

**AGENDA OF ORDINARY MEETING OF YARRIAMBIACK SHIRE COUNCIL TO BE HELD ON WEDNESDAY 13 FEBRUARY 2013 AT THE MUNICIPAL OFFICE 34 LYLE STREET WARRACKNABEAL AT 9:30 AM**

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**1 WELCOME**

**2 ACKNOWLEDGEMENT**

We acknowledge the traditional owners of the land on which we meet today and pay our respect to both past and present elders.

**3 PRAYER**

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

*Amen*

**4 PRESENT**

Crs K Zanker, H Ballentine, T Grange, A McLean, G Massey, L Woods, R Kingston, Ray Campling (Chief Executive Officer) & James Magee (Director Infrastructure & Planning).

**5 APOLOGIES**

**6 CONFIRMATION OF MINUTES**

Ordinary Meeting of Council – 12 December 2012

Closed Session of Council – 12 December 2012

**7 DECLARATION OF CONFLICT OF INTEREST**

## **8 BUSINESS ARISING**

**8.1 Action List from last meeting**

**8.2 Ongoing and Pending Action List**

## **9 PETITIONS**

## **10 REPORTS**

### **Corporate Reports**

- 10.1 Mayor's Report
- 10.2 Councillor/Delegate Reports
- 10.3 Chief Executive Officer – Activity Report
- 10.4 Director Infrastructure & Planning Report
- 10.5 Works Report
- 10.6 Community Services Report
- 10.7 Community Development Projects Report

## **11 REPORTS FOR DECISION**

- 11.1 Finance Report - Withdrawn
- 11.2 Revenue Report
- 11.3 69-75 Brook Street, Woomelang
- 11.4 Yarriambiack Shire Council Internal Audit Committee
- 11.5 National Broadband Network Communication Tower
- 11.6 Proposed Planning Scheme Amendment C18
- 11.7 Proposed Transfer of Land: 69-75 Brook Street, Woomelang

**10.1 Mayor's Report – prepared by Cr Kylie Zanker****Mayor Kylie Zanker**

2012

13 December Wimmera Primary Care Partnership – “Presentation of the Report”

13 December Mayoral Gathering Lunch

15 December Warracknabeal Carols by Candlelight – Christmas Welcome

2013

21 January Met with CEO, Ray Campling – various matters

23 January Attended Volunteering Western Victoria meeting with CEO – various matters

24 January Meeting with Tim Inkster and CEO Ray Campling – discussion regarding Yarrilinks 15<sup>th</sup> Birthday celebrations

25 January Australian Citizenship Ceremony

26 January Hopetoun Australia Day Breakfast and Awards

1 February Attended Volunteering Western Victoria meeting with CEO – various matters

1 February Meeting with Senator Madigan at the Yarriambiack Shire Council

6 February Volunteering Western Victoria Executive meeting

8 February Rural Northwest Health Community meeting at the Hopetoun Campus regarding the celebrations of 70 years

**Councillor's Reports****Cr H Ballentine**

- 18 December            Attended the Annual Awards Night of the Hopetoun P-12 College
- 13 December           Wimmera Mallee Tourism meeting in Warracknabeal
- 7 February             Rural Women's Awards Presentation at Parliament House in Melbourne

**Cr G Massey**

- 26 January             Australia Day Breakfast and Ceremony at Wallup Hall
- 8 February             Wimmera Regional Library meeting at Horsham

**Cr A McLean**

- 18 December           Attended the Annual Awards Night of the Hopetoun P-12 College
- 1 February             Attended a web/video link-up conference at Stawell presented by Sustainability Victorian for Regional Waste Management Groups, looking at ways organic wastes are and can be dealt with to keep out of landfill

**Cr L Woods**

- 12 December           Attended Neighbourhood House meeting
- 18 December           Attended Neighbourhood House meeting
- 18 December           Attended Warracknabeal Secondary College Awards Night
- 20 December           Attended Hopetoun P-12 and St Joseph's Catholic Primary School combined Christmas Concert
- 15 January             Attended Neighbourhood House meeting
- 26 January             Attended Warracknabeal's Australia Day celebrations at Anzac Park and presented the Community Event of the Year Award
- 1 February             Attended meeting with Senator John Madigan at Shire Office in Warracknabeal with fellow Councillors and CEO
- 8 February             Attended Neighbourhood House meeting

**Cr R Kingston**

- 9 January Met with representatives of Central Victorian Greenhouse Alliance (CVGA), Castlemaine – discussion re potential street lighting upgrade application on behalf of Wimmera Mallee Sustainability Alliance (WMSA)
- 14 January WMSA / CVGA Teleconference
- 15 January 'When the Flood Came' Committee meeting, Rupanyup
- 25 January Bernie Naylor (infrastructure Service Manager) and I met with representatives of Wimmera Catchment Management Authority and GWM Water – previewed drainage study for southern part of Shire
- 29 January 'When the Flood Came' Committee meeting, Rupanyup
- 30 January WMSA / CVGA Teleconference
- 1 February Met with Senator John Madigan in Warracknabeal
- 5 February 'When the Flood Came' Committee meeting, Rupanyup
- 5 February WMSA / CVGA Teleconference
- 6 February Attended Regional Development Australia Housing Investment Project Steering Group meeting in Horsham
- 6 February Minyip Progress Association meeting
- 11 February Rupanyup Consultative Committee meeting

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**Cr T Grange**

12 December	Attended Council meeting
17 December	Met with Mr Darrell Pepper re state of gutters outside his residence at 43 Hamilton Street, Murtoa
17 January	Meeting at Emma's Cafe with President of Minyip Lions Australia Day Committee to select Minyip Citizen of the year with Cr R Kingston
24 January	Met at Council Chambers with Mr John Boehm (Design Engineer)
25 January	Visited Murtoa to talk to residents and businesses re their concerns in regards to perceived new parallel parking arrangements outside Post Office at Murtoa. Advised those concerned, that it wasn't a consideration before Council at this point in time
26 January	Guest speaker at the Minyip Australia Day celebrations
31 January	Met in office with resident of Warracknabeal and Jaye Macumber (Manager Economic & Community Development) re new business proposal
1 February	Attended meeting at Council Chambers with Senator John Madigan
6 February	Attended Minyip Progress Association meeting
12 February	Attended Wimmera Development Association board meeting in Horsham

**10.3 Chief Executive Officer – Activity Report – Prepared by Ray Campling**

- Met with John Craven – Tour of Sunraysia Cycling Event
- Met with Chris Watson – Staff Training Options
- Attended Wimmera Primary Care Partnership meeting
- Met with Graeme Campbell, Department of Sustainability & Environment
- Attended Rural Councils Victoria Executive Committee meeting
- Attended Beulah Business Centre public meeting
- Met with Melissa Mitchell, Woomelang & District Development Association
- Met with Mark Williams, GWM Water
- Attended Grampians Regional Management meeting in Ararat
- Attended Wimmera Southern Mallee Regional Growth Plan meeting
- Met with Council's Internal Auditor, Brad Ead
- With Madam Mayor Zanker, met with Tim Inkster – Yarrilinks 15<sup>th</sup> Anniversary
- Met with Keith Jackson, Regional Director, Regional Development Victoria
- With Mayor Zanker, attended Australia Day Ceremony in Hopetoun
- Attended Wimmera Local Government CEO's meeting in Horsham
- Met with Dean Miller – North Western Municipalities Association Program
- With Councillors, met with Senator John Madigan
- Met with Gavin Mahoney, Municipal Association of Victoria
- Met with Peter Rademaker – SHARE Program
- Attended Wimmera Development Association meeting

**10.4 Director Infrastructure & Planning Report – Prepared by James Magee****Street Lighting**

Yarriambiack Shire in conjunction with eleven other Councils' are applying for a grant through the Federal/Local Government Energy Efficiency Program to replace current street lighting with more energy efficient globes.

If successful, under the program Council should save more than \$40,000 per annum on energy costs.

**Southern Drainage Plan**

Water Technology has provided an initial draft, mapping drainage paths in the southern portion of Yarriambiack Shire Council.

The final drainage study should be completed by the end of February.

It will support Council in its efforts to retain channel structures for drainage purposes where practical to do so.

**Rubbish Removal**

Council is assisting the Yarrilinks Coordinator, Tim Inkster in applying for funding to remove hard rubbish from the creek. Council is in the process of identifying the locations of any rubbish dumped in the creek.

Members of the public with information should contact Geoff Harvey, Council's Environmental Officer with any locations.

**Environment – Prepared by Geoff Harvey**

- Meeting with Mallee Landcare representatives re roadside weeds/rabbits
- Discussions with supplier re solar hot water units for caravan parks and kindergartens
- Inspected roads for native vegetation issues prior to works
- Inspected street trees at Murtoa, Minyip and Hopetoun
- Attended Wimmera Mallee Sustainability Alliance meeting
- Worked on application for proposed street lighting project
- Inspected Department of Primary Industries target area for rabbit control works
- Met contractors re dead tree removal, Murtoa
- Respond to various ratepayer requests/complaints

**Technical Support – Prepared by Nathan McLean**

- Revised Graffiti Grant Submission
- Five Year Capital Works Program (pavements)
- Road Segment Books for Supervisors
- Traffic Counter (updated software)
- Traffic Management Course



**Technical Services – Prepared by Tony Brennan**

- Processed various Customer Requests as needed
- Updated vehicle checklists and plant machinery checklists with vehicle changeovers as required
- Prepared vehicle checklist and plant list reports and emailed to all relevant managers
- Issue Road Opening Permits as needed for various minor works
- Monitored all ‘Dial Before You Dig’ enquiries throughout the Shire to assess if a Road Opening Permit is required
- Carried out twice weekly inspections of Warracknabeal Aerodrome during January
- Filled in for Mick Evans (Assets Engineer) as required while on leave
- Carried out nominated tasks for Dennis Smith (Community Projects Co-ordinator) while on leave
- Filled in for Bernie Naylor (Infrastructure Service Manager) while on leave
- Carried out playground inspections

**Warracknabeal Regional Livestock Exchange – Prepared by Tony Brennan**

- Continued investigations on what is required to become ‘Meat Standards Australia Approved’ for processors to source livestock from our facility
- First sheep sale for 2013 held on Wednesday, 6 February 2013. Numbers for the 2012/2013 financial year currently 62,696 head
- Continued with updating of all Pen Number’s and yard plans, sprinklers, water troughs and tree locations etc so plans can be drawn up to match current layout
- Attending upcoming Saleyards Managers meeting in Ballarat on Friday, 15 February 2013

**Design – Prepared by John Boehm****Council Capital Works Program 2012/2013**

Survey, Design and Set-out;

- Pavement construction and bitumen sealing to Cemetery Road, Murtoa
- Road widening in Gardiner Street, Warracknabeal between the Henty Highway and Stawell Road
- Pavement strengthening and bitumen seal to 1,900 metres of the Glenorchy Road
- Concrete kerb, channel and bitumen seal to the parking lane, for the north side of Friend Street, Murtoa
- Concrete kerb and channel to both sides of Lloyd Street, Murtoa
- Concrete footpath continued along the west side of Scott Street, Warracknabeal, ceasing at Cemetery Road

Investigations and recommendations to parking arrangements in McDonald Street, Murtoa – a number of plans / options are prepared for consideration by Council.

Site plan for the new Hopetoun Depot.

**Flood Works Projects**

- Murtoa south side bypass drain: Install a connecting pipe for the drains in Lloyd Street, Murtoa to the new bypass drain (completed); construct a discharge opening into the Marma Lake channel for flood overflows from the bypass drain
- Repair works to the concrete drain pit at the Brim Weir (works complete)

**Other Projects**

- Assessments and reports to planning applications, specifically covering engineering issues

**Risk & Safety Report – Prepared by Barry Sullivan**

The JMAPP Regional Workshop hosted by Yarriambiack Shire Council at Warracknabeal was well attended by the Shire's Departmental Managers and Risk and Safety Officers from surrounding Councils. The workshop focused on the up and coming 2012-2014 Audit and what Councils need to submit to the Auditor on the day. A date for the audit has not been set out this stage.

Bob Taylor (Safety Officer) and I attended Ballarat University for a week on studies in OH&S, Risk Management and Emergency Services.

22 outdoor staff attended the Sunsmart Program at the Warracknabeal Office conducted by Rural Northwest Health. The program focused on having check ups with your local doctor to identifying possible skin cancer areas on your body. The program looked at identifying the different types of skin cancer and the consequences of not having regular check ups. Men's health issues were also discussed.

An Auditor from Jardine Lloyd Thompson (JLT) conducted a Public and Professional Liability Audit Review of Yarriambiack Shire Council in January. All managers as well as the CEO attended the summary of the audit at the end of the day.

**10.5 Works Report – Prepared by Brian Poulton****Capital Works Program – Roads and Streets 2012-2013**

<b>URBAN ROAD PROJECTS</b>	<b>% COMPLETE</b>	<b>START DATE</b>	<b>COMPLETION DATE</b>	<b>COMMENT</b>
<b>King Street Brim (\$119,715)</b>	<b>100%</b>	<b>November 2012</b>	<b>November 2012</b>	<b>Road Reconstruction &amp; Seal - Shire</b>
<b>Byrne Street Yaapeet (\$8,400)</b>	<b>100%</b>	<b>September 2012</b>	<b>September 2012</b>	<b>Shoulder Reconstruction &amp; Seal - Shire</b>
<b>Strachan Street Hopetoun (\$34,500)</b>	<b>100%</b>	<b>November 2012</b>	<b>December 2012</b>	<b>Road Reconstruction &amp; Seal - Shire</b>
<b>Mandeville Street Hopetoun (\$11,025)</b>	<b>100%</b>	<b>July 2012</b>	<b>July 2012</b>	<b>Shoulder Reconstruction &amp; Seal - Shire</b>
<b>Gladstone Street Beulah (\$7,700)</b>	<b>%</b>	<b>February 2013</b>		<b>Shoulder Reconstruction &amp; Seal - Shire</b>
<b>Hope Road Hopetoun (\$8,610)</b>	<b>100%</b>	<b>July 2012</b>	<b>July 2012</b>	<b>Shoulder Reconstruction &amp; Seal - Shire</b>
<b>Conran Street Hopetoun (\$8,750)</b>	<b>100%</b>	<b>July 2012</b>	<b>July 2012</b>	<b>Shoulder Reconstruction &amp; Seal - Shire</b>
<b>Dingwell Street Beulah (\$8,820)</b>	<b>%</b>	<b>February 2013</b>		<b>Shoulder Reconstruction &amp; Seal - Shire</b>
<b>Bell Street Beulah (\$1,680)</b>	<b>%</b>	<b>February 2013</b>		<b>Shoulder Reconstruction &amp; Seal - Shire</b>

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<b>URBAN ROAD PROJECT</b>	<b>% COMPLETE</b>	<b>START DATE</b>	<b>COMPLETION DATE</b>	<b>COMMENT</b>
<b>Degenhardt Street Murtoa (\$9,775)</b>	<b>%</b>	<b>March 2013</b>		<b>Road Reconstruction &amp; Seal - Shire</b>
<b>Friend Street Murtoa (\$32,775)</b>	<b>10%</b>	<b>January 2013</b>		<b>Road Reconstruction &amp; Seal - Shire</b>
<b>Munro Street Murtoa (\$13,110)</b>	<b>%</b>	<b>March 2013</b>		<b>Road Reconstruction &amp; Seal - Shire</b>
<b>McDonald Street Murtoa (\$22,724)</b>	<b>100%</b>	<b>August 2012</b>	<b>September 2012</b>	<b>Road Reconstruction &amp; Seal - Shire</b>
<b>Rabi Park Car Park Murtoa (\$15,000)</b>	<b>%</b>	<b>March 2012</b>		<b>Signage &amp; Resurfacing</b>
<b>Cemetery Road Warracknabeal (\$117,300)</b>	<b>100%</b>	<b>November 2012</b>	<b>December 2012</b>	<b>Road &amp; Shoulder Reconstruction - Shire</b>
<b>Gardiner Street Warracknabeal (\$51,117)</b>	<b>100%</b>	<b>November 2012</b>	<b>January 2013</b>	<b>Road Reconstruction &amp; Seal - Shire</b>
<b>Pyers Street Warracknabeal (\$18,802)</b>	<b>80%</b>	<b>January 2013</b>		<b>Road Reconstruction &amp; Seal - Shire</b>
<b>Rose Street Warracknabeal (\$16,388)</b>	<b>100%</b>	<b>November 2012</b>	<b>November 2012</b>	<b>Road Reconstruction &amp; Seal - Shire</b>

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<b>RURAL PROJECTS</b>	<b>% COMPLETE</b>	<b>START DATE</b>	<b>COMPLETION DATE</b>	<b>COMMENT</b>
<b>Bell Street Beulah (\$10,005)</b>	<b>%</b>	<b>February 2013</b>		<b>Kerb &amp; Channel Contractor</b>
<b>Galaquil West Road (\$29,932)</b>	<b>20%</b>	<b>February 2013</b>		<b>Construction &amp; Realign Shire</b>
<b>Patchewollock – Temy Road (\$250,793)</b>	<b>100%</b>	<b>September 2012</b>	<b>November 2012</b>	<b>Road Reconstruction &amp; Seal - Shire</b>
<b>Sea Lake - Lascalles (\$185,557)</b>	<b>%</b>	<b>March 2013</b>		<b>Road Reconstruction &amp; Seal – Shire</b>
<b>Brim West Road (\$126,274)</b>	<b>20%</b>	<b>February 2013</b>		<b>Road Reconstruction &amp; Seal – Shire</b>
<b>Galaquil East Road (\$323,050)</b>	<b>80%</b>	<b>February 2013</b>		<b>Road Reconstruction &amp; Seal – Shire</b>
<b>Galaquil East Road (\$276,983)</b>	<b>80%</b>	<b>February 2013</b>		<b>Road Reconstruction &amp; Seal – Shire</b>
<b>Lascalles West Road (\$86,521)</b>	<b>%</b>	<b>March 2013</b>		<b>Road Reconstruction &amp; Seal – Shire</b>
<b>Harts Road Beulah (\$187,072)</b>	<b>%</b>	<b>February 2013</b>		<b>Road Reconstruction &amp; Seal – Shire</b>
<b>Thomas Road Murtoa (\$276,400)</b>	<b>20%</b>	<b>February 2013</b>		<b>Road Reconstruction &amp; Seal – Shire</b>
<b>Ashen Jacksons Road (\$44,210)</b>	<b>%</b>	<b>March 2013</b>		<b>Road Reconstruction &amp; Seal – Shire</b>
<b>Dimboola – Minyip Road (\$153,208)</b>	<b>%</b>	<b>March 2013</b>		<b>Road Reconstruction &amp; Seal – Shire</b>

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<b>RURAL PROJECTS</b>	<b>% COMPLETE</b>	<b>START DATE</b>	<b>COMPLETION DATE</b>	<b>COMMENT</b>
<b>Glenorchy Road (\$214,782)</b>	<b>80%</b>	<b>January 2013</b>		<b>Road Reconstruction &amp; Seal - Shire</b>
<b>Minyip Rich Avon Road (\$66,396)</b>	<b>100%</b>	<b>October 2012</b>	<b>November 2012</b>	<b>Road Reconstruction &amp; Seal - Shire</b>
<b>Minyip Rich Avon Road (\$33,527)</b>	<b>100%</b>	<b>October 2013</b>	<b>November 2012</b>	<b>Road Reconstruction &amp; Seal - Shire</b>
<b>Mount Pleasant Road (\$50,276)</b>	<b>20%</b>	<b>February 2013</b>		<b>Road Reconstruction &amp; Seal - Shire</b>
<b>Mount Pleasant Road (\$12,277)</b>	<b>20%</b>	<b>February 2013</b>		<b>Road Reconstruction &amp; Seal - Shire</b>
<b>Cemetery Road Murtoa (\$168,365)</b>	<b>80%</b>	<b>November 2012</b>		<b>Road Reconstruction &amp; Seal - Shire</b>
<b>Lah Angle Road (\$389,344)</b>	<b>100%</b>	<b>September 2012</b>	<b>October 2012</b>	<b>Road Reconstruction &amp; Seal - Shire</b>

**Footpath Program 2011/2012**

<b>PROJECT</b>	<b>% COMPLETE</b>	<b>START DATE</b>	<b>COMPLETION DATE</b>	<b>COMMENT</b>
<b>Foundry Street Minyip (\$14,582)</b>	<b>80%</b>	<b>March 2013</b>		<b>Quarry Dust Maintenance</b>
<b>Wimmera Street Minyip (\$4,815)</b>	<b>100%</b>	<b>March 2013</b>		<b>Quarry Dust Maintenance</b>
<b>Breen Street Murtoa (\$2,153)</b>	<b>%</b>	<b>March 2013</b>		<b>Quarry Dust Maintenance</b>
<b>Bowman Street Warracknabeal (\$2,770)</b>	<b>%</b>	<b>March 2013</b>		<b>Quarry Dust Maintenance</b>
<b>Jamouneau Street Warracknabeal (\$2,093)</b>	<b>%</b>	<b>February 2013</b>		<b>Concrete Maintenance</b>
<b>McLeod Street Murtoa (\$6,007)</b>	<b>%</b>	<b>February 2013</b>		<b>Quarry Dust Maintenance</b>
<b>Miller Street Murtoa (\$7,383)</b>	<b>%</b>	<b>February 2013</b>		<b>Quarry Dust Maintenance</b>
<b>Begg Street Warracknabeal (\$10,047)</b>	<b>%</b>	<b>April 2013</b>		<b>Concrete Maintenance</b>
<b>Coral Avenue Warracknabeal (\$11,861)</b>	<b>%</b>	<b>April 2013</b>		<b>Concrete Maintenance</b>
<b>Gardiner Street Warracknabeal (\$14,652)</b>	<b>%</b>	<b>February 2013</b>		<b>Concrete Maintenance</b>
<b>Phillips Street Warracknabeal (\$15,000)</b>	<b>%</b>	<b>March 2013</b>		<b>Concrete Maintenance</b>
<b>Scott Street Warracknabeal (\$61,260)</b>	<b>50%</b>	<b>November 2012</b>		<b>Concrete Maintenance</b>
<b>Werrigar Street Warracknabeal (\$16,885)</b>	<b>%</b>	<b>March 2013</b>		<b>Concrete Maintenance</b>

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<b>PROJECT</b>	<b>% COMPLETE</b>	<b>START DATE</b>	<b>COMPLETION DATE</b>	<b>COMMENT</b>
<b>Cumming Street Hopetoun (\$9,070)</b>	<b>100%</b>	<b>November 2012</b>	<b>November 2012</b>	<b>Concrete Maintenance</b>
<b>Garrard Street Hopetoun (\$50,097)</b>	<b>100%</b>	<b>September 2012</b>	<b>November 2012</b>	<b>Concrete Maintenance</b>
<b>Garrard Street – Cumming Street Hopetoun (\$8,254)</b>	<b>100%</b>	<b>November 2012</b>	<b>November 2012</b>	<b>Quarry Dust Maintenance</b>

**Total Gravel Re-Sheet Works 62.490km**

**Completed Works – November 2012**

\* Brickle Road

**Completed Gravel Re-sheet Works 32.760km**

**Gravel Shoulders – January 2013**

\*Galaquil East Road



## **10.6 Community Services – Prepared by Gavin Blinman**

### **Kindergartens**

Council has been busy preparing for all Kindergartens in our Shire to open, with seven in operation this year.

Due to the new National Licensing, we now have to reapply for our staff to be fit, proper certified and recognized as nominated supervisors.

The Hopetoun upgrade is progressing, we are meeting with Robin Barber to have plans and specifications drawn up to put the project out to tender.

Jason McKay, the new Assistant Building Surveyor will be our project manager and Bernie Naylor will assist us with the tender process.

The Rupanyup extensions have been finalised with a landscape gardener remodelling the front entrance to the Maternal Child & Health Centre.

Enrolments will be finalised as kindergarten commences.

### **Aged and Disability**

Council are currently looking at an expansion of our personal care program as we have received extra funding.

We will be focusing on improving the social contacts for our Home & Community Care (HACC) clients, with a series of outings being planned to bring people across the Shire together to enjoy being in the community and not house bound.

The Transport Project Working Group is looking at ways of reintroducing community transport in towns across our Shire; several options are being planned at the moment.

As part of the Wimmera HACC Allied Health Project, we will be obtaining funding to share costs of providing an Occupational Therapist and Physiotherapist two days per week in the Yarriambiack and Hindmarsh Shire. They will work alongside our assessment officer to improve the service and ensure plans exist to assist people to remain at home longer.

Portsea Camp was another success with 24 children attending, volunteers did an amazing job and although the bus was very late in returning, the camp was enjoyed by all.

The viability of the 'Meals on Wheels' service in Minyip is being reviewed at the moment, as numbers have really dropped.

### **Environmental Health / Local Laws**

Food premises inspections are being undertaken across the Shire. The level of compliance observed from the food businesses inspected over this period remains quite good. Within Yarriambiack Shire there are a number of older kitchens; however, proprietors are generally keeping these to a high standard of cleanliness. One business has been sold and the new owners have already taken possession of the premises.

Several food related complaints have been received by Council over this period, all complaints have been investigated, with corrective actions being undertaken.

Three final onsite wastewater permits have been issued, with most sites primarily being new farm properties. Two permits to install have also been issued after the assessment of the new Rosebery and Patchewollock Fire Stations.

During mid-December, Council was advised by GWM Water that a blue green algae bloom existed in Lake Lascelles. The bloom was identified by a large bright green algae slick located along the bank.

Council implemented actions from our Blue Green Algae Management Policy and signs were erected once algae levels were confirmed to be potentially hazardous to public health. The signs remained at the lake until mid-January, when Council received two water samples that were below safe recreational water standards. I also attended a Regional Blue Green Algae meeting in Horsham.

Council is currently in the process of appointing a casual Local Laws Officer to undertake relief work when required. There has been a good response from the community for those interested in the position and we anticipate having an impressive group of candidates to select from for the position.

In an attempt to make Council's Local Laws Officer more prominent in the community, Council has installed appropriate signage on the vehicle in order for it to be easily recognisable to local residents. The signage also incorporates reflective striping to make the vehicle more visible when night time work is being carried out, such as stock on roads.

Council are currently reviewing Council Local Laws and the Emergency Animal Management Plan.

Council is reminding residents to ensure that all animal/personal details are up-to-date prior to pet registration renewals in April. As from 11 April 2013, reduced fees for micro-chipping pets will no longer apply, to obtain the reduced fee your pets must be de-sexed, or the owner registered with VCA, FCC, CFA or DCC. Dogs classified as "working dogs" are exempt from the full fee.

Council's building department are in the process of dealing with issues in relation to several derelict houses in Beulah, Murtoa and Hopetoun.

Fire prevention clean-up works saw 67 blocks cleaned up by Council's contractor.

## **Youth**

Council continues to offer a limited service due to our full-time youth worker being on sick leave. Our youth worker based in the southern area of our Shire (Ali Baker) is working with Murtoa College to assist a few young people in need of support, as well as a number of young people who have also approached him for assistance.

We have several projects such as the Minyip Festival and Yarriambiack Has Talent that are being worked on by Ali.

We also have a student on placement at the moment, who is doing 60 hours with Ali as part of her Certificate IV Course.

**Emergency Relief**

A busy time for 'Emergency Relief' over the holiday period with many people needing assistance.

We referred about six clients to Wimmera Uniting Care for financial counselling during this period.

Our staff will shortly commence training on the 'No Interest Loan Scheme' (NILS), which will assist clients to move over to this type of assistance and establish better financial practices.

**Volunteer Transport**

Ten clients were transported 2,890 kilometres this month.

New volunteer drivers in the Hopetoun area are being recruited at the moment.

**Maternal and Child Health**

This month we received data to tell us we had one of the highest immunisation rates in the State, this is a credit to our nurses (Nanette Freckleton and Ros Barber) and Tim Rose (Public Health & Regulatory Services) who actively promote and plan the program each year.

Council is busy re-establishing the Maternal & Child Health service in Yaapeet, which is based at the CFA Station. A number of families in the town are seeing Ros and she has had to reschedule her time to start providing support in the area again.

Currently, 42 new babies have been born this financial year, with another ten due around February and March.

The Yarriambiack Shire Council has 59 new enrolments for the Maternal & Child Health Service.

## 10.7 Business, Economic & Community Development Report – Prepared by Jaye Macumber

### Meetings Attended

13/12/2012	Meeting re upgrading Beulah Memorial Hall
14/12/2012	Donald Mineral Sands Simon Peters
14/12/2012	Wimmera Development Association: Sue Boddi
18/12/2012	Murtoa Progress Association
21/12/2012	Meeting with potential buyer for Brim Hotel
02/01/2013	Springtech Services, Lynne Gleeson
02/01/2013	Warracknabeal Caravan Park Caretaker, Andrew Richards
15/01/2013	Murtoa Caravan Park Caretaker, Lola Cowie
15/01/2013	Rupanyup Flood Benefit Concert Meeting
16/01/2013	Damien Harberger re Hopetoun Smash Repairs
18/01/2013	Meeting re Farmer Export Info nights with Trish Fraser in Woomelang
21/01/2013	Y-Fest meeting Warracknabeal
23/01/2013	Regional Arts Fund Info Session
23/01/2013	Murtoa Progress Association
24/01/2013	Meeting re Patchewollock music festival with Robin Yetman, Patchewollock
25/01/2013	Wimmera Southern Mallee Economic Development Officers meeting in Horsham
25/01/2013	Meeting re: Minyip Reserve with Keith Boschen
29/01/2013	Rupanyup Flood Benefit Concert meeting
31/01/2013	Meeting re re-opening Warracknabeal Computer Store with Cr Grange
31/01/2013	Meeting with Wally from Patchewollock Hotel re planning application for caravan park
01/02/2013	Meeting with Marc Amos and Pauline Fay of Regional Development Victoria (RDV) in Horsham
04/02/2013	'Computers for the Terrified', Warracknabeal Neighbourhood House with Cr Grange
04/02/2013	Meeting re new Inc for Yarriambiack Major Events at Warracknabeal
04/02/2013	Warracknabeal Action Group meeting, Warracknabeal
05/02/2013	Rupanyup Flood Benefit Concert Meeting
05/02/2013	Meeting with Mal Schier, Cabinet Maker, Murtoa
06/02/2013	Business Training Opportunities meeting in Horsham
06/02/2013	Minyip Progress Association
11/02/2013	Rupanyup Progress Association

### Community Development

- Rupanyup Flood Concert scheduled for Saturday, 2 March 2013, artists confirmed
- Warracknabeal Christmas event completed 20 December 2012. Initial planning for 2013 event commenced
- Model Glider competition in Warracknabeal, April 2013, awaiting permit applications. Connected Model Glider competition organizers with Warracknabeal Action Group (WAG)
- Meetings held for Y/Fest Easter Festival 2013
- Patchewollock Farmer Festival scheduled for October 2013
- Planning to set-up Yarriambiack Major Events Committee

### **Business Development**

- Hopetoun Co-Op subdivision and progress follow-up with Damien Harberger
- Met with several business owners from Warracknabeal, Minyip, Murtoa, Lascelles, Patchewollock, Woomelang and Hopetoun to discuss their future plans within the Shire
- Discussions held with Telstra regarding opening a satellite Telstra shop in Yarriambiack Shire

### **Economic Development**

- Andrew Richards commenced as the new Caretaker of Warracknabeal Caravan Park
- Discussion held with Regional Development Victoria to apply for funding to upgrade Warracknabeal, Murtoa and Hopetoun Caravan parks and action a feasibility study

**SHARE Program (Sustainable Healthy Adaptable Resilient Engaged) – Prepared by Marianne Ferguson**

**Wimmera Mallee Tourism**

Wimmera Mallee Tourism will again be attending the Adelaide and Melbourne Camping Shows. The Adelaide Camping Show will be held 20 – 24 February 2013. The Melbourne Camping Show will be held 7 – 12 March 2013.

**Yarriambiack Tourism Association**

The next Yarriambiack Tourism meeting will be held on Monday, 25 February at the Mallee Bush Retreat in Hopetoun. The initial drafts of the Yarriambiack Tourism Association logo are underway and will assist the committee with future branding of the Association.

The Yarriambiack Tourism Facebook Page continues to grow and currently has 57 'Likes'.

**Regional Victoria Living Expo**

Preparations for the 2013 Regional Victoria Living Expo are underway, the Expo will be held 19 - 21 April 2013 at the Melbourne Convention and Exhibition Centre.

**SHARE Program Governance, Communications and Marketing Guide**

SED Consulting is currently finalising the Governance, Communications and Marketing Guide that aims to assist local progress and consultative associations to increase productivity, retain and attract volunteers. The guide is scheduled to be finalised in early April.

## **11 REPORTS FOR DECISION**

### **11.1 Finance Report – Withdrawn**

### **11.2 Revenue Report – Prepared by Chantelle Pitt**

The Revenue Report as at February 2013 will be tabled.

#### **Recommendation**

The Revenue Report as at February 2013 be received.

**11.3 Rates, Charges and Interest Waiver for property at 69-75 Brook Street, Woomelang – Prepared by Ray Campling**

Lot 1 TP442963G Volume 11390 Folio 790

Lot 1 TP818605R Volume 11390 Folio 792

Lot 2 LP4597 Section 1 Volume 11390 Folio 791

Council has now received advice that the above titles have been transferred into Council's name from the Australian Securities and Investments Commission (ASIC). As this was a no cost transfer; the rates, charges and interest of \$4,792.74 for this property remain outstanding.

As it is Council's intention to transfer this land to the Woomelang and District Development Association Inc the outstanding balance for this property needs to be resolved prior to any further transfers taking place.

Council has endorsed this project in previous meetings and is fully supportive and appreciative of the intention of this project and; in particular the anticipated positive benefits and outcomes.

**Recommendation**

That Council waive the outstanding rates, charges and interest for the property at 69/75 Brook Street, Woomelang which is now owned by Council.



### **11.4 Yarriambiack Shire Council Internal Audit Committee - Community Representatives – Prepared by Ray Campling**

As Councillors would appreciate, the membership of the Yarriambiack Shire Council Internal Audit Committee comprises:-

- Two Councillors – Mayor Kylie Zanker and Graeme Massey
- Chief Executive Officer – Ray Campling
- Corporate Services Manager – Anita McFarlane
- Three Independent Community Representatives

Following the 2012 Council Elections, Council advertised in all local newspapers during the month of December 2012 for three independent community representatives to join the Yarriambiack Shire Council Internal Audit Committee.

At the application closing date, Council had received three impressive and well credentialed applications:-

#### Mr Michael Ryan

- Bachelor of Business Accounting
- Registered Company Auditor
- Chartered Accountant; and
- extensive experience with various Audit, Risk & Finance Committees

#### Mr James Gregson

- Bachelor of Commerce, specialising in Accounting, Institute of Chartered Accountants
- Co-manages family property in Warracknabeal; and
- Works part-time for KPMG – Private Enterprise, Audit Division

#### Ms Jean Wise OAM

- Extensive experience as Chair, Secretary and Treasurer of various committees and organisations
- Community representative on the Rural Northwest Health Internal Audit Committee for a period of two years; and
- Member of Council's Internal Audit Committee for three years

### **Recommendation**

That Mr Michael Ryan, Mr James Gregson and Ms Jean Wise be accepted and endorsed as the three community representatives on the Yarriambiack Shire Council Internal Audit Committee.

### 11.5 National Broadband Network Communication Tower, 4 Dwyer Street, Rupanyup – Prepared by David Young

<b>Applicant's Name:</b>	Ericsson Pty Ltd (on behalf NBN Co)		
<b>Application No</b>	TP 11-12		
<b>Land/Address:</b>	4 Dyer Street Rupanyup		
<b>Owners Name:</b>	K and S Barber		
<b>Proposal: Planning Scheme Definition</b>	Use and Development of the land for a telecommunications facility, comprising of 35m high monopole and ancillary components enclosed within secure compound.		
<b>Zone</b>	Township Zone	<b>Overlay</b>	ESO3

#### Proposal

The proposal is to Use and Develop the land for a telecommunication facility. The tower will be a 35m high monopole and ancillary components enclosed within secure compound. Three panel antennas and two parabolic dish antennas will be attached to the head of the tower. See Appendix 1.0 Development Plans.

The Yarriambiack Planning Scheme defines a **Telecommunications facility** as:

“Land used to accommodate any part of the infrastructure of a Telecommunications network. It includes any telecommunications line, equipment, apparatus, telecommunications tower, mast, antenna, tunnel, duct, hole, pit, pole, or other structure or thing used, or for use in or in connection with a Telecommunications network.”

#### Subject Site & Locality

The subject site is located adjacent to Connolly Parade. The area for the proposed development is to the north east corner of the land. The land immediately catering for the development is clear of vegetation and is relatively level. There are existing trees along the eastern boundary.

To the east of the subject land is an automotive business being conducted in a shed. Adjoining that is a dwelling, approximately 60 metres from the proposed tower site and further to the east is the township of Rupanyup. To the south are dwellings, approximately 120 metres from the proposed site. To the west is cleared land and to the south west is a dwelling, approximately 150 metres for the proposed site. See Appendix 2.0 Area Plan

#### Public Notification

The application has been advertised pursuant to Section 52 of the *Planning and Environment Act 1987*, by:

- Sending notices to the owners and occupiers of adjoining land.
- Placing signs on site
- Notice in newspaper.

The notification has been carried out correctly.

Council has received two (2) objections to date. The key issues that were raised in the objections are:

- Health and Safety from emissions from the tower;
- Property prices;
- Potential to restrict development.

These will be discussed further in the report. See Appendix 3.0 letter of objection.

**Referrals**

External Referrals/Notices Required by the Planning Scheme:

Referrals/Notice	Advice/Response/Conditions
Section 55 Referrals	Nil
Section 52 notices	DSE No comment on the proposal

**Planning Scheme Provisions****The zoning of the land and any relevant overlay provisions**

The subject land is Zoned Township Zone and has an Environmental Significance Overlay Schedule 3, Channel and Reservoir Protection.

**Purpose**

- To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- To provide for residential development and a range of commercial, industrial and other uses in small towns.
- To encourage residential development that respects the neighbourhood character.

**The State Planning Policy Framework (SPPF)****19.03-4 Telecommunications****Objective**

To facilitate the orderly development, extension and maintenance of telecommunication infrastructure.

**Strategies**

- Facilitate the upgrading and maintenance of telecommunications facilities.
- Ensure that modern telecommunications facilities are widely accessible to business, industry and the community.
- Ensure the communication technology needs of business, domestic, entertainment and community services are met.
- Do not prohibit the use of land for a telecommunications facility in any zone.
- Encourage the continued deployment of broadband telecommunications services that are easily accessible by:
  - Increasing and improving access for all sectors of the community to the broadband telecommunications trunk network.
  - Supporting access to transport and other public corridors for the deployment of broadband networks in order to encourage infrastructure investment and reduce investor risk.
  - In consideration proposals for telecommunication services, seek a balance between the provision of important telecommunications services and the need to protect the environment from adverse impacts arising from telecommunications infrastructure.
  - Planning should have regard to national implications of a telecommunications network and the need for consistency in infrastructure design and placement.

**Policy guidelines**

Planning must consider as relevant:

*A Code of Practice for Telecommunications Facilities in Victoria* (Department of Sustainability and Environment 2004) and development of telecommunications facilities and sites.

**The Local Planning Policy Framework (LPPF) including the Municipal Strategic Statement (MSS) and local planning policies.****22.04-2 Infrastructure Provision**

This policy applies to areas of urban and residential development.

**Policy Basis**

The Yarriambiack Shire is characterised by a large number of townships, many of which have limited infrastructure services. It is essential that infrastructure services are provided that contribute to functional and attractive living environments and also to ensure environmental quality is maintained.

**Objectives**

To encourage the efficient and orderly provision of public services and facilities provision including reticulated water, sewerage (if available), power, communications and drainage.

**Relevant Particular Provisions****52.19 TELECOMMUNICATIONS FACILITY****Purpose**

To ensure that telecommunications infrastructure and services are provided in an efficient and cost effective manner to meet community needs.

To ensure the application of consistent provisions for telecommunications facilities.

To encourage an effective statewide telecommunications network in a manner consistent with the economic, environmental and social objectives of planning in Victoria as set out in Section 4 of the Planning and Environment Act 1987.

To encourage the provision of telecommunications facilities with minimal impact on the amenity of the area.

**52.19-1 Application**

These provisions apply to the construction of a building or the construction or carrying out of works associated with the use of land for a Telecommunications facility. They apply to the extent permitted under the Telecommunications Act 1997 (Cwth) and determinations made under that Act by the relevant Commonwealth Minister for Telecommunications, including the Telecommunications (Low-impact Facilities) Determination 1997.

**52.19-2 Permit requirement**

A permit is required to construct a building or construct or carry out works for a Telecommunications facility.

**52.19-6 Decision guidelines**

Before deciding on an application, in addition to the decision guidelines of Clause 65, the responsible authority must consider, as appropriate:

The principles for the design, siting, construction and operation of a Telecommunications facility set out in "A Code of Practice for Telecommunications Facilities in Victoria".

The effect of the proposal on adjacent land.

If the Telecommunications facility is located in an Environmental Significance Overlay, a Vegetation Protection Overlay, a Significant Landscape Overlay, a Heritage Overlay, a Design and Development Overlay or an Erosion Management Overlay, the decision guidelines in those overlays and the schedules to those overlays.

## **Officers Assessment**

### **Decision Guidelines**

#### **The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.**

Both the State and Local Policies encourage the provision of efficient and affordable facilities that will benefit the community they serve and Victoria. The proposed development will service the township of Rupanyup and surrounding areas with new improved telecommunication facilities as part of the NBN Co internet rollout.

The applicant has advised that they believe the development is considered to be in accordance with the design, siting, construction and operation of telecommunication facilities and the requirements in "A Code of Practice for Telecommunication Facilities in Victoria".

### **The purpose of the zone, overlay or other provision**

The purpose of the zone is to provide for residential development and a range of commercial, industrial and other uses in small towns. This would include the provision of telecommunication towers, which are considered essential for communication and other digital requirements of a small town.

### **The orderly planning of the area**

At present there are no specific plans for the future development of the Rupanyup township. Development is limited at present to infill of vacant land and renovations of existing dwellings.

Development in Rupanyup is low key, single story residential development with some larger structures, being silos to the east and a Telstra tower to the south of town.

### **The effect on the amenity of the area**

The subject tower is 35 metres high and no matter what the tower is built out of, it will have a visual impact on the amenity of the area. However, due to its location, the impact will be some what limited for the majority of residential development within Rupanyup. The further away from the tower the residents are, the less likely they will see a solid mass being that of the tower.

### **The principles for the design, siting, construction and operation of a Telecommunications facility set out in "A Code of Practice for Telecommunication Facilities in Victoria".**

The proposed development has considered the requirements of the principles of the Code of Practice. The code deals with issues such as location, health and safety, shared facilities and construction and risks.

**Visual Impact**

In the submission to Council the applicant has also indicated that the facility has been located to minimise impacts and effects on the amenity of the area.

The applicants have stated "To minimise the visual impact of the facility, NBN Co have sought to utilise existing natural screening **and selected a non-residential land use that is located away for residential living and other sensate land uses**, whilst at the same time being close enough to achieve the required quality of service."

The applicant further states: "**The local landscape is characterised as open pasture areas with sporadic stands of vegetation.**"

The subject site has several dwellings, commencing at approximately 60 metres away, within close proximity. The area subject to the application is zoned Township which would allow more residential development and the landscape would not be classed as open pasture.

**Co-Location**

The applicant has stated that a shared facility with Telstra is not available.

**Health Issues**

The applicant has stated that the tower meets the requirements for setbacks from sensitive areas for emissions from the tower as stated in the "Radiation Protection Standard May 2002."

**Construction**

The applicants have stated that the construction of the facility will be in accordance with all legal health and occupational requirements and that disturbance to surrounding properties will be minimal.

**Objection**

Two objections have been received in regards to the development. The grounds of the objection include:

- Health and Safety from emissions from the tower;
- Property values;
- Potential to restrict development.

**Planning Comments****Location and Planning**

The applicant was requested to provide additional information as to why the site was selected over potential other sites. This includes the recreation reserve to the east and Council land, near the Telstra tower, to the south.

The applicant provided the following summary of the sites they considered. They did not consider Council's land to the south.

1. Candidate A – Greenfield Site Dyer Street

- Prime candidate and proposed site due to very good coverage to most houses it serves, therefore greater coverage to Rupanyup with transmission and radio frequency.
- This candidate also links to Minyip (DA approved) and Murtoa, which are now at stake. Potential RF problems resulting in greater tower heights in these locations and possibly any new location in Rupanyup.

- Land owner was very receptive and lease negotiations have been prompt.
  - This site was considered to create minimal community opposition.
2. Candidate B – Greenfield Site Stewart Street
- Favourable site with available silos
  - Potentially unachievable though, with lengthy and extremely complicated lease arrangements also requiring to be negotiated with major tenant
  - Silo possibly unsound for this structure also creating concerns from land owners and tenants requiring specialised engineering experts
  - Silos therefore unfeasible
3. Candidate C – Greenfield Site Gibson Street Reserve
- Will provide good coverage to most homes it would serve
  - Council owned land.
  - Considered a good site in regards to radio frequency
  - Site didn't progress as it was thought to create a negative community reaction
  - LOS would need to be confirmed to Minyip and Murtoa.

The applicant in their report state: "Both of the alternative sites, the ones not applied for, whilst good locations proved to have implications that could directly impact on the community. These proposals would be close to the township, housing, local schools and preschools."

Based on the consultants report a Council assessment has been carried out on the following other sites:

#### **Connolly Parade**

The site selected is within 300 metres of the School, within 60 metres of a dwelling and within 300 metres of the middle of the Township.

#### **Gibson Street Reserve**

If the tower was located at the rear of the reserve it would be within 650 metres of the Pre-School, within 200 metres of a dwelling and within 600 metres of the middle of the Township.

#### **Council Land South End**

If the tower was located near the Telstra tower it would be within 880 metres of the School, within 300 metres of a dwelling and within 1000 metres of the middle of the Township.

Based on the above assessment the site chosen would have a greater impact on the community than potentially the site which was disregarded for that reason. Orderly planning is about the appropriate location of facilities and the overall development of the area. Council should consider if the location chosen for development is appropriate or if other locations for the development would be better suited.

#### **Health & Safety**

It is acknowledged the genuine concern that many residents and members of the public have about the perceived health effects from telecommunication towers. Much of this relates to power emissions commonly referred to as Electromagnetic Energy (EME).

The applicant has submitted an EME report with the planning application as supporting information. EME levels have been estimated from the proposed antennas at this site. The maximum cumulative EME level at 1.5 m above ground level is estimated to be **0.0012%** of the ARPANSA public exposure limits.

### **Future Development**

The construction of a telecommunication facility, as proposed, may not limit the development of adjoining land for residential purposes. However, the potential income received from the sale of the land may not be the same if there was no tower present. Telecommunications facilities are a legitimate and acceptable form of infrastructure in residential areas.

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### **Conclusion**

The purpose of the zone is to provide for residential development and a range of other uses in small towns. This would include the provision of telecommunication towers which are considered essential for communication and other digital requirements of a small town.

Both the State and Local Policies encourage the provision of efficient and affordable facilities, that will benefit the community they serve and Victoria.

As stated previously two objections have been received in regards to the development. The grounds of the objection include:

- Health and Safety from emissions from the tower;
- Property values;
- Potential to restrict development.

The subject site has several dwellings, commencing at approximately 60 metres away, within close proximity. The area chosen is zoned Township to allow for more residential development and the landscape would not be classed as open pasture.

The applicant has stated that the tower meets the requirements for setbacks from sensitive areas for emissions from the tower as stated in the "Radiation Protection Standard May 2002." It is acknowledged the genuine concern that many residents and members of the public have about the perceived health effects from telecommunication towers.

Based on the above assessment the site chosen would have a greater impact on the community than potentially the site which was disregarded. As stated in the report orderly planning is about the appropriate location of facilities and the overall development of the area. Council should consider if the location chosen for development is appropriate or if other locations for the development would be better suited.

Based on the above assessment, Council should refuse to issue a planning permit for the Use and Development of the land for a Telecommunication facility.



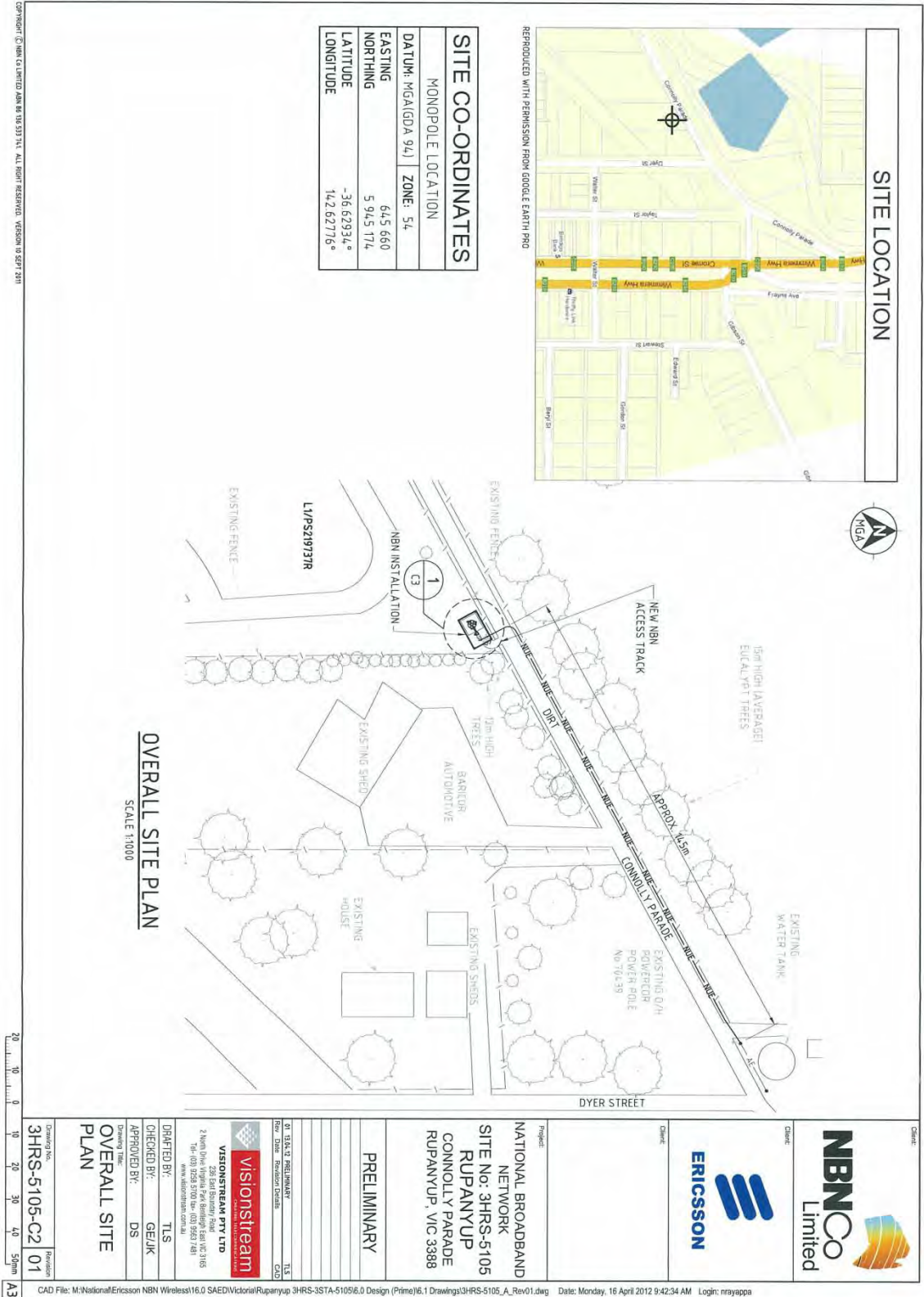
**Recommendation**

That Council having considered all the matters required under Section 60 of *the Planning and Environment Act 1987* decides to Refuse to Grant a Permit for the Use and Development of the land for a Telecommunication Facility at 4 Dyer Street, Rupanyup being Volume 09945 Folio 343 for the following reasons:

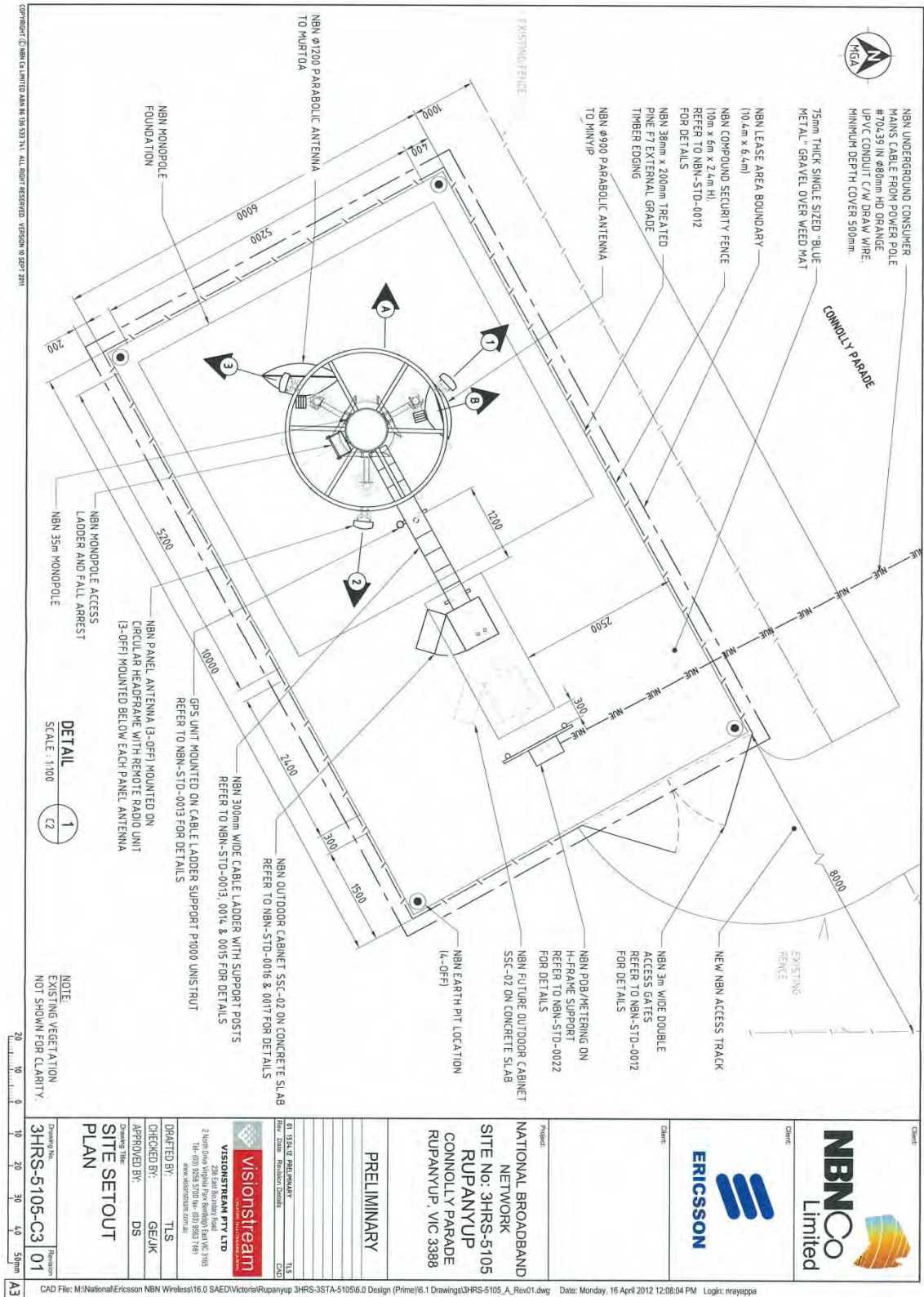
- 1) The proposed use and development is not in keeping with the orderly planning for the Township of Rupanyup
- 2) The proposed use and development will have a detrimental effect on the surrounding residential properties
- 3) The proposed use and development is better located in other areas of the Township that are less likely to cause conflicts with neighbouring uses.

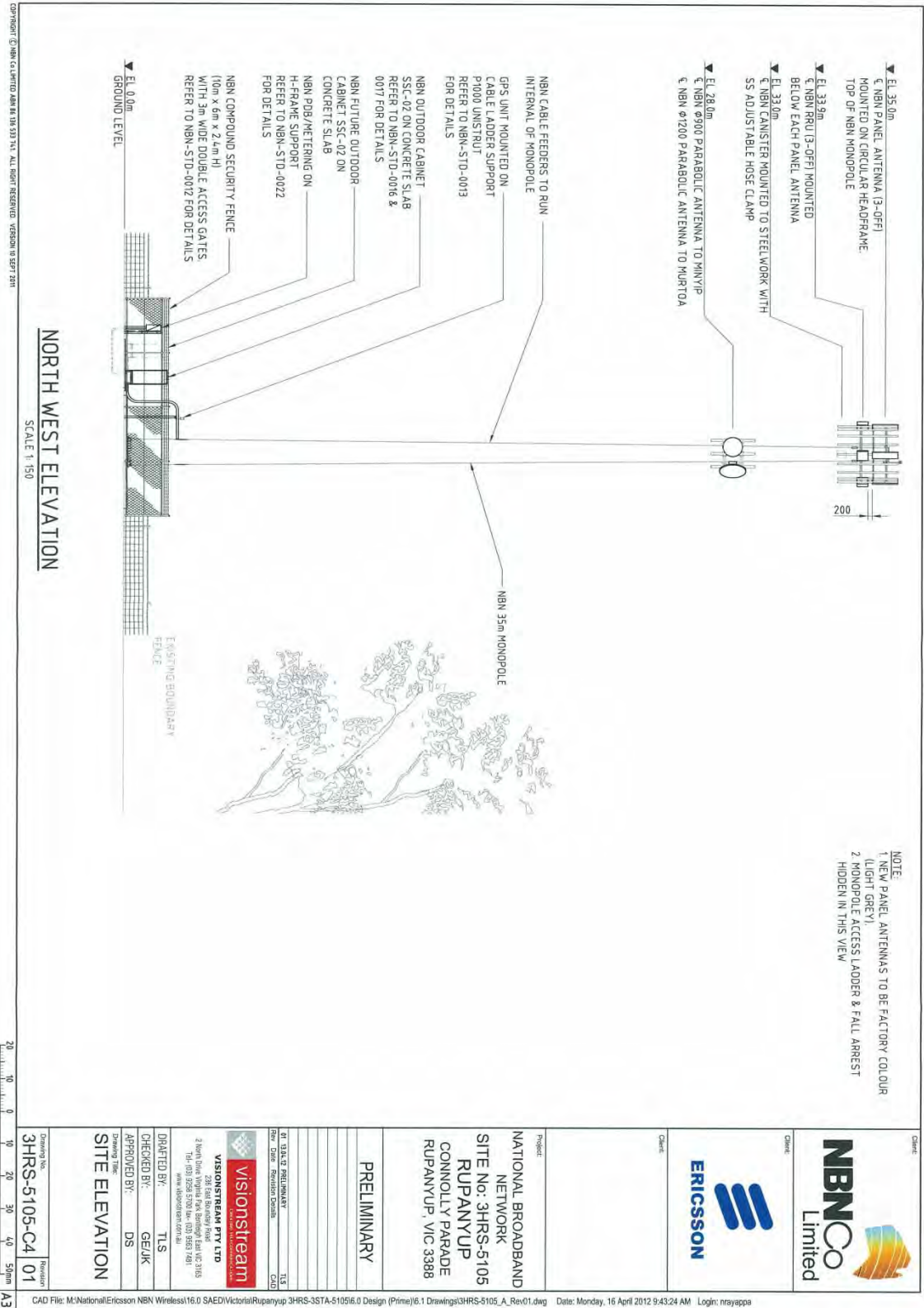
# Appendix 1.0

## Development Plans



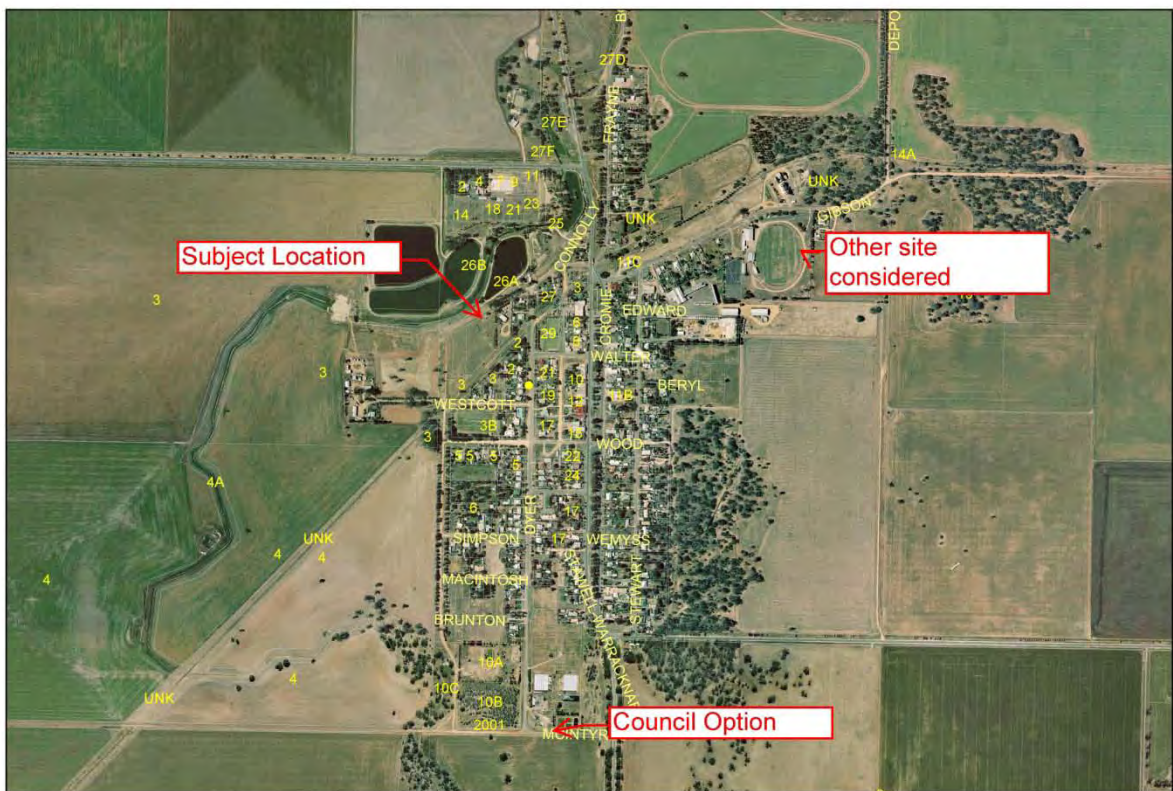
CAD File: M:\National\Ericsson NBN Wireless\16.0 SAED\Victoria\Rupanyup 3HRS-3STA-5105R.0 Design (Prime)\6.1 Drawings\3HRS-5105\_A\_Rev01.dwg Date: Monday, 16 April 2012 9:42:34 AM Login: nrayyapa





Appendix 2.0  
Area Plan  
Rupanyup







# Appendix 3.0 Objection Letters

YARRIAMBIACK SHIRE COUNCIL

COUNCIL MEETING

AGENDA

13 FEBRUARY 2013

AM/RC/DY  
CENTRAL FILE  
No: P30/15

Noted JLE

COPY

24<sup>th</sup> May 2012

Ray Campling CEO  
Yarriambiack Shire Council  
34 Lyle Street  
WARRACKNABEAL 3393

Chris & Tess O'Bryan  
PO Box 9  
55 Connolly Pde  
RUPANYUP 3388

RE: NOTICE OF APPLICATION FOR PLANNING PERMIT: ERICSSON TP 11-12

We wish to register our strong objection to the application for planning permit number TP11-12.

The proposed site for the NBN tower is less than 60 meters from our kitchen window, given the height of 35 meters; it will stand more than 15 meters higher than the tree line it will be amongst.

People become upset when a truck parks in the street due to its size, which in Victoria is 26 meters at most. Why then, would we not be upset to look out our window or kick the footy on the lawn with the kids and see this tower standing at 35 meters tall?

The site is only 300 meters from the local primary school.

*The New South Wales Department of Education does not endorse telecommunication facilities within 500 metres of a school fence. A spokesman for the Victorian Department of Education could not confirm a similar policy.<sup>1</sup>*

We have entered into discussion with our local school principal and he is investigating this through The Department of Education to see what their policy is on communication towers in close proximity to schools.

History tells us that property values decline when communication towers are erected in their near vicinity. The erection of this would put to rest the plans we had to develop our block with another residence as we would not be able to let or sell this due to the tower.

It is hard to properly diagnose all the information on the application given we are not allowed to take it home and study it, I think we could find more from this and answer some of our own questions if we were allowed this privilege.

We believe the unsightly and potentially dangerous tower would be better situated away from residential and school areas. We can see the benefit of NBN in Rupanyup and by no means wish to see it taken from us, however knowing this is not the only potential site I urge you to consider others as they may be more suited to their needs.

If our objection is unsuccessful at this point we will pursue it along other avenues.

We would like an acknowledgement of receipt of this objection.

Thank you for your understanding.

Chris & Tess O'Bryan



<sup>1</sup> <http://www.smh.com.au/it-pro/government-it/nbn-towers-anger-residents-and-address-willie-20120113-1py5q.html#ixzz1wxzi6HYd>

YARRIAMBIACK SHIRE COUNCIL

COUNCIL MEETING

AGENDA

13 FEBRUARY 2013

**COPY**  
16th July 2012



CENTRAL FILE  
No : P3C/15.

Kathy please acknowledge receipt of letter

Ray Campling CEO  
Yarrambiack Shire Council  
34 Lyle Street  
WARRACKNABEAL 3393

Caroline Teggerth  
2780 Warracknabeal Rd  
RUPANYUP 3388

to

**RE: NOTICE OF APPLICATION FOR PLANNING PERMIT: ERICSSON TP 11-12**

I wish to register my strong objection to the application for planning permit number TP11-12.

I would like to acknowledge that this objection is one based on the impact this tower could have on the health of the community, specifically children, as the site is only 300 meters from the local primary school.

We hear about the impact various things can have on the development of a child's brain; Scientific America magazine have published an article that states "exposure to high levels of nonionizing energy, such as radio wave frequencies, can damage the structure and function of the nervous system" and it goes on to indicate that recent investigations have shown that exposure has detrimental effects on attention spans.(1) The E.P.A. have warned that "there is a reason for concern" as it is stated that 30% of all children cancers come from exposure to E.M.F. (2) Even the *New South Wales Department of Education does not endorse telecommunication facilities within 500 metres of a school fence. A spokesman for the Victorian Department of Education could not confirm a similar policy.* (3)

I believe the potentially dangerous tower would be better situated away from residential and school areas. We can see the benefit of NBN in Rupanyup and by no means wish to see it taken from us, however knowing this is not the only potential site in Rupanyup, I urge you to consider others as they may be more suited to their needs.

We would like an acknowledgement of receipt of this objection.

Thank you for your understanding.

Caroline Teggerth  
Parent, Rupanyup Primary School

- (1) [www.scientificamerican.com/article.cfm?id=could-certain-frequencies&page=2](http://www.scientificamerican.com/article.cfm?id=could-certain-frequencies&page=2)
- (2) [www.emf.mercola.com/sites/emf-dangers.aspx](http://www.emf.mercola.com/sites/emf-dangers.aspx)
- (3) <http://www.smh.com.au/it-pro/government-it/nbn-towers-anger-residents-and-andrew-wilkie-20120113-1py5q.html#ixzz1wxzi6HYd>

## **11.6 Proposed Planning Scheme Amendment C18 – Prepared by David Young CPG on behalf Department of Education & Early Childhood Development (DEECD)**

### **Introduction**

Council has been requested to consider giving final approval to an amendment to the Yarriambiack Planning Scheme for various parcels of land, mainly to do with the disused Murtoa Primary School.

### **Background**

CPG on behalf of the Department of Education & Early Childhood Development has requested Council to rezone the former Murtoa Primary School and two adjoining properties from a Public Use Zone Schedule 2 to a Township Zone and correct the Heritage description of the land. See Appendix 1.0 – Location Plan and Current Zone Plan

The former Murtoa Primary School is located on land at the corner of Duncan and Degenhardt Streets in Murtoa and is known as 20 Cromie Street, Murtoa - Crown Allotment 1, Section 6 Murtoa. The adjoining site at 17 Duncan Street and part of the adjoining lot at 19 Duncan Street and the school site are currently zoned Public Use Zone - Schedule 2: Education.

This rezoning will ensure consistency with State Government policy, which requires any Department land deemed surplus to requirements, be rezoned to its underlying zone prior to sale.

The amendment proposes to amend the schedule to the heritage overlay applying to this site and associated sites to correctly reflect the site by making the following changes:

- Moving H037 to the actual Mechanics Institute site at 35 Duncan Street;
- Moving H043 from 70 Duncan Street to the former school site at 20 Cromie Street.

Council is therefore requested to initiate an amendment to the Planning Scheme Maps, see attached, and Ordinance for the following:

### **Proposal**

The amendment proposes to:

1. Rezone land known as:
  - Crown Allotment 1 Section 6 Murtoa, 17 Duncan Street, Murtoa;
  - Crown Allotment 1A, Section 6 Murtoa and 19 Duncan Street;
  - Lot 1, TP663913;from a Public Use Zone Schedule 2 to a Township Zone.
2. Amend the schedule to the heritage overlay applying to this site and associated sites, to correctly reflect the site by making the following changes:
  - Moving H037 to the actual Mechanics Institute site at 35 Duncan Street;
  - Moving H043 from 70 Duncan Street to the former school site at 20 Cromie Street.

**Officer Comments and Strategic Assessment**

Why is the amendment required?

The amendment proposes to rezone the former school site and its neighbouring properties from the Public Use Zone 2 – Education, to the Township Zone that is considered to be its underlying zone. The new zone will facilitate the future sale and redevelopment of the property that has been identified by the State Government as being surplus to requirements for education. The amendment proposes to amend the Schedule to the Heritage Overlay to ensure it correctly covers the significant aspects of the former school site.

The applicant has advised Council that “The rezoning of the site to its underlying zone will allow the Department of Education & Early Childhood Development to comply with State Government policy regarding surplus department land. This policy requires that surplus land is rezoned to its underlying zone before being offered for sale.”

The changes to the overlay and zoning will ensure that the land can be sold and is covered by the most appropriate planning controls. The amendment will allow the former school site to be sold and developed for the future development of the Murtoa Township.

**Does the amendment implement the objectives of planning and address any environmental, social and economic effects?**

The proposed amendment implements the planning objectives, as it will provide for the redevelopment and use of vacant land and fully utilize current infrastructure. The amendment will have positive social and economic effects as it will facilitate the redevelopment of the site and encourage its use for residential development that will respect and reflect the surrounding residential neighbourhood character.

There should be no significant environmental effects from this rezoning amendment and the site is not considered to have any significant environmental constraints.

**Does the amendment comply with the requirements of any Minister’s Direction applicable to the amendment?**

The amendment complies with the requirements of the Ministerial Direction on the Form and Content of Planning Schemes and is accompanied by the relevant information.

**Does the amendment support or implement the SPPF?**

The applicant has advised that “by amending the planning scheme to allow the use of an underutilised piece of land within the Murtoa Township, the amendment supports the following objectives of the SPPF:

- Planning is to anticipate and respond to the needs of existing and future communities (Clause 11);
- Planning is to facilitate sustainable development that takes full advantage of existing settlement patterns and facilities (Clause 11);
- Developing networks of settlements that will support resilient communities and the ability to adapt and change (Clause 11.05-1);
- Providing for appropriately located supplies of residential, commercial and industrial land across a region, sufficient to meet community needs (Clause 11.05-1);
- Directing housing growth into existing settlements (Clause 11.05-3);
- Directing growth to locations where utility, transport, commercial and social infrastructure and services are available or can be provided in the most efficient and sustainable manner (Clause 11.05-4);

- Improving the availability of a diverse range of affordable accommodation, including social housing, in locations with good access to transport, commercial facilities and community services (Clause 11.05-4);
- To promote a housing market that meets community needs (Clause 16.01-1); and
- Increase the supply of housing in existing urban areas by facilitating increased housing yield in appropriate locations, including under-utilised urban land (Clause 16.01-1).

The amendment does support these objectives of the SPPF as it responds to the changing needs for Murtoa and the community. The location of the subject land is consistent with Clause 11, as it will allow for sustainable development in an already serviced area.

By correcting anomalies in heritage overlay mapping the amendment supports the following objectives of the SPPF:

- To ensure the conservation of places of heritage significance (Clause 15.03-1);
- Provide for the conservation and enhancement of those places which are of, aesthetic, archaeological, architectural, cultural, scientific, or social significance, or otherwise of special cultural value (Clause 15.03-1); and
- Retain those elements that contribute to the importance of the heritage place (Clause 15.03-1).

**Does the amendment support or implement the LPPF?**

The amendment implements and supports the LPPF, as it allows for land to be released within the township of Murtoa, that has previously been constrained from future development. The amendment also implements the heritage strategies of Clause 21.08-5, which seek to ensure the protection, maintenance and enhancement of heritage assets and features by continuing to protect the original school building. The correction of the heritage overlay mapping will ensure the heritage overlay is appropriately applied to the relevant sites in Murtoa.

The amendment will implement the objectives of Clause 22.01-1, which seeks to consolidate existing township areas by maximising development opportunities within these areas.

**Does the amendment make proper use of the VPP?**

The amendment utilises the most appropriate VPP tools in the form of rezoning the land to Township Zone and correcting errors in the application of the Heritage Overlay.

**Is the amendment consistent with any relevant planning practice note?**

The amendment is consistent with Applying the Heritage Overlay, as it corrects errors within the Schedule to the overlay.

**How does the amendment address the views of any relevant agency?**

Exhibition of the amendment will allow for any relevant agency to submit their view, which will be considered as part of the amendment process.

**Does the amendment address relevant requirements of the Transport Integration Act 2010?**

The proposed amendment will have no significant impact on the transport system as defined under section 3 of the Transport Integration Act 2010.

There are no applicable statements relating to the proposal under section 22 of the Transport Integration Act 2010.

**What impact will the new planning provisions have on the resource and administrative costs of the responsible authority?**

The impact of the proposed amendment on the resource and administrative costs of Council will be limited. Council is required to carry out all administrative requirements in relation to amendments. Council should ensure the applicant agrees to meet any costs associated with panel hearings, preparation of documents and advertising.

**Process for Planning Scheme Amendments**

Planning Scheme Amendments are required to follow a statutory process as set out under the Planning and Environment Act 87. This is as follows:

**1. Authorisation**

Council seeks the Minister's approval to prepare an amendment to the planning scheme.

**2. Preparation**

Information about preliminary investigation, strategic assessment, consultation and preparation of the amendment documentation is carried out.

**3. Exhibition**

Public exhibition of the amendment is carried out for a minimum of 30 days, unless an exemption to advertising is requested.

**4. Submissions**

If submissions are received, an independent panel is commissioned to consider the amendment.

**5. Adoption**

Council considers whether to adopt, or abandon the amendment, once submissions and panel report are received.

**6. Approval**

The amendment is submitted to the Minister for approval, consideration and decision, if approved Council may approve the amendment.

**Submission**

Council received one submission from Spiire (CPG Australia) supporting the application. As the submission was a letter of support for the proposal, Council is not required to request a planning panel be appointed by the Minister for Planning, review the submission and the proposed amendment.

**Conclusion**

The former Murtoa School site has been disused for a number of years and has been allowed to fall in to a state of disrepair. The Department of Education and Early Childhood Development have now identified the land as being surplus to requirements and wish to sell the land on the open market. In order for this to occur the land needs to be rezoned to its underlying zone and a correction made to the Heritage Overlay.

The applicant has stated that the proposed amendment:-

- Allows for the future use of the surplus former school site for a range of township purposes.
- Corrects anomalies within the Schedule to the Heritage Overlay, which will ensure the appropriate future protection of the brick school building and other significant sites in the area.
- Provides additional semi-vacant land for development within the boundaries of the Murtoa Township, thus reducing development pressure on its fringes.
- Makes appropriate use of the Victorian Planning Provisions.
- Will have a positive impact on the community socially, economically and environmentally.
- Will allow for the future sale of the former school site in line with State Government policy regarding public land disposal.

As there have been no negative submissions received on the proposed amendment, based on the information provided and Council's own desire to see the site redeveloped the application should be supported.

### **Recommendation**

That Council:

Request the Minister for Planning approve Planning Scheme Amendment C18 as advertised.



Appendix 1.0 – Location and Current Zone Plan



# YARRIAMBIA SHIRE COUNCIL

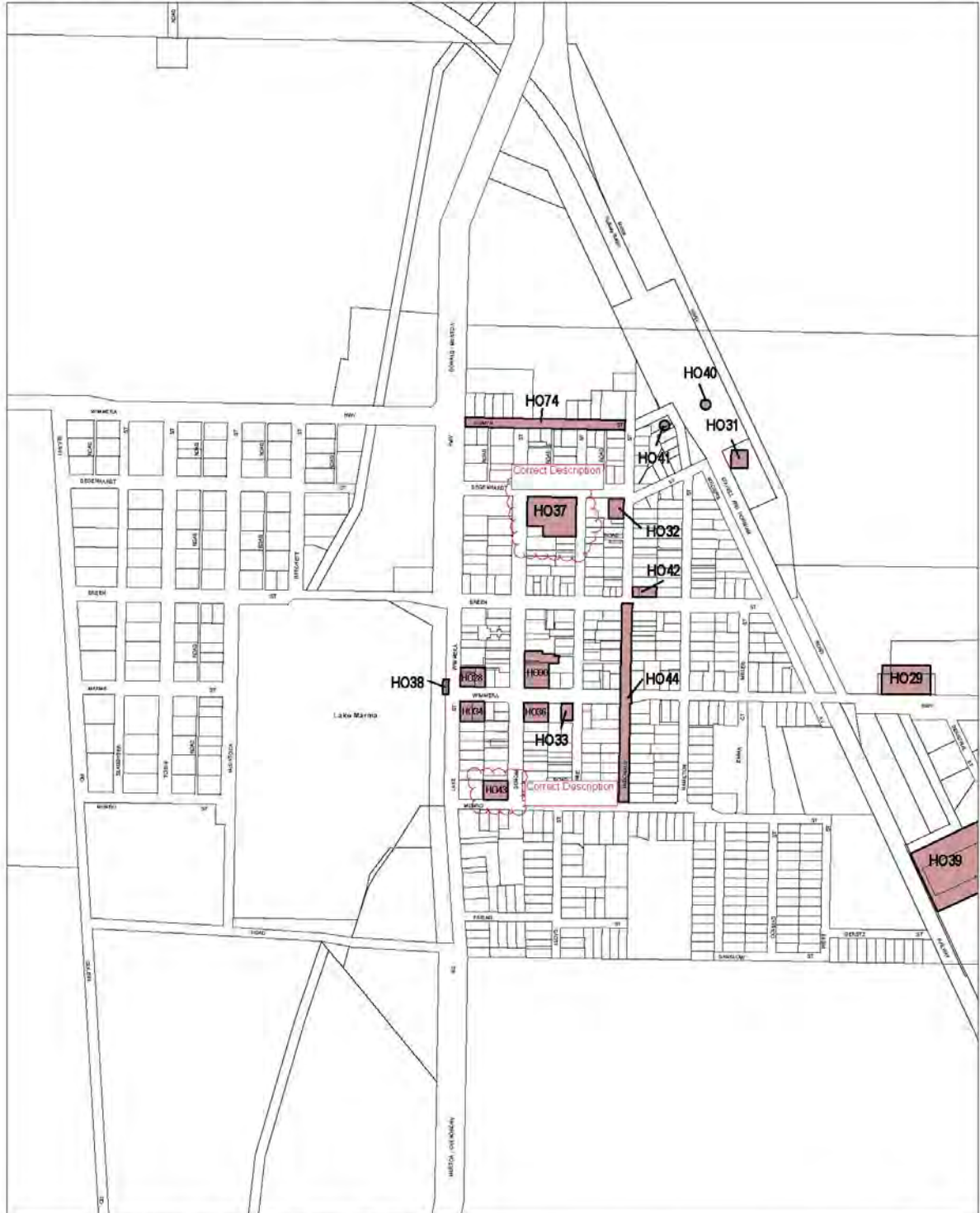
COUNCIL MEETING

AGENDA

13 FEBRUARY 2013

## Appendix 2.0 Heritage Changes

### YARRIAMBIA PLANNING SCHEME - LOCAL PROVISION



This outline is subject to the outline for each of the heritage overlays.  
The map shall be used in conjunction with the Yarrambiack Planning Scheme Ordinance.  
The map shall be used in conjunction with the Yarrambiack Planning Scheme Ordinance.



HERITAGE OVERLAY

AMENDMENT C13

MAP No 39HO

**11.7 Proposed Transfer of Land: 69-75 Brook Street, Woomelang – Prepared by Ray Campling**

Council has now received the following certificate of titles for the property located at 69-75 Brook Street, Woomelang, which have been transferred from the Australian Securities and Investments Commission (ASIC):

Lot 1 TP442963G	Volume: 03238 Folio: 492
Lot 1 TP818605R	Volume: 09455 Folio: 543
Lot 2 LP4597 Section 1	Volume: 05666 Folio: 041

As discussed in previous meetings, Council has intended to transfer this property to the Woomelang and District Development Association at no cost.

The transfer in this instance requires advertising for public submissions. If no submissions are received during the four week advertising period with regards to the transfer of this property, the Transfer of Land documents will then be executed and affixed with the Common Seal of the Yarriambiack Shire Council.

**Recommendation**

That 69-75 Brook Street, Woomelang (Volume: 03238 Folio: 492, Volume: 09455 Folio: 543 and Volume: 05666 Folio: 041) be transferred to the Woomelang and District Development Association, with Council meeting all costs associated with the transfer, pending review of submissions received upon advertising Council's intention to transfer the property. If no submissions are received then Transfer of Land documents are to be signed and sealed.

**12 GENERAL BUSINESS** (including strategic direction and specific issues)

**13 CLOSED SESSION**

**14 MINUTES FROM MEETINGS**

**15 ATTACHMENTS / REPORTS**

**16 NEXT MEETING**

The next meeting of Council will be held on Wednesday 13 March 2013 at 9:30am at Warracknabeal.

**17 CLOSE**

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