



**Yarriambiack**  
SHIRE COUNCIL

# Minutes

## Ordinary Meeting of Council

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27 November 2024

COUNCIL CHAMBERS

34 Lyle Street, Warracknabeal

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

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

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

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## **OUR VISION**

A connected rural community who values its land and wellbeing.

We will achieve this vision through:

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

## **CONTINUOUS IMPROVEMENT**

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

## **LIVE STREAMING**

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

## 1 WELCOME

## 2 STREAMING PREAMBLE

*The Chief Executive Officer 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 25 OCTOBER 2024 – ORDINARY MEETING

Minutes of the Ordinary meeting of Council held on 25 October 2024 be taken as an accurate record and confirmed.

**Recommended Motion:**

That the minutes of the Ordinary Meeting of Council held on 25 October 2024, as circulated be taken as read and confirmed.

**Resolution:**

**Moved Cr Kirk**

**Seconded Cr Heintze**

**That the recommendation be adopted.**

**Carried**

### 6.2 MINUTES 20 NOVEMBER 2024 – STATUTORY MEETING

Minutes of the Statutory meeting of Council held on 20 November 2024 be taken as an accurate record and confirmed.

**Recommended Motion:**

That the minutes of the Statutory Meeting of Council held on 20 November 2024, as circulated be taken as read and confirmed.

**Resolution:**

**Moved Cr Keel**

**Seconded Cr Kirk**

**That the recommendation be adopted.**

**Carried**

## 7 DECLARATION OF CONFLICT OF INTEREST

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

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

- a) Disclose the conflict of interest in the manner required by the Yarriambiack Shire Council Governance Rules (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
Cr Karly Kirk	15.9 Peppercorn Lease – Warracknabeal Town Hall	Employer rents an office space out of the town hall and Cr Kirk works in the rented office.
Cr Karly Kirk	15.10 Minyip Cabins Status Update	Employed by a company involved in the project.
Cr Corinne Heintze	15.10 Minyip Cabins Status Update	Progress member who actively maintains the Caravan Park.



## 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 arrive in November 2024.
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.
28 August 2024 Item 15.9	Enter into a lease and/or licence agreement to support the establishment of in-venue care in the childcare section of the building at 87-89 Mandeville Street Hopetoun.	This lease will no longer go ahead, due to focus on childcare licence being a priority. <b>Action Closed.</b>
28 August 2024 Item 15.10	Enter into licence agreement with the CFA.	Lease will be finalised by December 2024.
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.	Land Surveyor engaged to complete subdivision.

## 9 PETITIONS

No petitions received.

## 10 CORRESPONDENCE

Outgoing		
Date	Recipient	Details
16/10/24	Hopetoun P-12 College	Letter – Donation to Annual Awards Night 2024
17/10/24	Warracknabeal Secondary College	Letter – Donation to Annual Awards Night 2024
17/10/24	Warracknabeal Special Development School	Letter – Donation to Annual Awards Night 2024
22/10/24	National Bridge and Road Infrastructure Programs Road Vehicle and Safety Division	Letter – Confirmation of Co-contribution SLRIP Funding
25/10/24	Regional Development Victoria Tiny Towns Fund	Letter of Support – Yaapeet Streetscape Tiny Towns
29/10/24	The Hon. Melissa Horne	Letter – Election Campaign Donations – Minister for Local Government
07/11/24	Rupanyup Primary School	Letter – Transfer Station Fee Waiver
07/11/24	Southern Mallee Kart Club	Letter – Donation of Reflective Posts
18/11/24	Department of Transport and Planning	Letter – Safety Concerns School Crossing Hopetoun
19/11/24	Warracknabeal Cemetery Trust	Letter – Transfer Station Fee Waiver
21/11/24	Adrian Tyler	Letter – Transfer Station Fee Waiver

Incoming		
Date	Sender	Details
30/09/24	Department of Energy, Environment and Climate Action (DEECA)	Email – Yarriambiack Creek – Sediment Removal – Landowner Consent
02/10/24	Warracknabeal Historical Centre	Letter – Thank you Yarriambiack Shire Council For contribution to the replacement of the front fence at the Historical Centre.
03/10/24	Department of Families, Fairness and Housing	Email – Free Pads and Tampons Project – Update and Introduction to Supplier (Rural and Regional Venues)
17/10/24	Murtoa’s Big Weekend Committee 2024	Letter – Thank you For supporting the 3-day event of Murtoa’s Big Weekend.

<b>Incoming</b>		
21/10/24	Dr Anne Webster MP	Letter – Response The Hon. Anika Wells – Home Care Assessments
28/10/24	Department of Health	Email – Co-funding Model for Central Immunisation Records Victoria (CIRV)
31/10/24	Tourist Centre Committee	Email – New Tourist Centre Structure
06/11/24	Rupanyup Primary School – Parents Group	Email – Working Bee Rupanyup Primary School
15/11/24	St Joseph’s School	Letter – Safety Concerns School Crossing Hopetoun
15/11/24	Minyip Murtoa Football & Netball Club	Letter – Request for Support Minyip Murtoa Football & Netball Club

## 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

<b>Mayor Kylie Zanker – Warracknabeal Ward (November)</b>		
<b>Date</b>	<b>Activity</b>	<b>Location</b>
28/10/24	VEC Declaration, and Oath and Affirmation Ceremony	Warracknabeal
29/10/24	Dr Anne Webster MP and Shadow Minister for Early Childhood Angie Bell MP – Visit to Hopetoun and Beulah	Hopetoun and Beulah
13/11/24	Councillor Induction Program – Day 1	Warracknabeal
14/11/24	Councillor Induction Program – Day 2	Warracknabeal
14/11/24	Woodbine Inc Annual General Meeting and 70 <sup>th</sup> Anniversary Celebration	Warracknabeal
15/11/24	Councillor Induction Program – Day 3	Warracknabeal
19/11/24	Meeting regarding Statutory Meeting	Online
19/11/24	Warracknabeal Action Group Strategic Planning Committee Meeting	Warracknabeal
20/11/24	Statutory Meeting of Council	Warracknabeal
20/11/24	Hopetoun and Beulah Childcare / Kindergarten Update	Hopetoun
22/11/24	Victoria Police Medal and Award Presentation	Horsham
23/11/24	Murtoa Kindergarten Farewell	Murtoa

## 12.2 COUNCILLOR ACTIVITY REPORTS

<b>Deputy Mayor Andrew McLean – Hopetoun Ward (November)</b>		
<b>Date</b>	<b>Activity</b>	<b>Location</b>
28/10/24	VEC Declaration, and Oath and Affirmation Ceremony	Warracknabeal
28/10/24	Patchewollock Inc. Annual General Meeting	Patchewollock
29/10/24	Dr Anne Webster MP and Shadow Minister for Early Childhood Angie Bell MP – Visit to Hopetoun and Beulah	Hopetoun and Beulah
29/10/24	Woomelang District Development Association Meeting	Woomelang
13/11/24	Councillor Induction Program – Day 1	Warracknabeal
14/11/24	Councillor Induction Program – Day 2	Warracknabeal
15/11/24	Councillor Induction Program – Day 3	Warracknabeal
19/11/24	Meeting regarding Statutory Meeting	Online
20/11/24	Statutory Meeting of Council	Warracknabeal
20/11/24	Hopetoun and Beulah Childcare / Kindergarten Update	Hopetoun
26/11/24	Woomelang District Development Association Meeting	Woomelang

<b>Cr Melinda Keel – Dunmunkle Ward (November)</b>		
<b>Date</b>	<b>Activity</b>	<b>Location</b>
28/10/24	VEC Declaration, and Oath and Affirmation Ceremony	Warracknabeal
06/11/24	Councillor – Pre-induction Training	Warracknabeal
13/11/24	Councillor Induction Program – Day 1	Warracknabeal
14/11/24	Councillor Induction Program – Day 2	Warracknabeal
15/11/24	Councillor Induction Program – Day 3	Warracknabeal
19/11/24	Meeting regarding Statutory Meeting	Online
20/11/24	Statutory Meeting of Council	Warracknabeal

<b>Cr Chris Lehmann – Hopetoun Ward (November)</b>		
<b>Date</b>	<b>Activity</b>	<b>Location</b>
28/10/24	VEC Declaration, and Oath and Affirmation Ceremony	Warracknabeal
29/10/24	Dr Anne Webster MP and Shadow Minister for Early Childhood Angie Bell MP – Visit to Hopetoun and Beulah	Hopetoun and Beulah
30/10/24	Beulah Progress Meeting	Beulah
13/11/24	Councillor Induction Program – Day 1	Warracknabeal
14/11/24	Councillor Induction Program – Day 2	Warracknabeal
15/11/24	Councillor Induction Program – Day 3	Warracknabeal

<b>Cr Chris Lehmann – Hopetoun Ward (November)</b>		
<b>Date</b>	<b>Activity</b>	<b>Location</b>
19/11/24	Meeting regarding Statutory Meeting	Online
20/11/24	Statutory Meeting of Council	Warracknabeal
20/11/24	Hopetoun and Beulah Childcare / Kindergarten Update	Hopetoun

<b>Cr Corinne Heintze – Dunmunkle Ward (November)</b>		
<b>Date</b>	<b>Activity</b>	<b>Location</b>
28/10/24	VEC Declaration, and Oath and Affirmation Ceremony	Warracknabeal
29/10/24	Minyip Recreation Reserve Election Meeting	Minyip
30/10/24	Minyip Wetlands Meeting (Yarrilinks)	Minyip
31/10/24	Rurality and Family Violence Findings	Horsham
06/11/24	Councillor – Pre-induction Training	Warracknabeal
07/11/24	Yarrilinks Meeting	Lah
07/11/24	Lions Club Christmas Dinner	Minyip
11/11/24	Remembrance Day	Minyip
13/11/24	Councillor Induction Program – Day 1	Warracknabeal
14/11/24	Councillor Induction Program – Day 2	Warracknabeal
15/11/24	Councillor Induction Program – Day 3	Warracknabeal
19/11/24	Meeting regarding Statutory Meeting	Online
20/11/24	Statutory Meeting of Council	Warracknabeal
23/11/24	Murtoa Kindergarten Farewell	Murtoa

<b>Cr Karly Kirk – Warracknabeal Ward (November)</b>		
<b>Date</b>	<b>Activity</b>	<b>Location</b>
28/10/24	VEC Declaration, and Oath and Affirmation Ceremony	Warracknabeal
29/10/24	Dr Anne Webster MP and Shadow Minister for Early Childhood Angie Bell MP – Visit to Hopetoun and Beulah	Hopetoun and Beulah
06/11/24	Councillor – Pre-induction Training	Warracknabeal
13/11/24	Councillor Induction Program – Day 1	Warracknabeal
14/11/24	Councillor Induction Program – Day 2	Warracknabeal
15/11/24	Councillor Induction Program – Day 3	Warracknabeal
19/11/24	Meeting regarding Statutory Meeting	Online
20/11/24	Statutory Meeting of Council	Warracknabeal

**12.3 CHIEF EXECUTIVE OFFICER ACTIVITY REPORT**

<b>Tammy Smith (September, October and November)</b>		
<b>Date</b>	<b>Activity</b>	<b>Location</b>
25/09/24	Regional Recreation Water Users Group Meeting	Rainbow
26/09/24	Meeting with in-venue care provider Dunmunkle Community Library Precinct	Rupanyup
01/10/24	Municipal Building Surveyor HUB Inception Meeting	Online
02/10/24	Joint State / Local Government CEO Forum	Online
02/10/24	BGLC Meeting	Horsham
04/10/24	Northern Grampians Shire Council and RWE Monthly Meeting Campbells Bridge Wind Farm Project	Online
07/10/24	Department of Transport and Planning Discussion – Donald Mineral Sands	Online
08/10/24	Wimmera Housing Innovation Project Meeting	Warracknabeal
09/10/24	Meeting with Emerge Early Years Services	Hopetoun
09/10/24	Meeting with DEECA Public Land Grampians	Warracknabeal
09/10/24	Meeting Minyip Housing Initiative	Horsham
10/10/24	Wimmera Regional CEO Meeting	Horsham
14/10/24	Launch of the Municipal Building Surveyor HUB Funding	Murtoa
14/10/24	Audit and Risk Committee Meeting	Warracknabeal
15/10/24	Local Government CEO Dinner	Melbourne
16/10/24	Meeting with DEECA Board	Horsham
16/10/24	Women’s Conference LGPro Dinner	Melbourne
17/10/24	Rural Councils Victoria Meeting	Melbourne
21/10/24	MAV Monday Connect	Online
22/10/24	Focus Group Monash University – Court House	Warracknabeal
23/10/24	Tourist Information Centre Volunteer Meeting	Warracknabeal
24/10/24	Rupanyup Kindergarten Parents Advisory Group Meeting	Rupanyup
25/10/24	Wimmera Southern Mallee Development Regional Partnership Meeting – Strategic Pillars Planning Day	Horsham
25/10/24	Council Meeting	Warracknabeal
25/10/24	Farewell Cr Massey and Cr Hamilton – Drinks and Nibbles	Warracknabeal
28/10/24	VEC Declaration, Oath and Affirmation of Councillors	Warracknabeal



<b>Tammy Smith (September, October and November)</b>		
28/10/24	Wimmera CMA Bi-Monthly Meeting	Online
28/10/24	Patchewollock Inc Annual General Meeting	Patchewollock
29/10/24	Dr Anne Webster MP and Shadow Minister for Early Childhood Angie Bell MP – Visit to Hopetoun and Beulah	Hopetoun & Beulah
29/10/24	Minyip Recreation Reserve Annual General Meeting	Minyip
30/10/24	Meeting with Farmers Hopetoun	Hopetoun
30/10/24	Meeting MBS HUB Research	Online
30/10/24	Meeting with Department of Transport and Planning Executive Meeting	Warracknabeal
31/10/24	Community Transport Evaluation Interview – RFDS	Online
06/11/24	Councillor (optional) pre-induction	Warracknabeal
07/11/24	Meeting with West Wind	Warracknabeal
12/11/24	Local Government Technology Summit Victoria Panellist	Melbourne
13/11/24	Councillor Induction Program – Day 1	Warracknabeal
14/11/24	Councillor Induction Program – Day 2	Warracknabeal
14/11/24	Meeting Rural Northwest Health and QA Hay – Housing	Warracknabeal
13/11/24	Councillor Induction Program – Day 3	Warracknabeal
18/11/24	MAV Connect	Online
18/11/24	Meeting with Community Member from Warracknabeal	Warracknabeal
20/11/24	Statutory Meeting Council	Warracknabeal
20/11/24	Hopetoun Childcare Community Meeting Update	Hopetoun
21/11/24	Ballarat, Grampians Community Legal Services	Online
21/11/24	Meeting Indigo Shire	Online
22/11/24	Victoria Police Medal and Award Presentation	Horsham
22/11/24	Wimmera Southern Mallee Development and Local Government CEO Meeting	Online
26/11/24	Wimmera Southern Mallee Development AGM (postponed)	Online

### 13 PUBLIC QUESTIONS

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

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

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

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

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

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

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

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

The question will not be allowed if:

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

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

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

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

#### 13.1 QUESTIONS SUBMITTED

<b>Name:</b> Bren Bride	<b>Town:</b> Warracknabeal
<b>Question:</b> Does Council clean out the drains to clear the leaves and debris that build up?	
<b>Respondent:</b> Monique Metlika, Governance Support Officer	
<p><b>Response:</b> Bren received an email response regarding this question on Thursday 31 October 2024 confirming that Council does clean out drains to clear leaves and debris.</p> <p>Additionally, the Council hires a specialised hydro-vac to address problem areas or blockages when necessary.</p> <p>To ensure cleanliness and reduce blockages, the street sweeper operates on a rotation system, spending two weeks in each of the three areas: Central, Northern and Southern.</p>	

## 14 COUNCILLOR REPORTS

### 14.1 MAYORS REPORT

On Wednesday 20 November 2024, at the Statutory Meeting of Council I was honoured to be elected as Mayor for the 24/25 Term. I will be joined by Cr Andrew McLean as Deputy Mayor, and I wish to congratulate Cr McLean on being elected by his fellow Councillors.

We have hit the ground running as a newly elected Council, undertaking the affirmation of office on 28 October, followed by three days of Councillor training, to ensure we meet the requirements of the mandatory Councillor training as outlined in the Act and supporting regulations.

A lot has happened between entering election period and establishing the new Council.

The Warracknabeal Caravan Park amenities block has been completed.

Warracknabeal Play group has 'found' a home within the Warracknabeal Library. After discussion with President Natalie Hewitt and other committee members in conjunction with Sarah Collins, Manager Community Strengthening and Engagement, the opportunity to collocate with the library and share the space was met with excitement. This allows playgroup to have access to the library/playgroup area outside allocated playgroup hours and community members the opportunity to engage also. The shared space is a fantastic way to look at multi-generational and multi-use facilities while extending the literacy and library functions across our community.

The Warracknabeal Kindergarten carpark has been completed, and the landscaping is close to completion. The staff are working hard to ensure the new building and surrounds are open for the 2025 school year.

The Dunmunkle Community Library Precinct, stage 2 works are coming along well with the project due for completion no later than the 10 January 2025. We look forward to the opening and sharing this revitalised asset with the community.

The building contracts for the affordable houses in Rupanyup, Hopetoun and Warracknabeal have all been signed, and building permits issued for Rupanyup and Hopetoun, and we should soon receive the permit for Warracknabeal. The community will see action on each of the sites shortly.

We are still anxiously awaiting the outcome of the Commonwealth Housing Support Program, with an announcement envisaged by the end of the year.

On Tuesday 29 October, in conjunction with Hindmarsh Shire, Emerge Early Years Services and Wimmera Southern Mallee ByFive, we welcomed Dr Anne Webster MP, Shadow Assistant Minister for Regional Health and Angie Bell MP, Shadow Minister for Early Childhood Education to our Shire.

We discussed the lack of childcare and the impact it has on our communities from a social health, wellbeing, economic and financial perspective.

We strongly advocated for:

- Block funding for rural childcare providers;
- Integrated long daycare, with sessional kindergarten on school sites;
- Incentives for early childhood professionals to live and work in rural Victoria; and
- Affordable housing to recruit, attract and retain early childhood professionals in our communities.

As a Council, we urge both sides of Government to address the disparities and lack of access to childcare in our rural communities.

Every family and child deserve access to high quality early childhood education and care – its non-negotiable.

## 15 REPORTS FOR DECISION

### 15.1 RETURN TO WORK POLICY AND GUIDELINES

*Prepared by David Goodin, People and Safety Officer*

#### SUMMARY

The Yarriambiack Shire Council recognise its obligations for, and is committed to, ensuring the health and safety of its employees, including Councillors, while they are on Council premises and engaged in approved work for Council. The Return to Work Policy and supporting Guidelines is to facilitate the return to work of an injured employee in a timely manner.

#### **Recommended Motion:**

That Council:

- a) Adopt the revised Return to Work Policy and Guidelines as attached to this report as of 27 November 2024.
- b) Rescind the previous version adopted on the 28 June 2023.

#### **Resolution:**

**Moved Cr Kirk**

**Seconded Cr Heintze**

**That the recommendation be adopted.**

**Carried**

#### ATTACHMENTS

[Attachment: Return to Work Policy and Guidelines](#)

#### DISCUSSION

A review of Council's policy on Return to Work has been undertaken. The purpose of the revised policy is to provide a framework to assist the Council with clear guidelines in relation to the management of workplace injury and illness, roles, rights, and responsibilities.

The Council is committed to the reporting of incidents and applying early intervention to enable our employees and Councillors to remain at work or return to work as soon as possible. This will be achieved through continued improvement of risk management processes, implementation of return-to-work plans as soon as practical, and appropriate occupational rehabilitation.

Council will aim to:

- a) Provide a safe and healthy working environment to prevent injury and illness.
- b) Ensure that the Return-to-Work process commences as soon as possible after an injury/illness in a manner consistent with medical advice.
- c) Ensure that return to work as soon as possible is actioned after an injury/illness.
- d) Provide suitable duties consistent with the nature of the injury/illness.
- e) Consult with employees and with the Council's Occupational Health and Safety (OH&S) Committee where necessary.
- f) Ensure participation in Return-to-Work Plans.
- g) Participate and co-operate with the insurer's Injury Management Program and Injury Management Plans.
- h) Comply with WorkCover guidelines, if and when issued, and maintain records in line with WorkCover's Confidentiality Guidelines.

i) Treat injured employees with compassion and respect.

The Return to Work Policy and Guideline was reviewed with minor administrative changes and will be required to be reviewed every three years.

**RELEVANT LAW**

- *Workers Injury Rehabilitation and compensation Act 2013*
- *Occupational Health and Safety Act 2004*
- *Local Government Act 2020*

**COUNCIL PLANS AND POLICIES**

- Council Plan 2021-2025, Strategic Objective 4: A Council Who Serves its Community
- Human Resources Policy and Guidelines Manual
- Occupational Health and Safety and Wellbeing Guidelines
- Employee Code of Conduct
- Occupational Health and Safety Policy and Manual

**RELATED COUNCIL DECISIONS**

- Council Meeting – 27 May 2020 - Item 13.15 Return to Work Policy and Guidelines
- Council Meeting – 28 June 2023 – Item 15.1 Return to Work Policy and Guidelines

**OPTIONS**

Nil.

**SUSTAINABILITY IMPLICATIONS**

*Financial* - The Return to Work Policy and Guidelines aims to maximise the management of return to work and rehabilitation of its employees and Councillors as soon as practicable reducing:

- The financial impact of workplace injuries.
- Anticipating and controlling hidden costs.
- Providing a proactive approach to cost containment.
- Improving the Council’s ability to manage an injury claim and any restrictions.
- Less time and money spent on recruitment or on replacing staff.
- Reduce the costs of lost productivity.

**COMMUNITY ENGAGEMENT**

There is no community engagement required for this policy, however it will be available on the Council’s website.

**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
Financial Risk - Residual Risk Level Medium	The Return to Work Policy and Guideline offers guidance for staff and Councillors injured at work, and for the Return to Work Coordinator, to facilitate a quicker return to duties and ensure compliance with legislative requirements.	Maintains Residual Risk Level

Strategic Risk Description and Residual Risk Level	Action to Mitigate/Reduce Risk	Does Action maintain or reduce Residual Risk Level
Reputational Risk - Residual Risk Level Low	The use of a Return to Work Policy and Guideline will ensure that there are processes in place for all injured staff and Councillors to be aware that their return to work and any necessary rehabilitation is a priority to Council.	Maintains Residual Risk Level
Corporate Governance, Compliance and Liability Risk - Residual Risk Level Low	The use of the Return to Work Policy and Guideline will ensure that Council meets its legislative, compliance and good governance requirements.	Maintains Residual Risk Level

**REGIONAL, STATE AND NATIONAL PLANS AND POLICIES**

Not applicable.

**CONFLICTS OF INTEREST**

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

## 15.2 ECONOMIC DEVELOPMENT STRATEGY PROGRESS REPORT FOR YEAR 1

**Prepared by: Sarah Collins, Manager Community Strengthening and Engagement**

### SUMMARY

This report provides an update to Council on the status of Year 1 initiatives as outlined in the Yarriambiack Shire Council Economic Development Strategy 2023-2027.

#### Recommended Motion:

That Council:

- a) Endorse the Year 1 Economic Development Strategy Progress Report as attached to this report.

#### Resolution:

**Moved Cr Keel**

**Seconded Cr Kirk**

**That the recommendation be adopted.**

**Carried**

### ATTACHMENTS

[Attachment: Economic Development Strategy Year 1 Status Report](#)

### DISCUSSION

The Economic Development Strategy 2023-2027 identified 20 actionable items to be undertaken over the coming 4 years, each initiative notes Council's role and timeline for delivery. Council Officers are progressing well against timelines and tasks as identified in the strategy.

Please refer to the attachment for status updates on the progress of each initiative.

### RELEVANT LAW

*Local Government Act 2020*

### COUNCIL PLANS AND POLICIES

- Economic Development Strategy 2023-2027
- Council Plan – Objective 1: Our Vibrant and Diverse Economy
- Council Plan – Objective 2: A Healthy and Inclusive Community
- Council Plan – Objective 3: A Robust and Thriving Environment
- Council Plan – Objective 4: A Council Which Serves its Community.

### RELATED COUNCIL DECISIONS

Council Meeting 23 August 2023 – Item 14.3 Economic Development Strategy

### OPTIONS

- a) Council can revisit and revise the strategic objectives and priorities included in the strategy.

### SUSTAINABILITY IMPLICATIONS

*Economic* - The Strategy and Action Plan offers clear guidance for future economic activities, considering data, trends, and themes to boost prosperity in Yarriambiack Shire.

*Social* - A comprehensive Economic Development Strategy and Action Plan is to enhance economic capacity of the Yarriambiack municipality and improve the quality of life of all residents.

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

**COMMUNITY ENGAGEMENT**

Community Engagement was undertaken during the creation of the Economic Development Strategy and is ongoing as required when undertaking actions as listed in the Action Plan.

**GENDER IMPACT ASSESSMENT**

Gender Impact Assessment was undertaken during the creation of the Economic Development Strategy.

Link to Gender Impact Assessment: [Economic Development Strategy](#)

**RISK**

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

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

**REGIONAL, STATE AND NATIONAL PLANS AND POLICIES**

- Wimmera Southern Mallee 2023-2027 Strategic Plan
- Rural Councils Victoria Strategy 2020-2024
- Regional Economic Development Strategies (Regional Partnerships)
- Horizon Highway – Wimmera Southern Mallee Regional Partnership Strategy

**CONFLICTS OF INTEREST**

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



### 15.3 TOURISM STRATEGY PROGRESS REPORT FOR YEAR 1

**Prepared by: Sarah Collins, Manager Community Strengthening and Engagement**

#### SUMMARY

This report provides an update to Council on the status of Year 1 initiatives as outlined in the Yarriambiack Shire Council Tourism Strategy 2023-2027.

#### Recommended Motion:

That Council:

- a) Endorse the Year 1 Tourism Strategy Progress Report as attached to this report.

#### Resolution:

**Moved Cr Kirk**

**Seconded Cr Heintze**

**That the recommendation be adopted.**

**Carried**

#### ATTACHMENTS

[Attachment: Tourism Strategy Year 1 Status Report](#)

#### DISCUSSION

The Tourism Strategy 2023-2027 identified five key themes with 18 actionable items to be undertaken over the coming 4 years, each initiative notes Council's role and timeline for delivery. Council Officers are progressing well against timelines and tasks as identified in the strategy.

Please refer to the attachment for status updates on the progress of each initiative.

#### RELEVANT LAW

*Local Government Act 2020*

#### COUNCIL PLANS AND POLICIES

- Yarriambiack Shire Council Tourism Strategy 2023-2027
- Council Plan – Objective 1: Our Vibrant and Diverse Economy

#### RELATED COUNCIL DECISIONS

Council Meeting 13 December 2023 – Item 15.4 Tourism Strategy

#### OPTIONS

- a) Councillors have the option of revisiting and updating the strategic objectives and priorities, if there is consensus that they do not align with the sentiment of the community.

#### SUSTAINABILITY IMPLICATIONS

*Economic* - The Tourism Strategy and Action Plan provides clear guidance on for future tourism directions to enhance economic capacity of the visitor servicing industry within the Yarriambiack municipality.

*Social* - The Tourism Strategy and Action Plan provides clear guidance on future tourism directions and activities with due consideration of data, trends and themes, the plan aims to enhance the social benefits of tourism within Yarriambiack Shire.

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

#### COMMUNITY ENGAGEMENT

Community Engagement was undertaken during the creation of the Tourism Strategy and is ongoing as required when undertaking actions as listed in the Action Plan.

**GENDER IMPACT ASSESSMENT**

Not applicable.

**RISK**

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

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

**REGIONAL, STATE AND NATIONAL PLANS AND POLICIES**

- Wimmera Southern Mallee Regional Economic Development Strategy
- Wimmera Mallee Destination Management Plan
- Yarriambiack Shire Council Local Area Action Plan
- Grampians Wimmera Mallee Tourism strategy documents

**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 COUNCIL PLAN QUARTER 1 – 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 objectives of the plan, and the progress of each action.

#### **Recommended Motion:**

That Council:

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

#### **Resolution:**

**Moved Cr Kirk**

**Seconded Cr McLean**

**That the recommendation be adopted.**

**Carried**

### ATTACHMENTS

[Attachment: Council Plan Quarterly Report - Year 4 - Quarter 1 2024-25](#)

### DISCUSSION

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

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

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

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

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

### RELEVANT LAW

The requirement for a Council Plan, 10-year Community Vision 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.

### **OPTIONS**

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

### **SUSTAINABILITY IMPLICATIONS**

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

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

### **COMMUNITY ENGAGEMENT**

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

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

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

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

The draft Council Plan 2021-2025 was placed on public exhibition from 24 June 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:

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

### **REGIONAL, STATE AND NATIONAL PLANS AND POLICIES**

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

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

### **CONFLICTS OF INTEREST**

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

## 15.5 FINANCIAL AND NON-FINANCIAL QUARTER 1 REPORT 24/25 (INCLUDES CARRY FORWARDS)

*Prepared by Tony Caccaviello, Chief Operating Officer*

### SUMMARY

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

At the end of each financial year every Council has several budgeted capital works that are yet to be completed. This report identifies the budgeted capital works projects that will be brought forward from previous years and scheduled for completion in the 2024/2025 financial year and sets out the revised carry forward expenditure budget for each of these projects.

### Recommended Motion:

That Council:

- a) Adopt the quarterly Financial and Non-Financial Performance Report as of 30 September 2024, including the carry-forwards report, as attached to this report.

### Resolution:

**Moved Cr Heintze**

**Seconded Cr Kirk**

**That the recommendation be adopted.**

**Carried**

### ATTACHMENTS

[Attachment: Financial and Non-Financial Performance Reporting Report 2024-25 – Quarter 1](#)

[Attachment: Carry Forward Projects Report 2023-24](#)

### DISCUSSION

#### Financial and Non-Financial Performance Report

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

- a. Quarterly Budget Reports, comparing actual and budgeted results and an explanation of any material variations must be completed.
- b. Risk Reports, 6-monthly reports of strategic risks to Council's operations, their likelihood, and consequences of occurring and risk minimisation strategies.
- c. Performance Reports, 6-monthly reports of indicators measuring financial and non-financial performance, including the performance indicators referred to in section 98 of the *Local Government Act 2020*.

The Management Team has adopted a holistic approach to meet the requirements of the *Local Government Act 2020* and Regulations, by compiling a Quarterly Financial and Non-Financial Performance Report.

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

For this quarter, the report has been presented to the Management Team, at Council Forum on 20 November 2024 and to the Audit and Risk Committee on 14 October 2024.

### Carry Forwards

Each year Council adopts a budget that sets out the capital works and operating projects to be undertaken during that financial year. Due to several factors including the timing of grant funding announcements, inclement weather, and the availability of contractors, materials and staff, at the end of the financial year (30 June) Council inevitably has a number of budgeted capital works and operating projects that are yet to be completed.

These projects are then rescheduled for completion in the following financial year, in order to ensure that the projects that were promised to our community are delivered. The Carry Forwards Project Report 2023/2024 identifies the projects that have been budgeted for in previous years, but are still yet to be delivered, and sets out the revised carry forward expenditure budget estimated for delivery of each of these projects.

### **RELEVANT LAW**

- *Local Government Act 2020* – Section 97 Quarterly Budget Report
- *Local Government Act 2020* – Section 94 the Budget
- Local Government (Planning and Reporting) Regulations 2020

### **COUNCIL PLANS AND POLICIES**

- Annual Budget 2022-2023 and 2023-2024
- Performance Reporting Framework
- Risk Management Manual

### **RELATED COUNCIL DECISIONS**

- 28 June 2023 - Minutes - Adoption of the Annual Budget 2023-2024
- 26 June 2024 - Minutes - Adoption of the Annual Budget 2024-2025

### **OPTIONS**

The option presented in this report is to provide Council with a quarterly report encompassing both Financial and Non-Financial Performance Reporting. It provides enhanced governance and oversight, and promotes transparency in decision making.

Options to be considered:

- a) The Report is presented in a combined overarching report format that is presented quarterly.
- b) The Reports could be separated into three distinct reports, opposed to a combined overarching report that is presented quarterly.
- c) The Risk Report and Performance Reports could be moved to 6 monthly in line with the *Local Government Act 2020* requirements, with the Budget Reports being quarterly only.

### **SUSTAINABILITY IMPLICATIONS**

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

*Financial:* Yarriambiack Shire Council is heavily reliant on operational and capital grants as a source of revenue funding. This poses a significant financial risk to Council. Councils' ability to raise source revenue is restricted by the annual rate cap and is at risk to decreases or increases that are lower than cost inflation.

### **COMMUNITY ENGAGEMENT**

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

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

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

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

**GENDER IMPACT ASSESSMENT**

Not applicable.

**RISK**

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

<b><i>Strategic Risk Description and Residual Risk Level</i></b>	<b><i>Action to Mitigate/Reduce Risk</i></b>	<b><i>Does Action maintain or reduce Residual Risk Level</i></b>
Corporate Governance, Compliance and Liability Risk - Residual Risk Level Low	The quarterly report incorporates the reporting requirements as outlined in the Local Government (Planning and Reporting) Regulations 2020 Schedule 1. The carried forward report provides a transparent view of the capital works and projects that were not completed at 30 June 2024 and which are scheduled for completion in the 2024/2025 financial year.	Maintains Residual Risk Level
Financial Risk - Residual Risk Level Medium	The quarterly report includes Budget versus Actual reporting, which enables management, Audit and Risk Committee and Councillors to monitor the financial performance of Council and assess and address risks as they arise.	Maintains Residual Risk Level
Program and Project Risk - Residual Risk Level Medium	The quarterly report incorporates detailed project reporting, providing enhanced oversight on the performance of projects.	Maintains Residual Risk Level

**REGIONAL, STATE AND NATIONAL PLANS AND POLICIES**

Not applicable.

**CONFLICTS OF INTEREST**

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



## 15.6 LIVING LIBRARIES INFRASTRUCTURE PROGRAM FUNDING OPPORTUNITY

**Prepared by: Sarah Collins, Manager Community Strengthening and Engagement**

### SUMMARY

Council aims to apply for the Living Libraries Infrastructure Program (LLIP) which enables Victorian councils and regional library corporations to deliver new or renewed library infrastructure for their communities.

This funding is scheduled to open in February 2025 and will have two funding streams available: Minor Works \$10,000-\$200,000 and Major Works \$200,000 - \$1,000,000. Council will apply for the Minor Works funding at the Hopetoun Neighbourhood House (former Gateway BEET) building, and Major Works at the Coopers Crossing, Emma's Café Library building in Minyip.

This paper seeks endorsement from Councillors to apply for this funding opportunity, noting that there is no co-contribution required from Council to apply for this funding, and will be 100% funded for libraries in small rural councils, in accordance with the funding guidelines.

### Recommended Motion:

That Council:

- a) Endorse the Living Library Infrastructure Program Funding application for:
  - i. Minor Works: The Hopetoun Neighbourhood House Building (former Gateway BEET) Shared Spaces Revitalised and Reimagined Project up to \$200,000.
  - ii. Major Works: The Minyip Connecting Communities: Reimagining our Library Hub Inside and Out Project up to \$1,000,000.

### Resolution:

**Moved Cr Kirk**

**Seconded Cr Keel**

**That the recommendation be adopted.**

**Carried**

### ATTACHMENTS

[Link: Living Libraries Infrastructure Program 2023-24 \(Victorian State Government\)](#)

NOTE: This link provides information on the funding as per the 2023/24 guidelines and provides indicative guidelines for the 2024/25 funding. Information on the 2024/25 funding program is yet to be formally announced.

### DISCUSSION

To date, Yarriambiack Shire Council have received two stages of funding through the 2022-23 and 2023-24 LLIP for the Dunmunkle Community Library Project.

After completing a report to the Department of Government Services including a pipeline of projects that Yarriambiack Shire Council (YSC) would look to seek funding through the LLIP, we have been informed that it is proposed, that the 2024-25 round of LLIP funding will include both Major Works and Minor Works funding, and that applicants can submit one application per stream. This funding is yet to be formally announced but it has been indicated that it will be available for application from February 2025. Council seeks to apply for funding for the following projects:

Minor Works: The Hopetoun Neighbourhood House Shared Spaces Revitalised and Reimagined Project up to \$200,000.

The project aims to redevelop the building at 75 Lascelles Street Hopetoun, which is currently occupied through a Service Agreement by Hopetoun and District Neighbourhood House. The site is a Council agency and library, operated by Council and Neighbourhood House staff. The site is also used on a routine and ad-hoc basis by the Hopetoun Courier, several visiting businesses, and local community groups. It also serves as the Magistrate's Court every three months.

Redevelopment works will have the outcome of better servicing the needs of Council's library and Engagement Van services and allowing for possible expansion of these services as a hub for residents in the Northern part of the Shire through a staged approach as further funding becomes available.

Council have engaged Grampians iDesign Pty to undertake an investigative study and prepare preliminary designs for the building upgrades. These designs will be to a total value of \$500,000, using a staged approach to utilise the available funding. For this project, we will look to undertake works up to \$200,000.

Council will not be required to provide a financial contribution to the LLIP funding. If the funding application is unsuccessful, the project will not occur unless other funding is found.

A working group of Council staff, occupants, users and consultants will be established to guide the specific design outcomes.

*Major Works: The Minyip Connecting Communities: Reimagining our Library Hub Inside and Out Project up to \$1,000,000*

Yarriambiack Libraries rents space in Coopers Crossing Café building in Minyip to offer a satellite library service to community members. This is further enhanced through our Engagement Van and Words on Wheels Library service, offering school holiday programs, story time, and a customer service representative. Outside of our staffed hours, the library space is also used as a connection point for locals, being that it is in an excellent location next to the local Café and Smyth Park.

To further develop this space into a community hub, major interior works and exterior landscaping, including the addition of a ramp to assist with accessible entry to the building, are required. This funding also provides the opportunity for Minyip Progress Association to seek funding for the much-needed toilet block that will be accessible to library patrons, Café guests, and members of the public via Smyth Park.

The project will be in partnership with the Minyip Progress Association as the building and landowners of the Café and Smyth Park.

Council have engaged LHLK Pty Ltd. to create architectural designs, taking into consideration the current and future uses of the space. Costings will then be completed as part of the project planning stages for the funding application. These designs will be done in a way that does not exceed the funding limit of \$1,000,000.

Council will not be required to provide a financial contribution to the LLIP funding. If the funding application is unsuccessful, the project will not occur unless other funding is found.

A working group has been established to guide the specific design outcomes.

## **RELEVANT LAW**

*Local Government Act 2020*

## **COUNCIL PLANS AND POLICIES**

- Council Plan 2021-2025, Strategic Objective 1 – A Vibrant and Diversified Economy.  
Strategic Priority: Understand, support and advocate for services and associated skilled workforces to unlock economic and community development opportunities across our Shire.
- Council Plan 2021-2025, Strategic Objective 2 - A Healthy and Inclusive Community.  
Strategic Priority: Support infrastructure investment that promotes an inclusive and socially connected community to enhance liveability.

## RELATED COUNCIL DECISIONS

Not applicable.

## OPTIONS

Councillors could choose not to apply for the funding opportunities for all or some of the projects, and instead fund the projects via their own source revenue. However, Council is classified as an unsustainable Council and is heavily reliant on grant funding to support key initiatives and development activities across the Shire.

## SUSTAINABILITY IMPLICATIONS

- *Economic:* An expansion of the current Library footprint will allow the opportunity for computers to be installed and assist with remote working and studying, contributing to the economic prosperity of Minyip and enhance service provision within Hopetoun.
- *Social:* The creation of an accessible Community Hub will promote social connection and inclusion, further supported by the school holiday programs offered.
- *Financial:* By creating a multi-purpose space, there is the potential for increased user fees for Minyip Progress Association to then give back to the Minyip community, removing the reliance on Council to support community initiatives.

## COMMUNITY ENGAGEMENT

Throughout the planning and delivery of each project, engagement will occur as stated in each project's stakeholder engagement plans.

## GENDER IMPACT ASSESSMENT

Not applicable.

## RISK

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

<b><i>Strategic Risk Description and Residual Risk Level</i></b>	<b><i>Action to Mitigate/Reduce Risk</i></b>	<b><i>Does Action maintain or reduce Residual Risk Level</i></b>
Strategy Execution and Change Management Risk - Residual Risk Level Medium	The applications align with Council's strategic priorities outlined in the Council Plan 2021-2025.	Reduces Residual Risk Level
Financial Risk - Residual Risk Level Medium	Applying for grants to support Council priorities reduces the financial burden on Council's own source revenue. It enables Council to deliver more for the community.	Reduces Residual Risk Level
Program and Project Risk - Residual Risk Level Medium	Developing detailed designs provides assistance with ensuring projects are well scoped and costed.	Reduces Residual Risk Level

## REGIONAL, STATE AND NATIONAL PLANS AND POLICIES

[Link: Public Libraries Victoria: Strategic Plan 2023-2027](#)

## CONFLICTS OF INTEREST

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

## 15.7 AFFORDABLE HOUSING PARTNERSHIP PROGRAM – WIMMERA SOUTHERN MALLEE DEVELOPMENT APPLICATION

*Prepared by: Tammy Smith, Chief Executive Officer*

### SUMMARY

Wimmera Southern Mallee Development (WSMD) has submitted an expression of interest to the Affordable Housing Partnership Program provided by the Victorian State Government. WSMD have been selected to go through to full application stage and if successful WSMD will form a not-for-profit entity, Wimmera Affordable Housing Ltd (WAHL) to become a registered Community Housing Provider. WSMD's existing housing company, Wimmera Housing Innovations (WHIP) will be responsible for project management. This paper requests endorsement from Council to provide in principle support for the inclusion of the land at 34 Anderson Street Warracknabeal, and Bruce Street Hopetoun (Hopetoun Former School Site) in the application process, with the aim of growing the housing stock within our Shire.

### Recommended Motion:

That Council:

- a) Provide a letter of support to Wimmera Southern Mallee Development, Wimmera Housing Initiative Project supporting the application to the Affordable Housing Partnership Program; and
- b) Support in principle, after undertaking a community consultation process, and dependent on the outcome of that consultation, the gifting of the land known as 34 Anderson Street Warracknabeal, and
- c) Support in principle, after undertaking a community consultation process, and dependent on the outcome of that consultation, the subdivision and gifting of the subdivided parcel of land known as 11 Bruce Street Hopetoun (Hopetoun Former School Site); and
- d) Support this application and process on the basis that the land is utilised for affordable housing to support workers to reside within our Shire, and to address the rental housing shortage.

### Resolution:

**Moved Cr McLean**

**Seconded Cr Heintze**

**That the recommendation be adopted.**

**Carried**

### ATTACHMENTS

[Link: Affordable Housing Investment Partnerships | vic.gov.au](https://www.vic.gov.au/affordable-housing-investment-partnerships)

### DISCUSSION

#### **Background**

Yarriambiack Shire Council owns the sites known as 34 Anderson Street Warracknabeal and 11 Bruce Street Hopetoun (Hopetoun Former School Site).

Council has earmarked both sites for housing development, and currently has an application in for the Commonwealth Housing Support Program, to fund the connecting infrastructure to support future housing development on both sites.

The Warracknabeal site can accommodate up to 14, two-bedroom units and the Hopetoun site has plans for up to 10 units / houses initially, on the site.

Council is a shareholder in WSMD along with four other Councils. WSMD has established Wimmera Housing Innovations (WHIP), who submitted an initial expression of interest as part of the Victorian State Government, Affordable Housing Investment Partnership (AHIP). Council (through the CEO) provided a letter of support for the EOI phase, and WSMD WHIP has now been invited to move forward into the full application stage.

As part of the application process, WSMD WHIP requires in principle support that the land associated with the housing developments would be gifted to the WHIP. A requirement of the program is that the loan applicant owns the land in which the houses are being built on and that will be rented out into the future.

### ***Affordable Housing Partnership Program (AHPP)***

The AHPP will make regular quarterly payments to ensure the viability of funded projects which provide affordable rental housing available over a period of 30 years.

WSMD/WHIP's aim is to provide affordable housing for workers to reside in our Shire. Only community housing associations and providers that registered or are in the process of being registered, to operate in Victoria by the Registrar of Housing Agencies can apply for the loan.

WSMD/WHIP aims to create WAHL to be a registered association (Community Housing Provider, or CHP).

The capital costs of AHPP housing developments will be organised through either a Victorian Treasury loan or bank loan, and the government guarantee of regular payments will ensure the projects can meet loan repayment commitments and operating costs.

### ***Yarriambiack Shire Council Conditions of Participation***

In order for housing to be generated in our Shire through WSMD/WHIP and AHPP, Council would be required to subdivide off the land associated with the housing venture, and gift it to the WSMD WHIP.

This would provide WSMD/WHIP with confirmation of land ownership, and equity to guarantee the loan.

Council has previously gifted land for a similar arrangement in Murtoa, and would be required to undertake a community engagement process in accordance with the *Local Government Act 2020* before the land could be considered for gifting. This paper seeks endorsement that Council would consider gifting the land, if WSMD WHIP was successful with their funding application, which would be contingent on the outcome of the community consultation process.

### ***What type of housing will be built?***

WSMD recognises that the region has a significant shortage of housing for workers. The aim is to build housing to support key workers and their families to move and permanently reside in our region. The housing will not be tailored to social housing, as there is a deemed greater need at this point in time for workers / affordable housing, to attract and retain people to our region.

### **RELEVANT LAW**

*Local Government Act 2020* – Division 4 – Powers in relation to land.

Section 114 Restrictions on power to sell, exchange or transfer without consideration land. Council is required to at least 4 weeks prior to dealing with the land, publish notice of intention to do so on Council's internet site, and in any other manner prescribed by the regulations and undertake a community engagement process in accordance with their Community Engagement Policy.

In addition, obtain from a person who holds the qualifications or experience specified under section 13DA (2) of the *Valuation of Land Act 1960* a valuation of the land which is made not more than 6 months prior to dealing with the land.

*Valuation of Land Act 1960:* Council must obtain from a person who holds the qualifications or experience specified under section 13DA(2) of the *Valuation of Land Act 1960* a valuation of the land which is made not more than 6 months prior to dealing with the land. Council has not obtained a valuation at this time.

### **COUNCIL PLANS AND POLICIES**

Strategic Objective 1: A Vibrant and Diversified Economy.

Strategic Priority:

- Advocate and support economic development and investment in our region.
- Plan for and support diverse housing options to meet community needs now and into the future.

Strategic Objective 2: A Healthy and Inclusive Community.

Strategic Priority:

- Support infrastructure investment that promotes an inclusive and socially connected community to enhance liveability.

### **RELATED COUNCIL DECISIONS**

- Minutes Ordinary Meeting of Council 24 November 2021 - 12.6 Transfer of Lot 4 Gibson Street Rupanyup to Rupanyup Future Fund.
- Minutes Unscheduled Meeting of Council 11 September 2024 - 8.6 Murtoa Land Transfer 16 Cromie Street Murtoa.

### **OPTIONS**

- a) Council could choose not to gift the parcels of land to the WSMD WHIP, however, Councillors need to recognise that we are a financially unsustainable Council, and where we can partner with the community to deliver strategic objectives, it would be financially, socially and economically sustainable to do so.

We have also attempted to secure funding via the Victorian Big Build, in partnership with Haven Home Safe, and via the State Government Regional Worker Accommodation Fund and on both occasions been unsuccessful.

### **SUSTAINABILITY IMPLICATIONS**

*Economic:* The gifting of the land supports economic growth and development, providing housing options for the community. There is a shortage of housing for our aged residents who wish to downsize and remain within the community. We also are experiencing a shortage of housing to support early years, teachers, emergency services and health care professionals.

*Social:* Housing developments that support options for our aged community to downsize, along with opportunities for skilled workers to reside within our communities promotes social connection, with the aim of enhancing people's social health and wellbeing outcomes.

*Environmental:* Modern homes use advanced building techniques and materials, offering better insulation, efficient heating and cooling systems, and enhanced energy performance. These improvements decrease carbon footprints and significantly cut utility costs.

*Financial:* Council has struggled to secure additional funds for the development of both 24 Anderson Street Warracknabeal and 11 Bruce Street (Hopetoun Former School Site) Hopetoun. The State Government Regional Worker Accommodation Fund prioritises private and government partnerships. Since Council is financially unsustainable, we can't contribute our own revenue for housing. Partnering is necessary for future housing projects. This approach offers a sustainable solution, lessening Council's financial load (maintenance and grant application costs) and fostering development in Warracknabeal and Hopetoun.

**COMMUNITY ENGAGEMENT**

Council has not commenced a community engagement process at this stage. This would not occur unless the AHIP application is successful.

**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>
Strategy Execution and Change Management Risk - Residual Risk Level Medium	Gifting the land enables Council to enact its Housing initiatives. Currently Council is unable to expand on its housing stock as it has been unable to secure further funding.	Reduces Residual Risk Level
Corporate Governance, Compliance and Liability Risk - Residual Risk Level Low	Council previously sought legal advice in relation to the gifting of the land in Murtoa. Council is across the process required to ensure it meets legislative compliance requirements.	Reduces Residual Risk Level
Financial Risk - Residual Risk Level Medium	Gifting the land reduces the pressure on Council to utilise own source revenue to develop the site into the future. As a financially unsustainable Council it is important to direct funds to core business and explore partnerships for other identified initiatives.	Reduces Residual Risk Level
Innovation Risk - Residual Risk Level Low	The WSMD WHIP initiative is an innovative option to increasing housing options within the Shire. The legal structure and process has previously been reviewed by our Lawyers to decrease Councils risk in supporting this innovative solution.	Maintains Residual Risk Level

**REGIONAL, STATE AND NATIONAL PLANS AND POLICIES**

- Victoria’s Housing Statement: [Victoria's Housing Statement | vic.gov.au \(www.vic.gov.au\)](http://www.vic.gov.au)
- Rural Councils Victoria Housing Blue Print: [Research – Rural Councils Victoria](#)
- Commonwealth National Housing and Homelessness Plan
- Delivering the National Housing Accord: [Delivering the National Housing Accord | Treasury.gov.au](http://Treasury.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.

## 15.8 HOPETOUN RECREATION RESERVE RE-ESTABLISHMENT AS A COMMUNITY ASSET COMMITTEE OF COUNCIL

*Prepared by Tim Rose, Manager Community Health and Jo White, Governance Officer*

### SUMMARY

The Hopetoun Recreation Reserve Community Asset Committee of Council was established under the *Local Government Act 2020* on 25 November 2020. On the 26 July 2023, at the request of the Committee, the Asset Committee was dissolved to become an incorporated association. After careful consideration and consultation with Council, the Hopetoun Recreation Reserve Committee has requested that they be reestablished as a Community Asset Committee. This paper is recommending that the Committee be established in accordance with the *Local Government Act 2020* requirements.

### Recommended Motion:

That Council:

- a) Endorse that the Hopetoun Recreation Reserve Community Asset Committee of Council, established on the 25 November 2020, revoked and dissolved as of 26 July 2023, be re-established as a Community Asset Committee of Council as of 27 November 2024.
- b) Revoke the decision on 26 July 2023 for Council to enter into a Lease Agreement with the Hopetoun Recreation Reserve Incorporated. Acknowledging this entity no longer exists.
- c) Endorse the Community Asset Committee Charter for the Hopetoun Recreation Reserve, Community Asset Committee of Council.
- d) Note the Facility Management Plan as attached to this report, to assist with the overall governance and management of the Hopetoun Recreation Reserve.
- e) Endorse for the Chief Executive Officer to be delegated responsibility to amend the Charter in consultation with the Hopetoun Recreation Reserve Community Asset Committee of Council from time to time, as required, to achieve effective and efficient governance, in accordance with the *Local Government Act 2020* and Council's Policies, Procedures, Plans and Guidelines.
- f) Endorse the membership of the Hopetoun Community Asset Committee of Council, as follows for a four-year term, effective from 27 November 2024 (expiring on 27 November 2028):  
Ross Brown, Trudi Cook, Ross Cook, Zac Robins, Greg Bellinger and Tim Hallam.

### Resolution:

**Moved Cr McLean**

**Seconded Cr Kirk**

**That the recommendation be adopted.**

**Carried**

### ATTACHMENTS

[Attachment: Community Asset Committee Charter – Hopetoun Recreation Reserve](#)

[Attachment: Facility Management Plan – Hopetoun Recreation Reserve](#)

[Attachment: Maintenance and Servicing Guidelines – Recreation Reserves – Community Asset Committees](#)



[Attachment: Hopetoun Recreation Reserve - Community Asset Committee Members List and Declaration](#)

[Attachments: C7 - Instrument of Delegation to Community Asset Committee - Hopetoun Recreation Reserve](#)

## **DISCUSSION**

The Hopetoun Recreation Reserve Community Asset Committee of Council was established in accordance with the *Local Government Act 2020* on 25 November 2020.

The Committee was initially established prior to the *Local Government Act 2020* being introduced. The Committee had its own Australian Business Number; however, it was not an incorporated entity. For this reason, Council could not enter into a Community Lease Agreement with the Committee to oversee the management of the Hopetoun Recreation Reserve.

Since the inception of the Community Asset Committee, the Hopetoun Recreation Reserve Committee had become incorporated on 22 June 2023. The Committee wished to change structure, no longer being a recognised Community Asset Committee of Council, and transferring to a stand-alone entity (Hopetoun Recreation Reserve Incorporated) operating under a Community Lease arrangement.

On 26 July 2023 Council formally approve that the Hopetoun Recreation Reserve Community Asset Committee be formally revoked and dissolved, and that Council endorse that the Chief Executive Officer (or her delegate) be authorised to negotiate and enter into a Community Lease with the Hopetoun Recreation Reserve Inc. on Council's behalf.

The lease was never enacted, as the Committee reflected on the decision, and requested that they not move forward as an incorporated association, and instead revert back to a Community Asset Committee.

The Committee is aware that they are required to transfer their funds to Council to be held, as a Community Asset Committee.

The Committee is also aware that there are stringent reporting and compliance requirements associated with being a Community Asset Committee, in which they have agreed to comply with.

The details of the Committees requirements are contained in the attached Community Asset Committee Charter and Facility Management Plan.

It is recommended that Council re-establish the Hopetoun Recreation Reserve Community Asset Committee of Council as at 27 November 2024.

## **RELEVANT LAW**

Section 65 of the *Local Government Act 2020*

## **COUNCIL PLANS AND POLICIES**

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

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

## **RELATED COUNCIL DECISIONS**

- Minutes 25 November 2020 – Appointment of Community Asset Committee of Council – Hopetoun Recreation Reserve
- Minutes 26 July 2023 – Revoking Community Asset Committee Hopetoun Recreation Reserve

## **OPTIONS**

Council could choose to not to re-establish the Asset Committee and instead request that they continue with a leasing arrangement. However, it is important to note, the committee has dissolved their incorporation status.

**SUSTAINABILITY IMPLICATIONS**

*Economic:* Community assets, such as recreation reserves, are vital to the economic prosperity of the Shire. Retaining workforces and sustaining a population is heavily reliant on services and facilities on offer. It is important that Council can ensure the longevity of Council owned assets where possible, and partner with volunteer groups to ensure services and facilities are maintained.

*Social:* Recreation reserves enhance the liveability, social connection, and cohesion across communities.

*Financial:* Council is heavily reliant on volunteerism across the Shire. Without volunteer groups such as the Hopetoun Recreation Reserve Committee, Council would be unable to provide the level of services currently on offer across our communities.

**COMMUNITY ENGAGEMENT**

Community engagement activities have occurred directly with the Hopetoun Recreation Reserve Committee.

**GENDER IMPACT ASSESSMENT**

Not applicable.

**RISK**

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

<b><i>Strategic Risk Description and Residual Risk Level</i></b>	<b><i>Action to Mitigate/Reduce Risk</i></b>	<b><i>Does Action maintain or reduce Residual Risk Level</i></b>
Strategy Execution and Change Management Risk - Residual Risk Level Medium	The establishment and support of the Community Asset Committee of Council, aligns with Council Plan 2021-2025 – Strategic Objective Two: A Healthy and Inclusive Community, and Strategic Objective Four: A Council Who Serves Its Community.	Maintains Residual Risk Level
Corporate Governance, Compliance and Liability Risk - Residual Risk Level Low	Revising the Asset Committee Instrument of Delegation, Charter and the development of the Facility Management Plan supports good governance practices.	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.

Conflict Declared by	Reason - Explanation	Time Councillor Left Chambers
Cr Karly Kirk	Employer rents an office space out of the town hall and Cr Kirk works in the rented office.	10.02am

## 15.9 PEPPERCORN LEASE – WARRACKNABEAL TOWN HALL

**Prepared by: Sarah Collins, Manager Community Strengthening and Engagement**

### SUMMARY

The Warracknabeal Town Hall Committee of Management Inc. has been operating the Warracknabeal Town Hall for many years on behalf of the Yarriambiack Shire Council. There is no formal lease agreement in place to formalise this arrangement. Therefore, it is recommended that Council enter into a Building Lease with the Committee to rectify this matter.

### Recommended Motion:

That Council:

- a) Endorse the draft Lease Agreement between Yarriambiack Shire Council and Warracknabeal Town Hall Committee of Management Inc. for the management of the Warracknabeal Town Hall, located at 39 Scott Street Warracknabeal.
- b) Endorse for the lease to be a peppercorn lease (\$1 value) to encourage, support and promote Council's commitment to supporting community, and in accordance with Council's Leases and Licencing Policy.
- c) Endorse the Chief Executive Officer to make any administrative changes required for the lease to be executed, providing the intent of the lease agreement is not altered.
- d) Endorse the affixing of the Common Seal to the Lease Agreement in accordance with Council's Common Seal and Conduct at Meetings Local Law 2024.

### Resolution:

**Moved Cr Keel**

**Seconded Cr Heintze**

**That the recommendation be adopted.**

**Carried**

### ATTACHMENTS

[Attachment: Maintenance and Servicing Guidelines for Council Owned Buildings](#)

[Attachment: Town Hall Warracknabeal Lease Building Agreement](#)

### DISCUSSION

The Warracknabeal Town Hall located at 39 Scott Street, Warracknabeal is Council owned.

Currently the practices for the operation of the Warracknabeal Town Hall are:

- Fees collected are held by the Committee of Management.
- Council provides an annual financial contribution to the Committee of Management for administration costs.
- Council undertakes maintenance and servicing in line with the Maintenance and Servicing Guidelines.

This has been a long-term practice, that has not had a governance framework implemented to manage the arrangement.

Council's financial support towards administration costs is replicated across the other Council owned Halls in Brim, Hopetoun, Sheep Hills and Tempy. Council also offers this financial support to the administration and further financial support towards insurance costs to another 11 Halls across Yarriambiack Shire.

The Maintenance and Servicing Guidelines outline how Council will support tenants in Council owned buildings and managed facilities.

Included in the Lease Agreement is comprehensive reporting requirements, and the Committee of Management must provide to Council:

- i. Details of events held for the previous 12 months and what the Tenant expects will be held for the next 12 months.
- ii. Details of all general maintenance work carried out to the Premises.
- iii. Within 4 weeks of the meeting, Minutes of the Warracknabeal Town Hall Committee of Management Inc Annual General Meeting including Treasurers report.
- iv. A copy of the sub-lease agreement between the Warracknabeal Town Hall Committee of Management and the sub-tenant/s.

The reporting requirements assist with ensuring good governance practices are adhered to and income is invested back into the community.

## RELEVANT LAW

*Local Government Act 2020*

## COUNCIL PLANS AND POLICIES

- Council Plan 2021-2025: Strategic Objective 1: A Vibrant and Diversified Economy
- Council Plan 2021-2025: Strategic Objective 2: A Healthy and Inclusive Community
- Council Plan 2021-2025: Strategic Objective 4: A Council Who Serves its Community
- Leases and Licencing Policy

## RELATED COUNCIL DECISIONS

- 25 January 2023 – Minutes - 18.2 Rupanyup recreation Reserve Lease Renewal.
- 25 January 2024 – Minutes - 18.3 Warracknabeal Regional Livestock Exchange Canteen Lease advertise
- 22 November 2023 – Minutes - 16.1 Warracknabeal Aeroclub Lease Agreement

## OPTIONS

Council could choose to undertake a public advertisement of the Warracknabeal Town Hall lease agreement; however, it should be noted it is only formalising a long-standing arrangement.

## SUSTAINABILITY IMPLICATIONS

*Economic:* The sub-letting of office spaces in the Town Hall supports economic prosperity as it provides a place for business to occur.

*Social:* A well utilised Town Hall promotes social prosperity, as it provides a place of connection and celebrates diversity and inclusion.

*Financial:* Council supports the Town Halls by offering an annual contribution to the committees of management. All user fees collected are held by the Committee of Management, which in turn is reinvested back into the hall and community activities, thus reducing the reliance on Council to support community initiatives.

**COMMUNITY ENGAGEMENT**

This lease agreement has undertaken negotiation with the Warracknabeal Town Hall Committee of Management Inc. It has not been advertised to the broader community, as it is an active “non formalised” agreement. If the lease agreement looks to be extended past 10 years, then Council will go through public advertisement in accordance with the *Local Government Act 2020* requirements.

**GENDER IMPACT ASSESSMENT**

Not applicable.

**RISK**

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

<b>Strategic Risk Description and Residual Risk Level</b>	<b>Action to Mitigate/Reduce Risk</b>	<b>Does Action maintain or reduce Residual Risk Level</b>
Corporate Governance, Compliance and Liability Risk - Residual Risk Level Low	Ensuring a robust lease is enacted enables Council to meet its corporate governance and compliance obligations and reduces its liability risk.	Reduces Residual Risk Level
Strategy Execution and Change Management Risk - Residual Risk Level Medium	The effective operations of a Town Hall support Council’s overarching objectives within the Council Plan.	Reduces Residual Risk Level
Reputational Risk - Residual Risk Level Low	Failing to have a robust lease in place could lead to reputational risk on Council, where it could be perceived that one town or group was receiving a greater benefit than another. It could also expose Council to legal, compliance and liability risks which could impact on Council’s reputation.	Reduces Residual Risk Level

**REGIONAL, STATE AND NATIONAL PLANS AND POLICIES**

Not applicable.

**CONFLICTS OF INTEREST**

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

<b>Conflict Declared by</b>	<b>Reason - Explanation</b>	<b>Time Councillor Returned to Chambers</b>
Cr Karly Kirk	Employer rents an office space out of the town hall and Cr Kirk works in the rented office.	Remained out of chambers due to conflict of interest in next agenda item 15.10

Conflict Declared by	Reason - Explanation	Time Councillor Left Chambers
Cr Karly Kirk	Employed by a company involved in the project.	Left chambers at 10.02am during item 15.9
Cr Corinne Heintze	Progress member who actively maintains the Caravan Park.	10.04am

## 15.10 MINYIP CABINS STATUS UPDATE

**Prepared by: Tim Rose, Manager Community Health**

### SUMMARY

In a partnership between Council and the Minyip Progress Association, grant funds were successfully secured to build two cabins at the Minyip Caravan Park and Wetlands. The project received \$240,000 in grant funds through the Regional Tourism Investment Fund issued by the then Department of Jobs Precincts and Regions. Council pledged \$75,000 and the Minyip Progress Association contributed a further \$10,000. The project budget totalled \$325,000.

The purpose of this report is to provide Council with an update the project status and to identify a project overspend.

### Recommended Motion:

That Council:

- a) Note the overspend of \$16,514.90 on the Minyip Cabins Project, recognising the investment into the sewer main extension has future proofed the site enabling further cabin stock to be located on the site in the future; and
- b) Acknowledge that management will review and assess to offset the overspend with savings in either operating costs, and/or on capital projects being delivered in the 24/25 financial year.

### Resolution:

**Moved Cr Keel**

**Seconded Cr Lehmann**

**That the recommendation be adopted.**

**Carried**

### ATTACHMENTS





## DISCUSSION

Initial planning and design work for the Minyip Cabins Project commenced in late 2022. The project progressed as planned and a cabin manufacturer was awarded the contract. An issue did arise in respect to wastewater disposal and the outcome of a subsequent investigation revealed that the site was not suitable for a conventional onsite septic tank system. Council then sort assistance from GWMWater and a design consultant to extend the sewer main so that both cabins could connect to reticulated infrastructure.

The cabins arrived onsite earlier this year and a contractor was engaged to connect the buildings to appropriate utilities, including all required firefighting services. Minyip Progress Association arranged all furnishings, and they now present as very contemporary and comfortable cabins for tourists and workers alike.

### Final Stages

The cabins have recently been connected to all services, with only minor site works remaining, such as spreading of excess soil and removal of any waste items. The site was inspected by Fire Rescue Victoria's Fire Safety Officer on 14 November 2024 to confirm compliance with Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2024.

The project was completed by Friday 15 November 2024.

Despite several increases associated with construction costs, the project expenditure to date is currently \$337,514.90. Outstanding works yet to be costed to this project relate to the upcoming fire safety inspection and an additional RPZ valve from GWMWater. These items are expected to cost around \$3,500-\$4,000 in total.

The final total cost of the project is \$341,514.90, with a total project overspend of \$16,514.90.

It should be noted that the project included an extension of the sewer main, which has now future proofed the site, enabling the amenities block to be connected to mains sewer, and supports the future expansion of cabin stock at the Minyip Caravan Park.

## RELEVANT LAW

Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2024.

## COUNCIL PLANS AND POLICIES

- Yarriambiack Shire Council – Council Plan 2021-2025
- Economic Development Strategy 2023-2027
- Tourism Strategy 2023-2027

**RELATED COUNCIL DECISIONS**

Not applicable.

**OPTIONS**

Not applicable.

**SUSTAINABILITY IMPLICATIONS**

- *Economic* – Increased tourism related accommodation will allow the furtherance of Council Plan Strategic Objective 1 – A Vibrant and Diversified Economy and in turn, increase economic activity in the area.
- *Social* – The establishment of assets that support tourism and jobs, will increase overall community resilience and wellbeing.

**COMMUNITY ENGAGEMENT**

Significant engagement has been undertaken over the life of this project, with all engagement being directed at the Minyip Progress Association, representatives of the broader community.

**GENDER IMPACT ASSESSMENT**

Not applicable.

**RISK**

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

<b>Strategic Risk Description and Residual Risk Level</b>	<b>Action to Mitigate/Reduce Risk</b>	<b>Does Action maintain or reduce Residual Risk Level</b>
Financial Risk - Residual Risk Level Medium	Partnerships in development projects pose risks associated with budget overruns. The project budget has been closely monitored to ensure awareness of variations and savings where possible.	Maintains Residual Risk Level
Strategy Execution and Change Management Risk - Residual Risk Level Medium	The successful delivery of this project furthers various tourism related actions within the Council Plan 2021-2025. This project assures progress towards achieving strategic goals.	Reduces Residual Risk Level
Reputational Risk - Residual Risk Level Low	A failure to adequately manage this project has the potential for reputation damage for Council in the future. Sound project management practices have been employed throughout this project to ensure its success, limiting the overspend.	Reduces Residual Risk Level

**REGIONAL, STATE AND NATIONAL PLANS AND POLICIES**

Wimmera Mallee Tourism Strategy 2022-2027

**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.

<b>Conflict Declared by</b>	<b>Reason - Explanation</b>	<b>Time Councillor Returned to Chambers</b>
Cr Karly Kirk	Employed by a company involved in the project.	10.07am
Cr Corinne Heintze	Progress member who actively maintains the Caravan Park.	10.07am



## 16 COUNCIL REPORTS FOR NOTING

Nil.

## 17 PERMITS ISSUED

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

### Recommended Motion:

That Council:

Note the permits issued by Council between 01 October 2024 and 31 October 2024.

### Resolution:

Moved Cr Kirk

Seconded Cr Heintze

That the recommendation be adopted.

**Carried**

Reference No	Description	Address	Date of Issue
<b>Planning Permits</b>			
PA20240028	Native vegetation removal for a water pipeline	Minyip	04/10/2024
PA20240034	Land used as a place of assembly for the Barley Banquet	Rupanyup	08/10/2024
PA20240035	Construction of a dwelling	Warracknabeal	08/10/2024
<b>Building Permits</b>			
BLD20240415	Ramp and deck extension	Warracknabeal	02/10/2024
BLD20240418	Replace shed and carport that were demolished	Minyip	29/10/2024
<b>RRWP &amp; APP Permits</b>			
RRWP 2024 - 12	Water Tapping	Warracknabeal / Minyip	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 11 December 2024

## 20 CLOSED

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

### **Recommended Motion:**

That the Ordinary Meeting of Council is now closed at 10.09am.

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

### **Resolution:**

**Moved Cr Kirk**

**Seconded Cr Keel**

**That the recommendation be adopted.**

**Carried**

## 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><b>1. EMULSION TANK PROPOSAL</b></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"> <li>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</li> <li>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.</li> </ul>
<p><b>2. RUPANYUP KINDERGARTEN PROJECT UPDATE</b></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"> <li>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</li> <li>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.</li> </ul>
<p><b>3. FUTURE DIRECTION OF EARLY CHILDHOOD SERVICES – PART 2</b></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"> <li>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</li> <li>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.</li> </ul>
<p><b>4. PERMIT APPLICATION TO KEEP MORE THAN THE ALLOWED NUMBER OF ANIMALS – 37 MUNRO STREET, MURTOA</b></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"> <li>a) Because it is law enforcement information, being information that if released would be reasonably likely to prejudice the investigation into an alleged breach of the local law, or the fair trial or hearing of any person (section 3(1)(d)); and</li> <li>b) Because it contains personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs (section 3(1)(f)); and</li> <li>c) This ground applies because the Agenda Item concerns personal information about a rate payer that would, if prematurely released, compromise Council's position in relation to the requirement to comply with the Privacy and Data Protection Act 2014 and enforcement activities.</li> </ul>