



AGENDA

Ordinary Meeting of Council

9:30am Wednesday 25 May 2022

VENUE:

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

Next Meeting

Wednesday 22 June 2022

Copies of the Yarriambiack Shire Council's Agendas and Minutes
can be obtained online at www.yarriambiack.vic.gov.au

AGENDA	Ordinary Meeting of Council
Issue Date: 25 05 2022	

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.

Contents

1	WELCOME	4
2	ACKNOWLEDGEMENT AND PRAYER	4
3	PRESENT	4
4	APOLOGIES OR REQUEST FOR LEAVE OF ABSENCE	4
5	CONFIRMATION OF MINUTES	5
5.1	Minutes of the ordinary Council Meeting held on Wednesday 27 April 2022 be taken as an accurate record and confirmed.....	5
5.2	Minutes of the Closed Council Meeting held on 27 April 2022 be taken as an accurate record and confirmed.....	5
6	DECLARATION OF CONFLICT OF INTEREST	6
7	BUSINESS ARISING	7
7.1	Business arising from previous Minutes	7
7.2	Ongoing and Pending Action List	7
8	PETITIONS	7
9	CORRESPONDENCE	7
9.1	Letter received - Catholic Education Ballarat	7
9.2	Letter received – Catholic Education Ballarat.....	7
9.3	Thank you – RSL Warracknabeal	7
10	SPECIAL COMMITTEES.....	7
11	ACTIVITY REPORTS	8
11.1	Mayor’s Report.....	8
11.2	Councillor’s Reports	9
11.3	Chief Executive Officer Report.....	11
12	REPORTS FOR DECISION – OFFICE OF THE CHIEF EXECUTIVE OFFICER ...	12
12.1	Council Plan 2021 – 2025 Reporting Quarterly Update	12
12.2	Community Assistance and Fee Waiver Policy	14
13	REPORTS FOR DECISION – DIRECTORATE BUSINESS STRATEGY AND PERFORMANCE	17
14	REPORTS FOR DECISION – DIRECTORATE ASSETS AND OPERATIONS.....	18
14.1	Permits issued by Assets and Operations Department – April 2022	18
15	REPORTS FOR DECISION – DIRECTORATE COMMUNITY DEVELOPMENT AND WELLBEING	19
15.1	Permits Issued by Community Development and Wellbeing Department - April 2022.....	19
16	OTHER BUSINESS	20
16.1	Questions from Councillors	20
17	CLOSED SESSION – Reports for Decision.....	20
17.1	C243-2019 – Contract Extension Bituminous Surfacing Program	20
17.2	Waste contract (C190-2015) and recycling contract (C189-2015) Extension	20
17.3	Spark Tank Grant Program	20
17.4	C312-2022 Murtoa Stick Shed Visitor Experience Upgrade	20
17.5	Warracknabeal Cemetery Trust Community Assistance Request	20
18	Next Meeting	20

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 held on Wednesday 27 April 2022 be taken as an accurate record and confirmed.

Minutes of the Ordinary Council Meeting held on Wednesday 27 April 2022 be taken as an accurate record and confirmed

Recommendation:

That the minutes of the Ordinary Meeting of Council held on Wednesday 27 April 2022, as circulated be taken as read and confirmed.

5.2 Minutes of the Closed Council Meeting held on 27 April 2022 be taken as an accurate record and confirmed.

Minutes of the Closed Council Meeting held on Wednesday 27 April 2022 be taken as an accurate record and confirmed

Recommendation:

That the minutes of the Closed Council Meeting of Council held on Wednesday 27 April 2022, as circulated, be taken as read and confirmed.

MINUTES	Ordinary Meeting of Council
Issue Date: 25 May 2022	

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

7.2 Ongoing and Pending Action List

Council Meeting	Recommendation Action	Action Taken
27 April 2021	Item 12.2 Write to Premier Daniel Andrews, Opposition Leader Matthew Guy and Local Members of Parliament Emma Kealy and Ali Cupper, expressing concern over the Murray Basin Rail Project and request that the Premier honour his government's commitment to complete the Murray Basin Rail Project to its original scope.	Letters sent 11 May 2022

8 PETITIONS

9 CORRESPONDENCE

9.1 Letter received - Catholic Education Ballarat

[Attachment Letter: Support for Dunmunkle Childcare Facility](#)

9.2 Letter received – Catholic Education Ballarat

[Attachment Letter: Support for Housing and Childcare Project](#)

9.3 Thank you – RSL Warracknabeal

[Attachment Letter: Thank you for assistance with works done](#)

10 SPECIAL COMMITTEES

11 ACTIVITY REPORTS

11.1 Mayor's Report

Prepared by Kylie Zanker

- 27 April Attended Community Consultation – 2022-23 Budget, Kerbside Glass Collection and Waste Strategy – Rupanyup
- 28 April Attended Pop Up Session Community Consultation – 2022-23 Budget, Kerbside Glass Collection and Waste Strategy – Patchewollock
- Attended Community Consultation – 2022-23 Budget, Kerbside Glass Collection and Waste Strategy – Murtoa
- 29 April Attended Northwest Municipalities Annual General Meeting and General Meeting
- Attended Powerhouse Opening in Hopetoun
- 30 April Attended the combined CFA Services and Presentation Dinner
- 1 May Attended the Beulah Wergaia Long Table Lunch
- 2 May Attended Community Consultation – 2022-23 Budget, Kerbside Glass Collection and Waste Strategy – Minyip
- 4 May Attended the Energy Park Update
- 11 May Attended Council Forum and Donald Mineral Sands Presentation
- 16 May Attended Guides Annual General Meeting
- Attended the National Volunteers Celebration at Fed Uni
- 18 May Attended Yarriambiack Youth Action Council Meeting in Hopetoun
- 19 May Attended the LLEN Annual General Meeting

11.2 Councillor's Reports

Cr A McLean

- 28 April Attended Pop Up Session Community Consultation – 2022-23 Budget, Kerbside Glass Collection and Waste Strategy – Patchewollock
- 29 April Attended Community Consultation – 2022-23 Budget, Kerbside Glass Collection and Waste Strategy – Speed
- 4 May Attended Online Community Consultation – 2022-23 Budget, Kerbside Glass Collection and Waste Strategy
- 7 May Attended official opening of the Beulah Changeroom Facilities
- 11 May Attended Council Forum and Donald Mineral Sands Presentation
- 12 May Chaired the Annual General Meeting of the Hopetoun Historical Society

Cr T Hamilton

- 27 April Attended Community Consultation – 2022-23 Budget, Kerbside Glass Collection and Waste Strategy – Rupanyup
- 11 May Attended Council Forum and Donald Mineral Sands Presentation
- 12 May Attended Stick Shed Meeting at Murtoa

Cr G Massey

- 29 April Attended North West Municipality Association (NWMA) Meeting in Warracknabeal

Attended Meeting with Anne Webster and Families at Murtoa re; Childcare proposal
- 10 May Attended Warracknabeal Action Group (WAG) meeting

Attended ANZAC Park users group meeting with consultants
- 11 May Attended Council Forum and Donald Mineral Sands Presentation
- 18 May Chaired Warracknabeal Town Hall Committee Annual General Meeting
- 23 May Attended Yarriambiack Tourism Meeting at Woomelang
- 24 May Attended Wimmera Mallee Tourism meeting via ZOOM

Cr C Lehmann

- 28 April Attended Pop Up Session Community Consultation – 2022-23 Budget, Kerbside Glass Collection and Waste Strategy - Patchewollock
- 29 April Attended Powerhouse Opening in Hopetoun

- 2 May Attended Community Consultation – 2022-23 Budget, Kerbside Glass Collection and Waste Strategy – Tempy
- 3 May Attended Community Consultation – 2022-23 Budget, Kerbside Glass Collection and Waste Strategy – Lascelles
- 4 May Attended Online Community Consultation – 2022-23 Budget, Kerbside Glass Collection and Waste Strategy
- 5 May Attended Community Consultation – 2022-23 Budget, Kerbside Glass Collection and Waste Strategy – Yaapeet
- 11 May Attended Council Forum and Donald Mineral Sands Presentation

Cr C Heintze

- 27 April Attended Council Meeting
 - Attended Community Consultation – 2022-23 Budget, Kerbside Glass Collection and Waste Strategy – Rupanyup
- 29 April Attended Meeting with Anne Webster and Families at Murtoa re; Childcare proposal
- 2 May Attended Community Consultation – 2022-23 Budget, Kerbside Glass Collection and Waste Strategy – Minyip
- 4 May Attended Minyip Progress Association Meeting
- 11 May Attended Council Forum and Donald Mineral Sands Presentation

Cr K Kirk

11.3 Chief Executive Officer Report

Prepared by Tammy Smith

27 April	Community Consultation – Draft Waste Strategy and Draft Budget - Rupanyup
28 April	Community Consultation (Pop up Kiosk) – Draft Waste Strategy and Draft Budget - Patchewollock
28 April	Community Consultation – Draft Waste Strategy and Draft Budget - Murtoa
29 April	LGPro CEO Forum
29 April	IPAA Awards Ceremony – Top 50 Public Sector Women of the Year Award
02 May	Community Consultation – Draft Waste Strategy and Draft Budget - Minyip
03 May	Community Consultation (Pop up Kiosk) – Draft Waste Strategy and Draft Budget - Lascelles
03 May	Early Years Planning – Uniting Victoria Tasmania and YSC Management representatives
04 May	Meeting with community representatives regarding Childcare in Warracknabeal
04 May	Community Consultation – Draft Waste Strategy and Draft Budget - Online
05 May	Meeting Murtoa P-12 College regarding Early Years Hub
05 May	Meeting Our Lady Help of Christians School Murtoa regarding Early Years Hub
07 May	Opening of Beulah Changeroom Facilities
10 May	ANAZAC Park Masterplan Working Group Meeting
11 May	Council Forum, and presentation from Donald Mineral Sands
12 May	Wimmera Regional CEO Meeting
12 May	Meeting with WDA regarding WMT handover documents
12 May	Attended Grampians Health Community Consultation Session
13 May	Meeting with By5 representative
16 May	Meeting with Warracknabeal Community Member
17 May	Rupanyup Primary School – School Council Meeting
18 May	LGPro – Addressing the Skills Shortage
18 May	Meeting with Warracknabeal Cemetery Trust members
18 May	Rupanyup Streetscape Materplanning Community Consultation
18 May	Meeting with residence at Caravan Park Warracknabeal
19 May	Yaapeet Community Consultation
19 May	Wimmera Southern Mallee LLEN AGM and 20 Year Anniversary Celebration
23 May	Good Governance Training
23 May	Murtoa Recreation Reserve Masterplan Steering Committee Meeting

12 REPORTS FOR DECISION – OFFICE OF THE CHIEF EXECUTIVE OFFICER

12.1 Council Plan 2021 – 2025 Reporting Quarterly Update

Prepared By: Tammy Smith, Chief Executive Officer

SUMMARY

In order to achieve the goals of the adopted Council Plan 2021-2025, an annual Action plan is embedded into the document. This report details progress against those actions.

RECOMMENDATION

That Council notes the Quarterly Yarriambiack Council Plan 2021-2025 update as of 31 March 2022.

ATTACHMENTS

[Attachment: Yarriambiack Update on Council Plan 2021-2025 as of 31 March 2022](#)

DISCUSSION

At the 23 June 2021 Ordinary Council meeting, the Yarriambiack Council Plan 2021-2025 was adopted. Embedded in the Council Plan is an annual Action Plan to be reviewed each year of the four-year plan and to be reported on quarterly to Council to ensure that the overarching strategic objectives are met.

It is expected that the third quarterly report against the Action Plan in May will coincide with a renewed Council Action Plan.

RELEVANT LAW

The *Local Government (Planning and Reporting) Regulations 2020* sets out in the Schedule 1 Appendix that a six-monthly report of operations against the Council Plan objectives be undertaken by Council. Yarriambiack Shire Council Performance Reporting Framework sets a quarterly reporting schedule against the Council Plan for the month following the financial and non-financial quarterly report.

COUNCIL PLANS AND POLICIES

Yarriambiack Council Plan 2021-2025

RELATED COUNCIL DECISIONS

23 June 2021 Ordinary Council Meeting – the Yarriambiack Council Plan 2021-2025 was adopted by Council.

23 February 2022 Ordinary Council Meeting – Council Plan 2021-2025 Quarterly Update as at 31 December 2021.

OPTIONS

Council notes the Quarterly Update with amendments.

SUSTAINABILITY IMPLICATIONS

The adopted Yarriambiack Shire Council Plan 2021-2025 includes the strategic objective for a robust and thriving environment which set out commitments to deliver improved recycling processing, water reuse projects and closer alignment with Landcare organisations across our Shire.

COMMUNITY ENGAGEMENT

One of the Overarching governance principles in section 9 of the Local Government Act 2020 is that the municipal community is to be engaged in strategic planning and strategic decision making. In addition, the Local Government Act requires strong accountability and transparency principles. This Quarterly report provides an update on the implementation of the Actions from the adopted Council Plan which was developed following extensive Community consultation.

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 was undertaken on the Council Plan 2021-2025
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
Strategy Execution and Change Management Risk - Residual Risk Level Medium	The regular reporting against the Council Plan Actions ensures a transparent accountability mechanism by Council.	Reduces Residual Risk Level
Reputational Risk - Residual Risk Level Low	The quarterly reporting on the actions allows for the management of community expectations on Councils deliverables.	Maintains Residual Risk Level

REGIONAL, STATE AND NATIONAL PLANS AND POLICIES

The Yarriambiack Council Plan 2021-2025 provides for a range of regional and state plans and policies including:

- Regional Development Australia 'For Want of a Worker' Strategy
- Wimmera Southern Mallee Regional Partnership
- Victorian Government Circular Economy Strategy
- Wimmera Development Association 2022 Housing Blueprint

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.

12.2 Community Assistance and Fee Waiver Policy

Prepared By: Tammy Smith, Chief Executive Officer

SUMMARY

The Community Assistance and Fee Waiver Policy has been developed to combine the Tipping Fee Policy, the Community Assistance Policy and the Community Fee Waiver Policy.

RECOMMENDATION:

That Council:

- a) Adopt the Draft Community Assistance and Fee Waiver Policy as attached to this report to take effect from 25 May 2022.
- b) Rescind the following policies as from 25 May 2022;
 - i. Tip Fee Policy
 - ii. Policy on Council Assistance for Community Projects
 - iii. Community Fee Waiver Policy.

ATTACHMENTS

[Attachment: Draft Community Assistance and Fee Waiver Policy](#)

DISCUSSION

The Community Assistance and Fee Waiver Policy has been developed to provide an overarching framework to determine the nature and level of support to community groups through:

- a) Fee waivers;
- b) Financial assistance support with grant co-contributions; and
- c) The supply of materials and resources.

Council and Management have a strong commitment to working in partnership with community groups to maintain a vibrant, inclusive and liveable community. This policy supports Council's partnership with the community and sets parameters outlining when assistance and support can be approved by the Chief Executive Officer.

Where assistance and support requests exceed the parameters of the policy, a Council resolution will be required to endorse support.

The policy also acknowledges Council has limited funds to utilise for co-contributions for grant applications and that there is a disparity of ownership of assets across the Shire. This policy outlines when a co-contribution is required from community groups to seek funding opportunities, to provide for equitable opportunities to provide services across the shire.

RELEVANT LAW

Local Government Act 2020

COUNCIL PLANS AND POLICIES

- a) Council Plan: 2021-2025
 - Key Objective 1: A Vibrant and Diversified Economy
 - Key Objective 2: A Healthy and Inclusive Community
 - Key Objective 3: A Robust and Thriving Environment
 - Key Objective 4: A Council Who Serves its Community

MINUTES	Ordinary Meeting of Council
Issue Date: 25 May 2022	

- b) Employee Code of Conduct
- c) Councillor Code of Conduct

RELATED COUNCIL DECISIONS

Policy on Council Assistance for Community Projects, 01 February 2000

Community Fee Waiver Policy – 26 September 2018, Minutes 11.8

Tip Fee Policy, 03 December 2002

OPTIONS

- a) Councillors could choose to make additional changes to the Policy prior to adoption.

SUSTAINABILITY IMPLICATIONS

Social: The development of the Policy provides for clear guidance on how Council will support community groups across the shire to enhance the liveability of their towns and facilities.

Economic: Partnering with community groups to deliver projects and enhance community facilities and assets provides an overarching economic benefit to our Shire.

COMMUNITY ENGAGEMENT

The Draft Policy has been based on common requests from community groups, that has assisted and informed the development of this policy.

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>
Corporate Governance, Compliance and Liability Risk - Residual Risk Level Low	The policy enhances transparency and creates a compliance framework around decision making relating to fee waivers, financial assistance and the supply of materials and resources to community groups.	Maintains Residual Risk Level
Reputational Risk - Residual Risk Level Low	The policy creates a clear process for decision making, that can be communicated easily to community groups to alleviate miscommunication and to enable the establishment of realistic expectations of Council.	Maintains 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.

13 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 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 	<ul style="list-style-type: none"> Aerodromes Technical Services Asset Engineer Asset Inspectors Waste Services GIS Caravan Parks 	<ul style="list-style-type: none"> Planning Building Projects Sustainability

14.1 Permits issued by Assets and Operations Department – April 2022

RECOMMENDATION:

That Council:

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

Reference No	Description	Address	Date of Issue
Building Permits			
BP33-22	Temporary Marquee	Warracknabeal Racing Club	13/4/2022
BP25-22	Demolition of Sheds	Cromie Street Rupanyup (Yarriambiack Shire Council)	8/4/2022
BP27-22	Display Shed	Wood's Museum Rupanyup	1/4/2022
Planning Permits			
TP56-21	Subdivision	Murtoa - old School Site (Yarriambiack Shire Council)	28/4/2022
TP01-22	Recreation Facility	Hopetoun (Hopetoun & District Neighbourhood House)	28/4/2022
TP02-22	Subdivision	Minyip	1/4/2022
TP09-22	Display Shed	Wood's Museum Rupanyup	1/4/2022
TP13-22	Subdivision	Beulah	22/4/2022
Road Reserve Works & Asset Protection Permits			
2022-11	Demolition of Sheds	Rupanyup	1/4/2022
12-2022	Crossover removal / Installation	Minyip	19/4/2022

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15 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

15.1 Permits Issued by Community Development and Wellbeing Department - April 2022

RECOMMENDATION

That Council:

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

Reference No	Description	Name / Location	Date of Issue
Local Laws Permits			
05-22	Keeping of 2 sheep in a township area	Minyip	08/04/2022
05/22	Street Activity Permit – Warracknabeal Lions Club Monthly Market	Warracknabeal	12/04/2022
06-22	Street Activity Permit – South End Florist	Warracknabeal	14/04/2022
Firewood collection Permits			
	Firewood collection	Brim	9/5/2022
	Firewood collection	Warracknabeal	17/5/2022
	Firewood collection	Brim	19/5/2022

16 OTHER BUSINESS

16.1 Questions from Councillors

17 CLOSED SESSION – Reports for Decision

17.1 C243-2019 – Contract Extension Bituminous Surfacing Program

17.2 Waste contract (C190-2015) and recycling contract (C189-2015) Extension

17.3 Spark Tank Grant Program

17.4 C312-2022 Murtoa Stick Shed Visitor Experience Upgrade

17.5 Warracknabeal Cemetery Trust Community Assistance Request

18 Next Meeting

22 June 2022

CLOSE

_____ Mayor