



Yarriambiack
SHIRE COUNCIL

Minutes

Ordinary Meeting of Council

28 February 2024

COUNCIL CHAMBERS

34 Lyle Street, Warracknabeal

MEETING OF COUNCIL TO COMMENCE AT 9.30AM

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

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

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OUR VISION

A 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.

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

Mayor	Kylie Zanker	Warracknabeal Ward
Councillor	Andrew McLean	Hopetoun Ward
Councillor	Tom Hamilton	Dunmunkle Ward
Councillor	Graeme Massey	Warracknabeal Ward
Councillor	Chris Lehmann	Hopetoun Ward
Councillor	Corinne Heintze	Dunmunkle Ward
Councillor	Karly Kirk	Warracknabeal Ward

Council Officer	Tammy Smith	Chief Executive Officer
Council Officer	Tony Caccaviello	Chief Operating Officer
Council Officer	Belinda Penny	Governance Officer
Council Officer	Anita McFarlane	Manager Corporate Services
Council Officer	Joel Turner	Manager Infrastructure and Works
Council Officer	Tim Rose	Manager Community Health
Council Officer	Rebecca Botheras	Sport and Recreation Coordinator

5 APOLOGIES

Name / Role	Description of Leave / Absence

6 CONFIRMATION OF MINUTES

6.1 MINUTES 13 DECEMBER 2023 – ORDINARY MEETING

Minutes of the Ordinary meeting of Council held on 13 December 2023 be taken as an accurate record and confirmed.

Recommended Motion:

That the minutes of the Ordinary Meeting of Council held on 13 December 2023, as circulated be taken as read and confirmed.

Resolution:

Moved Cr. K Kirk Seconded Cr. T Hamilton

That the recommendation be adopted.

Carried

6.2 MINUTES 07 FEBRUARY 2024 - UNSCHEDULED CLOSED (CONFIDENTIAL) MEETING

Minutes of the Unscheduled Closed (Confidential) Meeting of Council held on 07 February 2024 be taken as an accurate record and confirmed.

Recommended Motion:

That the minutes of the Unscheduled Closed Meeting of Council held on 07 February 2024, as circulated be taken as read and confirmed.

Resolution:

Moved Cr. C Heintze Seconded Cr. G Massey

That the recommendation be adopted.

Carried

Extract of Confidential Council Minutes: Item 7.1 Visitor Economy Partnership

Motion:

PART 1

That Council:

1. Authorise the Chief Executive Officer to join the Grampians, Wimmera Mallee Visitor Economy Partnership which will be the recognised Visitor Economy Partnership for the Region.
2. Subject to Council's annual budgetary process allocate a financial contribution of \$15,000 for the 2024/25 and 2025/26 years to the Grampians, Wimmera Mallee Visitor Economy Partnership.
3. Note that the funding allocation for the 2023/24 Financial Year was reallocated from Wimmera Mallee Tourism to the new Visitor Economy Partnership and increased to anticipate the change.
4. Note that the Wimmera Mallee Destination Management Plan, once developed, will be the key strategic document for the future entity to deliver, which will be informed by the Wimmera Mallee Tourism Strategy 2022-2027.

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 7.1 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 the next Council Meeting to be held on 28 February 2024.

Resolution:

Moved Cr G Massey Seconded Cr K Kirk

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
Tom Hamilton	15.3 – Murtoa Housing Units Community Asset Committee of Council	General Conflict of Interest
Corinne Heintze	19.2 – Permit for Additional Animals	General Conflict of Interest

8 BUSINESS ARISING

8.1 BUSINESS ARISING FROM PREVIOUS MINUTES

As per ongoing and pending actions list, item 8.2

8.2 ONGOING AND PENDING 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. This survey is delayed and will form part of the Master Environment Strategy development and community engagement process. The Strategy is currently out for tender via the State Government procurement panel.
23 November 2022 Item 15.2	Request to install wombat crossing in Scott Street, Warracknabeal.	Council to commence applying for funding opportunities to pay for the installation of the crossing. Revisit proposal in 12 months' time (November 2023) if Council has been unsuccessful in securing funding. Council currently has a TAC application submitted for wombat crossing funding. We are awaiting outcome. Council was successful with securing funding. The Scott Street Wombat Crossings are currently being scoped for installation. CLOSED
25 October 2023 Item 15.4	Stage two of the Community Engagement process that identifies specific hierarchy changes to roads and streets based on updated categories from the Stage 1 consultation process to be conducted in January 2024.	On hold, further reviews being undertaken.
22 November 2023 Items 15.1	Warracknabeal Aero Club Lease endorsed. Leases to be enacted.	Lease has now been signed and enacted. CLOSED
22 November 2023 Item 15.2	Dunmunkle Lodge Lease endorsed. Leases to be enacted.	Lease has now been signed and enacted. CLOSED
22 November 2023 Item 15.4	Lascelles Caravan Park endorsed. Lease to be enacted.	Lease is currently undertaking the review process, consulting with stakeholders.
22 November 2023 Item 15.5	Murtoa Caravan Park endorsed that Council Officers can apply to DEECA to sub-lease to Murtoa Progress Association.	Lease is currently undertaking the review process, consulting with stakeholders.

9 PETITIONS

Nil

10 CORRESPONDENCE

Outgoing		
Date	Recipient	Details
02/01/24	Southern Shire Rural Residents	Letter – Regarding Gravel Pit Opportunities in Southern End of Shire
04/01/24	Hopetoun Tennis Club	Letter of Support – Tiny Towns Funding Application
10/01/24	Warracknabeal Lions Club	Letter of Support – Tiny Towns Funding Application
01/02/24	M & K Weidemann	Letter of Support – Regional Worker Accommodation Fund
06/02/24	Rural Northwest Health	Letter of Support – Regional Worker Accommodation Fund
08/02/24	Murtoa Big Weekend Committee	Letter of Support – FRRR Grant
15/02/24	Rural Northwest Health	Letter regarding Community Garden
15/02/24	Beulah Memorial Park Trustees	Letter of Support – Tiny Towns Funding Application
15/02/24	Brim Kellalac Sheep Hills Cricket Club	Letter of Support – Australian Cricket Infrastructure Fund
15/02/24	Rupanyup Progress Association	Letter of Support – Tiny Towns Funding Application
15/02/24	Brim Kellalac Sheep Hills Cricket Club	Letter of Support – Tiny Towns Funding Application
22/02/24	Hopetoun and District Neighbourhood House	Letter of Support – FRRR Grant
22/02/24	Warracknabeal Creek Development Committee	Letter of Support – Tiny Towns Funding Application
22/02/24	Minyip Progress Association	Letter of Support – Tiny Towns Funding Application
18/12/23	Minister Shing MP	Letter – Recreational Water Concerns
18/12/23	Minister Dimopoulous MP	Letter – Recreational Water Concerns
18/12/23	Minister Tierney MP	Letter – Recreational Water Concerns
18/12/23	Minister Horne MP	Letter -Condition of Patchewollock Sea Lake Road
23/02/24	Tiny Towns Grant	Letter of Support and Acknowledgement of Funding for Yaapect Streetscape Project
23/02/24	Southern Mallee Kart Club	Letter of Support – Tiny Towns Grant

Incoming		
Date	Sender	Details
16/02/24	Minister Horne MP	Electoral Structure Review
22/01/24	Council Watch	Petition in relation to Australia Day. Noting the petition was not compliant with Councils Governance Rules.
22/12/23	Minister Horne MP	Letter in relation to Rate Cap for 24/25 financial year

11 SPECIAL COMMITTEES

11.1 AUDIT AND RISK COMMITTEE MEETING SCHEDULE

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

Date	Description
Monday 19 February 2024	Ordinary Meeting
Monday 15 April 2024	Ordinary Meeting
Monday 15 July 2024	Ordinary Meeting
September 2024 TBC	Special Meeting

The Audit and Risk Committee meeting was held on 19 February 2024.

[Attachment: Audit and Risk Committee Draft Minutes 19 February 2024](#)

Recommended Motion:

That the minutes of the Audit and Risk Committee Meeting held on 19 February 2024, as circulated, be taken as read and confirmed.

Resolution:

Moved Cr. T Hamilton

Seconded Cr. C Heintze

That the recommendation be adopted.

Carried

12 ACTIVITY REPORTS

12.1 MAYOR ACTIVITY REPORT

Mayor Kylie Zanker – Warracknabeal Ward (December, January and February)		
Date	Activity	Location
14/12/23	Meeting with Barengi Gadjin Land Council Representative	Online
14/12/23	Hopetoun P-12 awards night to present awards	Hopetoun
15/12/23	Meeting with Moyne Council regarding Wind Farms	Online
15/12/23	Meeting with Western Hwy Action Committee	Online
17/12/23	Carols by Candlelight hosted by Warracknabeal Action Group at Racecourse	Warracknabeal
18/12/23	CEO/Mayor catch up meeting	Warracknabeal
19/12/23	Mayoral Forum with the Minister for Local Government	Online
20/12/23	Gavin Blinman's retirement dinner	Warracknabeal
21/12/23	Quarterly CEO/Mayors Wimmera Region catch up	Horsham
18/01/24	Warracknabeal hay processing plant introduction tour	Warracknabeal
19/01/24	Chief Operating Officer Tony Caccaviello/Mayoral catch up	Warracknabeal
26/01/24	Murtoa Australia Day celebrations Performed two citizenships	Murtoa
02/02/24	CEO/Mayor catch up meeting	Warracknabeal
02/02/24	Discussions with CEO and a ratepayer regarding various matters	Warracknabeal
06/02/24	Meeting with Audit and Risk Committee chair, CEO and Chief Operating Officer to set agenda for the upcoming meeting	Online
07/02/24	Unscheduled Meeting (Closed) of Council and Council Forum	Warracknabeal
08/02/24	Quarterly meeting of Wimmera CEO/Mayors meeting	Horsham Rural City Council
09/02/24	CEO/Mayor catch up meeting	Warracknabeal
14/02/24	Council Forum	Warracknabeal
16/02/24	Meal in the Beal	Warracknabeal

20/02/24	Handover of the Murtoa units to Dunmunkle Lodge	Murtoa
23/02/24	Western Highway Action Committee meeting	Online
23/02/24	CAN Network meeting	Online
25/02/24	Flying Doctors 40 th Celebrations	Minyip
26/02/24	Mayor / CEO catch up meeting	Warracknabeal

12.2 COUNCILLOR ACTIVITY REPORTS

Cr Andrew McLean – Hopetoun Ward (December, January and February)		
Date	Activity	Location
12/12/23	Hopetoun P-12 Awards evening	Hopetoun
26/01/24	Australia Day Breakfast	Woomelang
07/02/24	Unscheduled Meeting (Closed) of Council and Council Forum	Warracknabeal
14/02/24	Council Forum	Warracknabeal
20/02/24	Sunraysia Highway Improvement Committee Meeting	Birchip
21/02/24	Council Briefing, Regional Community Sports Infrastructure Fund	Online

Cr Tom Hamilton – Dunmunkle Ward (December, January and February)		
Date	Activity	Location
07/02/24	Unscheduled Meeting (Closed) of Council and Council Forum	Online
14/02/24	Council Forum	Warracknabeal
16/02/24	Rail Freight Annual General Meeting	Melbourne
23/02/24	Wimmera Southern Mallee Development Meeting	Horsham
24/02/24	Stick Shed Visitor Information Building Opening	Murtoa

Cr Graeme Massey – Warracknabeal Ward (December, January and February)		
Date	Activity	Location
26/01/24	Australia Day Event	Warracknabeal
07/02/24	Unscheduled Meeting (Closed) of Council and Council Forum	Warracknabeal
12/02/24	Met with Community Garden members	Warracknabeal
13/02/24	Warracknabeal Action Group (WAG) meeting	Warracknabeal
14/02/24	Council Forum	Warracknabeal
21/02/24	Council Briefing, Regional Community Sports Infrastructure Fund	Online
24/02/24	Stick Shed Visitor Information Building Opening	Murtoa

26/02/24	Warracknabeal and District Band Annual General Meeting	Warracknabeal
27/02/24	Wimmera Mallee Tourism Meeting	Dimboola

Cr Chris Lehmann – Hopetoun Ward (December, January and February)

Date	Activity	Location
15/01/24	Hopetoun Racecourse Reserve Meeting	Hopetoun
26/01/24	Australia Day Event	Beulah
07/02/24	Unscheduled Meeting (Closed) of Council and Council Forum	Warracknabeal
21/02/24	Council Briefing, Regional Community Sports Infrastructure Fund	Online

Cr Corinne Heintze – Dunmunkle Ward (December, January and February)

Date	Activity	Location
20/12/23	Farewell for Gavin Blinman	Warracknabeal
26/01/24	Australia Day Celebration	Minyip
07/02/24	Unscheduled Meeting (Closed) of Council and Council Forum	Warracknabeal
14/02/24	Council forum	Warracknabeal
15/02/24	YarriLinks meeting	Online
19/02/24	Audit and Risk Committee	Warracknabeal
21/02/24	CMA wetlands drive about day (YarriLinks invite)	
20/02/24	Dunmunkle Lodge Housing Handover	Murtoa
25/02/24	Show and Shine	Minyip

Cr Karly Kirk – Warracknabeal Ward (December, January and February)

Date	Activity	Location
26/01/24	Australia Day Event	Hopetoun
07/02/24	Unscheduled Closed Council Meeting and Forum	Warracknabeal
14/02/24	Council Forum	Warracknabeal

12.3 CHIEF EXECUTIVE OFFICER ACTIVITY REPORT

Tammy Smith (December, January and February)		
Date	Activity	Location
14/12/24	Meeting with Mayor, Council Officers and Barengi Gadjin Land Council Representative	Horsham
14/12/24	Meeting with Regional Development Victoria	Horsham
15/12/24	Meeting with Moyne Shire Council regarding Wind Energy Projects	Online
15/12/24	Meeting with South West TAFE regarding Early Years Bridging Program	Online
18/12/23	CEO/Mayor catch up meeting	Warracknabeal
19/12/24	Visitor Economy Partnership Meeting – CEO's and Department of Jobs, Skills, Industry and Regions (DJSIR)	Stawell
20/12/24	Meeting with Business Owner	Warracknabeal
21/12/24	Wimmera Mayor and CEO Meeting	Horsham
03/01/24	Meeting with Warracknabeal Action Group Members to discuss Tiny Towns Grant	Warracknabeal
04/01/24	100 Neighbourhood Batteries discussion with Department of Energy, Environment and Climate Action (DEECA)	Online
05/01/24	CEO/Mayor catch up meeting	Warracknabeal
10/01/24	Meeting with Wimmera CMA regarding Yarriambiack Creek sediment removal	Online
11/01/24	Wimmera Mallee Tourism Visitor Economy Partnership Update	Online
11/01/24	Meeting with Wimmera Southern Mallee Development	Horsham
11/01/24	Meeting with Federation University	Horsham
12/01/24	CEO/Mayor catch up meeting	Warracknabeal
15/01/24 – 26/01/24	On Leave	
29/01/24	Rural Councils Victoria meeting with Regional Development Victoria	Online

Tammy Smith (December, January and February)		
29/01/24	Meeting with Federation University to discuss Early Childhood Education and Care Training	Online
29/01/24	Meeting with Minyip Caravan Park representative re: Progress of Cabins Project	Warracknabeal
29/01/24	Meeting with Engineers and Rupanyup Future Fund representatives regarding Gibson Street Development	Online
29/01/24	Meeting with Rural Northwest Health CEO	Warracknabeal
29/01/24	Meeting with resident regarding condition of a road in Warracknabeal	Warracknabeal
02/02/24	CEO/Mayor catch up meeting	Warracknabeal
02/02/24	Meeting with resident Warracknabeal	Warracknabeal
05/02/24	Meeting with Rural Northwest Health CEO and Manager Warracknabeal Neighbourhood House	Warracknabeal
05/02/24	Meeting with VicGrid	Online
06/02/24	Meeting with Wheatlands Museum representatives	Warracknabeal
06/02/24	Meeting with Regional Development Victoria and Stickshed Chairperson to discuss Enabling Tourism Funding	Online
06/02/24	Audit and Risk Committee Agenda review with Chairperson, Chief Operating Officer and Mayor	Online
06/02/24	Townscape Meeting	Warracknabeal
07/02/24	Unscheduled Meeting (Closed) of Council and Council Forum	Warracknabeal
07/02/24	Briefing of Buloke Shire Councillors on Visitor Economy Partnership, with Chair of Grampians Tourism	Sea Lake
08/02/24	Meeting with Hopetoun Neighbourhood House Manager and Council Representatives	Online
08/02/24	Quarterly Mayor and CEO Wimmera Meeting	Horsham
09/02/24	Meeting with resident Brim	Warracknabeal
12/02/24	Meeting with Warracknabeal Community Garden Representatives	Warracknabeal
12/02/24	Rupanyup Progress Meeting	Rupanyup

Tammy Smith (December, January and February)		
13/02/24	Hopetoun P-12 College Badge Presentation	Hopetoun
13/02/24	Rural Councils Victoria – Briefing Tourism	Online
14/02/24	Council Forum	Warracknabeal
14/02/24	Meeting with Rural Northwest Health CEO and Community Stakeholder Engagement Officer	Warracknabeal
15/02/24	Meeting with Barengi Gadjin Land Council CEO	Online
16/02/24	Local Government Reforms, consultation with CEO's, Mayors and Councillors – MAV	Online
16/02/24	Rural Councils Victoria Meeting	Online
19/02/24	Audit and Risk Committee Meeting	Warracknabeal
20/02/24	Handover of Murtoa Units to Dunmunkle Lodge	Murtoa
20/02/24	Minyip Recreation Reserve Committee Meeting	Minyip
21/02/24	Briefing with Councillors on Regional Community Sport and Infrastructure Fund	Online
26/02/24	Local Government CEO Forum Recycling Victoria	Online
26/02/24	Mayor/CEO catch up meeting	Warracknabeal
27/02/24	Wimmera Mallee Tourism Meeting	Dimboola

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: Nil	Town:
Question:	
Respondent:	
Response:	

14 COUNCILLOR REPORTS

14.1 MAYORS REPORT

We have hit the ground running in 2024, with lots of opportunities presenting, whilst acknowledging the completion of several significant projects.

We also experienced our first catastrophic fire day for the year. I wish to acknowledge the hard work and dedication of our region's volunteers, who worked tirelessly to defend the communities across our region from the severe fire event.

Regional Worker Accommodation

We have submitted three expressions of interest for the Regional Worker Accommodation Fund for Warracknabeal, Murtoa and Hopetoun, as we recognise housing is a major barrier to economic growth within our Shire.

Tiny Towns Fund

We are proud of our partnership with the Community and have been working closely with community groups to apply for the Tiny Towns Fund, that closes on 25 February. I wish all community groups the best of luck with their applications.

Murtoa Stickshed Official Opening of the Visitor Experience Upgrade

It was an honour to be invited to open the recently completed works at the Stickshed in Murtoa on the 24 February. The works were made possible through a partnership with the Stickshed Committee of Management, Council and funding secured from the Commonwealth Australian Heritage Grant and the Victorian Government Regional Tourism Investment Program, Stimulus Round.

Murtoa Affordable Housing Units Completed

We were excited to celebrate the completion and hand over of the Murtoa Affordable housing units to Dunmunkle Lodge, with the units now being available for tenants.

Following a thorough expression of interest and public notification process, Council unanimously decided to enter into a 50-year lease agreement with Dunmunkle Lodge.

This is a proactive partnership, collaborating with a reputable not-for-profit, Shire-based organisation for the future management of our units not only in Murtoa, but also Warracknabeal, Hopetoun and Rupanyup (one built).

We thank the Victorian State Government for the funding and welcomed future opportunities for enhancing the housing stock within the Shire.

We also thank the Murtoa Housing Units, Community Asset Committee of Council who contributed \$240,000 thousand towards the project and who is invested in ensuring housing options are available and accessible for the community of Murtoa. Without their hard work this project would not have been realised.

Catastrophic Fire Event

Our communities faced a catastrophic Fire Event on Tuesday 13 February, where sadly multiple homes were lost in the Pomonal and Dadwells Bridge areas. During the course of the day the weather with high changing winds, lightning strikes and severe heat caused much work for CFA Volunteer Fire crews and ground associated personnel. Across the course of the day, I undertook radio and television interviews regarding the event. Many questions were framed around the evacuate warning, school closures and public well-being. Council, in these emergency response events is guided by the CFA and encourages people to follow their guidance, their own fire evacuation plan and to check the CFA and Vic Emergency website for advice when making an informed decision as to when to evacuate.

15 REPORTS FOR DECISION

15.1 COUNCIL PLAN PROGRESS REPORT

Prepared by Tammy Smith, Chief Executive Officer

SUMMARY

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

This report presents the Council Plan Actions, that aligns with the strategic objectives of the plan and the progress of each action.

Recommended Motion:

That Council:

Endorse the progress of the Council Plan 2021-2025, Year 3, Quarterly Report as outlined in the body of this report.

Resolution:

Moved Cr. C Heintze

Seconded Cr. T Hamilton

That the recommendation be adopted.

Carried

ATTACHMENTS

[Attachment: Website Link to the Council Plan 2021-2025](#)

[Attachment: Council Plan Quarterly Report Update, Quarter 2, 2023-24](#)

DISCUSSION

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

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

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

In July 2022, the Long-Term Financial Plan was removed from the Council Plan to be a standalone document.

Council has recently reviewed the Council Plan strategic priorities and has revised the Council Plan for years three and four.

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.

26 October 2022 – Minutes – Council Plan Actions Year 2, Quarter 1 Report.

25 January 2023 – Minutes – Council Plan Actions Year 2, Quarter 2 Report.

26 April 2023 – Minutes – Council Plan 2021-25 Action Plan Quarterly Report

26 July 2023 – Minutes – Council Plan 2021-25 Action Plan Quarterly Report

23 August 2023 – Minutes – Revision of Council Plan 2021-2025 Year 3 and 4

25 October 2023 - Minutes – Council Plan 2021 – 2025 Quarterly Progress Report

OPTIONS

- a) Councillors could choose to revise the Council Plan actions and strategic priorities in June 2024. However, it should be noted that a new, four-year, Council Plan is required to be adopted by October 2025.

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 for Years 3 and 4 were 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. The revised plan was adopted on 23 August 2023.

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	Council Plan Actions progress reported quarterly in accordance with Council's Performance Management Framework and reported on by the Mayor on an annual basis as required by the new <i>Local Government Act 2020</i> .	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 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.

15.2 COMMON SEAL AND CONDUCT AT MEETINGS 2024 LOCAL LAW

Prepared by Belinda Penny, Governance Officer

SUMMARY

The Common Seal and Conduct at Council Meetings Local Law 2024 is developed to establish the circumstances under which the official Council Common Seal may be affixed to documents and to address offences in respect of conduct at meetings.

Recommended Motion:

That Council:

- a) Adopt the revised Common Seal and Conduct at Council Meetings Local Law as attached to this report; and
- b) Rescind any previous versions of the Common Seal and Conduct at Council Meetings Local Law.

Resolution:

Moved Cr. K Kirk

Seconded Cr. T Hamilton

That the recommendation be adopted.

Carried

ATTACHMENTS

[Attachment: Revised version of Common Seal and Conduct at Council Meetings Local Law 2024](#)

[Attachment: Local law Community Impact Statement](#)

[Attachment: Feedback from Community Consultation](#)

DISCUSSION

Section 14(1)(b) of the *Local Government Act 2020* requires Council as a body corporate to have a common seal. However, the *Local Government Act 2020* does not make express provision for the circumstances in, or the procedures by, which a common seal may or must be affixed to documents.

Section 14(2)(c) of the *Local Government Act 2020* provides that Council's Common Seal must be 'used in accordance with any applicable local law' but does not otherwise regulate its use or describe any documents to which it must be affixed.

Matters relating to the use of the Common Seal are ultimately left to be regulated by Council, through the Local Law.

Councils tend to use their Common Seals 'Out of Habit', 'For Ceremonial Purposes' or 'To avoid queries about what power the signatory had to sign a document on Council's behalf'.

The Common Seal and Conduct at Council Meetings Local Law has recently been reviewed to rectify the identified anomaly in enabling the affixing of the Common Seal when a staff member has been delegated responsibility. This specifically applies to the affixing of Council's Common Seal to Section 173 Agreements administered under the *Planning and Environment Act 1987*, once the agreement has been assessed and approved by the applicable nominated Council Officer in accordance with the S6 Instrument of Delegation.

Under the Common Seal and Conduct at Council Meeting Local Law 2020 a section 173 Agreement was required to be taken to a Council Meeting to be adopted and have the

Common Seal applied as a formality, when it is the applicable delegated Officers' responsibility to approve the agreement and Council has no authority to do so. By addressing this anomaly, it will allow for the nominated Officer to approve, seal and sign these agreements without needing to wait for the next Council Meeting.

Documents being sealed and signed under delegation will still follow the signature arrangement of the Chief Executive Officer and two Councillors and will be recorded in the Common Seal register.

RELEVANT LAW

- *Local Government Act 2020* Part 2, Division 2, Clause 14, (1)(b)
- *Local Government Act 2020* Part 2, division 2, Clause 14, (2)(c)

COUNCIL PLANS AND POLICIES

- Freedom of Information Part II Statement

RELATED COUNCIL DECISIONS

Council Meeting - 26 August 2020 – Common Seal and Conduct at Meetings Local Law 2020

OPTIONS

Council can decide to not adopt the revised version of the Local Law 2024 which addresses the anomaly relating to Section 173 Agreements being signed under delegated authority and continue to have these Agreements come through Council. This will cause delays in the signing of the Section 173 Agreements and a subsequent delay in the setting of conditions or restrictions on the use of the development of land involved in the Section 173 Agreement.

SUSTAINABILITY IMPLICATIONS

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

Economic: Timely processing of 173 Agreements is imperative to supporting economic development activities of Council. A 173 Agreement sets out the conditions and restrictions on the use or development of land, or to achieve other planning objectives in relation to the land.

COMMUNITY ENGAGEMENT

Community Engagement has been undertaken in the reviewing process of the Common Seal and Conduct at Meetings Local Law 2024 by having the Local Law available on Council's website for public submissions between 17 January 2024 and 16 February 2024. One submission was received during this period.

The feedback provided asked why the Common Seal and Conduct at Meetings Local Law was required, and if there had been an outbreak of inappropriate behaviour by Councillors and the public. It also questioned if the document was aimed at intimidating and/or silencing people.

In answer to the feedback provided;

- Council has only made changes to the section in relation to the Common Seal.
- Part C – Offences has not been altered, in relation to conduct at meetings.
- There have been no reports of inappropriate behaviours by Councillors and or the public.
- Whilst it is hoped our Council would never have to utilise the Part C – Offences section of the Common Seal and Conduct at Meetings Local Law, it does provide a mechanism for dealing with offensive and disorderly conduct, and improper conduct in the chambers if it was to arise.

GENDER IMPACT ASSESSMENT

Not applicable

RISK

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

<i>Strategic Risk Description and Residual Risk Level</i>	<i>Action to Mitigate/Reduce Risk</i>	<i>Does Action maintain or reduce Residual Risk Level</i>
Corporate Governance, Compliance and Liability Risk - Residual Risk Level Low	The Common Seal and Conduct at Meetings Local Law has been revised to address the application of a Common Seal to 173 Agreements. This ensured a timely process, and our actions were in accordance with the Local Law.	Maintains Residual Risk Level
Reputational Risk - Residual Risk Level Low	In relation to above, it is important that Council processes planning matters in a timely manner to support economic development within our community.	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.

Conflict of Interest Declaration

Conflict Declared by	Reason - Explanation	Time left Council Meeting
Tom Hamilton	Partner is a member of the community asset committee of council – General Conflict of Interest	9:59am

15.3 MURTOA HOUSING UNITS COMMUNITY ASSET COMMITTEE OF COUNCIL***Prepared by Tammy Smith, Chief Executive Officer***

The Murtoa Housing Units Asset Committee of Council was established on 01 September 2020 under the *Local Government Act 2020*. This paper seeks endorsement from Council to dissolve the Committee.

Recommended Motion:

That Council:

- a) Endorse that the Murtoa Housing Units Community Asset Committee of Council, established on the 01 September 2020, be revoked, and dissolved as of 28 February 2024.

Resolution:

Moved Cr. C Heintze

Seconded Cr. K Kirk

That the recommendation be adopted.

Carried

ATTACHMENTS

Nil

DISCUSSION

The Murtoa Housing Units Community Asset Committee of Council was established in accordance with the *Local Government Act 2020*.

On the 09 July 2023, Council received formal notification from the Murtoa Housing Units Asset Committee (Asset Committee) of Council that they wished to hand back management of the units to Council, with the aim of focusing their energies on attracting and facilitating future housing development in the town through other means.

The Asset Committee should be extremely proud of the works they have undertaken to date, facilitating the development and management of the existing units in McDonald Street Murtoa, whilst also contributing financially to buy land and build the two new homes in Murtoa on Cromie Street. Without the efforts of the Community Asset Committee members, our housing developments in Murtoa would not have been realised.

In light of the Asset Committees notification, Council released an Expression of Interest calling for a community-based organisation to take over the long-term management of the two existing units in Murtoa, along with the new units being built in Murtoa, Rupanyup, Hopetoun and Warracknabeal.

The Expression of Interest, and subsequent Have Your Say processes resulted in Council endorsing a 50-year lease agreement with Dunmunkle Lodge.

The Lodge has now taken over the management of the existing and new units in Murtoa, with a formal hand over presentation occurring on 20 February 2024.

With the enacting of the lease agreement with Dunmunkle Lodge, the Murtoa Housing Units Community Asset Committee of Council can now be dissolved.

RELEVANT LAW

- Section 65 of the *Local Government Act 2020*
- *Residential Tenancies Act 1997*

COUNCIL PLANS AND POLICIES

- Council Plan 2021-2025 Strategic Objective 4: A Council Who Serves its Community.
- Council Plan 2021-2025 – Key Objective 2: A Healthy and Inclusive Community.

RELATED COUNCIL DECISIONS

- 23 August 2023 – Closed Meeting of Council item 19.1
- 22 November 2023 – Ordinary Meeting of Council item 15.2

OPTIONS

All previous options had been considered when endorsing the Dunmunkle Lodge Lease Agreement.

SUSTAINABILITY IMPLICATIONS

Economic: Housing is an important asset to support economic development and growth across the Shire. Supporting a local not-for-profit entity to expand and provide housing opportunities to its clientele, enhances economic prosperity within the Shire.

Social: Affordable housing, that improves on energy efficiency enhances the social health and wellbeing outcomes for its tenants. Housing that has superior energy ratings reduces the operating costs for heating and cooling. Reduced costs can provide an overall benefit to a person's social health and wellbeing outcomes.

Providing a pathway for the Asset Committee members to refocus their energies will provide both a social and economic benefit to the township of Murtoa.

COMMUNITY ENGAGEMENT

Council undertook an Expression of Interest, public notification process in accordance with Council's Community Engagement Policy.

Council also undertook a Have Your Say public notification process in regard to Council entering into a 50 Year Lease in accordance with Council's Community Engagement Policy. The advertisement was available on Council's website from 29 September until Friday 20 October.

GENDER IMPACT ASSESSMENT

Not applicable

RISK

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

Strategic Risk Description and Residual Risk Level	Action to Mitigate/Reduce Risk	Does Action maintain or reduce Residual Risk Level
Strategy Execution and Change Management Risk - Residual Risk Level Medium	The building of houses across our Shire, supports the Council's strategic objectives outlined in the Council Plan. However, the management of those units is not Council's core business, and engaging a business that is skilled and experienced in residential unit management would ensure Council's strategic vision is fulfilled, without having to manage the compliance obligations in relation the Residential Tenancies Act.	Reduces Residual Risk Level

<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	Outsourcing the management of the units to an organisation that is experienced meeting the Residential Tenancies Act requirements reduces Council's compliance risk.	Reduces Residual Risk Level
Financial Risk - Residual Risk Level Medium	Outsourcing the management of the units enables Council to direct Council funds to core business.	Reduces Residual Risk Level

REGIONAL, STATE AND NATIONAL PLANS AND POLICIES

Not applicable

CONFLICTS OF INTEREST

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

Conflict of Interest Declaration

Conflict Declared by	Reason - Explanation	Time returned to Council Meeting
Tom Hamilton	Partner is a member of the community asset committee of council – General Conflict of Interest	10:03am

15.4 FINANCIAL AND NON-FINANCIAL PERFORMANCE REPORT QUARTER 2 2023-24

Prepared by Tony Caccaviello, Chief Operating Officer, Anita McFarlane, Manager Corporate Services and Joel Turner, Manager Infrastructure and Works

SUMMARY

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

Schedule 1 – Annual Report Governance and Management Checklist in Report of Operations contained within the Local Government (Planning and Reporting) Regulations 2020 requires Performance Reports to be prepared six monthly to monitor Council's financial and non-financial performance.

These two requirements have been consolidated and presented in this report.

Recommended Motion:

That Council:

- a) Adopt the quarterly Financial and Non-Financial Performance Report, that includes the six-monthly Local Government Performance Reporting, as of 31 December 2023 as attached to this report.

Resolution:

Moved Cr. K Kirk

Seconded Cr. T Hamilton

That the recommendation be adopted.

Carried

ATTACHMENTS

[Attachment: Financial and Non-financial Reporting Report Quarter 2 \(including LGPR\) – Forum & ARC Version](#)

DISCUSSION

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

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

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

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

Results and commentary on the six months to 31 December for the Report of Operations has been consolidated into this report given its complementary nature. The report is a guide to assessing and monitoring organisational performance based on the half yearly results.

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

Infrastructure and Works - Operations Update

During the quarter, the concentration of activity has been focused on delivering the Roads Capital Works Program. This focus has seen the completion of several shoulder re-sheeting jobs and the stockpiling of material at stock sites in preparation for further shoulder re-sheeting and rural construction activities. These are expected to be completed in the second half of the financial year.

The quarter also saw several concreting construction activities with footpaths in the Southern Ward of the Shire completed and components of other Council delivered programs requiring concreting such as the Rumble at the Rabl Park project and Housing units in Murtoa.

Significant maintenance activities are planned to be undertaken in the second half of the financial year and are expected to utilise the available budget. Operational activities undertaken during the quarter included maintenance grading in locations radiating outwards from Capital Works Program activities to nearby roads. This approach is aimed at responding to customer requests while optimising the utilisation of heavy plant equipment such as graders, tractors and rollers whilst also minimising time-consumed transporting equipment between job locations.

Key Projects Update

Warracknabeal Early Years Centre: Main building works were completed during the reporting period. Further works are required to the pedestrian linkage between the new building and the existing Early Years building, with these works expected to be completed by the end of the financial year. The landscaping, play space and car park have commenced procurement activities, however no contracts have been awarded. These activities are awaiting the outcome of a funding submission.

Rupanyup Community Library: Council has appointed Onley's Holdings Pty Ltd from Donald to undertake the upgrade of the old Shire Building in Cromie Street, Rupanyup.

The initial plans and tender documentation included an external pergola and extension of amenities at the rear of the building. Due to the rising cost of materials and contractor costs, the tender had to be re-scoped to bring the project back to budget. The Councillors have committed further funds to the project to ensure the building is revitalised to accommodate a new library, community meeting and makers' space. The building will also accommodate in-venue childcare. Works have commenced and are on track, due for completion by 30 June 2024.

Amenities block at Warracknabeal Caravan Park: Onsite installation of the building is nearing finalisation with practical completion expected to be achieved in the middle of quarter 3. The existing amenities block at the site is to be demolished once the new building is operational and is included in the budget for the project.

Successful Grants Update

During the quarter, Council was successful in receiving the following successful grant outcomes:

- \$68,000 from the TAC Local Government Program fund for the Wombat Crossing Scott Street Project in Warracknabeal.

- \$25,000 from the TAC Local Government Program fund for the Safe School Precinct Project, Werrigar Street in Warracknabeal.
- \$20,000 from DEECA to update Council's Onsite Domestic Wastewater Management Plan.

RELEVANT LAW

Local Government Act 2020 – Section 97 Quarterly Budget Report

Local Government (Planning and Reporting) Regulations 2020

COUNCIL PLANS AND POLICIES

- Annual Budget 2023-2024
- Performance Reporting Framework
- Risk Management Manual

RELATED COUNCIL DECISIONS

- Minutes 28 June 2023 – Adoption of the Annual Budget 2023-2024
- Minutes 25 October 2023 – Financial and Non-Financial Performance Report 23-24 – Quarter 1

OPTIONS

The option presented in this report is to provide Council with a quarterly report encompassing both financial and non-financial performance reporting, provides enhanced governance and oversight, and promotes transparency in decision making.

Options to be considered:

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

SUSTAINABILITY IMPLICATIONS

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

Financial: Yarriambiack Shire Council is heavily reliant on operating and capital grants as a source of revenue funding. This poses a significant financial risk to Council. Councils' ability to raise source revenue is restricted by the annual rate cap and the financial sustainability risk is further declining due to CPI and inflation being greater than our rate cap.

COMMUNITY ENGAGEMENT

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

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

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

Council adopted a Community Engagement Policy which is applied when developing and consulting with the community in relation to the Annual Budget development and adoption. The quarterly report outlines Council's financial position against the adopted budget.

GENDER IMPACT ASSESSMENT

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 quarterly report incorporates the reporting requirements as outlined in the Local Government (Planning and Reporting) Regulations 2020 Schedule 1.	Maintains Residual Risk Level
Financial Risk - Residual Risk Level Medium	The quarterly report includes Budget v Actual reporting, which enables management, Audit and Risk Committee and Councillors to monitor the financial performance of Council and assess and address risks as they arise.	Maintains Residual Risk Level
Program and Project Risk - Residual Risk Level Medium	The quarterly report incorporates detailed project reporting, providing enhanced oversight on the performance of projects.	Maintains Residual Risk Level

REGIONAL, STATE AND NATIONAL PLANS AND POLICIES

Not applicable

CONFLICTS OF INTEREST

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

15.5 FUNDING MURTOA COURTS AND HOPETOUN SWIMMING POOL

Prepared by Tim Rose, Manager Community Health and Rebecca Botheras, Sport and Recreation Coordinator

SUMMARY

The Victorian Government has announced the Regional Community Sports Infrastructure Fund (RCSIF), with applications open to Local Government Authorities until 27 March 2024. The Hopetoun Swimming Pool Upgrade Project and Murtoa Recreation Reserve Netball/Tennis Court Upgrade Project have been identified as two eligible projects to progress to application. Council is required to endorse the applications and confirm a commitment to provide matching financial contributions.

Recommended Motion:

That Council:

- a) Endorse the funding application for the Hopetoun Swimming Pool Upgrade Project under the Regional Community Sports Infrastructure Fund – Indoor Stadiums and Aquatics Stream; and
- b) Authorise a Council Contribution for the Hopetoun Swimming Pool Upgrade Project of up to \$170,000 and agrees to underwrite any cost escalation to the project budget to deliver the full scope of the project as outlined in the application.
- c) Endorse the funding application for the Murtoa Recreation Reserve Netball/Tennis Courts Upgrade Project under the Regional Community Sports Infrastructure Fund – Community Facilities Stream; and
- d) Authorise a Council Contribution for the Murtoa Recreation Reserve Netball/Tennis Courts Upgrade Project of up to \$100,000 and agree to underwrite any cost escalation to the project budget to deliver the full scope of the project as outlined in the application.
- e) Authorise the Mayor and Chief Executive Officer to write a Letter of Support confirming the exact Council Contribution amounts towards the Hopetoun Swimming Pool Upgrade Project and Murtoa Recreation Reserve Netball/Tennis Courts Upgrade Project once the final project costings have been confirmed.

Resolution:

Moved Cr. K Kirk

Seconded Cr. T Hamilton

That the recommendation be adopted.

Carried

ATTACHMENTS

[Website link: Regional Community Sports Infrastructure Guidelines](#)

DISCUSSION

On Tuesday 5 December 2023, Minister for Community Sport, The Hon Ros Spence MP, announced the Regional Community Sports Infrastructure Fund (RCSIF), with funding of up to \$60 million available.

The Regional Community Sports Infrastructure Fund (RCSIF) is designed to respond to the unique challenges and opportunities of Victoria's rural and regional communities, including addressing long-term participation barriers for people who participate less. The funds strong maximum grant amounts and funding ratios are designed to bring forward

shovel ready infrastructure projects and considers the current infrastructure delivery challenges.

The Regional Community Sports Infrastructure Fund (RCSIF) will be delivered over two rounds, with round one open now until 27 March 2024, followed by round two which is expected to open in November. The Regional Community Sports Infrastructure Fund (RCSIF) will support new community sports infrastructure projects through four funding streams – Indoor Stadiums and Aquatic Facilities, Community Facilities, Women and Girls Facilities, and All Abilities Infrastructure.

Council Officers have met with Sport and Recreation Victoria's Grampians Regional Team to review Council's Sport and Recreation Priority Projects List. The Hopetoun Swimming Pool Upgrade Project and the Murtoa Recreation Reserve Netball/Tennis Courts Upgrade Project have been identified as two eligible projects to progress to application.

Hopetoun Swimming Pool Upgrade Project

The Hopetoun Swimming Pool is a Council Asset, which is requiring significant ongoing investment to ensure this important Community Asset continues to operate into the future. Following a recent Aquatic Engineer Audit and Report, Council has a clear plan for future upgrades and investment.

The proposed scope of works includes the installation of a wet deck, upgraded pool shell, an all-abilities access ramp, upgraded filtration equipment, redevelopment of pool entrance to address access issues and meet Australian Standards, upgrade / transitioning of the toddler pool to a splash park, provision for a new slide, and upgrade to the changerooms and amenities which will include a DDA compliant toilet and baby change facilities.

Under the Regional Community Sports Infrastructure Fund (RCSIF) – Indoor Stadiums and Aquatics Stream, Council is eligible to apply for a grant up to \$3 million. This is a 3 (RCSIF) : 1 (applicant) funding ratio round.

Council Officers are currently working on the final project costing development, which will be completed before the submission of the application. However, Council intends to apply for a \$1 million grant, and have a confirmed Community Contribution of \$76,000 towards the Hopetoun Swimming Pool. The Council's Funding Contribution amount is estimated to be around \$170,000.

Breakdown of Cash Contributions	
Council Budget Contribution (Existing - 23-24 & 24-25 Capital Guideliness - \$77,500 remaining)	\$64,000.00
Additional Council Contribution (project contingency)	\$103,500.00
Council Cash Contribution	\$167,500.00
Community Cash Contribution (part project contingency 30k)	\$76,000.00
Council Inkind Contribution (project management - 29%)	\$100,125.00
Total Local Contribution	\$343,625.00
Requested SRV Grant	\$1,000,000.00
Total Project Cost	\$1,343,625.00

Council will provide an accompanying Letter to the Council Resolution written and signed by the Mayor and CEO at the time of application confirming final contribution amounts.

Murtoa Recreation Reserve Netball/Tennis Courts Upgrade Project

The Murtoa Recreation Reserve is owned by the Department of Energy, Environment and Climate Action (DECCA). Following the development of the Murtoa Recreation Reserve

Masterplan, a key priority for the Murtoa Community was to seek funding to construct two new multi-purpose Netball and Tennis Courts with lighting and playing shelters on the Reserve.

Currently, the Recreation Reserve Committee of Management and Netball Club are facing issues with the non-compliant court and lack of lighting infrastructure, along with the constant ongoing maintenance to keep the court playable. The netball club has also seen significant participation numbers and has exceeded the capacity of the current court, which sees the club split and use the nearby standalone Tennis Courts for training.

Under the Regional Community Sports Infrastructure Fund (RCSIF) – Community Facilities Stream, Council is eligible to apply for a grant up to \$1 million for the Murtoa Recreation Reserve Netball/Tennis Facility Development Project. This is a 4 (RCSIF) : 1 (applicant) funding ratio round.

The Minyip-Murtoa Football Netball Club have confirmed they will provide \$100,000 as a matching contribution for this project, while the Murtoa Recreation Reserve Committee of Management have confirmed they can provide between \$25,000-\$30,000.

The final project costing development will be completed before the submission of the application. However, it is worth noting that based on a similar project currently occurring at City Oval in Horsham, Council expects the project to cost around the \$1 million mark.

Council's Funding Contribution amount is estimated to be between \$70,000 - \$100,000 based off indicative costings of similar projects but will be confirmed once the final project costings have been developed and finalised. Council will provide an accompanying letter to the Council Resolution written and signed by the Mayor and CEO at the time of application confirming final contribution amounts.

RELEVANT LAW

Local Government Act 2020

COUNCIL PLANS AND POLICIES

Council Plan 2021 – 2025: Strategic Objective 2 – A healthy and inclusive community

Yarriambiack Shire Council Sport and Recreation Strategy 2016-2025: Planning principles addressing benefits to the community, community need, accessibility, sustainability, multipurpose, and diversity of opportunities.

Hopetoun Recreation Reserve Masterplan

Murtoa Recreation Reserve Masterplan

RELATED COUNCIL DECISIONS

24 June 2020 – Council Resolution confirming \$150,000 from the Local Roads and Community Infrastructure Program as a matching contribution for the Netball / Tennis Facility Development – Beulah, Brim, Rupanyup Recreation Reserves Project

24 November 2021 – Council Resolution confirming \$56,501 from the Local Roads and Community Infrastructure Program as a matching contribution for the Rumble @ Rabl Project

19 January 2022 – Council Resolution confirming \$80,000 as a matching contribution for the Woomelang Bowling Club Synthetic Surface Project

29 November 2022 – Council Resolution confirming \$91,406 as a matching contribution for the Beulah, Brim, and Rupanyup Recreation Reserve Masterplans

OPTIONS

- a) Council may wish to reject the recommendation and/or seek further clarification on the funding applications.

- b) Council may wish to reject the recommendation and/or alter the value of Council Contributions towards the two projects.

SUSTAINABILITY IMPLICATIONS

Economic – A significant investment into two well utilised sport and recreation facilities / infrastructure will support and encourage the continued participation in sport and active recreation, whilst further attracting visitors from other communities and/or regions which will provide an economic benefit to the Murtoa and Hopetoun communities.

Social – Investing in Sport and Recreation Facilities paves the way for continued quality sport and active recreation opportunities which encourages participation, social interaction and improved health and wellbeing outcomes into the future.

Environmental – The two projects are proposed to have minimal impact to the land in which the upgrades are to occur. The Hopetoun Swimming Pool project will also improve environmental impacts through the reduced usage of water and better management of the pool plant and the associated chemical usage.

Financial – progressing the two projects to application will incur a financial contribution from Council but will reduce the ongoing long-term investment and support that would otherwise be required for ongoing maintenance of the existing facilities / infrastructure.

COMMUNITY ENGAGEMENT

Council has undertaken substantial community and stakeholder consultation on the Hopetoun Swimming Pool Upgrade Project and the Murtoa Recreation Reserve Netball/Tennis Courts Upgrade Project.

Both projects have been shortlisted from Council's Priority Projects Listing, that were identified following the development of the Hopetoun and Murtoa Community Action Plans, Hopetoun and Murtoa Recreation Reserve Masterplans, and most recently revisited during the consultation phase for the new Sport and Recreation Strategy.

However, following the announcement of the Regional Community Sports Infrastructure Fund (RCSIF), Council Officers have again met with the Hopetoun Swimming Pool Committee, Murtoa Recreation Reserve Committee, Murtoa Tennis Club, Minyip-Murtoa Football Netball Club and Murtoa Show Committee. During these meetings, a detailed discussion was had around the funding opportunity, the funding guidelines, and the matching contribution requirements, while confirming project scopes, reconfirming that the projects were still of high importance and community priorities, and that there was community support should Council proceed to application.

The result of the community consultation over the past month has indicated that both Murtoa and Hopetoun Communities and relevant user groups are fully supportive of the projects, proven by the substitutional community contributions and the Letters of Support received.

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:

Strategic Risk Description and Residual Risk Level	Action to Mitigate/Reduce Risk	Does Action maintain or reduce Residual Risk Level
Program and Project Risk - Residual Risk Level Medium	Supporting the two funding applications and committing to providing a matching contribution for the two projects, will show Council's commitment to supporting projects outlined in Community Action Plans,	Maintains Residual Risk Level

<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>
	Masterplans and as part of Council's Priority Projects List.	
Reputational Risk - Residual Risk Level Low	Council has provided matching funding contributions for other sport and recreation projects across the municipality. A financial contribution and support towards a further two projects will reduce the reputational risks to Council.	Reduces Residual Risk Level
Innovation Risk - Residual Risk Level Low	A significant financial investment into two well-utilised community facilities will assist in ensuring the facility infrastructure remains compliant and safe for continued use by the communities.	Reduces Residual Risk Level

REGIONAL, STATE AND NATIONAL PLANS AND POLICIES

Active Victoria 2022-2026 - Strategic Framework Objectives: Connecting Communities and Building Value.

Victorian Public Health & Wellbeing Plan 2023-2027 – Priority 3: Improving Wellbeing, Priority 5: Increasing Active Living.

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.

15.6 FAIR ACCESS POLICY AND ACTION PLAN

Prepared by Rebecca Botheras, Sports and Recreation Coordinator

SUMMARY

The Victorian Government have introduced a Fair Access Policy Roadmap, which seeks to address known barriers experienced by women and girls in accessing and using community sports infrastructure. Yarriambiack Shire Council is required to develop and adopt a Fair Access Policy prior to 1 July 2024, to be eligible for Victorian Government Sport and Recreation Infrastructure Funding.

Recommended Motion:

That Council:

- a) Adopt the Fair Access Policy and Action Plan as attached to this report.

Resolution:

Moved Cr. T Hamilton Seconded Cr. C Heintze

That the recommendation be adopted.

Carried

ATTACHMENTS

[Attachment: Fair Access Policy and Action Plan](#)

DISCUSSION

On Monday 8 August 2022, Minister for Community Sport, The Hon Ros Spence MP, announced the Victorian Government's Fair Access Policy Roadmap. The Fair Access Policy Roadmap aims to develop a state-wide foundation to improve access to, and use of community sports infrastructure for women and girls.

At present, many Victorian women and girls don't have access to the best courts or grounds, have facilities of lesser standards, or are relegated to less convenient competition and training times. These barriers evidently make it difficult for many to participate or reach their best.

The Fair Access Policy Roadmap is being delivered through the Office for Women in Sport and Recreation, in partnership with Sport and Recreation Victoria and VicHealth, and aligns with *Victoria's Gender Equality Act 2020*. The Fair Access Policy Roadmap features three phases: Education, Readiness and Progress.

As the Yarriambiack Shire Council enters Phase 2 (Readiness) of the Fair Access Policy Roadmap, Council is required to develop and adopt a locally relevant gender equitable access and use policy and action plan.

As such, a Fair Access Policy has been developed to address and remove the known gender barriers around accessing and using community sports infrastructure. The Policy details Council's requirements, roles, responsibilities, and expectations to encourage a level playing field in sport and active recreation, so that all people can fully participate in and enjoy the benefits of community sport, from early participation right through to leadership roles.

To support the Policy, Council has also developed an Action Plan to outline what steps and strategies Council will take to support the inclusion of women, girls, and diverse groups in accessing and using community sports infrastructure.

Essentially, the scope of the Fair Access Policy is to support the Yarriambiack Shire Council to take positive action towards achieving gender equity in the access and usage of community sports infrastructure. The policy is designed:

- To build capacity and capabilities of Yarriambiack Shire Council in the identification and elimination of systematic causes of gender inequality in policy, programs, communications, and delivery of services in relation to community sport and recreation.
- To ensure an effective place-based responses for gender equitable use and access of community sports infrastructure.
- To promote gender equality in policies, programs, communications, and services as they relate to community sports infrastructure.

It is a requirement for Council to formally adopt the Fair Access Policy by 1 July 2024, as all Victorian Councils will need to ensure equitable access to sporting facilities for people of all genders to be considered eligible to receive infrastructure funding from the Victorian Government.

RELEVANT LAW

- *Local Government Act 2020*
- *Gender Equality Act 2020*

COUNCIL PLANS AND POLICIES

- Gender Equality Policy & Guidelines
- Council Plan 2021 – 2025: Strategic Objective 2 – A healthy and inclusive community
- Yarriambiack Shire Council Sport and Recreation Strategy 2016-2025: Planning principles addressing benefits to the community, community need, accessibility, sustainability, multipurpose, and diversity of opportunities.

RELATED COUNCIL DECISIONS

21 October 2020 – Council adoption of the Gender Equality Policy and Guidelines

OPTIONS

- a) Council may wish to reject the recommendation and seek further Community and/or Stakeholder Consultation on the Fair Access Policy.
- b) Council may wish to reject the recommendation and seek amendments to the Fair Access Policy and/or Action Plan.

SUSTAINABILITY IMPLICATIONS

Social – adopting a Fair Access Policy and Action Plan will provide direction to council and community sporting clubs in the delivery of infrastructure upgrades and/or initiatives that support and encourage a level playing field for all to be involved and participate in and enjoy the benefits of community sport. This in turn will provide an opportunity for not only all to participate but provide social interaction and improved health and wellbeing outcomes into the future.

Financial – compliance with the Fair Access Policy Roadmap requirements will ensure that the Council remains eligible for Victorian Government community sports infrastructure funding. Council relies heavily on grants to be able to deliver on the Council Plan and undertake crucial upgrades and/or construct community sporting facilities.

COMMUNITY ENGAGEMENT

Council released the DRAFT Fair Access Policy and Action Plan out on Public Exhibition from the 8 January 2024 until 16 February 2024. To accompany the Fair Access Policy

and Action Plan, the Council produced a Fact Sheet which was also distributed via email to each Sport and Recreation Club across the Yarriambiack municipality.

Council also individually wrote to each Sporting Club Committee who operates from a Council Asset, outlining the Fair Access Policy and the associated requirements.

Council was also made aware that the Department of Energy, Environment and Climate Action (DECCA) wrote to each DECCA appointed Committee of Management notifying them of the Fair Access Policy Roadmap, the requirements and encouraged all clubs to adopt Council's Fair Access Policy at their next Committee Meeting.

Following the community engagement process, Council received no feedback submissions on the DRAFT Fair Access Policy or Action Plan. However, Council did receive communication via email and phone from eight Committee's acknowledging Council's email and indicated a commitment to formally adopt Council's Policy at their next meeting. To date, Council have had three committees formally adopt the Fair Access Policy at their recent committee meetings.

It is also important to note that during development of the DRAFT Fair Access Policy, Council Officers regularly met with the Office for Women in Sport and Recreation and submitted a copy of the DRAFT Policy to the Policy Team for review and to obtain feedback.

GENDER IMPACT ASSESSMENT

The Gender Equality Act 2020 requires entities to conduct gender impact assessments on all new policies, programs and services that directly and significantly impact the public as well as those up for review.

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

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
Financial Risk - Residual Risk Level Medium	Council relies on Victorian Government funding to undertake crucial infrastructure upgrades to Sport and Recreation Facilities. Adoption of the Fair Access Policy will ensure Council remains eligible for future funding.	Reduces Residual Risk Level
Reputational Risk - Residual Risk Level Low	With the Fair Access Policy roadmap being a Victorian Government requirement alongside the <i>Gender Equality Act 2020</i> , failure to comply with the 1 July 2024 deadline would pose reputational damage on Council and have flow on effects to the Yarriambiack Communities.	Maintains Residual Risk Level

<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>
Program and Project Risk - Residual Risk Level Medium	Compliance with the Victorian Government's Fair Access Policy Roadmap would ensure Council remains eligible for community sports infrastructure funding, which would support Council in the delivery of the Council Plan and delivery of identified Community Projects, particularly those that support women and girls.	Reduces Residual Risk Level

REGIONAL, STATE AND NATIONAL PLANS AND POLICIES

Active Victoria 2022-2026

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.

15.7 INFORMATION PRIVACY POLICY

Prepared by Belinda Penny, Governance Officer

SUMMARY

Council's Information Privacy Policy was due for review in January 2023. The policy is a requirement to comply with the *Privacy & Data Collection Act 2014*.

Recommended Motion:

That Council:

- a) Adopt the revised Information Privacy Policy which is included as an attachment to this report, and that will supersede the Information Privacy Policy that was adopted by Council in 2021.

Resolution:

Moved Cr. G Massey Seconded Cr K Kirk

That the recommendation be adopted.

Carried

ATTACHMENTS

[Attachment: Information Privacy Policy](#)

DISCUSSION

In order to comply with the *Privacy & Data Collection Act 2014*, Council has an adopted Policy to establish a regime:

- For the responsible collection, storage, use, handing and disclosure of personal information.

To ensure records are maintained according to the Information Privacy Principles of the *Privacy & Data Collection Act 2014*.

The Policy has undertaken a review process, in accordance with Council's three-year policy review cycle.

Administrative updates have been made to the draft in relation to section 3, Policy Statement and Scope and the inclusion of Section 10, Information Security Practices.

RELEVANT LAW

Privacy & Data Collection Act 2014 s20

COUNCIL PLANS AND POLICIES

- Yarriambiack Shire Council's Complaints Policy
- Public Interest Disclosure Policy and Guidelines
- CCTV Policy
- CCTV Standard Operating Procedures and Operations and Maintenance Manual
- Occupational Health and Safety Guidelines Manual.

RELATED COUNCIL DECISIONS

Council Meeting 24 January 2018 – Adoption of Information Privacy Policy

Council Meeting 24 February 2021 – Adoption of revised Information Privacy Policy

OPTIONS

It is a best practice governance requirement for Council to have an Information Privacy Policy. Councillors could choose not to endorse the policy and make recommendations for changes.

SUSTAINABILITY IMPLICATIONS

Social: The implementation of the Information Privacy Policy will provide community with confidence in the overall handling of personal information.

COMMUNITY ENGAGEMENT

When revising the Information Privacy Policy, the key findings from the examination of Local Government Privacy Policies from May 2019 by the Office of the Victorian Information Commissioner (OVIC) were taken into consideration and addressed throughout the document.

A copy of the Information Policy and Guidelines will be made available to the Community via Council's website.

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	It is best practice to have an Information Privacy Policy, to ensure compliance with legislative requirements.	Maintains Residual Risk Level
Reputational Risk - Residual Risk Level Low	Failure to maintain Information Privacy can result in reputational damage to Council. This policy provides guidance and sets expectations on how Council is to manage private information.	Maintains Residual Risk Level

REGIONAL, STATE AND NATIONAL PLANS AND POLICIES

Not applicable

CONFLICTS OF INTEREST

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

16 COUNCIL REPORTS FOR NOTING

Nil

17 PERMITS ISSUED

List of permits issued in January and February 2024 is listed below for noting.

Recommended Motion:

That Council:

Note the permits issued by Council between 1 January and 29 February 2024

Resolution:

Moved Cr. G Massey Seconded Cr. T Hamilton

That the recommendation be adopted.

Carried

Reference No	Description	Address	Date of Issue
Building Permits			
BLD20240377	Demolition of a building	Brim	31/01/2024
BLD20230373	Construction of a storage shed	Hopetoun	25/01/2024
BLD20230369	Construction of a garage	Hopetoun	17/01/2024
Planning Permits			
TP42-23	Telecommunications facility	Lubeck	18/01/2024
TP39-23	Construction of storage sheds	Warracknabeal	24/01/2024
TP38-23	Construction of toilet facilities	Minyip	18/01/2024
Local Law Permits			

18 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.

19 CLOSED (CONFIDENTIAL) MEETING

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:

19.1 PROCUREMENT OF GRAVEL AND CONCRETE CRUSHING SERVICES

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.

19.2 PERMIT FOR ADDITIONAL ANIMALS

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

1. Because it is law enforcement information, being information that if released would be reasonably likely to prejudice the investigation into an alleged breach of the local law, or the fair trial or hearing of any person (section 3(1)(d)); and
2. Because it contains personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs (section 3(1)(f));

This ground applies because the Agenda Item concerns personal information about a rate payer that would, if prematurely released, compromise Council's position in relation to the requirement to comply with the *Privacy and Data Protection Act 2014* and enforcement activities.

Recommended Motion:

That Councillors now move into the Closed Section of the Meeting at 10:16am. This section of the Council Meeting is now closed to the public.

Resolution:

Moved Mayor Zanker Seconded Cr. K Kirk

That the recommendation be adopted.

Carried

Recommended Motion:

That the Ordinary Meeting is now Closed at 10:30am time.

Resolution:

Moved Mayor Zanker

Seconded Cr. C Heintze

That the recommendation be adopted.

Carried

20 NEXT MEETING

27 March 2024

21 CLOSED