



Yarriambiack
SHIRE COUNCIL

Agenda

Ordinary Meeting of Council

24 July 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

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

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

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

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

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

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

The public can view this livestream 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	Monique Metlika	Governance Support Officer
Council Officer	Adam Moar	Manager Development and Environmental Services
Council Officer	Sarah Collins	Manager Community Strengthening and Engagement

5 APOLOGIES

Name / Role	Description of Leave / Absence
Cr Chris Lehmann	Leave

6 CONFIRMATION OF MINUTES

6.1 MINUTES 26 JUNE 2024 – ORDINARY MEETING

Minutes of the Ordinary meeting of Council held on 26 June 2024 be taken as an accurate record and confirmed.

Recommended Motion:

That the minutes of the Ordinary Meeting of Council held on 26 June 2024, as circulated be taken as read and confirmed.

6.2 MINUTES 26 JUNE 2024 – CLOSED (CONFIDENTIAL) MEETING

Minutes of the Closed (Confidential) meeting of Council held on 26 June 2024 be taken as an accurate record and confirmed.

Recommended Motion:

That the minutes of the Closed (Confidential) Meeting of Council held on 26 June 2024, as circulated be taken as read and confirmed.

7 DECLARATION OF CONFLICT OF INTEREST

Pursuant to Division 2 – Conflict of Interest, of the *Local Government Act 2020* general and material conflict of interest must be declared prior to debate on specific items within the agenda; or in writing to the Chief Executive Officer before the meeting.

A Councillor who has declared a conflict of interest in respect of a matter must:

- a) Disclose the conflict of interest in the manner required by the Yarriambiack Shire Council Governance Rules.
- 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

8 BUSINESS ARISING

8.1 BUSINESS ARISING FROM PREVIOUS MINUTES

As per ongoing and pending actions list, item 8.2

8.2 ONGOING AND PENDING ACTIONS

Council Meeting	Recommendation Action	Action Taken
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.	The Stage 2, Road Hierarchy consultation commenced week of 17 June 2024. Report to be presented to Councillors on 28 August 2024.
22 November 2023 Item 15.4	Lascelles Caravan Park endorsed. Lease to be enacted.	Lease is currently undertaking the review process, consulting with stakeholders.
26 June 2024 Item 15.3	Reallocation of SHARE Grant 2023-24 funding to the installation of Automated External Defibrillator (AED) machines at Council owned Senior Citizen buildings.	
26 June 2024 Item 15.4	Unallocated funds of SHARE Grant 2023-24 funding be redistributed towards the installation of the fence at Murtoa Silo Art rail corridor to mitigate the risk.	

9 PETITIONS

No petitions received.

10 CORRESPONDENCE

Outgoing		
Date	Recipient	Details
16/07/24	Warracknabeal Rotary Club	Letter of Support – Grant Application
28/06/24	The Hon. Melissa Horne MP Minister for Local Government	Letter – Notification of 2024/25 Budget being adopted
24/06/24	Legislative Council Economy and Infrastructure Committee	Letter – State Government Inquiry into Local Government Funding and Sustainability. Yarriambiack Shire Council submission.
24/06/24	Vic Grid	Letter – Yarriambiack Shire Council Submission to the Draft REZ Community Benefit Plan

Incoming		
Date	Sender	Details
11/07/24	The Hon. Ros Spence MP Minister for Local Government	Letter – Successful application to Round One of the Allan Labour Governments Regional Community Sports Infrastructure Fund.
11/07/24	Parliament of Victoria Economy and Infrastructure Committee	Email – Invitation to attend and give evidence at the public hearing for the Inquiry into Local Government Funding and Service Delivery.
04/07/24	The Hon. Natalie Suleyman MP Minister for Small Business	Letter – Approval of public holidays for 2024.
27/06/24	The Hon. Melissa Horne MP Minister for Local Government	Letter – Public Libraries Victoria Funding Program 2024-25.
25/06/24	Rural Northwest Health	Letter – Warracknabeal Community Garden

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
23 September 2024	Special Meeting
14 October 2024	Ordinary Meeting
10 February 2025	Ordinary Meeting
14 April 2025	Ordinary Meeting
14 July 2025	Ordinary Meeting

11.2 AUDIT AND RISK COMMITTEE MEETING

The Audit and Risk Committee meeting was held on 15 July 2024

[Attachment: Audit and Risk Committee Draft Minutes 15 July 2024](#)

Recommended Motion:

That the minutes of the Audit and Risk Committee Meeting held on 15 July 2024, as circulated, be taken as read and confirmed.

12 ACTIVITY REPORTS

12.1 MAYOR ACTIVITY REPORT

Mayor Kylie Zanker – Warracknabeal Ward (July)		
Date	Activity	Location
26/06/24	Warracknabeal Rotary Club Change Over Dinner	Warracknabeal
27/06/24	Woomelang Retirement Units Opening	Woomelang
28/06/24	Western Highway Committee Meeting	Online
05/07/24	Mayor and COO Weekly Catch-Up	Warracknabeal
10/07/24	Council Forum	Warracknabeal
12/07/24	Mayor and Acting CEO Weekly Catch-Up	Warracknabeal
15/07/24	Audit and Risk Committee Meeting	Warracknabeal
15/07/24	Community Master Environment Implementation Plan Meeting	Warracknabeal
16/07/24	Become a Local Candidate Information Session	Murtoa
17/07/24	BGLC Meeting	Online
17/07/24	Yaapeet Community Consultation and Budget Discussions	Yaapeet
18/07/24	Hopetoun Early Years Update	Hopetoun
19/07/24	Mayor and CEO Weekly Catch-Up	Warracknabeal
19/07/24	Murtoa Probus Meeting for Budget Discussion and Community Consultation	Murtoa
22/07/24	SWRRA and Northern Grampians Shire Meeting	Rupanyup

12.2 COUNCILLOR ACTIVITY REPORTS

Cr Andrew McLean – Hopetoun Ward (July)		
Date	Activity	Location
27/06/24	Opening of Hopetoun P-12 School Rebuild	Hopetoun
27/06/24	Woomelang Retirement Units Opening	Woomelang
28/06/24	Beulah Community Recycling Hub Proposal	Beulah
10/17/24	Council Forum	Warracknabeal

Cr Tom Hamilton – Dunmunkle Ward (July)		
Date	Activity	Location
08/07/24	Rupanyup Progress Meeting	Rupanyup
10/07/24	Council Forum	Warracknabeal
16/07/24	Become a Local Candidate Information Session	Murtoa
16/07/24	Community Consultation - Draft Master Environment Strategy	Murtoa

Cr Graeme Massey – Warracknabeal Ward (July)		
Date	Activity	Location
26/06/24	ANZAC Park Users Group Meeting	Warracknabeal
09/07/24	WAG Meeting	Warracknabeal
10/07/24	Council Forum	Warracknabeal
15/07/24	Become a Local Candidate Information Session	Warracknabeal
16/07/24	Community Consultation - Draft Master Environment Strategy	Warracknabeal

Cr Chris Lehmann – Hopetoun Ward (July)		
Date	Activity	Location
10/07/24	Council Forum	Warracknabeal

Cr Corinne Heintze – Dunmunkle Ward (July)		
Date	Activity	Location
10/07/24	Council Forum	Warracknabeal
11/07/24	Yarrilinks Committee Meeting	Rupanyup
15/07/24	Audit and Risk Committee Meeting	Warracknabeal
16/07/24	Become a Local Candidate Information Session	Murtoa
20/07/24	Yarrilinks Plant Out	Boolite

Cr Karly Kirk – Warracknabeal Ward (July)		
Date	Activity	Location
01/07/24 – 05/07/24	ALGA Canberra Conference	Canberra
10/07/24	Council Forum	Warracknabeal
15/07/24	Become a Local Candidate Information Session	Warracknabeal
17/07/24	Brim and Warracknabeal Lions Club Handover	Warracknabeal

12.3 CHIEF EXECUTIVE OFFICER ACTIVITY REPORT

Tammy Smith (July)		
Date	Activity	Location
26/06/24	ANZAC Park Meeting	Warracknabeal
27/06/24	Woomelang Retirement Units Opening	Woomelang
27/06/24	By5 Steering Committee Meeting	Online
27/06/24	Minyip Lions Club Changeover Meeting	Minyip
28/06/24	Beulah Recycling and Community Collection HUB Consultation Meeting	Beulah
28/06/24	Wimmera CMA Whitton Swamp Meeting	Online
01/07/24	Commenced Annual Leave	
12/07/24	Annual Leave Concluded	
15/07/24	Audit and Risk Committee	Warracknabeal
15/07/24	Become a Local Candidate Information Session	Warracknabeal
16/07/24	Become a Local Candidate Information Session	Murtoa
17/07/24	Become a Local Candidate Information Session	Hopetoun
17/07/24	Vic Grid Information Session	Online
17/07/24	BGLC Meeting	Online
17/07/24	Local Government Victoria Meeting Rupanyup	Rupanyup
18/07/24	Wimmera Southern Mallee Regional Partnership Meeting	Online
18/07/24	Hopetoun Early Learning Services Update - Community Meeting	Hopetoun
19/07/24	Murtoa Probus Meeting	Murtoa
22/07/24	West Wind Meeting	Warracknabeal
22/07/24	SWRRA and Northern Grampians Shire Meeting	Rupanyup

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:	

14 COUNCILLOR REPORTS

14.1 MAYORS REPORT

Mallee Machinery Field Days

The Speed Lions Club have done it yet again in organising the Mallee Machinery Field Days, attracting over 350 exhibitors from across the country and with an expected crowd of over 8500 to the small town of Speed in the north of the Yarriambiack Shire. The event will be held on the 31 July and 01 August 2024.

From humble beginnings in 1979, this hardworking band of volunteers have developed the event into not only the Shire's largest event but also one of the biggest and most respected field days in the state. It is a great example of volunteerism and our agricultural industry working hand in hand as the combined lifeblood of our economy and community.

On behalf of Yarriambiack Shire Council I'd like to congratulate the Lions Club of Speed for their continued efforts and hard work to provide the agricultural industry the two-day event that provides such an economic boost to our region.

Successful Victorian State Government Regional Community Sports Infrastructure Fund Applications

We are excited to share that our Council has been successful with two funding applications, under the Round One, Regional Community Sports Infrastructure Fund for:

- Hopetoun Swimming Pool Upgrade Project - Stream Indoor Stadiums and Aquatic Facilities for a funding amount of \$1,010,000; and
- Murtoa Recreation Reserve Netball and Tennis Courts Upgrade Project - Stream Community Facilities for a funding amount of \$918,998.

The Hopetoun Swimming Pool Upgrade Project will repair the ageing and leaking community outdoor pool that was built in the 1940's. The project involves installing a new wet deck to both the main and toddler pools, rebuilding of both the balance tank and the main pool shell, construction of an all-abilities access ramp into the main pool, construction of disabled toilets, including an upgrade to the change rooms, and installation of a new pool slide.

The project focuses on safety, expanding the facility for all abilities and ages and reducing water loss and high energy use.

At the Murtoa Recreation Reserve, multipurpose Netball and Tennis courts will be built, including lighting to 200 or 350 LUX, fencing (with retractable netting for spectators) and player shelters on both sides.

Both projects would not have been possible without co-contributions from the user groups and communities.

Congratulations to Minyip-Murtoa Football and Netball Club, Murtoa Recreation Reserve Committee, Hopetoun Swimming Pool Community Asset Committee of Council and the Hopetoun Community for raising funds to contribute towards these important legacy projects.

Other Funding Opportunities and Announcements

Our Shire and community groups were successful in the recent Tiny Towns Funding announcement with the Beulah Memorial Recreation Reserve being funded \$50,000 for their Community Centre Deck project, Southern Mallee Kart Club We're Going Racing Stage 2 – Race Infrastructure project being funded for \$40,587, Rupanyup Progress being funded \$41,377 for the Renewal of Rupanyup's Iconic Silo Art: A Canvas of Community Pride Project and Yarriambiack Shire's Woomelang Accessible Carpark Precinct being funded for \$48,366. We also acknowledge that many projects across our Shire did not receive funding, and we strongly encourage community groups to apply for the next round.

We are still awaiting the funding announcement for the State Government Enabling Tourism Fund. We have an application submitted for the Hopetoun Former School Site redevelopment.

In addition, we are working through the guidelines and plan to apply for the Commonwealth Government Housing Support Program Stage 2 funding for several projects.

14.2 REPORT FROM ALGA CANBERRA CONFERENCE

Prepared and Presented by: Councillor Karly Kirk

I recently had the privilege of representing Yarriambiack Shire at the 2024 Australian Local Government Associations Annual Conference held in Canberra. The conference theme, "Building Community Trust," resonated with me and provided a thought-provoking platform to hear innovative speakers and foster meaningful connections.

Conference Highlights

The conference kicked off with an array of engaging presenters who tackled the pivotal theme of building community trust from different angles. Sessions ranged from practical and entertaining demographer Simon Kuestenmacher and Economist Nikki Hutley through to the honourable Sam Mostyn our new Governor General and the incredible Sam Johnson from the Love your sister charity, who highlighted the importance of integrity and accountability with his inspiring life story.

Networking Opportunities

Beyond the informative sessions, the conference provided invaluable networking opportunities. I had the chance to exchange insights and experiences with fellow Councillors and Local Government officials from large urban centres to isolated, tiny rural regions. These interactions not only enriched my understanding of the challenges faced and successes achieved by other municipalities but also sparked ideas for initiatives that could benefit Yarriambiack Shire.

Impressions and Insights

Attending the conference reinforced the significance of proactive engagement in cultivating trust among ratepayers. We need to help people better understand what we do to reduce distrust and confusion around what we don't do. The conference also underscored the importance of Local Government sustainability. As noted by presenter Marcus Spiller "More than 50% of Councils in Australia do not raise enough revenue to meet operating costs."

Further supporting the importance of ALGA's continued lobbying of the Federal Government to increase the Federal assistance grants to 1% of Commonwealth taxation revenue in lieu of the roughly .5% we currently receive.

Conclusion

The 2024 Australian Local Government Associations Annual Conference was not just a gathering of local leaders—it was a catalyst for learning, collaboration, and inspiration. I am grateful for the opportunity to represent our Shire at this event and look forward to applying what I've learned for the betterment of our community.

15 REPORTS FOR DECISION

15.1 DECLARATION OF 2024/2025 RATES AND CHARGES

Prepared by Chantelle Pitt, Revenue Coordinator

SUMMARY

The 2024/25 Council Budget was adopted at the Council meeting on 26 June 2024, which included the amount Council intended to raise by rates and charges for 2024/25. Council is now presented with declaration of rates and charges for adoption.

Recommended Motion:

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

1. Declare the rates, municipal charge and annual service charges for the 2024/25 financial year as follows:
 - a) That an amount of \$14,948,247 be declared as the amount which Council intends to raise by general rates, municipal charge, annual service charges and Payments in lieu of rates, which the amount is calculated as follows:

General Rates	\$12,266,142
Municipal Charge	\$426,624
Kerbside Waste Collection	\$1,001,040
Kerbside Recycling Collection	\$529,566
Kerbside Glass Collection	\$264,875
Payments in lieu of rates	\$460,000
Total	\$14,948,247

- b) A general rate of 0.002997 cents in the dollar of the Capital Improved Value be declared for the period 1 July 2024 to 30 June 2025.
- c) A farm differential rate of 0.001739 cents in the dollar of the Capital Improved Value be declared for the period 1 July 2024 to 30 June 2025.
- d) A municipal charge of \$84.08 per assessment be declared for the period 1 July 2024 to 30 June 2025.
- e) Annual services charges be declared for the period 1 July 2024 to 30 June 2025 as follows:

Residential 80L Kerbside Waste Collection	\$173.98
Residential 120L Kerbside Waste Collection	\$241.25
Residential 240L Kerbside Waste Collection	\$469.56
Commercial 120L Kerbside Waste Collection	\$241.25
Commercial 240L Kerbside Waste Collection	\$469.56
Rural 80L Kerbside Waste Collection	\$173.98
Rural 120L Kerbside Waste Collection	\$241.25
Rural 240L Kerbside Waste Collection	\$469.56
Residential Kerbside Recycling Collection	\$169.11
Commercial Kerbside Recycling Collection	\$169.11
Rural Kerbside Recycling Collection	\$169.11
Residential Kerbside Glass Collection	\$84.56

- f) That Council adopts the return of the revaluation of properties within the Yarriambiack Shire as at 1 January 2024 from the Valuer General.

- g) That interest at the rate prescribed in the *Local Government Act 1989* be payable in respect of any of the aforesaid rates and charges which are not paid by the dates prescribed in the *Local Government Act 1989*.
- h) That the Chief Executive Officer be authorised to levy and recover the aforesaid general rates, annual service charges and municipal charge.

ATTACHMENTS

Not applicable.

DISCUSSION

The adopted 2024/25 Council Budget provides an increase in general rate revenue of 2.75% for the 2024/25 year. The rate cap has been set at 2.75% by the Minister for Local Government.

Council intends to raise \$14,948,247 which includes rates (\$12,266,142), municipal charge (\$426,624), service charges (\$1,795,481) and Payments in lieu of rates (\$460,000).

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

- General Land (100% of the general rate in the dollar)
- Farm Land (58% of the general rate in the dollar)

The rates in the dollar to be applied for the 2024/25 year are as follows:

Type cents/\$CIV

General Land	0.2997
Farm Land	0.1739

The municipal charge will increase from \$81.83 to \$84.08 per rateable assessment for the 2024/25 year. A person may apply to Council for an exemption from the payment of a municipal charge on rateable land in accordance with Section 159(3) of the *Local Government Act 1989*.

Annual service charges for the collection and disposal of refuse and recycling will increase by 10.00%. A waste service charge, a recycling service charge and a glass recycling charge will be made on all improved properties within Council, excluding commercial and rural properties where such services are provided only upon request.

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

Council will treat all valid pensioner rebate applications applicable for the 2023/24 financial year as continuing applications for the 2024/25 financial year, subject to applicable certification by the Department of Families, Fairness and Housing and Services Australia.

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

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

RELEVANT LAW

Local Government Act 2020

- Section 94 – the Budget

Local Government Act 1989

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

COUNCIL PLANS AND POLICIES

Yarriambiack Shire Council Enterprise Agreement No. 10.

- Clause 10.9 – Payroll Deductions

Yarriambiack Shire Council Revenue and Rating Plan 2024-28

Yarriambiack Shire Council Debt Management, Relief and Hardship Policy

RELATED COUNCIL DECISIONS

Yarriambiack Shire Council Minutes 26 June 2024

15.1 Adoption of the 2024/25 Budget

1. That in accordance with Section 94 of the *Local Government Act 2020* (the Act) the 2024/25 Budget as tabled be adopted.

OPTIONS

Not applicable for this report.

SUSTAINABILITY IMPLICATIONS

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

Financial: The rates and charges to be levied have been calculated in compliance with the State Government’s Fair Go Rates system, with the rate cap having been set at 2.75% by the Minister for Local Government.

COMMUNITY ENGAGEMENT

The Draft Budget 2024-25 was made available for community feedback in accordance with Council’s Community Engagement Policy. The engagement process comprised of media information across print, social media, and was placed on Council’s website. The Community Engagement process was supported by in person community consultation forums across the Shire.

Feedback was invited from 13 May 2024 to 14 June 2024. Council received two (2) submissions, which were addressed in the Council Report for the adoption of the budget on 26 June 2024.

GENDER IMPACT ASSESSMENT

Not applicable.

RISK

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

<i>Strategic Risk Description and Residual Risk Level</i>	<i>Action to Mitigate/Reduce Risk</i>	<i>Does Action maintain or reduce Residual Risk Level</i>
Corporate Governance, Compliance and Liability Risk - Residual Risk Level Low	External Audit Program - Crowe appointed by VAGO as external auditor.	Maintains Residual Risk Level
Financial Risk - Residual Risk Level Medium	Financial Systems and Reports – Best of Breed System implemented to provide greater financial compliance and monitoring. Financial Reports developed and dashboards for greater compliance monitoring.	Maintains Residual Risk Level

<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>
<p>Strategy Execution and Change Management Risk - Residual Risk Level Medium</p>	<p>Community Consultation and Council Plan - Council Plan being built on Community Expectations and Legislative Governance Requirements.</p> <p>Strategic Resource Plan and Long-Term Financial Plan to be included in the Budget for 2024-25.</p> <p>Reporting to Council and Audit and Risk Committee -Financial and Non- Financial Performance Reporting, KPI progress on Council Plan.</p>	<p>Maintains Residual Risk Level</p>

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.

15.2 GOVERNANCE RULES REVISION

Prepared by Tammy Smith, Chief Executive Officer

SUMMARY

Yarriambiack Shire Council Governance Rules govern the conduct of Council and Committee Meetings, availability of meeting records, election of the Mayor and Deputy Mayor, include an Election Period Policy and procedures for disclosure of Conflict of Interests, amongst other matters. These Governance Rules came into effect on 1 September 2020.

To meet compliance with the *Local Government Act 2020*, the Victorian Electoral Commission conducted an electoral structure and ward boundary review.

Yarriambiack Shire Council's electoral structure has been altered before the October 2024 elections. This structure change has triggered a review of Councils Governance Rules, to ensure they reflect the structure of the new Council post-election.

Recommended Motion:

That Council:

- a) Rescinds the Yarriambiack Shire Council Governance Rules as adopted by a resolution of Council on the 24 August 2022;
- b) Adopt the revised Yarriambiack Shire Council Governance Rules as attached to this report, that has undertaken a community consultation process in accordance with Councils Community Engagement Policy;
- c) Endorse that the revised Governance Rules of the Yarriambiack Shire Council is made in accordance with Section 60 of the *Local Government Act 2020*; and
- d) Endorse that these revised Governance Rules commence on the day following the Council Meeting (25 July 2024) operating throughout the municipality.

ATTACHMENTS

[Attachment: Governance Rules – Final Draft Revision](#)

[Attachment: Draft Governance Rules Have Your Say Submission](#)

DISCUSSION

The Yarriambiack Shire Council Governance Rules has undertaken a review to ensure it is fit for purpose to reflect the changes to be implemented from the October 2024 Council elections.

The Victorian Electoral Commission Ward Structure review has been completed, and our Council will retain wards, however, we will go from 7 Councillors to 6 Councillors post the October 2024 elections.

Our Governance Rules need to reflect these changes.

In addition, Council has taken the opportunity to undertake a full review of our Governance Rules and in summary, the following proposed changes have been incorporated into the Draft that has undertaken a public consultation process as follows:

- a) Definitions updated, including Types of Motions.
- b) Election of Mayor and Other Office Holders, with the inclusion of the Appointment of Acting Mayor.

- c) Meeting types and if they will be live streamed. Includes, if Council experiences technical difficulties preventing ongoing livestreaming, the meeting may continue provided the gallery remains open to the public (this is not applicable for confidential / closed meetings of Council).
- d) The order of Council Meeting business has been outlined.
- e) Greater clarity in relation to the conduct of transitioning from an open meeting of Council to a closed meeting of Council.
- f) Greater detail regarding moving a motion or amendment, and if the motion is required to be read in full.
- g) Public question details further enhanced.
- h) How a motion is to be determined if Council has seven Councillors prior to 2024 elections, and post-election when Council goes to 6 Councillors.
- i) Includes how Community Asset Committee meeting minutes are to be received and noted by Council.

All major changes to the Governance Rules are highlighted in yellow in the attached revised document, that was also provided to the community as part of the consultation period.

In addition to the changes listed above, further additions have been made to the version that undertook community consultation. This includes the highlighted aqua sections within the Governance Rules, Chapter 5 sections 5.1, 5.2 and 5.3.

An additional clause has been included to each section to outline that a conflict of interest must be recorded in the relevant minutes, and in the conflict-of-interest disclosure register.

This addition aims to ensure clarification is provided on when and how a conflict is to be recorded going forward, whilst also ensuring compliance with legislative requirements.

Public Submissions

Council received one public submission in relation to the Governance Rules.

CEO Motions: The public submission outlined that a CEO should not be able to move a motion. The definition section of the Governance Rules was revised to include Types of Motions. A type of motion was defined as Chief Executive Officer General Business Motion. The definition stated that "A motion put by the CEO to introduce information to the Council which must be approved by the Chairperson". The intent of this statement is to define that the CEO's role is to include General Business Motions in the Agenda if approved by the Mayor. The use of the word "put by" would lead the reader to believe the CEO is putting forward a motion, which was not the intent. This has been revised to state, "A motion included by the CEO to introduce information to the Council which must be approved by the Chairperson".

Public Questions: The Governance rules addition, section 2.35 (m), "The party submitting the question need not physically attend the Council Meeting, however if they are not physically present at the part of the meeting allocated for public question time, the Chairperson may determine that a verbal answer will not be provided at the meeting and a written answer will instead be communicated after the meeting".

This change enables discretion regarding the relevance and importance of the question to the community.

Prayer: As a general statement, the submission noted that there should not be a prayer or welcome to Country. Council includes a general prayer that is non-denominational, and an Acknowledgement of Country to all Council meetings. This demonstrates that Council is respectful and acknowledges and governs for the diversity of the municipal district. At the 2021 ABS census 1.7% of our population declared they are Aboriginal and/or Torres Strait

Islander, and 38.4% nominated a religious affiliation.

Incorporating Acknowledgement of Country and Welcome to Country into meetings, gatherings, and events shows respect by upholding Aboriginal and Torres Strait Islander cultural protocols. An Acknowledgement of Country is an opportunity for anyone to show respect for Traditional Owners and the continuing connection of Aboriginal and Torres Strait Islander peoples to Country.

An Acknowledgement of Country can be offered by any person and like a Welcome to Country, is given at the beginning of a meeting, speech or event.

Taking the time to Acknowledge Country, or including a Welcome to Country at an event or meeting reminds us that every day we live, work, and dream on Aboriginal and Torres Strait Islander lands.

A non-denominational prayer demonstrates respect and acknowledgement to the 38.4% of our community that are affiliated with religious groups.

RELEVANT LAW

- *Local Government Act 2020*
- *Regulatory Legislation Amendment (Reform) Act 2022*

COUNCIL PLANS AND POLICIES

Council Plan 2021-2025: Strategic Objective 4, A Council Who Serves its Community.

RELATED COUNCIL DECISIONS

26 August 2020 – Adoption of Governance Rules

24 August 2022 – Governance Rules Update

OPTIONS

Councillors could choose to review the inclusion of the prayer in the Council Agenda. However, the inclusion of the prayer in section 2.11 of the Governance Rules is only included as a guide and a suggested typical order. The CEO in consultation with the Mayor have the discretion to make changes to the Agenda. Therefore, the Governance Rules does not require revision if Councillors chose to remove the prayer.

SUSTAINABILITY IMPLICATIONS

Not applicable.

COMMUNITY ENGAGEMENT

Section 60(4) of the Local Government Act 2020 states that “a Council must ensure that a process of community engagement is followed in developing or amending its Governance Rules.”

Community consultation on the proposed changes has been undertaken in accordance with Council’s Community Engagement Policy, with the invitation for community feedback period closing at 5pm on Tuesday 16 July 2024.

At the time of writing this report, one submission of community feedback on the proposed changes to Council’s Governance Rules had been received.

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	Implementing the amendment as per the Act. Also undertaking a full review of the Governance Rules to ensure the rules reflect the practices and processes that Council undertakes.	Maintains Residual Risk Level

REGIONAL, STATE AND NATIONAL PLANS AND POLICIES

Not applicable

CONFLICTS OF INTEREST

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

15.3 PLANNING PERMIT APPLICATION PA20240018 – 21 CHURCH STREET MINYIP

Prepared by Adam Moar, Manager Development and Environmental Services and James Thomas, Development Services Officer/Student Planner

SUMMARY

A planning permit application (PA20240018) has been lodged with Council for the use and development of workers accommodation.

The application was notified to adjoining property owners for a minimum period of 14 days with one submission being received objecting to the application.

Recommended Motion:

That Council issues a Notice of Decision to Grant a Permit under the provisions of the Yarriambiack Planning Scheme in respect of the land known and described as Crown Allotment 1 Section 29 Parish of Nullan being 21 Church Street, Minyip, for the construction of workers accommodation, subject to the following conditions:

ENDORSED PLANS AND LAYOUT

1. At all times what the permit allows must be carried out in accordance with the requirements of any document approved under this permit to the satisfaction of the responsible authority.
2. Before the use and development starts, plans must be approved and endorsed by the responsible authority. The plans must:
 - a. be prepared to the satisfaction of the responsible authority
 - b. be drawn to scale with dimensions
 - c. submitted in electronic form
 - d. be generally in accordance with the plans that form part of the application, but amended to show the following details:
 - i. design changes in accordance with Condition 4, as required by the Department of Transport and Planning.
3. The layout of the use and development must not be altered from the layout on the approved and endorsed plans without the written consent of the responsible authority.

DEPARTMENT OF TRANSPORT AND PLANNING

4. Prior to the issue of the permit, amended plans must be submitted and approved by the Head, Transport for Victoria. When approved by the Head, Transport for Victoria, the plans must be endorsed by the Responsible Authority and will then form part of the permit. The plans must be drawn to scale and can be submitted electronically. The plans must be generally in accordance with the Site Plan (Drawing No: DMS-2201-A01) dated 02/02/2024 but modified to show:
 - a. One single point of access at the centre point (approx.) of the property boundary that abuts Church Street (Stawell-Warracknabeal Road) and be at least 6m wide to allow for two-way movement.
 - b. Clearly delineated line marking (by way of painted arrows or similar) indicating two-way ingress and egress from the subject site to Church Street (Stawell-Warracknabeal Road)

5. Prior to the commencement of construction of the development the crossover and accessway must be constructed to the satisfaction of the Responsible Authority and at no cost to the Head, Transport for Victoria.
6. Driveways must be maintained in a fit and proper state so as not to compromise the ability of vehicles to enter and exit the site in a safe manner or compromise operational efficiency of the road or public safety (eg. by spilling gravel onto the roadway).
7. Access to the development shall be designed so that all vehicles can be driven in a forward direction when entering or leaving the subject land.

AMENITY

8. The use and development must be managed so that the amenity of the area is not detrimentally affected, through the:
 - a. transport of materials, goods or commodities to or from the land
 - b. appearance of any building, works or materials
 - c. emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil
 - d. presence of vermin

to the satisfaction of the responsible authority.

9. Deliveries to and from the site (including waste collection) must only take place between the following times:
 - a. 7:00 am and 6:00 pm Monday to Saturday
 - b. No deliveries are to occur on Sunday or public holidays.

The responsible authority may consent in writing to vary these requirements.

10. At all times noise emanating from the land must comply with the requirements of the *Environment Protection Regulations 2021* (as amended from time to time) as measured in accordance with the Noise Protocol to the satisfaction of the responsible authority.

Noise Protocol means the Noise limit and assessment protocol for the control of noise from commercial, industrial and trade premises and entertainment venues, published by the Environment Protection Authority on its website, as in force from time to time.

11. Noise generated from within the premises must not be audible within the habitable rooms with windows closed of any nearby dwellings to the satisfaction of the responsible authority.
12. Roads, storage areas, external stockpiles, vacant or grazed areas must be covered and maintained to avoid dust nuisance to any residential area to the satisfaction of the responsible authority.
13. External lighting must be designed, baffled and located so as to prevent any adverse effect on adjoining land to the satisfaction of the responsible authority.
14. All waste material not required for further onsite processing must be regularly removed from the site to the satisfaction of the responsible authority. All vehicles removing waste must have fully secured and contained loads so that no wastes are spilled, or dust or odour is created, to the satisfaction of the responsible authority.

15. All waste and recyclables must be stored in and collected from an area set aside for this purpose. This area must be graded, drained and screened from public view to the satisfaction of the responsible authority.

TRAFFIC, PARKING, LOADING AND ACCESS

16. All car parking spaces must be designed to allow all vehicles to drive forwards when entering and leaving the property.
17. No fewer than 47 car space(s) must be provided on the land.
18. Before the use starts, the areas set aside for the parking of vehicles and access lanes as shown on the endorsed plans must be:
 - a. Constructed
 - b. Properly formed to such levels that they can be used in accordance with the plans
 - c. Surfaced with an all-weather-seal coat
 - d. Drained
 - e. Line marked to indicate each car space and all access lanes
 - f. Clearly marked to show the direction of traffic along access lanes and driveways to the satisfaction of the responsible authority.

At all times car spaces, access lanes and driveways must be kept available for these purposes.

Once constructed, these areas must be maintained to the satisfaction of the responsible authority.

19. Before the development is occupied, any new vehicular crossing(s) must be constructed to the satisfaction of the responsible authority and the Department of Transport and Planning.
20. Access to and egress from the land must only be at the vehicular ingress and egress points shown on the endorsed plans.

The responsible authority may consent in writing to vary these ingress and egress points in consultation with the Department of Transport and Planning.

21. The loading and unloading of goods from vehicles must only be carried out on the land and must not disrupt the circulation and parking of vehicles on the land, to the satisfaction of the responsible authority.

ENVIRONMENT

22. Polluted and/or sediment laden run-off must not be discharged directly or indirectly into Council's drains or watercourses.
23. All works must be undertaken in a manner that minimises soil erosion to greatest extent practicable, and any exposed areas of soil must be stabilised to prevent soil erosion, to the satisfaction of the responsible authority.
24. The site is to be designed and graded such that it drains to a legal point of discharge and does not direct water onto a neighbouring site.

ALL VEGETATION TYPES

25. Before the development starts, tree protection fencing, and Tree Protection Zones must be established around all trees which are to be retained. The Tree Protection Zones are to be established in accordance with the Australian Standard AS4970-2009 Protection of trees on development sites.
26. The removal of vegetation must only be to the minimum extent necessary to provide for the construction of roads to the satisfaction of the responsible authority.
27. All vehicles, earth-moving equipment and other machinery must be cleaned of soil and plant material before entering and leaving the site to prevent the spread of weeds and pathogens to the satisfaction of the responsible authority.
28. Any pruning or removal of tree limbs, particularly hollow-bearing tree limbs, must be to the minimum extent necessary to the satisfaction of the responsible authority.

COMMENCEMENT AND EXPIRY

29. This permit will operate from the issued date of this permit.
30. This permit will expire if one of the following circumstances applies:
 - The development is not started within 2 years of the issued date of this permit.
 - The development is not completed within 4 years of the issued date of this permit.
 - The use does not start within 2 years of completion of the development.

In accordance with Section 69 of the *Planning and Environment Act 1987*, an application may be submitted to the Responsible Authority for an extension of the periods referred to in this condition.

PERMIT NOTES

- The permitted development may need to comply with, or obtain the following further approvals:
- A building permit under the *Building Act 1993*.

ATTACHMENTS

[Attachment: PA20240018 Delegate Report - 21 Church Street Minyip VIC 3392](#)

[Attachment: PA20240018 Bushfire Attack Level Assessment](#)

[Attachment: PA20240018 Noise Impact Assessment](#)

[Attachment: PA20240018 Planning Report](#)

[Attachment: PA20240018 Proposed Development Plans](#)

[Attachment: PA20240018 Traffic Impact Assessment Report](#)

DISCUSSION

Planning Permit Application PA20240018 proposes the construction of a workers accommodation village in association with a mineral sand mine which is currently going through the final approvals processes to commence construction shortly.

Under the provisions of the Yarriambiack Planning Scheme the proposal required a planning permit as the use and development for this accommodation is listed as a

Section 2 Use -permit required under the Public Use Zone land which it is proposed to be located.

During the public notification period for this application Council forwarded notices to adjoining properties and properties surrounding the land. Council also placed a notice in the Minyip Lions Newsletter and in Council's public notices ad in the local newspaper.

The application received one (1) submission during the notification period. The delegate report outlines the concerns raised.

The application has been assessed against the provisions of the Yarriambiack Planning Scheme and the required sections of the *Planning and Environment Act 1987*. The full assessment of the application is provided in the attached delegate report, along with the relevant sections of the planning scheme.

The application was also referred to the Department of Transport and Planning (the Department) for comment as the proposal will be creating and changing access on to a road in the Transport Zone 2, the Stawell – Warracknabeal Road. The Department required a number of conditions which included the requirement for a single driveway to be provided for both entry and exit to the site. As the Department is a determining authority, the conditions provided must form any approved planning permit Council wishes to grant.

The overall assessment of the application provides for a recommendation to approve the application subject to conditions which relate to the amenity of the locality, hours of operation, environmental concerns, and compliance with the endorsed plans and documents.

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 issues a notice of decision to approve the planning permit subject to conditions. This option provides the objectors with the option to challenge the decision at VCAT. Approving a planning permit subject to condition also provides the applicant to challenge any conditions at VCAT.

Option 2:

That Council issues a notice of decision to refuse the planning permit application, which would be required to be supported by specific reasons of refusal. This would provide the applicant with the option to challenge the decision at VCAT.

SUSTAINABILITY IMPLICATIONS

Economic: The development of this workers accommodation facility is an important element to support the construction of the mineral sands mine near Minyip. Without the development housing for construction workers will be difficult to obtain.

Social: The applicant and management of the facility will be required to manage the facility in a manner that does not create amenity impacts. The accommodation facility would have flow on effects into the community of Minyip through the potential supports of the local sporting facilities and shops.

COMMUNITY ENGAGEMENT

This application has been advertised to adjoining owners for a minimum period of 14 days. Submissions can be accepted on any application until a decision has been made on the application.

The attached delegate report addresses the concerns raised by the submissions received for this application.

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>
Strategy Execution and Change Management Risk - Residual Risk Level Medium	Risk of approving inappropriate land uses on sites where amenity issues may arise, or not conditioning an approval appropriately to minimise amenity impacts.	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.

15.4 AUDIT AND RISK COMMITTEE CHARTER REVISION

Prepared by Tony Caccaviello, Chief Operating Officer

SUMMARY

The *Local Government Act 2020* received royal assent on 24 March 2020. The new Act required Council to establish an Audit and Risk Committee and adopt a Charter that complies with the requirements of the Act, this was initially completed in 2020.

The Charter is reviewed annually as part of the work plan of the Audit and Risk committee. This task was undertaken by the group in April 2024. From this review, the committee recommended two additions to the charter in regard to attendance and questions out of session from observers.

Recommended Motion:

That Council:

- a) Adopt the revised Audit and Risk Committee Charter as attached to this report, to take effect from 17 July 2024; and
- b) Rescind the prior version of the Audit and Risk Committee Charter that was adopted on 25 October 2023.

ATTACHMENTS

[Attachment: Audit and Risk Committee Charter](#)

DISCUSSION

At the Audit and Risk Committee Meeting of Council held on 15 April 2024, following a review of various Charters of Audit and Risk Committee's across the sector by the Chair of the Committee, it was recommended from the committee that the following additional clauses be inserted into the charter.

Attendance

All Committee members are expected to attend each meeting in person unless:

- the meeting is held entirely virtually at the Chair or CEO's request; or
- a member has obtained approval from the Chair to attend virtually.

The Chair may approve and must not reasonably refuse any request to attend a meeting virtually.

Questions out of session from observers and/or other Councillors

- The Committee welcomes attendance by any Councillor, as an observer, at Committee meetings.
- Councillors who have any questions of the Committee must refer them to the Mayor who will liaise with the Chair for a response.
- Issues may be referred formally by Council to the Audit and Risk Committee for investigation, however individual Councillors cannot refer matters to Audit and Risk Committee for investigation or review.

The inclusion of these clauses align with the Charters of several other Council's in the sector, this was identified by the Committee Chair and independent members of the committee. The clause on attendance allows the appropriate flexibility in the function of the committee to utilise contemporary practices and available technology to complete their function.

RELEVANT LAW

In accordance with Section 8(1) of the *Local Government Act 2020*, the role of a Council is to provide Good Governance in its Municipal district for the benefits and wellbeing of the Municipal community.

An Audit and Risk Committee is established under Division 8, Section 53 of the Act. The Committee provides governance oversight on risk management and fraud prevention controls, adopts the Annual Work Plan and oversees internal and external audit functions.

COUNCIL PLANS AND POLICIES

Council Plan: 2021-2025, Key Objective 4: A Council Who Serves its Community

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

RELATED COUNCIL DECISIONS

Minutes Council Meeting – 26 August 2020 – Audit and Risk Committee Charter adopted.

Minutes Council Meeting – 27 April 2022 – Audit and Risk Committee Charter revision.

Minutes Council Meeting – 25 October 2023 – Audit and Risk Committee Charter Revision.

OPTIONS

Councillors could choose not to accept part, or all of the changes as identified in Red in the attached revised Charter.

SUSTAINABILITY IMPLICATIONS

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

COMMUNITY ENGAGEMENT

Not applicable.

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 review of the Audit and Risk Committee Charter ensure the Council remains contemporary and the Committee is meeting Council’s compliance requirements.	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 FINANCIAL AND NON-FINANCIAL PERFORMANCE REPORT – QUARTER 4 2023-24

Prepared by Tony Caccaviello, Chief Operating Officer

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.

Recommended Motion:

That Council:

- a) Adopt the quarterly Financial and Non-Financial Performance Report as of 30 June 2024 as attached to this report.

ATTACHMENTS

[Attachment: Financial and Non-financial Performance Report - Quarter 4 – 2023-24](#)

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 2020* and Regulations, by compiling a Quarterly Financial and Non-Financial Performance Report.

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

The 4th quarter report is a modified version, in preparation for the end of financial year report to be completed and finalised. The project reports included are with preliminary figures only. Final project reports for the conclusion of the financial year will be presented at the September Council Meeting, along with details of final carry-over budget from prior years.

For this quarter, the report has been presented to the Management Team and at Council Forum on 10 July 2024 and to the Audit and Risk Committee on 15 July 2024.

RELEVANT LAW

Local Government Act 2020 – Section 97 Quarterly Budget Report

Local Government (Planning and Reporting) Regulations 2020

COUNCIL PLANS AND POLICIES

- Annual Budget 2022-2023
- 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
- Minutes 28 February 2024 - Financial and Non-Financial Performance Report - Quarter 2 2023-24
- Minutes 24 April 2024 – Financial and Non-Financial Performance Report – Quarter 3 2023-24

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 operational 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 is at risk to decreases or increases that are lower than cost inflation.

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:

Strategic Risk Description and Residual Risk Level	Action to Mitigate/Reduce Risk	Does Action maintain or reduce Residual Risk Level
Corporate Governance, Compliance and Liability Risk - Residual Risk Level Low	The quarterly report incorporates the reporting requirements as outlined in the Local Government (Planning and Reporting) Regulations 2020 Schedule 1.	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>
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.

15.6 FLAG CONTROL POLICY AND GUIDELINES

Prepared by Bernardine Schilling, Manager People and Culture

SUMMARY

The purpose of the Flag Control Policy and Procedure is to ensure that the flags displayed at the Yarriambiack Shire Council Office are flown in accordance with the flag protocol as determined by the Australian Government; and establish guidelines for flying of flags which are significant to the Yarriambiack Shire Council community.

This policy applies to flying flags at the Yarriambiack Shire Council Office, 34 Lyle Street, Warracknabeal, which includes four Ceremonial flag poles. The policy acknowledges and commits to fly flags in accordance with the Australian Government Flag Protocols.

Recommended Motion:

That Council:

- a) Adopt the revised version of the Flag Control Policy and Guidelines as attached to this report; and
- b) Rescind the prior version of the Flag Control Policy and Procedure adopted on the 28 July 2021.

ATTACHMENTS

[Attachment: Flag Control Policy and Guidelines](#)

DISCUSSION

Implementing a Flag Control Policy offers numerous advantages for Council. It provides clear guidelines on the principles and intentions behind flying flags, ensuring adherence to flag protocols and respect for the flags and their meanings.

At the 27 April 2022 Council Forum, Councillors suggested flying the pride flag on significant days. Additionally, a retired Councillor requested that the Yarriambiack Shire Council flag be flown on days when Councillors are in session.

In recognition of these requests' importance, a fourth flagpole was installed in 2023 alongside the existing three in front of the Shire Council Offices. This allows the Council to accommodate these requests without having to remove any of the other flags.

RELEVANT LAW

The Flag Policy acknowledges that flags will be flown in accordance with the Australian Government Flag Protocols as outline in 'Australian Flags – Part 2: The protocols for the appropriate use and the flying of the flag' or equivalent document as published by the Department of Prime Minister and Cabinet. The Protocols can be viewed at: <https://www.pmc.gov.au/government/australian-national-flag/australian-national-flag-protocols>

COUNCIL PLANS AND POLICIES

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

RELATED COUNCIL DECISIONS

Council Meeting – 28 July 2021, Adoption of Flag Policy and Guidelines

OPTIONS

Option – to change the days when flags of significance are flown on the fourth pole.

SUSTAINABILITY IMPLICATIONS

Social – By supporting days of significance through the display of relevant flags, Council demonstrates acknowledgment and acceptance of all persons residing in and visiting our Shire Council. This inclusivity fosters a sense of belonging and community cohesion.

COMMUNITY ENAGEMENT

Direct community engagement has not been undertaken in the review of this policy and guidelines. The Policy acknowledges the appropriate use and flying of the flags’ or equivalent document as published by the Department of Prime Minster and Cabinet. The updated policy will be uploaded to the Shire Council website.

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	There is reputational risk in not having a flag control policy as this creates uncertainty and subjectivity in deciding which flags Council flies on prominent flag poles at Government Office. With clear guidelines, Council may prevent a breach of State or National protocols.	Maintains Residual Risk Level
Reputational Risk - Residual Risk Level Low	Council needs to be seen as a leader in accepting and acknowledging all persons residing and visiting the Shire Council.	Maintains Residual Risk Level

REGIONAL, STATE AND NATIONAL PLANS AND POLICIES

The Flag Policy acknowledges that flags will be flown in accordance with the Australian Government Flag Protocols as outlined in ‘Australian Flags – Part 2: The protocols for the appropriate use and the flying of the flag’ or equivalent document as published by the Department of Prime Minister and Cabinet.

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 RATES ARREARS PROPERTY – 41 BELL STREET BEULAH

Prepared By: Tammy Smith, Chief Executive Officer

SUMMARY

Under section 181 of the *Local Government Act 1989 (VIC)*, Yarriambiack Shire Council has the power to recover outstanding rates and charges in respect of any rateable land where the debt is more than three years overdue. Council may sell the land or cause the land to be transferred to itself. This paper outlines that the Chief Executive Officer is seeking a resolution by Council to commence the Section 181 process and to transfer the land know as 41 Bell Street Beulah to itself (Yarriambiack Shire Council).

Recommended Motion:

That Council:

- a) In accordance with Section 181 of the *Local Government Act 1989*, approve the transfer of 41 Bell Street Beulah (Lot 1 & 2 TP609232W, Volume 03184, Folio 610) to itself; and
- b) Endorse that once the transfer has been complete, that Council further consults, and gifts the land to the Beulah Lions Club who is currently occupying the land.

ATTACHMENTS

Not applicable.

DISCUSSION

Background

The property known as 41 Bell Street Beulah is eligible for Council to enact the Section 181 process in accordance with the *Local Government Act 1989*.

During the various processes to explore ownership of the property it has come to light that the Beulah Lions Club is occupying the site for their depot, however they are not the legal owners of the land.





Council can continue with the legal process to work towards a Section 181 on this property, however the Beulah Lions Club has expressed they do not have the funds to purchase the property. If Council enacts the Section 181 process and advertises and ultimately sells the land, the Beulah Lions Club would most likely need to find a new location.

This paper is recommending that Council enact the legislative provision within section 181 of the *Local Government Act 1989* to transfer the property to itself, and then gift the property to the Beulah Lions Club.

Eligibility for Section 181 Process

Council has made all attempts to locate the owners of the land, to notify them that Council is making a claim against them.

As the owners cannot be located, Council is required to apply for substituted service to serve the complaint (as the owner cannot be located). This is a way of bringing documents to a person's attention, other than via the means of personally handing the documents to the person, putting the documents down in the person's presence, or handing the documents to someone over the age of 16 years who lives at the same residence or place of work as the person who owns the property.

Substituted service is made via an application to the court. This is to demonstrate that all attempts to locate the debtor have been made.

Once substituted service is granted and judgement is obtained, Council can commence the public advertising process in an attempt to locate the owners of the property and notify them that Council wishes to sell and/or transfer the property to itself, to recover the outstanding rates and charges.

Council is required to ensure a public notice process is undertaken of its intention to conduct the sale or carry out the transfer (s181 (5)(b)). Council must ensure that the public notice occurs at least four weeks before the date of the sale or transfer (s181 (6)(a)).

The public notice must meet the requirements of Council's Community Engagement Policy, in accordance with the *Local Government Act 2020*. This includes ensuring that the notice is printed in relevant newspaper publications, on Council's website, in the Yarri Yarns newsletter and on social media.

Once this process is complete, Council can move to selling or transferring the property to itself.

Council may recover the following amounts from the proceeds of a sale of land, or if the land is transferred, may offset from the transfer the following amounts:

- a) All expenses incurred in connection with the sale or transfer.
- b) The amount of outstanding rates and charges, including interest associated with the amount.

- c) Any other amounts due to it for, or in respect of, rates or charges, including enforcement costs and interest in respect of the land.

Council is required to seek a valuation for the land. On the 01/01/2024 the valuation for this property for rating purposes is \$49,000. However, Council is required to obtain a valuation report that is specifically for the Section 181 process. The valuation may change as part of this process, and could be less, based on market value.

Debt on Property

As of 15 July 2024, rates and charges arrears applied to 41 Bell Street Beulah is \$18,401.36. Legal costs and associated costs will be incurred from the section 181 sale and/or transfer of land process. The property also has fire hazard removal changes outstanding from 2013-19 totalling \$1,115.49.

Council would also need to ascertain if there is any outstanding GWMWater rates and charges, and other associated costs against the property.

In accordance with the *Local Government Act 1989*, if an amount remains after the Council has offset or recovered everything that is permitted to be recovered, it must then use the remaining amount to discharge, in the order of priority, any mortgages and other charges in respect of the land, whether registered or not, that it has notice of, and pay any amount remaining to each person who appears to have an estate or interest in the land.

If any person who is entitled to an amount under section 181 cannot be found after reasonable efforts have been made to find the person, the Council may use the funds for general purposes.

Why Transfer Land?

Council is currently consulting with the Beulah Community in relation to a Community Recycling and Collection Hub. At the community meeting held on 28 June 2024 it was identified that an alternative collection point within the town boundary could be located at the Lions Club Depot. This was identified as a positive partnership between Council and Community. However, it was identified that this property was currently eligible for a Section 181 process, and that the Lions Club, whilst occupying the land, did not own it.

The transfer of the land to Council, and then gifting to the Lions Club would enable the group to continue utilising the land as their collection depot. It also provides an alternative location for Council, to explore, in partnership with the Lions Club, to establish a community recycling collection point on the site.

RELEVANT LAW

- a) Section 181 of the *Local Government Act 1989*
b) *Local Government Act 2020*

COUNCIL PLANS AND POLICIES

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

Council Plan 2021-2025 – Key Objective 3: A Robust and Thriving Environment

RELATED COUNCIL DECISIONS

Minutes, 22 November 2023: Item 16.2 Rates Arrears Property, 16 Stewart Street Rupanyup.

Minutes 27 April 2022: Item 13.2 Rates Arrears Transfer Land – 98 Anderson Street Warracknabeal

Minutes 27 April 2022: Item 13.3 Rates Arrears Transfer Land – 26 Gloucester Avenue Woomelang

OPTIONS

- a) The Council could choose not to transfer the land into Council's name and sell the property in accordance with the Section 181 process. However, this will displace the Beulah Lions Club depot, and an alternative location will need to be sourced.

- b) Council could choose to not pursue this property through the 181 processes, and allow it to continue to accumulate rates and charges; or
- c) Council could choose to waive the rates and charges on the property, resolve to cease incurring the rates and charges on the property going forward and encourage the Beulah Lions Club to explore adverse passion.

SUSTAINABILITY IMPLICATIONS

Financial: The transfer of land would not pose a significant financial imposition on Council. It is estimated that there may be a cost difference between the debt on the property and the valuation, up to \$20,000. However, if any person who is entitled to an amount under section 181 cannot be found after reasonable efforts have been made to find the person, the Council may use the funds for general purposes. Council may not be required to pay this amount out, as all efforts have been made at this point in time to locate the owners, and Council and lawyers have been unsuccessful in all attempts.

Environment: The site is currently a Beulah Lions Club collection point for their own recyclables and is being considered as one of the options to establish a community collection point in Beulah, within the town boundaries.

Climate Change: A community recycling hub and collection point is part of Councils overall strategy and action plan, outlined in the Draft Master Environment Strategy currently out for community consultation.

COMMUNITY ENGAGEMENT

Council Officers held a meeting with the Beulah Community on 28 June 2024 to discuss community recycling and collection point options. One of the options that was identified during the meeting was establishing a partnership with the Beulah Lions Club. It was also identified that the Lions Club did not own the parcel of land it occupies, and this needed to be rectified to move forward.

GENDER IMPACT ASSESSMENT

Not applicable for this report.

RISK

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

Strategic Risk Description and Residual Risk Level	Action to Mitigate/Reduce Risk	Does Action maintain or reduce Residual Risk Level
Corporate Governance, Compliance and Liability Risk - Residual Risk Level Low	The transfer of land will be undertaken in accordance with the <i>Local Government Act 1989 and Local Government Act 2020</i> , along with the Council’s Community Engagement Policy. Transferring the land to the Lions Club would also assist with the club managing their liability risks, where activities are currently occurring on land they do not own.	Maintains Residual Risk Level
Reputational Risk - Residual Risk Level Low	Selling the land and displacing the Beulah Lions Club would have a significant negative reputational impact on Council. Council prides itself on being a community partner and displacing a community group would be in contravention to Councils active advocacy.	Reduces Residual Risk Level
Strategy Execution and Change Management Risk - Residual Risk Level Medium	The transfer of the land is also a strategic decision, which would support a partnership between Council and the Lions Club, to provide a Community Recycling Hub collection point within town boundaries (if the option is the preferred choice of the community).	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>
Financial Risk - Residual Risk Level Medium	Council may need to pay the owners of the property the difference between what is owed on the property and the valuation. This amount could be estimated at around \$20,000. The likelihood of Council having to pay that amount is low, due to the owners not being identified or located. Council can retain the funds if all attempts and efforts are made to find the owners and this activity is unsuccessful.	Reduces Residual Risk Level

REGIONAL, STATE AND NATIONAL PLANS AND POLICIES

Not applicable

CONFLICTS OF INTEREST

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

16 COUNCIL REPORTS FOR NOTING

16.1 SHARE GRANTS 2024-25

Prepared by Tom Huf, Community Strengthening Coordinator

SUMMARY

Council provides financial assistance to community groups and businesses to support the provision of events and services which respond to identified community need, contribute to the building of stronger communities and are in accordance with Council's strategic outcomes through its Share Grant program.

This report details the approach and results to the allocation of the 2024-25 Share Grant program.

Recommended Motion:

That Council:

Note the Report as presented.

ATTACHMENTS

Not applicable

DISCUSSION

The purpose of the Council's Share Grant program is to develop and actively support community organisations and businesses who positively contribute to community wellbeing and the cultural life of the region. As per the adopted 2024-25 budget, the program has a total available pool of funding of \$60,000.

Applications were opened 3 June 2024 and closed 24 June 2024. The program has four funding streams, each with the funding stream guidelines that were adopted by Council.

At the Council Forum on 10 July 2024, it was agreed by the Councillors to delegate the Share Grant approval process to the Chief Executive Officer to manage Conflict of Interest.

Applications were evaluated in accordance with the qualitative criteria in accordance with Council's Share Grants Policy, the evaluation team were selected from within Council's employees. All participants declared no conflict of interest.

There were 37 submissions requesting a total of \$136,664 of the Share Grant program. Applications were of a high quality with 30 applications scoring above the minimum score required.

A summary of the applications to each stream is as follows:

- Events and Sponsorship – 11
- Business and Streetscape – 2
- Community Building – Minor – 14
- Community Building – Major – 10

Of all applications 22 have been successful in achieving funding, 15 applications were unsuccessful. Feedback outlining the reasons these applications were unsuccessful has been provided to the applicant community groups along with tailored advice aimed to assist the groups in future funding programs.

Successful Recipients

Applicant	Project	Stream	Amount funded
Murtoa's Big Weekend	Murtoa's Big Weekend 2024	Events	\$1,500
Patchewollock Music Festival Inc.	Patchewollock Music Festival 2024	Events	\$1,500
Minyip Recreation Reserve Committee of Management	Junior Oval - Junior Goal Posts Project	Building - Major	\$4,500
Murtoa Stick Shed Committee of Management	Stick Shed Landscaping and Access Project	Building - Major	\$4,538
Minyip Show and Shine Committee	Show and Shine Event Weekend February 2025	Events	\$1,500
The Beulah General Store	Beulah Hub Redevelopment	Building - Major	\$10,000
Rupanyup Golf Club	AED maintenance	Building - Minor	\$360
Beulah Historic Learning & Progress Assoc.	Seymour Train Visit	Events	\$1,000
The General Store Warracknabeal	Street Dining	Business & Streetscape	\$2,000
Murtoa Angling Club	Murtoa angling club annual family fishing day	Events	\$1,370
Murtoa Agricultural and Pastoral Society Inc.	Level Up! Gaming feature at the 2024 Murtoa Show	Events	\$1,500
Lions Club of Murtoa	Defibrillator Purchase	Building - Minor	\$1,975
Hopetoun Patchwork Group	Defibrillator Purchase	Building - Minor	\$2,925
Woomelang & District Bush Nursing Centre	Comedy Night 2025	Events	\$1,500
Warracknabeal Amateur Basketball Association Inc	Life Member Honour Board and Memorabilia Cabinet	Building - Minor	\$2,930
Murtoa Events	New Years Eve by the Lake 2024	Events	\$1,500
Warracknabeal Tourist Information Centre	Tourist Information Boards	Business & Streetscape	\$1,500
Minyip Golf Club	Memorial Golf Day for Cancer Research	Events	\$500
Patchewollock Incorporated	Historic Signage for Old School Sites	Building - Minor	\$2,500
Warracknabeal Neighbourhood House and Learning Centre	Level Play	Building - Minor	\$2,584
Woomelang and District Historical Society	Switchboard upgrade	Building - Minor	\$2,634
Murtoa Swimming Pool	Shade Area Replacement	Building - Major	\$9,684

In total, the full allocation of \$60,000 will be awarded to applicants, supporting a total project spend of \$156,464 across Yarriambiack Shire Council.

RELEVANT LAW

Not applicable.

COUNCIL PLANS AND POLICIES

Council Plan 2021-2025: Key Objective 1: A Vibrant and Diversified Economy

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

Community Share Grants Program Policy

RELATED COUNCIL DECISIONS

Ordinary Meeting of Council – 25 January 2023 – Item 16.3 – Community Share Grant and Spark Tank Program

Ordinary Meeting of Council – 27 September 2023 – Item 16.1 – Share Grant Report

OPTIONS

Not applicable.

SUSTAINABILITY IMPLICATIONS

Social: Provides funding of many community projects, enhancing social health and wellbeing outcomes for the community.

Environmental: all projects comply with community grant sustainability requirements.

COMMUNITY ENGAGEMENT

As with previous rounds, the program was advertised via the Council newsletter, newspaper ads, radio ads, social media and on Council’s website. A list of previous applicants, community groups and progress associations were also emailed with information on the program. Two information sessions were conducted by officers to community groups to discuss the SHARE Grant process.

Applications were opened 3 June 2024 and closed 24 June 2024. All applications received were received within these timelines.

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>
Reputational Risk - Residual Risk Level Low	Evaluation of the program in line with program guidelines provides transparency and accountability to the community on the of distribution of grant funding.	Maintains Residual Risk Level
Corporate Governance, Compliance and Liability Risk - Residual Risk Level Low	Like above, the evaluation of the program was conducted in line with program guidelines provides transparency and accountability to the community on the of distribution of grant funding.	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.

16.2 COMMUNITY SATISFACTION SURVEY 2024

Prepared by Tammy Smith, Chief Executive Officer

SUMMARY

Council participates in the Local Government Community Satisfaction Survey each year. This report provides an update on the 2024 results.

Recommended Motion:

That Council:

- a) Note the 2024 Local Government Community Satisfaction Survey for Yarriambiack Shire Council; and
- b) That the results will be published on Councils website.

ATTACHMENTS

[Attachment: Community Satisfaction Survey 2024 Yarriambiack Shire Council Tailored Report](#)

[Attachment: Community Satisfaction Survey Yarriambiack Shire Council Report](#)

DISCUSSION

Background

Council participates annually in the Local Government Community Satisfaction Survey each year. The survey is conducted by the Department of Government Services on behalf of participating Councils. A minimum of 400 local residents and ratepayers in each municipality over 18 years of age are selected at random.

Council moved to a quarterly data capture process, opposed to an annual process for the 2023 year, and continued this into 2024.

Interviews were undertaken across Yarriambiack Shire Council. These interviews were conducted on a quarterly basis, via a telephone survey which collected direct feedback from the community about Council. It covered:

- council's overall performance
- community consultation and engagement
- customer service
- overall council direction

In 2024 Council also introduced an additional question in relation to roads, to better understand and pinpoint what particular roads are an area of concern for residents.

Performance Across the Sector

Yarriambiack Shire scored 58 for overall Council performance. This was higher than the small rural shire average of 53 and the state wide average of 54.

Performance Across Yarriambiack Shire

Councils top performing areas were recreational facilities, elderly support services and waste management, and the bottom three performing areas were sealed local roads, lobbying and community decisions. However, both lobbying and community decisions results improved from 2023.

Council's customer service results increased from 2023 from 65 to 67, which is greater than the small rural average, and on par with the statewide average.

Waste management improved by one point, however it still scored lower than the state and small rural average. Waste management continues to be a challenge for our Council, as we navigate the high cost of servicing our community. We are currently consulting on our Master Environment Strategy with an aim of analysing and addressing our waste management issues.

Improvement Areas

Sealed local roads continue to score poorly at 33, two points less than 2023 and less than the small rural average of 41 and state average of 45.

In 2024 Council introduced an additional question to the survey, requesting residents identify the roads they were most concerned about.

When analysing the verbatim detailed comments in relation to the roads, it identified that 35% of the complaints related to VicRoads roads, 47% to local roads, 17% to roads in general and 1% to non-sealed roads.

Majority of the concerns were in relation to Warracknabeal and surrounds, with 39% of responses identifying Warracknabeal as their township. This was followed by Hopetoun 10%, Murtoa 10% and Rupanyup 8%.

Whilst we recognise our roads require increased investment and continue to lobby both Commonwealth and State Government for further funding to address our renewal gap, it should be noted that our scoring also reflects the state of our surrounding Victorian Government owned, maintained and managed roads.

RELEVANT LAW

Local Government Act 2020

COUNCIL PLANS AND POLICIES

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

RELATED COUNCIL DECISIONS

Not applicable.

OPTIONS

Not applicable.

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.

There are no sustainability implications identified in this report.

COMMUNITY ENGAGEMENT

The survey is conducted annually by the Department of Government Services on behalf of participating councils. A minimum of 400 local residents and ratepayers in each municipality over 18 years of age are selected at random.

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>
Reputational Risk - Residual Risk Level Low	Council has reflected on the results of the Community Satisfaction Survey and will work to address each of the areas identified as lower than either the state or rural average.	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.

16.3 YARRIAMBIACK SHIRE COUNCIL ENGAGEMENT VAN AND LIBRARIES REPORT

Prepared by Sarah Collins, Manager Community Strengthening and Engagement

SUMMARY

Council recently launched a new trial Engagement Van service that builds on the current library van service "Words on Wheels" and enables a mobile Council service directly into communities. This report outlines the need for this service and how this 6-month trial will be used to seek feedback from community.

Recommended Motion:

That Council:

Note the Report as presented.

ATTACHMENTS

[Attachment: Engagement Van and Warracknabeal Library Timetable](#)

DISCUSSION

With the annual Public Libraries Victoria funding amount remaining unchanged for the third year in a row, Council's need to investigate solutions to address the rising costs associated with the Yarriambiack Libraries and library van service; the Words on Wheels service has been undertaken.

In November 2023, an initial trial of Self-Service library hours at the Warracknabeal Library began by covering the Saturday hours made vacant by a leaving staff member. The uptake of this service was promising, and after a feedback survey, found that the patrons wanted to see an extension of the service. This provided Council the opportunity to assess the current Customer Service and Libraries services to build on this positive feedback further.

In order to have the required resources to operate the Engagement Van, staffed hours had to be reassessed to provide staffing towards the new initiative. Staff regularly monitor the patronage at the Warracknabeal Library, noting trends of when it is busy and quiet, and what services are being utilised by the community. It was found that Mondays were consistently the quietest and mid-week visitation at the highest. Patrons visiting utilised all aspects offered by the library, with some patrons visiting for the conversation they received from staff. It was made clear that our communities value library staff, and a hybrid model of staffed and self-service hours would suit most community members and allow staffing resources to be redeployed towards the Engagement Van.

The Engagement Van is fulfilling Council's commitment to deliberative and meaningful engagement with community. Understanding the large geographical area that Yarriambiack covers, access to services is not easily achievable for some community members. This service looks to assist those community members by visiting communities regularly to offer administrative services alongside Words on Wheels for patrons.

Council has customer services available at the Warracknabeal Shire office and via a service agreement with the Hopetoun and District Neighbourhood House. With the extension of the Words on Wheels service, this customer service can be offered on a fortnightly timetable to Minyip, Murtoa, Rupanyup, Beulah, Woomelang, and Patchewollock. Council staff operating the Engagement Van are trained in both library and customer service functions, allowing all community members to benefit from the service.

After presenting the proposed change of service to community, feedback from both library patrons and non-patrons showed strong support in the initiative with comments such as 'I can't believe this hasn't been done sooner' and comments relating to the 'above and beyond' service currently being offered through Words on Wheels.

The Engagement Van timetable was developed taking into consideration the current Words on Wheels schedule, the engagement with community occurring through Words on Wheels, and the needs of each community, such as playgroup meeting in Patchewollock on a Wednesday and regularly partake in Story Time activities.

By extending the length of visits in the towns allows time for people to visit the Van to:

- Log Customer Requests,
- Access the YSC website and Have Your Say feedback opportunities through available internet,
- Access to information materials,
- General Enquiries

The trial began Monday 15th July 2024 and is set to run for 6 months. Opportunities will be provided seeking feedback from the community for ideas of additional/alternative services, changes to visitation schedule, expansion into more communities, etc. Council will note the questions raised and services utilised to continually improve the service to ensure we continue to meet community expectation.

RELEVANT LAW

Not Applicable.

COUNCIL PLANS AND POLICIES

- Council Plan 2021-2025, Strategic Objective 4: A Council Who Serves its Community
- Community Engagement Policy
- Customer Service Charter

RELATED COUNCIL DECISIONS

Not Applicable.

OPTIONS

The Success of the Community Engagement Van and Self-Serve Model extension at the Warracknabeal Library will be reviewed in six months when the trial concludes.

SUSTAINABILITY IMPLICATIONS

- Social – This service will increase community's ability to interact with Council and aims to facilitate and increase positive social interactions between community members and council officers.
- Environmental – This new service utilises the current Words on Wheels service and does not add additional kilometres travelled by the van. There is no increase of environmental implications.

COMMUNITY ENGAGEMENT

The change of service was advertised in accordance with Council's Engagement Policy and invited community members to provide feedback on:

- If they are current Library patrons / Words on Wheels users,
- If they are likely to use the new service,
- If our current library services met expectations,
- An indication of the value of inclusions in the Engagement Van Service,
- Additional inclusions that they would like to see,
- Feedback on the proposed timetable.

During the feedback period, a total of 7 submissions were received in support of the new service. Feedback was received from both library users, and non-library users.

There was a heartwarming number of comments received relating to the level of service that was currently being offered by the library team (including both Warracknabeal Library and Words on Wheels staff). There is a clear community benefit to officers being on location, and by enhancing the Words on Wheels services, this can be offered to non-library users.

A Facebook message was sent to the Mayor in relation to the changes, and they were encouraged to submit their feedback via the submissions process to ensure their questions and/or concerns were captured. The message was also passed on to the CEO.

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>
Innovation Risk - Residual Risk Level Low	Innovation brings the risk of failure. Research into services offered by other LGA's that are rural, regional, and metro has been undertaken to ensure we are offering a valuable and financially viable service.	Maintains Residual Risk Level
Reputational Risk - Residual Risk Level Low	There are reputational risks with modifying service levels and communicating clear inclusions to community in order to meet community expectations. This was done through community Have Your Say in accordance with Council's Engagement Policy.	Maintains Residual Risk Level
Financial Risk - Residual Risk Level Medium	Financial risks associated with modifying a service have been minimised by offering a trial period and altering the Words on Wheels model and staffing currently being utilised prior to committing to the service.	Reduces Residual Risk Level

REGIONAL, STATE AND NATIONAL PLANS AND POLICIES

Not Applicable.

CONFLICTS OF INTEREST

Not Applicable.

17 PERMITS ISSUED

List of permits issued in June 2024 is listed below for noting.

Recommended Motion:

That Council:

Note the permits issued by Council between 1 June 2024 and 30 June 2024.

Reference No	Description	Address	Date of Issue
Building Permits			
BLD20240390	Relocation of a dwelling	Rupanyup	04/06/2024
BLD20240397	Installation of a residential swimming pool	Lascelles	04/06/2024
Planning Permits			
PA20240001	Gypsum extraction	Yaapeet	19/06/2024
PA20240002	Gypsum extraction	Yaapeet	19/06/2024
PA20240006	Expansion of a gravel pit	Lascelles	11/06/2024
PA20240020	Construction of a shed	Warracknabeal	19/06/2024
PA20240021	Automatic door installation	Hopetoun	14/06/2024
Local Law Permits			
07/24	Keeping more than allowed number of animals	Beulah	20/06/24
08/24	Keeping of one beehive	Woomelang	20/06/24
09/24	Keeping more than the allowed number of animals	Warracknabeal	24/06/24
10/24	Keeping more than the allowed number of animals	Warracknabeal	24/06/24
11/24	Keeping more than the allowed number of animals in a rural area	Hopetoun	28/06/24
13/24	Street Trade Permit	Warracknabeal	11/06/24
14/24	Street Trade Permit	Warracknabeal	25/06/24
15/24	Street Trade Permit	Warracknabeal	27/06/24
RRWP & APP Permits			
RRWP & APP 2024 - 08	VP Minerals - Soil sampling	Patchewollock	06/06/24
Septic Tank 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 NEXT MEETING

Wednesday 28 August 2024

20 CLOSED

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

Recommended Motion:

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

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

SUMMARY CLOSED (CONFIDENTIAL) MEETING AGENDA

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

1. C343 2024 BITUMEN SEALING CONTRACT – COLLABORATIVE PROCUREMENT
<p>This Agenda item is confidential information for the purpose of section 3(1) of the <i>Local Government Act 2020</i>:</p> <ul style="list-style-type: none"> a) Because it is Council business information, being information that would prejudice Council's position in commercial negotiations if prematurely released (section 3(1)(a)); and b) This ground applies because the Agenda Item concerns the progress of ongoing contractual negotiations that would, if prematurely released, diminish the strength of Council's position in those negotiations.
2. C316- 2024 ROAD RESERVE, CHANNEL AND STRATEGIC FIREBREAK WEED SPRAYING
<p>This Agenda item is confidential information for the purpose of section 3(1) of the <i>Local Government Act 2020</i>:</p> <ul style="list-style-type: none"> a) Because it is Council business information, being information that would prejudice Council's position in commercial negotiations if prematurely released (section 3(1)(a)); and b) This ground applies because the Agenda Item concerns the progress of ongoing contractual negotiations that would, if prematurely released, diminish the strength of Council's position in those negotiations.

3. CHIEF EXECUTIVE OFFICER ANNUAL REVIEW

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

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

4. FUTURE DIRECTION OF EARLY CHILDHOOD SERVICES

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

- a) Because it is Council business information, being information that would prejudice Council's position in commercial negotiations if prematurely released (section 3(1)(a)); and
- b) This ground applies because the Agenda Item concerns the progress of ongoing contractual negotiations that would, if prematurely released, diminish the strength of Council's position in those negotiations.