



Yarriambiack
SHIRE COUNCIL

Minutes

Ordinary Meeting of Council

26 February 2025

COUNCIL CHAMBERS

34 Lyle Street, Warracknabeal

MEETING OF COUNCIL TO COMMENCE AT 4.00PM

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

3.3 MINUTE OF SILENCE FOR FORMER COUNCILLOR PETER JANETZKI

Today, we gather with heavy hearts to honour the memory of former Councillor Peter Janetzki, whose funeral was held earlier today. In recognition of his dedicated service and to show our respect, the flags will be lowered to half-mast.

Please join me in a minute of silence to remember and pay tribute to Peter Janetzki.

4 PRESENT

| | | |
|--------------|-----------------|--------------------|
| Mayor | Kylie Zanker | Warracknabeal Ward |
| Deputy Mayor | Andrew McLean | Hopetoun Ward |
| Councillor | Corinne Heintze | Dunmunkle Ward |
| Councillor | Chris Lehmann | Hopetoun Ward |
| Councillor | Karly Kirk | Warracknabeal Ward |

| | | |
|-----------------|-----------------|----------------------------|
| Council Officer | Tammy Smith | Chief Executive Officer |
| Council Officer | Tim Rose | Chief Operating Officer |
| Council Officer | Anita McFarlane | Manager Corporate Services |
| Council Officer | Monique Metlika | Governance Support Officer |
| Council Officer | Daniel Brandon | Manager Business Systems |

5 APOLOGIES

| Name / Role | Description of Leave / Absence |
|-------------------------|--------------------------------|
| Councillor Melinda Keel | On leave. |

6 CONFIRMATION OF MINUTES

6.1 MINUTES 29 JANUARY 2025 – ORDINARY MEETING

Minutes of the Ordinary meeting of Council held on 29 January 2025 be taken as an accurate record and confirmed.

Recommended Motion:

That the minutes of the Ordinary Meeting of Council held on 29 January 2025, as circulated be taken as read and confirmed.

Resolution:

Moved Cr Kirk

Seconded Cr Heintze

That the recommendation be adopted.

Carried

6.2 MINUTES 29 JANUARY 2025 – CLOSED (CONFIDENTIAL) MEETING

Minutes of the Closed (Confidential) meeting of Council held on 29 January 2025 be taken as an accurate record and confirmed.

Recommended Motion:

That the minutes of the Closed (Confidential) Meeting of Council held on 29 January 2025, as circulated be taken as read and confirmed.

Resolution:

Moved Cr Kirk

Seconded Cr Lehmann

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 |
|----------------------|-------------|----------------------|
| | | |

8 BUSINESS ARISING

8.1 BUSINESS ARISING FROM PREVIOUS MINUTES

As per ongoing and pending actions list, Item 8.2.

8.2 ONGOING AND PENDING ACTIONS

| Council Meeting | Recommendation Action | Action Taken |
|-------------------------------|---|---|
| 26 June 2024 Item 15.3 | Reallocation of SHARE Grant 2023-24 funding to the installation of Automated External Defibrillator (AED) machines at Council owned Senior Citizen buildings. | The AED's have been ordered and will be installed by the building maintenance teams. |
| 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. |
| 27 November 2024 Item 15.6 | Apply for Living Libraries Infrastructure Program (LLIP) for: <ul style="list-style-type: none"> Minor Works funding at the Hopetoun Neighbourhood House (former Gateway BEET) building. Major Works at the Coopers Crossing, Emma's Café Library building in Minyip. | Planning commenced for applications. 2024-25 Living Libraries Infrastructure Program opens on 03 February 2025 and closes on 14 March 2025. |
| 29 January 2025 Item 15.4 | The transfer of Maternal Child Health Services to West Wimmera Health Service is scheduled to be completed by 01 April 2025. | |

9 PETITIONS

No petitions received.

10 CORRESPONDENCE

| Outgoing | | |
|------------|--|--|
| Date | Recipient | Details |
| 22/01/2025 | Dr Anne Webster MP | Letter – Advocacy Projects |
| 23/01/2025 | Anglican Parish of Warracknabeal | Letter of Support – Youth Empowerment Program Application |
| 29/01/2025 | MJ Weidemann Pty Ltd ATF Dalcross Business Trust | Letter of Support – Expression of Interest to the Regional Worker Accommodation Fund |
| 06/02/2025 | The Hon. Lily D’Ambrosio | Letter – Position Statement Mining Renewable Energy and Transmission |
| 06/02/2025 | The Hon. Steve Dimopoulos | Letter – Position Statement Mining Renewable Energy and Transmission |
| 06/02/2025 | The Hon. Melissa Horne | Letter – Position Statement Mining Renewable Energy and Transmission |
| 06/02/2025 | The Hon. Sonya Kilkenny | Letter – Position Statement Mining Renewable Energy and Transmission |
| 06/02/2025 | The Hon. Danny Pearson | Letter – Position Statement Mining Renewable Energy and Transmission |
| 06/02/2025 | The Hon. Ros Spence | Letter – Position Statement Mining Renewable Energy and Transmission |
| 06/02/2025 | The Hon. Jaclyn Symes | Letter – Position Statement Mining Renewable Energy and Transmission |
| 06/02/2025 | The Hon. Gabrielle Williams | Letter – Position Statement Mining Renewable Energy and Transmission |
| 18/02/2025 | Lance Hueber on behalf of the Warracknabeal Racecourse Committee of Management | Letter – Transfer Station Fee Waiver in Accordance with Council’s Community Assistance and Fee Waiver Policy |

| Incoming | | |
|------------|---|--|
| Date | Sender | Details |
| 26/01/2025 | Murtoa Stick Shed Committee | Invitation to attend ‘Shed Day – Celebration of an Icon’ |
| 04/02/2025 | Chair of the Public Accounts and Estimates Committee - Parliament of Victoria | Letter - Parliamentary Inquiry into Fraud and Corruption Control in Local Government: A Follow Up of Two Auditor-General Reports |
| 11/02/2025 | Dr Anne Webster MP | Email – Hansard and Infrastructure Funding Speech |

| Incoming | | |
|------------|--|----------------------------------|
| 13/02/2025 | Warracknabeal Kindergarten PAG Committee | Letter – Regarding Laying Pavers |

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 |
|---------------|---|
| 03 March 2025 | Ordinary Meeting (note change of date) |
| 14 April 2025 | Ordinary Meeting (subject to date change) |
| 14 July 2025 | Ordinary Meeting |

11.2 YARRIAMBIACK TOURISM ADVISORY COMMITTEE OF COUNCIL MEETING

The Yarriambiack Tourism Advisory Committee of Council Meeting was held on 17 February 2025.

[Attachment: Yarriambiack Tourism Advisory Committee of Council Meeting – Minutes 17 February 2025](#)

Recommended Motion:

That the Minutes of the Yarriambiack Tourism Advisory Committee of Council Meeting held on 17 February 2025 be taken as read and confirmed.

Resolution:

Moved Cr Kirk

Seconded Cr Lehmann

That the recommendation be adopted.

Carried

12 ACTIVITY REPORTS

12.1 MAYOR ACTIVITY REPORT

| Mayor Kylie Zanker – Warracknabeal Ward (February) | | |
|--|--|---------------------------|
| Date | Activity | Location |
| 29/01/25 | Performed Citizenship Ceremony | Warracknabeal |
| 30/01/25 | Woodbine Official Opening of 50A Craig Avenue | Warracknabeal |
| 31/01/25 | Meeting with CEO and Deputy Mayor | Hybrid / Warracknabeal |
| 31/01/25 | Western Highway Action Committee Meeting | Online |
| 03/02/25 | Meeting Attended the Victorian Farmers Federation Wimmera Branch Annual General Meeting and Ordinary Meeting | Warracknabeal |
| 04/02/25 | ABC Radio Interview – To discuss Council’s Position Statement Regarding Renewables and Mining | Radio |
| 05/02/25 | Department of Transport and Planning Barwon South West and Grampians Meeting | Online |
| 06/02/25 | Flow FM Radio Interview - Regarding Various Council Matters E.g. Maternal Child Health, Position Statement Regarding Renewables and Mining and Projects Across the Shire | Radio |
| 07/02/25 | Meeting with CEO and Deputy Mayor | Hybrid / Warracknabeal |
| 10/02/25 | Coffee with a Councillor Session | Murtoa |
| 10/02/25 | Coffee with a Councillor Session | Rupanyup |
| 10/02/25 | Coffee with a Councillor Session | Minyip |
| 12/02/25 | Council Forum and Financial Induction | Warracknabeal |
| 12/02/25 | Meeting with Emma Kealy MP | Warracknabeal |
| 12/02/25 | Murtoa Early Years Centre Opening | Murtoa |
| 13/02/25 | Meeting with Jacinta Ermacora MP | Murtoa |
| 14/02/25 | Opening Dunmunkle Community Library Precinct | Rupanyup |
| 17/02/25 | Northern Grampians Shire Council Renewable Forum | Online |
| 17/02/25 | Meeting Strategic Planning Agenda discussion – with CEO and Consultant | Online |
| 19/02/25 | Strategic Planning Day | Warracknabeal |
| 20/02/25 | Charlton Summit – VNI West and Renewables | Charlton |
| 21/02/25 | Grampians 2025 and Beyond - A State of the Region Forum | Ararat |

| Mayor Kylie Zanker – Warracknabeal Ward (February) | | |
|---|--|---------------|
| 22/02/25 – 23/02/25 | Caravan and Camping Show with Grampians Wimmera Mallee Tourism | Melbourne |
| 24/02/25 | Warracknabeal and District Band Annual General Meeting | Warracknabeal |
| 25/02/25 | Vic Grid Information Session for Councillors and Senior Management | Warracknabeal |

12.2 COUNCILLOR ACTIVITY REPORTS

| Deputy Mayor Andrew McLean – Hopetoun Ward (February) | | |
|--|--|------------------------|
| Date | Activity | Location |
| 31/01/25 | Meeting with CEO and Mayor | Hybrid / Warracknabeal |
| 06/02/25 | Meeting with the new CEO of the Flying Doctors Service Victoria | Horsham |
| 07/02/25 | Meeting with CEO and Mayor | Hybrid / Warracknabeal |
| 12/02/25 | Council Forum and Financial Induction | Warracknabeal |
| 12/02/25 | Meeting with Emma Kealy MP | Warracknabeal |
| 13/02/25 | Meeting with Jacinta Ermacora MP | Murtoa |
| 14/02/25 | Opening Dunmunkle Community Library Precinct | Rupanyup |
| 17/02/25 | Northern Grampians Shire Council Renewable Forum | Online |
| 19/02/25 | Strategic Planning Day | Warracknabeal |
| 20/02/25 | Charlton Summit – VNI West and Renewables | Charlton |
| 21/02/25 | Grampians 2025 and Beyond - A State of the Region Forum | Ararat |
| 24/02/25 | Coffee with a Councillor Session | Patchewollock |
| 24/02/25 | Coffee with a Councillor Session | Speed |
| 24/02/25 | Coffee with a Councillor Session | Lascelles |
| 25/02/25 | Vic Grid Information Session for Councillors and Senior Management | Warracknabeal |

| Cr Melinda Keel – Dunmunkle Ward (February) | | |
|--|---------------------------------------|-----------------|
| Date | Activity | Location |
| 10/02/25 | Coffee with a Councillor Session | Murtoa |
| 10/02/25 | Coffee with a Councillor Session | Rupanyup |
| 10/02/25 | Coffee with a Councillor Session | Minyip |
| 12/02/25 | Council Forum and Financial Induction | Warracknabeal |
| 12/02/25 | Meeting with Emma Kealy MP | Warracknabeal |

| Cr Chris Lehmann – Hopetoun Ward (February) | | |
|--|---------------------------------------|-----------------|
| Date | Activity | Location |
| 10/02/25 | Coffee with a Councillor Session | Murtoa |
| 10/02/25 | Coffee with a Councillor Session | Rupanyup |
| 10/02/25 | Coffee with a Councillor Session | Minyip |
| 12/02/25 | Council Forum and Financial Induction | Warracknabeal |

| Cr Chris Lehmann – Hopetoun Ward (February) | | |
|--|----------------------------------|-----------------|
| Date | Activity | Location |
| 12/02/25 | Meeting with Emma Kealy MP | Warracknabeal |
| 19/02/25 | Strategic Planning Day | Warracknabeal |
| 19/02/25 | Beulah Progress Meeting | Beulah |
| 24/02/25 | Coffee with a Councillor Session | Patchewollock |
| 24/02/25 | Coffee with a Councillor Session | Speed |
| 24/02/25 | Coffee with a Councillor Session | Lascelles |

| Cr Corinne Heintze – Dunmunkle Ward (February) | | |
|---|--|-----------------|
| Date | Activity | Location |
| 03/02/25 | Yarrilinks Meeting | Murtoa |
| 10/02/25 | Coffee with a Councillor Session | Murtoa |
| 10/02/25 | Coffee with a Councillor Session | Rupanyup |
| 10/02/25 | Coffee with a Councillor Session | Minyip |
| 12/02/25 | Council Forum and Financial Induction | Warracknabeal |
| 12/02/25 | Meeting with Emma Kealy MP | Warracknabeal |
| 13/02/25 | Meeting with Jacinta Ermacora MP | Murtoa |
| 14/02/25 | Dunmunkle Community library Precinct Opening | Rupanyup |
| 17/02/25 | Northern Grampians Shire Council Renewable Forum | Online |
| 19/02/25 | Strategic Planning Day | Warracknabeal |
| 20/02/25 | Charlton Summit – VNI West and Renewables | Charlton |
| 21/02/25 | Grampians 2025 and Beyond - A State of the Region Forum | Ararat |
| 25/02/25 | Vic Grid Information Session for Councillors and Senior Management | Warracknabeal |

| Cr Karly Kirk – Warracknabeal Ward (February) | | |
|--|--|-----------------|
| Date | Activity | Location |
| 11/02/25 | Caravan and Camping Show Melbourne - Debrief | Online |
| 12/02/25 | Council Forum and Financial Induction | Warracknabeal |
| 12/02/25 | Meeting with Emma Kealy MP | Warracknabeal |
| 17/02/25 | Yarriambiack Tourism Advisory Committee of Council Meeting | Warracknabeal |
| 19/02/25 | Strategic Planning Day | Warracknabeal |
| 20/02/25 | Charlton Summit – VNI West and Renewables | Charlton |
| 21/02/25 | Grampians 2025 and Beyond - A State of the Region Forum | Ararat |
| 22/02/25 | Caravan and Camping Show with Grampians Wimmera Mallee Tourism | Melbourne |

| | | |
|----------|--|---------------|
| 23/02/25 | Minyip Show and Shine | Minyip |
| 24/02/25 | Coffee with a Councillor Session | Patchewollock |
| 24/02/25 | Coffee with a Councillor Session | Speed |
| 24/02/25 | Coffee with a Councillor Session | Lascelles |
| 25/02/25 | Vic Grid Information Session for Councillors and Senior Management | Warracknabeal |

12.3 CHIEF EXECUTIVE OFFICER ACTIVITY REPORT

| Tammy Smith (February) | | |
|-------------------------------|--|---------------------------|
| Date | Activity | Location |
| 31/01/25 | Meeting with potential Acting CEO and Mayor | Online |
| 31/01/25 | Meeting with Mayor and Deputy Mayor | Hybrid / Warracknabeal |
| 31/01/25 | Meeting with West Wimmera Health Service – Maternal Child Health Services | Online |
| 03/02/25 | Meeting Attended the Victorian Farmers Federation Wimmera Branch Annual General Meeting and Ordinary Meeting | Warracknabeal |
| 05/02/25 | Joint State Government and Local Government CEO Meeting | Online |
| 05/02/25 | Stakeholder Glass Crusher Meeting | Hybrid / Warracknabeal |
| 05/02/25 | Free Camping Meeting – Warracknabeal Action Group Chairperson | Warracknabeal |
| 05/02/25 | Department of Transport and Planning Meeting | Online |
| 06/02/25 | Wimmera Southern Mallee Regional Partnerships Meeting | Horsham |
| 06/02/25 | ByFive Steering Committee Meeting | Horsham |
| 06/02/25 | Meeting with Emerge CEO and Manager Early Years and Transition | Horsham |
| 07/02/25 | Meeting with Mayor and Deputy Mayor | Hybrid / Warracknabeal |
| 07/02/25 | Rural Councils Victoria Meeting with Chair and Secretariat | Online |
| 10/02/25 | Meeting with concerned Warracknabeal resident regarding Caravan Park | Warracknabeal |
| 10/02/25 | Meeting with Department of Education | Online |
| 10/02/25 | Meeting with West Wimmera Health Service | Online |
| 11/02/25 | Hopetoun P-12 College Leadership Badge Presentation | Hopetoun |
| 12/02/25 | Council Forum and Financial Induction | Warracknabeal |
| 12/02/25 | Meeting with Emma Kealy MP | Warracknabeal |
| 13/02/25 | Radio Interview with ABC regarding Hopetoun Kindergarten and Long Daycare | Via Phone |
| 13/02/25 | Wimmera Regional CEO Meeting | Horsham |
| 13/02/25 | Meeting with Jacinta Ermacora MP | Murtoa |
| 14/02/25 | Meeting regarding Gibson Street Rupanyup Development | Rupanyup |

| Tammy Smith (February) | | |
|-------------------------------|--|---------------|
| 14/02/25 | Opening Dunmunkle Community Library Precinct | Rupanyup |
| 14/02/25 | Meeting with members of the Rupanyup Historical Society | Rupanyup |
| 14/02/25 | Rural Councils Victoria secretariat meeting | Online |
| 17/02/25 | Northern Grampians Shire Council Renewable Forum | Online |
| 17/02/25 | Meeting Strategic Planning Agenda discussion – with Mayor and Consultant | Online |
| 17/02/25 | Housing discussion Bendigo Bank | Online |
| 18/02/25 | Tourism Update Grampians Wimmera Mallee Tourism | Online |
| 19/02/25 | Strategic Planning Day Councillors | Warracknabeal |
| 19/02/25 | Briefing with West Wimmera Council – CEO and Councillors | Online |
| 20/02/25 | Charlton Summit – VNI West and Renewables | Charlton |
| 21/02/25 | Grampians and Beyond – A State of the Region Forum | Ararat |
| 21/02/25 | MAV CEO Meeting | Online |
| 24/02/25 | GNET Meeting | Ballarat |
| 25/02/25 | Vic Grid Information Session for Councillors and Senior Management | Warracknabeal |

13 PUBLIC QUESTIONS

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

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

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

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

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

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

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

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

The question will not be allowed if:

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

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

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

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

13.1 QUESTIONS SUBMITTED

| | |
|--------------------|--------------|
| Name: | Town: |
| Question: | |
| Respondent: | |
| Response: | |

14 COUNCILLOR REPORTS

14.1 MAYORS REPORT

It has been a productive month as our Council Position Statement on Mining, Renewables, and Transmission Lines has received positive feedback from both our community and beyond. I would like to recognise and appreciate the community members from our Shire and neighbouring Shires who have taken the time to send messages, emails, letters, and meet with me in person to express their gratitude for our Councillors' efforts in outlining our position and advocating for our communities.

We have met with Emma Kealy our local member of State Parliament, and Jacinta Ermacora, Member of Parliament for Western Victoria to discuss our position statement in greater detail.

We have written to Ministers with an aim of securing a meeting in the near future.

Our Coffee with a Councillor session commenced with a terrific turn out of people across the first three towns that we visited. Thirty-seven people dropped in for a cuppa and a chat with the Councillors. I would like to thank my fellow Councillors, Deputy Mayor McLean, Cr Heintz, Cr Keel and Cr Lehmann for attending with me and chatting to those who attended. Conversation topics were many and varied with roads, footpaths, town maintenance, tree policies, emergency evacuation points, speed limits in towns, signage within towns, progress and community meetings and general information being asked about recycling.

The Community Engagement Van attended the sessions also and I encourage people to utilise this service when it visits their town. Library services with self-service are on offer and the van provides internet access and assistance with digital services, including e-books and digital literacy learning opportunities. The friendly customer service/library staff can assist with logging Customer Requests, offering access to community feedback documentation such as "have your say" documents and forms, general Council enquiries and information.

I thank the community members who dropped in and look forward to speaking with more people across our Shire as we head to other towns within our municipality in the upcoming weeks.

We also celebrated the opening of the Dunmunkle Community Library Precinct, with approximately 45 people in attendance. It was wonderful to see the community embrace the redeveloped former Shire Office.

This Agenda includes the lease and service agreement for the Hopetoun Early Years Service. The long daycare is one step closer, with the new license scheduled to be issued to Emerge Early Years Services (emerge) on 10 March 2025.

This will then enable Emerge to commence the application process for the childcare subsidy and advertise for staff.

We look forward to working with Emerge to support the reopening of the service.

14.2 MATERNAL CHILD HEALTH FUNDING MUNICIPAL ASSOCIATION VICTORIA STATE COUNCIL MOTION

Prepared by Mayor Kylie Zanker, in consultation with Chief Executive Officer, Tammy Smith

SUMMARY

The Yarriambiack Shire Council has approved the transition away from providing Maternal Child Health (MCH) services, including immunisation services, at their Ordinary Council Meeting held on 29 January 2025. This report aims to discuss the financial burden placed on rural councils should they cease delivering MCH services. It seeks endorsement from fellow Councillors for a motion to be submitted to the Municipal Association Victoria (MAV) State Council Meeting to be held on the 16 May 2025 to address this issue.

Recommended Motion:

That Council:

- a) Endorse submitting the following motion to the Municipal Association Victoria (MAV) for consideration at the 16 May 2025 State Council Meeting, acknowledging the motion is of strategic relevance to local government that it ought to be considered at the meeting; and
- b) Endorse for the Chief Executive Officer to be authorised to make any minor changes to improve the wording of the motion and/or to update the motion relative to any changes to the issue that may have occurred between the council meeting and the date of lodgement with the MAV.

MAV Motion:

1. That the Maternal and Child Health Memorandum of Understanding signed by the Municipal Association of Victoria on behalf of local government maternal child health services in Victoria effective from 01 January 2022 to 30 June 2025 be amended during the renegotiation process to include the following:
 - a) That the universal maternal child health program may be delivered by local government, or via a maternal child health service provider servicing the local government area, that is approved by the Department of Health.
 - b) In instances where local government is not the provider of maternal and child health services, the respective local government authority is exempt from contributing an equal (50:50) share towards the provision of the universal maternal child health program delivered within their local government area.
 - c) Where a Hospital or Health Service is delivering maternal child health services within a local government area, the applicable hospital or health service is responsible for the equal (50:50) contribution towards the provision of the universal maternal child health program.
 - d) Where local government does not provide the maternal child health service, and/or immunisation service within their local government area, they are exempt from the requirements outlined in the Maternal Child Health Memorandum of Understanding.
2. That the Municipal Association of Victoria advocate to the Department of Health to amend the Maternal and Child Health Service Guidelines to reflect the changes included above in item 1 (a) through to (d).

Resolution:

Moved Cr Heintze

Seconded Cr Kirk

That the recommendation be adopted.

Carried

ATTACHMENTS

Link: [Maternal and child health | MAV website](#) and The Maternal and Child Health Memorandum of Understanding

Link: [Department of Health Maternal Child Health Service Guidelines](#)

Link: [Victorian Clinical Governance Framework | Safer Care Victoria](#)

Link: [Inquiry into Local Government Funding and Services Report](#)

DISCUSSION

In Victoria, Maternal Child Health (MCH) Nurses are registered nurses who typically hold a postgraduate qualification in midwifery. They then undertake further studies to obtain qualifications in maternal child health.

MCH nursing is predominately a health care role, that must operate within the Safer Care Victoria, Victorian Clinical Governance Framework.

Clinical governance ensures that communities and health service organisations have confidence in the systems delivering safe and high-quality health care, with a focus on continuous improvement. It is an integrated part of the corporate governance of health service organisations. This framework holds everyone accountable, from frontline practitioners to managers and members of the governing board, for providing health services that are safe, effective, integrated, high-quality, and subject to ongoing improvement.

The Council has decided to transition from providing MCH and immunisation services, transferring these responsibilities to a highly skilled and experienced local rural health service. This measure aims to ensure the continued and enhanced delivery of the crucial service within our local government area.

As a Council we recognised we have no capacity to meet the clinical governance requirements as outlined in the Safer Care Victoria – Victorian Clinical Governance Framework.

We acknowledge that not meeting governance requirements significantly increases the Council's risk exposure. Additionally, our Council is experiencing financial sustainability challenges, necessitating decisions regarding which services the Council will continue to deliver, and which services can be transferred to other more skilled and experienced providers.

The Inquiry into Local Government Funding and Services final report in November 2024 highlighted the pressure on Victorian Local Government, including:

Finding 3: Local councils are facing increased budget pressures due to cost shifting by state and federal governments. Without substantial changes, the financial sustainability of council operations is at risk, with some services already being reduced or discontinued entirely.

Finding 4: The roles and core service responsibilities of local government in Victoria lack clear definition, creating a burden on councils to determine what is expected of them. This disproportionately impacts regional and rural councils, which face disadvantages due to limited revenue-raising capacity and the need to provide additional services arising from the geographic size of the municipality and service gaps within their communities.

Current MCH Funding Arrangements

The Municipal Association of Victoria works in partnership with the Victorian Government on policy directions, funding and continuous improvement for maternal and child health services in conjunction with other early childhood services.

The Maternal and Child Health Memorandum of Understanding (MoU) acknowledges the shared commitment for the delivery of high quality and safe maternal and child health services to support the health and wellbeing of Victorian families and children.

The MoU, signed by the MAV on behalf of local government MCH services in Victoria, is effective from 01 January 2022 to 30 June 2025.

The MoU requires that Councils fund the universal MCH service by a shared contribution (50:50).

The Department of Health Maternal Child Health Service Guidelines outlines the MoU provides for an equal contribution between the department and Local Government.

The MoU is due to be renegotiated and expires on the 30 June 2025.

Recommendation to MAV State Council

Many rural councils are evaluating their options for the delivery MCH services, recognising that they may not have the necessary in-house skills and expertise to manage clinical governance compliance. This situation increases their exposure to liability risk.

Furthermore, there has been a sustained increase in cost shifting from the State Government to Local Governments over time, without any additional funding being provided. As a result, more Councils are facing increased financial sustainability pressures, necessitating a review of their service levels and program delivery.

It is recommended that a motion be put forward for consideration at the next Municipal Association of Victoria State Council Meeting, scheduled for 16 May 2025. The motion will be seeking endorsement that Local Government should not be required to pay the universal MCH 50% co-contribution if they are not the delivering organisation.

If the service is delivered by a State Government entity, such as a health service, the 50% co-contribution should be provided by that health service, which is funded by the State.

This recommendation then enables Council's to continue to support an alternative provider via a contribution if they wish to do so, however it does not mandate the requirement and reduces the financial pressure on Local Government, with particular focus on small rural Councils.

RELEVANT LAW

Local Government Act 2020

COUNCIL PLANS AND POLICIES

Council Plan 2021-2025

RELATED COUNCIL DECISIONS

Ordinary Meeting of Council - Minutes 29 January 2025 – 15.4 Endorsement of Transition – Maternal Child Health (including Immunisation Services)

OPTIONS

- a) Councillors could choose not to support this motion and continue with the acknowledgement that a co-contribution may be called upon in accordance with the MoU requirements.

SUSTAINABILITY IMPLICATIONS

Social: MCH services are a vital community service, that enhances the social health and wellbeing outcomes of our community. Council is not disputing this, it is requiring the State Government to meet the co-contribution costs, opposed to Local Government if they are not delivering and overseeing the service.

Financial: Continued cost shifting from State Government is impacting on rural Council’s financial sustainability. As a Council we are undertaking a full review on service levels, and attempting to address our financial sustainability into the future.

COMMUNITY ENGAGEMENT

Transition out of Maternal Child Health services: A community engagement process was undertaken in accordance with the *Local Government Act 2020* requirements, as outlined in the Council report presented as part of the 29 January 2025 Ordinary Meeting of Council Agenda.

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> |
|--|---|--|
| Financial Risk - Residual Risk Level Medium | If the MoU remains in place, as a Council we are exposed to the risk that a financial contribution could be required from WWHS. | Increases Residual Risk Level |

REGIONAL, STATE AND NATIONAL PLANS AND POLICIES

Not applicable.

CONFLICTS OF INTEREST

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

14.3 BY FIVE FUNDING IN JEOPARDY

Prepared by Mayor Kylie Zanker

SUMMARY

Yarriambiack Shire Council is extremely concerned regarding the uncertainty surrounding the By Five Funding, which is only secured until the 30 June 2025.

This paper wishes to explain the importance of the By Five Program to our region and encourages our Councillors and Community to join me in advocating for renewed funding for phase 2 of this important project.

Notice of Motion:

That Council:

- a) Advocate to the Victorian State Government, The Hon. Lizzie Blandthorn, Minister for Children, to fund Phase 2 of By Five, covering program delivery from 2025-2029.
- b) Raise awareness, via all forms of media, to the importance of this vital funding, which will change the lives of our young people and their families.

Resolution:

Moved Cr Kirk

Seconded Cr McLean

That the recommendation be adopted.

Carried

ATTACHMENTS

Link: [By Five Early Years Initiative](#)

DISCUSSION

The By Five Wimmera Southern Mallee (WSM) Early Years Initiative is a place-based community collaboration with the vision that 'Every WSM child succeeds in learning and life'.

By Five are committed to ensuring that every child and family has access to consistent, quality early years services in the quantity required for children to thrive in a supportive community environment.

By Five represents five Local Government Areas, working together to improve outcomes across five developmental domains measured at school entry through the Australian Early Development Census.

Children in our region face poor learning and health outcomes due to limited access to early childhood education and paediatric services, resulting in 40% higher rates of developmental vulnerability than the Victorian average. This gap creates long-term economic, healthcare, welfare, and justice burdens.

Geographical isolation, extensive waiting times for localised health and education support and poor access to specialist health care were identified as key drivers of these developmental issues and broader lower socio-economic outcomes, however By Five have successfully trialled and tested solutions to address these issues.

For over four years, the Paediatric Telehealth service has been delivered in partnership with the Royal Children's Hospital, funded jointly through the By Five Initiative and VMST funding (supporting a training Paediatrician). However, this funding is only secured until June 30, 2025. Without a guarantee of ongoing funding, By Five are now working to manage the children currently in their care and transition them as effectively as possible—especially given that public paediatric wait times now exceed four years.

To build on the success of the initial government investment, an additional \$3.5 million in Victorian Government funding is essential for Phase 2 of the By Five. This funding, covering program delivery from 2025 to 2029, will:

- Improve the lives of a further 1000 children through targeted health and education services.
- Support 200 rural professionals to deliver localised services.
- Deliver allied health services directly to 5 rural and remote public schools.
- Support 8 new antenatal access locations across WSM.
- Integrated 8 existing kindergartens and long day care centres.
- Establish 8 new long day care services in small rural communities.
- Document and evaluate rural service access models to spread and scale.

This program is vitally important to change the outcomes of our young people. It is imperative that By Five continues to be funded until 2029.

RELEVANT LAW

Not applicable.

COUNCIL PLANS AND POLICIES

- Council Plan 2021-2025
- Early Years Plan 2023-2028

RELATED COUNCIL DECISIONS

Not applicable.

OPTIONS

- a) Councillors could choose not to support the Notice of Motion as presented in this report.

SUSTAINABILITY IMPLICATIONS

Social: A failure to fund the By Five project could result our higher rates of developmental vulnerability being maintained or increasing. Children who are developmentally vulnerable are at risk of a difficult start to school, and ongoing educational challenges which may adversely impact on their long-term health outcomes.

COMMUNITY ENGAGEMENT

Not applicable.

GENDER IMPACT ASSESSMENT

Not applicable.

RISK

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

| Strategic Risk Description and Residual Risk Level | Action to Mitigate/Reduce Risk | Does Action maintain or reduce Residual Risk Level |
|--|--|---|
| Strategy Execution and Change Management Risk - Residual Risk Level Medium | The By Five funding is aimed at strategically addressing the developmental vulnerability of our youngest residents, with an aim of improving their overall health and wellbeing outcomes. If this funding is secured, strategic execution of the Phase 2 delivery plan can be achieved. | 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.

15 REPORTS FOR DECISION

15.1 ROAD NAMING – ISBEL LANE BEULAH

Presented by Tim Rose, Chief Operating Officer

SUMMARY

The Council received a letter from Isbel family members on 23 October 2024, via an email to the Chief Executive Officer (CEO). The letter requested that Council consider naming the unnamed laneway 04 in Council's Road Register, in honour of their parents Ron and Milly Isbel.

Recommended Motion:

That Council:

Adopt the recommendation and start due process, in accordance with the *Geographic Place Name Act 1998*, Naming rules for places in Victoria guidelines to name the unnamed laneway 04 in Council's Road register, as "Isbel Lane".

Resolution:

Moved Cr Lehmann

Seconded Cr McLean

That the recommendation be adopted.

Carried

ATTACHMENTS

[Attachment: Letter Road Request](#)

Link: [The Naming Rules](#)

Mapping below of the nominated laneway in Beulah (yellow line indicates laneway)



DISCUSSION

The children of Ron and Milly Isbel respectfully request that the currently unnamed laneway between Phillips Street and Gladstone Street in Beulah be named "Isbel Lane."

This request honours their parents, who were dedicated members of the Beulah community. Ron served as the town's postmaster from 1963 to 2002, playing a vital role

in local postal services. Milly worked alongside him, first as a telephonist and later as the town's mail delivery person.

Beyond their professional roles, Ron and Milly actively contributed to various community organisations, including the Beulah Football Club, Lions Club, Youth Club, church groups, and multiple committees. Their involvement left a lasting positive impact on Beulah.

The old Beulah Post Office, a local landmark, stands beside this laneway, symbolising their decades of service. Naming it "Isbel Lane" would be a fitting tribute to their dedication and legacy in the town they loved.

An assessment has been undertaken in accordance with the *Geographic Place Name Act 1998*, Naming rules for places in Victoria guidelines, Principle I – Using commemorative names, and it is recommended that the Council initiate the community engagement process to implement this proposal.

RELEVANT LAW

- *Local Government Act 1989*
- *Local Government Act 2020*
- *Road Management Act 2004*
- *Geographic Place Names Act 1998*

COUNCIL PLANS AND POLICIES

Road Register.

RELATED COUNCIL DECISIONS

Councils last road naming adoption was Minapre Road and was gazette on the 14 October in 2021.

OPTIONS

- a) Accept the officer’s recommendation.
- b) Deny the request and leave the lane as an unnamed laneway.

SUSTAINABILITY IMPLICATIONS

Not applicable.

COMMUNITY ENGAGEMENT

Prior to the name change, Council must follow the community engagement process as per the *Geographic Place Names Act 1998* and the Naming rules for places of Victoria.

GENDER IMPACT ASSESSMENT

Not applicable.

RISK

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

| <i>Strategic Risk Description and Residual Risk Level</i> | <i>Action to Mitigate/Reduce Risk</i> | <i>Does Action maintain or reduce Residual Risk Level</i> |
|---|--|--|
| Reputational Risk - Residual Risk Level Low | Council to assess the naming proposal as submitted by the family members and ensure proposal is in accordance with legislative requirements. | Reduces Residual Risk Level |
| Corporate Governance, Compliance and Liability Risk - Residual Risk Level Low | Follow due process as per the legislative requirements to ensure compliance. | Reduces Residual Risk Level |

REGIONAL, STATE AND NATIONAL PLANS AND POLICIES

Naming rules for places in Victoria.

CONFLICTS OF INTEREST

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

15.2 FINANCIAL AND NON-FINANCIAL PERFORMANCE REPORT QUARTER 2, 2024/25

Prepared by Anita McFarlane, Manager Corporate Services (Principal Accounting 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.

This report provides the Council and community with an update on Council's Financial and Non-Financial Performance as at 31 December 2024.

This report also includes the Local Government Performance Reporting mid-year report.

Recommended Motion:

That Council:

- a) Adopt the quarterly Financial and Non-Financial Performance Report as of 31 December 2024, including the mid-year Local Government Performance Report as attached to this report.

Resolution:

Moved Cr Kirk

Seconded Cr Heintze

That the recommendation be adopted.

Carried

ATTACHMENTS

[Attachment: Financial and Non-Financial Performance Report as of 31 December 2024, including mid-year Local Government Performance Report](#)

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.

The Executive Summary at the beginning of the attached report outlines Council's performance against key performance indicators.

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

- Ordinary Meeting of Council – Minutes 28 June 2023 - Adoption of the Annual Budget 2023-2024
- Ordinary Meeting of Council – Minutes 26 June 2024 - 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:

| <i>Strategic Risk Description and Residual Risk Level</i> | <i>Action to Mitigate/Reduce Risk</i> | <i>Does Action maintain or reduce Residual Risk Level</i> |
|---|---|--|
| Corporate Governance, Compliance and Liability Risk - Residual Risk Level Low | The quarterly report incorporates the reporting requirements as outlined in the Local Government (Planning and Reporting) Regulations 2020 Schedule 1. The report also includes the half yearly Local Government Performance Reporting. | 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 for Council Forum and Audit and Risk Committee, which provides 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.

15.3 LICENSE AGREEMENT – MALLEE TRACK HEALTH AND COMMUNITY SERVICE – USE OF WOOMELANG SENIORS BUILDING

Prepared by Tim Rose, Chief Operating Officer

SUMMARY

Following Council's transition out of the Commonwealth Home Support Program (CHSP) and the redeployment of Community Support Workers to other providers, a gap was identified in the cleaning activities provided at the Woomelang Senior Citizens Building.

Council approached the new provider in Woomelang of CHSP services, Mallee Track Health and Community Service (MTHCS), offering them free use of the building for centre-based meals and group social support activities in exchange for basic cleaning by their staff.

Mallee Track Health and Community Service were receptive to this arrangement and a draft License Agreement was prepared following consultation. This document is now proposed for endorsement by Council to finalise the agreement.

Recommended Motion:

That Council:

- a) Endorse the draft License Agreement (as attached) between Yarriambiack Shire Council and Mallee Track Health and Community Service for the shared use of the Woomelang Community Building, located at 59 Brook Street, Woomelang.
- b) Endorse for the License Agreement to be a peppercorn license in accordance with the Leases and Licensing Policy, Schedule 1 – Category A, with a rental fee of \$1.00 (one dollar) per year, deemed paid, to Mallee Track Health and Community Service, to encourage, support and promote Council's commitment to supporting community.
- c) Endorse the Chief Executive Officer to make any administrative changes required for the Agreement to be executed, providing the intent of the agreement is not altered.
- d) Endorse the affixing of the Common Seal to the License Agreement in accordance with Council's Common Seal and Conduct at Meetings Local Law 2020.

Resolution:

Moved Cr McLean

Seconded Cr Lehmann

That the recommendation be adopted.

Carried

ATTACHMENTS

[Attachment: DRAFT License Agreement - Mallee Track Health and Community Service](#)

DISCUSSION

The Woomelang Senior Citizens building was previously used by Council Community Support Workers as a venue to deliver centre-based meals to eligible members of the community. Council staff cleaned the building after each use.

These CHSP services provided elderly residents with a meal and an opportunity to connect with their social networks on a weekly basis.

Since Council's transition out of CHSP, it had become challenging to provide essential cleaning services to this building. Council began discussions with the new CHSP provider in Woomelang, Mallee Track Health and Community Service, to discuss arrangements, whereby, they utilise the building for centre-based meals and group social support in exchange for weekly cleaning of the building.

After consulting with Mallee Track Health and Community Service to develop potential formal arrangements, a draft License Agreement has been prepared for Council’s endorsement. The agreement outlines key details, including the required cleaning activities and their frequency.

This license is recommended as a Category A - peppercorn license agreement, per Schedule 1 of Council’s Leases and Licensing Policy.

RELEVANT LAW

Section 9 - *Local Government Act 2020*

COUNCIL PLANS AND POLICIES

Leases and Licensing Policy.

RELATED COUNCIL DECISIONS

Not applicable.

OPTIONS

Council may choose to not enter into a License Agreement and Council staff will be required to undertake the necessary cleaning of the premises. However, it should be noted that where a business or group utilises our building it is best practice to have a lease, license or user agreement in place. This ensures all parties are aware of their rights, responsibilities and expectations are clear.

SUSTAINABILITY IMPLICATIONS

Social – If the building is not maintained to a satisfactory standard, it may impact the service provided and limit the social benefits and opportunities for Woomelang residents.

COMMUNITY ENGAGEMENT

Engagement has been undertaken with Mallee Track Health and Community Service to ensure adequate service delivery.

GENDER IMPACT ASSESSMENT

Not applicable.

RISK

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

| Strategic Risk Description and Residual Risk Level | Action to Mitigate/Reduce Risk | Does Action maintain or reduce Residual Risk Level |
|---|--|---|
| Financial Risk - Residual Risk Level Medium | Establishing a license agreement to ensure cleaning services are performed eliminates the need for Council to regularly deploy staff. | Reduces Residual Risk Level |
| Reputational Risk - Residual Risk Level Low | A license agreement will ensure that cleaning standards are maintained in a Council asset, preventing any reputational damage associated with poor cleaning and maintenance standards. | 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.

15.4 MELBOURNE WEST FLIGHT TRAINING PROPRIETY LIMITED LICENSE AGREEMENT - WARRACKNABEAL AERODROME

Prepared by Jo White, Governance Officer

SUMMARY

The Warracknabeal Aero Club has received public interest in organising a flight training school. Consequently, Melbourne West Flight Training Pty Ltd has been invited to conduct flight training sessions at the Warracknabeal Aerodrome. These sessions will serve residents of the Yarriambiack Shire and potentially beyond.

Although the Warracknabeal Aero Club holds an existing ground lease with the Council, it does not grant them the authority to permit runway usage. Therefore, to initiate the flight school, Melbourne West Flight Training Pty Ltd must enter into a license agreement with the Council.

Recommended Motion:

That Council:

- a) Endorse the Draft License Agreement (as attached) between Yarriambiack Shire Council and Melbourne West Flight Training Pty Ltd for the shared use of the Warracknabeal Aerodrome, located at 4936 Henty Highway, Kellalac.
- b) Endorse for the License Agreement to be peppercorn lease in accordance with the Leases and Licensing Policy, Schedule 1 – Category B, with a rental fee of \$ 1.00 (one dollar) per year, deemed paid by Melbourne West Flight Training Pty Ltd to encourage, support and promote Council’s commitment to supporting community.
- c) Endorse the Chief Executive Officer to make any administrative changes required for the Agreement to be executed, providing the intent of the agreement is not altered.
- d) Endorse the affixing of the Common Seal to the License Agreement in accordance with Council’s Common Seal and Conduct at Meetings Local Law 2020.

Resolution:

Moved Cr Kirk

Seconded Cr Heintze

That the recommendation be adopted.

Carried

ATTACHMENTS

[Attachment: DRAFT License Agreement - Melbourne West Flight Training Pty Ltd](#)

DISCUSSION

In December 2024, the Warracknabeal Aero Club initiated discussions with Melbourne West Flight Training Pty Ltd. The Warracknabeal Aero club undertook extensive community consultation revealing a strong interest in flight training lessons from individuals of all ages and varying flight standards. This identified need has been positively received, with lessons expected to commence, pending Council endorsement. The training program will feature aircraft suited to different levels of ability, ensuring that all participants receive appropriate instruction and support.

Before the flight training lessons can commence, it is essential to have a License Agreement in place. This agreement will formalise the terms and conditions under which Melbourne West Flight Training Pty Ltd can operate at the Warracknabeal Aerodrome. It ensures that all necessary permissions are secured and that both parties are clear on

their responsibilities and obligations. This step is crucial to ensure the smooth and lawful operation of the flight training school, providing a structured framework for its activities.

RELEVANT LAW

Section 9 - *Local Government Act 2020*

COUNCIL PLANS AND POLICIES

Leases and Licensing Policy.

RELATED COUNCIL DECISIONS

Not applicable.

OPTIONS

The Council may decide not to enter into a License Agreement, which would prevent the commencement of the flying school.

SUSTAINABILITY IMPLICATIONS

- *Economic* – As they are the only potential flight training school, if they were denied endorsement, it would result in people having to travel elsewhere and contribute to other towns' economies. Additionally, we have the advantage of benefiting from the economic input of students who reside outside of the Yarriambiack Shire.
- *Social* – Facilitates social networking opportunities across multiple generations, fostering connections and interactions among individuals of different age groups. This initiative promotes intergenerational engagement, allowing for the exchange of knowledge, experiences, and perspectives, thereby enhancing community cohesion and social well-being.

COMMUNITY ENGAGEMENT

Not applicable.

GENDER IMPACT ASSESSMENT

Not applicable.

RISK

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

| <i>Strategic Risk Description and Residual Risk Level</i> | <i>Action to Mitigate/Reduce Risk</i> | <i>Does Action maintain or reduce Residual Risk Level</i> |
|---|--|--|
| Corporate Governance, Compliance and Liability Risk - Residual Risk Level Low | The flight school cannot commence without a License Agreement with the Council. They must adhere to all conditions outlined in the schedule, including regulatory compliance with the Civil Aviation Safety Authority (CASA) and the specified procedures for both the airside and public areas of the premises. | Maintains Residual Risk Level |
| Reputational Risk - Residual Risk Level Low | A license agreement will guarantee that Yarriambiack Shire residents have access to a unique opportunity that is otherwise not readily available. | 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.

15.5 INVESTMENT IN SOCIAL BENEFIT COST ANALYSIS RESEARCH ON MINING

Prepared by Tammy Smith, Chief Executive Officer, on behalf of the Yarriambiack Shire Councillors

SUMMARY

On Friday 24 January 2025, Councillors, the Manager of Development and Environmental Services, and Tammy Smith, CEO met with a leading Agriculture Economics Professor from Melbourne University. In the context of mining in our region, we discussed the role of Social Benefit Cost Analysis (SBCA), the standard public policy tool for assessing the effects of changes in economic activities in an economy. SBCA estimates the effects on social welfare across the whole economy and population and is far more comprehensive and inclusive than the commonly used technically based Environmental Effects Statements (EES) which are done as part of the EES process.

Given that Yarriambiack Shire Council is covered by exploration, retention, or mining licenses, the imperative of a SBCA to inform policy became evident. It is the only method of evaluation that will determine if mining will benefit or harm societal welfare, and thus it is essential that a SBCA of mining in the region be done. Currently, whether mining will make society better off or worse off is unknown: a SBCA is needed to determine whether it is beneficial or not.

This paper recommends that Yarriambiack Shire Council fund a scholarship for a Masters research student at Melbourne University for two years to conduct a SBCA into mining mineral sands in the Wimmera.

Recommended Motion:

That Council:

- a) Endorse for the Chief Executive Officer (or her delegate) to make a financial contribution to the University of Melbourne to fund a Scholarship for a Masters research student for the primary purpose of conducting a social benefit cost analysis on mining within our Shire, to determine if mining will benefit or harm societal welfare.
- b) Endorse the contribution to be \$40,000 per annum, each year for two years for this piece of work.

Resolution:

Moved Cr Heintze

Seconded Cr Lehmann

That the recommendation be adopted.

Carried

ATTACHMENTS

[Link: Yarriambiack Shire Councils Position on Mining, Renewables and Transmission Lines](#)

[Attachment: Lightfoot Evidence Submission](#)

[Attachment: Expert Report about the Goschen Mineral Sands Project](#)

[Attachment: DJSIR Guidance on Using CBA versus CGE](#)

DISCUSSION

Background

When considering Yarriambiack Shire Council and mining, our Shire's footprint is covered either via an exploration, retention or mining license.

This information has become realised across our community in more recent times, with the announcement of the State Government of Victoria’s Critical Minerals Road map. The map identifies opportunities for the Mallee and Wimmera Southern Mallee region.

This has created apprehension across our communities, as they grapple with what does each of the licenses mean, how does that relate to the road map, and what impact will it have on their farming practices and way of life.

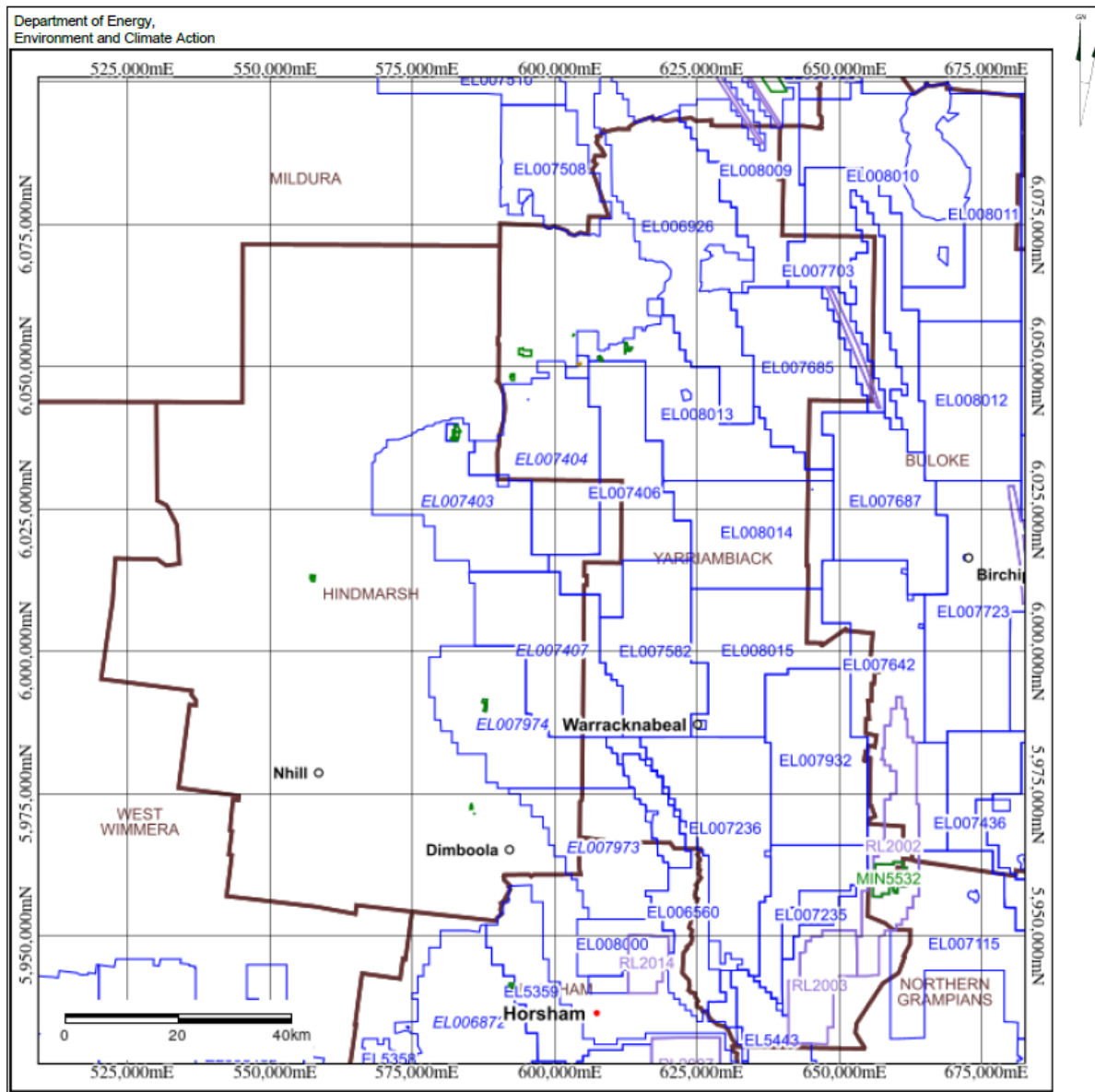
On 29 January 2025, the Yarriambiack Shire Councillors endorsed their Position Statement on Mining, Renewable Energy and Transmission Lines.

Position Statement

A key advocacy piece within their position statement included:

The Environmental Effects Statement (EES) process to ensure it utilises the Social Benefit Cost Analysis (SBCA) model, to weigh both tangible and intangible costs against the benefits. An SBCA is critical in accounting for non-market impacts like environmental degradation and social displacement. The failure to utilise the SBCA model ignores long-term sustainable impacts on regional industries like agriculture.

Map 1: Exploration, Retention and Mining Licenses across Yarriambiack Shire



Why is Social Benefit Cost Analysis Important?

The Expert Report submitted as part of the EES process for the Goschen Mineral Sands Project outlined that:

Different economic analysis techniques are used to estimate different economic phenomena. Computerized General Equilibrium Analysis and Input-Output Analysis are economic techniques that estimate a change in economic activity expected from a change in how resources in an economy - land, labour, and capital - are being used. These economic techniques are incomplete or partial in that they do not measure whether project and changed use of resources increases or reduces the welfare of the people in the economy. Results from these analysis methods are not intended to, and do not claim to, provide the basis for judgment about whether a proposed investment will make people better or worse off.

SBCA is the economic technique that estimates much more than the changes in economic activity that are estimated using computerized general equilibrium modelling. SBCA estimates the size of all primary and secondary benefits and costs of a private and public nature.

SBCA estimates the change in producer and consumer surplus, which, when summed, gives the net social benefit of an investment, which is the change in people's well-being with and without the investment. It estimates the change in social welfare after counting all the benefits and costs of whatever nature, whether they have market prices on them or not.

The change in Net Social Benefit from a proposed change in how society's resources are being used tells us whether a change is worthwhile. This information can only be known when all benefits and costs of whatever nature have been counted and valued, whether priced or unpriced, and with all benefits and costs appropriately valued and adjusted for the time when they occur, with consideration of the risk and uncertainty involved.

SBCA, done with rigour and incorporating the risk and uncertainty associated with a change in resource use, tells us whether it is likely that people will be made better off or worse off from the proposed change and by how much and how likely it is to occur. This, then, is a basis for deciding whether a proposed investment should or should not proceed.

When done correctly, SBCA has a national perspective unless the resources involved and consequences of the changed resource used are partitioned into a sub-region of the nation, such as a state or region within a state. Putting boundaries around a SBCA at a level that is less than the National level is only legitimate if the State or sub-region is using resources that are solely owned by the inhabitants of that region and where the effects of the change in resource use are confined within the boundaries of the region.

The SBCA of the proposed Goschen Mineral Sands Project, which is necessary to inform judgment about the project's merit, was not done. It was deemed impossible for the expert witnesses to form a judgment about whether the proposed investment in a region of Victoria in the Goschen Mineral Sands Project will make the people of Australia better off or worse off. From the analysis that has been done, Professor Malcolm and Lightfoot concluded, that they simply cannot and do not know if the proposal is a good idea or not.

Computable General Equilibrium Model

The Mine Free Mallee Farms, Economic Expert Witness Statement for the Goschen Mineral Sand Mining Planning Panel Hearing in 2024 outlined that the economic analysis for the mine used the CGEM opposed to a SBCA. (Refer to attachment for the full report).

In summary, the report outlined that the Department of Jobs, Skills, Industry and Regions Guidance on Using CBA versus CGE to Estimate Net Social Benefit was not adhered to in the case of the Goschen Mineral Sands Mine.

Why a SBCA is Required and Recommendation for Research Funding

As observed in the papers relating to the Goschen proposal, it is currently unknown whether mining offers a greater benefit to our community compared to agriculture, as a SBCA has not been conducted. A proper SBCA is necessary to determine if mining will improve or diminish societal welfare.

It was also observed that the State Government guidance from the Department of Treasury and Finance identifies that the CBA (Cost benefit Analysis or SBCA) should be utilised where the main objective is to estimate the economic and non-economic impacts. A CBA (or SBCA) was not undertaken as part of the Goschen EES process. It then raises the question, what method is likely to be used for future mining projects?

In accordance with the *Mineral Resources Sustainable Development Act 1990*, under section 26B, excision of agricultural land from a license, on the application of an owner or occupier of agricultural land, the Minister must excise the land from the area covered by the mining license or prospecting license if; the Minister decides that in accordance with section 26D, that there would be greater economic benefit to Victoria in continuing the use of the land as agricultural land than in carry out the work proposed to be carried out on that land under the license.

Councillors have the option to support the engagement of a Masters research student for a two year study with the Agricultural Economics Group of the School of Agriculture, Food and Ecosystems Sciences of the University of Melbourne to undertake a SBCA for our Shire.

The proposal is to fund a research student to pursue a Master's Degree using the SBCA method on an active mining or farming question. This would help establish a proper methodology for its wider application in similar cases.

It is also noted that the study would assist our residents if they wished to be excised from a license in the future, if it was deemed through the SCBA that agriculture provides greater benefit to that of mining.

It has been advised that the best value for money is a research student as the work would be supervised by the skills and expertise of the members of the whole Agriculture Economics Group at the University of Melbourne.

A Masters scholarship is around \$35k p.a. for two years, plus approximately \$5k for travel to visit farms and our region to collect data. This approach has the additional benefit of training someone who would be a valuable resource for future such questions which will be sure to arise in our region.

It is recommended that Councillors support the investment of \$40,000 per annum, each year, for two years to undertake an SCBA for mining within our Shire, with the aim of making the research and results available to our residents once completed.

This will assist our Councillors in the future, in advocacy and planning, as it will provide the evidence required to assess if mining will improve or diminish the welfare of people in our Shire and region.

RELEVANT LAW

- *Mineral Resources Sustainable Development Act 1990*
- *Local Government Act 2020*
- *Environmental Effects Act 1978*

COUNCIL PLANS AND POLICIES

- Yarriambiack Shire Council, Council Plan 2020-2025
- Yarriambiack Shire Council Economic Development Strategy

RELATED COUNCIL DECISIONS

Not applicable.

OPTIONS

- a) Councillors could choose not to invest in this project, and/or extend an invitation to our neighbouring Council’s and request investment into this project to share the cost.
- b) Councillors could choose to engage an independent consultant to undertake the works, however, this would be significantly more costly opposed to contributing to Melbourne University to fund the research.

SUSTAINABILITY IMPLICATIONS

Social, Environmental and Economic: The SBCA is vital to assessing the social, environmental and economic impacts of mining on our Shire, and region. Until this piece of work is undertaken, it is difficult for Council to make informed decisions in regard to the benefits of mining.

Environmental Effects Statement: An Environmental Effects Statement takes into account the environmental impacts of a significant project on our Shire and Region. Conditions can be imposed on proponents if projects are approved, to mitigate environmental impacts.

Financial: Council does not receive royalties or rates from mining projects. Council is strongly advocating, via its position statement, for funding derived from the mining activities within our Shire be returned to the Shire and region, via significant, enduring investment into improving the social health and wellbeing of our residents.

COMMUNITY ENGAGEMENT

The Yarriambiack Shire Councillors have developed their position statement based on community engagement and feedback. This paper is supporting an action outlined within the position statement.

GENDER IMPACT ASSESSMENT

Not applicable.

RISK

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

| Strategic Risk Description and Residual Risk Level | Action to Mitigate/Reduce Risk | Does Action maintain or reduce Residual Risk Level |
|--|---|---|
| Strategy Execution and Change Management Risk - Residual Risk Level Medium | The SBCA is vital in informing strategic direction and advocacy for our Councillors, and residents. It is also required to assist and work alongside our communities to manage change in land use across our Shire and region. | Maintains Residual Risk Level |
| Reputational Risk - Residual Risk Level Low | If Councillors endorse the investment in a research student, it will positively impact our Council reputation, as it will send a clear message to the municipal residents that Council wishes to understand the impacts and benefits that mining may have on our Shire and Region. | Reduces Residual Risk Level |
| Political Risk - Residual Risk Level Low | Council’s Position Statement has been developed to acknowledge the State Governments agenda and strongly advocate for any financial benefits derived from our region to be invested back into the region in which it is extracted. Council funding a SBCA and outlining the inadequacy of the Computable General | Maintains Residual Risk Level |

| Strategic Risk Description and Residual Risk Level | Action to Mitigate/Reduce Risk | Does Action maintain or reduce Residual Risk Level |
|---|---|---|
| | Equilibrium Model may strain relations with the current Victoria Government. | |
| Financial Risk - Residual Risk Level Medium | Currently Council does not receive rates or royalties from mining activities. Council may endure additional maintenance costs associated with increased road movements from mining activities. This will place further pressure on our financial resources, with Council already recognised as unsustainable. | Increases Residual Risk Level |

REGIONAL, STATE AND NATIONAL PLANS AND POLICIES

[Victorian Critical Minerals Roadmap - Resources Victoria](#)

[Critical Minerals Strategy 2023–2030 | Department of Industry Science and Resources](#)

[Environment effects statements in Victoria](#) and [Understanding the assessment process](#)

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 RABL PARK SKATEPARK UPGRADE PROJECT

SUMMARY

The Victorian Government's 2024-25 Budget has allocated \$200,000 to the Yarriambiack Shire Council through the Community Sport and Recreation Grants. This funding supports the Rabl Park Skatepark Upgrade Project and fulfills a commitment made to the Murtoa community during the 2022 Victorian State Elections.

To proceed with the project, Council is required to endorse the submission of the election commitment application and confirm its financial contribution to the project.

Recommended Motion:

That Council:

- a) Endorse the funding application for the Rabl Park Skatepark Upgrade Project under the Community Sport and Recreation Grants (2022 Victorian Government election commitment); and
- b) Authorise the reallocation of \$90,022.59 from phase 4 of the Australian Government's Local Roads Community Infrastructure Funding as a financial contribution; and
- c) Endorse the underwriting of any cost escalations to the project budget to deliver the full scope of the project as outlined in the application.

Alternative Motion:

That Council:

- a) Advocates to the State Government to amend the project scope for the election promise funding and not commit any further funds to the Rabl Park project at this stage.

Resolution:

Moved Cr Kirk

Seconded Cr Lehmann

Voted in favour: Cr Heintze, Cr Kirk, Cr Lehmann and Cr Zanker.

Voted against: Cr McLean.

That the recommendation be adopted.

ATTACHMENTS

[Attachment: Rabl Park Skatepark Upgrade Project Detailed Designs](#)

[Attachment: Rabl Park Skatepark Upgrade Project Costings](#)

DISCUSSION

Yarriambiack Shire Council has been allocated \$200,000 through the Victorian Government's 2024-25 Budget for the Skatepark Upgrade Project. This funding forms part of an election commitment made during the 2022 Victorian State Elections. To secure these funds, Council is required to complete a "backwards" application process and enter into a Funding Agreement with the Department of Jobs, Skills, Industry and Regions.

Following confirmation of the project scope by Sport and Recreation Victoria, the Council engaged Trinity Skateparks to develop Detailed Designs. The scope for the Skatepark Upgrade Project includes the following elements:

- Removal of the existing metal skatepark.
- Repurposing the existing concrete slab to accommodate a half-court basketball court.
- Construction of a new concrete slab featuring modular skateable elements.
- Addition of a shelter area.
- Connecting concrete pathways around the park to link all elements.

This scope aligns with the Council's Masterplan for Rabl Park and directly responds to the 2020 petition submitted by students from Murtoa College.

Council Officers have worked closely with Sport and Recreation Victoria to refine the project's designs and ensure alignment with the allocated budget. The final design adheres to the minimum scope outlined in the election commitment. However, to fully deliver the comprehensive scope of works, Council will need to provide a financial contribution to the project.

It is proposed that the funds necessary to complete this project be allocated from Phase 4 of the Australian Government's Local Roads Community Infrastructure Funding, which totals \$90,022.59.

RELEVANT LAW

Local Government Act 2020

COUNCIL PLANS AND POLICIES

- Council Plan 2021 – 2025: Strategic Objective 2 – A healthy and inclusive community
- Yarriambiack Shire Council Sport and Recreation Strategy 2025-2035
- Rabl Park Masterplan

RELATED COUNCIL DECISIONS

- Ordinary Meeting of Council – Minutes 24 June 2020 – Item 12.16 Federal Local Roads and Community Infrastructure Program
 - Council Resolution confirming \$150,000 from the Local Roads and Community Infrastructure Program as a matching contribution for the Netball / Tennis Facility Development – Beulah, Brim, Rupanyup Recreation Reserves Project.
- Ordinary Meeting of Council – Minutes 24 November 2021 – Item 12.4 Allocation of Round 3 Local Roads and Community Infrastructure Funding
 - Council Resolution confirming \$56,501 from the Local Roads and Community Infrastructure Program as a matching contribution for the Rumble @ Rabl Project.
- Ordinary Meeting of Council – Minutes 19 January 2022 – Item 15.4 Woomelang Bowling Club Synthetic Surface Project Funding Application
 - Council Resolution confirming \$80,000 as a matching contribution for the Woomelang Bowling Club Synthetic Surface Project.
- Ordinary Meeting of Council – Minutes 29 June 2022 – Item 15.5 Beulah, Brim, Rupanyup Recreation Reserves Masterplans Project Funding Application
 - Council Resolution confirming \$91,406 as a matching contribution for the Beulah, Brim, and Rupanyup Recreation Reserve Masterplans.
- Ordinary Meeting of Council – Minutes 28 February 2024 – Item 15.5 Funding Murtoa Courts and Hopetoun Swimming Pool
 - Council Resolution confirming \$100,000 as a matching contribution for the Murtoa Recreation Reserve Netball / Tennis Courts Upgrade Project.
 - Council Resolution confirming \$212,101 as a matching contribution for the Hopetoun Swimming Pool Upgrade Project.

OPTIONS

- a) Council may choose to reject the recommendation and elect not to accept the election commitment funding opportunity. In addition, Councillors may choose to assign the Local Roads and Community Infrastructure Phase 4 funding to an alternative project. Noting that all funds must be expended by 30 June 2025.
- b) Council may choose to reject the recommendation and/or alter the value of Council's contribution towards the project.
- c) The Councillors might consider advocating to Members of Parliament to modify the scope of the election promise funding commitment, thereby facilitating the implementation of a project that aligns with the value of the election promise.

SUSTAINABILITY IMPLICATIONS

- *Economic* - The Rabl Park Skatepark Upgrade Project is expected to generate long-term economic benefits by increasing the park's usage and attracting visitors. The multi-use features, such as the half-court basketball court, will boost the area's appeal, promoting local business and generating short-term employment opportunities during construction.
- *Social* - The project will provide a modern, safe space for recreation, supporting the health and well-being of the community. By responding to community input, particularly from local students, the upgrade enhances social inclusion and offers a venue for diverse groups to engage in recreational activities.
- *Environmental* - The project promotes environmental sustainability by repurposing the existing concrete slab, reducing construction waste. Additionally, the design will minimise disruption to the surrounding environment while ensuring long-term durability and functionality using sustainable materials.
- *Financial* - The project will incur a financial contribution from both the Australian and Victorian Governments. For Council, the project will reduce the ongoing long-term investment and support that would otherwise be required for ongoing maintenance of the existing facilities / infrastructure.

COMMUNITY ENGAGEMENT

Council has conducted extensive community and stakeholder consultation regarding the Rabl Park Skatepark Upgrade Project. The project was initially identified by Murtoa College students through a petition to Council, followed by subsequent meetings between Council Officers, Councillors, and students.

The project was then shortlisted from Council's Priority Projects Listing, which was developed through the Murtoa Community Action Plan, the Rabl Park Masterplan, and most recently revisited during the consultation phase for the new Sport and Recreation Strategy.

Since the announcement of the election commitment, the Council has maintained regular communication with the Murtoa Progress Association to monitor the progress of the project. It is important to note that the election commitment was made prior to the development of the Masterplan and the Sport and Recreation Strategy, so the community consultation sessions that took place during these phases formed the foundation for the project's consultation.

The outcome of these consultations has shown that the Murtoa community is fully supportive of the project.

GENDER IMPACT ASSESSMENT

Not applicable.

RISK

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

| Strategic Risk Description and Residual Risk Level | Action to Mitigate/Reduce Risk | Does Action maintain or reduce Residual Risk Level |
|---|---|---|
| Reputational Risk - Residual Risk Level Low | If Council were to decline the election commitment and choose not to allocate funding for the project, it could face reputational damage, as it would be seen as not fulfilling promises made to the community. By proceeding with the project, Council demonstrates its commitment to its election pledge and community needs, thereby reducing the risk of reputational harm. | Reduces Residual Risk Level |
| Program and Project Risk - Residual Risk Level Medium | Supporting the application and accepting the election commitment funding demonstrates Council's commitment to a project outlined in the Community Action Plan, Masterplan, and as a priority in the Council's project listing. | Reduces Residual Risk Level |
| Financial Risk - Residual Risk Level Medium | Pursuing the project with funding support from both the Australian and State Governments reduces the financial impact on Council, while the asset upgrade will lower future maintenance costs. | Maintains Residual Risk Level |
| Political Risk - Residual Risk Level Low | Not accepting or meeting the election promise project scope commitments could impact on future election promise commitments, if Council fails to deliver on this current one. Adding LRCI funding to the election promise funding will enable the majority of the project scope to be delivered. Therefore, reducing the risk. | Reduces Residual Risk Level |

REGIONAL, STATE AND NATIONAL PLANS AND POLICIES

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

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

CONFLICTS OF INTEREST

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

15.7 RAIL FREIGHT ALLIANCE DELEGATE

Prepared by Monique Metlika, Governance Support Officer

SUMMARY

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

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

This paper seeks endorsement to elect a new representative as the Council delegate for Rail Freight Alliance.

Recommended Motion:

That Council:

- a) Rescinds the appointment of Councillor Melinda Keel as the representative for the Rail Freight Alliance, as endorsed on the 20 November 2024; and
- b) Appoints Councillor Andrew McLean as the Yarriambiack Shire Council representative for Rail Freight Alliance effective from 26 February 2025.

Resolution:

Moved Cr Kirk

Seconded Cr Heintze

That the recommendation be adopted.

Carried

ATTACHMENTS

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

Link: [Rail Freight Alliance – Rail Freight Alliance](#)

DISCUSSION

On 20 November 2024, at the Statutory Meeting of Council, Councillor Melinda Keel was appointed as the Council delegate to the Rail Freight Alliance board. This paper seeks endorsement to change the representative from Councillor Melinda Keel to Councillor Andrew McLean, due to prior commitments preventing Councillor Melinda Keel from fulfilling her role as the Rail Freight Alliance Delegate.

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

An update of delegations is noted below, which includes the proposed change:

| Delegation | Councillor Delegate |
|--|----------------------------|
| GWM Water Regional Recreation Water Users Group | Cr Heintze and Cr McLean |
| Internal Audit and Risk Committee | Mayor and Cr Kirk |
| Municipal Association of Victoria (MAV) | Mayor |
| Municipal Association of Victoria (MAV) Substitute | Deputy Mayor |
| Rail Freight Alliance | Cr McLean |

| Delegation | Councillor Delegate |
|--|----------------------------|
| Sunraysia Highway Improvement Committee | Cr McLean |
| Wimmera Southern Mallee Development | Cr Heintze |
| Wimmera Southern Mallee Regional Transport Group | Cr Heintze |
| Western Highway Action Committee | Cr Zanker |
| Yarrilinks – Yarriambiack Landcare Group | Cr Heintze |
| Yarriambiack Tourism Advisory Committee of Council | Cr Kirk |
| Hopetoun Former School Site Advisory Committee of Council | Cr Lehmann |
| Community Asset Committees of Council, Councillor Representatives: Hopetoun Swimming Pool Woomelang Retirement Units | Cr Lehmann and Cr McLean |

RELEVANT LAW

Section 10 of the *Local Government Act 2020*.

COUNCIL PLANS AND POLICIES

Not applicable.

RELATED COUNCIL DECISIONS

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

OPTIONS

- a) Choose not to rescind Councillor Melinda Keel as the representative for the Rail Freight Alliance.
- b) Select a different Councillor as the representative for the Rail Freight Alliance.

SUSTAINABILITY IMPLICATIONS

Not applicable.

COMMUNITY ENGAGEMENT

Not applicable.

GENDER IMPACT ASSESSMENT

Not applicable.

RISK

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

| <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 | Supporting and appointing a Councillor to the Rail Freight Alliance enables Council to work in partnership with our regional Council partners to collaborate and advocate for funding to support economic development and prosperity for the region. | Maintains Residual Risk Level |
| Corporate Governance, Compliance and Liability Risk - Residual Risk Level Low | Undertaking the change in delegate via a formal Council resolution supports good governance practices. | Maintains Residual Risk Level |

REGIONAL, STATE AND NATIONAL PLANS AND POLICIES

- Murray Basin Report July 2014
- Inland Rail Programme Business Case

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 EMERGE LEASE AND SERVICE AGREEMENT FOR HOPETOUN EARLY YEARS CENTRE

Prepared by Tammy Smith, Chief Executive Officer

SUMMARY

At the close of business on 07 March 2025, the Yarriambiack Shire Council will relinquish its license to operate Kindergarten services in both Hopetoun and Beulah. Emerge Early Years Services (Emerge) will enter into a lease and service agreement for the next five years to provide kindergarten and long day care services from the Hopetoun Early Years building. The Beulah Kindergarten service operates from the Beulah Primary School, and a user agreement between Emerge and the Beulah Primary School will be required and is outside of the scope of this report.

Recommended Motion:

That Council:

- a) Endorse the draft Lease and Service Agreement (as attached) between Yarriambiack Shire Council and Emerge Early Years Services for the building and land known as 87 Mandeville Street Hopetoun.
- b) Endorse for the Lease and Service Agreement to be a peppercorn lease in accordance with the Leases and Licensing Policy, Schedule 1 – Category A, with a rental fee of \$1.00 (one dollar) per year, deemed paid.
- c) Endorse the Chief Executive Officer to make any administrative changes required for the Agreement to be executed, providing the intent of the agreement is not altered.
- d) Endorse the affixing of the Common Seal to the License Agreement in accordance with Council's Common Seal and Conduct at Meetings Local Law 2020.

Resolution:

Moved Cr McLean

Seconded Cr Kirk

That the recommendation be adopted.

Carried

ATTACHMENTS

[Attachment: Draft Lease and Service Agreement Emerge Early Years Services Hopetoun](#)

DISCUSSION

On the 24 July 2024 the Councillors resolved to commence the formal community engagement process and endorsed the Chief Executive Officer to commence the formal Community Engagement process in accordance with Councils Community Engagement Policy to transfer the Hopetoun and Beulah Kindergarten Services to Emerge Early Years Services (Emerge); and

If there were no formal objections from the community to the proposal to transfer the services, that the Chief Executive Officer be authorised to enact the transfer process.

The transfer process was enacted, and Yarriambiack Shire Council will surrender the kindergarten licenses for both Hopetoun and Beulah (as they operate as a combined service) at close of business 07 March 2025, and Emerge will become the provider from Monday 10 March 2025.

As part of the new license application for Hopetoun Early Learning Centre, which incorporates both kindergarten and long daycare, it was required that a lease be entered

into between the two parties. A letter of assurance was provided to the Department of Education that this process would occur prior to the license notification being granted.

The attached lease and service agreement is for a five-year period and includes the Building Maintenance and Service Guideline.

Emerge is endorsed to sub-license the maternal child rooms to West Wimmera Health Service to be enacted by 01 April 2025.

The lease has been developed based on Council's Leases and Licensing Policy and will be granted as a peppercorn lease based on the fact that Emerge is a not-for-profit organisation. Emerge will provide an overall social, economic, educational and community wellbeing benefit offering both kindergarten and long daycare to Hopetoun and District communities.

RELEVANT LAW

Section 9 - *Local Government Act 2020*.

COUNCIL PLANS AND POLICIES

Leases and Licensing Policy.

RELATED COUNCIL DECISIONS

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

OPTIONS

- a) Council could choose to make additions to the lease and/or service agreement.

SUSTAINABILITY IMPLICATIONS

Economic: Childcare is crucial for economic sustainability as it enables parents, especially mothers, to participate in the workforce, thereby increasing household income and reducing poverty. Access to affordable, high-quality childcare allows parents to pursue education and job training, leading to higher lifetime earnings. This, in turn, boosts economic growth by increasing the labour force and reducing absenteeism and turnover. Moreover, childcare supports children's development, preparing them for future educational success and productive adulthood. Early childhood education enhances cognitive skills, social abilities, and overall well-being, leading to a more skilled and capable workforce. Investing in childcare also promotes gender equality by enabling women to work, thus contributing to economic growth and reducing gender disparities. In summary, childcare is a vital component of economic sustainability as it supports workforce participation, enhances children's development, and promotes gender equality. By investing in childcare, societies can achieve long-term economic growth and stability.

Social: Childcare has significant social sustainability implications as it promotes well-being, equity, and social justice. By providing children with a safe and nurturing environment, childcare supports their development and prepares them for future success. It also enables parents, especially single parents, to maintain employment and income, reducing poverty and enhancing quality of life. Additionally, childcare fosters social inclusion and cultural competence, helping children and families from diverse backgrounds to thrive. Overall, investing in childcare contributes to a more equitable and socially sustainable society.

COMMUNITY ENGAGEMENT

Community engagement was undertaken with families who utilise kindergarten and childcare in Hopetoun and surrounds.

A community meeting was held on 26 March 2024 in Hopetoun to discuss the closure of the Hopetoun Childcare Centre. A further community meeting was held on 18 July 2024 to discuss the options moving forward.

A further meeting was scheduled for 20 November 2024, to provide families with an update on the status of the transition.

In addition, the formal community consultation process in regard to the Hopetoun and Beulah Kindergarten transfer commenced on 25 July 2024. The feedback window was open for 28 days and closed at 9am on 22 August 2024.

GENDER IMPACT ASSESSMENT

Not applicable.

RISK

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

| <i>Strategic Risk Description and Residual Risk Level</i> | <i>Action to Mitigate/Reduce Risk</i> | <i>Does Action maintain or reduce Residual Risk Level</i> |
|---|--|--|
| Strategy Execution and Change Management Risk - Residual Risk Level Medium | The lease and service agreement is required as part of the surrender of license, and issuing of a new license to Emerge. | Maintains Residual Risk Level |
| Corporate Governance, Compliance and Liability Risk - Residual Risk Level Low | The lease and service agreement has been developed in consultation with Russell Kennedy Lawyers to ensure compliance with applicable legislative requirements. | 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.

15.9 DEED OF RENEWAL AND VARIATION ENDORSEMENT VICGRAIN ASSETS PTY LTD - BRIM AND SHEEP HILLS SILO ART

Prepared by: Jo White, Governance Officer

SUMMARY

In 2015, the Council entered into License to Occupy arrangements with GrainCorp (VicGrain Assets Pty Ltd) for the Brim Silo Art area, and in 2016 for the Sheep Hills Silo Art area. In these agreements, the Council is the Tenant, not the Landlord. The purpose of these Licenses is for the repair and maintenance of the Artwork, as well as the use and upkeep of the viewing areas and associated work.

Each License was for a five-year term with three options to renew for an additional five years each. Unfortunately, the Council missed the deadlines to enact the renewal options in 2020 and 2021, respectively. Upon seeking legal advice, it was recommended that the Council regularise the situation, as they were in Overholding (month-to-month Licenses) pursuant to Clause 8.1. The advice was to have a renewal document signed by both parties.

The Council reached out to GrainCorp to review the situation and requested the Licenses be reinstated. After amicable discussions, GrainCorp responded with Deeds of Renewal and Variation for both locations.

Recommended Motion:

That Council:

- a) Endorse the draft Deeds of Renewal and Variation between Yarriambiack Shire Council and VicTrack (Assets) Pty Ltd for the:
 - Brim Silo Art located at 1986 Henty Highway, Brim.
 - The renewal term is varied to 10 years, capturing the historical five-year option from 2020 to 2025 and extending it further to 2030. The Council will have one final renewal option for an additional five years from 2030 to 2035.
 - Sheep Hills Silo Art located at 445 Sheep Hills-Minyip Road, Sheep Hills.
 - The renewal term is from 2021 to 2026, and the Council can exercise the next renewal option in 2026 when it becomes due.
- b) Endorse the Agreement to be at a License Fee equivalent to the annual Council rates levied for the Premises each year to encourage, support and promote Council's commitment to supporting community.
- c) Endorse the Chief Executive Officer to make any administrative changes required for the Deed to be executed, providing the intent of the Deed is not altered.
- d) Endorse the affixing of the Common Seal to the Deed in accordance with Council's Common Seal and Conduct at Meetings Local Law 2020.

Resolution:

Moved Cr Kirk

Seconded Cr Heintze

That the recommendation be adopted.

Carried

ATTACHMENTS

[Attachment: Draft Deed of Renewal and Variation of License - Brim Silo Art](#)

[Attachment: Draft Deed of Renewal and Variation of License - Sheep Hills Silo Art](#)

DISCUSSION

The Silo Art Trail is one of the Shire’s most cherished and frequently visited tourist attractions. Brim was the first silo in Victoria to be painted. Both local residents and visitors hold the Silo Art in high regard for its artistic quality and the stories it tells about local history and community pride.

The Council ensures the quality of the art and maintains access to the viewing areas. Currently, the Council provides regular maintenance of the car parks and viewing areas at both locations, which includes:

- Rubbish removal.
- Keeping the premises and road verges free of noxious weeds, rodents, insects, and other pests.
- Keeping parking and viewing areas in good and tenantable repair.

While the Council has some obligations regarding the maintenance of the artwork, it has not been required to perform any maintenance on the artwork itself to date.

RELEVANT LAW

Local Government Act 2020.

COUNCIL PLANS AND POLICIES

Leases and Licencing Policy.

OPTIONS

Council could choose to undertake a public advertisement of the Brim and Sheep Hills Deeds of Renewal and Variation; however, it should be noted:

- This is a renewal of a pre-existing arrangement.
- Community consultation is not required under Section 115 of the *Local Government Act 2020*, as the Council is the Tenant in this instance, not the Landlord.

SUSTAINABILITY IMPLICATIONS

Social: The Silo Art at Brim and Sheep Hills is a highly rated tourist attraction, well patronised by both locals and visitors from all over Australia. It provides a place of connection and celebrates community, local history, diversity and inclusion.

Financial: The large number of visitors traveling the Silo Art Trail significantly contributes to our local economy. These visitors require fuel, food and drink, accommodation, and other retail and hospitality services, thereby supporting local businesses.

COMMUNITY ENGAGEMENT

Engagement has been undertaken with VicGrain Assets Pty Ltd to ensure adequate arrangements.

GENDER IMPACT ASSESSMENT

Not applicable.

RISK

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

| Strategic Risk Description and Residual Risk Level | Action to Mitigate/Reduce Risk | Does Action maintain or reduce Residual Risk Level |
|---|--|---|
| Corporate Governance, Compliance and Liability Risk - Residual Risk Level Low | The Deeds of Renewal and Variation enables Council to meet its corporate governance and compliance obligations and reduces its liability risk. | Reduces Residual Risk Level |

| <i>Strategic Risk Description and Residual Risk Level</i> | <i>Action to Mitigate/Reduce Risk</i> | <i>Does Action maintain or reduce Residual Risk Level</i> |
|--|--|--|
| Reputational Risk - Residual Risk Level Low | Deeds of Renewal and variation will ensure that maintenance of the Silo Art and viewing areas are maintained to the correct standards, preventing any reputational damage or negative feedback | 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.

15.10 LICENSE AGREEMENT – WARRACKNABEAL PLAYGROUP INC

Prepared by Sarah Collins, Manager Community Strengthening and Engagement

SUMMARY

This License Agreement has been driven by a community need to establish a permanent base for the local playgroup. Currently, the playgroup members are facing increased costs associated with renting public spaces, resulting in a reduction of activities and initiatives run by the group, and a drop in attendance at social gatherings. After approaching Council to ask about using the Warracknabeal Library space, it was noted that the additional service could be run in conjunction with regular library services.

Recommended Motion:

That Council:

- a) Endorse the draft License Agreement between Yarriambiack Shire Council and Warracknabeal Playgroup Inc. for the shared use of the Warracknabeal Library, located at 36 Lyle Street Warracknabeal.
- b) Endorse for the License Agreement to be peppercorn lease in accordance with the Leases and Licensing Policy, Schedule 1 – Category B, with a rental fee of \$ 1.00 (one dollar) per year, deemed paid by Warracknabeal Playgroup Inc to encourage, support and promote Council’s commitment to supporting community.
- c) Endorse the Chief Executive Officer to make any administrative changes required for the Agreement to be executed, providing the intent of the agreement is not altered.
- d) Endorse the affixing of the Common Seal to the License Agreement in accordance with Council’s Common Seal and Conduct at Meetings Local Law 2020.

Resolution:

Moved Cr Kirk

Seconded Cr Lehmann

That the recommendation be adopted.

Carried

ATTACHMENTS

[Attachment: Draft License Agreement - Warracknabeal Playgroup Inc](#)

DISCUSSION

The Warracknabeal Playgroup does not currently have a permanent base and is causing sustainability issues within the group when fees are required to book spaces to meet/host events. The Warracknabeal Library is an excellent facility to house the Warracknabeal Playgroup as it includes accessible access, is centrally located, and has numerous resources to support early development. This is an example of a community led group that needs support from Council in order to remain sustainable and accessible to emerging families of all diverse backgrounds.

As part of the License Agreement, the members of the Warracknabeal Playgroup will undertake the Self-Service induction process to gain access during non-staffed hours to meet as a group, with ongoing access during staffed hours to host events that are open to the wider community in consultation with the Yarriambiack Libraries team.

In October 2024, Council applied for Tiny Towns Funding to improve the Warracknabeal Library space to accommodate the Warracknabeal Playgroup including the procurement of furniture and activating the outdoor pergola area. This paper seeks to formalise the agreement between Yarriambiack Shire Council and the Warracknabeal Playgroup in line with previously accepted discussions.

RELEVANT LAW

Section 9 - Local Government Act 2020.

COUNCIL PLANS AND POLICIES

Leases and Licensing Policy.

RELATED COUNCIL DECISIONS

Ordinary Meeting of Council – Minutes 11 September 2024 – 8.5 Tiny Towns Funding Opportunity

OPTIONS

Council could choose to undertake a public advertisement of the Warracknabeal Playgroup License Agreement; however, it should be noted that Council have previously carried the decision to seek funding that supports the decision to allow the Warracknabeal Playgroup to utilise the Warracknabeal Library as a base.

SUSTAINABILITY IMPLICATIONS

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

Financial: With the removal of user and rental fees, the Warracknabeal Playgroup will be able to redirect their funds towards activities and initiatives that put benefit back into the community.

COMMUNITY ENGAGEMENT

Through countless stakeholder consultations to develop the YSC Council Plan 2021-2025, the more recent YSC Early Years Plan 2023-2028, and the localised Warracknabeal Community Action Plan, it is evident that any projects or initiatives big or small that seek to improve access to childcare and enhancing community spaces that support access to the internet, social inclusion and connection are strongly supported by our community.

This License Agreement has undertaken negotiation with the Warracknabeal Playgroup Inc. It has not been advertised to the broader community, as it is for a period of time less than 10 years. If the License Agreement looks to be extended past 10 years, then Council will go through public advertisement.

GENDER IMPACT ASSESSMENT

Not applicable.

RISK

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

| Strategic Risk Description and Residual Risk Level | Action to Mitigate/Reduce Risk | Does Action maintain or reduce Residual Risk Level |
|---|--|---|
| Corporate Governance, Compliance and Liability Risk - Residual Risk Level Low | Ensuring a robust agreement 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 local playgroup supports Council’s overarching objectives within the Council Plan. | Reduces Residual Risk Level |

REGIONAL, STATE AND NATIONAL PLANS AND POLICIES

Not applicable.

CONFLICTS OF INTEREST

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

16 COUNCIL REPORTS FOR NOTING

16.1 EMERGENCY SERVICES AND VOLUNTEER FUND

Prepared by Tammy Smith, Chief Executive Officer, in conjunction with Chantelle Pitt, Revenue Coordinator

SUMMARY

From 01 July 2025, the Victorian State Government will replace the Fire Services Property Levy (FSPL) with the Emergency Services and Volunteers Fund (ESVF).

The aim of the fund is to generate revenue to make sure the Emergency Services have the resources they need to keep Victorians safe, and to help them recover from natural disaster.

This paper outlines the changes and potential impacts on our Shire rate payers.

Recommended Motion:

That Council:

- a) Note the report; and
- b) Advise the Chief Executive Officer, via a notice of motion, if they wish to enact any advocacy in relation to this matter.

Resolution:

Moved Cr Heintze

Seconded Cr Lehmann

Notice of Motion:

That Council:

- a) Undertake advocacy to the State Government regarding the Emergency Services and Volunteer Fund especially in regard to our role of collecting it.

Moved Cr Kirk

Seconded Cr Heintze

That the recommendation be adopted.

Carried

ATTACHMENTS

Link: [Emergency Services and Volunteers Fund | dtf.vic.gov.au](https://dtf.vic.gov.au)

Link: [Emergency Services and Volunteers Fund update | MAV website](#)

DISCUSSION

The ESVF will apply from 01 July 2025. Active volunteers and life members of Victorian Emergency Services will not have to pay the ESVF on their primary place of residence, such as a house or farm.

Similar to the FSPL, the ESVF will be calculated based on a fixed charge that varies by property type, and a variable charge based on property value.

Pensioners, veterans and single farm enterprises will continue to receive concessions, however, it is unclear if this will be increased, to counteract the rising ESVF.

The ESVF will still be collected through local councils, however it is unclear at this stage what the Council's role will be. We are yet to be provided with guidance on how we will administer the volunteer exemptions.

The Victoria State Government has communicated that every dollar raised will go towards vital life-saving equipment, vehicles, staff, training for volunteers, community education, and recovery support for when Victorians need it most.

The FSPL was implemented in 2013 following a recommendation of the Bushfire Royal Commission. FSPL liabilities comprise a fixed charge and a variable component:

- The fixed charge is different for residential and non-residential properties and increases annually based on the consumer price index. In 2024-25 the residential fixed charge was \$132 and the non-residential fixed charge was \$267.
- The variable component is based on a property’s capital improved value (CIV) and a variable rate (cents per \$’000 of CIV) depending on its property classification.

Pensioner Concession Card and Department of Veterans’ Affairs Gold Card holders are entitled to a \$50 concession on their FSPL liability for their principal place of residence. Farmers with multiple properties that operate as a single enterprise may be eligible to pay a single fixed charge under the single farming enterprise exemption.

From 01 July 2025, the vacant land category will be abolished, with vacant land allocated to its corresponding land use classification.

Variable rates will increase to raise additional revenue to fund the services being covered by the ESVF. The fixed rates will continue to be set in alignment with CPI.

Table 1: Comparison of 2024-25 FSPL and 2025-26 ESVF variable rates (cents per \$1,000 CIV)

| Sector | Current rates (2024-25) | | | Proposed rates (2025-26) | | |
|---------------------|---------------------------------------|-------------------|-----------------------|---------------------------------------|-------------------|-----------------------|
| | Variable rate (cents per \$1,000 CIV) | Fixed charge (\$) | Median liability (\$) | Variable rate (cents per \$1,000 CIV) | Fixed charge (\$) | Median liability (\$) |
| Residential PPR | 8.7 | 132 | 191 | 17.3 | 136 | 254 |
| Residential non-PPR | 8.7 | 132 | 191 | 17.3 | 136 | 254 |
| Commercial | 66.4 | 267 | 748 | 133 | 276 | 1,240 |
| Industrial | 81.1 | 267 | 859 | 133 | 276 | 1,247 |
| Primary Production | 28.7 | 267 | 621 | 83 | 276 | 1,299 |
| Public Benefit | 5.7 | 267 | 320 | 5.7 | 276 | 329 |
| Vacant | 29.0 | 267 | 503 | N/A | N/A | N/A |

From 01 July 2026, a new category will be created for residential principal place of residence and a non-principal place of resident’s residential properties will incur the non-residential fixed charge.

The existing \$50 concession for pensioners and veterans, and the concession for single farm enterprises will continue to apply.

The Municipal Association Victoria released a media release on 24 December 2024 outlining that the Department of Finance’s commitment to a collaborative approach with Council’s in early 2025 regarding the ESVF.

How will this impact Yarriambiack Shire Council?

The preliminary estimate, based off the proposed rates for 2025-26 outline that our rate payers will see a significant increase with the ESVF.

| FSPL 24/25 | Proposed ESVF 25/26 | Difference (Increase) |
|-------------|---------------------|-----------------------|
| \$2,722,192 | \$6,071,619 | (\$3,349,427) |

Our figures indicate that an additional \$3.3 million will be derived from the ESVF within our Shire. This does not include the exemptions, as this is still unknown.

The greatest increase will be to the farming (primary production) sector, where our estimates show an increase as follows:

| FSPL 24/25 | ESVFL 25/26 | Difference (Increase) |
|-------------|-------------|-----------------------|
| \$1,987,189 | \$5,209,223 | (\$3,222,034) |

When examining the impacts on individual scenarios, the following case studies have been referenced below.

Figure 1: Is impact in comparison from FSPL 2024/25 to ESVF in 2025/26

ESVF increase

| 2024/2025 | | 2025/2026 | | |
|-------------------------------|-------------------|-------------------------------|-------------------|------------------------|
| Farm - CIV \$1,901,000 | | Farm - CIV \$1,901,000 | | |
| \$267.00 | FSPL Fixed Charge | \$276.00 | FSPL Fixed Charge | 3% |
| \$545.59 | FSPL Levy | \$1,577.83 | FSPL Levy | 65% |
| \$812.59 | Total | \$1,853.83 | Total | 56.17% increase |

| 2024/2025 | | 2025/2026 | | |
|------------------------------------|-------------------|------------------------------------|-------------------|------------------------|
| Residential - CIV \$176,000 | | Residential - CIV \$176,000 | | |
| \$132.00 | FSPL Fixed Charge | \$136.00 | FSPL Fixed Charge | 3% |
| \$15.31 | FSPL Levy | \$30.45 | FSPL Levy | 50% |
| \$147.31 | Total | \$166.45 | Total | 11.50% increase |

Figure 2: A comparison from FSPL 2024/25 to ESVF in 2025/26, including a rates and charges increase of 3% in 2025/26.

Rates & ESVF increase

| 2024/2025 | | | 2025/2026 | | | |
|-------------|-------------------|-------------------|-------------|-------------------|-------------------|------------------------|
| Farm | | | Farm | | | |
| CIV | \$3,305.84 | Rates | CIV | \$3,404.69 | Rates | 3% |
| \$1,901,000 | \$0.00 | Garbage | \$1,901,000 | \$0.00 | Garbage | 0% |
| | \$0.00 | Recycling | | \$0.00 | Recycling | 0% |
| | \$0.00 | Glass Collection | | \$0.00 | Glass Collection | 0% |
| | \$84.08 | Municipal Charge | | \$86.60 | Municipal Charge | 3% |
| | \$267.00 | FSPL Fixed Charge | | \$276.00 | FSPL Fixed Charge | 3% |
| | \$545.59 | FSPL Levy | | \$1,577.83 | FSPL Levy | 65% |
| | \$4,202.51 | Total | | \$5,345.12 | Total | 21.38% increase |

Figure 3: A comparison from FSPL 2024/25 to ESVF in 2025/26, including a rates and charges increase of 3% in 2025/26. Noting the overall impact is minimal in comparison to the Farm increase.

| 2024/2025 | | | 2025/2026 | | | |
|-------------|-------------------|-------------------|-------------|-------------------|-------------------|-----------------------|
| Residential | | | Residential | | | Increase |
| CIV | \$527.47 | Rates | CIV | \$543.31 | Rates | 3% |
| \$176,000 | \$241.25 | Garbage | \$176,000 | \$248.49 | Garbage | 3% |
| | \$169.11 | Recycling | | \$174.18 | Recycling | 3% |
| | \$84.56 | Glass Collection | | \$87.10 | Glass Collection | 3% |
| | \$84.08 | Municipal Charge | | \$86.60 | Municipal Charge | 3% |
| | \$132.00 | FSPL Fixed Charge | | \$136.00 | FSPL Fixed Charge | 3% |
| | \$15.31 | FSPL Levy | | \$30.45 | FSPL Levy | 50% |
| | \$1,253.78 | Total | | \$1,306.13 | Total | 4.01% increase |

On assessing the impact of the ESVF, we make the following observations:

- a) Farmers will only be entitled to the exemption for their primary farming residence. Farming land is generally in multiple lots, therefore all parcels of land outside of the primary farming residence will have the fee applied. We are not envisaging a significant impact on the adjustment to our increase estimates due to the structure of family land and business enterprises.
- b) We already have approximately 8% of rates arrears properties that we must pursue via debt collection, and the *Local Government Act 1989*, Section 181 process. Majority of our rates arrears debt relates to residential properties. The ESVF will place further financial strains on our residential rate payers, and it is envisaged we will see our rates arrears increase in the coming years, due to this fund being applied.
- c) If the community is not informed about how this fund is being administered and the reasons for its introduction, it is likely that the Council may face criticism and reputational damage, as it will be deemed a Council imposed levy.
- d) There has also been no discussion and/or commitment from the State Government in relation to increasing the administration contribution to Councils who act as the collection agency on behalf of the State Government.

RELEVANT LAW

Local Government Act 2020

COUNCIL PLANS AND POLICIES

Not applicable.

RELATED COUNCIL DECISIONS

Not applicable.

OPTIONS

- a) Councillors can choose to undertake advocacy to State Government in regard to this levy.
- b) Councillors can endorse for the Chief Executive Officer to conduct a marketing awareness campaign to outline to our community this levy is not being imposed by Council.

SUSTAINABILITY IMPLICATIONS

Social: According to the 2021 Census by the Australian Bureau of Statistics, Yarriambiack Shire Council residents have a median weekly income well below the Victorian and Australian averages. Additionally, 27.5% of residents earn less than \$650 per week, compared to 16.4% in Victoria and 16.5% in Australia. Our residents also have higher rates of long-term health conditions than the state and national averages.

Financial: Based on our Census statistics, additional financial pressures may affect ratepayers' ability to pay and place further strain on the Council's cashflow position.

COMMUNITY ENGAGEMENT

There has been limited consultation with the community and Council in relation to this charge. Council is not the responsible entity for undertaking the community consultation process.

GENDER IMPACT ASSESSMENT

Not applicable.

RISK

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

| <i>Strategic Risk Description and Residual Risk Level</i> | <i>Action to Mitigate/Reduce Risk</i> | <i>Does Action maintain or reduce Residual Risk Level</i> |
|--|--|--|
| Reputational Risk - Residual Risk Level Low | The impact of this ESVF is highly likely to have an impact on Councils reputation, as the charge will be on the rates notice, and as it is paid to Council, it will be deemed as a Council charge. | Increases Residual Risk Level |
| Financial Risk - Residual Risk Level Medium | It is highly likely rates arrears will increase due to the increasing financial pressure on our rate payers, due to the rising cost of living. | Increases Residual Risk Level |

REGIONAL, STATE AND NATIONAL PLANS AND POLICIES

[Emergency Services and Volunteers Fund | dtf.vic.gov.au](https://www.dtf.vic.gov.au)

CONFLICTS OF INTEREST

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

17 PERMITS ISSUED

List of permits issued in January 2025 is listed below for noting.

Recommended Motion:

That Council:

Note the permits issued by Council between 01 January 2025 to 31 January 2025.

Resolution:

Moved Cr Kirk

Seconded Cr McLean

That the recommendation be adopted.

Carried

| Reference No | Description | Address | Date of Issue |
|-------------------------------|---|---------------|---------------|
| Planning Permits | | | |
| PA20240038 | Two lot subdivision | Minyip | 22/01/2025 |
| PA20240042 | Construction of four units | Hopetoun | 10/02/2025 |
| PA20240043 | Two lot subdivision | Murtoa | 29/01/2025 |
| Building Permits | | | |
| BLD20240428 | Demolition of a shed | Murtoa | 15/01/2025 |
| BLD20250432 | Demolition of dwelling and 3 sheds | Brim | 30/01/2025 |
| Local Laws | | | |
| 01-25 | Minyip Progress Association- Show n Shine | Minyip | 16/01/2025 |
| 01-25 | Street Activity Permit – Small Business Bus | Warracknabeal | 23/01/2025 |
| 02-25 | Street Activity Permit – Hopetoun Country Women’s Association | Hopetoun | 26/01/2025 |
| RRWP & APP Permits | | | |
| RRWP & APP 2025-1 | Widening driveway | Rupanyup | 28/01/2025 |

18 URGENT BUSINESS

Business cannot be admitted as urgent business, other than by resolution of Council. Council must only admit business as urgent if the business:

- a) Cannot safely or conveniently be deferred until the next Council meeting; or
- b) Involves a matter of urgency, as determined by the CEO.

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

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

19 NEXT MEETING

Wednesday 26 March 2025

20 CLOSED

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

Recommended Motion:

That the Ordinary Meeting of Council is now closed at 4.56pm.

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

Resolution:

Moved Cr Kirk Seconded Cr Heintze

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:

1. ENDORSEMENT OF COMMUNICATION AND ENGAGEMENT PLAN FOR EARLY YEARS SERVICES

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

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

2. PROPOSED CHANGES TO GLASS COLLECTION SERVICES

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

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

3. FUTURE OF GLASS CRUSHER

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

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

4. MATERNAL CHILD HEALTH VEHICLES

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

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

5. ACTING CHIEF EXECUTIVE OFFICER

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

- a) 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
- b) This ground applies because the Agenda Item concerns personal information about a potential Acting Chief Executive Officer that would, if prematurely released, compromise Council's position in relation to the requirement to comply with the *Privacy and Data Protection Act 2014*.