



Yarriambiack
SHIRE COUNCIL

Minutes

Ordinary Meeting of Council

AUGUST 23, 2023
COUNCIL CHAMBERS
34 Lyle Street, Warracknabeal

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 connected rural community who values its land and wellbeing.

We will achieve this vision through:

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

CONTINUOUS IMPROVEMENT

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

LIVE STREAMING

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

1 WELCOME

2 STREAMING PREAMBLE

As the meeting Chair, I give my consent for this Open Council Meeting to be streamed live, recorded and published online.

Anyone who is invited to read out a question as part of item 13 – Public Questions will be recorded and their voice, image and comments will form part of the livestream and recording.

Anyone who submits a question as part of item 13 – Public Questions will have their name stated and recorded as part of the livestreaming and recording.

The Chair 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.

The public can view this livestream 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 stream, the meeting will be adjourned until the issue is resolved or the meeting will be postponed to another time and date in accordance with Council's meeting procedures and Governance Rules.

Confirmation that Councillors in the Chambers can see and hear Councillor Lehmann and that Councillor Lehmann can see and hear Councillors in the Chambers

3 ACKNOWLEDGEMENT AND PRAYER

Mayor K Zanker to open the meeting at 9:30am by acknowledging the Indigenous Community 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, present and emerging'.

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

Name	Role	
Cr Kylie Zanker	Mayor	
Cr Andrew McLean	Councillor	
Cr Tom Hamilton	Councillor	
Cr Graeme Massey	Councillor	
Cr Chris Lehmann	Councillor	Attended Online
Cr Corinne Heintze	Councillor	
Cr Karly Kirk	Councillor	
Tammy Smith	Chief Executive Officer	
Tony Caccaviello	Chief Operating Officer	
Adam Moar	Manager Development and Environmental Services	
Joel Turner	Manager Infrastructure and Works	
Belinda Penny	Governance Officer	

5 APOLOGIES OR REQUEST FOR LEAVE OF ABSENCE

Name / Role	Description of Leave / Absence

6 CONFIRMATION OF MINUTES

6.1 MINUTES 26 July 2023 – ORDINARY MEETING

Minutes of the Ordinary Meeting of Council held on 26 July 2023 be taken as an accurate record and confirmed.

Recommended Motion:

That the minutes of the Ordinary Meeting of Council held on 26 July 2023, as circulated be taken as read and confirmed.

Resolution:

Moved Cr C Heintze Seconded Cr K Kirk

That the recommendation be adopted

Carried

6.2 MINUTES 26 JULY 2023 – CLOSED (CONFIDENTIAL) MEETING

Minutes of the Closed (Confidential) Meeting of Council held on 26 July 2023 be taken as an accurate record and confirmed.

Recommended Motion:

That the minutes of the Closed (Confidential) Council Meeting of Council held on 26 July 2023, as circulated, be taken as read and confirmed.

Resolution:

Moved Cr T Hamilton Seconded Cr C Heintze

That the recommendation be adopted

Carried

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.
- 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
Cr C Lehmann	19.2 Gateway BEET Contract Update	Content of report to be discussed during the meeting.

8 BUSINESS ARISING

8.1 BUSINESS ARISING FROM PREVIOUS MINUTES

8.2 ONGOING AND PENDING ACTION LIST

Council Meeting	Recommendation Action	Action Taken
28 September 2022	Council to undertake a recycling collection service survey in October 2023	Task added to the Council Meeting and Forum Agenda Planner 2023.
23 November 2022 Item 15.2	Request to install wombat crossing in Scott Street, Warracknabeal.	<p>Council to commence applying for funding opportunities to pay for the installation of the crossing.</p> <p>Revisit proposal in 12 months' time (November 2023) if Council has been unsuccessful in securing funding.</p> <p>Council currently has a TAC application submitted for wombat crossing funding. We are awaiting outcome.</p>
26 April 2023 Item 17.2	Commence public notice period to receive community feedback regarding the closure and discontinuation of Hobson Street, Rupanyup.	<p>Commence Public Notice in accordance with legislative requirements.</p> <p>If no objections received, Hobson Street, Rupanyup is to be removed from Council's Road Register.</p> <p>Gazettal notice to close, discontinue Hobson Street Rupanyup was published in G23, on 08 June 2023.</p>
26 July 2023 Item 15.7	Update on status of the Rabl Park Bridges to be provided at the next Council meeting.	Item 15.9 Rabl Park Bridges Update Report included in this Agenda.

9 PETITIONS

9.1 Rabl Park Bridges

Attachment: Petition Rabl Park Bridges - withheld from public viewing

A Petition titled 'Save our Bridges – Rabl Park' was received on the 15 August 2023 at the Rabl Park Community Meeting contains 65 signatures from Murtoa and district residents.

Confidential Information withheld from public;

Under the Local Government Privacy Guide recommendations, Petitions containing personal information is not to be included in a public Council agenda. The Petition has been made available to Councillors and authorised officers of Council only.

Recommended Motion:

That Council note the Petition titled 'Save our Bridges – Rabl Park' that was received on 15 August 2023 and has been viewed by Councillors and authorised officers of Council.

Resolution:

Moved Cr T Hamilton Seconded Cr C Heintze

That the recommendation be adopted

Carried

10 CORRESPONDENCE

Outgoing		
Date	Recipient	Details
10/08/23	Mallee Catchment Management Authority	Letter of Support – Risk and Resilience Funding Application
03/08/23	Hopetoun Historical Society	Letter of Support – Funding Opportunity - Workstation
31/07/23	Rupanyup and District Men's Shed	Letter of Support – Funding Opportunity – Solar Panel Project
26/07/23	Schools within Shire	Request for information regarding School Holiday program activities

Incoming		
Date	Sender	Details
15/08/23	Community Members	Petition – as noted in section 9.

11 SPECIAL COMMITTEES

11.1 Audit and Risk Committee Meeting

Audit and Risk Committee Meeting was held on 17 July 2023 at Warracknabeal

[Attachment: Audit and Risk Committee Meeting Draft Minutes](#)

Recommended Motion:

That Council note the Draft Minutes from the Audit and Risk Committee of Council held on 17 July 2023.

Resolution:

Moved Cr T Hamilton Seconded Cr G Massey

That the recommendation be adopted

Carried

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

Date	Description
Monday 25 September 2023	Special Meeting – Financial Statement
Monday 16 October 2023	Ordinary Meeting
Monday 19 February 2024	Ordinary Meeting

11.2 Yarriambiack Tourism Advisory Committee of Council

Yarriambiack Tourism Advisory Committee of Council meeting was held 7 August 2023 at Warracknabeal

[Attachment: Yarriambiack Advisory Committee of Council Minutes](#)

Recommended Motion:

That Council note the Minutes from the Yarriambiack Tourism Advisory Committee of Council held on 7 August 2023.

Resolution:

Moved Cr K Kirk Seconded Cr C Heintze

That the recommendation be adopted

Carried

12 ACTIVITY REPORTS

12.1 MAYOR ACTIVITY REPORT – AUGUST 2023

Mayor Kylie Zanker – Warracknabeal Ward		
Date	Activity	Location
27/07/2023	ABC National Radio interview regarding heritage listing of Warracknabeal Ladies Rest Rooms	Online
28/07/2023	3AW Radio interview regarding heritage listing of Warracknabeal Ladies Rest Rooms	Online
	Attended MAV Housing Summit – Everyone needs a home and a community	Online
30/07/2023	Christmas in July event at Warracknabeal Town Hall	Warracknabeal
	Opening of Hopetoun and District new display at the Hopetoun Scout Hall	Hopetoun
01/08/2023	Warracknabeal Amateur Basketball Association Annual General Meeting to preside and elect new office bearers	Warracknabeal
03/08/2023	Mallee Machinery Field Days with Councillors and Council Staff	Speed
	FLOW FM Radio Interview regarding varying topics (housing, roads, footpath hierarchy)	Online
04/08/2023	Aubrey FM Hit Breakfast Radio interview regarding heritage listing of Warracknabeal Ladies Rest Rooms	Online
	Mayor and CEO weekly catch up	Warracknabeal
	Chaired the Annual General Meeting of the Warracknabeal Ladies Rest Rooms	Warracknabeal
07/08/2023	Attended with Cr Massey the Yarriambiack Tourism Advisory Group Meeting	Warracknabeal
08/08/2023	With CEO, Tammy Smith and Lucinda White from the White Foundation regarding Yarriambiack Shire Council Housing opportunities	Online
09/08/2023	Council Forum	Warracknabeal
10/08/2023	Quarterly Wimmera Regional CEO and Mayors Meeting	Horsham
11/08/2023	Mayor and CEO weekly catch up	Warracknabeal
14/07/2023	Attended with CEO, Tammy Smith Murtoa Lions Club as guest speakers	Murtoa
15/08/2023	Attended Rable Park Community Meeting in Murtoa at Neighbourhood House	Murtoa
18/08/2023	Mayor and CEO weekly catch up	Warracknabeal
	Attended with CEO, Tammy Smith Warracknabeal Regional Livestock Exchange Meeting with Livestock Exchange representatives	Warracknabeal

12.2 COUNCILLOR ACTIVITY REPORTS – AUGUST 2023

Cr Andrew McLean – Hopetoun Ward		
Date	Activity	Location
30/07/2023	Opening of Hopetoun and District new display at the Hopetoun Scout Hall	Hopetoun
09/08/2023	Council Forum	Warracknabeal
22/08/2023	Sunraysia Highway Improvement Committee Meeting	Birchip

Cr Tom Hamilton – Dunmunkle Ward		
Date	Activity	Location
02/08/2023	Mallee Machinery Field Days	Speed
09/08/2023	Council Forum	Warracknabeal
15/08/2023	Attended Rable Park Community Meeting in Murtoa at Neighbourhood House	Murtoa
22/08/2023	Wimmera Southern Mallee Development Board Meeting	Online

Cr Graeme Massey – Warracknabeal Ward		
Date	Activity	Location
02/08/2023	Mallee Machinery Field Days	Speed
07/08/2023	Chaired Yarriambiack Tourism Advisory Group Meeting	Warracknabeal
08/08/2023	Warracknabeal Action Group (WAG) Meeting	Warracknabeal
09/08/2023	Council Forum	Warracknabeal
14/08/2023	Chaired West Vic Business Advisory Meeting	Warracknabeal
	Chaired Warracknabeal Senior Citizens Annual General Meeting	Warracknabeal

Cr Chris Lehmann – Hopetoun Ward		
Date	Activity	Location
30/07/2023	Opening of Hopetoun and District new display at the Hopetoun Scout Hall	Hopetoun
03/08/2023	Mallee Machinery Field Days	Speed
09/08/2023	Council Forum	Warracknabeal
17/08/2023	Beulah Progress Association Meeting	Beulah

Cr Corinne Heintze – Dunmunkle Ward		
Date	Activity	Location
07/2023	Minyip Progress Association Meeting	Minyip
09/08/2023	Council Forum	Warracknabeal
10/08/2023	Yarrilinks Street Consultation	Minyip
14/08/2023	West Vic Business Advisory Committee	Warracknabeal
	Rupanyup Progress Association Meeting	Online

Cr Karly Kirk – Warracknabeal Ward		
Date	Activity	Location
02/08/2023	Mallee Machinery Field Days	Speed
08/08/2023	Chaired Scouts Annual General Meeting	Warracknabeal
09/08/2023	Council Forum	Warracknabeal

12.3 CHIEF EXECUTIVE OFFICER ACTIVITY REPORT – AUGUST 2023

Tammy Smith		
Date	Activity	Location
01/08/23	Meeting with Neighbourhood House and Gateway BEET	Hopetoun
01/08/23	Meeting with Donald Mineral Sands	Horsham
02/08/23	Joint State Government / Local Government CEO Forum	Online
02/08/23	Meeting with Wheatlands Museum representatives	Warracknabeal
02/08/23	Wimmera Southern Mallee Partnership Meeting	Horsham
04/08/23	Mayor and CEO Meeting	Warracknabeal
07/08/23	Patchewollock Inc Meeting	Patchewollock
08/08/23	With Mayor, Kylie Zanker and Lucinda White from the White Foundation regarding Yarriambiack Shire Council Housing opportunities	Online
09/08/23	Council Forum	Warracknabeal
10/08/23	Quarterly Wimmera Regional CEO and Mayors Meeting	Horsham
10/08/23	Wimmera Mallee Tourism CEO Meeting with Department of Jobs, Skills, Industry and Regions representatives	Horsham
10/08/23	Meeting with Wimmera Mallee Tourism Chair and Department of Jobs, Skills, Industry and Regions representatives	Horsham
11/08/23	LGPro Meeting	Melbourne
11/08/23	Digital Summit 2023 – Panel Briefing meeting	Online
14/08/23	Rural Northwest Health CEO Meeting	Warracknabeal
14/08/23	Meeting with Drag Racing Club representative	Online
14/08/23	With the Mayor, attended Murtoa Lions Club Meeting	Murtoa
14/08/23	Mayor and CEO Meeting	Online
15/08/23	Attended Rable Park Community Meeting in Murtoa at Neighbourhood House	Murtoa
16/08/23	Meeting with Warracknabeal Action Group Chairperson	Warracknabeal
17/08/23	Meeting with Telstra – Regional Engagement Team	Warracknabeal

18/08/23	Attended with CEO, Tammy Smith Warracknabeal Regional Livestock Exchange Meeting with Livestock Exchange representatives	Warracknabeal
18/08/23	Mayor and CEO Meeting	Warracknabeal
21/08/23	Grampians Tourism meeting	Online
21/08/23	White Foundation Meeting – Housing discussion	Online
22/08/23	Sustainable Childcare 4 Rural Kids (SC4RK) steering committee meeting	Online

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 Chief Executive Officer 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 Officer is to respond.

13.1 QUESTIONS SUBMITTED

Name:	Town:
Question:	
Respondent:	
Response:	

COUNCILLOR REPORTS

This section of the Agenda includes the Mayor's Advocacy Report, Funding Updates and Notice of Motions.

13.2 MAYORS REPORT

Prepared by Mayor Kylie Zanker

Rabl Park Update

On 15 August 2023, Cr Tom Hamilton, Tammy Smith CEO, Council Officers and I attended the Rabl Park Community Meeting. The meeting was well attended, and the community was gracious in allowing us the opportunity to explain what lead to the sudden closure of the wooden Rabl Park bridges, why the bridges need to be removed, and what solutions we have already implemented and plan to implement to address community concerns. As a Council we acknowledge the importance of Rabl Park to the community, and that closing the bridges did present with pedestrian safety issues. At the meeting we were also joined by ROSS Planning who presented on the draft Rabl Park Masterplans, which provided for a long-term vision for the park. The Masterplans are now available for community consultation, and we encourage the community to review the plans and provide feedback.

Master Plans Update

The Minyip Recreation Reserve, Hopetoun Recreation Reserve, Warracknabeal Recreation Precinct, and as mentioned above the Rabl Park masterplans are all now available for community consultation. We encourage the community to visit our website and view the Masterplans, and we welcome all feedback. If you would like a hardcopy please do not hesitate to contact our Customer Service team and they will happily send you out a copy.

Early Learning Centre Murtoa

We are excited to provide an update to the community on the Murtoa College Early Learning Centre. The Department of Education is managing this project, and the new centre will cater to 0-5 year olds, providing long day care, three and four year old kindergarten as well as maternal child health rooms. It will also include an outdoor learning and play space, along with a car park.

The centre will be licensed for 57 places, making it easier for families in the local area to access affordable childcare. This will be a state government operated centre, which will see the decommissioning of our Murtoa Kindergarten in late December 2024, to support the opening of this new centre in 2025. Kindergarten, and long day care will be managed by the state government in Murtoa from 2025.

This is one of the 50 centres that form part of Victoria's \$14billion Best Start, Best Life reform. We are excited to be the first rural Council to have a centre opened in our community by January 2025.

Further information regarding enrolments will be available next year.

New Housing Units

The first of our new housing units are scheduled to arrive from 21 August in Woomelang, and shortly after in Murtoa. Four of the seven units planned for construction in the Shire will be delivered under this funding agreement. We are still continuously advocating and exploring opportunities for our shovel ready housing projects, specifically in Murtoa, Warracknabeal and Hopetoun.

14 REPORTS FOR DECISION

14.1 Revision of Council Plan 2021-2025 Year 3 and 4

Prepared by Tammy Smith, Chief Executive Officer

SUMMARY

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

Since the adoption of the initial plan, the Long-Term Financial Plan has been extracted, and has become a separate document. Councillors and senior management also participated in a strategic planning day which informed the revision of the Council Plan and its strategic priorities for the next two years. This paper presents the final revised version of the Council Plan for Years 3 and 4, that has undertaken community consultation in accordance with Council's Community Engagement Policy.

Recommended Motion:

That Council:

Adopt the revised Council Plan 2021-2025 for years three and four, that has undertaken community engagement in accordance with Council's Community Engagement Policy.

Resolution:

Moved Cr K Kirk Seconded Cr G Massey

That the recommendation be adopted

Carried

ATTACHMENTS

[Attachment: Yarriambiack Council Plan 2021 - 2025 – Revision Years 3 and 4](#)

DISCUSSION

Councillors and senior management participated in a facilitated strategic planning day on Wednesday 14 June 2023, where the Council's strategic objectives were reviewed and prioritised.

The revised plan outlines Council's strategic objectives, and linked priorities, whilst also including indicators, measures, Council's role and financial contribution commitment.

This document has been revised and will inform Council's actions and decision making for the next two years. An Operational Delivery Plan has also been developed in conjunction with this plan, that is linked to the CEO's key performance indicators.

RELEVANT LAW

The requirement for a Council Plan, 10-year Community Vision, 10-year Long Term Financial Plan are set out at Part 4, Division 1 Planning and Financial Management of the *Local Government Act 2020*. The requirement for Council to have a Public Health and Wellbeing Plan is set out in the *Public Health and Wellbeing Act 2008*.

COUNCIL PLANS AND POLICIES

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

RELATED COUNCIL DECISIONS

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

On 27 July 2022, Council adopted the Council Plan 2021-2025 Year 2 Actions.

OPTIONS

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

SUSTAINABILITY IMPLICATIONS

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

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

COMMUNITY ENGAGEMENT

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

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

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

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

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

The Year two actions were developed based on the strategic objectives of the adopted Council Plan, and were reviewed by Councillors, prior to being placed on public exhibition and adopted on 27 July 2022.

The Revised Council Plan was developed in consultation with the Councillors and placed on public exhibition in accordance with Council's Community Engagement Policy. Council received no public comments or submissions in relation to the revision.

GENDER IMPACT ASSESSMENT

Not applicable. A GIA is completed for projects and/or processes that impact the community on an individual basis.

RISK

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

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

REGIONAL, STATE AND NATIONAL PLANS AND POLICIES

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

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

CONFLICTS OF INTEREST

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

14.2 Endorsement of Hopetoun Former School Site Feasibility Study and Business Case

Prepared by Tammy Smith, Chief Executive Officer

SUMMARY

This report outlines the findings from the Hopetoun Former School Site Feasibility Study, and Business Case and included recommendations for Council's consideration and endorsement.

Recommended Motion:

That Council:

- a) Endorse the Hopetoun Former School site Feasibility Study and Business Case as presented to Councillors during Councillor Forum on 12 July 2023.
- b) Endorse that Council Officers commence the design phase for the residential development included in the Feasibility Study and Business Case.
- c) Endorse that Council allocate \$50,000 of funding from unallocated revenue to the residential development design phase of the project, for the purpose of seeking and/or capitalising on future funding and/or investment opportunities that may arise.
- d) Endorse that Council explores grant funding opportunities for the detailed design and the engagement of a quantity surveyor for the multipurpose venue and accommodation venue component of the project, and the co-contribution be funded via Council's unallocated revenue.

Resolution:

Moved Cr A McLean Seconded Cr K Kirk

That the recommendation be adopted

Carried

ATTACHMENTS

[Attachment: Hopetoun Former school Site Feasibility Study and Business Case Executive Summary](#)

DISCUSSION

On 24 November 2021, Council resolved to purchase the Old School Site, on the corner of Bruce and Garrard Street Hopetoun.

Council engaged Urban Design to undertake Master Planning to reflect the communities long term vision for the site. A building condition report was also undertaken to inform the final Masterplan.

The final plan reflected a vision of the site being utilised for:

- A multipurpose venue and accommodation enterprise
- Residential development
- Historic attraction / museum / visitor experience.

Council resolved to form a Hopetoun Old School Site Advisory Committee of Council to commence the planning for the next stage of the project.

Funding was secured via the Regional Infrastructure Fast Track Investment Fund from the State Government to develop a Feasibility Study and Business Case for the site.

The Advisory Committee was instrumental in assisting the consultant and bringing key stakeholders together to ensure the final document was thorough and well researched.

Outcome of the Report

Residential Development

Shortages of housing for rent and sale have been widely acknowledged as the greatest barrier to filling job vacancies, attracting skilled workers and achieving population growth in small towns across the Yarriambiack Shire. Housing shortages were evident well before the COVID pandemic but have been exacerbated by it. They occur at a time when the region has major economic development opportunities (in renewable energies, mineral sands mining, value added agriculture and tourism) which will diversify the existing industry base for the first time in decades.

Yarriambiack Shire is conscious of the housing crisis currently impacting its towns and has committed to intervening in order to help in addressing the problem, within budgetary and statutory constraints.

Hopetoun is Yarriambiack Shire's third largest town with a 2021 resident population of 694 persons, the median age of residents was 56 years compared with a Victorian median of 38 years. After several decades of slow population decline, Hopetoun's population continued to fall between 2016 and 2021, at an average annual rate of 1.3% per annum. Other towns in Yarriambiack recorded population increases (including Brim, Murtoa and Rupanyup) and there is an expectation that Hopetoun's population will begin to stabilise in the next 10-15 years if housing limitations can be overcome.

It is estimated that a total investment of \$3,896,450 is required for the development of 10 residential allotments with 2- and 3-bedroom modular detached houses.

Funding Opportunities – Residential Development

A number of options have been proposed for how the residential model could be funded and/or delivered. It is recommended that Council be agile with their approach, based on potential funding opportunities.

The State Government's recently announced \$1billion housing fund for 1,300 new social and affordable housing homes in rural and regional Victoria is promising, and Council needs to be shovel ready to embrace opportunities from this announcement.

There is also the opportunity to develop a Special Purpose Vehicle for housing investment in conjunction with Wimmera Southern Mallee Development Association.

It is recommended that Council commence the process of planning for the housing development, including the designs for the subdivision to be shovel ready and capitalise on funding and/or investment opportunities.

Multipurpose venue and accommodation enterprise

This opportunity involves redevelopment of Hopetoun's former primary school complex (the 1978 constructed buildings/campus) to be utilised as a multipurpose venue and accommodation facility. The multi-purpose facility (the 'Centre') will cater for schools (on 'camps', leadership training programs or other retreats), special interest groups, corporate get-togethers and even functions (like weddings, anniversaries, etc) as well as providing accommodation for visitors (tourists and business travellers) and occasionally as a short-term solution for key worker accommodation.

There are options listed within the attached report relating to the organisation, capital redevelopment and operations for this component of the site.

It is estimated that the capital redevelopment cost for this component of the site is approximately \$4.3million.

Funding Opportunities – Accommodation Enterprise

Majority of funding opportunities available require a 30% co-contribution for Hopetoun based projects. Council would need to contribute approximately \$1.29million to this project to secure funding.

It is recommended that Council, in the first instance, break the project into two phases, design and construction. It would be recommended that Council apply for funding to undertake detailed designs for the accommodation venue, along with engaging a quantity surveyor to provide an accurate construction cost estimate for the project.

Once this is complete, this will inform future funding submissions, and provide Council with accurate costs to undertake the project.

This approach will also mitigate project and financial risks relating to over commitment and spend, especially in this volatile market, where building construction costs have significantly increased.

RELEVANT LAW

Local Government Act 2020

COUNCIL PLANS AND POLICIES

Council Plan – Strategic Objective 2: A Healthy and Inclusive Community.

RELATED COUNCIL DECISIONS

24 November 2021 – 12.2 Purchase of Former Hopetoun School Site

OPTIONS

- a) *Accommodation Venue:* Council could choose to decide now on the direction of how Council wishes to operate the facility once it is built. This seems pre-emptive, as detailed designs and costings need to be established to inform this decision. Due to funding constraints, if the project was to be constructed in stages, then it may be considered a better model to manage risks, that Council operated the site until such time as the full project is realised.
- b) *Residential Development:* Council could choose a specific model to pursue as outlined in the feasibility study and business case, however this could limit Council's ability to capitalise on funding and/or investment opportunities that arise.

SUSTAINABILITY IMPLICATIONS

Economic: The accommodation venue will provide an economic stimulus for the Shire and region, as it was noted in the feasibility study and business case, there was limited facilities that could accommodate large groups. This would encourage groups to stay and spend within our Shire.

Social: The redevelopment of the site provides an overarching benefit to the Hopetoun and district community. Beautifying and investing in the site, enhances social health and wellbeing outcomes within the municipal district. It creates a sense of pride, and the housing development provides opportunities for people to reside longer in their communities, increasing and/or enhancing social connection.

Financial: Council needs to ensure they invest in project planning to inform grant applications. There is a risk, in this current economic environment that Council could be exposed to cost escalation risks.

COMMUNITY ENGAGEMENT

The development of the Masterplans for the Hopetoun Former School site undertook extensive community engagement.

Council endorsed a Hopetoun Old School Site Advisory Committee of Council, which was established via an open and transparent nomination process.

The Hopetoun Old School Site Committee was engaged as part of the Feasibility Study and Business Case development.

It is important to note, this project has been a community lead and driven project. Council's role has been facilitating and enabling this project to succeed.

GENDER IMPACT ASSESSMENT

Not applicable at this stage. GIA will be undertaken during the design phase.

RISK

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

<i>Strategic Risk Description and Residual Risk Level</i>	<i>Action to Mitigate/Reduce Risk</i>	<i>Does Action maintain or reduce Residual Risk Level</i>
Strategy Execution and Change Management Risk - Residual Risk Level Medium	This project is aligned with the Council Plan objectives and strategic priorities, along with the Council's Economic Development Strategy, the Wimmera Southern Mallee Regional Economic Development Strategy, Horizon Highway and WSMD Strategic Plan. It also supports the strategic vision for Tourism outlined in the WMT Strategy.	Reduces Residual Risk Level
Financial Risk - Residual Risk Level Medium	Ensuring funds are dedicated to design and cost estimating will reduce Council's risk of overcommitment.	Maintains Residual Risk Level
Program and Project Risk - Residual Risk Level Medium	Breaking the project into stages / phases will assist with adequately costing and managing the project.	Maintains Residual Risk Level
Reputational Risk - Residual Risk Level Low	Council is committing to supporting this project, having a plan of action to move forward.	Reduces Residual Risk Level

REGIONAL, STATE AND NATIONAL PLANS AND POLICIES

- Horizon Highway - Wimmera Southern Mallee Regional Partnership Strategy
- Wimmera Southern Mallee Regional Economic Development Strategy
- Wimmera Mallee Tourism Strategy
- Wimmera Southern Mallee 2023-2027 Strategic Plan
- Rural Council's Victoria Strategy 2020-2024

CONFLICTS OF INTEREST

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

14.3 Economic Development Strategy

Prepared by Sarah Collins, Manager Community Strengthening and Engagement and Tony Caccaviello, Chief Operating Officer

SUMMARY

The purpose of this report is to provide endorsement of the proposed Economic Development Strategy and Action Plan 2023-27 for purposes of community consultation and a public submission process in accordance with Council's Community Engagement Policy.

Recommended Motion:

That Council:

- a) Endorses the Economic Development Strategy and Action Plan 2023-27 as attached to this report.

Resolution:

Moved Cr T Hamilton Seconded Cr C Heintze

That the recommendation be adopted

Carried

ATTACHMENTS

[Attachment: Economic Development Strategy and Action Plan 2023-27](#)

DISCUSSION

In October 2022, Yarriambiack Shire Council began works to create an Economic Development Strategy and Action Plan addressing its future directions and activities in economic development to follow on from the last Economic Development and Tourism Strategy 2015-2019. The strategy has been developed with reference to the relevant regional strategies in which Yarriambiack Shire is an active participant as well as ensuring alignment to the Council Plan 2021-25.

The Yarriambiack Shire Council is home to 6,556 people across 7,158 square kilometres and produces an economic output of \$784.3million.

There are 2,670 jobs within the Shire as well as 960 businesses. Agriculture is the largest industry, contributing 37% of total output and also the largest employing industry with 28% of total jobs.

Yarriambiack produces 11% of Victoria's gross farm value of wheat, 16% of barley, 19% of chickpeas, 45% of lentils, and 11% of other pulses.

This Strategy and Action Plan follows a five-year period in which partnerships and collaborations have been key to the achievement of an exemplary listing of economic development achievements.

The Strategy outlines details of how the Shire is on the verge of significant new economic development activity which has the potential to reverse decades of declining population. The employed workforce in Yarriambiack increased in the previous five years for the first time in more than 50 years.

This is strong evidence that new economic development opportunities are already being implemented. Given this, the Strategy proposes a set of population projections that are

more favourable than the Wimmera Southern Mallee Regional Economic Development Strategy, projecting an average annual rate of change of -0.01% into the long-term future.

Several barriers, especially housing for workers, will need to be overcome in the short to medium term to achieve the projections.

The Strategy and Action Plan identifies several actionable items and the role that Council will undertake to address these barriers and proposes five key themes and associated actions that indicate Council's role and timeline for delivery to achieve.

1. Capitalising on Growth from New Industries
2. Agricultural Diversification and Processing
3. Removing Barriers to Attracting Workers
4. Strengthening service Industries
5. Infrastructure, Planning and a Proactive Council

RELEVANT LAW

Local Government Act 2020

COUNCIL PLANS AND POLICIES

- Council Plan – Objective 1: Our Vibrant and Diverse Economy
- Council Plan – Objective 2: A healthy and inclusive community.
- Council Plan – Objective 3: A robust and thriving environment.
- Council Plan – Objective 4: A Council which serves its community.

RELATED COUNCIL DECISIONS

Council Meeting – 28 October 2015 – 11.6 Economic Development and Tourism Strategy 2015-2019

OPTIONS

- a) Council could choose not to endorse the proposed Economic Development Strategy and Action Plan and seek further community feedback and alterations.

SUSTAINABILITY IMPLICATIONS

Social: The aim of developing a comprehensive Economic Development Strategy and Action Plan is to enhance economic capacity of the Yarriambiack municipality and improve the quality of life of all residents.

Economic: The Strategy and Action Plan provides clear guidance on for future economic directions and activities with due consideration of data, trends and themes plan aims to enhance the prosperity of the Yarriambiack Shire.

Financial: The Strategy and Action Plan has been prepared with reference to Council's internal staffing resources and budget for the Economic Development Service, with commitments and actions being realistic and obtainable to the current resourcing level available.

COMMUNITY ENGAGEMENT

The Economic Development Strategy and Action Plan was made available for community feedback in accordance with Council's Community Engagement Policy.

The formulation for the strategy involved input through workshops or individual feedback with key stakeholders including Councillors and West Vic Business Yarriambiack Chapter Advisory Committee of Council members and has leveraged relevant existing research and recent engagement undertaken across the Wimmera Southern Mallee Region.

The Economic Development Strategy was available for community feedback throughout the period of 30 June 2023 to 28 July 2023. Feedback was received via a survey form that was located on Council's website. Advertising of the community consultation period was made available to the community utilising Council's social media channels, radio slots, Yarri Yarns, and newspaper listings, as well as direct emails to key stakeholders, and physical copies available upon request.

Survey feedback asked for comments relating to priorities in the strategy document that address population stability, ranking identified challenges community currently face, and further comments on challenges that communities face regarding population stability. Finally, a question seeking general feedback on the Economic Development Strategy was presented.

Four submissions were received during the community consultation period that highlighted support for Council's focus on population stability, commenting on the importance of childcare, housing development and agriculture initiatives identified to achieve this. Feedback regarding footpaths was also received that will be addressed with Council's recently adopted footpath hierarchy and implementation plan.

GENDER IMPACT ASSESSMENT

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

RISK

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

Strategic Risk Description and Residual Risk Level	Action to Mitigate/Reduce Risk	Does Action maintain or reduce Residual Risk Level
Strategy Execution and Change Management Risk - Residual Risk Level Medium	The Economic Development Strategy will provide clear actions that link to the Council Plan and drive the strategic and operational activities of Council for the five-year period 2023-2027	Maintains Residual Risk Level
Financial Risk - Residual Risk Level Medium	The Economic Development Strategy and Action Plan has been considered with reference to Council's current resourcing. The Strategy outlines realistic and obtainable initiatives to be undertaken and clearly defines Council's role.	Maintains Residual Risk Level

REGIONAL, STATE AND NATIONAL PLANS AND POLICIES

Wimmera Southern Mallee Regional Economic Development Strategy

CONFLICTS OF INTEREST

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

14.4 Procurement Policy Revision

Prepared by Tony Caccaviello, Chief Operating Officer

SUMMARY

In accordance with the *Local Government Act 2020*, Council is required to prepare and adopt a Procurement Policy, which specifies the principles, processes and procedures applying in respect of the purchase of goods, services and works.

Recommended Motion:

That Council:

- a) Adopt the Procurement Policy as attached, that complies with section 108 of the *Local Government Act 2020*.
- b) Revoke the Procurement Policy 2021 -2025 (version 3) adopted on the 23 November 2022.

Resolution:

Moved Cr G Massey Seconded Cr K Kirk

That the recommendation be adopted

Carried

ATTACHMENTS

[Attachment: Procurement Policy](#)

DISCUSSION

Council adopted the Procurement Policy 2021 – 2025 (Version 3) under section 108 of the Local Government Act 2020, on 23 November 2022. A further revision of this policy has since been undertaken, with the following key changes:

Panel arrangements

The update to this section seeks to clarify and streamline the procurement process of utilising suppliers after they are appointed to a panel. Panel Arrangements themselves have been classified into two clear categories, one that relates to services requiring a high level of specification and customisation per project (specific services builders, building construction and landscaping) and a category that captures all other services.

For the above-mentioned reasons, the higher specification panel arrangements will be proposed at stricter thresholds for market engagement than the general panels.

Delegation Limits

- Chief Executive Officer Delegation – Increased from \$150,000 to \$250,000. Amounts above this to go to Council for approval.
- Chief Operating Officer Delegation - added at \$100,000.
- Manager Delegations - increased from 25,000 to \$80,000.

The Council also has enacted a Procurement Management Manual, which supports and details the overarching procurement process. This document will be revised in alignment with the update to the Procurement Policy and will be adopted by the Chief Executive Officer

All changes have been highlighted in red in the attachment for ease of reading and reference.

RELEVANT LAW

Council is required to have a Procurement Policy under Section 108 of the Local Government Act 2020.

COUNCIL PLANS AND POLICIES

Council Plan 2021 – 2025 - Strategic Objective 4 – A Council Who Serves its Community

This policy has been developed based on best practice guidance and to manage Council's strategic and operational risks.

RELATED COUNCIL DECISIONS

Council Meeting – 23 November 2022 – 14.2 Procurement Policy Revision – the prior version (version 3) was adopted

OPTIONS

- a) That Council does not approve the Procurement Policy as attached. The Council could wait until the policy is due for review in 2025.
- b) That Council approve the Procurement Policy with modifications.

SUSTAINABILITY IMPLICATIONS

Economic: Economic viability of businesses within the municipality and the importance of supporting local supply (where possible) to encourage growth and prosperity within the Shire.

Supporting local supply assists with the maintenance and creation of jobs and promotes regional prosperity.

COMMUNITY ENGAGEMENT

Not applicable

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:

<i>Strategic Risk Description and Residual Risk Level</i>	<i>Action to Mitigate/Reduce Risk</i>	<i>Does Action maintain or reduce Residual Risk Level</i>
Corporate Governance, Compliance and Liability Risk - Residual Risk Level Low	The review and adoption of the policy ensures Council's compliance with the requirements of the <i>Local Government Act 2020</i> . The Policy also provides an overarching framework in which Council must undertake to procure goods, services and works.	Maintains Residual Risk Level
Reputational Risk - Residual Risk Level Low	A robust procurement policy and supporting procedure and processes ensures a transparent, accountable, and ethical system that provides value for money to our community.	Maintains Residual Risk Level
Financial Risk - Residual Risk Level Medium	Robust procurement processes ensure value for money is achieved, therefore mitigating risks of financial losses and/or excess charges.	Maintains Residual Risk Level

REGIONAL, STATE AND NATIONAL PLANS AND POLICIES

Not applicable

CONFLICTS OF INTEREST

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

14.5 Information Communication and Technology Acceptable Use Policy

Prepared by Tony Caccaviello, Chief Operating Officer

SUMMARY

The Information Communication and Technology (ICT) Acceptable Use Policy has been revised in line with its three year review cycle. The aim of this policy is to provide a governance framework for acceptable use, which manages risks and ensures Council's ICT resources are only utilised to support the business activities and objectives of Council.

Recommended Motion:

That Council:

- a) Adopt the Information Communication Technology Acceptable Use Policy as attached.
- b) Revoke Information Communication Technology Acceptable Use Policy that was adopted on the 24 June 2020.

Resolution:

Moved Cr A McLean Seconded Cr C Heintze

That the recommendation be adopted

Carried

ATTACHMENTS

[*Attachment: Information Communication and Technology Acceptable Use Policy*](#)

DISCUSSION

Council adopted the Information Communication Technology Acceptable Use Policy on 24 June 2020, with the policy now due for review inline with review cycle. The policy relates to all staff, contractors, thirds parties and Councillors.

ICT is incorporated into all the business activities Council undertakes. Whilst ICT is beneficial tool to meet business objectives in an efficient manner, there are risks associated with its use. Council has established protocols around acceptable use and behaviour when utilising Council's ICT assets. The policy aims to reduce the risk of inappropriate use of Council's resources.

Since the initial adoption of the policy, Council has significantly modernised its ICT environment and moved to a best of breed suite of corporate systems and migrated from on-site servers to offsite servers to store our data.

The updates to this policy focus on updating the terminology and definitions of ICT resources to bring them in line with the significant changes since 2020. The terminology changes proposed in the policy update has also considered the additional system controls that are now available.

The intention of the definition of what is and what is not acceptable use has not been altered in this update.

The policy objective and aims remain consistent and are defined as ensuring that Council's ICT resources are used:

- a) Appropriately and efficiently
- b) To assist Council to effectively delivery quality, value for money Services
- c) To not create or increase risk to Council, Council employees, Councillors, Contractors and third parties
- d) In accordance with other policies, legislation, standards and best business practices
- e) Managed with sound consistent governance across Council

RELEVANT LAW

The *Local Government Act 2020 (Vic)* requires Council's to give effect to the overarching Governance principles. The policy establishes a governance framework in which staff, Councillors and contractors must adhere too.

COUNCIL PLANS AND POLICIES

- Council Plan – Objective 4: A Council which serves its community.

This policy has been developed based on best practice guidance and to manage Council's strategic and operational risks.

RELATED COUNCIL DECISIONS

Council Meeting – 24 June 2020 – 12.8 Information Communication Technology Acceptable Use Policy was adopted.

OPTIONS

Not applicable

SUSTAINABILITY IMPLICATIONS

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

COMMUNITY ENGAGEMENT

Not applicable

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:

<i>Strategic Risk Description and Residual Risk Level</i>	<i>Action to Mitigate/Reduce Risk</i>	<i>Does Action maintain or reduce Residual Risk Level</i>
Security and Technology Risk - Residual Risk Level Low	A robust ICT acceptable use policy ensures the organisation has a clear position on how ICT resources can and cannot be used to deliver quality services but also to ensure controls integrity is maintained so that the organisation to is not exposed to potential security breaches.	Reduces Residual Risk Level
Reputational Risk - Residual Risk Level Low	The review and adoption of the policy ensures acceptable use to mitigate the risks associated with inappropriate use of Council resources and equipment and potential reputational damage.	Maintains Residual Risk Level

REGIONAL, STATE AND NATIONAL PLANS AND POLICIES

Not applicable

CONFLICTS OF INTEREST

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

14.6 Review of the Yarriambiack Planning Scheme

Presented by Adam Moar, Manager Development and Environmental Services

SUMMARY

Council as the planning authority for the Yarriambiack Planning Scheme is required to review its planning scheme every four years under Section 12(B) of the Planning and Environment Act 1987.

Council last undertook a comprehensive review of the planning scheme in 2008.

Recently the planning scheme was restructured to insert a new Municipal Planning Strategy and local planning policies to replace the former Local Policy Planning Framework. This was done via amendments C23yari and C29yari and was a policy neutral amendment undertaken by the State Government.

The Regional Planning Hub undertook the review after a request by Council. Once adopted the review will be forwarded to the Minister for Planning as required under section 12(B) of the Act once complete. Planning scheme amendment documentation required to implement the findings of the review has been prepared and included as an appendix to the report.

Recommended Motion:

That Council:

1. Adopt the Yarriambiack Planning Scheme Review – Final Report April 2023 pursuant to Section 12B (1) of the *Planning and Environment Act 1987*.
2. Forward the Yarriambiack Planning Scheme Review – Final Report April 2023 report to the Minister for Planning as required by Section 12B (5) of the *Planning and Environment Act 1987*.
3. Prepare a planning scheme amendment or amendments using the marked-up Ordinance at Appendix 2 to:
 - a) Incorporate the policy neutral changes to align the ordinance with the Ministerial Direction on the Form and Content of Planning Schemes.
 - b) Incorporate elements from the 2021 – 2025 Council Plan and make other updates to factual data.
 - c) Amend the MPS at Clause 02.01 Context to include appropriate reference to Traditional Owners and Country.
 - d) Include new policy to implement the:
 - *Yarriambiack Council Plan 2021 – 2025, incorporating the Municipal Health and Wellbeing Plan* (Yarriambiack Shire Council, 2021).
 - *Yarriambiack Tree Management Policy* (Yarriambiack Shire Council, 2022)
 - e) Insert a new Clause 74.02 Further Strategic Work that includes the prioritised strategic work program, that Council intends to commence in the next four years (which is the period of the planning scheme review cycle), based on the findings of this review (listed in Section 2.2 of the report) and the prioritisation of the strategic work identified in Appendix 3.

Resolution:

Moved Cr K Kirk Seconded Cr T Hamilton
That the recommendation be adopted

Carried

ATTACHMENTS

[Attachment: Yarriambiack Planning Scheme Review – Final Report April 2023](#)

[Attachment: Yarriambiack Planning Scheme – R2 Marked-up draft ordinance](#)

DISCUSSION

Council as the planning authority for the Yarriambiack Planning Scheme is required to review its planning scheme every four years under Section 12(B) of the Planning and Environment Act 1987.

Council last undertook a comprehensive review of the planning scheme in 2008.

Recently the planning scheme was restructured to insert a new Municipal Planning Strategy and local planning policies to replace the former Local Policy Planning Framework. This was done via amendments C23yari and C29yari and was a policy neutral amendment undertaken by the State Government.

The Regional Planning Hub undertook the review after a request by Council. Once adopted the review will be forwarded to the Minister for Planning as required under section 12(B) of the Act, once complete. Planning scheme amendment documentation required to implement the findings of the review has been prepared included as an appendix to the report.

Much of the content of the Yarriambiack Planning Scheme dates from 1999 and was introduced as part of the Yarriambiack New Format Planning Scheme.

Other than site-specific corrections and the removal of Environmental Significance Overlay Schedule 3 (ESO3), there has been very little change to the scheme's local policy content and planning controls over the last 20 years. The last review of the scheme was undertaken in 2008.

In 2020-21 the scheme was restructured to insert a new Municipal Planning Strategy (MPS), update local schedules and reformat local planning policies to replace the former Local Policy Planning Framework. This change was 'policy neutral' and did not result in the introduction of new content.

This review has identified a number of opportunities to update and improve the Yarriambiack Planning Scheme:

- local zones and overlay provisions require a detailed review to remove unnecessary permit triggers, correct mapping errors and align permit and application requirements with State planning directives.
- a number of strategic gaps have been identified in the MPS and Planning Policy Framework (PPF) which will require further strategic work in the form of targeted or thematic studies.

Currently Council's planner is working on a planning scheme amendment to address issues relating to:

- the Land Subject to Inundation Overlay (LSIO), which generates high permit activity for minor works that are of little planning consequence.
- correction of zoning and mapping errors
- identify and increase tourism accommodation opportunities on council managed public land across the Shire.

At a municipal level, council has prepared or is preparing shire-wide tourism, economic development and open space and recreation strategies, which can inform policy directions in the scheme to update land use strategies in these areas.

Numerous small, policy neutral changes have also been identified to bring the Yarriambiack Planning Scheme in line with the *Ministerial Direction on the Form and Content of Planning Schemes*. These changes are identified in the marked-up draft

ordinance attached to this report. It would be proposed that the Regional Planning Hub be approached to undertake this planning scheme amendment and to seek exemptions provided through Section 20 of the *Planning and Environment Act 1987*.

Council's Manager Development and Environmental Services was consulted throughout the process and has had input on the recommendations that have emerged. This has occurred so that the current work Council is doing is continued in the recommendations and to highlight issues that wouldn't be obvious when the scheme is read in isolation.

The recommendations of the review have been broken up into 4 groups being:

- Planning scheme amendment
- Further strategic work
- Process improvement
- Advocacy

Planning scheme amendment recommendation

It is recommended that a planning scheme amendment is carried out by Council to implement the findings of this review that relate to administrative matters or to incorporate Council or State adopted strategic planning work into the scheme.

The review has identified many policy neutral changes that should be made to the planning scheme to bring it into alignment with the Ministerial Direction on the Form and Content of Planning Schemes. These are purely administrative matters and do not change the policy intent of the scheme.

There are several factual changes that should be made to the Municipal Planning Strategy to bring it up to date with the latest ABS data, the Council Plan and to acknowledge the Traditional Owners of the land in which Yarriambiack Shire Council sits - the lands of the Wotjobaluk peoples.

The planning permit audit and consultation with Council staff identified that all local schedules to the zones and overlay should be reviewed and updated to remove or reduce building and works permit triggers as they generate unnecessary permit applications that relate to matters that Council is not concerned about from a planning perspective.

Removal of these permit triggers should reduce the number of planning permits processed by Council and enable the redirection of resources to other planning priorities.

An audit of local and regional strategies and policies that have been adopted since the last planning scheme review has identified new policy that has the strategic justification to be incorporated into the planning scheme. These changes are marked up on the supporting Ordinance (marked-up draft ordinance).

Recommendation:

To implement the findings of the Yarriambiack Planning Scheme Review Report 2023, it is recommended that Council:

1. *Prepare a planning scheme amendment or amendments using the marked-up Ordinance at Appendix 2 to:*
 - a) *Incorporate the policy neutral changes to align the ordinance with the Ministerial Direction on the Form and Content of Planning Schemes.*
 - b) *Incorporate elements from the 2021 – 2025 Council Plan and make other updates to factual data.*
 - c) *Amend the MPS at Clause 02.01 Context to include appropriate reference to Traditional Owners and Country.*
 - d) *Include new policy to implement the:*

- *Yarriambiack Council Plan 2021 – 2025, incorporating the Municipal Health and Wellbeing Plan (Yarriambiack Shire Council, 2021).*
 - *Yarriambiack Tree Management Policy (Yarriambiack Shire Council, 2022)*
 - e) *Insert a new Clause 74.02 Further Strategic Work that includes the prioritised strategic work program, that Council intends to commence in the next four years (which is the period of the planning scheme review cycle), based on the findings of this review (listed in Section 2.2 below) and the prioritisation of the strategic work identified in Appendix 3.*
2. *Adequately resource the proposed strategic work program to enable the delivery of the highest priority strategic planning projects identified in Appendix 3 of the report.*

Further strategic work recommendations

Section 8 and Appendix 3 of the review outlines future strategic planning work that has been identified through an audit of planning permit activity data, feedback from Council staff and a review of scheme ordinance. Some of these tasks represent significant pieces of strategic work, but others are relatively simple changes that can be made to the planning scheme to both improve planning decision making and reduce the number of planning permits being triggered for applications of little consequence.

It is recommended that the following matters should be addressed through further strategic work:

1. *Finalise strategic work that is in progress, particularly proposed C24yari to update the existing schedule to the LSIO and introduce a new LSIO schedule, schedule to the Flood Overlay and local flood policy to address flood plain management.*
2. *Undertake a permit trigger review to:*
 - a. *Assess the relevance of ESO1 and ESO2 controls to ensure the environmental objective to be achieved can be met, remove duplication with Clauses 52.17 and 52.29 and determine whether further strategic work is required to prepare a VPO and or ESO to protect target species.*
 - b. *Review the DDO1 control for relevance and clarity and investigate if any permit exemptions can be introduced or performance measures included (i.e building heights) can be introduced to reduce the resource burden on the council planners and remove unnecessary red tape for applicants.*
 - c. *Investigate applying a further DDO to cover an appropriate curtilage to the Hopetoun aerodrome OLS.*
 - d. *Review the SUZ controls and prepare site masterplans to ensure the table of uses support the existing and intended use and development for tourist accommodation and cultural events.*
 - e. *Investigate the introduction of local schedules to the FZ and RLZ to reduce setback triggers to roads and waterways and streamline permit triggers for sheds and outbuildings.*
 - f. *Review the schedule to the FZ and the minimum subdivision area of 0.5 that allows a 'specific use other than accommodation, which needs to be located in the Farming Zone' provision.*
 - g. *Review PAO1 in consultation with GWMWater to determine if this overlay is required, remove if land has been purchased.*
3. *Prepare Structure Plans for Warracknabeal, Murtoa and Hopetoun.*
4. *Review the Yarriambiack Heritage Study Stage 2 (2014) and implement the findings into the scheme in accordance with the requirements of PPN1: Applying the Heritage Overlay. Correct heritage overlay mapping errors identified in the 2004 Planning Scheme Review Report.*

5. *Prepare a Rural Land Use Strategy to:*
 - a) *guide the appropriate siting, curtilage and built form outcomes for rural industry in the rural zones.*
 - b) *review the schedule to the FZ and the minimum subdivision for 'specific use other than accommodation, which needs to be located in the Farming Zone' provision*
 - c) *develop township settlement plans for Minyip, Rupanyup, Beulah and Woomelang.*
6. *Undertake a 'visioning process' to review and update the Municipal Planning Strategy (MPS) as part of the 2026-2030 Council Plan community engagement process.*

Process improvement recommendations

Process improvement recommendations are drawn from analysis of the planning scheme, permit activity data and consultation with Council staff. Whilst referral authorities were contacted for comment, no feedback was provided.

7. *Participate in DTP's Better Planning Approval Co-Design program to develop pre-application material.*

Advocacy recommendations

These recommendations are generally beyond the scope of what Council can achieve in its planning scheme under the current Victoria Planning Provisions or scope of the Planning and Environment Act 1987. They are matters that Council may wish to discuss with the State Government to highlight the issue and advocate for change.

Council officers identified that whilst Council qualified for support from the State Government's Big Housing Build to construct social / affordable houses to meet demand for diversified accommodation options, costs associated with sourcing labour and construction material in rural areas reduce the likelihood of meeting program criteria for funding.

The review also identified opportunities to include planning policies relating to climate change adaption, however it is recommended that the Council advocate to work in partnership with the Wimmera Southern Mallee Development Association (formerly WDA), GWMWater, and the State Government to implement policy and guidance documents at a regional scale, i.e. sustainability principles for development and subdivision across Wimmera Mallee Councils, and policy to support the agriculture industry to respond to climate change.

8. *Advocate for the Environmentally Sustainable Development of buildings and subdivisions (ESD) framework to be prepared and implemented into planning scheme via a regional approach.*
9. *Request the State government implement the Grampian's Region Climate Adaptation Plan into the planning scheme, to introduce policy to support the agriculture sector as it transitions to respond to climate change.*
10. *Advocate for State and federal funding opportunities to support the construction of social and affordable housing to meet demand for diversified accommodation options in rural areas.*

Minister for Planning recommendation

Yarriambiack Shire Council, with assistance from the Regional Planning Partnerships (RPP) team at the Department of Transport and Planning (DTP), has prepared a planning scheme review as required by section 12B(1) of the Planning and Environment Act 1987 (the Act).

In accordance with section 12B(3) of the Act this review identifies opportunities, set out in this report, to enhance the effectiveness and efficiency of the planning scheme in

achieving the objectives of planning in Victoria and the objectives of the planning framework established in the Act.

In accordance with section 12B(4) of the Act, the review evaluates the planning scheme to ensure that it:

- Is consistent with Ministerial Direction on the Form and Content of Planning Schemes.
- Sets out the policy objectives for the use and development of land.
- Makes effective use of state and local provisions to achieve state and local planning policy objectives.

11. That the Yarriambiack Shire Council accept this Planning Scheme Review and forward to the Minister for Planning as evidence Yarriambiack Shire Council, as the planning authority for Yarriambiack Planning Scheme, has met its obligations in accordance with Section 12B of the Planning and Environment Act 1987 to review the planning scheme every four years.

RELEVANT LAW

Planning and Environment Act 1987

Planning and Environment Regulations 2015

COUNCIL PLANS AND POLICIES

Yarriambiack Planning Scheme

RELATED COUNCIL DECISIONS

Nil

OPTIONS

Option 1:

That Council adopts the Yarriambiack Planning Scheme Review and undertakes the required notice to the Minister, and to undertake a policy neutral planning scheme amendment as attached in Appendix 2 of the Review.

Option 2:

That Council adopts the Yarriambiack Planning Scheme Review and undertakes the required notice to the Minister, with no further amendment to the planning scheme.

Option 3:

That Council does not adopt the Yarriambiack Planning Scheme Review.

SUSTAINABILITY IMPLICATIONS

Economic: The Planning Scheme Review has made recommendations to update the scheme so it complies with the Ministerial Guideline and will set up Council to undertake further amendments in the future that will aim to have beneficial impacts on the economic development of the Municipality.

Social: The Planning Scheme Review has made recommendations to continue advocating for social and affordable housing.

Environmental: The Planning Scheme Review has made recommendations to update the scheme so it complies with the Ministerial Guideline and will set up Council to undertake further amendments in the future that will aim to have beneficial impacts for the environment.

Climate change: The Planning Scheme Review has made recommendations to update the scheme so it complies with the Ministerial Guideline and will set up Council to undertake further amendments in the future that will aim to have prepare for changes in the economy and environment as a result of climate change.

Financial: The Planning Scheme Review has made recommendations to update the scheme so it complies with the Ministerial Guideline and will set up Council to undertake further amendments in the future.

COMMUNITY ENGAGEMENT

The proposed further strategic works will be undertaken through additional studies which will require community input.

GENDER IMPACT ASSESSMENT

Not required for this report

RISK

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

<i>Strategic Risk Description and Residual Risk Level</i>	<i>Action to Mitigate/Reduce Risk</i>	<i>Does Action maintain or reduce Residual Risk Level</i>
Strategy Execution and Change Management Risk - Residual Risk Level Medium	Risk of having an out of date planning scheme that doesn't cater for the community into the future.	Reduces Residual Risk Level

REGIONAL, STATE AND NATIONAL PLANS AND POLICIES

Nil

CONFLICTS OF INTEREST

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

14.7 Planning Scheme Amendment - Woods Museum

Prepared by Adam Moar, Manager Development and Environmental Services

SUMMARY

Council officers have been in discussions with the Woods Museum Committee about the possibility of the installation of additional advertising signage, however the provisions of the current zoning of the land prohibits additional signage on the land. Based on this it is proposed to rezone the land to a more appropriate zoning.

The proposed solution is to incorporate the Woods Museum site into the current amendment to the planning scheme that is being prepared for the Wheatlands Museum (C32yari) and to rename the amendment to become an Agricultural Museum amendment that would apply the same controls over both museums and have the potential to use the same zone controls for additional museums into the future.

Recommended Motion:

That Council:

Approves the preparation of a planning scheme amendment and seeking authorisation from the Minister to rezone Woods Museum (109 Wimmera Highway, Rupanyup) to a Special Use Zone through its inclusion into Amendment C32yari, and the updating of C32yari to:

- a) Change the name of the zone from Special Use Zone – Schedule 3 (North Western Agricultural Machinery Museum) to Special Use Zone – Schedule 3 (Agricultural Museums)
- b) Change the sign category from Category 4 (sensitive areas) to Category 1 (commercial areas)

Resolution:

Moved Cr T Hamilton Seconded Cr C Heintze

That the recommendation be adopted

Carried

ATTACHMENTS

Nil

DISCUSSION

Woods Museum is located at 109 Wimmera Highway, Rupanyup. The museum contains a large collection of farming, household and clothing memorabilia dating back to 1920's. The museum is open 7 days a week.

The site currently has one large sign which currently displays the name of the site. The Committee approached Council officers with a proposal to install of 3 single sided signs/photos that are made up of 4 panels for a total area of 11.52 square metres (4.8 x 2.4 m) which would be placed approximately 1 metre from the wall of the museum fronting the road.

As Woods Museum is located on land that is the Farming Zone where the sign controls are quite restrictive, therefore the new signs would be considered as prohibited in the Zone and a planning permit application would not be considered for them. The use and development of the land is a permissible use within the current provisions of the Farming Zone.

The Yarriambiack Planning Scheme has 4 categories of sign controls:

- Category 1 – Commercial areas with minimum limitations
- Category 2 – Office and industrial with low limitations
- Category 3 – High amenity areas with medium limitation
- Category 4 – Sensitive areas with maximum limitations

The Farming Zone uses Category 4 signs. This control cannot be changed for the Farming Zone. The only avenue to change this is rezone the land with controls that utilise Category 1 or 2 signs.

In Category 4 areas signs are limited to 3 square metres for business identification signs, any larger are prohibited. Category 1 area signs are generally limited to 8 square metres and larger signs can be considered through the planning permit process.

Currently amendment C32yari is being prepared for the Special Use Zone – Schedule 3 (North Western Agricultural Machinery Museum) (SUZ3) which applies to the Wheatlands Museum land at 34 Henty Road, Warracknabeal. This amendment will be rezoning land from Industrial 1 and some Farming Zone land to SUZ3 and will be making changes to the text of the Schedule which will include updating the land use table and can amend the category of signs permitted in the zone, which currently is Category 4.

Creating a Special Use Zone specific to the Woods Museum could be undertaken, however as it would be worded the same way it is considered more appropriate to amend the existing SUZ3 and applying it to both the Wheatlands and Woods Museums. The resulting SUZ3 could then be applied to any other museums that establish or need to be recognised into the future.

It is therefore proposed that the current C32yari be amended in the following ways:

- a) Changing the name of the zone from Special Use Zone – Schedule 3 (North Western Agricultural Machinery Museum) to Special Use Zone – Schedule 3 (Agricultural Museums)
- b) Changing the sign category from Category 4 (sensitive areas) to Category 1 (commercial areas)

It is not uncommon to have a Special Use Zone apply in more than one location with the same controls. Both the current the Special Use Zone – Schedules 1 (Racecourse) Schedule 2 (Showgrounds) in the Yarriambiack Planning Scheme applies to the showgrounds in Warracknabeal, and the Murtoa and Rupanyup Recreation Reserves.

C32yari is currently waiting on a planning permit application to be lodged for a subdivision to remove the dam from the balance of the Farming Zoned land. Once this is lodged boundaries of the new area of SUZ3 will be set and rezoning maps can be prepared. Therefore, the inclusion of the Woods Museum will not delay the processing of C32yari. If Woods Museum is to remain as a separate amendment, then the existing amendments should be completed prior to advancing any new amendments.

RELEVANT LAW

Planning and Environment Act 1987

Planning and Environment Regulations 2015

COUNCIL PLANS AND POLICIES

Yarriambiack Planning Scheme

RELATED COUNCIL DECISIONS

24 November 2021 - 14.2 Planning Scheme amendment C25yari - Correction

OPTIONS

Option 1:

That Council allows Woods Museum to be included in C32yari which is currently under preparation.

Option 2:

That Council does not support the inclusion of Woods Museum into the SUZ3 and requires a separate amendment.

Option 3:

That Council does not support the rezoning of Woods Museum.

SUSTAINABILITY IMPLICATIONS

Economic: The changes proposed would allow both sites to expand without some of the existing constraints provided by the controls that apply to the land.

Financial: The number of planning permits may increase due to the changes.

COMMUNITY ENGAGEMENT

Once authorisation is granted by the Minister for Planning the amendment will be required to be advertised for a minimum of a month. Any submissions that are received will then be considered by Council, and potentially by an independent Planning Panel.

GENDER IMPACT ASSESSMENT

Not required for this report

RISK

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

<i>Strategic Risk Description and Residual Risk Level</i>	<i>Action to Mitigate/Reduce Risk</i>	<i>Does Action maintain or reduce Residual Risk Level</i>
Strategy Execution and Change Management Risk - Residual Risk Level Medium	Risk of inappropriate land uses being undertaken on land in the incorrect zone.	Reduces Residual Risk Level

REGIONAL, STATE AND NATIONAL PLANS AND POLICIES

Nil

CONFLICTS OF INTEREST

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

14.8 Update on Murtoa Rabl Park Bridges

Prepared by Joel Tuner, Manager Infrastructure and Works

SUMMARY

At the Council meeting on the 27 July 2023, the Chief Executive Officer presented a report on the public safety issues surrounding the Murtoa Rabl Park bridges.

This report aims to provide an update on the status of the bridges and timelines for removal, along with solutions that have either been or will be implemented to resolve the matter.

Recommended Motion:

That Council:

- a) Note the report update; and
- b) Acknowledged that under the Chief Executive Officer delegation she has approved the reallocation of the maintenance budget to capital works, to address public safety at Rabl Park.
- c) Note that the estimated cost for the removal of the bridges, and installation of the culvert to replace the southern end wooden bridge at Rabl Park is estimated at \$30,000.

Resolution:

Moved Cr T Hamilton Seconded Cr C Heintze

That the recommendation be adopted

Carried

ATTACHMENTS

Not applicable.

DISCUSSION

The Mayor, Cr Hamilton, the CEO, Council Officers, along with myself attended a Community Meeting in Murtoa to discuss Rabl Park, with specific focus on the removal of the wooden bridges and Council's solutions to address pedestrian safety concerns, whilst also mitigating Council's risks.

The presentation outlined that Council had received seven Customer Service Requests, that requested Council address the pedestrian safety issues identified with the closure of the bridges. The CEO also received a call from one community member, who wished to express their concern relating to pedestrian safety.

The contact from community identified that members of the public were walking along the surround highway and roads to access the park, due to the walking path connectivity being disrupted.

Council's Actions to Date

To address the risk that immediately presented, the Southern Works Team undertook urgent works to construct a path around the lake. The new path bypassed the bridge to the north of the lake, and reconnected the walking track. This reduced the risk of people walking along Wimmera Highway (Comyn Street) to access the park.

The image below is an aerial photo of the construction works being undertaken to address the risk.



Council's Future Actions

The CEO confirmed during the meeting that the bridges would be removed in the immediate future. A solution for the replacement of the southern wooden bridge was presented to the community during the meeting.

An outline of the solutions is described below:

The proposed works after the removal of the timber bridges is to only replace the southern bridge with a box culvert structure similar to the image shown below.

Note image is for illustrative purposes only.



For ease of construction 1200x1200x900mm box culverts would be used, 4 cells long and 2 culverts wide. Standard pedestrian path width is 1.5m and 2m is a shared path width which is what the path around Rabl Park is constructed too.

The proposed structure would be a shared walkway width of 2.4m. Custom handrailing and abutments would be installed by the council and contractors.

The structure would last a lifetime and could withstand vehicle crossing if required.

The existing bridge would be removed, and the construction of the new culvert structure would need to be timed as it is an active stormwater system. The inlet channel would need to be blocked using imported dirt and pumped out while the culverts were installed. This activity would be timed to avoid rain and as soon as possible the culverts would be opened. This activity is estimated to take a several days, at which point Council Officers could undertake dirt removal and beautification works.

All materials have been ordered and it is anticipated the works will be completed by the next Council meeting, where an update will be provided on the status of the project.

It was also confirmed during the meeting that the former railway bridge would not be removed. It requires maintenance, and this will be undertaken in the near future. Signs will also be erected providing information about the historical significance of the bridges, whilst also alerting the community and visitors to the steep incline / decline.

Draft Master Plans

During the meeting, consultants engaged by Council presented on the draft Masterplan of Rabl Park. The plans represented the community's vision for the park, and also highlighted the importance of the park to the community.

Community Consultation

During the meeting the community was provided an opportunity to ask questions of both the CEO, Councillors, the Consultant and myself.

The community did present a petition to the CEO during the meeting, but on handing the petition did acknowledge that the petition was on the pretence that the bridge (particularly the southern bridge) was not being replaced.

Generally, the community was satisfied with the outcome of the meeting and Council's actions to rectify the matter as soon as possible.

RELEVANT LAW

- *Local Government Act 2020*
- *Building Act 1993*
- *Occupational Health and Safety Act 2004*

COUNCIL PLANS AND POLICIES

Council Plan 2021-2025 – Key Objective 2: A Health and Inclusive Community

Council Plan 2021-2025 – Key Objective 4: A Council Who Serves Its Community

RELATED COUNCIL DECISIONS

- Minutes 27 July 2023, Rabl Park Bridges Update

OPTIONS

- a) A public safety risk has been identified with the closure of the bridges, with pedestrians, predominately children, walking along the Wimmera Hwy and Breen Street. Council has a duty of care to address safety issues to prevent injury to the public. Council could choose not to address the matter; however this would be negligent when there is a high possibility someone could be injured.

SUSTAINABILITY IMPLICATIONS

Social: The bridges contribute towards providing an inclusive outdoor space, that enables residents of the Murtoa community to undertake activities that enhance their overall health and wellbeing. Community consultation is required to ensure there is a replacement / contingency plan to ensure the park is still accessible and functioning to meet the needs of the community.

Financial: A commitment to replacing the bridges in the current budget 23-24 would have financial sustainability implications. Council officers have found an alternative solution that will not be an impost on the budget, whilst also providing a solution to address public safety.

COMMUNITY ENGAGEMENT

Community engagement has been undertaken as outlined in the discussion section of this report.

The CEO and Communication Consultant compiled a media release for the Murtoa paper, and have also included an update in Yarri Yarns. The community will be updated and notified via social media and Council's website, and the CEO will provide update to the Murtoa Progress Association President and Secretary to share amongst their networks.

GENDER IMPACT ASSESSMENT

A Gender Impact Assessment will be completed as part of the overall project assessment and costing analysis.

RISK

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

<i>Strategic Risk Description and Residual Risk Level</i>	<i>Action to Mitigate/Reduce Risk</i>	<i>Does Action maintain or reduce Residual Risk Level</i>
Reputational Risk - Residual Risk Level Low	Closing the bridges for an indefinite period poses a risk to Council. There is an expectation that Council will replace the bridges in the short term. There are no funds in the budget to replace the bridges. Council facilitated a community meeting to provide and update on the status of the project. This was well attended, and overall a positive meeting.	Reduces Residual Risk Level
Corporate Governance, Compliance and Liability Risk - Residual Risk Level Low	Closing the bridges reduces Council's risk of a liability claim.	Reduces Residual Risk Level
Financial Risk - Residual Risk Level Medium	There is a financial risk to Council, as the replacement of the bridges maybe costly. An alternative solution for replacement has reduced the financial risk.	Reduces Residual Risk Level

REGIONAL, STATE AND NATIONAL PLANS AND POLICIES

Nil

CONFLICTS OF INTEREST

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

15 COUNCIL REPORTS FOR NOTING

15.1 Recycling and Waste at Transfer Stations Update

Prepared by La Vergne Lehmann, Waste and Sustainability Coordinator

Presented by Adam Moar, Manager Development and Environmental Services

SUMMARY

This report has been compiled to provide the Councillors and Community with an update on the status of our Recycling and Waste practices across the Shire, with a specific focus on our Transfer Station operations.

Recommended Motion:

That Council:

Note the report as presented.

Resolution:

Moved Cr A McLean Seconded Cr K Kirk

That the recommendation be adopted

Carried

ATTACHMENTS

Not applicable

DISCUSSION

Over the last 12 months, Council has been progressively upgrading the recycling facilities at several Transfer Stations. Previously, Council only provided skips or open dumping of hard/general waste at transfer stations, recycling in 240L mixed recycling bins and more recently glass in 120L bins.

A range of new initiatives including recycling of cardboard using containers at Warracknabeal, Hopetoun, Murtoa and Rupanyup is removing a significant volume from the general waste skips.

Mixed recycling is still going into 240L bins at this stage, however it is intended that skips will replace this method when the new waste and recycling contract is awarded. One hundred and twenty litre (120L) glass recycling bins will be replaced with mobile skip bins in the near future, that can be towed by Council vehicles to Warracknabeal as required.

Additional e-waste skips are now available for the three main transfer stations.

The operation of the Council's transfer stations has been under review for the last 12 months. Through the review, it was identified that improved practices were required to assist with diverting as much waste from landfills as possible.

The separation of large volumes of cardboard, brought in by businesses was not being recycled because of the lack of relevant receptacles (240L mixed recycling bins are not fit for purpose). In addition, businesses were not being charged for the cardboard disposal even though it ended up in landfill.

General waste bins have also previously been available at transfer stations, largely for the farming (rural) community who do not receive a kerbside service. In several cases the rural customers swap the bins over on a semi-regular basis, ranging from monthly to 2-6 monthly depending on their circumstances. Council has been inconsistent with practices across the Shire, with some rural customers not being charged for this service

despite Council incurring the cost of a bin lift by our waste contractor (bin lift costs are based on the total number of bins that can be collected each run) and the waste disposal is based on tonnages.

The general waste bins have been removed from the transfer stations, and rural customers are required to empty their waste into the skip bins. There has been some resistance to this change with rural customers being reluctant to empty waste into skips and they are also not happy about being charged. This practice requires further review, and it is recommended it is addressed as part of our development (and revision) of the Waste Resource, Environment and Climate Change Strategy and Action Plan.

To inform the strategy a specific survey for rural customers will be developed, to seek their feedback on the most appropriate waste collection/drop off service that can be implemented to meet both Council and community requirements.

It has also been identified that there has not been sufficient sorting by the customer of materials they bring into the transfer station. This results in a load having to go into a general waste skip bin if the customer is not prepared to sort it. In addition, there have also been instances of contaminated recyclables – e.g. wet or filthy cardboard, making it unsuitable for recycling. In those instances, the customer is asked to place the material into the general waste skip bin.

It is also clear that further education on what can be recycled is required. For example, plastic toys cannot be placed in a mixed recycling bin as mixed plastic recycling is essential only for containers or packaging and even then, only hard plastics 1,2 & 4.

Research is being undertaken to establish what the most appropriate skips available are for mixed recycling at the transfer stations. With glass materials being removed from the recycling stream, and it is envisaged a further reduction of glass and plastic bottles collected will occur with the introduction of the container deposit scheme (CDS). It is anticipated that after the introduction of the CDS the types of materials that will remain for recycling collection will be food cans, milk bottles, yoghurt containers and the like. Our current contractor has limited skip options, which now would be the same skip as the hard rubbish and e-waste collections which do not have lids.

It is estimated that the volumes of remaining recyclables would be slow to fill these skips and without a lid on the skip these materials are likely to sit in the sun and will deteriorate and not be suitable for recycling.

The changes that have been made to date are summarised in the table below.

Transfer Station	General Waste	Mixed Recycling	Cardboard	Glass**	E-Waste	Asbestos
Warracknabeal	skips	240L bins	Container	120L bins	skip	Container
Hopetoun	skips	240L bins	Container	120L bins	skip	Container
Murtoa	skips	240L bins	Container	120L bins	skip	Container
Minyip	skips	240L bins		120L bins		
Rupanyup	skips	240L bins	Container	120L bins		
Beulah	skips	240L bins		120L bins		
Woomelang	skips	240L bins		120L bins		
Patchewollock		240L bins		120L bins		
Speed/Tempy		240L bins		120L bins		

Yaapect*	n/a	n/a	n/a	n/a	n/a	n/a
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*Yaapect Transfer Station has been replaced with a bimonthly container collection for hard waste, general and green waste, mixed recycling and glass bins.

**Glass -120L bins will soon be replaced by mobile skips that can be delivered by Council vehicles to Warracknabeal for processing.

RELEVANT LAW

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

COUNCIL PLANS AND POLICIES

- Yarriambiack Shire Resource Recovery and Waste Management Strategy
- Council Plan 2021-2025 – Strategic Objective 3: A Robust and Thriving Environment.

RELATED COUNCIL DECISIONS

- 25 May 2022 – Minutes: 17.2 Waste Contract (C190-2015) and Recycling Contract (C189-2015) Extension
- 27 July 2022 – Minutes: 15.2 Resource Recovery and Waste Management Strategy
- 26 October 2022 – Minutes: 15.4 Local Asbestos Receiving Points.
- 14 December 2022 – Minutes: 17.2 Waste Contract (C190-2015) and Recycling Contract (C189-2015) Extension

OPTIONS

The work to improve the recycling at the Council's transfer station has to be undertaken in a progressive manner, over time. It is clear that residents are not used to a significant number of changes thrust upon them – where we are asking them to manage their waste differently and charging for things that, in some instances, have not been charged for previously. Too many changes at a time may result in additional cases of illegal dumping as both council and residents continue to deal with increasing costs of waste disposal.

SUSTAINABILITY IMPLICATIONS

Economic: Increased recycling will ultimately reduce the volume that goes to landfill, and the costs associated with that.

Social: Improved recycling is seen as socially responsible.

Environmental: Improved recycling is a positive environmental outcome.

Climate change: The reduction in emissions by not send as much material to landfill has a positive impact on climate change.

Financial: This work will improve the economic outcomes that will provide better opportunities to recycle more clean streams of recyclable materials.

COMMUNITY ENGAGEMENT

Improved recycling is well supported by the community as was demonstrated in previous surveys.

GENDER IMPACT ASSESSMENT

Not required for this report. A GIA will be completed as part of the strategy review.

RISK

<i>Strategic Risk Description and Residual Risk Level</i>	<i>Action to Mitigate/Reduce Risk</i>	<i>Does Action maintain or reduce Residual Risk Level</i>
Strategy Execution and Change Management Risk - Residual Risk Level Medium	Continue to improve recycling options at the Transfer Stations and educate the community.	Maintains Residual Risk Level
Environmental Sustainability Risk - Residual Risk Level Medium	Improved recycling has a positive impact on the environment by reducing the volume that goes to landfill.	Maintains Residual Risk Level
Reputational Risk - Residual Risk Level Low	Dealing with waste and recycling is a critical measure of the effectiveness of Council.	Maintains Residual Risk Level

REGIONAL, STATE AND NATIONAL PLANS AND POLICIES

Nil

CONFLICTS OF INTEREST

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

16 PERMITS ISSUED JULY 2023

RECOMMENDED MOTION:

That Council:

Note the permits issued by Council between 1 July and 31 July 2023

Resolution:

Moved Cr T Hamilton Seconded Cr G Massey

That the recommendation be adopted

Carried

Reference No	Description	Address	Date of Issue
Building Permits			
BLD20230350	Construction of farm shed	Rupanyup	19/07/2023
Planning Permits			
TP08-12	Use as a dwelling	Warracknabeal	7/07/23
TP10-23	Construct a building	Warracknabeal	31/07/23
TP11-23	External painting of a façade	Warracknabeal	05/07/23
TP12-23	Construction of a swimming pool	Warracknabeal	12/07/23
TP15-23	Installation of sculptures	Minyip	19/07/23

Reference No	Description	Name / Location	Date of Issue
Local Laws Permits			
07-23	Keeping more than the allowed number of animals - 6 cats	Warracknabeal	10/07/2023
Firewood collection Permits			
	Roadside Wood Collection Permit	Hopetoun	19/07/2023
Septic Tank Permits			
Road Reserve Works Permits & Asset Protection Permits			
2023-06	Albacutya Gypsum and Limestone Pty Ltd	Yaapeet	24/07/2023

17 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 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, she must provide a response to the Councillor as outlined in 2.13 (e) of the Governance Rules.

Moved Cr K Kirk Seconded Cr C Heintze that Council move into Closed Session at 10:18am

Carried

18 CLOSED (CONFIDENTIAL) SESSION

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

18.1 Housing Units Expression of Interest update

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

1. Because it is Council business information, being information that would prejudice Council's position in commercial negotiations if prematurely released (section 3(1)(a)); and
2. 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.

18.2 Gateway BEET Contract Update

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

1. Because it is Council business information, being information that would prejudice Council's position in commercial negotiations if prematurely released (section 3(1)(a)); and
2. 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.

18.3 Woomelang Retirement Units - Septic Tank Costs

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

1. Because it is Council business information, being information that would prejudice Council's position in commercial negotiations if prematurely released (section 3(1)(a)); and
2. 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.

18.4 Rupanyup Library Project Update

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

1. Because it is Council business information, being information that would prejudice Council's position in commercial negotiations if prematurely released (section 3(1)(a)); and
2. 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.

18.5 ICT Managed Service Provider Contract Extension (C290-2021)

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

1. Because it is Council business information, being information that would prejudice Council's position in commercial negotiations if prematurely released (section 3(1)(a)); and
2. 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.

Moved Cr G Massey Seconded Cr K Kirk that Council move back into Open Session at 11:09am

Carried

19.1 Housing Units Expression Of Interest update**Recommend Motion:**

That Council:

- a) Endorse that the Chief Executive Officer can commence negotiations with Dunmunkle Lodge to manage Council's housing units in Murtoa, Warracknabeal, Rupanyup and Hopetoun.

PART 2

That Council:

- a) Determines, pursuant to section 125(2) of the *Local Government Act 2020*, that the Resolution(s) made in relation to Agenda Item 20.1 while the meeting was closed to the public be made publicly available; and
- b) Authorises the Resolution(s) referred to in Part 1 of this Resolution to be recorded in the public minutes of this meeting.

Resolution:

Moved Cr K Kirk Seconded Cr T Hamilton

That the recommendation be adopted

Carried

19 NEXT MEETING

27 September 2023

20 CLOSED