



**Yarriambiack**  
SHIRE COUNCIL

# Agenda

## Ordinary Meeting of Council

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24 September 2025

COUNCIL CHAMBERS

34 Lyle Street, Warracknabeal

**MEETING OF COUNCIL TO COMMENCE AT 9.30AM**

*We acknowledge that the activities of Yarriambiack Shire Council are being held under the traditional skies and in the waterways and lands of the Wotjobaluk, Jaadwa, Jadawadjali, Wergaia and Jupagulk people.*

**MEMBERS OF THE PUBLIC MAY VIEW THE MEETING VIRTUALLY VIA THE LIVESTREAM**

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## **OUR VISION**

A strong and connected community prioritising sustainable and innovative approaches to support the wellbeing of our people, economy and environment.

We will achieve this shared vision by:

- ✓ Looking after our communities, with an aim of enhancing social connection through better infrastructure, safety, wellbeing, advocacy, health and education services.
- ✓ Supporting the diversification of our economy by focusing on tourism and agriculture.
- ✓ Committing to environmental responsibility by making decisions that consider the impact on our community ecosystem.

## **CONTINUOUS IMPROVEMENT**

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

## **LIVE STREAMING**

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

## 1 WELCOME

## 2 STREAMING PREAMBLE

*The Chief Executive Officer reads this section as part of the Meeting Governance process.*

This Open Council Meeting is to be streamed live, recorded and published online.

I give notice to anyone who is in the gallery, that they may be recorded, and their image may be published online.

Anyone who submits a question as part of item 13 – Public Questions (of this Agenda) will have their name stated and recorded as part of the livestreaming and recording, which is published online.

The Mayor and/or the Chief Executive Officer have the discretion and authority at any time to direct the termination or interruption of livestreaming. Such direction will only be given in exceptional circumstances, where deemed relevant. Circumstances may include instances where the content of debate is considered misleading, defamatory, or potentially inappropriate to be published.

The stream will stop prior to the closed section of the meeting, and that will conclude the Meeting of Council, open to the public.

The public can view this livestream or recording via Council's YouTube Channel, with the link available via Council's website. The recording of Council Meetings will be available for viewing until the next scheduled Council Meeting.

Should technical issues prevent the continuation of the livestream, the meeting may continue provided the gallery remains open to the public in accordance with Council's meeting procedures and Governance Rules, clause 2.42.3 (g).

## 3 ACKNOWLEDGEMENT AND PRAYER

Mayor to open the meeting at **9.30am** by acknowledging the Traditional Owners and offering the opening prayer.

### 3.1 ACKNOWLEDGING TRADITIONAL OWNERS OF THE LAND

'We acknowledge that the activities of Yarriambiack Shire Council are held under the traditional skies and in the waterways and lands of the Wotjobaluk, Jaadwa, Jadawadjali, Wergaia and Jupagulk people, and we pay respects to their Elders, past and present'.

### 3.2 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

## 4 PRESENT

|              |                 |                    |
|--------------|-----------------|--------------------|
| Mayor        | Kylie Zanker    | Warracknabeal Ward |
| Deputy Mayor | Andrew McLean   | Hopetoun Ward      |
| Councillor   | Corinne Heintze | Dunmunkle Ward     |
| Councillor   | Melinda Keel    | Dunmunkle Ward     |
| Councillor   | Chris Lehmann   | Hopetoun Ward      |
| Councillor   | Karly Kirk      | Warracknabeal Ward |

|                 |                 |                            |
|-----------------|-----------------|----------------------------|
| Council Officer | Tammy Smith     | Chief Executive Officer    |
| Council Officer | Anita McFarlane | Chief Financial Officer    |
| Council Officer | Monique Metlika | Governance Support Officer |
| Council Officer | Daniel Brandon  | Manager Business Systems   |

## 5 APOLOGIES

| Name / Role                       | Description of Leave / Absence |
|-----------------------------------|--------------------------------|
| Tim Rose, Chief Operating Officer | Annual Leave                   |

## 6 CONFIRMATION OF MINUTES

### 6.1 MINUTES 27 AUGUST 2025 – ORDINARY MEETING

Minutes of the Ordinary meeting of Council held on 27 August 2025 be taken as an accurate record and confirmed.

**Recommended Motion:**

That the minutes of the Ordinary Meeting of Council held on 27 August 2025, as circulated be taken as read and confirmed.

### 6.1 MINUTES 27 AUGUST 2025 – CLOSED (CONFIDENTIAL) MEETING

Minutes of the Closed (Confidential) meeting of Council held on 27 August 2025 be taken as an accurate record and confirmed.

**Recommended Motion:**

That the minutes of the Closed (Confidential) Meeting of Council held on 27 August 2025, as circulated be taken as read and confirmed.

## 7 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 (Chapter 5- Disclosure of Conflict of Interest at Council Meetings).
- 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.

### 7.1 CONFLICT OF INTEREST DECLARED

| Conflict Declared by                 | Agenda Item                                 | Reason - Explanation               |
|--------------------------------------|---------------------------------------------|------------------------------------|
| Tammy Smith, Chief Executive Officer | 15.3 CEO Employment and Remuneration Policy | Relates to the CEO Contract Terms. |

## 8 BUSINESS ARISING

### 8.1 BUSINESS ARISING FROM PREVIOUS MINUTES

As per ongoing and pending actions list, Item 8.2.

### 8.2 ONGOING AND PENDING ACTIONS

| Council Meeting               | Recommendation Action                                                                                                                                                                                                                                | Action Taken                                                                                                               |
|-------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------|
| 28 August 2024<br>Item 15.13  | Resheet a section of Mellis Road, from Stawell Warracknabeal Road to a property 4.3km to the East.                                                                                                                                                   | This job has been delayed at the request of the resident funding the project. Will be deferred until 25/26 financial year. |
| 26 February 2025<br>Item 15.1 | Name the unnamed laneway 04 in Council's Road Register, as "Isbel Lane".                                                                                                                                                                             | Advertising in Government Gazette has now commenced.                                                                       |
| 30 June 2025<br>Item 15.5     | Enter into an agreement with the Rupanyup Recreation Reserve outlining that the funds received from the NBN Tower rental must be utilised towards infrastructure upgrades and/or ground and building maintenance at the Rupanyup Recreation Reserve. | Not yet commenced.                                                                                                         |
| 23 July 2025<br>Item 15.8     | Advise Planning Panels Victoria that a panel will not be required for C34yari Planning Scheme Review Amendment.<br><br>Forward the amendment to the Minister for Planning for approval.                                                              | <b>CLOSED</b><br><br>C34yari has been endorsed by the Minister.                                                            |
| 27 August 2025<br>Item 15.1   | Enact the Lease between Yarriambiack Shire Council and the Lions Club of Woomelang Inc for the land and amenities block known as Woomelang Caravan Park located at 16 Gloucester Avenue, Woomelang Vic 3485.                                         | <b>CLOSED</b><br><br>Lease fully executed.                                                                                 |
| 27 August 2025<br>Item 15.3   | Endorse for the Statutory Meeting to be held on Wednesday 12 November 2025 commencing at 9.30am.                                                                                                                                                     | <b>CLOSED</b><br><br>Statutory Meeting for 12 November 2025 advertised on Council's website.                               |
| 27 August 2025<br>Item 15.5   | Cessation of Council's municipal membership with Wimmera Southern Mallee Development as from 26 August 2025.                                                                                                                                         | <b>CLOSED</b><br><br>Confirmation of the cessation received on 27 August 2025.                                             |

## 9 PETITIONS

No petitions received.

## 10 MINISTERIAL AND GOVERNMENT CORRESPONDENCE TO COUNCILLORS ONLY

| Outgoing   |                                                           |                                                                                               |
|------------|-----------------------------------------------------------|-----------------------------------------------------------------------------------------------|
| Date       | Recipient                                                 | Details                                                                                       |
| 27/08/2025 | Senator the Hon Murray Watt                               | Letter - Request for Financial Assistance - Warracknabeal Aerodrome Automated Weather Station |
| 27/08/2025 | Tim Wiebusch, Victorian Emergency Management Commissioner | Letter - Request for Financial Assistance - Warracknabeal Aerodrome Automated Weather Station |
| 27/08/2025 | The Hon Josh Wilson MP                                    | Letter - Request for Financial Assistance - Warracknabeal Aerodrome Automated Weather Station |
| 27/08/2025 | The Hon Vicki Ward MP                                     | Letter - Request for Financial Assistance - Warracknabeal Aerodrome Automated Weather Station |
| 27/08/2025 | The Hon Chris Bowen MP                                    | Letter - Request for Financial Assistance - Warracknabeal Aerodrome Automated Weather Station |
| 27/08/2025 | Emma Kealy MP                                             | Letter - Request for Support - Warracknabeal Aerodrome Automated Weather Station              |
| 12/09/2025 | The Hon Nick Staikos MP                                   | Letter - Impact on Rising Rates and Charges and Pensioner Concession                          |
| 12/09/2025 | Beverley McArthur MP                                      | Letter - Impact on Rising Rates and Charges and Pensioner Concession                          |
| 12/09/2025 | Joe McCracken MP                                          | Letter - Impact on Rising Rates and Charges and Pensioner Concession                          |
| 12/09/2025 | Gaelle Broad MP                                           | Letter - Impact on Rising Rates and Charges and Pensioner Concession                          |
| 12/09/2025 | The Hon Jacyn Symes MP                                    | Letter - Impact on Rising Rates and Charges and Pensioner Concession                          |
| 12/09/2025 | Jade Benham MP                                            | Letter - Impact on Rising Rates and Charges and Pensioner Concession                          |
| 12/09/2025 | Gayle Tierney MP                                          | Letter - Impact on Rising Rates and Charges and Pensioner Concession                          |
| 12/09/2025 | Jacinta Ermacora MP                                       | Letter - Impact on Rising Rates and Charges and Pensioner Concession                          |
| 12/09/2025 | Georgie Purcell MP                                        | Letter - Impact on Rising Rates and Charges and Pensioner Concession                          |
| 12/09/2025 | Emma Kealy MP                                             | Letter - Impact on Rising Rates and Charges and Pensioner Concession                          |
| 12/09/2025 | The Hon Wendy Lovell MP                                   | Letter - Impact on Rising Rates and Charges and Pensioner Concession                          |

| Incoming   |                                   |                                                                            |
|------------|-----------------------------------|----------------------------------------------------------------------------|
| Date       | Sender                            | Details                                                                    |
| 22/08/2025 | Department of Government Services | Email - Premiers' Reading Challenge Book Fund 2025-2026                    |
| 15/09/2025 | The Hon Wendy Lovell              | Email Response – Impact on Rising Rates and Charges & Pensioner Concession |

## 11 SPECIAL COMMITTEES

### 11.1 AUDIT AND RISK COMMITTEE MEETING SCHEDULE

The proposed scheduled meeting program is as follows for the next 12 months for the Audit and Risk Committee:

| Date              | Description                                                 |
|-------------------|-------------------------------------------------------------|
| 22 September 2025 | Special Financial Statements and Performance Report Meeting |
| 10 November 2025  | Ordinary Meeting                                            |
| 09 February 2026  | Ordinary Meeting                                            |
| 11 May 2026       | Ordinary Meeting                                            |
| 10 August 2026    | Ordinary Meeting                                            |
| 21 September 2026 | Special Financial Statements and Performance Report Meeting |

### 11.2 SPECIAL AUDIT AND RISK COMMITTEE MEETING

The Special Audit and Risk Committee Meeting was held on 22 September 2025 to consider the Annual Financial Statements and Performance Report.

*Attachment: Special Audit and Risk Committee Minutes – 22 September 2025 (will be circulated as a late attachment due to the timing of the meeting)*

#### **Recommended Motion:**

That the minutes of the Special Audit and Risk Committee Meeting held on 22 September 2025, to consider the Annual Financial Statements and Performance Report, as circulated as a late attachment, be taken as read and confirmed.

## 12 ACTIVITY REPORTS

### 12.1 MAYOR ACTIVITY REPORT

| Mayor Kylie Zanker – Warracknabeal Ward (September) |                                                                                              |               |
|-----------------------------------------------------|----------------------------------------------------------------------------------------------|---------------|
| Date                                                | Activity                                                                                     | Location      |
| 27/08/25                                            | Chaired the Warracknabeal Amateur Basketball Associate Annual General Meeting                | Warracknabeal |
| 04/09/25                                            | "Not in Our Name" Meeting                                                                    | Online        |
| 05/09/25                                            | Mayor, Deputy Mayor and CEO Catch Up Meeting                                                 | Warracknabeal |
| 09/09/25                                            | Attended St Marys School to present to the senior grade around the role of Mayor and Council | Warracknabeal |
| 09/09/25                                            | Wimmera Pride General Meeting                                                                | Horsham       |
| 11/09/25                                            | Wimmera Southern Mallee Councils Alliance Meeting                                            | Horsham       |
| 14/09/25                                            | Annual Report and Award Presentations for the Wimmera Scouting Association                   | Warracknabeal |
| 12/09/25                                            | Meeting with Resident to Discuss Community Events                                            | Warracknabeal |
| 16/09/25                                            | Meeting with Resident to Discuss Inclusion and Equity Across The Municipality                | Warracknabeal |
| 16/09/25                                            | EES Overview of Submission and Inquiry Approach                                              | Online        |
| 16/09/25                                            | Warracknabeal Action Group Meeting                                                           | Warracknabeal |
| 17/09/25                                            | MAV Mayors Institute Session                                                                 | Online        |
| 19/09/25                                            | Wimmera Highway Action Committee Meeting                                                     | Online        |
| 19/09/25                                            | Officially Opened the Hopetoun Community Art Exhibition                                      | Hopetoun      |
| 22/09/25                                            | Special Audit and Risk Committee Meeting                                                     | Online        |

## 12.2 COUNCILLOR ACTIVITY REPORTS

| Deputy Mayor Andrew McLean – Hopetoun Ward (September) |                                              |               |
|--------------------------------------------------------|----------------------------------------------|---------------|
| Date                                                   | Activity                                     | Location      |
| 29/08/25                                               | Mayor, Deputy Mayor and CEO Catch Up Meeting | Online        |
| 05/09/25                                               | Mayor, Deputy Mayor and CEO Catch Up Meeting | Online        |
| 09/09/25                                               | Patchewollock Inc Meeting                    | Patchewollock |
| 10/09/25                                               | Council Forum                                | Warracknabeal |
| 11/09/25                                               | Wimmera Alliance of Councils                 | Horsham       |
| 16/09/25                                               | EES Overview of Submission                   | Online        |
| 17/09/25                                               | Beulah Progress Association Meeting          | Beulah        |
| 19/09/25                                               | Mayor, Deputy Mayor and CEO Catch Up Meeting | Online        |

| Cr Corinne Heintze – Dunmunkle Ward (September) |                                                 |               |
|-------------------------------------------------|-------------------------------------------------|---------------|
| Date                                            | Activity                                        | Location      |
| 24/08/25                                        | Wimmera Southern Mallee Transport Group Meeting | Online        |
| 28/08/25                                        | Regional Energy Collaboration Launch            | Online        |
| 03/09/25                                        | Minyip Progress Meeting                         | Minyip        |
| 10/09/25                                        | Council Forum                                   | Warracknabeal |
| 12/09/25                                        | GWM Stakeholder Workshop                        | Horsham       |
| 16/09/25                                        | Westwind/Warrack Energy Park EES Discussion     | Online        |
| 18/09/25                                        | Regional Recreational Water Users Group Meeting | Quambatook    |

| Cr Melinda Keel – Dunmunkle Ward (September) |               |               |
|----------------------------------------------|---------------|---------------|
| Date                                         | Activity      | Location      |
| 10/09/25                                     | Council Forum | Warracknabeal |

| Cr Chris Lehmann – Hopetoun Ward (September) |               |               |
|----------------------------------------------|---------------|---------------|
| Date                                         | Activity      | Location      |
| 10/09/25                                     | Council Forum | Warracknabeal |

| Cr Karly Kirk – Warracknabeal Ward (September) |                                                 |               |
|------------------------------------------------|-------------------------------------------------|---------------|
| Date                                           | Activity                                        | Location      |
| 29/08/25                                       | Fill the Cup Working Group Meeting              | Minyip        |
| 01/09/25                                       | Yarriambiack Tourism Advisory Committee Meeting | Warracknabeal |
| 10/09/25                                       | Council Forum                                   | Warracknabeal |
| 22/09/25                                       | Special Audit and Risk Committee Meeting        | Online        |
| 22/09/25                                       | Minyip Community Benefits Meeting               | Minyip        |

**12.3 CHIEF EXECUTIVE OFFICER ACTIVITY REPORT**

| <b>Tammy Smith (September)</b> |                                                                                                                  |                 |
|--------------------------------|------------------------------------------------------------------------------------------------------------------|-----------------|
| <b>Date</b>                    | <b>Activity</b>                                                                                                  | <b>Location</b> |
| 29/08/25                       | VLGGC Statewide Information Session – Financial Assistance Grant                                                 | Online          |
| 29/08/25                       | Rural Councils Victoria Executive Committee Meeting                                                              | Online          |
| 29/08/25                       | Meeting with Townscape Committee Members Warracknabeal                                                           | Warracknabeal   |
| 29/08/25                       | Meeting to discuss Architectural Designs for Hopetoun Accommodation – Old School Site                            | Warracknabeal   |
| 05/09/25                       | Invitation to attend roundtable with Australian Energy Infrastructure Commissioner                               | Online          |
| 05/09/25                       | Payment in Lieu of Rates Scheme DEECA                                                                            | Online          |
| 05/09/25                       | Wimmera Alliance Agenda Planning                                                                                 | Online          |
| 09/09/25                       | DMS Pipeline Progress Meeting                                                                                    | Online          |
| 10/09/25                       | Council Forum                                                                                                    | Warracknabeal   |
| 11/09/25                       | Wimmera Alliance Workshop – Horsham, Buloke, Hindmarsh, West Wimmera, Northern Grampians and Yarriambiack        | Horsham         |
| 11/09/25                       | Meeting By Five Chair and Executive Officer                                                                      | Horsham         |
| 15/09/25                       | Meeting with Warracknabeal Action Group Chairperson                                                              | Warracknabeal   |
| 15/09/25                       | MAV Connect                                                                                                      | Online          |
| 15/09/25                       | Meeting Drag Racing at Aerodrome – Meeting with Community Member                                                 | Warracknabeal   |
| 15/09/25                       | Meeting with Re-alliance – Renewable Energy Discussion                                                           | Online          |
| 16/09/25                       | Environmental Effects Statement – Councillor and Consultant Briefing on Submission for Warracknabeal Energy Park | Online          |
| 16/09/25                       | Rural Councils Transformation Project Evaluation Interview                                                       | Online          |
| 17/09/25                       | Meeting with a Developer to discuss Housing options in Yarriambiack Shire                                        | Warracknabeal   |
| 18/09/25                       | Wimmera Alliance Planning                                                                                        | Online          |
| 18/09/25                       | Early Years Transition Emerge                                                                                    | Horsham         |

| Tammy Smith (September) |                                                                                        |               |
|-------------------------|----------------------------------------------------------------------------------------|---------------|
| 18/09/25                | Environmental Effects Statement Process – Warracknabeal Energy Park Consultant Meeting | Online        |
| 19/09/25                | Rural Councils Victoria Committee Meeting                                              | Online        |
| 22/09/25                | Audit and Risk Committee Meeting                                                       | Online        |
| 22/09/25                | ANZAC Park User Group Meeting                                                          | Warracknabeal |

## 13 PUBLIC QUESTIONS

*Division 8 – Public Question Time (Yarriambiack Shire Council Governance Rules)*

Community Members (excluding Councillors) may submit a question to Council.

Questions must be submitted in writing, stating the name and address of the person submitting the question, on an approved or permitted form by Council.

[Public Questions for Council – Yarriambiack Shire Council.](#)

Questions must be submitted 24 hours prior to a Council Meeting.

The questions will be answered at a Council meeting by the Mayor (Chairperson), or if delegated by the Chairperson, the Chief Executive Officer, a Councillor or a nominated Officer.

If questions are submitted less than 24 hours before the Council meeting, they will be answered at the meeting where possible, and if no answer can be given, then a written answer will be given to the person as soon as possible after the Council meeting.

No person can submit more than two questions at any Council meeting (unless permitted by the Chair – Mayor).

The question will not be allowed if:

- i. relates to a matter outside the duties, functions and powers of Council;
- ii. is defamatory, indecent, abusive, offensive, irrelevant, trivial or objectionable in language or substance;
- iii. deals with a subject matter already answered;
- iv. is aimed at embarrassing a Councillor or an Officer;
- v. relates to a personnel matter; or
- vi. contains or refers or relates to Confidential Information.

Questions and answers must be as brief as possible, and no discussion is allowed other than for the purpose of clarification.

The Name of Person and Question will be read out by either the Mayor or Chief Executive Officer, and the nominated Councillor / Officer is to respond.

The party submitting the question need not physically attend the Council Meeting, however if they are not physically present at the part of the meeting allocated for public question time, the Mayor (Chairperson) may determine that a verbal answer will not be provided at the meeting and a written answer will instead be communicated after the meeting.

### 13.1 QUESTIONS SUBMITTED

|                    |              |
|--------------------|--------------|
| <b>Name:</b>       | <b>Town:</b> |
| <b>Question:</b>   |              |
| <b>Respondent:</b> |              |
| <b>Response:</b>   |              |

## 14 COUNCILLOR REPORTS AND NOTICE OF MOTIONS

### 14.1 MAYORS REPORT

#### Wimmera Southern Mallee Councils Alliance

On Thursday 11 September 2025, I attended the Wimmera Southern Mallee Councils Alliance Workshop alongside our Deputy Mayor, Cr Andrew McLean, and Chief Executive Officer, Tammy Smith.

Horsham Rural City Council hosted representatives from six Councils to facilitate discussions on joint advocacy initiatives.

This was a valuable opportunity for the Councils to collaborate on important issues such as renewable energy, mining, financial sustainability, the Emergency Services and Volunteer Fund, decline of basic services, lack of childcare and suitable housing across our region.

I look forward to working with Horsham, Hindmarsh, Northern Grampians, Buloke and West Wimmera Councils, as we are stronger together when we are united.

#### Environmental Effects Statement – Warracknabeal Energy Park

The Council has engaged consultants to undertake a review and prepare Council's Environmental Effects Statement submission for the Warracknabeal Energy Park. Council is concentrating on the areas of roads and economic and social impacts. In addition, Council will undertake a review of the surface water impacts in conjunction with the Wimmera Catchment Management Authority.

In addition, Council has engaged Maddocks Lawyers to represent Council at the Directions Hearing and Public Hearing.

Council will make their submission public once completed and submitted.

#### Weather Station Warracknabeal

Yarriambiack Shire Council currently has two Automated Weather Stations (AWS) within the municipality. Typically, weather stations such as those installed in Hopetoun, Charlton, Nhill, Rainbow, Longerenong and Horsham are owned and maintained by the Bureau of Meteorology.

In contrast to most weather stations across Australia, Council owns the Warracknabeal AWS and is responsible for all servicing and maintenance costs via a ten-year service agreement with the Bureau. The current service agreement between Council and the Bureau is set to expire 30 September 2025. Earlier this year, the Bureau informed Council that the annual servicing fee for renewing Warracknabeal's new three-year service agreement will rise from \$12,700 to \$27,959 in the first year, reaching nearly \$30,000 within three years. Council considers this increase to be quite substantial, despite servicing intervals in the new agreement reducing from two services to one service per annum.

Weather data for the Warracknabeal area has been provided since 1969 and plays a critical role in supporting global and regional weather monitoring. This localised, real-time data is also relied upon by emergency services, aviators, the agriculture industry and the broader community. This reliance is particularly important during high-risk weather events, such as the Little Desert National Park fire that occurred earlier this year.

Despite the value of this information, the provision of meteorological data is not a core function of Local Government and the financial burden of maintaining this infrastructure has become increasingly unsustainable for our Council.

Without external financial support, we may be unable to maintain the AWS to the required standard and this will result in the unit being decommissioned. At this stage, the AWS is proposed to be taken offline on 31 October 2025.

This is an outcome that Council would like to avoid. Written requests have been sent to Federal and State Ministers and the Victorian Emergency Management Commissioner seeking their support to ensure the AWS remains in service for our communities.

#### Upcoming Events

We have a number of exciting events coming up with the Murtoa Big Weekend from Friday 03 to Sunday 05 October, the Warracknabeal Show on 09 October, the Getting to Know You Hopetoun event on 19 October, and the Yarriambiack Seniors Festival Concert coming up on 22 October.

We extend our congratulations to the volunteers throughout our Shire who actively contribute to organising events such as the ones listed above, that highlight our community to the wider region.

## 14.2 NOTICE OF MOTIONS

In accordance with the Yarriambiack Shire Council Governance Rules that came into effect on the 25 July 2024, a Notice of Motion has been received.

A Notice of Motion is a setting out of the text of a motion which a Councillor proposes to move at a meeting.

### 2.13 Notices of Motion

A Notice of Motion must be in writing, signed by the Councillor submitting it and submitted to the Chief Executive Officer at least seven days prior to the Council Meeting at which it is to be considered.

### 2.29 Speaking Times

A Councillor must not speak longer than the time set out below, unless granted an extension by the Chairperson:

- a) The mover of a motion or an amendment - three minutes
- b) Any other Councillor - three minutes
- c) The mover of a motion or an amendment exercising a right of reply - two minutes

### **14.2.1 Notice of Motion – Vote of No Confidence Victorian Transmission Plan**

#### ***Prepared and Submitted by Councillor Corinne Heintze***

On 27 August 2025, Cr Corinne Heintze, during the Ordinary Meeting of Council and in response to Item 14.1 Mayor's Report, foreshadowed her intention to submit a Notice of Motion regarding a Vote of No Confidence in the Victorian Transmission Plan.

On 12 September 2025, Cr Corinne Heintze submitted her Notice of Motion to the Chief Executive Officer in accordance with the Yarriambiack Shire Council's Governance Rules.

#### Preamble to Notice of Motion – Prepared by Cr Corinne Heintze

Renewable Energy already is and will continue to play a significant part in Australia's energy mix, even if, in my opinion, it isn't as clean and green as its proponents want consumers to believe it is.

That said, it is not the renewable energy itself, which is the problem, it's the way Governments are handling this energy transition. We now have the technology which could enable every house, small business, town, suburb and city to generate much of its own electricity, locally, and distribute through the existing grid. It is my opinion, that electricity can and should be produced where it is to be used.

But instead of encouraging community microgrids, the Government has chosen to keep our power generation in the hands of multinational companies, and it's my belief that the Victorian Transmission Plan supports this theory.

The Government has decided to force much of this invasive infrastructure onto the Wimmera and Southern Mallee area, without offering anything in return. Neither the Government or the developer companies involved have bothered to try and obtain social licence, by seriously investing in our communities at the forefront.

The planning of this infrastructure should have been accompanied by an investment plan for our region. Such an initiative could have contributed towards securing social licence.

It's clear that communities farther from business districts get fewer services. An investment plan targeting this imbalance could have helped earn social licence.

It is my view, that there are major flaws in the Victorian Transmission Plan, and I share my personal observations as follows:

1. The community consultation was a total sham. Government representatives pretended to listen but had their own agenda of looking after the developer companies before considering community needs. A prime example of this is that the draft Victorian Transmission Plan mentioned hotspots of local opposition, even naming the Birchip area as one such place. In the draft plan, Birchip is not included in a Renewable Energy Zone (REZ), but in the final plan it is, including most of the area north almost to Woomelang, west to Hopetoun, south past Warracknabeal and almost to Minyip. Community concerns have been ignored.
2. The escalating costs of these projects, especially the transmission lines to carry the electricity hundreds of kilometres to cities, is unbelievable. The VNI West project estimates have gone from \$3billion to \$7billion and counting. The Western Renewable Link began at \$370million and the current cost is \$1.5billion, but could go beyond \$4billion, depending on which expert you listen to. Who will pay for this? The State Government keeps promising lower electricity prices but we are now facing unaffordable energy and manufacturing businesses are shutting down because exorbitant energy costs make them unviable.
3. The continuing false promises of Community Benefits, which are yet to be defined. Community benefits are so far down on the list for the Government that the Victorian Transmission Plan directs interested parties to the Engage Vic website, where it states that Renewable Energy companies will be paying into a Government controlled fund which affected communities can apply to at a later date. Guidelines on how the money is to be spent rule out most community projects.

Currently there are a couple of well-funded groups working across rural communities to capture the proposed benefits from the energy transition. Australian Renewable Energy Alliance, 'RE-Alliance' is one such group. They have recently developed a paper – 'Striking a new deal for Renewables in Regions.' This paper makes strong recommendations that Governments MUST INCREASE INVESTMENT in affected rural communities in order to gain social licence. Investment includes:

- Increased housing stock;
- Improving rural roads and infrastructure;
- Health and education service expansion; and
- Energy bill discounts.

But is any of this mentioned in the final Victorian Transmission Plan or Engage Vic website? No, it is not, and until it is why would any rural community be keen to host this industrial landscape which will not benefit us whatsoever?

It is my view, that this idealistic energy policy will only leave Australia in debt forever while wealthy multinational companies control our energy and become even wealthier.

It is my firm belief, that unless the government INVESTS in the rural areas, they wish to impose this on, and earn some social licence, this proposed transition will not get up, nevertheless, ever run smoothly.

While I acknowledge that, as Local Government, we are not the decision makers and do not possess approval authority regarding the Victorian Transmission Plan, it is our responsibility as Councillors to advocate on behalf of our municipality.

Given these considerations, I must express my lack of confidence in the current form of the Victorian Transmission Plan and hereby move a vote of no confidence.

*Sources of Information for Notice of Motion: ABC News, Financial Review and Weekly Times.*

**Notice of Motion:**

That Councillors endorse the Notice of Motion;

That Yarriambiack Shire Council – Councillors, support a vote of no confidence in the current Victorian Transmission Plan as it stands, and further request:

- a) An immediate and substantial investment in local communities, services, and infrastructure, in recognition of the Government's proposal to establish renewable energy infrastructure within our Shire; and
- b) Consideration, assessment, and targeted funding for mental health support services, acknowledging the significant impact of the energy transition on community wellbeing. The Council recognises the social challenges and decline in cohesion arising from this process and seeks appropriate responses to address these issues.

**To Be Moved by Cr Corinne Heintze**

## 15 REPORTS FOR DECISION

### 15.1 CEO EMPLOYMENT AND REMUNERATION POLICY

*Prepared by Monique Metlika, Governance Support Officer*

#### SUMMARY

In accordance with section 22.1 of the Chief Executive Officer (CEO) Employment and Remuneration Policy, the policy must be reviewed within 12 months following each Council election.

The purpose of the report is to present the recommendations resulting from the review of the CEO Employment and Remuneration Policy conducted by the Councillors and the Independent Advisor of the CEO Employment and Remuneration Committee.

#### Recommended Motion:

That Council:

- a) Rescind the CEO Employment and Remuneration Policy adopted by Council on 26 June 2024; and
- b) Adopt the CEO Employment and Remuneration Policy as attached to this report.

#### ATTACHMENTS

[Attachment: CEO Employment and Remuneration Policy](#)

#### DISCUSSION

In accordance with section 45 of the *Local Government Act 2020*, a Council must develop, adopt and keep in force a Chief Executive Officer Employment and Remuneration Policy.

Pursuant to section 22.1 of the Chief Executive Officer (CEO) Employment and Remuneration Policy, the policy is required to undergo review within 12 months following each Council election.

At the Council Forum held on 13 August 2025, Councillors examined the CEO Employment and Remuneration Policy and resolved to implement the following revisions:

- a) Remove the reference to biennial review by the Audit and Risk Committee, in accordance with Council endorsement at the Ordinary Meeting of Council on 23 July 2025.
- b) Insert a disclaimer indicating that the policy may be reviewed as necessary to reflect legislative changes.
- c) Reformat the policy in alignment with the Council's Style Guide.
- d) Include a table outlining the effect to the supporting principles under the *Local Government Act 2020*.

On 27 August 2025, the Independent Advisor, Governance Support Officer, and Councillors convened to discuss the Independent Advisor's proposed alterations. The recommendations were unanimously approved by the Councillors. The following additional revisions have been made:

- a) Clause 5.1.1 amended to stipulate that Councillors have the discretion to reappoint the Chief Executive Officer's under a new contract for up to five years or to adjust the term to better align with relevant circumstances.
- b) Clause 6.1 amended to ensure that the Committee, including the Independent Advisor, is involved and communicated with throughout the CEO recruitment and reappointment process to maintain independent input.

- c) Clause 6.6 amended to stipulate that the Executive Search Consultant will collaborate with the Mayor and Governance Support Officer to determine key decision dates, ensuring they align with Council meeting dates for resolution.
- d) Clause 8.2 has been amended to remove the reference to dispute resolution procedures, as these are already stipulated in section 14 of the Policy. Additionally, clause 8.2.6 has been clarified to include conditions of employment.
- e) Addition of clause 9.1.3 to account for market conditions related to CEO remuneration and expenses, recognising the significant impact on rural councils.
- f) Addition of clause 9.3 to provide a clear justification for reasonable expenses incurred by the CEO.
- g) Clause under section 11 removed to ensure compliance with the Policy regarding the availability of the CEO's key performance indicators.
- h) Clause 13.4 has been amended to remove the requirement for a Council resolution to obtain independent advice, replacing it with approval from an authorised officer.
- i) Clause 14.1.2 and 14.2 amended to specify that actions should be taken within a reasonable timeframe, considering the circumstances to accommodate varying situations.
- j) Addition of clause 14.1.3 to stipulate that the CEO and Council will make all reasonable attempts to resolve disputes in house.
- k) Clause 14.3 and 17.1 slightly amended for clarification.

These revisions ensure that the CEO Employment and Remuneration Policy remains current, transparent, and aligned with legislative requirements and Council objectives.

## RELEVANT LAW

Section 45 of the *Local Government Act 2020*.

## COUNCIL PLANS AND POLICIES

| Council Plan 2025 – 2029<br>Strategic Objectives                   | Priorities                                                                                                                                                                                                                                            |
|--------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| A Council that serves its Community                                | <ul style="list-style-type: none"> <li>Undertake robust and transparent planning and risk management to ensure our organisation is sustainable now and into the future.</li> <li>Embed good governance practices into all decision making.</li> </ul> |
| Policies, Procedures, Guidelines, Plans, Strategies and Frameworks |                                                                                                                                                                                                                                                       |
| Policy                                                             | CEO Employment and Remuneration Policy<br>Public Transparency Policy                                                                                                                                                                                  |
| Other                                                              | Freedom of Information Part II Statement<br>YSC Corporate Style Guide                                                                                                                                                                                 |

## RELATED COUNCIL DECISIONS

- 23 July 2025 – Ordinary Council Meeting Minutes – Item 11.2 Audit and Risk Committee Meeting Minutes
- 26 June 2024 – Ordinary Council Meeting Minutes – Item 15.6 CEO Employment and Remuneration Policy
- 28 August 2019 – Ordinary Council Meeting Minutes – Item 13.3 CEO Employment and Remuneration Policy
- 23 June 2021 – Ordinary Council Meeting Minutes – Item 13.9 CEO and Directors Employment and Remuneration Policy

- 26 June 2023 – Audit and Risk Committee Meeting Minutes - General review by Committee members
- 24 April 2024 - Ordinary Council Meeting Minutes - CEO Employment and Remuneration Independent Chair

### OPTIONS

- a) Councillors may opt to reject the CEO Remuneration and Employment Policy and consider further revisions.

### SUSTAINABILITY IMPLICATIONS

|                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Social</b>    | Regularly reviewing the CEO Remuneration and Employment Policy enhances community confidence in Council's decision-making regarding the recruitment and management of the Council's CEO.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| <b>Financial</b> | The policy represents a significant financial investment for the Council, particularly in terms of recruitment costs every five years, but the benefits of attracting or retaining the best possible candidate far outweigh these costs. The policy ensures that the best candidate is recruited based on merit and that the market is tested regularly, justifying the financial investment in the CEO's remuneration. Additionally, the CEO's remuneration package is subject to annual review and adjustments to remain competitive and aligned with the market, supporting financial sustainability. The policy also includes mechanisms for performance monitoring and appraisal, ensuring that the CEO's performance aligns with the Council's strategic objectives, which is crucial for the organisation's financial sustainability. |

### COMMUNITY ENGAGEMENT

Not applicable.

### GENDER IMPACT ASSESSMENT

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 | The CEO Remuneration and Employment Policy has been reviewed in compliance with section 45 of the <i>Local Government Act 2020</i> and section 22.1 of the policy. | Maintains Residual Risk Level                      |
| Talent Management Risk - Residual Risk Level Low                              | The policy guarantees that the most qualified candidate is selected based on merit principles, with market testing conducted at least every ten years.             | 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.

The Chief Executive Officer has declared a conflict of interest regarding this matter and has recused herself from all discussions and meetings. As the CEO Remuneration Policy directly pertains to the Chief Executive Officer, she will depart during this section of the meeting. The Chief Operating Officer will assume the Chief Executive Officer's role for the duration of this item.

---

| Conflict Declared by                 | Reason - Explanation               | Time Officer Returned to Chambers |
|--------------------------------------|------------------------------------|-----------------------------------|
| Tammy Smith, Chief Executive Officer | Relates to the CEO Contract Terms. |                                   |

## 15.2 INFORMATION PRIVACY POLICY

*Prepared by Monique Metlika, Governance Support Officer*

### SUMMARY

During a comprehensive governance review and the implementation of privacy training, it became evident that the Information Privacy Policy could be enhanced. This policy update is essential to ensure compliance with the *Privacy and Data Protection Act 2014*.

The Act mandates that all organisations adhere to stringent privacy standards to protect personal data and maintain the trust of stakeholders. By revising the Information Privacy Policy, we are reinforcing our commitment to safeguarding sensitive information and upholding the highest standards of data protection.

This report seeks Council's endorsement for the proposed update.

### Recommended Motion:

That Council:

- c) Rescind the Information Privacy Policy adopted by Council on 28 February 2024; and
- d) Adopt the Information Privacy Policy as attached to this report.

### ATTACHMENTS

[Attachment: Information Privacy Policy](#)

[Link: Information Privacy and Privacy Statement - Yarriambiack Shire Council](#)

### DISCUSSION

On 09 July 2025, Councillors and select Council employees participated in Freedom of Information and Privacy Training facilitated by Maddocks. Following this training, the Governance Support Officer reviewed and assessed the Council's Information Privacy Policy. As a result of this review, the following changes have been implemented:

- a) The formatting has been updated to align with the Style Guide.
- b) The Policy has been rearranged for clarity.
- c) Headings have been renamed in accordance with the Information Privacy Principles to enhance readability and accessibility.
- d) The title 'Information Privacy Officer' has been removed from the Policy, as it is not a legislated title, and replaced with 'Chief People and Culture Officer,' who is the overarching responsible person for information privacy and the Policy.
- e) Additional information has been included regarding Privacy Impact Assessments and when they are required.
- f) A disclaimer has been added stating that, where reasonable, the personal information of Councillors, Senior Officers, and Senior Executive Officers, such as names and position titles, will be included in the Council's registers. However, where practicable, the Council will refrain from disclosing the names, position titles, or other personal information of other Council employees or individuals.
- g) The 'Information Privacy and Privacy Statement' webpage has been developed to partner with the Policy. A disclaimer has also been added to the Policy stating that the webpage is updated in conjunction with this Policy to ensure alignment with the latest revisions and stipulations.
- h) Additional information has been added to section 7 regarding lodging a complaint or enquiry about a privacy breach.
- i) Further information has been included throughout the Policy for clarification and to ensure awareness.

- j) The acronym for the *Privacy and Data Protection Act 2014* has been updated throughout the Policy, from PDPA to PDP Act.
- k) Section 17 has been updated to include references to all principles stipulated by the *Local Government Act 2020*.
- l) A disclaimer has been added to section 18, giving the CEO the authority to make administrative updates to the Policy without Council endorsement.

As previously mentioned, an 'Information Privacy and Privacy Statement' webpage has been developed to complement the Policy. This webpage has been created to ensure that the community is well-informed about the Policy and its implications. By providing a dedicated online resource, we aim to enhance transparency and accessibility, allowing community members to easily access and understand the information.

In conclusion, the comprehensive review and subsequent updates to the Council's Information Privacy Policy underscore our commitment to maintaining high standards of data protection and privacy. These changes ensure that the Policy is aligned with the *Privacy and Data Protection Act 2014*, enhancing clarity, accessibility, and compliance. By implementing these updates and developing the 'Information Privacy and Privacy Statement' webpage, we are fostering transparency and trust within the community, while safeguarding sensitive information and adhering to legislative requirements.

### RELEVANT LAW

- *Privacy and Data Protection Act 2014*
- *Freedom of Information Act 1982*
- *Victorian Charter of Human Rights and Responsibilities Act 2006*
- *Public Records Act 1973*
- *Surveillance Devices Act 1999*
- *Local Government Act 1989*
- *Local Government Act 2020*
- Local Government (Governance and Integrity) Regulations 2020
- Local Government (Electoral) Regulations 2020
- Local Government (Planning and Reporting) Regulations 2020

### COUNCIL PLANS AND POLICIES

| Council Plan 2025 – 2029<br>Strategic Objectives                   | Priorities                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|--------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| A Council that serves its Community                                | <ul style="list-style-type: none"> <li>• Undertake robust and transparent planning and risk management to ensure our organisation is sustainable now and into the future.</li> <li>• Embed good governance practices into all decision making.</li> <li>• Build trust through engaging with our community, delivering quality services and outcomes.</li> <li>• Promote initiatives ensuring safety, respect, and equal opportunities for all genders, aiming to end family violence.</li> </ul> |
| Policies, Procedures, Guidelines, Plans, Strategies and Frameworks |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| Policy                                                             | Closed Circuit Television (CCTV) Policy                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|                                                                    | Community Engagement Policy                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|                                                                    | Employee Code of Conduct                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|                                                                    | Public Transparency Policy                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |

|           |                                                                                                     |
|-----------|-----------------------------------------------------------------------------------------------------|
| Policy    | Public Interest Disclosure Policy and Procedures                                                    |
|           | Complaints Handling Policy and Procedure                                                            |
|           | Councillor Confidentiality Policy                                                                   |
|           | Information Management Policy                                                                       |
|           | Information Privacy Policy                                                                          |
| Procedure | Closed Circuit Television (CCTV) Standard Operating Procedure and Operations and Maintenance Manual |
|           | Information Management Procedure                                                                    |
| Other     | Freedom of Information Part II Statement                                                            |
|           | Local Government Privacy Guide                                                                      |

### RELATED COUNCIL DECISIONS

- 24 January 2018 – Ordinary Meeting of Council Minutes – Item 11.3 Adoption of Information Privacy Policy
- 24 February 2021 – Ordinary Meeting of Council Minutes - Item 14.5 Adoption of revised Information Privacy Policy
- 28 February 2024 - Ordinary Meeting of Council Minutes – Item 15.7 Information Privacy Policy

### OPTIONS

- a) It is considered best practice in governance for the Council to maintain an Information Privacy Policy. While Councillors have the option to withhold endorsement of the policy, they may also provide recommendations for further amendments.

### SUSTAINABILITY IMPLICATIONS

|               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
|---------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Social</b> | The implementation of the Information Privacy Policy will instil a greater sense of confidence within the community regarding the management and protection of personal information. By adhering to the guidelines set forth in this Policy, the Council demonstrates its commitment to upholding the highest standards of data privacy and security. This proactive approach not only ensures compliance with relevant legislation but also fosters trust and transparency between the Council and the community. As a result, residents can feel assured that their personal information is being handled with the utmost care and diligence, reinforcing the Council's dedication to safeguarding their privacy rights. |
|---------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

### COMMUNITY ENGAGEMENT

The Information Privacy Policy is accessible to the public through the Council's website.

Additionally, the community can utilise the 'Information Privacy and Privacy Statement' webpage to view the Council's Privacy Statement and a summary of the Policy. This ensures that the public is well-informed about the Council's commitment to privacy and data protection.

### GENDER IMPACT ASSESSMENT

Not required for this report.

### 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 | Maintaining an Information Privacy Policy is considered best practice in governance, as it ensures compliance with legislative requirements.                                                                     | Maintains Residual Risk Level                      |
| Reputational Risk - Residual Risk Level Low                                   | Failure to uphold Information Privacy standards can lead to reputational damage for the Council. This policy provides clear guidance and sets expectations on how the Council should manage private information. | 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.

## 15.3 DRAFT FINANCIAL STATEMENTS AND PERFORMANCE STATEMENT FOR YEAR END 30 JUNE 2025

***Prepared by Anita McFarlane, Chief Financial Officer (Principal Accounting Officer)***

### SUMMARY

In accordance with the *Local Government Act 2020* (Section 98 and 99), that came into effect on 24 October 2020, Council is required to approve a set of financial statements in principle and submit the resolution with the Financial Statements to the Victorian Auditor General Office (VAGO).

The Audit and Risk Committee is scheduled to consider the Annual Financial Accounts and Performance Statement at its meeting scheduled for the 22 September 2025. It is recommended that the Committee move a recommendation that Council approve the Annual Financial Statements and Performance Statement in principle, subject to no material change as a result of the Victorian Audit General's Office (VAGO) review.

### Recommended Motion:

That Council:

1. Approves "in principle" subject to no material changes as a result of the Victorian Auditor General Office review, the draft Annual Financial Report (attachment 1) for the year ended 30 June 2025 and the draft Performance Statement (attachment 2); and
2. Nominates Councillor Kylie Zanker and Councillor Karly Kirk to be authorised to sign the Annual Financial Report (Statements) and Performance Statement in their final form after any changes recommended, or agreed to, by the auditor have been made.

### ATTACHMENTS

[Attachment 1: Draft Financial Statements 2024/25](#)

[Attachment 2: Draft Performance Statement 2024/25](#)

[Confidential attachment: Draft Final Management Letter](#)

[Confidential attachment: Draft Closing Report](#)

*Note, the Audit and Risk Committee Minutes will be circulated as a late Agenda attachment on Tuesday 23 September 2025.*

### DISCUSSION

#### ***Financial Report***

Key financial data for the 2024-2025 financial year includes:

| Financial Overview   | 2024<br>\$'000 | 2025<br>\$'000 |
|----------------------|----------------|----------------|
| Total income         | 26,007         | 30,939         |
| Total expenses       | (29,353)       | (32,372)       |
| Surplus/Deficit      | (3,346)        | (1,432)        |
| Comprehensive result | (4,970)        | (1,210)        |
| Cash balance         | 6,382          | 10,946         |
| Total equity         | 225,380        | 224,170        |

- The 2025 total income of \$30.939 million is more than 2024 due to the early payment of 50% of the 2025/26 Federal Assistance Grant.
- Total expenses for 2025 of \$32.372 million is \$3.018 million more than the prior year mainly due to increase in depreciation.
- The comprehensive result is a \$1.210 million deficit for the 2024/25 year.
- Council's cash balance as of 30 June 2025 was \$10.946 million comprising \$7.968 million 'cash and cash equivalents' plus \$3.444 million cash from term deposits that are disclosed as 'other financial assets'. The total cash balance of \$11.413 million is \$4.585 million more than the prior year of \$6.828 million mainly due to the timing of grants being received in advance. An early payment of 50% of the 2025/26 Federal Assistance Grant was received in advance prior to 30 June 2025.
- Total equity has decreased from \$225.380 million to \$224.170 million.
- Capital spending of \$8.521 million was under budget during 2024/25 by \$122,411.

### **Performance Statement**

- The draft Performance Statement 2024/25 is in the tenth year of reporting against the auditable measures of the Local Government Performance Reporting Framework (LGPRF).
- Reporting has been prepared in accordance with relevant Local Government Better Practice Guides - Performance Reporting Framework Indicator Workbook.
- Comments have been provided for all performance measures, and where possible comment on trend over time and any material variations (+/- 10%) for current year versus prior year results. Variations of +/- have occurred in a significant number of performance measures.
- Financial Performance Measures are identified by the following LGPRF broad classifications:
  - Liquidity – Council is able to meet its liabilities when they fall due.
  - Obligations – including the ability to fund asset renewal while maintaining loan borrowing within prudent limits.
  - Stability – a measure of rate concentration and rate effort. The stability measure assesses the total of rate revenue relative to total revenue and relative to property values.
  - Underlying surplus – Council's ability to generate a surplus from day to day activities.

### **RELEVANT LAW**

*Local Government Act 2020*, Division 3 Reporting.

### **COUNCIL PLANS AND POLICIES**

Yarriambiack Shire Council Plan 2021-2025, which is applicable to the Financial Year 2024/2025.

### **RELATED COUNCIL DECISIONS**

Nil.

### **OPTIONS**

Council must comply with its obligations under Section 98 and 99 of the *Local Government Act 2020* (the Act) by passing a resolution giving its approval in principle to the performance statement and financial statements.

Council has the option of either:

- Nominating two Councillors to certify the Financial Statements and the Performance Statements; or

- b) Appointing any other persons prescribed by the regulations for the purposes of Section 99 sub-section 3(b) of the Act;

to sign the certified statements.

Once all certifications are received, the Annual Report must be adopted by the 31 October 2024 and made available in accordance with our Public Transparency Policy.

### **SUSTAINABILITY IMPLICATIONS**

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that the economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted.

The subject matter of the report does not raise any sustainability implications.

### **COMMUNITY ENGAGEMENT**

The development of the draft Annual Financial Report and Performance Statement has been undertaken in consultation with Council's external auditors on behalf of the Victorian Auditor General, and the Audit and Risk Committee.

### **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> |
|-------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------|
| Financial Risk - Residual Risk Level Medium                                   | The Financial and Performance Statements do not identify any risks that would increase Council's financial strategic risk levels.     | Maintains Residual Risk Level                             |
| Corporate Governance, Compliance and Liability Risk - Residual Risk Level Low | The preparation of the Annual Report and adhering to the legislation requirements ensure good corporate governance is being achieved. | 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.

## 15.4 MURTOA SWIMMING POOL REQUEST TO RE-OPEN PUBLIC TOILETS

*Prepared by Tammy Smith, Chief Executive Officer*

### SUMMARY

On 22 July 2025, the Yarriambiack Shire Council received notification from the Secretary of the Murtoa Swimming Pool Committee (the Committee) regarding their intention to close the public toilets at the entrance of the Murtoa Swimming Pool effective 31 July 2025.

Subsequently, on 10 September 2025, the Committee submitted a request to Council for the reopening of the public toilets.

As this constitutes a change in service provision, the matter is being referred to Councillors for determination.

### Recommended Motion:

That Council:

- a) Support the request from the Murtoa Swimming Pool Committee for the Murtoa Swimming Pool external facing building toilets to be re-opened to the public under the following conditions:
  - i. That a Memorandum of Understanding is enacted, prior to the re-opening of the toilets that outlines that Council is not responsible for the maintenance to the building and/or land, as the land and building is owned by the Department of Energy, Environment and Climate Action, and the Murtoa Swimming Pool Committee is the appointed Committee of Management;
  - ii. That the toilets are registered as public toilets on the national public toilets register.
  - iii. That Council undertake the cleaning of the public toilets on a Monday to Friday, excluding staff fortnightly roster days off (nine-day fortnight), and public holidays. In addition, Council will inspect, and if required clean, the toilets once over a weekend (either a Saturday or a Sunday).

### ATTACHMENTS

[Attachment: Letter - Reinstate Toilets - Murtoa Swimming Pool Committee](#)

[Attachment: Letters of Support](#)

### DISCUSSION

#### Background

On 11 March 2025, the Committee Secretary informed Council that the public toilet at the Murtoa Swimming Pool building, specifically the one on the right, was displaying a permanent "engaged" signal despite not being locked. The lock appeared to be broken, and an inquiry was made regarding when Council would address the issue.

On 11 March 2025, it was clarified that the Council does not own the building. The land belongs to the Department of Environment Energy and Climate Action (DEECA), and the Swimming Pool Committee is the registered Committee of Management. Responsibility for the building lies with the Swimming Pool Committee.

The Council supported the community by cleaning and stocking the Murtoa Pool public toilets. Additionally, the Council contributes financially to the upkeep and operation of all swimming pools throughout the Shire.

In subsequent correspondence, the Committee stated that they do not consider themselves responsible for maintaining the public toilets and noted that the pool does not make use of these facilities. The only connection between the pool and the public toilets is the shared wall within the building structure.

In 2019 Yarriambiack Shire Council was successful in receiving funding to upgrade the Murtoa Swimming Pool changerooms. This included a provision for external toilets to support the Tennis Club and Angling Club. The building is on DEECA land, and owned by the State Government, whilst being managed by the Swimming Pool Committee. Council's role was to support, auspice and deliver the community project scope outlined in the funding application.

The funding application identified that the external toilets were primarily constructed and made available for users of the Tennis Club and Angling Club. There was no mention in the application that the toilets would be designated as public toilets, or any reference to Council ownership. The application outlined that the building and site was owned by DEECA (formerly DELWP), and the building was managed by the Swimming Pool Committee.

#### Building Maintenance Issue

As Committee members have changed overtime, the role of Council versus Community/Committee in maintaining the new public toilet infrastructure became unclear.

The current Committee was of the belief that the toilet maintenance was the responsibility of Council. To further compound this issue, no Memorandum of Understanding regarding the terms of engagement and support was developed when the new building was constructed.

It is a general observation that community groups across Yarriambiack Shire are experiencing financial constraints and are seeking opportunities to reduce expenses where feasible. Therefore, not wishing to spend the Swimming Pool Committee funds on public toilet building maintenance, where they are not the primary user, was not considered unreasonable.

The Chief Executive Officer indicated willingness to attend a Swimming Pool Committee meeting to address the issue, subject to the Committee's interest. This invitation was not taken up.

#### Request to Close Public Toilets

On 10 September 2025, a request was submitted to Council to close the public toilets at the entrance of the Murtoa Swimming Pool building. The request cited:

*"The Committee is not in a financial position to assume the increased administration, insurance costs and ongoing liability for keeping the toilets open to the general public. After lengthy discussions with the Murtoa Progress Association it has been decided to close the toilets outside the Murtoa Pool for the foreseeable future".*

Following the request, an assessment was made regarding the number of public toilets available in Murtoa. With the pool toilets closing, two toilet blocks remained open and available, one being at Rabl Park and the other on Marma Street.

The request was then enacted, and the Public Toilet street signage was taken down and the facility was deregistered from the Public Toilet Register. Council staff discontinued cleaning the amenities and were re-deployed to other town maintenance activities.

#### Request to Re-Open Toilets

The broader community of Murtoa has identified that the public toilets at the Murtoa Swimming Pool is an important asset. The community has rallied and devised a solution to address the maintenance of the building. The Murtoa Progress Association and the Murtoa Lake Committee have proactively agreed to fund any necessary repairs to the facilities, and the Lake Committee has committed to providing in-kind support.

The Murtoa Pool Committee has respectfully requested that the toilets now be re-opened for public use, as the Committee has a sustainable solution for maintenance going forward.

### Recommendation

It is recommended that Council recommence the cleaning of amenities and restocking of supplies, as these services are already accounted for within the 2025/26 budget and do not require any additional allocation of funds or resources.

The cleaning is completed on a Monday to Friday, excluding fortnightly roster days off (nine-day fortnight), and public holidays. In addition, Council will inspect, and if required clean, the toilets once over a weekend (either a Saturday or a Sunday).

Since vandalism is a key concern for the Committee regarding toilet damage, it is recommended that Council collaborate with the Committee and encourage them to seek funding for door mechanisms that limit opening hours and help prevent future vandalism.

It is further advised that, prior to resuming cleaning operations, a memorandum of understanding be developed and executed to clearly define Council's ongoing responsibilities for maintaining the amenities.

### **RELEVANT LAW**

*Local Government Act 2020.*

### **COUNCIL PLANS AND POLICIES**

| <b>Council Plan 2025 – 2029<br/>Strategic Objectives</b>                  | <b>Priorities</b>                                                                                                                            |
|---------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------|
| A Council that serves its Community                                       | <ul style="list-style-type: none"> <li>Build trust through engaging with our community, delivering quality services and outcomes.</li> </ul> |
| <b>Policies, Procedures, Guidelines, Plans, Strategies and Frameworks</b> |                                                                                                                                              |
| Policy                                                                    | Community Engagement Policy                                                                                                                  |
| Plan                                                                      | Council Plan                                                                                                                                 |

### **RELATED COUNCIL DECISIONS**

Not applicable.

### **OPTIONS**

- a) Councillors could choose not to recommence the cleaning of the services, acknowledging that there are already two public toilets in Murtoa. The population of Murtoa was 897 people (2021 Australian Bureau of Statistics).

### **SUSTAINABILITY IMPLICATIONS**

|                  |                                                                                                                                                                               |
|------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Financial</b> | As the cleaning of the amenities is already included in the 25/26 budget, there is no financial sustainability implications arising from this activity.                       |
| <b>Social</b>    | A reduction in the number of public toilets available to the community affects gatherings at the Lake and events, as noted in the letters of support attached to this report. |

### **COMMUNITY ENGAGEMENT**

The Murtoa community has actively engaged in discussions and developed a proactive solution to ensure the ongoing maintenance responsibilities of the Murtoa Swimming Pool public toilets are effectively addressed.

### **GENDER IMPACT ASSESSMENT**

Not applicable.

**RISK**

| Strategic Risk Description and Residual Risk Level | Action to Mitigate/Reduce Risk                                                                                                                                                                                                                     | Does Action maintain or reduce Residual Risk Level |
|----------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------|
| Reputational Risk - Residual Risk Level Low        | Since toilet cleaning is already budgeted for 25/26, it is recommended to resume cleaning when the toilets reopen to the public. Not supporting the community's initiative may be viewed negatively by groups seeking to partner with the Council. | 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.

## 16 COUNCIL REPORTS FOR NOTING

### 16.1 CUSTOMER REQUEST MANAGEMENT QUARTERLY REPORT

*Prepared by Daniel Brandon, Manager Business Systems*

#### SUMMARY

This report presents an analysis of Council's Customer Request Management (CRM) activities from 01 July 2024 to 31 August 2025. It provides data on the total number of CRMs handled during this period, along with those carried over from earlier periods.

Focus is given to the CRMs created and closed between June 2025 to August 2025, alongside those placed on hold with respective rationales.

Additionally, the report highlights overdue and on hold CRMs including insight into the reasons for their delays and when they are expected to be resolved.

#### **Recommended Motion:**

That Council:

- a) Note the report attached and presented.

#### ATTACHMENTS

[Attachment: Quarterly CRM Reporting - June 2025-August 2025](#)

#### DISCUSSION

##### **Community Engagement**

Our community has provided valuable input on improving our engagement practices and information sharing. As a result, several initiatives have been implemented based on the feedback. The Council employs various methods for capturing CRMs, including:

- Telephone calls through our Customer Service team;
- Snap Send Solve application;
- Direct reporting via our website; and
- Reporting through our Community Engagement van.

##### **Customer Request Summary and Actions**

Since 01 July 2024 Council has received 2666 customer requests.

The CRMs created between June 2025 and August 2025 amounted to 575, with higher numbers of CRMs relating to Rates (54) Waste Rubbish and Bins (58), Planning and Building (72). This indicates a high level of activity in these areas during this period.

The CRMs closed during the same period totalled 451. The highest number of closed were related to Rates (53), Planning and Building (59) and Waste Rubbish and Bins (50). This suggests that these areas were effectively managed and mostly resolved within the given timeframe.

There were 16 CRMs placed on hold in total. CRMs were placed on hold either pending more information, resources or scheduled for later resolution.

Overdue CRMs continue to be a focus, with 138 CRMs remaining unresolved past their expected resolution dates. This has reduced significantly down from 239 Overdue CRM's last quarter (a reduction in overdue CRMs of 42%). The highest number of overdue CRMs were Planning and Building (28), Sealed Roads (18) and related to Trees (18), all down from the previous quarter.

##### **Roads Summary**

We have 4,824 kms of roads to manage and maintain, across 7,326 square kilometres.

Between June 2025 and August 2025, Council has continued to focus on its maintenance grading program and will continue to address any outstanding CRMs lodged.

The attached report summarises last quarter's grader activities across the Shire. Residents can stay updated through our Yarri Yarns Newsletter or check weekly grader activity reports on our website.

## RELEVANT LAW

Not applicable.

## COUNCIL PLANS AND POLICIES

| Council Plan 2025 – 2029<br>Strategic Objectives                   | Priorities                                                                                                                                   |
|--------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------|
| A Council that serves its Community                                | <ul style="list-style-type: none"> <li>Build trust through engaging with our community, delivering quality services and outcomes.</li> </ul> |
| Policies, Procedures, Guidelines, Plans, Strategies and Frameworks |                                                                                                                                              |
| Policy                                                             | Community Engagement Policy                                                                                                                  |
| Other                                                              | Customer Service Charter                                                                                                                     |

## RELATED COUNCIL DECISIONS

Not applicable.

## OPTIONS

Not applicable.

## SUSTAINABILITY IMPLICATIONS

|           |                                                                                                                                                                                                                                                                                                                       |
|-----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Financial | Council has competing priorities, and due to financial constraints cannot action all CRMs in a manner expected by the submitter/requestor. CRMs are prioritised according to risk, location and groupings for efficiency gains and achieving value for money when engaging contractors or undertaking internal works. |
|-----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

## COMMUNITY ENGAGEMENT

Promotion to the community to report any problems or issues via our CRM system directly on our website or through the Snap, Send, Solve application.

Providing a weekly update, via Yarri Yarns and Council's website, to residents regarding the ongoing work being carried out on our extensive road network by our grader teams.

## GENDER IMPACT ASSESSMENT

Not applicable.

## RISK

| Strategic Risk Description and Residual Risk Level | Action to Mitigate/Reduce Risk                                                                                                                                                                                                  | Does Action maintain or reduce Residual Risk Level |
|----------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------|
| Reputational Risk - Residual Risk Level Low        | <p>It is important for Council to manage its communication effectively in regard to CRM's.</p> <p>The community needs to know they have a mechanism of reporting, and feedback is provided on timeframes and actions taken.</p> | Maintains Residual Risk Level                      |

## REGIONAL, STATE AND NATIONAL PLANS AND POLICIES

Not applicable.

## CONFLICTS OF INTEREST

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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 PERMITS ISSUED

List of permits issued in August 2025 is listed below for noting.

### Recommended Motion:

That Council:

Note the permits issued by Council between 01 August 2025 to 31 August 2025.

| Reference No                  | Description                                                                     | Address       | Date of Issue |
|-------------------------------|---------------------------------------------------------------------------------|---------------|---------------|
| <b>Local Law Permits</b>      |                                                                                 |               |               |
| 12/25                         | Conduct festival, carnival, or similar event on a roadway.                      | Murtoa        | 27/08/2025    |
| 12/25                         | Keeping more than the allowed number of animals                                 | Warracknabeal | 19/08/2025    |
| <b>Planning Permits</b>       |                                                                                 |               |               |
| PA20250059                    | Construction of netball, football and swimming change rooms and a netball court | Minyip        | 19/08/2025    |
| <b>RRWP &amp; APP Permits</b> |                                                                                 |               |               |
| 2025-10                       | Double Vehicle Cross over                                                       | Warracknabeal | 05/08/2025    |

## 18 CLOSED DECISIONS TO BE RECORDED IN OPEN COUNCIL MEETING AGENDA

Nil.

## 19 URGENT BUSINESS

Business cannot be admitted as urgent business, other than by resolution of Council. Council must only admit business as urgent if the business:

- a) Cannot safely or conveniently be deferred until the next Council meeting; or
- b) Involves a matter of urgency, as determined by the CEO.

Councillors may ensure that an issue is listed on an Agenda by submitting a Notice of Motion in accordance with Governance rules, item 2.13.

If the CEO rejects the Notice of Motion, they must provide a response to the Councillor as outlined in 2.13 (e) of the Governance Rules.

## 20 NEXT MEETING

Wednesday 29 October 2025

## 21 CLOSED

Council will close the Ordinary Meeting of Council and move to the Closed (Confidential) Meeting of Council. Noting the meetings will be considered as two separate meetings.

### **Recommended Motion:**

That the Ordinary Meeting of Council is now closed at (time).

Council will now proceed to the Closed (Confidential) Meeting of Council.

## SUMMARY CLOSED (CONFIDENTIAL) MEETING AGENDA

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 items:

### 1. CHIEF EXECUTIVE OFFICER KEY PERFORMANCE INDICATORS

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

- a) Because it is personal information, being information which if released would result in unreasonable disclosure of information about any person (section 3(1)(f)); and
- b) This ground applies because the Agenda Item concerns human resource information about the Chief Executive Officer, that would, if prematurely released, compromise Council's position in relation to the requirement to comply with the *Privacy and Data Protection Act 2014*.

### 2. C346-2025 PANEL OF PREFERRED SUPPLIERS – PROFESSIONAL SERVICES

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

- a) 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
- b) 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.