garden waste service
2. Education – clear labelled bins, plastics
3. Doing home composting
4. Transfer station – hours of operation
5. Hard rubbish collection – problem for people without trailers
6. No reduce and reuse – hard waste for reuse
7. Transfer station signage
8. Distrust of recycling system
9. Request for recycling service that already exist – batteries, etc – lack of knowledge
10. Signage for caravan parks
11. Paper collection (like Apex used to do).

The community always likes the idea of a FOGO (Food Organics Garden Organics) 'green' bin – especially those who garden because they have a lot of material at certain times of the year. The challenge we face is how do we dispose of FOGO in a cost-effective manner.

Hard rubbish is always popular with people. It is not an issue for people who have access to a trailer and can get to the transfer station. The issue is more for those who don't have trailer access. Possible solution is an 'at call' service or an annual service which can be expensive and result in untidy streets in towns during the pick-up period.

Some people also mentioned providing options for more reuse – this comes back to the tip shops. Tip shops – run well can be a great idea but they need good management, so people are safe (being there and in their purchases). Another option is to encourage a social media option – Facebook marketplace, freecycle – obviously good for those who are tech savvy but not otherwise. Could also encourage an annual town garage sale day.

Education – particularly on what can be recycled and plastics. This is a continual challenge and one that must be addressed on an ongoing basis and not just periodically.

Distrust of recycling – Conversations have been held with Wimmera Mallee Waste around sourcing images and video of what happens to people's recycling – i.e. from pickup to bulk haulage and into the MRF in Melbourne. This could be put on social media and our website.

Signage – we have access to new recycling posters etc. from the Sustainability Victoria campaign.

Transfer stations – issues around hours and access.

Regularity of recycling pickups – the new system is still in its infancy and will take time to bed down. There will be ongoing challenges as there is considerable inconsistencies between those who produce a lot of glass and those who do not. It has also become apparent that the nature of our recyclables has changed with a big increase in the amount of cardboard now going into recycling. This makes a four weekly mixed recycling service very difficult for some people.

RELEVANT LAW

- *Circular Economy (Waste Reduction & Recycling) Act 2021*
- *Environment Protection Act 2017*
- *Sustainability Victoria Act 2005*

COUNCIL PLANS AND POLICIES

- Council Plan

RELATED COUNCIL DECISIONS

Not applicable

OPTIONS

Resource recovery and waste management services are largely a non-negotiable service for councils to provide. There is a community expectation that kerbside services for at least 2 bins and into the future 3 and 4 services. There is also a community expectation for accessing services for disposal of other items at facilities such as transfer stations.

Nonetheless such services must be provided in an efficient and cost-effective manner. This means considering different options that can still meet community expectations in a more cost-effective way. The challenge is to work with those communities to ensure that they do not feel they are losing services while that change occurs. Further community consultation is required to develop a more long term, comprehensive strategy.

SUSTAINABILITY IMPLICATIONS

Resource recovery and waste management is one of the few areas 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.

Recent issues with changes to recycling – the bans on recycling exports and the increased costs associated with recycling has severely impacted the community confidence in the system.

Changes to the Environment Protection Act has also increased the expectation that councils will take their General Environmental Duty seriously. This means changing the way that transfer stations deal with a variety of waste stream such as green waste – which cannot be burnt now.

COMMUNITY ENGAGEMENT

Community engagement on this strategy was in accordance with Council’s Community Engagement Policy and included numerous community consultation meetings and an online survey. A summary of the responses have been included in this report.

GENDER IMPACT ASSESSMENT

<i>Gender Impact Assessment (GIA)</i>		<i>Status</i>
Does this Council report recommendation c) Introduce a new policy, program and/or service; or d) Is it a review of a policy, program and/or service; that directly and significantly impacts the public?		YES <input type="checkbox"/> A GIA has been completed. NO <input checked="" type="checkbox"/> A GIA is not required.
Link to Gender Impact Assessment	GIA – Not Applicable	

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 community	Reduces Residual Risk Level

REGIONAL, STATE AND NATIONAL PLANS AND POLICIES

National Waste Policy, Recycling Victoria, GCWWRRG WRRIP

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 Asset Management Policy

Prepared by Pradip Bhujel, Asset Coordinator

SUMMARY

The council report seeks to approve and adopt the Asset Management Policy. The purpose of this policy is to initiate Asset Management Principles and Asset Management responsibilities to achieve the following objectives and outcomes:

- Meet legislative requirements for asset management.
- Establish an environment where all Council's employees will assist in the overall management of the Council's owned assets.
- The Council's services and facilities are provided reliably, with the appropriate level of service to communities, residents, customers, and visitors.
- Sustainable management of Council's assets including physical assets and employees by implementing appropriate asset management practices, strategies, and financial treatments.

RECOMMENDATION

That Council:

- a) Adopt the revised Asset Management Policy as attached to this report; and
- b) Rescind the Asset Management Policy adopted by Council in December 2018.

Moved Cr T Hamilton Seconded Cr C Heintze

That the recommendation be adopted

Carried

ATTACHMENTS

[Attachment: Revised Asset Management Policy](#)

DISCUSSION

The Yarriambiack Shire Council (YSC) manages over \$265 million of assets on behalf of the community. These assets are used by the community, or directly by YSC to enable it to provide services to the community. YSC has the obligation to manage these assets in a responsible and sustainable manner for both current and future generations.

In order to manage the assets under its care, Council use a framework of plans, strategies and systems. To develop and support the asset plan, the Asset Management Policy provides a clear direction for YSC to the management of all existing infrastructure assets that underpin Council services. Subsequently, the policy will support the Vision, Goals and Objectives of the Council's Plan.

During the review of the policy, the following was identified:

- The Council has Asset Management Plans for roads and a draft version for the footpath's asset class.
- Condition data for roads, kerb and channel, buildings, and footpaths are collected periodically as defined in the Road Management Plan. The condition data is further analysed to achieve the funding requirements. This data is also used to develop the Capital Works Program and Long-Term Financial Plan, prioritising renewal, and creation of new infrastructure where possible.
- Council adopted the Asset Management Strategy Plan, in July 2022 and the document is linked to the Council Plan.
- Council use sustainable methods for construction and maintenance of infrastructure asset to improve whole of life costs.

- Council undertakes and prepares strategies, feasibility studies along with audits, in order to monitor the compliance, safety and functionality of its existing assets and to determine the upgrade or addition of infrastructure. Such processes will be determined through community consultation and requests made through Customer Request Maintenance system.
- Council's financial and asset management reporting is categorised in terms of operational, maintenance, renewal, upgrade, and new expenditure.
- Council is creating a corporate culture where all employees play a part in the overall care for the infrastructure assets.

This policy assists Council in achieving asset management objectives, and it is recommended that Council adopt the policy.

RELEVANT LAW

- *Local Government Act 2020*

COUNCIL PLANS AND POLICIES

From the Council Plan 2021-25, strategic objective 1 applies to this decision.

Objective 1: A vibrant and diversified economy

Supporting Council Services

- Asset management

RELATED COUNCIL DECISIONS

The previous policy was adopted at Council meeting on 12 December 2018.

OPTIONS

- Adopt the Asset Management Policy.
- Request further work on the Policy.

SUSTAINABILITY IMPLICATIONS

Social - Adopting a best practice approach to asset management will enable Council to safeguard the considerable investment required to sustain its asset portfolio for current and future generations.

Financial – Maximising the value of Council's capital, operations, and maintenance expenditures within the current revenue will increase the levels of service or service delivery.

COMMUNITY ENGAGEMENT

Not applicable

GENDER IMPACT ASSESSMENT

Gender Impact Assessment (GIA)	Status
Does this Council report recommendation e) Introduce a new policy, program and/or service; or f) Is it a review of a policy, program and/or service; that directly and significantly impacts the public?	YES <input type="checkbox"/> A GIA has been completed. NO <input checked="" type="checkbox"/> A GIA is not required.
Link to Gender Impact Assessment	GIA – Not Applicable

RISK

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

Strategic Risk Description and Residual Risk Level	Action to Mitigate/Reduce Risk	Does Action maintain or reduce Residual Risk Level
Corporate Governance, Compliance and Liability Risk - Residual Risk Level Low	Adopting the Asset Management Policy to meet the Local Government Act, Accounting Standards, and various frameworks.	Reduces Residual Risk Level
Corporate Governance, Compliance and Liability Risk - Residual Risk Level Low	The policy supports achieving the Council's objectives and plan.	Reduces Residual Risk Level
Corporate Governance, Compliance and Liability Risk - Residual Risk Level Low	Effective asset management ensures that all infrastructure assets are well planned and delivered to the expectations of the community now and into the future.	Maintains Residual Risk Level

REGIONAL, STATE AND NATIONAL PLANS AND POLICIES

- International Infrastructure Management Manual
- National Asset Management Assessment Framework
- *Road Management Act, 2004*
- Australian Accounting Standards
- International Standards for Asset management – ISO 55000 series

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

16.1 Permits Issued by Community Development and Wellbeing Department - June 2022

RECOMMENDATION

That Council:

Note the permits issued by Council between 1 June 2022 and 30 June 2022.

Moved Cr A McLean Seconded Cr G Massey

That the recommendation be adopted

Carried

Reference No	Description	Name / Location	Date of Issue
Local Laws Permits			
Firewood collection Permits			
	Roadside Wood Collection	Minyip	2/6/2022
	Roadside Wood Collection	Hopetoun	7/6/2022
	Roadside Wood Collection	Brim	14/6/2022
	Roadside Wood Collection	Cannum	16/6/2022
	Roadside Wood Collection	Hopetoun	16/6/2022
	Roadside Wood Collection	Warracknabeal	17/6/2022
	Roadside Wood Collection	Minyip	24/6/2022
	Roadside Wood Collection	Warracknabeal	29/6/2022
Septic Tank Permits			

16.2 VicTrack Lease Patchewollock

Prepared by Gavin Blinman, Director Community Development and Wellbeing

SUMMARY

In February 2022 Council surrendered the lease to Railway Lot 30, 38 Federation Street Patchewollock, as VicTrack was completing a capital works program at the site. Previously to this Council had leased the site and subleased to the community.

RECOMMENDATION

That Council:

- a) Adopts the lease on Railway Lot 30 Patchewollock for 10 years, subject to the fee being \$500 (five hundred dollars) per annum with an agreed annual percentage increase included.
- b) Endorse that the Chief Executive Officer (or her delegate) can negotiate the sublease terms and conditions with Patchewollock Inc, with the aim of full-cost recovery being achieved.
- c) Approve the affixing of the Common Seal to the Lease Agreement between Yarriambiack Shire Council and VicTrack in accordance with Council's Common Seal and Conduct at Meetings Local Law 2020.

Moved Cr A McLean Seconded Cr C Lehmann

That the recommendation be adopted

Carried

ATTACHMENTS

[Attachment - Lease - Lot 30 at Patchewollock](#)

DISCUSSION

VicTrack has undertaken renewal works at the Patchewollock Railway Station. The works were undertaken to enhance the building facilities for the community.

A provision of VicTrack's investment was that Council would enter into a direct lease, and could then sublease the building to a Community Group.

Attached to this report is a copy of the draft VicTrack Agreement. The attached agreement outlines that the annual fee to Council would be \$1,250 (one thousand, two hundred and fifty dollars).

However, further negotiations have been held with VicTrack who have confirmed in writing via email that they will honour the \$500 (five hundred dollar) annual rental agreement that was in place prior to surrendering the lease, and that VicTrack will waive rent in the first year to assist in startup under the Community Use of Vacant Railway Buildings Program.

At the time of writing the report a revised version of the lease has not been issued, however the attached lease agreement will be amended prior to signing to reflect the negotiated change.

RELEVANT LAW

Local Government Act 2020 Part 5, Division 4, Section 115.

COUNCIL PLANS AND POLICIES

Leases and Licences Policy 24 June 2020

RELATED COUNCIL DECISIONS

Council Decision 27 May 2021 Railway Lot 40 Woomelang lease approved by Council.

OPTIONS

Council could ask community group to lease directly and not take up another lease on VicTrack land at this time. However, VicTrack undertook the development at the site based on the provision that Council would directly lease the property.

SUSTAINABILITY IMPLICATIONS

Social: The lease provides the community with another asset to use for social events and enhanced community connection and wellbeing.

Financial: The aim is for Council not to incur additional costs, as the sublease will recoup the cost.

COMMUNITY ENGAGEMENT

Council has supported the Communities vision to revitalise the old VicTrack building. Council has supported this vision by entering into a lease arrangement with VicTrack.

GENDER IMPACT ASSESSMENT

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

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>
Financial Risk - Residual Risk Level Medium	Council could face risk if community group cannot afford lease and it decided to take on lease itself	Maintains Residual Risk Level
Reputational Risk - Residual Risk Level Low	Council has supported other communities with VicTrack leases	Reduces Residual Risk Level

REGIONAL, STATE AND NATIONAL PLANS AND POLICIES

Nil

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.

16.3 Hopetoun Scout Hall Lease - Hopetoun and District Historical Society Inc

Prepared by Director Community Development and Wellbeing, Gavin Blinman.

SUMMARY

Following a community consultation in Hopetoun with community groups, a lease has been prepared for the Hopetoun Scout Hall.

RECOMMENDATION

That Council:

- a) Endorse a 5 (five) year Community lease with an option for a further 5 (five) years for the utilization of the Hopetoun Scout Hall to the Hopetoun and District Historical Society Inc.
- b) Endorse the rental charge as per Yarriambiack Shire Council's Lease and Licence Policy to be set at \$1 (one dollar) per year.
- c) Approve the affixing of the Common Seal to the Lease Agreement between Yarriambiack Shire Council and Hopetoun and District Historical Society Inc. in accordance with Council's Common Seal and Conduct at Meetings Local Law 2020.

Moved Cr C Lehmann Seconded Cr A McLean
That the recommendation be adopted

Carried

ATTACHMENTS

[Attachment - Hopetoun Scout Hall Lease Agreement](#)

DISCUSSION

A community consultation session was held in Hopetoun on 04 April 2022, that invited members of the public to view the Scout Hall, and then attend a community information session at Gateway BEET where discussions could be held regarding the future use of the building.

Attendees were invited to write to Council to express their interest, or ideas on the best use of the Scout Hall as a community space. Council received two expressions of interest.

The Hopetoun Historical Society expressed interest in utilising the building for their meetings and storage, and to also work in collaboration with other community groups to provide the greatest benefit to Hopetoun. The group also mentioned they will work with the previous tenants, the scouts, to maintain their local history.

The other expression of interest received was for a drop-in youth centre providing mental health support. This idea was explored further and whilst it was a wonderful idea, the local P-12 College works with mental health providers to provide support for students and families within the Hopetoun region. It was also deemed that the building would not provide a confidential setting and was therefore deemed inappropriate.

RELEVANT LAW

Local Government Act 2020 Part 5, Division 4, Section 115.

COUNCIL PLANS AND POLICIES

Yarriambiack Shire Council Leasing and Licence Policy.

RELATED COUNCIL DECISIONS

28/4/21 - Lease of 81 Scott Street Warracknabeal, Warracknabeal Historical Society.

OPTIONS

Council could choose not to enter into a community lease, and instead manage the building, developing a booking system to utilise the space. This option would require Council resources to be allocated to the management of the building and booking system.

SUSTAINABILITY IMPLICATIONS

Social: Providing a building for a community group will assist the local community to maintain links to its heritage. It will also provide a comfortable space for meetings, gatherings and events to enhance social wellbeing.

Financial: Volunteers assist council by looking after council asset therefore decreasing the cost burden on Council.

COMMUNITY ENGAGEMENT

A meeting was held with an open invitation to Hopetoun residents and about 15 people attended.

GENDER IMPACT ASSESSMENT

Gender Impact Assessment (GIA)	Status
Does this Council report recommendation c) Introduce a new policy, program and/or service; or d) Is it a review of a policy, program and/or service; that directly and significantly impacts the public?	YES <input type="checkbox"/> A GIA has been completed. NO <input checked="" type="checkbox"/> A GIA is not required.
Link to Gender Impact Assessment	GIA – Not applicable

RISK

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

Strategic Risk Description and Residual Risk Level	Action to Mitigate/Reduce Risk	Does Residual Risk Level	Action reduce Risk
Reputational Risk - Residual Risk Level Low	Council supporting local community with lease and officer support.	Reduces Risk Level	Residual Risk
Financial Risk - Residual Risk Level Medium	Volunteers assist with maintaining the building, therefore decreasing the cost burden on Council.	Reduces Risk Level	Residual Risk

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.

17 OTHER BUSINESS

17.1 Questions from Councillors

Andrew McLean

- Any follow up with the EPA from the issues raised with them?

Response: Manager of Community Health has been meeting with the EPA. Will take question on notice and follow up on latest developments.

Chris Lehmann

- Service Level Planning, when are these going to be completed and updated?

Response: The service level planning is to be completed by February. A list of service areas will be provided at the next forum.

- Community Projects that have come under budget. Where communities have contributed, do we give the money back to the community?

Response: This depends on the arrangement that was entered into between the parties. Council would look to return funds if not all committed funds were utilised.

- Swimming Pool footpath at Hopetoun, is it going to be finished before the swimming season starts?

Response: Community consultation will be undertaken in early August to discuss what will occur.

- Trees at Brim in Simson Street, where is this project at?

Response: Trees specifically on the Brim Golf Course will need to be dealt with by the committee.

- Requested update on Fred Frankels Road

Response: Work is currently being undertaken on the Lah East Road and if all goes to plan will commence Fred Frankels Road next week.

- When CRM's are submitted and works are completed, does Council seek feedback on customer satisfaction?

Response: Recipients are notified by email or phone when their CRM's are first entered, and closed. We don't currently seek feedback, but it is something we can look at into the future.

- Is it correct Council does not have to implement glass collection until 2024? Can we clarify why we are doing this now?

Response: Funding was received to support the glass bin roll out, providing a cost saving to Council and the Community. Other Councils are keen to learn from our early implementation and experience.

Moved Cr C Lehmann Seconded Cr G Massey that Council move into Closed Session at 10:17am

Carried

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:

18.1 Report for Information Only - Procurement

This Agenda item is confidential information for the purpose of section 3(1) of the Local Government Act 2020:

1. Because it is Council business information, being information that would prejudice managements position in human resource related matters that could unlawfully discriminate against an employee if released (section 3(1)(a)); and
2. This ground applies because the Agenda Item concerns the progress of a procurement internal audit that would, if released to the public, diminish the strength of Council's position in relation to any actions required under policies, procedures, guidelines and legislative frameworks related to human resource related matters.

18.2 Report for Decision - Appointment of Advisory Committee Hopetoun Old School Site

This Agenda item is confidential information for the purpose of section 3(1) of the Local Government Act 2020:

1. Because it is Council business information, being information that would prejudice Council's position in selecting the Advisory Committee if prematurely released (section 3(1)(a)); and
2. This ground applies because the Agenda Item concerns personal information about the nominated representatives, that would, if prematurely released, compromise Council's position in relation to the requirement to comply with the *Privacy and Data Protection Act 2014*.

18.2 Report for Decision – Appointment of Advisory Committee Hopetoun Old School Site**RECOMMENDATION**

PART 1

That Council:

- a) Appoint the following Community members to the Hopetoun Old School Advisory Committee for a term of three years as follows:
Russell Hilton, Grant Wilson, Matthew Webster, James Magee, Susan Hallam and Michael Langdon.
- b) Endorse that the Community member representatives vote and endorse the appointment of the Chairperson from within.
- c) Endorse that a Councillor, the CEO and a Council Officer form part of the Committee and cannot be nominated as the Chairperson of the Committee.

PART 2

That Council:

- a) Determines, pursuant to section 125(2) of the *Local Government Act 2020*, that the Resolution(s) made in relation to Agenda Item 18.2 while the meeting was closed to the public be made publicly available; and
- b) Authorises the Resolution(s) referred to in Part 1 of this Resolution to be recorded in the public minutes of this meeting.

Moved Cr C Lehmann Seconded Cr A McLean

That the recommendation be adopted

Carried

Moved Cr T Hamilton Seconded Cr C Heintze that Council move back into Open Session at 10:40am

Carried**19 Service Recognition**

Kathy Edwards will be attending Council at 11:00am to be presented with a certificate of recognition for 24.5 years of service to Yarriambiack Shire Council.

This presentation was deferred to the Council Forum that commenced after the Meeting.

20 Next Meeting

24 August 2022

CLOSE 10:45am_____
Mayor