

AGENDA

MEETING OF THE **HORSHAM RURAL CITY COUNCIL**

To be held on

28 April 2025

At 5.30pm

In the

Council Chamber, Civic Centre

18 Roberts Avenue, HORSHAM



**COUNCILLORS are respectfully requested to attend the Council Meeting
of the Horsham Rural City Council to be held on 28 April 2025
in the Council Chamber, Civic Centre, Horsham at 5.30pm**

Order of Business

PRESENT

ALSO IN ATTENDANCE

1. PRAYER

Almighty God, we pledge ourselves to work in harmony for, the social, cultural and economic well-being of our Rural City. Help us to be wise in our deliberations and fair in our actions, so that prosperity and happiness shall be the lot of our people. AMEN

2. ACKNOWLEDGEMENT OF COUNTRY STATEMENT

Horsham Rural City Council acknowledges the five Traditional Owner groups of this land; the Wotjobaluk, Jaadwa, Jadawadjali, Wergaia and Jupagulk people. We recognise the important and ongoing place that all Indigenous people hold in our community.

We pay our respects to the Elders, both past and present, and commit to working together in the spirit of mutual understanding and respect for the benefit of the broader community and future generations.

3. OPENING AND WELCOME

Chairman, Cr Ian Ross formally welcomed those in attendance to the meeting. The Mayor advised that the meeting will be recorded to maintain a video archive, which will be available on the Horsham Rural City Council website as soon as practicable.

4. APOLOGIES

5. LEAVE OF ABSENCE REQUESTS

6. CONFIRMATION OF MINUTES

Recommendation

That the minutes emanating from the Council Meeting of the Horsham Rural City Council held in the Council Chamber, Civic Centre, Horsham at 5.30pm on 24 March 2025 and 31 March 2025 be adopted.

7. CONFLICTS OF INTEREST

Declarations of Interest

A Councillor who has declared a conflict of interest, must leave the meeting and remain outside the room while the matter is being considered, or any vote is taken.

Members of Staff

Under Section 130 of the *Local Government Act 2020*, officers or people engaged under contract to the Council providing a report or advice to Council must disclose any conflicts of interests in the matter, including the type of interest.

8. PUBLIC QUESTION TIME

REPORTS FOR COUNCIL DECISION	6
9.1 GROSS BRIDGE STRENGTHENING WORKS – BUDGET RE-ALLOCATION	6
9.2 HORSHAM REGIONAL LIVESTOCK EXCHANGE – ADVISORY COMMITTEE TERMS OF REFERENCE	13
9.3 COMMUNITY PETITION MAJOR MITCHELL DRIVE	16
9.4 MODEL COUNCILLOR POLICIES	22
9.5 PROPOSED RELEASE OF DRAFT 2025-2026 BUDGET, 2025-2026 FEES AND CHARGES, AND 2025-2029 REVENUE AND RATING PLAN FOR COMMUNITY FEEDBACK	26
9.6 AVONBANK MINING LICENCE SUBMISSION	30
10. COUNCILLOR REPORTS AND ACKNOWLEDGEMENTS	39
11. URGENT BUSINESS.....	41
12. PETITIONS AND JOINT LETTERS	42
13. PROCEDURAL BUSINESS.....	43
13.1 INFORMAL MEETINGS OF COUNCILLORS – RECORD OF MEETINGS.....	43
13.2 SEALING OF DOCUMENTS.....	43
13.3 INWARD CORRESPONDENCE.....	43
13.4 COUNCIL COMMITTEE MINUTES	43
14. NOTICE OF MOTION.....	44
15. CONFIDENTIAL MATTERS
15.1 AUDIT AND RISK COMMITTEE MINUTES.....
<i>Defined as confidential information in accordance with Local Government Act 2020 - Section 3(1)(f) – personal information</i>	

CLOSE


CRAIG NIEMANN
Chief Executive Officer

REPORTS FOR COUNCIL DECISION

9.1 GROSS BRIDGE STRENGTHENING WORKS – BUDGET RE-ALLOCATION

Author's Name:	Krishna Shrestha	Director:	John Martin
Author's Title:	Director Infrastructure	Directorate:	Infrastructure
Department:	Infrastructure	File Number:	F33/A08/000001

Officer Conflict of Interest

Officer disclosure in accordance with Local Government Act 2020 – Section 130:

☐ Yes ☒ No

Reason: Nil

Status

Defined as confidential information in accordance with Local Government Act 2020 – Section 3(1):

☐ Yes ☒ No

Reason: Nil

Appendix

Nil

Purpose

To re-allocate funds from the micro-surfacing program to enable works to proceed on the vital Gross Bridge strengthening project.

Summary

- Many bridges within the municipality were constructed in the 1950s and were originally designed for smaller trucks.
- A recent high-level assessment conducted with the University of Western Sydney indicates that, while these bridges were designed for lighter loads, they possess reserve capacity to support B-double vehicles.
- Nonetheless, the study recommends that Council focus on enhancing bridge performance with respect to fatigue and environmental resilience.
- Council secured a grant of \$400,000 to extend the lifespan of Gross Bridge. However, based on current market assessments, the estimated cost of the project is approximately \$612,000. This cost increase is attributed to the limited design details available at the time of the funding application, as well as the need for structural testing and model verification.
- The Gross Bridge strengthening project serves as a pilot initiative, offering a valuable framework for strengthening other bridges across the region in the future.
- The additional funding required is proposed to be sourced from the micro-surfacing program.
- Over the past three years, Council has undertaken micro-surfacing works to reduce road roughness, successfully achieving a level that meets our defined road service standards.
- Some projects scheduled under the 2024–25 micro-surfacing program can be deferred for 3–5 years without compromising service levels.
- Available funds allocated for micro-surfacing works are requested to be redirected toward Gross Bridge strengthening, bridge maintenance and line marking.

Recommendation

That Council re-allocate the 2024-25 budgeted funds of \$427,000 for the micro-surfacing program to Gross Bridge strengthening (\$212,000), bridges maintenance (\$192,000) and line marking works (\$25,000), to give appropriate priority to the vital bridge strengthening works.

REPORT

Background

Funding shortfall for Gross Bridge project

Drung-Jung Road serves as a crucial connection between Horsham-Lubeck Road and Longerenong Roads (Figure 1). Over the last five years, this entire section has been upgraded to a 6.2 metre wide sealed surface, in line with the goals outlined in Council's Asset Management Plan.



Fig 1: Gross Bridge on Drung-Jung Road (marked)

Gross Bridge, built in 1962, is located across the Wimmera River at Drung, as shown in Figure 1. The bridge underwent an assessment by the Australian Road Research Bureau (ARRB) in 2021. The report indicated that structural strengthening would be required if B-double trucks were to be allowed to cross the bridge. However, a subsequent more comprehensive analysis by Western Sydney University concluded that the bridge possesses reserve capacity, and does have the capacity for B-double trucks. The University recommended proactive measures to improve damping, corrosion protection, and to mitigate fatigue micro-cracks in the steel girders.

Council successfully applied for a \$400,000 grant for this project, as outlined in Figure 2, below. At the time, Council lacked sufficient information about the precise details of the project, as such work is relatively new in Australia.

As the project has progressed, several steps became necessary to determine the required actions, including

- i) load testing,
- ii) developing sophisticated models and calibrating them, and
- iii) applying these calibrated models to Gross Bridge (Figure 3).

This information has enabled the design to be completed, leading to a tentative estimate being obtained from leading bridge contractors. It is anticipated that, when the project is taken to market, the cost of the works will be \$612,000, with Council facing a funding shortfall of approximately \$212,000. However, the level of grant funding still represents a significant contribution to these vital works.

Nomination Number (assigned by us):	NOM-HV8-001303
Proponent:	Horsham Rural City Council
Project Name:	Horsham Rural City Council – Gross Bridge load modelling and retrofitting, Longerenong
Project Description:	Establish a numerical model to help identify a bridge's weak point. Then use the model to upgrade an aged weak bridge as an example of the potential productivity and safety benefits for similar bridges.
Australian Government Contribution:	\$320,000
State Contribution: [Please advise which program is providing funding for this project]	\$0
LGA/ Other Contributions:	\$80,000
Total Project Cost:	\$400,000
Maximum Funding Percentage:	80.00%

Fig 2: Successful Grant Application for Gross Bridge Strengthening Pilot Project

Figure 3, below, provides a snapshot of the level of modelling that went in to the assessment of defects and the necessary works to provide the required level of resilience to the bridge.

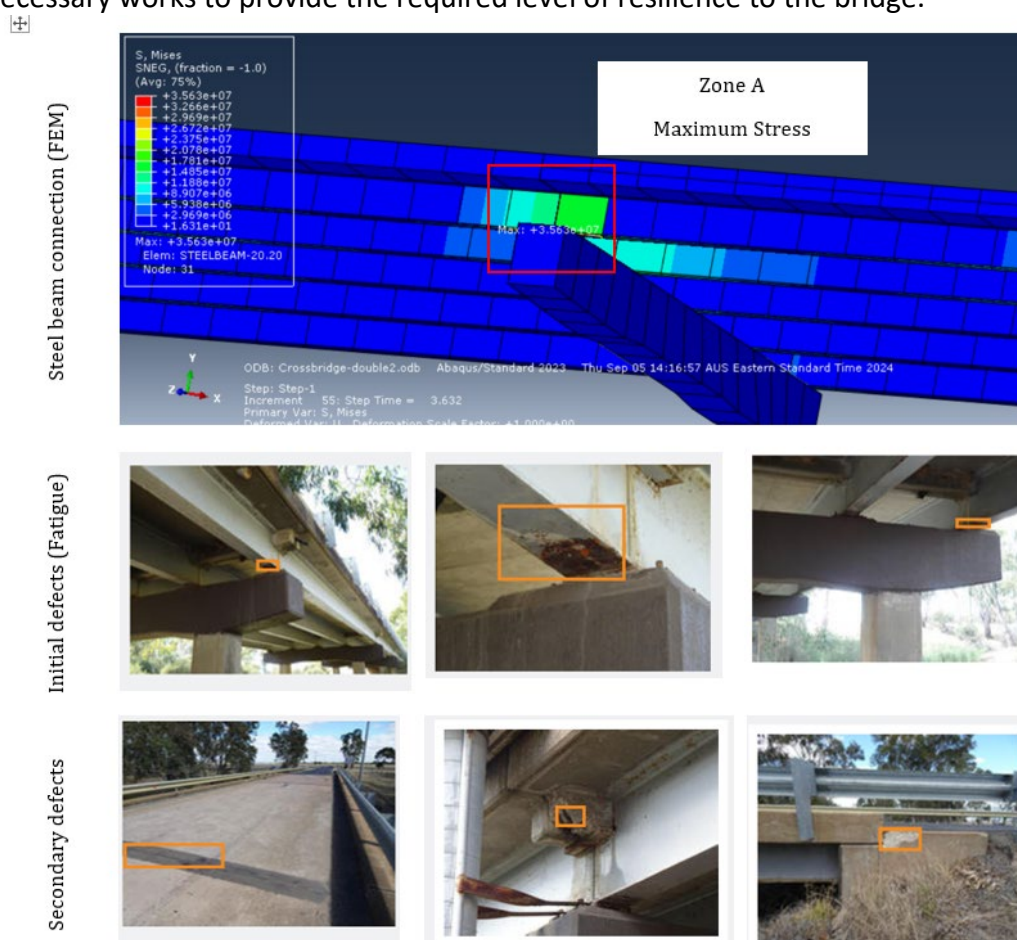


Figure 3. Correlation of maximum stress zones in the FE model with locations of defects documented in the Digital Infrastructure (DI) platform. The images extracted from the DI platform, show examples of defects observed at locations corresponding to high-stress areas identified in the FE model.

Bridge maintenance works

Most of Council's bridges are in good condition, however, some will require attention within the next 1–3 years (Fig. 4) to ensure they remain in a suitable condition to support the required loads.

A significant portion of the repair costs for these bridges comes from hiring an "Under Bridge Unit." Coordinating this work alongside the repairs for Gross Bridge presents an opportunity to maximise the value of the investment.



Fig 4: Typical high severity defect on bridge structures

Line marking works

Council has been primarily focused on the priority items outlined above. However, it is acknowledged that further efforts are needed to enhance safety through proper line marking. As a result, line marking has been prioritised over further micro-surfacing works, given that the roughness of most of the Council's road assets remains within the agreed level of service.

Discussion

It is an imperative that Council's bridges retain the capacity for B-double trucks – the bridges are a vital part of the road network to support farm production and broader industry. The cost of replacement of our ageing bridges would be a massive impost on already tight finances. The development of innovative approaches to maintain the capacity of our bridges and extend their lives represents a sound investment in our infrastructure network.

Council's micro-surfacing program has proven successful, and cost effective in extending the lives of many roads over the past three years. The use of laser-based data has led to accurate identification and prioritisation of the highest needs for this treatment. The data that has informed this program is now about four years old, and will shortly be updated. In the context of balancing priorities of a tight budget, it is considered a prudent measure to divert some of that program's budget to the Gross Bridge upgrade,

while the new data is reviewed to ascertain the newest set of priorities, given that the highest priorities from the previous data set have now been addressed.

Options to Consider

Option 1: Reprioritise the transport infrastructure budget from micro-surfacing to the Gross Bridge upgrade, bridges maintenance and line marking works. This is a preferred option for the reasons already mentioned, and it will also inform Council about the requirements for strengthening of other bridges. Further, timely completion of these works will help maintain and develop a positive relationship with the funding body.

Option 2: Advise the Federal Department that Council is unable to complete the project due to insufficient funding. The Department has been asked about the option of obtaining additional funding for these works, however, advice is that that this would require Ministerial intervention, which is a lengthy process with a low likelihood of success.

Sustainability Implications

This project carries significant environmental and financial sustainability implications at a national level, as it offers a pathway to optimise the use of existing bridges without the need for full replacement.

Community Engagement

This project was displayed and communicated to interested community members at the Wimmera Field Days 2025. The aim of this project is to minimise impacts on the community by maintaining the capacity of the bridges.

Innovation and Continuous Improvement

This is a highly innovative project, and the approaches adopted in its design and implementation will serve as a model for enhancing the performance and longevity of many other bridges across Australia, particularly in rural areas, and especially for Horsham.

Collaboration

Efforts are ongoing seeking to collaborate with the neighbouring Councils in the application of the proposed technology, including through promotion of Horsham's investigations through the Regional Transport Group.

Financial Implications

The financing of the additional cost of these works is proposed to come from diversion of existing budget from the micro-surfacing program.

A budget of \$427,000 was allocated for this year's micro-surfacing program. However, as it became apparent that some further funds may be required on bridge works, and given that the sites identified for treatment this year are of relatively lower priority, no micro-surfacing work has been undertaken so far in the current financial year. The following road segments are proposed to be excluded from the program as a result of this change:

- McLachlan Street (215 m)
- O'Callaghans Parade (255 m)
- Roberts Avenue (208 m)

Regional, State and National Plans and Policies

The funding for these works has come from the now-ended Federal Government Heavy Vehicle Safety and Productivity Program.

Council Plans, Strategies and Policies

The priority to upgrade Gross Bridge follows from Council's Bridges Asset Management Plan.

Risk Implications

Failure to complete this project would pose significant reputational risks and negatively impact Council's bridge asset management outcomes.

Conclusion

Approval of this recommendation will pave the way for completing a key project for Horsham, directly supporting Council's bridge asset management plan, and has the potential to position Council as a national leader in this field.

9.2 HORSHAM REGIONAL LIVESTOCK EXCHANGE – ADVISORY COMMITTEE TERMS OF REFERENCE

Author's Name:	John Martin	Director:	John Martin
Author's Title:	Director Infrastructure	Directorate:	Infrastructure
Department:	Infrastructure	File Number:	F04/A01/000001

Officer Conflict of Interest

Officer disclosure in accordance with Local Government Act 2020 – Section 130:

☐ Yes ☒ No

Reason: Nil

Status

Defined as confidential information in accordance with Local Government Act 2020 – Section 3(1):

☐ Yes ☒ No

Reason: Nil

Appendix

Proposed Advisory Committee Terms of Reference (**Appendix 9.2A**)

Purpose

To propose adoption of the updated Terms of Reference for the Horsham Regional Livestock Exchange Advisory Committee.

Summary

- The HRLE Advisory Committee is a long-standing Committee, providing advice to Council about operations and strategic direction for the Livestock Exchange.
- The Committee had been operating on terms of reference established under the previous Local Government Act
- The updated terms of reference are based on the standard Council template for Advisory Committees and have been reviewed by the Committee.

Recommendation

That Council adopt the Terms of Reference for the Horsham Regional Livestock Exchange as per **Appendix 9.2A** to this report.

That Council appoint Cr _____ to be the ex-officio Councillor representative on the Committee.

REPORT

Background

When initially constructed at its Burnt Creek site, opening in 1999, the HRLE was operated through a Board under the build and operate contract. The initial Board included representatives of Council, the Contractor and other stakeholder representatives. After the initial contract period, when operational responsibility reverted to Council, an advisory committee continued to provide guidance to Council about the effective operation of the site.

This Committee has continued to provide strong guidance to Council, drawing on its skill-based and community representatives to be well-informed about relevant industry developments. The Committee has provided solid advice in areas such as:

- Planning new developments, such as the construction of additional selling pens
- Development of a master plan
- Guidance for the planning and construction of the major roofing project for the site.

Following Council's review of its Committee framework, completed in December 2021, the HRLE Advisory Committee continued to operate under the previous Terms of Reference. The new template had no material impact on conduct of the Committee's operations, and had not been formally introduced for this Committee.

The need to formally adopt the Terms of Reference has arisen as there are now two vacancies on the Committee, being the Transport and Buyers representatives.

Discussion

The proposed Terms of Reference are included as **Appendix 9.2A** to this report. These Terms of Reference are based on the Advisory Committee template developed following the Committee framework review, modified as per the discussion below.

During the 2021 review of Committees, the HRLE Committee had been advocating for a Councillor representative to be on the Committee. This was not part of the adopted framework for Advisory Committees at that time. Following the Councillor briefing on 7 April 2025, Councillors indicated that they would be prepared to consider a committee structure with an Ex-officio Councillor representative on it. This proposal was received favourably at the meeting of the HRLE Advisory Committee on 10 April 2025.

At that meeting, the Committee recommended that up to two additional community members could add further diversity and knowledge to the operations of the Committee. This would bring the number of community representatives to a maximum of five, and the Committee overall to a maximum of nine.

Options to Consider

The previous Terms of Reference provided for up to three community representatives. The proposed change to include up to five community representatives is considered a positive option which will increase the diversity of views and representation on the Committee and be administratively effective.

Sustainability Implications

Nil

Community Engagement

No broader community engagement has been undertaken on these Terms of Reference, i.e. beyond engagement with the existing Committee itself.

Innovation and Continuous Improvement

Not applicable

Collaboration

The Committee brings together a range of skill based members and ex-officio members to provide advice to Council about operations and planning for the Exchange.

Filling the two current vacancies, and the potential for two additional community representatives will enhance the breadth of collaboration of the Committee.

Financial Implications

Operation of the Advisory Committee has negligible cost and helps to ensure that operation of the Exchange is cost effective and well targeted and meeting user needs.

Regional, State and National Plans and Policies

Not applicable

Council Plans, Strategies and Policies

The Committee Terms of Reference are consistent with the Committee Framework Policy, noting the proposed addition of an Ex-officio Councillor representative.

Risk Implications

The broad industry and community representation of the Advisory Committee assists Council in identifying and managing risks associated with operations of the Exchange.

Conclusion

Terms of Reference for the Horsham Regional Livestock Exchange are proposed for adoption.

9.3 COMMUNITY PETITION MAJOR MITCHELL DRIVE

Author's Name:	Luke Mitton	Director:	John Martin
Author's Title:	Manager Waste and Environment	Directorate:	Infrastructure
Department:	Parks and Gardens	File Number:	F14/A09/000001

Officer Conflict of Interest

Officer disclosure in accordance with *Local Government Act 2020* – Section 130:

☐ Yes ☒ No

Reason: Nil

Status

Defined as confidential information in accordance with *Local Government Act 2020* – Section 3(1):

☐ Yes ☒ No

Reason: Nil

Appendix

Letter to Residents (**Appendix 9.3A**)

Agreed Tree Planting Plan (**Appendix 9.3B**)

Email of Acceptance by Residents' Representatives (**Appendix 9.3C**)

Purpose

To provide an update on the outcome of consultation with residents of Major Mitchell Drive following their petition received on 5 August 2024 and to seek a Council decision on the matter.

Summary

- As part of the Greater Greening Horsham Strategy, Council has a program of planting trees on vacant nature strips
- Major Mitchell Drive is one of a number of streets where gaps in nature strip trees have been identified and had been planned to be planted in 2024
- A petition was received from approximately 46 residents of Major Mitchell Drive. This petition was received by Council at its meeting on 26 August 2024.
- An initial meeting had been held with residents on 13 August 2024 to determine if an early agreement could be achieved on the planting of trees. An agreement was not reached
- Council staff met with representatives of the Major Mitchell Drive residents on 19 December 2024 and 13 February 2025 to determine an agreed approach to tree planting in Major Mitchell Drive.
- An in-principle agreement was reached with residents, based on a planting plan included in this report
- It is proposed that this agreement be adopted by Council.

Recommendation

That Council:

1. Agree that street trees will not be planted on the south side of the currently developed extent of Major Mitchell Drive on the following basis:
 - That the initial approved plan of subdivision for that area did not show that trees would be planted in the Major Mitchell Drive nature strip.
2. Acknowledge that this is an exception to the principles of the Greening Greater Horsham Strategy and Tree Policy both adopted in 2022, and that otherwise, there would need to be significant

circumstances for a further exception to these principles, including in further subdivision stages in Major Mitchell Drive.

3. That the further plantings planned for the north side of Major Mitchell Drive proceed as per the plan endorsed by residents of Major Mitchell Drive as shown in **Appendix 9.3B**.

REPORT

Background

Council's Parks and Gardens staff undertake street tree planting in winter/spring each year. As a result of the Greater Greening Horsham Strategy, adopted by Council on 28 March 2022, the street tree planting program currently focuses on in-filling vacant nature strips, working towards the objective of no vacant nature strips by 2031.

A petition from residents of Major Mitchell Drive was submitted to Council in August 2024 detailing their objections to the planting of new street trees on vacant nature strips along Major Mitchell Drive.

An initial meeting with the residents of Major Mitchell Drive was held on the 13 August 2024 in an effort to reach an early agreement. Council staff were unable to reach an agreement with the residents at this meeting.

At its ordinary meeting on 26 August 2024 Council formally received the petition from residents of Major Mitchell Drive and requested a further report on the matter for its consideration.

A detailed report was presented to Council at its briefing on 2 December 2024, which noted a commitment to working with residents to achieve an agreed path forward.

Discussion

On 19 December 2024 a meeting was held with representatives of the Major Mitchell Drive residents to further discuss tree planting along major Mitchell Drive and the river reserve on the north side of Major Mitchell Drive. The outcome of this meeting an agreement-in-principle that:

- No trees would be planted in nature strips on the south side of Major Mitchell Drive. This being consistent with the subdivision landscape plan which did not indicate tree plantings in these areas.
- No new trees would be planted in adjoining streets of corner blocks that faced Major Mitchell Drive.
- Trees would be planted in the river reserve on the north side of Major Mitchell Drive according to a plan developed by Council, but subject to further review and comment by the residents.

Council provided a plan of tree planting in the reserve on the north side of Major Mitchell Drive for consideration by residents, with feedback to be provided at an additional meeting.

On 13 February 2025 a further meeting was conducted with representatives of Major Mitchell Drive residents to discuss feedback on the tree planting plan.

The outcome of this meeting was an agreement-in-principle that:

- No trees would be planted on the south side of the walking path within the reserve.
- Trees were to be planted in the reserve on the north side of the walking path to provide:
 - Shade to the walking path
 - Shade to outdoor seating
 - Shade around the playground
 - Areas of open space for outdoor recreation

Feedback from this meeting was used to inform a further tree planting plan of the area which was provided to the representatives along with a standard letter to send to all residents for final approval.

Agreement to the tree planting plan was received on 30 March 2025 advising that residents supported the proposed plan. The appendices to this report show:

- 9.3A – The letter that was forwarded to residents outlining the proposed basis of agreement.
- 9.3B – The tree planting plan that accompanied that letter.
- 9.3C – The chain of emails leading to firming up the proposed agreement details and a statement of no objection from the residents' representatives.

Subject to Council's approval, planting of trees in accordance with the agreed tree planting plan is now proposed to take place in June/July 2025 when another sector of the Greater Greening Horsham tree planting program is implemented.

Options to Consider

The following are options for consideration:

Option 1

Council can continue to plant street trees on every vacant nature strip along Major Mitchell Drive and in the reserve on the north side of Major Mitchell Drive consistent with the objectives of the Greater Greening Horsham Strategy. This would be contrary to the residents' petition.

Option 2

Council plant street trees in the reserve on the north side of Major Mitchell in accordance with the plan approved by residents of Major Mitchell Drive and detailed in Appendix 9.3B.

Option 3

Council do not plant any trees in nature strips or the reserve on the north side of Major Mitchell Drive.

Risk Implications

Council needs to be mindful of any decision that may set a precedent which could significantly affect the future of the street tree planting program. With five sectors identified in the Greening Greater Horsham Strategy still to be completed it is important that the Parks and Gardens Department is supported by Council in the delivery of the Strategy and its objectives.

While staff have made changes to our process to improve consultation prior to planting, the decision on Major Mitchell Drive needs to consider the impact on the entire City and the possibility of future petitions and requests from the community regarding street tree planting.

A decision in this regard also needs to be mindful that the decision is equitable and that certain areas of the city are not given preferential treatment.

Sustainability Implications

The Greater Greening Horsham Strategy aims to achieve a number of outcomes which include improving character and aesthetics of the City as well as addressing a number of sustainability and climate change issues.

The Strategy discusses the benefits to the immediate environment from planting trees including:

- Providing clean air and filtering pollution
- Carbon sequestration
- Reducing Urban heat within the city
- Providing shade and sun protection

-
- Providing biodiversity and attracting a variety of wildlife species

It should be considered that planting trees now is an investment in the future, the benefits from these street trees to our local environment will ensure that Council is taking all necessary steps to respond to the effects of climate change and create a sustainable and liveable environment for our Community, now and into the future.

Community Engagement

Council conducted an initial meeting with the residents on 13 August 2024 with the aim to achieve an early agreement. An agreement could not be reached at that time.

The residents nominated a group of key contacts to liaise with on this matter. This group was initially contacted regarding their issues and further issue of trees being planted on the reserve side of Major Mitchell Drive.

Council met with the nominated representative group on 19 December 2024 and 13 February 2025 to discuss an approach that would be considered acceptable by the residents of Major Mitchell Drive.

All residents were consulted on the final plan, as per the documents included in Appendices 9.3A and 9.3B, with no objections received and their agreement given on 30 March 2025 as per Appendix 9.3C.

Innovation and Continuous Improvement

In response to this petition, and complaints received from individual residents in other areas, Parks and Gardens staff have made changes to the delivery of this program which includes increased notification to affected residents, increase in information provided to residents, and the potential for residents to have their say on the species of tree being planted.

It is hoped that by engaging residents sooner and providing more information that this will assist in reducing the number of complaints received at the time of planting a new street tree.

Collaboration

Not applicable

Financial Implications

The planting of these trees is part of Council's annual program.

Regional, State and National Plans and Policies

The DELWP (now DEECA) publication "Trees for Cooler and Greener Streetscapes – Guidelines for Streetscape Planning and Design" identifies a series of key policy drivers for cooler and greener streetscapes consistent with the principles developed in Council's Greening Greater Horsham Strategy.

Council Plans, Strategies and Policies

As part of the development of the Greening Greater Horsham Strategy, a supporting policy was also prepared which was adopted at the same time as the Strategy.

The Tree Management Policy includes the following principles derived from the Strategy:

4.1 Tree Planting and Establishment

HRCC will proactively carry out annual tree planting in nature strips, parks and reserves and other Council managed land to meet the following objectives:

-
- To improve shade cover over our townships and contribute to the canopy cover targets set within
 - Greening Greater Horsham
 - To preserve and enhance the local character of the distinct areas within our townships
 - To reinforce plantings along entrance ways and main streets into our townships
 - To reinforce habitat links and improve biodiversity outcomes across the municipality
 - To ensure that every urban residence has at least one healthy street tree on the nature strip.

This policy indicates that all nature strips should have a tree.

Conclusion

Officers have consulted with the residents of Major Mitchell Drive and reached an agreement-in-principle on planting of trees in the reserve north of Major Mitchell Drive.

A decision is required of Council on the direction Council wishes to take for planting of street trees in Major Mitchell drive and the adjoining reserve.

9.4 MODEL COUNCILLOR POLICIES

Author's Name:	Kim Hargreaves	Director:	n/a
Author's Title:	Director Corporate Services	Directorate:	Corporate Services
Department:	Corporate Services	File Number:	F19/A10/000001

Officer Conflict of Interest

Officer disclosure in accordance with *Local Government Act 2020* – Section 130:

☐ Yes ☒ No

Reason: Nil

Status

Defined as confidential information in accordance with *Local Government Act 2020* – Section 3(1):

☐ Yes ☒ No

Reason: Nil

Appendix

Councillor Media Policy (**Appendix 9.4A**)

Model Councillor Social Media Policy (**Appendix 9.4B**)

Model Councillor Confidentiality Policy (**Appendix 9.4C**)

Purpose

To present a suite of new (model) and revised policies to Council for adoption to give effect to provisions of the Model Councillor Code of Conduct.

Summary

- The Model Councillor Code of Conduct applies to Councillors in the performance of their role and includes standards of conduct to be observed by Councillors.
- To support Councillors to respond to the Code, the Victorian Local Governance Association (VLGA) have developed two new model policies.
- Although not mandatory, the model *Councillor Confidentiality Policy* and model *Councillor Social Media Policy* are recommended policy inclusions noting the recent local government reforms.

Recommendation

That Council:

1. Adopt the updated HRCC Councillor Media Policy
2. Adopt the Model Councillor Social Media Policy
3. Adopt the Model Councillor Confidentiality Policy and in doing so, authorise the Chief Executive Officer to classify documents as 'internal documents' as per the provisions in the policy.

REPORT

Background

From 26 October 2024, all Councillors are required to observe the Model Councillor Code of Conduct prescribed in Schedule 1 to the *Local Government (Governance and Integrity) Regulations 2020* as per the requirements of s139 of the *Local Government Act 2020*. The introduction of the Model Code of Conduct also replaced the previous statutory requirement for each Council to develop its own Councillor Code of Conduct and therefore superseded Council's adopted policy.

As the Model Code establishes the standards of conduct for performing the role of a Councillor, Local Government Victoria developed guidelines to support Councillors in performing their role in a manner consistent with the Model Code of Conduct. To complement the guidelines and support Councillors to respond to the Code, the Victorian Local Governance Association (VLGA) have now developed two new model policies.

Discussion

Each of the proposed policies is outlined below including reference to existing policies where relevant:

- *Councillor Social Media Policy*

The Model Councillor Code of Conduct expressly references obligations in relation to media whereas the *Guidance on the Model Councillor Code of Conduct* document includes information highlighting the importance of Councillors understanding that the standards of conduct set out in the Model Code of Conduct apply equally when using social media.

As stated in the guidelines:

Social media refers to digital platforms or services that are used to share content, information and opinions. These can include but are not limited to social networking sites (such as Facebook and LinkedIn), microblogging sites (such as X, Reddit), video and photo sharing sites (such as Instagram, TikTok).

Rather than incorporate the recommended social media policy into HRCC's existing Councillor Media Policy it is proposed that media and social media be treated as separate but related documents noting the media policy references those authorised to speak to the media on behalf of Council and discussion about Council decisions rather than more general discussion that may occur on social media platforms. On that basis the HRCC's Councillor Media Policy has been revised to remove reference to social media and confirms the document should be read in conjunction with the social media policy.

- *Councillor Confidentiality Policy*

To assist Councillors, the VLGA has also developed a model *Councillor Confidentiality Policy* which specifies when information provided to Councillors must be managed securely to protect private or confidential information. This is particularly important noting a Councillor must not make Council information publicly available where public availability of the information would be contrary to the public interest. The disclosure of confidential information is prohibited separately under the *Local Government Act 2020* and constitutes both serious misconduct and a criminal offence.

The policy categorises documents into four classes:

- *Confidential Information*
Replicating the provisions of s125 of the *Local Government Act 2020*.
- *Internal Documents*
Documents which should be subject to access controls as a matter of good governance on the basis that their disclosure would be contrary to the public interest
- *Personal Information*
Applies the provisions of the *Privacy and Data Protection Act 2014* insofar as they apply to Councillors.
- *Health Information*
Applies the provisions of the *Health Records Act 2001* insofar as they apply to Councillors.

The Model Councillor Code of Conduct provides that a Councillor “must act with integrity, exercise reasonable care and diligence and take reasonable steps to avoid any action which may diminish the public’s trust and confidence in the integrity of local government, including by ... not making Council information publicly available where public availability of the information would be contrary to the public interest.”

The policy therefore provides for Documents where public availability would be contrary to the public interest to be classified as internal documents. The nature of these documents along with the classification process is outlined in the policy. Further it requires the following:

In determining whether a document should be classified as an internal document, the Chief Executive Officer must identify any relevant public interest factors favouring disclosure and nondisclosure, balance the relevant factors favouring disclosure and nondisclosure; and decide whether disclosure of the information would, on balance, be contrary to the public interest.

Although neither of the policies are mandatory, they are recommended policy inclusions noting the recent local government reforms outlined above.

Options to Consider

Councillor Social Media Policy

1. Adopt the Model *Councillor Social Media Policy* and the revised, related *Councillor Media Policy*
2. Incorporate the *Councillor Media Policy* and *Councillor Social Media Policy* into one policy for adoption.

Councillor Confidentiality Policy

3. Adopt the Model *Councillor Confidentiality Policy*
4. Request revisions to the *Councillor Confidentiality Policy* with classifications or procedures tailored to HRCC requirements.
5. Retain current practices noting there is no current HRCC policy expressly for the management of confidential information by Councillors.

Options 1 and 3 are recommend noting that while neither of the VLGA proposed model policies are mandatory, their adoption is recommended as part of the recent local government reforms. It is also proposed that the media and social media policies remain separate but inter-related to provide a point of difference between official media-related activity and broader social media use.

Sustainability Implications

Nil.

Community Engagement

Broader community engagement was not undertaken as the policy pertains to internal governance processes.

Innovation and Continuous Improvement

The policies are designed to assist Councillors in their interpretation and application of responsibilities under the Model Councillor Code of Conduct.

Collaboration

The policies align with the Model Code of Conduct prescribed in Schedule 1 to the *Local Government (Governance and Integrity) Regulations 2020* and are recommended by the VLGA who work with the sector and statutory bodies to inform their work.

Financial Implications

Nil.

Regional, State, and National Plans and Policies

Aligns with the *Local Government Act 2020*, *Local Government (Governance and Integrity) Regulations 2020* and Model Councillor Code of Conduct to support overarching transparency and governance principles.

Council Plans, Strategies, and Policies

2021-2025 Council Plan

Theme 5 – Leadership, ensuring robust governance practices.

Risk Implications

Adopting the policies ensures compliance with legislative obligations and supports Councillors to fulfil their obligations thereby mitigating the risk of legislative or regulatory breaches related to Councillors' management of information, as well as interactions with media and social media.

Conclusion

The proposed policies have been developed to support Councillors to meet the standards of conduct for performing the role of a Councillor as outlined in the Model Councillor Code of Conduct. One provides clarity around Councillors interaction relating to social media and is supported by Council's existing policy relation to media interaction. The other establishes a robust framework for managing Council information securely while upholding transparency. By clearly defining roles, responsibilities, and expectations, the policies strengthen governance and ensures Councillors operate in accordance with the legislation.

9.5 PROPOSED RELEASE OF DRAFT 2025-2026 BUDGET, 2025-2026 FEES AND CHARGES, AND 2025-2029 REVENUE AND RATING PLAN FOR COMMUNITY FEEDBACK

Author's Name:	Kim Hargreaves	Director:	n/a
Author's Title:	Director Corporate Services	Directorate:	n/a
Department:	Corporate Services	File Number:	F18/A10/000001

Officer Conflict of Interest

Officer disclosure in accordance with *Local Government Act 2020* – Section 130:

☐ Yes ☒ No

Reason: Nil

Status

Defined as confidential information in accordance with *Local Government Act 2020* – Section 3(1):

☐ Yes ☒ No

Reason: Nil

Appendix

Nil

Purpose

To pre-approve the distribution of the following draft documents: the 2025-2026 Budget, the 2025-2026 Fees and Charges, and the Revenue and Rating Plan 2025-2029.

Summary

- The 2025-2026 Budget is prepared in accordance with the requirements of the *Local Government Act 2020* and is prepared through a process of consultation and discussion with Council Officers and Councillors. It aligns with objectives as set out in the 2021-2025 Council Plan noting the 2025-2029 Council Plan is currently under development.
- It is considered best practice and good governance to set user fees and charges as part of the budget process. The fees and charges document sets out the amounts that will be charged in respect to various goods and services during the 2025-2026 financial year.
- The Revenue and Rating Plan 2025-2029 represents a significant rewrite of the current document. It reflects a plan based on a floating differential rather than the fixed differential as adopted in the current plan.

Recommendation

That Council:

1. Endorse the release of the draft 2025-2026 Budget, 2025-2026 Fees and Charges, and Revenue and Rating Plan 2025-2029 to inform the community of council's planned expenditures and charges.
2. Confirm that this period of community engagement will be undertaken by placing the documents on Council's website for a period of 3 weeks from a date yet to be determined in May to a date in June 2025.
3. Will consider the 2025-2026 Budget, the 2025-2026 Fees and Charges, and the Revenue and Rating Plan 2025-2029, incorporating any community feedback, for adoption at its meeting in June 2025.

REPORT

Background

In accordance with section 93 of the *Local Government Act 2020*, Council is required to prepare and adopt a Revenue and Rating Plan by the next 30 June after a general election for a period of at least the next 4 financial years. Council is also required to prepare and adopt a budget for each financial year and the subsequent 3 financial years by 30 June each year (section 94).

While the disclosure of fees and charges to be levied for various goods and services provided during the year is not required by legislation, it is considered best practice and good governance to consider the setting of user fees and charges as part of the budget process. The process also promotes transparency to the community around the pricing of services provided to them.

Discussion

Council is well progressed in the development of the documents required by the legislation and the associated fees and charges document. Although not required by legislation, Council wishes to seek community feedback on the documents, particularly noting the significant change to the rating method adopted in the Revenue and Rating Plan 2025-2029. Following the 2024 Election, the new Council undertook a review of the current rating methodology to ensure this Plan be written to ensure consistency of rates contribution from the community and avoidance of “rate shock” brought about by significant movements in valuations.

The methodology adopted in the 2021-2024 Plan was based on “triggers” related to valuation movement and resulted in that plan having to be reviewed annually. Rating differentials also had to be adjusted to attempt to smooth out the dollar value contributed by the various rating sectors. The modified approach adopted for the 2025-2029 Plan establishes set contribution percentages for the various rating sectors to provide stability in the dollars contributed regardless of any movement as a result of valuations.

In relation to the fees and charges, the process of engagement also ensures that community and customers are aware of the changes to fees in advance of any changes being made. With the fees and charges Register presented as a document separate to the budget it is also easier to present any changes required during the year for consideration by Council, noting that the fees and charges are based on information available at the time of publishing and may vary during the financial year subject to any changes in Council's policy or legislation.

It is therefore proposed that the three documents be provided for community feedback for a period of three weeks from a date yet to be determined in May to a date three weeks later in June 2025. The engagement will be undertaken by placing the documents on Council's website for that period. Feedback received on the documents will then be presented to Councillors at a Briefing in June for consideration. The feedback will be addressed either via revisions to the documents or via other means before the final draft documents are presented to Council for adoption at the Council Meeting on 23 June 2025.

Options to Consider

Council is not required to provide the draft documents to the community for their feedback. It is however recommended that Council disclose the fees and charges they intend to levy for various goods and services in advance of the charges taking effect as the provision of such information is considered best practice and good governance. Noting the significant changes in the Revenue and Rating Plan it is also recommended to inform the community of these changes in advance of their adoption. Given both

documents are integral to the development of the 4-year budget it is therefore proposed to release that document for community feedback also.

Sustainability Implications

Rate capping continues to place restrictions on Council's ability to raise its own source income and places an ever-increasing reliance on grants from other tiers of government, the availability of which can change over time. Council's share of the overall tax revenues of all tiers of government is also a factor as additional responsibilities and obligations are being given to council without adequate consideration of the implications. These issues mean that Council must be mindful of its own financial sustainability and therefore take a more conservative approach to debt than other levels of government and/or the private sector may take.

Community Engagement

The respective documents have been discussed with Councillors in Briefings as they develop. Council has opted to provide the documents in advance of the adoption of the budget for reasons outlined above. This report seeks to gain Council's pre-approval for the release of these documents at a date in May.

Innovation and Continuous Improvement

Not applicable

Collaboration

The respective documents are prepared in accordance with guidance provided by Local Government Victoria and other entities to ensure Council meets its legislative responsibilities.

Financial Implications

The fees and charges directly affect the Budget as they represent both statutory and user fees. On that basis they represent a form of revenue within the budget. Council's methodology for fees and charges pricing is set out in the current Revenue and Rating Plan 2021-2024 and outlined in the updated document.

Regional, State and National Plans and Policies

The fees and charges have been developed in accordance with the requirements of the Better Practice Guide which accompanies the Local Government Model Budget provided by Local Government Victoria. Relevant statutory charges set by other levels of government and collected by Council have been included in the Register to assist the community in navigating this complex area.

Council Plans, Strategies and Policies

The draft documents have been prepared with reference to the Community Vision 2041 and the 2021-2025 Council Plan noting the current Council Plan is currently under development.

Risk Implications

A Council, must in the performance of its role, give effect to the overarching governance principles including that the ongoing financial viability of the Council is to be ensured (s9(2)(g)). In giving effect to the overarching governance principles, a Council must take into account a number of supporting principles— including the financial management principles (s9(3)(d) *Local Government Act 2020*).

Council must ensure that the budget gives effect to the Council Plan and contains financial statements in the form and containing the information required by the regulation; a general description of the services and initiatives to be funded in the budget; major initiatives identified by the Council as priorities in the Council Plan to be undertaken during the financial year; services to be funded in the budget, including

prescribed indicators and measures of service performance that are required to be reported against; the total amount Council intends to raise by rates and charges; a statement as to whether the rates will be raised by the application of a uniform rate or a differential rate; a description of any fixed component of the rates, if applicable; plus any other information prescribed by the regulations. (s94(2) *Local Government Act 2020*).

Conclusion

The draft documents are proposed for release to the community for their feedback. As these documents are still under development it is proposed they be released on a date yet to be determined in May for a period of three weeks until June 2025. Once the feedback is considered the final draft documents will be presented to Council for adoption at their June meeting.

9.6 AVONBANK MINING LICENCE SUBMISSION

Author's Name:	Joel Hastings	Director:	Kevin OBrien
Author's Title:	Planning and Development Lead	Directorate:	Communities and Place
Department:	Investment Attraction and Growth	File Number:	F13/A03/000531

Officer Conflict of Interest

Officer disclosure in accordance with *Local Government Act 2020* – Section 130:

☐ Yes ☒ No

Reason: Nil

Status

Defined as confidential information in accordance with *Local Government Act 2020* – Section 3(1):

☐ Yes ☒ No

Appendix

Avonbank Mineral Sands Project Inquiry and Advisory Committee Report 2023 (**Appendix 9.6A**)

Avonbank Mineral Sands Project Ministers assessment November 2023 (**Appendix 9.6B**)

Avonbank Mining Licence Submission (**Appendix 9.6C**)

Purpose

To consider and endorse a submission to the Earth Resources Regulator for the Avonbank Mining Licence Application MIN008642.

Summary

Resources Victoria has received a Mining Licence application from WIM Resource Pty Ltd for their Avonbank project.

The Avonbank project plans to mine heavy minerals sands, which include proven quantities of zircon, titanium and rare earth elements, 8 kilometres north-east of Horsham.

The Avonbank project has been assessed via the *Environment Effects Statement* (EES) process, which has enabled WIM Resource to prepare and submit their Mining Licence application. A mining licence is considered under the *Mineral Resources (Sustainable Development) Act 1990* (the Act) and requires the Minister for Energy Resources approval.

The proposed Mineral Sands Mine is a significant development for Horsham Rural City municipality and the Wimmera region, and it is important that the social, environmental and economic impacts are appropriately considered and managed to worlds best practice.

The submission has been prepared to on the basis of:

- to ensure clear regulatory responsibility (Mining Licence Area)
- to ensure best practice and all environmental mitigation measures are met (EES Assessment) –
- to ensure WIM Resource is capable of meeting its financial and ethical obligations (Mineral Resources (Sustainable Development) Act 1990)

Recommendation

That Council endorse and lodge the Avonbank Mining Licence Submission (**Appendix 9.6C**) to the Earth Resources Regulator.

REPORT

Background

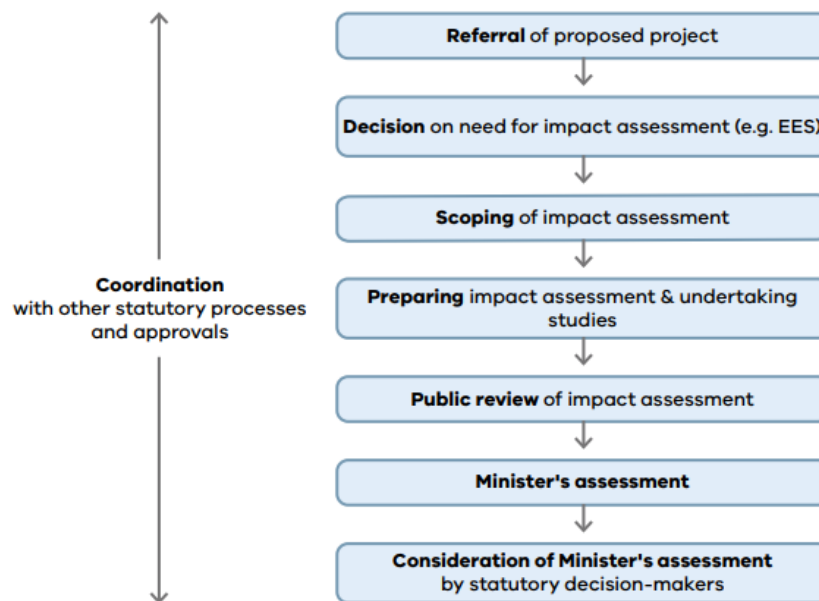
The proposed Mineral Sands Mine is a significant development for Horsham Rural City municipality and the Wimmera region, and it is important that the social, environmental and economic impacts are appropriately considered and managed to worlds best practice.

Mining is subject to complex regulatory framework that requires consideration of a range of legislation including:

- *Environment Effects Act 1978*
- *Environment Protection and Biodiversity Conservation Act 1999*
- *Mineral Resources (Sustainable Development) Act 1990*
- *Planning and Environment Act 1987*
- *Aboriginal Heritage Act 2006*
- *Environment Protection Act 2017*
- *Land Act 1958*
- *Port Management Act 1995*
- *Radiation Act 2005 and Radiation Regulations 2017*
- *Climate Change Act 2017*
- *Native Title Act 1993 and Indigenous Land Use Agreement*
- *Customs Act 1901 (Cth) and Customs (Prohibited Exports) Regulations 1958*
- *Heritage Act 2017*
- *Flora and Fauna Guarantee Act 1988*
- *Wildlife Act 1975*
- *Catchment and Land Protection Act 1994*
- *Water Act 1989*
- *Road Management Act 2004*
- *Transport Integration Act 2010*

Environmental Effects Statement

An Environmental Effect Statement is a key part of the approval process required for mining with the clear objective to provide for the transparent, integrated and timely assessment of the environmental effects of projects capable of having a significant effect on the environment.



Council and the community participated in the Environmental Effects Statement (EES) process from 2019 to 2023 and understand the potential impacts the mine may have, including effects on biodiversity, surface water, groundwater, agriculture, traffic, amenity, human health, land use, social and economic values, soils and landform, and Aboriginal and historic heritage as outlined in the Avonbank Mineral Sands Project Inquiry and Advisory Committee Report 2023 (**Appendix 9.6A**).

Consequently the Minister Assessment under Environmental Effects Act 1978 (**Appendix 9.6B**) has been completed and was publicly released in November 2024 and makes the following recommendation.

“It is my assessment from the whole of environment assessment undertaken for the EES that the project will not result in unacceptable environmental effects”

The Ministers assessment acknowledges the integrated nature of the EES and made recommendations to the federal EPBC Act approval process and the implementation of the Environmental Mitigation Measure through the MRSD Act and Planning and Environment Act. Approval has now been given by the federal government relating to the EPBC Act requirements.

The application for Mining Licence MIN008642 is a critical part of the legislative framework and it is important to ensure all relevant management measures are incorporated into a mining licence if approved, in particular:

- *TM-01: HMC Haulage route*
The proposed Heavy Mineral Concentrate (HMC) haulage route must rely on sealed roads gazette for the types of vehicles generated by the Project. The number of HMC haulage trucks using the haulage route must be limited to 2 per hour between 10pm and 6am.

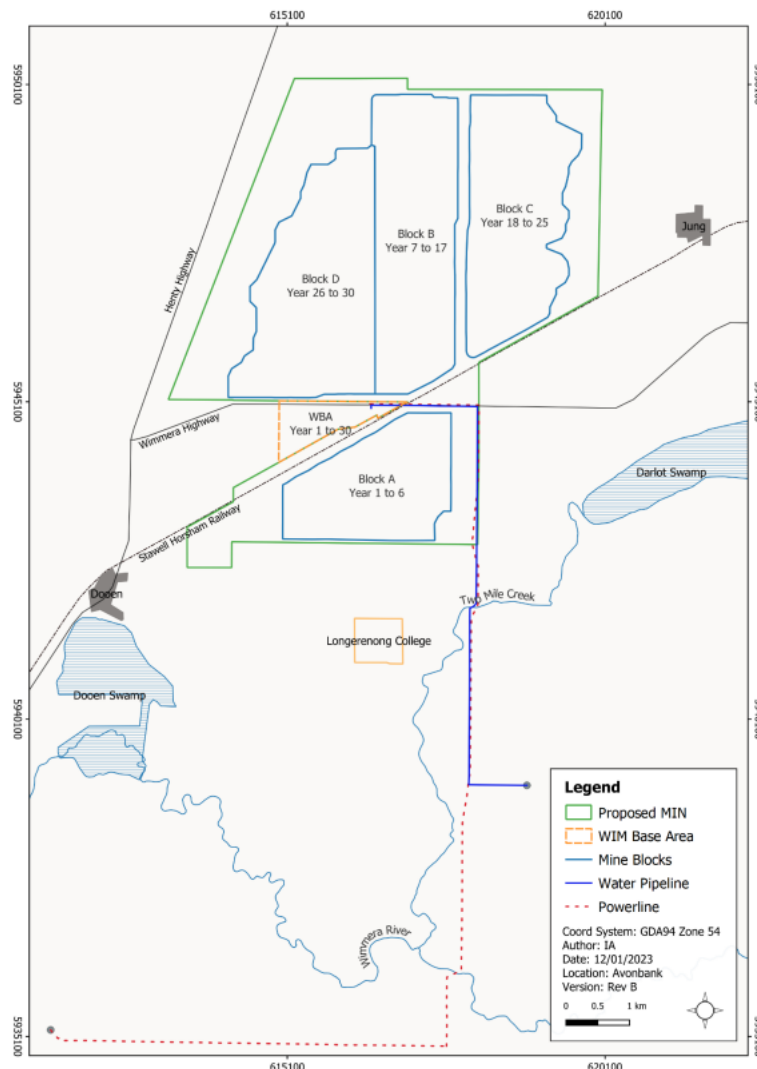
- *TM-02: Traffic Management Plan*
Include a program to consult with the community and landholders prior to local road closures and changes to the local road network.
- *TM-07: Progressive rehabilitation of local roads*
Local roads that have been removed for the purposes of mining operations must be reinstated to a condition agreed prior to removal, in consultation with stakeholders, HRCC and impacted landowners. The minimum condition of the reinstated road must be agreed to prior to the removal of the road for mining operations. The process and standard of road reinstatement post-mining operations must be to an all-weather standard, or to the relevant road standard described in the HRCC 'Road Management Plan' (HRCC, 2017), in consultation with landholders and the community.
- *LV-04: Landscape screening*
The visual impact of Project elements that are expected to remain in place for the Project life must be minimised through landscape screening established prior to the commencement of Project works that require landscaping.
- *AQ-08: Air Quality Management Plan*
An Air Quality Management Plan (AQMP) must be prepared prior to Project commencement. The AQMP must be maintained and implemented for the duration of the construction, operation, decommissioning and closure of the facilities to the satisfaction of the responsible authority.
- *AQ-0A: Real time continuous air quality monitoring*
Real-time continuous air quality monitoring of particulate matter (preferably with an alarm to notify of preset particle concentrations alert levels) must be undertaken at sensitive receptors according to a schedule approved in the AQMP (AQ-08)
- *RD-08: Radiation Management Plan*
A Radiation Management Plan (RMP) must be prepared prior to Project commencement. The RMP must be implemented. The RMP must provide a management framework to avoid and minimise risks so far as reasonably practicable in line with the 'Code of Practice on Radiation Protection and Radioactive Waste Management in Mining and Mineral Processing' (ARPANSA, 2005) (the Code of Practice).
The RMP must be developed in consultation with stakeholders and must be subject to approval by the Department of Health.
- *SL-12: Agricultural baseline assessment*
A detailed agricultural baseline assessment (ABA) must be completed prior to mining within each landholding or paddock by a suitably qualified person. The outcomes of the assessment must inform the setting of appropriate performance standards and rehabilitation criteria (including but not limited to yield). The assessments may be used to form the basis of the Land Access and Compensation Agreements performance target, where appropriate.

- *SE-04: Targeted community and workforce support programs*
A community support and workforce development strategy will be prepared in consultation with HRCC and other relevant stakeholders before construction commences and implemented across the life of the Project that recognises the following initial key areas of focus:
 - *Skills development and apprenticeship programs.*
 - *Indigenous employment programs.*
 - *Mining and rehabilitation research programs.*
 - *Student research programs established with Longerenong Agricultural College on agricultural mine rehabilitation.*
 - *Programs will be established to encourage local small businesses to tender on goods and services contracts over the life of the Project.*
 - *Communicate anticipated Project workforce size and composition to HRCC and the Department of Education following Project approval.*
- *SE-03: Workforce Accommodation Strategy*
A Workforce Accommodation Strategy (WAS) must be developed prior to the commencement of Project works in consultation with key stakeholders, including the HRCC and relevant local housing organisations.
- *RH-01: Rehabilitation Plan*
Prior to Project commencement, a Rehabilitation Plan must be established and implemented to ensure the progressive rehabilitation of the mine and the timely rehabilitation of other Project components
- *SE-07: Wellbeing Plan and access to counselling services*
Prepare and implement a Wellbeing Plan focused on supporting landholders and families who will be displaced by the Project.
- *LP-02: Land Access Agreements or Land Purchase*
Prior to the commencement of work on a mining licence, consent from the owners/occupiers of the land directly affected must be granted, land may be purchased prior to the commencement of works, or compensation must be determined under the Mineral Resources (Sustainable Development) Act 1990
- *RH-03: Contingency plan for unplanned closure*
Prepare an unplanned closed contingency plan, in consultation with independent mining management experts, stakeholders and landholders, before construction commences and reviewed before each mine stage. It must give pathways for both temporary and permanent closure.

These mitigation measures are critical to Horsham Rural City, and we should ensure we are engaged as a key stakeholder in the preparation and implementation of these plans as part of any mining licence issued.

Mining Licence Area

The MRSD Act plays a central role in the regulation of mining in Victoria, Council is concerned that the WIM Base Area (WBA) is located outside the licenced area.



Council has been of the strong view that the WBA should be included in the mining licence area so that the same regulatory frameworks are applied to the processing plant and that the State Government should be the regulatory authority for all mining activity.

The Wimmera Intermodal Freight Terminal is included in the mining licence area despite no mining activity or connection to rail being proposed at this stage. Accordingly, it is appropriate to request it be removed from the mining licence due to its primary role as freight terminal, council ownership, strategic importance to the region and need for it to operate independently of any mining licence.

Mineral Resources (Sustainable Development) Act 1990

MRSD Act in addition to the amenity, social and environmental impacts must also consider the following:

- *The applicant is a fit and proper person to hold a licence.*
- *The applicant intends to comply with the MRSDA.*

-
- *The applicant genuinely intends to do the work.*
 - *The applicant has an appropriate program of work.*
 - *The applicant is likely to be able to finance the proposed work and rehabilitation of the land.*

These tests are important to ensure any licence holder is capable of dealing fairly and openly with landholders, meeting its legislative obligations and completion of the rehabilitation of productive agricultural land, and council expects due diligence be undertaken by the Minister to ensure WIM Resource meet these standards.

Discussion

Mining activity proposes significant land use change for the Wimmera and in particular Dooen and the planning and regulatory processes are intended to guide this change in a coordinated and ecologically sustainable manner.

The regulatory framework of an EES and subsequent legislative approval including a Mining Licence Application are critical to ensuring the safe and effective operation of mining. and managed to worlds best practice.

This submission is prepared to on the basis of:

- Mining Licence Area – *to ensure clear regulatory responsibility.*
- EES Assessment – *to ensure best practice and all environmental mitigation measures are implemented.*
- Mineral Resources (Sustainable Development) Act 1990 – *to ensure Wim Resource is capable of meeting its financial and ethical obligations.*

Options to Consider

Option 1 – Make a submission to Earth Resources Regulator on the Mining Licence

This option is recommended by officers as it will provide information for the Minister to consider in their decision to issue a Mining Licence.

Option 2 – Do not make a submission

This option is not recommended by officers as important issues highlighted in the EES may not be addressed and community feedback would not be considered.

Sustainability Implications

The submission seeks to ensure environmental mitigation measures including agricultural rehabilitation, protection of biodiversity, transport plans, surface water management, etc are considered and integrated into any mining licence.

Community Engagement

The mining licence is currently on public notice in which objections or comments can be submitted to the Earth Resources Regulator or a period of 21 days after the application has been advertised (extended to

29th April). Landowners and the community have been encouraged to make submission on their own behalf.

Council held a listening post at the Dooen Hall on Tuesday 15 April. There were approximately 100 attendees. A number of matters were raised which have been included in the Council submission.

Innovation and Continuous Improvement

Not applicable.

Collaboration

This report has been prepared in collaboration with Council officers within the Planning and Investment Attraction departments.

Financial Implications

The submission does not have any direct financial implications for council, but may have implications for the WIM Resource, landholders and the local economy.

Regional, State and National Plans and Policies

Mining is subject to a range of legislation as discussed in the report. The mining licence is subject to the MRSD Act 1990, the submission forms part of the legislative process.

Council Plans, Strategies and Policies

2021-2025 Council Plan

Theme 2 – Liveability

Theme 3 – Sustainability

Risk Implications

The Mining Licence forms part a strong legislative framework for the approval, operation and rehabilitation of the Avonbank Mine and the submission assists in ensuring any risks identified in the EES and financial and ethical tests required to MRSD Act are mitigated.

Conclusion

The regulation of mining is critical to ensuring the economic benefits of mining are not outweighed by the social and environmental impacts, and that Council should seek assurance that the legislative requirements outlined above will be met and if met and a licence is issued that the Earth Resources Regulator will commit to resources in the region to appropriately engage with community and monitor any licence issued.

10. COUNCILLOR REPORTS AND ACKNOWLEDGEMENTS

Cr Ian Ross (Mayor)

Committee Representation	
Date	Description
20/03/25	Audit and Risk Committee Meeting
Other Council Activities	
18/03/25	Council Briefing Meeting
19/03/25	Citizenship Ceremony
19/03/25	CEO Employment & Remuneration Committee Meeting
21/03/25	GWM Water Stakeholder Workshop
21/03/25	Harmony Day 2025
21/03/25	Longerenong College 2025 Graduation
24/03/25	Council Meeting
25/03/25	Meeting with Horsham Football Club- Clubroom Development
28/03/25	Horsham College Debutante Ball
29/03/25	133 rd Natimuk Show
31/03/25	Additional Council Meeting
31/03/25	Council Briefing Meeting
1/04/25	Staff Meeting
7/04/25	Aboriginal Community Round Table
7/04/25	Council Briefing Meeting
10/04/25	Depot Staff Meeting
11/04/25	Wimmera CEO's and Mayors Meeting with DTP
14/04/25	Council Briefing Meeting
15/04/25	Council Listening Post- Dooen Hall

Cr Cam McDonald

Committee Representation	
Date	Description
	NIL
Other Council Activities	
3/03/25	4.00-4.30 Haven site tour with Cr Angela Munn and Kevin O'Brien. 5.3-8.30 Council Briefing.
7/03/25	CEO Appointment Briefing, in person council chambers.
11/03/25	Council Briefing
14/03/25	Attended Wimmera Agricultural Society's Annual Gala dinner as a judge.
17/03/25	Council Briefing budget.
18/03/25	12.30-4.30 CEO 2 ND Round interviews. Council plan workshop.
19/03/25	Meeting CEO Employment and Remuneration committee
24/03/25	Council Monthly meeting. Moved Notice of motion to Instal a Mining, Renewables and Energy committee...Carried. Moved a notice of motion to Suspend and Review, MOU with WIM Resource... carried.
25/03/25	Meeting with Horsham Football and Netball Club re. its future.
31/03/25	Council Meeting to appoint new CEO.

Cr Dean O'Loughlin

Committee Representation	
Date	Description
	NIL
Other Council Activities	
30/03/25	Council meeting
1/04/25	CEO announcement – Staff meeting
7/04/25	Council Briefing meeting
14/04/25	Council Briefing meeting
15/04/25	Council Listening Post – Dooen Hall
29/04/25	Horsham Rural City Talks - Councillor Session

11. URGENT BUSINESS

12. PETITIONS AND JOINT LETTERS

13. PROCEDURAL BUSINESS

13.1 INFORMAL MEETINGS OF COUNCILLORS – RECORD OF MEETINGS

- Council Briefing Meeting held on Monday 31 March 2025 at 6:00pm
- Council Briefing Meeting held on Monday 7 April 2025 at 5:30pm
- Council Briefing Meeting held on Monday 14 April 2025 at 5:30pm

Refer to **Appendix 13.1A**

13.2 SEALING OF DOCUMENTS

Nil

13.3 INWARD CORRESPONDENCE

Nil

13.4 COUNCIL COMMITTEE MINUTES

- Natimuk Economic & Social Plan Project Advisory Committee held on 2 April 2025
- Horsham Regional Livestock Exchange Board Meeting held on 10 April 2025

Refer to **Appendix 13.4A**

Recommendation

That Council receive and note agenda items:

- 13.1 Informal Meetings of Councillors – Record of Meetings
- 13.2 Sealing of Documents
- 13.3 Inward Correspondence
- 13.4 Council Committee Minutes.

14. NOTICE OF MOTION