



Yarriambiack
SHIRE COUNCIL

Agenda

Ordinary Meeting of Council

29 January 2025

COUNCIL CHAMBERS

34 Lyle Street, Warracknabeal

MEETING OF COUNCIL TO COMMENCE AT 9.30AM

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

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

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OUR VISION

A 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 reads this section as part of the Meeting Governance process.

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

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

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

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

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

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

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

3 ACKNOWLEDGEMENT AND PRAYER

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

3.1 ACKNOWLEDGING TRADITIONAL OWNERS OF THE LAND

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

3.2 PRAYER

Almighty God, without whom no Council can stand, nor anything prosper we ask that you be present and guide us in our deliberations today. We pray that we will be fair in our judgements and wise in our actions and that decisions will be made with goodwill and a clear conscience for the betterment and welfare of the people of Yarriambiack Shire.

Amen

4 PRESENT

Mayor	Kylie Zanker	Warracknabeal Ward
Deputy Mayor	Andrew McLean	Hopetoun Ward
Councillor	Melinda Keel	Dunmunkle 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	Jo White	Governance Officer
Council Officer	Daniel Brandon	Business Systems Coordinator

5 APOLOGIES

Name / Role	Description of Leave / Absence

6 CONFIRMATION OF MINUTES

6.1 MINUTES 27 NOVEMBER 2024 – ORDINARY MEETING

Minutes of the Ordinary meeting of Council held on 27 November 2024 be taken as an accurate record and confirmed.

Recommended Motion:

That the minutes of the Ordinary Meeting of Council held on 27 November 2024, as circulated be taken as read and confirmed.

6.2 MINUTES 27 NOVEMBER 2024 – CLOSED (CONFIDENTIAL) MEETING

Minutes of the Closed (Confidential) meeting of Council held on 27 November 2024 be taken as an accurate record and confirmed.

Recommended Motion:

That the minutes of the Closed (Confidential) Meeting of Council held on 27 November 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 (Chapter 5- Disclosure of Conflict of Interest at Council Meetings).
- b) Exclude themselves from the decision-making process in relation to that matter, including any discussion or votes on the matter at any Council meeting or delegated committee, and any action in relation to the matter.

General conflict of interest is if a relevant person has an interest in a matter if an impartial, fair-minded person would consider that the person’s private interests could result in that person acting in a manner that is contrary to their public duty.

- a) *Private interests* mean any direct or indirect interest of a relevant person that does not derive from their public duty and does not include an interest that is only a matter of personal opinion or belief.
- b) *Public duty* means the responsibilities and obligations that a relevant person has to members of the public in their role as a relevant person.

Material conflict of interest is if a relevant person has an interest in respect of a matter if an affected person would gain a benefit or suffer a loss depending on the outcome of the matter,

- a) The benefit or loss incurred may be directly or indirectly,

OR

- b) In a pecuniary or non-pecuniary form.

Councillors are also encouraged to declare circumstances where there may be a perceived conflict of interest.

7.1 CONFLICT OF INTEREST DECLARED

Conflict Declared by	Agenda Item	Reason - Explanation

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
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.	The AED's have been ordered and will be installed by the building maintenance teams.
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.	Signage has been installed by ARTC to highlight risk to visitors. Council is still consulting with ARTC regarding fencing. Repurposed wire fencing has been installed to replace the orange temporary fencing that was in place. Repurposed Fence in place, OHS inspection to be finalised and reported back to ARTC. ACTION COMPLETED
28 August 2024 Item 15.10	Enter into licence agreement with the CFA.	Warracknabeal and Hopetoun leases have been signed off and finalised. ACTION COMPLETED
28 August 2024 Item 15.13	Resheet a section of Mellis Road, from Stawell Warracknabeal Road to a property 4.3km to the East.	The resheet is scheduled to occur after harvest, in first quarter of 2025.
11 September 2024 Item 8.6	Subdivide Lot 2 at 16 Cromie Street Murtoa into two separate parcels. Gift one parcel to Murtoa Housing Innovation Pty Ltd.	Subdivision decision to be presented to Council on 29 January 2025. ACTION COMPLETED
27 November 2024 Item 15.6	Apply for Living Libraries Infrastructure Program (LLIP) for: <ul style="list-style-type: none"> Minor Works funding at the Hopetoun Neighbourhood House (former Gateway BEET) building. Major Works at the Coopers Crossing, Emma's Café Library building in Minyip. 	Planning commenced for applications. 2024-25 Living Libraries Infrastructure Program opens on 03 February 2025 and closes on 14 March 2025.
27 November 2024 Item 15.7	Provide a letter of support to Wimmera Southern Mallee Development, Wimmera Housing Initiative Project supporting the application to the Affordable Housing Partnership Program.	Letters of support provided for the funding application. ACTION COMPLETED
27 November 2024 Item 15.9	Enter into peppercorn lease with Warracknabeal Town Hall Committee of Management Inc. for the management of the Warracknabeal Town Hall, located 39 Scott Street Warracknabeal.	Lease has been signed ACTION COMPLETED

9 PETITIONS

No petitions received.

10 CORRESPONDENCE

Outgoing		
Date	Recipient	Details
04/12/2024	Wimmera Mallee Environmental and Agricultural Protection Association	Email - Invitation to Wimmera Mallee Environmental and Agricultural Protection Association Inc Meeting
04/12/2024	Murtoa's Big Weekend Committee 2025	Letter of support - Murtoa Big Weekend 2025
16/12/2024	CEO Wimmera Southern Mallee Development	Letter of Support - Wimmera Housing Innovation Partnership and Affordable Housing Bid

Incoming		
Date	Sender	Details
17/11/2024	Program Manager, Capital Programs, Local Government Victoria	Email - OFFICIAL Letter from Minister Horne - 2024-25 Living Libraries Infrastructure Program
18/11/2024	Department of Transport and Planning	Email - Safety Concerns - Lascelles Street Hopetoun School Crossing
18/11/2024	Minyip Murtoa Football & Netball Club	Email - Request of Support
19/11/2024	St Joseph's Hopetoun	Email - Concern regarding Lascelles Street School Crossing
19/11/2024	Department of Transport and Planning	Email - DTP and Yarriambiack Shire Council Meeting
22/11/2024	Local Government Inspectorate	Email - Confirmation of New Councillor Oath and Affirmation
25/11/2024	Heavy Vehicle Safety Initiative National Heavy Vehicle Regulator	Email - Round 10 of the Heavy Vehicle Safety Initiative - Now Open for submissions
25/11/2024	Cubico Sustainable Investments	Email - Presentation to Council by Cubico
26/11/2024	Murtoa's Big Weekend Committee 2025	Letter - Murtoa's Big Weekend - Rabl Park Land Permission and FRRR Letter of Support request - November 2024
28/11/2024	Manager Operations and Emergency Management, Department of Education	Email - Tempy School
06/12/2024	Department of Home Affairs	Email - Update to Australian Citizenship Ceremonies Code
06/12/2024	Department of Government Services	Email - OFFICIAL Correspondence from the Hon Melissa Horne MP Minister for Local Government - Letters to Councillors

Incoming		
09/12/2024	Municipal Association of Victoria (MAV)	Email - MAV Subscription Fees
13/12/2024	Department of Families, Fairness and Housing	Email - FreeZA 2025-27 Grant Application Outcome
13/12/2024	Treasurer of Victoria	Letter - Fire Services Property Levy (FSPL) will be replaced by the Emergency Services and Volunteers Fund (ESVF)
18/12/2024	Department of Infrastructure, Transport, Regional Development, Communications and the Arts	Email - Upgrade Nine Existing Truck Parking Locations Project - Notification of Outcome - Tranche 4 Application under the HVRA Initiative
20/12/2024	Essential Services Commission	Email - General Exemption Order reporting conditions - Essential Services Commission - VD8 Exemptions Councils and Shire Councils
23/12/2024	EPA Victoria	Email - Acceptance of Waste Asbestos at Nominated Transfer Stations
23/12/2024	CEO of HRRC on behalf of the Wimmera Emergency Management Resource Sharing Partnership	Letter - Single House Fire Emergency Accommodation
02/01/2025	Organising Committee	Email - Getting to Know You CHANGE OF DATE at the Bush Retreat Lake Lascelles
10/01/2025	Murtoa Showyards Reserve Committee of Management	Email - Murtoa Showyard Reserve Toilets

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
10 February 2025	Ordinary Meeting
14 April 2025	Ordinary Meeting
14 July 2025	Ordinary Meeting

12 ACTIVITY REPORTS

12.1 MAYOR ACTIVITY REPORT

Mayor Kylie Zanker – Warracknabeal Ward (December and January)		
Date	Activity	Location
29/11/24	Meeting with CEO and Deputy Mayor	Hybrid – Warracknabeal & Online
04/12/24	Warracknabeal Caravan Park Amenities Opening	Warracknabeal
04/12/24	West Wind Renewable Energy Project Update	Online
06/12/24	Meeting with CEO and Deputy Mayor	Hybrid – Warracknabeal & Online
11/12/24	Council Forum	Warracknabeal
12/12/24 – 13/12/24	Mandatory Mayoral Training	Melbourne
18/12/24	Working Together as a Team - Councillor Training	Warracknabeal
18/12/24	Conducted Interview for the Independent Auditor	Online
19/12/24	MAV Welcome to Councillors	Online
20/12/24	Meeting with CEO and Deputy Mayor	Warracknabeal
20/12/24	Opening of Woodbine’s Newest Residence – 1 Warunda Avenue	Warracknabeal
03/01/25	Meeting with CEO and Deputy Mayor	Hybrid – Warracknabeal & Online
06/01/25	Pre-Meeting with Wimmera Malee Environmental and Agricultural Protection Association Inc.	Warracknabeal
08/01/25	Meeting with Lisa Davidson regarding CEO Review and Culture Audit	Online
10/01/25	Meeting with CEO and Deputy Mayor	Hybrid – Warracknabeal & Online
15/01/25	Councillor Workshop	Warracknabeal
17/01/25	Meeting with CEO and Deputy Mayor	Hybrid – Warracknabeal & Online
23/01/25	Councillor Briefing	Online
24/01/25	Meeting with CEO and Deputy Mayor	Hybrid – Warracknabeal & Online

Mayor Kylie Zanker – Warracknabeal Ward (December and January)		
26/01/25	Australia Day Ceremony	Warracknabeal
28/01/25	Meeting with Wimmera Mallee Environmental and Agricultural Protection Association Inc.	Warracknabeal

12.2 COUNCILLOR ACTIVITY REPORTS

Deputy Mayor Andrew McLean – Hopetoun Ward (December and January)		
Date	Activity	Location
29/11/24	Meeting with CEO and Mayor	Hybrid – Warracknabeal & Online
04/12/24	Warracknabeal Caravan Park Amenities Opening	Warracknabeal
04/12/24	West Wind Renewable Energy Project Update	Online
06/12/24	Meeting with CEO and Mayor	Hybrid – Warracknabeal & Online
11/12/24	Council Forum	Warracknabeal
12/12/24 – 13/12/24	Mandatory Mayoral Training	Melbourne
17/12/24	Hopetoun P-12 College Annual Awards Evening	Hopetoun
18/12/24	Working Together as a Team - Councillor Training	Warracknabeal
19/12/24	Dr Madeline Taylor – Macquarie University, Enabling Justice Driven AgriWind Presentation	Online
19/12/24	MAV Welcome to Councillors	Online
20/12/24	Meeting with CEO and Mayor	Warracknabeal
20/12/24	Opening of Woodbine’s Newest Residence – 1 Warunda Avenue	Warracknabeal
03/01/25	Meeting with CEO and Mayor	Online
06/01/25	Pre-Meeting with Wimmera Mallee Environmental and Agricultural Protection Association Inc.	Warracknabeal
10/01/25	Meeting with CEO and Mayor	Hybrid – Warracknabeal & Online
15/01/25	Councillor Workshop	Warracknabeal
17/01/25	Meeting with CEO and Mayor	Hybrid – Warracknabeal & Online
23/01/25	Councillor Briefing	Online
24/01/25	Meeting with CEO and Mayor	Hybrid – Warracknabeal & Online
26/01/25	Australia Day Ceremony	Beulah
28/01/25	Meeting with Wimmera Mallee Environmental and Agricultural Protection Association Inc.	Warracknabeal

Cr Melinda Keel – Dunmunkle Ward (December and January)		
Date	Activity	Location
11/12/24	Council Forum	Warracknabeal
17/12/24	Murtoa College Presentation Evening	Murtoa
18/12/24	Working Together as a Team - Councillor Training	Warracknabeal
19/12/24	Dr Madeline Taylor – Macquarie University, Enabling Justice Driven AgriWind Presentation	Online
23/01/25	Councillor Briefing	Online
26/01/25	Murtoa Australia Day Awards	Murtoa

Cr Chris Lehmann – Hopetoun Ward (December and January)		
Date	Activity	Location
11/12/24	Council Forum	Warracknabeal
15/01/25	Councillor Workshop	Hybrid – Warracknabeal & Online
23/01/25	Councillor Briefing	Online

Cr Corinne Heintze – Dunmunkle Ward (December and January)		
Date	Activity	Location
11/12/24	Council Forum	Warracknabeal
17/12/24	Wimmera Southern Mallee Development Association Annual General Meeting and Board Induction	Online
18/12/24	Working Together as a Team - Councillor Training	Warracknabeal
19/12/24	Dr Madeline Taylor – Macquarie University, Enabling Justice Driven AgriWind Presentation	Online
15/01/25	Councillor Workshop	Hybrid – Warracknabeal & Online
23/01/25	Councillor Briefing	Online
24/01/25	Meeting with Bill Malcolm – Social Cost Benefit Analysis Environmental Effects Statement Process	Online
26/01/25	Australia Day Ceremony	Minyip
28/01/25	Wimmera Mallee Environmental and Agricultural Protection Association meeting	Warracknabeal

Cr Karly Kirk – Warracknabeal Ward (December and January)		
Date	Activity	Location
02/12/24	Yarriambiack Tourism Advisory Committee	Warracknabeal
04/12/24	West Wind Renewable Energy Project Update	Online
11/12/24	Council Forum	Warracknabeal
18/12/24	Working Together as a Team - Councillor Training	Warracknabeal
19/12/24	Dr Madeline Taylor – Macquarie University, Enabling Justice Driven AgriWind Presentation	Online
15/01/25	Councillor Workshop	Hybrid – Warracknabeal & Online
23/01/25	Councillor Briefing	Online
24/01/25	Meeting with Bill Malcolm – Social Cost Benefit Analysis Environmental Effects Statement Process	Online
26/01/25	Australia Day Ceremony	Wallup
28/01/25	Wimmera Mallee Environmental and Agricultural Protection Association meeting	Warracknabeal

12.3 CHIEF EXECUTIVE OFFICER ACTIVITY REPORT

Tammy Smith (December and January)		
Date	Activity	Location
27/11/24	Meeting with new Regional Development Victoria Chief Executive Officer	Horsham
28/11/24	Grampians Community Health Annual General Meeting	Ararat
29/11/24	Meeting with Mayor and Deputy Mayor	Warracknabeal
04/12/24	Warracknabeal Caravan Park Amenities Opening	Warracknabeal
04/12/24	West Wind Renewable Energy Project Update	Online
04/12/24	Hopetoun and District Neighbourhood House and Hopetoun Historical Society Meeting	Hopetoun
05/12/24	Meeting Maternal Child Health Transition, WWHS, ANMF and Staff	Hybrid – Warracknabeal & Online
05/12/24	Meeting with Department of Education	Online
06/12/24	Meeting with Mayor and Deputy Mayor	Hybrid - Warracknabeal & Online
06/12/24	Dr Anne Webster Christmas Drinks	Horsham
11/12/24	Councillor Forum and Induction Program	Warracknabeal
12/12/24	Mayor and Deputy Mayor Training – MAV Networking Event	Melbourne
12/12/24	Wimmera Southern Mallee Regional Partnership Meeting	Horsham
16/12/24	MAV Connect Meeting	Online
16/12/24	Yarriambiack Shire Council and DEECA Region Meeting	Online
16/12/24	Special Board Meeting Emerge Early Years	Online
17/12/24	Hopetoun P-12 College Annual Awards Evening	Hopetoun
18/12/24	Councillor Training	Warracknabeal
19/12/24	Wimmera Regional CEO Meeting	Horsham
19/12/24	Dr Madeline Taylor – Macquarie University, Enabling Justice Driven AgriWind Presentation	Online
20/12/24	Meeting with Mayor and Deputy Mayor	Warracknabeal
03/01/25	Meeting with Mayor and Deputy Mayor	Hybrid - Warracknabeal & Online
06/01/25	Meeting with Wimmera Malee Environmental and Agricultural Protection Association Inc.	Warracknabeal

Tammy Smith (December and January)		
10/01/25	Meeting with Mayor and Deputy Mayor	Hybrid - Warracknabeal & Online
15/01/25	Councillor Workshop	Warracknabeal
17/01/25	Meeting with Mayor and Deputy Mayor	Hybrid - Warracknabeal & Online
20/01/25	MAV Connect Meeting	Online
23/01/25	Councillor Briefing	Online
24/01/25	Meeting with Mayor and Deputy Mayor	Hybrid - Warracknabeal & Online
24/01/25	Rural Council's Victoria Committee Meeting	Online
24/01/25	Meeting with Bill Malcolm – Social Cost Benefit Analysis Environmental Effects Statement Process	Online
26/01/25	Australia Day Attendance	Hopetoun
28/01/25	Wimmera Mallee Environmental and Agricultural Protection Association meeting	Warracknabeal

13 PUBLIC QUESTIONS

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

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

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

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

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

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

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

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

The question will not be allowed if:

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

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

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

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

13.1 QUESTIONS SUBMITTED

Name: Dean Hurlston	Town: Not provided.
Question: What is the approximate cost per public council meeting for councillor and staff meals, refreshments and beverages? (if applicable).	
Respondent: Monique Metlika, Governance Support Officer.	
Response: Governance Support Officer confirmed via email on Wednesday, 11 December 2024, that the approximate cost per public Council meeting for meals, refreshments, and beverages is \$180. This includes morning tea (self-serve tea, coffee, water, and biscuits) costing \$10-\$15, and lunch (wraps, sandwiches, fruit, and a gluten-free meal) costing \$164. Therefore, the total estimated cost per meeting is \$180.	

14 COUNCILLOR REPORTS

14.1 MAYORS REPORT

As we return from the Christmas and New Year break, we are revitalised and eager to embark on new opportunities and initiatives that will benefit our Shire and community.

Housing Update - 2025

There is much happening in 2025, with the construction of our final three affordable homes, with Rupanyup well underway, with the slab, frame and roofing complete.

The Warracknabeal and Hopetoun sites are to commence late January / early February 2025.

The projects have been a long time in the planning, and even Council has challenges with ensuring service connections, planning and building codes are met.

What we have learnt from this experience, is connecting infrastructure, such as sewer, power and water can be a significant barrier to development in our rural communities.

That is why we applied for the Commonwealth Government Housing Support Program, Stream 2, Enabling Infrastructure Fund. Unfortunately, we were unsuccessful with all four applications. To say we were disappointed is an understatement.

As a rural Council that relies heavily on grant funding to improve community outcomes, we request that rural Councils are not overlooked and receive the necessary funding that their communities are entitled to and deserve.

Projects Complete and Soon to Commence

Planning has commenced for the opening of the Warracknabeal Early Years Centre, that will be scheduled in late February. Families and residents will be invited to view the new building, landscaping, and amenities. The project took four years of planning and execution, and we are delighted to see its completion. Despite significant challenges, we successfully reached our goal. Currently, there are 67 enrolments across the three and four-year-old Kindergarten program at Warracknabeal. We are confident that the community will greatly appreciate and utilise the centre.

The Rupanyup Kindergarten landscaping is nearly finished. Thanks to the support, flexibility, and determination of the Yarriambiack Shire Council staff and the contractor, the project reached a stage where children could start their new Kinder year at the centre.

In addition, we have seen the completion of the Dunmunkle Community Library Precinct in Rupanyup, with the opening scheduled for the 14 February 2025. We look forward to sharing this new building with the community.

Australia Day Events

Councillors and the CEO plan to attend Australia Day events across the Shire. We extend our congratulations to the community members who will receive awards on this occasion. As a Council, we are deeply appreciative of the dedicated volunteers whose efforts significantly contribute to the success of our towns, Shire, and region. Your contributions help make our community in Western Victoria a vibrant, inclusive, and beautiful place to live.

14.2 YARRIAMBIACK SHIRE COUNCIL'S POSITION ON MINING, RENEWABLE AND TRANSMISSION LINES

Prepared by Mayor Kylie Zanker

SUMMARY

The Council is aware of the rising tensions within our community in relation to mining, renewable energy and transmission lines. As a Councillor group we have developed a position statement, so it is clear to our Community, State and Federal Government what Council's position is in relation to all three elements.

Recommended Motion:

That Council:

- a) Endorse the attached Yarriambiack Shire Council's Position on Mining, Renewable Energy and Transmission Lines Projects; and
- b) Advocate to State and Federal Government for legislative changes and significant financial investment in our Shire and Region if mining and renewable energy projects are approved.

ATTACHMENTS

[Attachment: Yarriambiack Shire Council's Position on Mining, Renewables and Transmission Line Projects](#)

DISCUSSION

As a collective body of Councillors, as well as individually, we have engaged with advocacy groups, individuals, and various collectives who have expressed concerns regarding the renewable energy and mining projects proposed within our Shire. We acknowledge that for renewable energy projects to progress, they require support from landowners to host infrastructure on their properties.

Currently, there are four renewable energy projects planned within our Shire, with one project already constructed. Additionally, we have one approved mining licence, with its workplan currently undergoing the approval process.

This position statement has been developed collectively by the Councillors to clarify our stance on all three elements. This document will be accessible on our website for public viewing and will be used for advocacy with State and Federal Members of Parliament.

RELEVANT LAW

- *Local Government Act 2020*, Section 8 – Role of a Council and Section 9, Overarching Governance Principles and Supporting Principles.
 - Priority is to be given to achieving the best outcomes for the municipal community, including future generations.
 - The economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted.
 - The municipal community is to be engaged in strategic planning and strategic decision making.
 - Regional, state and national plans and policies are to be taken into account in strategic planning and decision making.
- *Renewable Energy (Jobs and Investment) Act 2017*

COUNCIL PLANS AND POLICIES

Yarriambiack Shire Council's Council Plan 2021-2025. A new Council Plan is currently under development.

RELATED COUNCIL DECISIONS

Not applicable.

OPTIONS

Whilst the document has been developed as a collective of Councillors, Councillors have the option not to support this document, and/or propose changes to the draft as presented with this report.

It is important to note, this document will be an evolving document and will need to be agile to respond to the changing political environment.

SUSTAINABILITY IMPLICATIONS

Sustainability implications have been considered when developing Council’s Position Statement.

COMMUNITY ENGAGEMENT

This document has been developed by the Council after consultation with advocacy groups, individuals, and collectives of individuals.

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 developed this document to address community concerns in relation to Council’s position on mining, renewable energy and transmission projects. Whilst Council is not a decision maker in relation to such projects, it has a role to advocate for the community, ensuring it represents the diverse views of its constituents.	Maintains Residual Risk Level
Political Risk - Residual Risk Level Low	Council has been mindful of its role, and decision-making powers in relation to developing the position statement. Council has only taken a stance on any area in which it may be able to affect an outcome through advocacy.	Maintains Residual Risk Level

REGIONAL, STATE AND NATIONAL PLANS AND POLICIES

[AEMO | VNI West \(Victoria to New South Wales Interconnector West\)](#)

[Victoria to NSW Interconnector West | Transgrid](#)

[Victorian renewable energy and storage targets](#)

[Australia's energy strategies and frameworks - DCCEEW](#)

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 REPORTS FOR DECISION

15.1 PLANNING PERMIT APPLICATION TP24-22 5 LOT SUBDIVISION CRAIG AVENUE WARRACKNABEAL

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

SUMMARY

A planning permit application (TP24-22) was first submitted in August 2022. Originally the application was for a 7-lot subdivision. After the application was advertised and referred to the statutory authorities the application was modified due to the objections that were received.

In August 2024 the application was modified to reduce the number of lots to 5. The application was readvertised and rereferred to statutory authorities. The authorities have now raised no objection to the proposal, while the advertising to the public resulted in 3 more submissions being received enforcing the original objections.

The objections mainly focus on the potential flooding of the land and the potential impacts on surrounding properties. Other items raised relate to density and the appropriateness of the land for subdivision.

The delegate report that is attached to this report provides an assessment of the proposal and the submissions against the provisions of the Planning and Environment Act and the provisions of the Yarriambiack Planning Scheme. On balance the application is recommended for approval subject to conditions.

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 described as Lot 2 PS091903, Craig Avenue, Warracknabeal, for a five (5) lot subdivision and creation of carriageway easement subject to the following conditions:

ENDORSED PLANS AND LAYOUT

Compliance with documents approved under this permit

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.

Layout not altered

2. The layout of the subdivision and associated works must not be altered from the layout on the approved and endorsed plans without the written consent of the responsible authority.

SUBDIVISION

Endorsed subdivision plans – amended plans required

3. Before the plan of subdivision is certified under the *Subdivision Act 1988*, 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 and submitted in electronic form
 - c. be generally in accordance with the plans forming part of the application, but amended to show the following details:
 - i. the total number of lots not to exceed 5
 - ii. all bearings, distances, levels, street names, lot numbers, lot sizes, reserves and easements

- iii. easements in favour of the relevant authorities as outlined in the conditions of this permit to the satisfaction of the responsible authority
 - iv. building envelopes are to be shown on lots 1, 2 and 3 with dimensions to each boundary to be shown
 - v. hydraulic Report as identified in Condition 18.
 - vi. Easements
4. All existing and proposed easements and sites for existing and required utility services and roads on the land must be set aside in favour of the relevant authority for which the easement or site is to be created on the plan of subdivision submitted for certification under the *Subdivision Act 1988*.

Reticulated services

5. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage facilities, and electricity to each lot shown on the endorsed plan in accordance with the authorities' requirements and relevant legislation at the time.

Telecommunications

6. The owner of the land must enter into an agreement with:
- a. a telecommunications network or service provider for the provision of telecommunication services to each lot shown on the endorsed plan in accordance with the provider's requirements and relevant legislation at the time; and
 - b. a suitably qualified person for the provision of fibre ready telecommunication facilities to each lot shown on the endorsed plan in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network (NBN) will not be provided by optical fibre.

Before the issue of a Statement of Compliance for any stage of the subdivision under the *Subdivision Act 1988*, the owner of the land must provide written confirmation from:

- a. a telecommunications network or service provider that all lots are connected to or are ready for connection to telecommunications services in accordance with the provider's requirements and relevant legislation at the time; and
- b. a suitably qualified person that fibre ready telecommunications facilities have been provided in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.

Detailed construction plans – roads and drains

7. Before any works associated with the subdivision start, detailed construction plans must be approved and endorsed by the responsible authority. The construction plans must:
- a. be prepared to the satisfaction of the responsible authority
 - b. be drawn to scale with dimensions and submitted electronically.
 - c. Include the following:
 - i. the extension of Clarendon Avenue to the southern corner of proposed lot 2. The extension is to match the existing construction of Clarendon including road width and kerb and channel.
 - ii. underground drains
 - iii. vehicular crossings to each lot

- iv. provision of a turning area adequate to allow for emergency and service vehicles at the end of the extension of Clarendon Avenue.
- d. The responsible authority may consent in writing to vary any of the details of these requirements.
- e. Any modifications to the detailed construction plans agreed to by the responsible authority must be shown on an amended plan that is endorsed by the responsible authority.

Building envelopes

8. Before the plan of subdivision is certified under the *Subdivision Act 1988*, the owner must enter into an agreement with the responsible authority under section 173 of the *Planning and Environment Act 1987*. The agreement must provide for the following:
 - a. on each lot to be created, buildings may be constructed only within the building envelopes as shown on the endorsed plans of this permit
 - b. no fill is to be placed within 1 metre of the rear boundaries of Lots 1, 2, 3 and 4 LP76571
 - c. this/these envelope(s) must not be altered without the written consent of the responsible authority.

The owner of the land must pay all of the responsible authority's reasonable legal costs and expenses of this agreement, including preparation, execution and registration on title.

Common property

9. Before the issue of a Statement of Compliance the area set aside for common property is to be properly formed to provide all weather access to proposed lot 3 to the satisfaction of the responsible authority.

ENVIRONMENT

Run-off control

10. Polluted and/or sediment laden run-off must not be discharged directly or indirectly into Council's drains or watercourses.

Ongoing soil erosion control

11. 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.

Site Management

12. All construction activities, including the storage of materials and the parking of construction vehicles, are to be undertaken form within the site. The storage of building goods and associated items shall be wholly within the subject site and not be on adjacent Council owned land or road reserves unless approved in writing by the Council.

Fill

13. Before any works associated with the subdivision start the applicant is to provide the responsible authority with documentation from a suitably qualified person to demonstrate that:
 - the existing fill that has been placed on the land is free from contamination and other matter, and is suitable for residential development; and
 - any additional fill that is to be placed on the land is free from contamination and other matter and is suitable for residential development.

Any fill that is not identified as suitable must be removed from the site and disposed of at an appropriate location.

Fill Location

14. No fill is to be placed within 1 metre of the rear boundaries of lots 1, 2, 3 and 4 LP76571. Any fill that has been placed within this 1 metre is to be removed as part of the works required for this permit.

Stormwater management

15. 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.

WCMA

Wimmera CMA - Required fill level

16. All proposed lots must be filled to at least 0.3 metres above the flood level for that lot.

Before a Statement of Compliance is issued for any stage of the subdivision under the *Subdivision Act 1988*, a survey plan prepared by or under the supervision of a licensed land surveyor, showing levels reduced to the Australian Height Datum, must be submitted to Yarriambiack Shire Council to demonstrate that the land has been filled in accordance with Wimmera CMA's requirements.

Wimmera CMA - Flood storage

17. Any earth works or construction must not reduce the available flood storage on the site. If fill is proposed, a cut and fill balance ration of 1:1 must be achieved on the site. Any proposed cut areas must be self-draining. If construction reduces flood storage soil will need to be removed from the site equal to the volume lost. Before the commencement of works, volume calculations must be submitted to the Wimmera CMA demonstrating how this condition will be achieved.

Wimmera CMA - Hydraulic report

18. Before the commencement of any works related to the subdivision, a hydraulic report demonstrating that the proposed development, fill and road development (see condition 7) will not have any adverse impacts on the floodplain is to be submitted to Wimmera CMA. In particular, computations that detail impacts on flows, velocities, flood storage, and flood levels must form part of this report.

Wimmera CMA - Natural overland flow paths

19. Natural overland flow paths and natural floodplain features should be retained. If an applicant seeks to modify such flow paths and floodplain features, earthworks must be designed to compensate for any loss of flood storage or flood behaviour.

Wimmera CMA - Excavations for storage

20. Excavations to deliver this storage must:
 - a. Be self-draining
 - b. Be within the development site
 - c. Provide for the equivalent hydraulic capacity
 - d. Be compliant to any CMA conditions
 - e. Before a Statement of Compliance is issued for any stage of the subdivision under the *Subdivision Act 1988*, plans must be provided which show finished ground levels (to metres AHD) of all fill and borrow areas and as constructed depths of cut and fill. Computations must be provided, which indicate that the net cut and fill meet the flood storage.

Wimmera CMA - Vehicular and/or pedestrian access

21. Any vehicular and/or pedestrian access must be designed and constructed to comply with the following safety criteria associated with the applicable flood level.

- a. Depth of flow does not exceed 0.30 m;
- b. Velocity of flow does not exceed 2.0 m/s;
- c. The Depth Velocity product does not exceed 0.30 m²/s.

Wimmera CMA - Stormwater management plan

22. Before the commencement of any work related to the subdivision, a stormwater management plan must be approved and endorsed by the responsible authority Yarriambiack Shire Council. The stormwater management plan must demonstrate the subdivision is designed and constructed to comply with stormwater and integrated water management objectives, 56.07 and 53.18 of the Victorian Planning Provisions:

- a. To minimise damage to properties and inconvenience to the public from stormwater.
- b. To ensure that the streets operate adequately during major storm events and provides for public safety.
- c. To minimise increases in stormwater and protect the environment values and physical characteristics of receiving waters from degradation by stormwater.
- d. To encourage stormwater management that maximises the retention and reuse of stormwater.
- e. To encourage stormwater management that contributes to cooling, local habitat improvements and provision of attractive and enjoyable spaces.
- f. To protect drainage infrastructure and receiving waters from sedimentation and contamination.
- g. To protect the site and surrounding area from environmental degradation before and during construction of subdivision works.

CFA

CFA - Hydrants

23. Prior to the issue of a Statement of Compliance under the *Subdivision Act 1988* the following requirements must be met to the satisfaction of the CFA:

- a. Above or below ground operable hydrants must be provided. The maximum distance between these hydrants and the rear of all building envelopes (or in the absence of building envelopes, the rear of the lots) must be 120 metres and the hydrants must be no more than 200 metres apart. These distances must be measured around lot boundaries.
- b. The hydrants must be identified with marker posts and road reflectors as applicable to the satisfaction of the Country Fire Authority.

Note: CFA's requirements for identification of hydrants are specified in "Identification of Street Hydrant for Firefighting Purposes" available under publications on the CFA website (www.cfa.vic.gov.au).

CFA - Roads

24. Roads must be constructed to a standard so that they are accessible in all weather conditions and capable of accommodating a vehicle of 15 tonnes for the trafficable road width.

- a. The average grade must be no more than 1 in 7 (14.4%) (8.1 degrees) with a maximum of no more than 1 in 5 (20%) (11.3 degrees) for no more than 50 metres. Dips must have no more than 1 in 8 (12%) (7.1 degree) entry and exit angle.
- b. Curves must have a minimum inner radius of 10 metres.

- c. Have a minimum trafficable width of 3.5 metres and be clear of encroachments for at least 0.5 metres on each side and 4 metres above the access way.
- d. Roads more than 60m in length from the nearest intersection must have a turning circle with a minimum radius of 8m (including roll-over kerbs if they are provided) T or Y heads of dimensions specified by the CFA may be used as alternatives.

GMMWATER

Developer Agreement

- 25. The owner/ applicant must enter into a Developer Agreement with GMMWater for the supply of water and sewerage to each lot of the subdivision.

Metered water services

- 26. The owner/ applicant must provide individually metered water services to each lot/dwelling in accordance with GMMWater's requirements.

Sewerage main installation

- 27. The owner/ applicant must install sewerage mains and associated works to individually serve each lot/ dwelling of the proposed development, at the owner's cost, in accordance with GMMWater' s specifications and requirements.

Sewer services

- 28. The owner/ applicant must provide individual sewer services to each lot/dwelling in accordance with GMMWater' s requirements.

Supply plans and estimates

- 29. The owner/ applicant must provide plans and estimates of all proposed sewerage works prior to commencement for GMMWater's approval.

Verifying existing connections

- 30. The owner/ applicant is responsible for verifying the condition of any existing sewer connection point/s to determine their suitability for use.

Easement

- 31. The owner/ applicant must provide three-metre-wide easements in favour of GMMWater over all existing and proposed sewers located within private land.

Updated drainage plan

- 32. The owner/ applicant must provide GMMWater with an updated drainage plan for each lot/dwelling submitted by a qualified plumber.

Abandoned assets

- 33. The owner/ applicant must ensure any existing water or sewer services and GMMWater assets made redundant by this development are abandoned, at the owner's cost, in accordance with GMMWater's standards.

Minimum horizontal clearance

- 34. The owner/ applicant must ensure a minimum horizontal clearance of 1.0m is maintained from any GMMWater assets to proposed structures in accordance with Section 148 of the Water Act 1989.

Powercor

Plan of subdivision to be referred

- 35. The plan of subdivision submitted for certification under the *Subdivision Act 1988* shall be referred to the Distributor in accordance with Section 8 of that Act.

Electricity supply to all lots

36. The applicant shall provide an electricity supply to all lots in the subdivision in accordance with the Distributor's requirements and standards.

Notes: Extension, augmentation or rearrangement of the Distributor's electrical assets may be required to make such supplies available, with the cost of such works generally borne by the applicant.

Compliance with the Victorian Service and Installation Rules

37. The applicant shall ensure that existing and proposed buildings and electrical installations on the subject land are compliant with the Victorian Service and Installation Rules (VSIR).

Notes: Where electrical works are required to achieve VSIR compliance, a registered electrical contractor must be engaged to undertake such works.

Areas for substation(s)

38. The applicant shall, when required by the Distributor, set aside areas with the subdivision for the purposes of establishing a substation or substations.

Notes: Areas set aside for substations will be formalised to the Distributor's requirements under one of the following arrangements:

- RESERVES established by the applicant in favour of the Distributor.
- SUBSTATION LEASE at nominal rental for a period of 30 years with rights to extend the lease for a further 30 years.

The Distributor will register such leases on title by way of a caveat prior to the registration of the plan of subdivision.

Easements

39. The applicant shall establish easements on the subdivision, for all existing Distributor electric lines where easements have not been otherwise provided on the land and for any new powerlines to service the lots or adjust the positioning existing easements.

Notes:

- Existing easements may need to be amended to meet the Distributor's requirements
- Easements required by the Distributor shall be specified on the subdivision and show the Purpose, Origin and the In Favour of party as follows:

Easement Reference	Purpose	Width (metres)	Origin	Land Benefited / In Favour Of
	Power Line		Section 88 – Electricity Industry Act 2000	Powercor Australia Ltd

COMMENCEMENT AND EXPIRY

Commencement of permit

40. This permit will operate from the issued date of this permit.

Expiry – Subdivision

41. This permit as it relates to development (subdivision) will expire if one of the following circumstances applies:

- a. The plan of subdivision has not been certified under the *Subdivision Act 1988* within 2 years of the issued date of this permit.

- b. A statement of compliance is not issued within 5 years of the date of certification.

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.

Useful information

(The following information does not form part of this permit)

A. The Wimmera CMA provides the following notes:

- The Warracknabeal & Brim Flood Investigation (2016) determines the 1% AEP flood level for the allotment ranges between 108.39 and 108.53 metres Australian Height Datum (AHD).
- The 1% AEP flood is not the maximum possible flood. A flood larger in height and extent than the 1% AEP flood, may occur in the future.
- Wimmera CMA advises that allotments created by this subdivision are subject to flooding, future development on the land may be limited and/or subject to conditions to minimise any detrimental flood impact to neighbouring properties in the area.
- Clarendon Avenue must comply with condition 7.

B. The CFA provides the following comments:

- CFA acknowledges that Council have waived any application requirements to be applied under the Bushfire Management Overlay provisions Clauses 44.06-3.
- The mandatory subdivision condition at clause 44.06-5 of the Scheme is not required.
- CFA consents under Section 9 of the Subdivision Act to the Certification of the Plan of Subdivision. CFA does not require the Plan of Subdivision for this planning permit application to be referred under Section 8 of the Subdivision Act.
- CFA does not consent to the issuing of Statement of Compliance for the subdivision at this stage.

- C. It is recommended that applications for electricity supply to each lot be submitted at the earliest opportunity so that the precise requirements of the Distributor can then be determined and accommodated. Applications for electricity supply shall be submitted via the Distributor's web portal, "mySupply" which can be accessed via the following link:

<https://customer.portal.powercor.com.au/mysupply/CIAWQuickCalculator>

ATTACHMENTS

[Attachment: TP24-22 - Application Documents](#)

[Attachment: TP24-22 - Delegate Report - Craig Avenue Warracknabeal Vic 3393](#)

[Attachment: TPA-22 Objections](#)

DISCUSSION

Planning Permit Application TP24-22 is proposing to subdivide Lot 2 PS091903 into 5 lots. Currently the existing lot includes areas that are located in the Farming Zone and the General Residential Zone. The proposed subdivision will move all the land in the Farming Zone into one lot, then creating 4 lots within the General Residential Zone.

When the application was first lodged the proposal included up to 7 lots, however during the notification period to neighbours and adjoining owners, 4 submissions were received,

all objecting to the proposal. In addition to this, the Wimmera Catchment Management Authority (WCMA) also objected to the proposal. Based on this the applicant was provided with a copy of the submissions for them to review and address.

The applicant has had discussions with the WCMA which has resulted in a reduction of lots and more detail put into the likely cut and fill requirements for the lots to be developable.

The revised 5 lot subdivision was readvertised to adjoining owners and those who objected to the first version of the application. This readvertising resulted in 2 submissions being received all reinforcing their original objection.

During the processing of the application the landowner commenced bringing fill onto the land. This was unauthorized fill within the flood plain and could be subject to enforcement action. It was considered appropriate to complete the processing of the application, once a determination is made the issue of the fill will be completed. If approved, the applicant will be required to provide evidence the soil is contamination free and suitable for residential development, and if it was to be refused the fill will need to be removed from the site.

The submissions have focused mainly on the flooding implications of the proposal, with additional fill being bought on to the land and the potential impacts on neighbouring land.

Other items raised include identifying land in other areas of Warracknabeal that would be more suited for residential development. Unfortunately, the consideration of land is not relevant to this application. Council is required to consider the application that has been made.

Attached to this report are the application documents, the objections received for the application, and a delegate report prepared to provide the Council officers assessment of the application.

On balance, with the advice provided by the WCMA, it is considered that the application be approved subject to conditions.

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 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 for reasons relating to amenity. This option also allows the applicant to challenge the refusal at VCAT.

SUSTAINABILITY IMPLICATIONS

Social: The application provides for 3 additional residential lots for new owners to build a home, increasing the available land within Warracknabeal.

Environmental: The land has been filled, the conditions included in the recommendation will require the owner to undertake soil testing to identify if the soil is suitable for residential development.

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 there could be flooding impacts. Advice from the relevant authorities assists in addressing these 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.

15.2 PLANNING PERMIT APPLICATION PA20240043 CROMIE STREET MURTOA

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

SUMMARY

A planning permit application (PA20240043) has been lodged by Ferguson Perry Surveyors on behalf of Council for the two subdivision of Lot 2 PS905866, being 16 Cromie Street, Murtoa. This is the location of the recently completed community housing dwellings constructed by Council.

The intent of this subdivision is to allow the gifting of the vacant land to the Murtoa Housing Innovation Pty Ltd for the construction of additional housing.

The application was notified to adjoining property owners for a period of 14 days with no submissions being received.

The delegate report that is attached to this report provides an assessment of the proposal against the provisions of the Planning and Environment Act and the provisions of the Yarriambiack Planning Scheme.

Recommended Motion:

That Council, pursuant the provisions of the *Planning and Environment Act 1987*, determines to issue a planning permit (PA20240043) for a two lot subdivision on 1/16 Cromie Street Murtoa 3390 (Lot 2 PS905866, Parish of Ashens) subject to the following conditions:

Compliance with documents approved under this permit

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.

Approved and endorsed plans – no changes required

2. Before the 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.

Layout not altered

3. The layout of the development must not be altered from the layout on the approved and endorsed plans without the written consent of the responsible authority.

Easements

4. All existing and proposed easements and sites for existing or required utility services and roads on the land must be set aside in the plan of subdivision submitted for certification in favour of the relevant authority for which the easement or site is to be created.

Reticulated services

5. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage facilities, electricity and gas (where it is proposed to be connected) services to each lot shown on the endorsed plan in accordance with the authority's requirements and relevant legislation at the time.

Referral under the *Subdivision Act 1988*

6. The plan of subdivision submitted for certification under the *Subdivision Act 1988* must be referred to the relevant authority in accordance with Section 8 of that Act.

Telecommunications

7. The owner of the land must enter into an agreement with:
 - a. a telecommunications network or service provider for the provision of telecommunication services to each lot shown on the endorsed plan in accordance with the provider's requirements and relevant legislation at the time; and
 - b. a suitably qualified person for the provision of fibre ready telecommunication facilities to each lot shown on the endorsed plan in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network (NBN) will not be provided by optical fibre.

Before the issue of a Statement of Compliance for any stage of the subdivision under the *Subdivision Act 1988*, the owner of the land must provide written confirmation from:

- a. a telecommunications network or service provider that all lots are connected to or are ready for connection to telecommunications services in accordance with the provider's requirements and relevant legislation at the item; and
- b. a suitably qualified person that fibre ready telecommunications facilities have been provided in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.

Expiry – Subdivision

8. This permit as it relates to development (subdivision) will expire if one of the following circumstances applies:
 - a. The plan of subdivision has not been certified under the *Subdivision Act 1988* within 2 years of the issued date of this permit.
 - b. A statement of compliance is not issued within 5 years of the date of certification.

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.

ATTACHMENTS

[Attachment: PA20240043 Application Documents](#)

[Attachment: PA20240043 Delegate Report](#)

DISCUSSION

Planning Permit Application PA20240043 seeks to subdivide Lot 2 PS905866 into two lots. Proposed lot 1 will retain the existing dwellings on the land, with proposed lot 2 to be vacant land.

In September 2024 the Council resolved to gift the proposed lot 2 to Murtoa Housing Innovations Pty Ltd for the construction of additional housing. For the transfer to occur,

the land is required to be subdivided, to achieve this a planning permit for subdivision was required.

Council officers have engaged Ferguson Perry Surveying to prepare and submit the application for subdivision, and once the conditions of any approved permit are addressed, an application for certification and the issuing of Statement of Compliance.

This application was referred to adjoining property owners for a period of 14 days with no submissions being received.

As this application relates to the preparation of land for sale by Council it is considered appropriate that Council provides its approval of the planning permit application.

Attached to this report is a copy of the application documentation, including a planning report and the plans of subdivision, and a delegate report that provides an assessment against the provisions of the Yarriambiack Planning Scheme as it applies to this proposal.

RELEVANT LAW

- *Planning and Environment Act 1987*
- *Planning and Environment Regulations 2015*

COUNCIL PLANS AND POLICIES

- *Yarriambiack Planning Scheme*

RELATED COUNCIL DECISIONS

- 11 September 2024 Council Minutes Unscheduled Ordinary Meeting – Item 8.6 Murtoa Land Transfer – 16 Cromie Street Murtoa
- 23 March 2022 Council Minutes Ordinary Meeting – Item 14.3 Planning Permit TP56-21 Subdivision of Land (2 Lots), Cromie Street, Murtoa

OPTIONS

To enact the Council resolution of 11 September 2024, the subdivision of the land is required to be undertaken. The assessment of the planning permit application is consistent with other two lot subdivisions that are approved by Council under delegation and is consistent with the previously approved subdivision that created the lot subject to this application.

Alternatively, this application could be withdrawn. By withdrawing the application the land would remain in one lot and therefore any change of ownership would include the existing dwellings on the land.

SUSTAINABILITY IMPLICATIONS

Economic / Social: The application proposes create a lot to be gifted to the Murtoa Housing Innovations who are intending on constructing affordable housing to attract workers into the town.

Financial: The retention of the lot by Council would require ongoing maintenance until a suitable grant opportunity becomes available for Council to construct additional dwellings.

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.

No submissions were made on 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

This application relates to land which Council has commenced the process of transferring lot 2. On behalf of Council, Mr. Adam Moar, Manager Development Services, has engaged Ferguson Perry surveying to be the applicant for the application. The application has been assessed by Mr James Thomas, Development Services Officer, with the delegate report being reviewed by Mr Moar, before being submitted to Council for its final determination.

15.3 WIMMERA SOUTHERN MALLEE DEVELOPMENT DELEGATE

Prepared by Monique Metlika, Governance Support Officer

SUMMARY

Council makes a series of appointments to Regional and State bodies as detailed below.

The Councillor Delegations for 2024-25 as outlined below, were endorsed by Council at the Statutory Meeting held on 20 November 2024.

This paper seeks endorsement to elect a new representative as the Council delegate for Wimmera Southern Mallee Development.

Recommended Motion:

That Council:

- c) Rescinds the appointment of the Chief Executive Officer as the representative for the Wimmera Southern Mallee Development, as endorsed on the 20 November 2024; and
- d) Appoints Councillor Corinne Heintze as the Yarriambiack Shire Council representative for Wimmera Southern Mallee Development effective from 29 January 2025.

ATTACHMENTS

[Link: Council Statutory Meeting Minutes – 20 November 2024](#)

DISCUSSION

On 20 November 2024, at the Statutory Meeting of Council the Chief Executive Officer was appointed as the Council delegate to the Wimmera Southern Mallee Development board. This paper seeks endorsement to change the representative from the Chief Executive Officer to a Councillor, to be consistent with the other partner Council appointments.

Councillor Heintze has nominated for the position, and this nomination has been unanimously supported by her fellow Councillors.

Delegation	Councillor Delegate
GWM Water Regional Recreation Water Users Group	Cr Heintze and Cr McLean
Internal Audit and Risk Committee	Mayor and Cr Kirk
Municipal Association of Victoria (MAV)	Mayor
Municipal Association of Victoria (MAV) Substitute	Deputy Mayor
Rail Freight Alliance	Cr Keel
Sunraysia Highway Improvement Committee	Cr McLean
Wimmera Southern Mallee Development	Cr Heintze (rescind appointment of Chief Executive Officer)
Wimmera Southern Mallee Regional Transport Group	Cr Heintze
Western Highway Action Committee	Cr Zanker

Delegation	Councillor Delegate
Yarrilinks – Yarriambiack Landcare Group	Cr Heintze
Yarriambiack Tourism Advisory Committee of Council	Cr Kirk
Hopetoun Former School Site Advisory Committee of Council	Cr Lehmann
Community Asset Committees of Council, Councillor Representatives: Hopetoun Swimming Pool Woomelang Retirement Units	Cr Lehmann and Cr McLean

RELEVANT LAW

Section 10 of the *Local Government Act 2020*.

COUNCIL PLANS AND POLICIES

Not applicable.

RELATED COUNCIL DECISIONS

20 November 2024 – Statutory Meeting – Item 14 Councillor Delegations 2024 – 2025.

OPTIONS

- a) Choose not to rescind the Chief Executive Officer as the representative for the Wimmera Southern Mallee Development.
- b) Select a different Councillor as the representative for the Wimmera Southern Mallee Development.

SUSTAINABILITY IMPLICATIONS

Not applicable.

COMMUNITY ENGAGEMENT

Not applicable.

GENDER IMPACT ASSESSMENT

Not applicable.

RISK

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

Strategic Risk Description and Residual Risk Level	Action to Mitigate/Reduce Risk	Does Action maintain or reduce Residual Risk Level
Strategy Execution and Change Management Risk - Residual Risk Level Medium	Supporting and appointing a Councillor to the Wimmera Southern Mallee Development Association enables Council to work in partnership with our regional Council partners to collaborate and leverage funding to support economic development and prosperity for the region.	Maintains Residual Risk Level
Corporate Governance, Compliance and Liability Risk - Residual Risk Level Low	Supporting a Councillor, opposed to an Officer being a member of the Wimmera Southern Mallee Development Board maintains consistency with corporate governance representation.	Maintains Residual Risk Level

REGIONAL, STATE AND NATIONAL PLANS AND POLICIES

Wimmera Southern Mallee Development supports Yarriambiack Shire Council to meet the Regional Development Victoria, Regional Economic Development Strategies – Wimmera southern Mallee, as available via the link: [Regional Economic Development Strategies \(REDS\) - Regional Development Victoria](#)

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 ENDORSEMENT OF TRANSITION - MATERNAL CHILD HEALTH (INCLUDING IMMUNISATION SERVICES)

Prepared by: Tammy Smith, Chief Executive Officer

SUMMARY

This report provides an update on the community consultation process and seeks endorsement for the proposed transition out of Maternal Child Health Services, including immunisation services.

Recommended Motion:

That Council:

- a) Acknowledge that the community consultation process commenced on 28 November 2024 in relation to the transfer of Maternal Child Health (MCH) Services to West Wimmera Health Service (WWHS) and concluded on 20 January 2025.
- b) Endorse the transfer of MCH Services (including immunisation services) to WWHS with the aim of the services being transferred by 01 April 2025.

ATTACHMENTS

[Attachment: Community Consultation Feedback Submissions](#)

DISCUSSION

Council commenced formal discussions with West Wimmera Health Service (WWHS) in relation to the transition of Maternal Child Health Services in 2024.

WWHS currently delivers Maternal Child Health (MCH) Services within the Hindmarsh Shire, and covers pregnancy care, post birth care, child health checks and parenting support.

In addition, WWHS offers the Hindmarsh Day Stay and Positive Parenting Centre that supports families with any parenting issues that arise with their baby or toddler, including settling, sleep, feeding, development and behaviour. This service is essential for Wimmera and Southern Mallee parents, saving them from travelling long distances for support.

WWHS provides additional services for families, including allied health professionals such as speech therapists, occupational therapists, social workers, and early parenting practitioners. This enhances collaboration when supporting a family and child within the region.

Council wishes to enhance the MCH services offered across our Shire and recognises that as a Council we cannot offer support services that complement MCH services, and we also do not have in house capacity to offer clinical governance support and guidance within this specialised healthcare area.

As a highly reputable health service, WWHS is better placed to support our staff and community now and into the future.

WWHS has confirmed they can offer the services across the whole of the Yarriambiack Shire footprint, and do not wish to change the structure of the current service delivery model.

WWHS aims to retain the highly respected Council staff within the Yarriambiack community and will continue to offer services in Minyip, Murtoa, Rupanyup, Warracknabeal, Beulah, Hopetoun, Patchewollock, Tempy, Yaapeet, and Woomelang.

It is important to note, that Council is committed to improving the outcomes for our youngest residents across the Shire and region. We are dedicated to ensuring that every child and family has access to consistent, high-quality early years health services that are essential for the development and well-being of children. To achieve this, we believe it is necessary to have a champion provider, supported by the Council, to deliver these crucial services and enhance the outcomes for our children.

As a Council we acknowledge that providing health-related services is not our core function. However, we recognise that our region is home to a highly reputable and capable health care provider that can deliver superior quality services to our community.

We are optimistic and enthused to collaborate with our esteemed Maternal and Child Health nurses and the WWHS to provide an elevated level of service, ultimately leading to improved outcomes for our community.

This decision does not pertain to "walking away" or "exiting from" community-related activities. Rather, it involves understanding our community, the roles of Local Government and State Government departments, and collaboratively determining who is best positioned to provide services that enhance the overall social health and well-being of our community. This exemplifies government departments working together to identify efficiencies and improve service delivery for the benefit of the community, without compromising or reducing levels of service.

Maternal child health and immunisation services are a health-related function, which are closely aligned from a professional, operational and industrial relations perspective to a health service, opposed to Local Government.

The transition is proposed to occur by 01 April 2025, with a staff and community engagement process undertaken. The community engagement commenced on 28 November 2024 and concluded on 20 January 2025.

Four submissions were received from residents of Brim, Warracknabeal, Rupanyup and Murtoa. The feedback is outlined in the Community Engagement section of this report.

RELEVANT LAW

Local Government Act 2020

COUNCIL PLANS AND POLICIES

- Council Plan 2021-2025 - Strategic Objective 2: A Healthy and Inclusive Community
- Early Years Plan 2023 - 2028

RELATED COUNCIL DECISIONS

- Minutes - Closed Meeting of Council 24 July 2024 - Item 4.4 Future Direction of Early Childhood Services
- Minutes – Closed Meeting of Council 27 November 2024 – Item 4.3 Future Direction of Early Childhood Services Part 2

OPTIONS

- a) Council can choose to remain in Maternal Child Health Services; however, they will need to consider the Long-Term Financial Sustainability of Council, the current Service Levels and what realistically can be delivered.

SUSTAINABILITY IMPLICATIONS

Economic^{1 2}: A sustainable and supported maternal child health delivery service provides numerous economic sustainability benefits. Healthy mothers and children are more likely to achieve higher levels of education and productivity. This can lead to a more skilled

¹ [Investing in Maternal Health: Economic Benefits and Policy Implications](#)

² [Maternal and Child Health: A Key to Sustainable Development - medtigo Journal](#)

and capable workforce, which is essential for economic growth of our region. Investing in MCH can lead to lower healthcare costs in the long term. Healthy mothers are more likely to participate in the workforce, and healthy children are more likely to grow into productive adults.

Financial: If Council remains in maternal child health services, it will need to explore alternative ways to reduce service levels and obtain cost savings across the organisation to ensure its long-term financial viability.

COMMUNITY ENGAGEMENT

The community engagement process commenced on 28 November 2024 and concluded at 5pm Monday 20 January 2025.

A brochure was developed for families who utilised the service and distributed by the maternal child health team.

Advertising was undertaken via social media, newspapers, Yarri Yarns and the Yarriambiack Shire Council website.

The engagement process was open longer than the required 28 days, recognising we were entering a busy time of the year with the Christmas and New Year period approaching.

Council received four submissions:

1. From a Rupanyup resident in support of the proposal. *"I think it's a fabulous idea. WWHS are of course better equipped to provide allied health services, than Council is. It will hopefully allow Council to direct their funds to other necessary programs."*
2. From a Murtoa resident *"My partner and I are expecting our first child in July next year. It would be excellent to have more local access to support services and the sooner the better. Many people have recommended we travel to Ballarat to be able to access decent services, which is a ridiculous distance. Hopefully this is a great solution and improves the local situation"*.

In response to the feedback above, the maternal child health service will remain unchanged under WWHS leadership. However, access to allied health and early parenting practitioners may be more accessible under one provider.

3. From a Warracknabeal resident. *"I'm concerned our Shire is starting to get a patchwork of community services with no overlapping central body within our shire. It is already hard to attract skilled professionals to our rural area. Isolation can be challenging and opportunities for professional networking across Early Years agencies is paramount. I have heard that towns that fringe multiple support agency borders become places some families seek for anonymity. Also wondering if Rural Northwest Health were approached as a support/agency option?"*.

In response to the feedback above, WWHS is already an established service provider within our Shire. An additional service provider is not being introduced. Rural Northwest Health was consulted in regard to the proposal, and the Chief Executive Officer supported WWHS being the champion provider, as they already deliver MCH services, and are highly skilled in this area. This collaboration between our two health services also supports the Local Health Service Networks vision the Government is pursuing across the State. Recognising that one health service may be better placed to offer a service, over another.

4. From a Brim resident. *"I understand the importance of clinical support and WWHS will be able to provide this to our MCHS nurses. My only real concern is Grampians Health being forced to amalgamate with WWHS and this valuable service being removed from our communities. The amalgamation between the health services of Ballarat, Horsham etc has been very disappointing, reduction of services etc in the Wimmera. We have exceptional MCHS nurses in the Yarriambiack Shire, who provide valuable support and services to our families. This quality service is too valuable to lose."*

In response to feedback above, the State Government has announced on the 10 January 2025 the Local Health Service Networks with the Yarriambiack Shire service providers falling into the Grampians network.

Grampians

- Beaufort & Skipton Health Service, Central Highlands Rural Health, East Grampians Health Service, East Wimmera Health Service, Grampians Health, Maryborough District Health Service, Rural Northwest Health and West Wimmera Health Service.

At this point in time, according to the State Government media release outlining the Local Health Service Network structure, there are no plans to amalgamate services. An amalgamation also does not mean that maternal child health services would be removed. It is essential for the Council to continue advocating to the Government on the significance of rural health services in our region. These services are not only providers of acute care but also play a crucial role as community health providers within our Shire.

GENDER IMPACT ASSESSMENT

Not applicable.

RISK

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

Strategic Risk Description and Residual Risk Level	Action to Mitigate/Reduce Risk	Does Action maintain or reduce Residual Risk Level
Strategy Execution and Change Management Risk - Residual Risk Level Medium	Council and WWHS has developed a transition and communication plan for the exiting of services to ensure thorough engagement is undertaken and services are transitioned seamlessly. Council has a good track record, with the transition out of CHSP being smooth and reputational risk was effectively managed.	Maintains Residual Risk Level
Corporate Governance, Compliance and Liability Risk - Residual Risk Level Low	Council has sought legal advice to ensure compliance with <i>Local Government Act 2020</i> and <i>Fair Work Act 2009</i> .	Reduces Residual Risk Level
Talent Management Risk - Residual Risk Level Low	Council will advocate strongly for salaries to be maintained at current rates to ensure talent is retained in the region.	Maintains Residual Risk Level
Reputational Risk - Residual Risk Level Low	Community engagement has been undertaken with a key focus on mitigating reputational risk.	Maintains Residual Risk Level
Financial Risk - Residual Risk Level Medium	Exiting from MCH services, reduces the breadth of services and financial pressure on Council. Council is required to contribute financially to the services, through direct and indirect costs (such as finance and human resource support). Exiting enables Council to redirect funds to areas that are the primary responsibility of Council and considered core service provision.	Reduces Residual Risk Level

REGIONAL, STATE AND NATIONAL PLANS AND POLICIES

[Building A Better, Stronger Health System For All Victorians | Premier](#)

[Local Health Service Networks | health.vic.gov.au](http://health.vic.gov.au)

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 COUNCIL PLAN QUARTER 2 – REPORT 24/25

Prepared by Tammy Smith, Chief Executive Officer

SUMMARY

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

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

Recommended Motion:

That Council:

Endorse the progress of the Council Plan 2021-2025, Year 4, Quarterly Report as outlined in the body of this report.

ATTACHMENTS

[Attachment: Council Plan 2021-25 - Quarter 2 Progress Report](#)

DISCUSSION

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

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

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

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

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

RELEVANT LAW

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

COUNCIL PLANS AND POLICIES

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

RELATED COUNCIL DECISIONS

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

- 26 October 2022 – Minutes – Council Plan Actions Year 2, Quarter 1 Report.
- 25 January 2023 – Minutes – Council Plan Actions Year 2, Quarter 2 Report.
- 26 April 2023 – Minutes – Council Plan 2021-25 Action Plan Quarterly Report

- 26 July 2023 – Minutes – Council Plan 2021-25 Action Plan Quarterly Report
- 23 August 2023 – Minutes – Revision of Council Plan 2021-2025 Year 3 and 4
- 25 October 2023 - Minutes – Council Plan 2021 – 2025 Quarterly Progress Report
- 28 February 2024 – Minutes – Council Plan 2021 – 2025 Quarterly Progress Report
- 24 April 2024 – Minutes – Council Plan 2021 – 2025 Quarterly Progress Report
- 25 October 2024 – Minutes – Annual Report adoption, includes progress on Council Plan objectives.
- 27 November 2024 – Minutes Council Plan 2021 – 2025 Quarterly Progress Report

OPTIONS

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

SUSTAINABILITY IMPLICATIONS

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

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

COMMUNITY ENGAGEMENT

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

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

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

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

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

The Year 2 actions were developed based on the strategic objectives of the adopted Council Plan, and were reviewed by Councillors, prior to being placed on public exhibition and adopted on 27 July 2022.

The Revised Council Plan for Years 3 and 4 were developed in consultation with the Councillors and placed on public exhibition in accordance with Council's Community Engagement Policy. Council received no public comments or submissions in relation to the revision. The revised plan was adopted on 23 August 2023.

GENDER IMPACT ASSESSMENT

A gender impact assessment is not required for this report.

RISK

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

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	Council Plan Actions progress reported quarterly in accordance with Council's Performance Management Framework and reported on by the Mayor on an annual basis as required by the <i>Local Government Act 2020</i> .	Maintains Residual Risk Level
Strategy Execution and Change Management Risk - Residual Risk Level Medium	Operational resources including staff and finance attributed to the Council Plan objectives so they can be achieved.	Maintains Residual Risk Level
Reputational Risk - Residual Risk Level Low	Measures that are independently verified to ensure ongoing targets are being met.	Maintains Residual Risk Level

REGIONAL, STATE AND NATIONAL PLANS AND POLICIES

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

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

CONFLICTS OF INTEREST

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

15.6 MOTOR VEHICLE MANUAL

Prepared by Tony Caccaviello, Former Chief Operating Officer, and presented by Tammy Smith, Chief Executive Officer

SUMMARY

In August 2022, the Council developed and adopted the Motor Vehicle Policy along with a comprehensive suite of procedures to effectively manage motor vehicle assets and define standards for acceptable use of the motor vehicle fleet.

In 2024, a thorough review of the policy and associated procedure documentation was conducted, and a comprehensive 10-year fleet replacement plan was developed.

This paper is being presented to recommend that the Motor Vehicle Policy and suit of procedures are combined into a comprehensive Motor Vehicle Manual, for ease of reading and reference.

Recommended Motion:

That Council:

- a) Rescind the Motor Vehicle Policy, Motor Vehicle Fleet Ownership Procedure, Motor Vehicle Operating Use Procedure and the Motor Vehicle Private Use Procedure as adopted by Council on 22 August 2022, and
- b) Replace all four documents with the revised and updated overarching Motor Vehicle Manual (that incorporates all four documents) as attached to this report, to be effective from 29 January 2025.

ATTACHMENTS

[Attachment: Draft Motor Vehicle Manual](#)

DISCUSSION

The review of motor vehicle documentation adopted a comprehensive approach, which included examining existing motor vehicle fleet data, understanding the work functions and requirements of each department, exploring opportunities for innovation and efficiency, considering long-term financial sustainability, and assessing the economic, social, and environmental impacts of different options and approaches.

The attached draft Motor Vehicle Manual is aimed at guiding Council's strategic decision making into the future, including informing the annual budget process, and long-term financial planning.

The draft Motor Vehicle Manual incorporates the updates from the Motor Vehicle Policy and supporting procedures adopted in August 2022. The major changes between the two document suites are as follows:

- Council's preferred strategic approach to its fleet of vehicles is an ownership model, opposed to the current hire agreement model for majority of its operations vehicles. The hire arrangement model does not achieve value for money, and the 10-year replacement plan modelling has identified that owning the vehicles provides greater value for money in the long term (over 10 years).
- The Manual has been revised to specifically define that a private use vehicle will be designated for the Mayor, with no other Councillors being assigned such a vehicle.
- The strategic vision for private use vehicles has been revised. The future plan is to phase out the provision of vehicles for personal use to all employees, including the CEO, within the next five years. This decision is based on the availability of more financially sustainable options, such as novated leasing, to meet this need. These

alternatives will be negotiated with certain staff members as part of their employment agreements, at the discretion of the CEO.

- The Manual has also been revised to reflect that vehicles will be turned over at 120,000kms, or at the expiry of their warranty period. This is an increase from 80,000kms.

RELEVANT LAW

Occupational Health and Safety Act (2004)

COUNCIL PLANS AND POLICIES

- Council Plan: 2021-2025
Key Objective 4: A Council Who Serves its Community
- Employee Code of Conduct
- Model Councillor Code of Conduct

RELATED COUNCIL DECISIONS

- 27 May 2020 – Ordinary Meeting of Council Minutes – Motor Vehicle Policy adopted.
- 24 August 2022 - Ordinary Meeting of Council Minutes – Motor Vehicle Policy revised and adopted with supporting procedures.

OPTIONS

- a) Councillors could choose not to adopt the Manual, that incorporates the Motor Vehicle Policy and suit of procedures into one overarching document,
- b) Councillors could choose not to support the strategic vision changes as outlines in the discussion of this report.

SUSTAINABILITY IMPLICATIONS

Environmental: The Manual incorporates the assessment of environmental factors when purchasing a vehicle.

Financial: Currently, Council is paying a supplier for the privilege of utilising their vehicles under a hire arrangement. This is a more costly model to that of leasing and/or owning vehicles. A 10-year replacement plan scenario modelling has been completed, with the option to hire, lease or own operational vehicles outright considered. The ownership model was the most viable option. This is the model that management will be putting forward annually as part of the budget process.

The Manual also facilitates the transition to remunerating management for the use of their personal vehicles instead of providing vehicles. The maintenance and management of privately used vehicles pose a financial burden on the Council, as it is responsible for procuring, maintaining, and managing these vehicles. This additionally increases the workload of staff members. To improve efficiency, it is recommended to compensate staff for using their own vehicles and offer them the option of novated leasing a vehicle. This approach provides taxation benefits and reduces the Council's need to purchase and maintain an additional fleet, thereby decreasing the Council's financial burden associated with insurance, private fuel consumption, and other related costs.

COMMUNITY ENGAGEMENT

When developing the Motor Vehicle Manual, the Council's Employee Code of Conduct and the Victorian Public Sector Motor Vehicle Policy was utilised.

Council is required to set clear frameworks around the acceptable use of Council assets, which are transparent, accountable and assist to prevent corruption and misconduct from the misuse of Council assets.

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>
Reputational Risk - Residual Risk Level Low	The Manual creates a clear process for decision making, which is readily available to community members, Councillors and staff.	Maintains Residual Risk Level
Financial Risk - Residual Risk Level Medium	The Manual aims to ensure that Council motor vehicles are owned and used in the most cost-effective manner possible.	Maintains Residual Risk Level
Environmental Sustainability Risk - Residual Risk Level Medium	The Manual aims to reduce the level of greenhouse gas emissions generated by Council motor vehicles.	Maintains Residual Risk Level
Corporate Governance, Compliance and Liability Risk - Residual Risk Level Low	The Manual aims to manage compliance and risks relating to the ownership and use of Council motor vehicles.	Maintains Residual Risk Level

REGIONAL, STATE AND NATIONAL PLANS AND POLICIES

Not applicable.

CONFLICTS OF INTEREST

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

16 COUNCIL REPORTS FOR NOTING

Nil.

17 PERMITS ISSUED

List of permits issued in November and December 2024 is listed below for noting.

Recommended Motion:

That Council:

Note the permits issued by Council between:

- a) 01 November 2024 to 30 November 2024; and
- b) 01 December 2024 to 31 December 2024.

Reference No	Description	Address	Date of Issue
Planning Permits			
PA20240033	3-lot subdivision	Boolite	06/11/2024
PA20240037	Construction of a small secondary dwelling within an ESO2	Hopetoun	19/11/2024
PA20240039	Construction of a single storey dwelling with shed	Warracknabeal	19/11/2024
PA20240030	Staged 4-lot subdivision and development of 3 dwellings	Minyip	19/12/2024
PA20240041	Construction of a shed	Rupanyup	17/12/2024
Building Permits			
BLD20240395	Removal of building	Rupanyup	27/11/2024
BLD20240422	Demolition of a toilet block	Warracknabeal	11/12/2024
BLD20240425	Construction of farm hobby building	Brim	12/12/2024
BLD20240426	Demolition of dwelling, pergola and garden shed	Warracknabeal	18/12/2024
BLD20240427	Construction of a shade sail	Tempy	18/12/2024
BLD20240423	Construction of machinery storage shed.	Brim	18/12/2024
Local Laws			
21-24	Keeping more than the allowed number of animals	Warracknabeal	15/11/2024
22-24	Keeping more than the allowed number of animals	Minyip	20/11/2024
23-24	Keeping more than the allowed number of animals	Warracknabeal	18/11/2024
24-24	Fireworks	Brim	31/12/2024
RRWP & APP Permits			
RRWP 2024-13	Construction of a dwelling	Rupanyup	12/11/2024
AAP 2024 - 14	Construction of a dwelling	Hopetoun	12/11/2024

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 or conveniently be deferred until the next Council meeting; or
- b) Involves a matter of urgency, as determined by the CEO.

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

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

19 NEXT MEETING

Wednesday 26 February 2025

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:

<p>1. C275-2020 SUPPLY OF PERSONAL PROTECTIVE EQUIPMENT CLOTHING – CONTRACT EXTENSION</p>
<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.
<p>2. SCOTT STREET PUBLIC AMENITIES WARRACKNABEAL - VARIATION</p>
<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.
<p>3. CEO MID-YEAR REVIEW</p>
<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 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 <i>Privacy and Data Protection Act 2014</i>.
<p>4. CEO EMPLOYMENT AND RENUMERATION INDEPENDENT CHAIRPERSON APPOINTMENT</p>
<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.