



**Yarriambiack**  
SHIRE COUNCIL

# Agenda

## Ordinary Meeting of Council

---

26 August 2026

COUNCIL CHAMBERS

34 Lyle Street, Warracknabeal

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

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

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## OUR VISION

A strong and connected community prioritising sustainable and innovative approaches to support the wellbeing of our people, economy and environment.

We will achieve this shared vision by:

- ✓ Looking after our communities, with an aim of enhancing social connection through better infrastructure, safety, wellbeing, advocacy, health and education services.
- ✓ Supporting the diversification of our economy by focusing on tourism and agriculture.
- ✓ Committing to environmental responsibility by making decisions that consider the impact on our community ecosystem.

## CONTINUOUS IMPROVEMENT

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

## RECORDING AND MINUTES

The recording of this Council Meeting will be made publicly available on Council's YouTube channel until the next scheduled Council Meeting, providing the community with enhanced access to Council decision-making and deliberations without the need for in-person attendance.

Council Meeting Minutes from the preceding 12 months are available on Council's website. The Minutes of this meeting will be published within 3 business days of the meeting's conclusion.

## 1 WELCOME

## 2 RECORDING PREAMBLE

*The Chief Executive Officer reads this section as part of the Meeting Governance process.*

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

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

The agenda, minutes and recording of this meeting will be made available to the public on the Council's website, accessible via the 'Council Meetings' page located on the homepage.

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

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

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

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

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

## 3 ACKNOWLEDGEMENT AND PRAYER

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

### 3.1 ACKNOWLEDGING TRADITIONAL OWNERS OF THE LAND

'We acknowledge that the activities of Yarriambiack Shire Council are held under the traditional skies and in the waterways and lands of the Wotjobaluk Nations and Council pays respects to their Elders past, and present.'

### 3.2 PRAYER

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

Amen

## 4 PRESENT

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

|                 |                 |                            |
|-----------------|-----------------|----------------------------|
| Council Officer | Tammy Smith     | Chief Executive Officer    |
| Council Officer | Tim Rose        | Chief Operating Officer    |
| Council Officer | Monique Metlika | Governance Support Officer |
| Council Officer | Anita McFarlane | Chief Financial Officer    |
| Council Officer | Joel Turner     | Chief Engineering Officer  |

## 5 APOLOGIES

| Name / Role | Description of Leave / Absence |
|-------------|--------------------------------|
|             |                                |

## 6 CONFIRMATION OF MINUTES

### 6.1 MINUTES 22 JULY 2026 – ORDINARY MEETING

Minutes of the Ordinary meeting of Council held on 22 July 2026 be taken as an accurate record and confirmed.

**Recommended Motion:**

That the minutes of the Ordinary Meeting of Council held on 22 July 2026, as circulated be taken as read and confirmed.

### 6.2 MINUTES 22 JULY 2026 – CLOSED (CONFIDENTIAL) MEETING

Minutes of the Closed (Confidential) meeting of Council held on 22 July 2026 be taken as an accurate record and confirmed.

**Recommended Motion:**

That the minutes of the Closed (Confidential) Meeting of Council held on 22 July 2026, as circulated be taken as read and confirmed.

## 7 DECLARATION OF CONFLICT OF INTEREST

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

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

- a) Disclose the conflict of interest in the manner required by the Yarriambiack Shire Council Governance Rules (Chapter 5- Disclosure of Conflict of Interest at Council Meetings).
- b) Exclude themselves from the decision-making process in relation to that matter, including any discussion or votes on the matter at any Council meeting or delegated committee, and any action in relation to the matter.

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

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

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

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

OR

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

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

### 7.1 CONFLICT OF INTEREST DECLARED

| Conflict Declared by | Agenda Item                                | Reason - Explanation                                                                              |
|----------------------|--------------------------------------------|---------------------------------------------------------------------------------------------------|
| Cr Corinne Heintze   | 15.13 2026/27 SHARE Grants Funding Program | Cr Heintze is secretary of the DEECA appointed Minyip Recreation Reserve Committee of Management. |

## 8 BUSINESS ARISING

### 8.1 BUSINESS ARISING FROM PREVIOUS MINUTES

As per ongoing and pending actions list, Item 8.2.

### 8.2 ONGOING AND PENDING ACTIONS

| Council Meeting               | Recommendation Action                                                                                                                                                                                                                                                                                                                                | Action Taken                                                                                                                                                                                                              |
|-------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 30 June 2025<br>Item 15.5     | Enter into an agreement with the Rupanyup Recreation Reserve outlining that the funds received from the NBN Tower rental must be utilised towards infrastructure upgrades and/or ground and building maintenance at the Rupanyup Recreation Reserve.                                                                                                 | Not yet commenced. Agreement to be developed.                                                                                                                                                                             |
| 29 October 2025<br>Item 15.8  | Provide a report back to Council in 12 months' time, outlining the progress of sourcing alternative grants and/or revenue streams to fund the Automated Weather Station maintenance.<br>Report due by 29 October 2026.                                                                                                                               | Report to be provided in October 2026.                                                                                                                                                                                    |
| 26 November 2025<br>Item 14.3 | Ensure that sanitary bins are available in Council's public toilets, wherever female disposal facilities exist.                                                                                                                                                                                                                                      | Sanitary bin now available in Warracknabeal male toilets.                                                                                                                                                                 |
| 10 December 2025<br>Item 15.1 | Land transfer of land, Wheatlands Agriculture Museum, to the Warracknabeal and District Historical Society.                                                                                                                                                                                                                                          | Transfer scheduled for 21 August 2026, after which the S173 Agreement can be lodged on title.                                                                                                                             |
| 10 December 2025<br>Item 15.2 | Transfer of land, 40 Anderson Street Warracknabeal, to E2E Growth.                                                                                                                                                                                                                                                                                   | This will occur once funding is secured to develop the site.                                                                                                                                                              |
| 28 January 2026<br>Item 15.4  | Sell the former depot sites in Hopetoun known as: <ul style="list-style-type: none"> <li>92 Cummings Street, Hopetoun (Lot 9 LP26623, Lot 10 LP26623, and Lot 11 LP26623), comprising a total area of 3,036 square metres; and</li> <li>74-76 Cummings Street, Hopetoun (Lot 2 LP147375), comprising a total area of 1,543 square metres.</li> </ul> | Real Estate Agent engaged to commence the sale process.<br><br>Contract of sale entered into for 74-76 Cumming Street Hopetoun. Settlement due September 2026. Report will be presented to Council in October for noting. |
| 28 January 2026<br>Item 15.5  | Gift 2 Wood Street, Rupanyup to the Victorian State Emergency Services (VICSES).                                                                                                                                                                                                                                                                     | Lawyer engaged to commence the process.<br><br>All Agreements executed and awaiting transfer to be scheduled and S173 Agreement to be lodged against title.                                                               |

## 9 PETITIONS

No petitions received.

## 10 MINISTERIAL AND GOVERNMENT CORRESPONDENCE TO COUNCILLORS ONLY

| Outgoing   |                                                                    |                                                                                                                                                  |
|------------|--------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------|
| Date       | Recipient                                                          | Details                                                                                                                                          |
| 27/07/2026 | Rikkie-Lee Tyrrell MP                                              | Letter - Local Government Legislation Amendment Bill 2026                                                                                        |
| 27/07/2026 | Beverley McArthur MP                                               | Letter - Local Government Legislation Amendment Bill 2026                                                                                        |
| 27/07/2026 | Dr Sarah Mansfield MP                                              | Letter - Local Government Legislation Amendment Bill 2026                                                                                        |
| 27/07/2026 | Jacinta Ermacora MP                                                | Letter - Local Government Legislation Amendment Bill 2026                                                                                        |
| 27/07/2026 | Joe McCracken MP                                                   | Letter - Local Government Legislation Amendment Bill 2026                                                                                        |
| 27/07/2026 | Emma Kealy MP                                                      | Letter - Local Government Legislation Amendment Bill 2026                                                                                        |
| 27/07/2026 | Jade Benham MP                                                     | Letter - Local Government Legislation Amendment Bill 2026                                                                                        |
| 27/07/2026 | Rikkie-Lee Tyrrell MP                                              | Letter - Advocacy Support Request – Warracknabeal Aerodrome Automated Weather Station                                                            |
| 07/08/2026 | Richard Duke, Acting Executive Director<br>Department of Education | Presentation request regarding School to Work Program.                                                                                           |
| 18/08/2026 | National Emergency Management Agency                               | Letter regarding the Wimmera Emergency Management Resource Sharing Partnership's submission on the proposed Disaster Recovery Funding Framework. |

| Incoming   |                                      |                                                                                                                                                                 |
|------------|--------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Date       | Sender                               | Details                                                                                                                                                         |
| 22/07/2026 | The Hon. Ben Carroll MP              | Response letter to WSMCA regarding reforms to the Victorian Governments School to Work program                                                                  |
| 29/07/2026 | The Hon Paul Hamer MP                | Letter – Roadside Weeds and Pests Program 2026-2027                                                                                                             |
| 07/08/2026 | Dr Sarah Mansfield MP                | Noted the Local Government Legislation Amendment Bill 2026 letter.                                                                                              |
| 14/08/2026 | Gaelle Broad MP                      | Response to the Local Government Legislation Amendment Bill 2026 letter.                                                                                        |
| 18/08/2026 | National Emergency Management Agency | Recognition of letter regarding the Wimmera Emergency Management Resource Sharing Partnership's submission on the proposed Disaster Recovery Funding Framework. |

## 11 SPECIAL COMMITTEES

### 11.1 AUDIT AND RISK COMMITTEE MEETING SCHEDULE

The proposed scheduled meeting program is as follows for the next 12 months for the Audit and Risk Committee:

| Date              | Description                                                 |
|-------------------|-------------------------------------------------------------|
| 21 September 2026 | Special Financial Statements and Performance Report Meeting |
| 09 November 2026  | Ordinary Meeting                                            |
| 08 February 2027  | Ordinary Meeting                                            |
| 10 May 2027       | Ordinary Meeting                                            |

### 11.2 AUDIT AND RISK COMMITTEE MEETING MINUTES – 10 AUGUST 2026

The Ordinary Audit and Risk Committee Meeting was held on 10 August 2026.

[Attachment: Audit and Risk Committee Meeting Minutes – 10 August 2026](#)

#### Recommended Motion

That the Minutes of the Ordinary Audit and Risk Committee Meeting held on 10 August 2026 be taken as read and confirmed.

## 12 ACTIVITY REPORTS

### 12.1 MAYOR ACTIVITY REPORT

| Mayor Andrew McLean (August) |                                                                       |               |
|------------------------------|-----------------------------------------------------------------------|---------------|
| Date                         | Activity                                                              | Location      |
| 29/07/26                     | Briefing on Draft 2027 Transmission Plan and Joint Submission         | Online        |
| 29/07/26                     | CEO Performance Plan and KPI's 2026-2027                              | Online        |
| 31/07/26                     | Mayor, Deputy Mayor and CEO Catch Up                                  | Online        |
| 31/07/26                     | West Wind Update                                                      | Online        |
| 05/08/26                     | Annual Councillor Mandatory Professional Development Training – Day 2 | Warracknabeal |
| 06/08/26                     | Attended Mallee Machinery Field Days with CEO                         | Speed         |
| 07/08/26                     | Mayor, Deputy Mayor and CEO Catch Up                                  | Warracknabeal |
| 07/08/26                     | Meeting with Superintendent Dan Davison from Vic Police               | Warracknabeal |
| 10/08/26                     | Audit and Risk Committee Meeting                                      | Warracknabeal |
| 11/08/26                     | Patchewollock Inc meeting                                             | Patchewollock |
| 12/08/26                     | Council Forum                                                         | Warracknabeal |
| 18/08/26                     | Early Years Service in Small Rural Communities Roundtable             | Warracknabeal |
| 20/08/26                     | MAV Delegate Connect Session                                          | Online        |
| 21/08/26                     | Mayor, Deputy Mayor and CEO Catch Up                                  | Online        |
| 23/08/26                     | Woomelang Bowls Clubs 80 <sup>th</sup> Birthday                       | Woomelang     |

*\*Represent advocacy meetings*

**12.2 COUNCILLOR ACTIVITY REPORTS**

| <b>Deputy Mayor Corinne Heintze – Dunmunkle Ward (August)</b> |                                                                           |                 |
|---------------------------------------------------------------|---------------------------------------------------------------------------|-----------------|
| <b>Date</b>                                                   | <b>Activity</b>                                                           | <b>Location</b> |
| 28/07/26                                                      | Photo Opportunity at Sheep Hills Silo with Western Ag and Cr Kylie Zanker | Sheep Hills     |
| 29/07/26                                                      | Briefing on Draft 2027 Transmission Plan and Joint Submission             | Online          |
| 31/07/26                                                      | Mayor, Deputy Mayor and CEO Catch Up                                      | Online          |
| 04/08/26                                                      | Annual Councillor Mandatory Professional Development Training – Day 1     | Warracknabeal   |
| 05/08/26                                                      | Annual Councillor Mandatory Professional Development Training – Day 2     | Warracknabeal   |
| 07/08/26                                                      | Mayor, Deputy Mayor and CEO Catch Up                                      | Online          |
| 12/08/26                                                      | Council Forum                                                             | Warracknabeal   |
| 21/08/26                                                      | Mayor, Deputy Mayor and CEO Catch Up                                      | Online          |

| <b>Cr Melinda Keel – Dunmunkle Ward (August)</b> |                                                                       |                 |
|--------------------------------------------------|-----------------------------------------------------------------------|-----------------|
| <b>Date</b>                                      | <b>Activity</b>                                                       | <b>Location</b> |
| 28/07/26                                         | Murtoa Swimming Pool Annual General Meeting                           | Murtoa          |
| 29/07/26                                         | Briefing on Draft 2027 Transmission Plan and Joint Submission         | Online          |
| 04/08/26                                         | Annual Councillor Mandatory Professional Development Training – Day 1 | Warracknabeal   |
| 05/08/26                                         | Annual Councillor Mandatory Professional Development Training – Day 2 | Warracknabeal   |

| <b>Cr Chris Lehmann – Hopetoun Ward (August)</b> |                 |                 |
|--------------------------------------------------|-----------------|-----------------|
| <b>Date</b>                                      | <b>Activity</b> | <b>Location</b> |
| 12/08/26                                         | Council Forum   | Warracknabeal   |

| Cr Karly Kirk – Warracknabeal Ward (August) |                                                                       |               |
|---------------------------------------------|-----------------------------------------------------------------------|---------------|
| Date                                        | Activity                                                              | Location      |
| 04/08/26                                    | Annual Councillor Mandatory Professional Development Training – Day 1 | Warracknabeal |
| 05/08/26                                    | Annual Councillor Mandatory Professional Development Training – Day 2 | Warracknabeal |
| 12/08/26                                    | Council Forum                                                         | Warracknabeal |
| 14/08/26                                    | Rail Freight Alliance Meeting                                         | Melbourne     |

| Cr Kylie Zanker – Warracknabeal Ward (August) |                                                                                                           |               |
|-----------------------------------------------|-----------------------------------------------------------------------------------------------------------|---------------|
| Date                                          | Activity                                                                                                  | Location      |
| 24/07/26                                      | Wimmera Highway Action Committee Meeting                                                                  | Online        |
| 28/07/26                                      | Photo Opportunity at Sheep Hills Silo with Western Ag and Deputy Mayor Corinne Heintze                    | Sheep Hills   |
| 29/07/26                                      | Briefing on Draft 2027 Victorian Transmission Plan                                                        | Online        |
| 29/07/26                                      | Warracknabeal Agricultural and Show Committee Town Meeting regarding the future of the Warracknabeal Show | Warracknabeal |
| 31/07/26                                      | Queer Beers Event                                                                                         | Warracknabeal |
| 04/08/26                                      | Annual Councillor Mandatory Professional Development Training – Day 1                                     | Warracknabeal |
| 05/08/26                                      | Annual Councillor Mandatory Professional Development Training – Day 2                                     | Warracknabeal |
| 10/08/26                                      | Audit and Risk Committee Meeting                                                                          | Warracknabeal |
| 11/08/26                                      | Wimmera Pride Committee General Meeting                                                                   | Horsham       |
| 12/08/26                                      | Council Forum                                                                                             | Warracknabeal |
| 18/08/26                                      | Warracknabeal Cubs and Scouts Annual General Meeting                                                      | Warracknabeal |
| 20/08/26                                      | CoRE Leadership Group Meeting                                                                             | Online        |
| 24/08/26                                      | Wimmera Mallee Environmental and Agricultural Protection Association Meeting                              | Warracknabeal |

**12.3 CHIEF EXECUTIVE OFFICER ACTIVITY REPORT**

| <b>Tammy Smith (August)</b> |                                                                                                       |                 |
|-----------------------------|-------------------------------------------------------------------------------------------------------|-----------------|
| <b>Date</b>                 | <b>Activity</b>                                                                                       | <b>Location</b> |
| 23/07/26                    | LGPro Executive Leadership Program Celebratory Dinner – Chief Operating Officer completed the program | Melbourne       |
| 23/07/26                    | Rural Councils Victoria Committee Meeting                                                             | Online          |
| 27/07/26<br>–<br>31/07/26   | Personal / Sick Leave                                                                                 |                 |
| 31/07/26                    | Mayor, Deputy Mayor, CEO and Governance Support Officer Meeting                                       | Online          |
| 03/08/26                    | Meeting with ByFive Chair and Executive Officer                                                       | Online          |
| 03/08/26                    | Warracknabeal Garden Club meeting to discuss donation to purchase plants                              | Warracknabeal   |
| 04/08/26<br>–<br>05/08/26   | Wimmera Southern Mallee Councillor Alliance – Mandatory Councillor Training facilitated by VLGA       | Warracknabeal   |
| 05/08/26                    | Uniting Vic Tas Strengthening the Foundations for Living Event                                        | Horsham         |
| 06/08/26                    | Mallee Machinery Field Days attendance with Mayor                                                     | Speed           |
| 07/08/26                    | Meeting with Police Superintendent and Inspector                                                      | Warracknabeal   |
| 10/08/26                    | Meeting with West Wind Representatives                                                                | Warracknabeal   |
| 10/08/26                    | Audit and Risk Committee Meeting                                                                      | Warracknabeal   |
| 10/08/26                    | Meeting with Warracknabeal Show Committee Member                                                      | Warracknabeal   |
| 12/08/26                    | Council Forum Meeting                                                                                 | Warracknabeal   |
| 12/08/26                    | Meeting with DEECA Regional Executive Director                                                        | Warracknabeal   |
| 13/08/26                    | Wimmera Southern Mallee CEO's Meeting                                                                 | Horsham         |
| 14/08/26                    | Meeting with Chair Warracknabeal Action Group                                                         | Warracknabeal   |
| 14/08/26                    | Meeting with Warracknabeal VET and Hindmarsh Shire Council CEO                                        | Warracknabeal   |
| 17/08/26                    | MAV CEO Connect Meeting                                                                               | Online          |
| 18/08/26                    | Murtoa Progress Association Meeting                                                                   | Murtoa          |
| 19/08/26                    | Restoration Working Group Meeting                                                                     | Online          |

| Tammy Smith (August) |                                                                                 |               |
|----------------------|---------------------------------------------------------------------------------|---------------|
| 19/08/26             | Joint State and Local Government CEO Forum                                      | Online        |
| 20/08/26             | Meeting Uniting Vic Tas to discuss Mental Health Programs in Yarriambiack Shire | Warracknabeal |
| 20/08/26             | Meeting Curyo Wind Farm                                                         | Online        |
| 21/08/26             | Meeting Mayor, Deputy Mayor, CEO and Governance Support Officer                 | Online        |
| 21/08/26             | LGPro Alumni Event and CEO / Director Forum                                     | Melbourne     |
| 25/08/26             | Meeting with Energy Infrastructure Commissioner                                 | Warracknabeal |
| 25/08/26             | Meeting with Department of Transport and Planning                               | Online        |

*\*Represent advocacy meetings*

## 13 PUBLIC QUESTIONS

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

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

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

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

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

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

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

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

The question will not be allowed if:

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

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

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

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

### 13.1 QUESTIONS SUBMITTED

|                    |              |
|--------------------|--------------|
| <b>Name:</b>       | <b>Town:</b> |
| <b>Question:</b>   |              |
| <b>Respondent:</b> |              |
| <b>Response:</b>   |              |

## 14 COUNCILLOR REPORTS AND NOTICE OF MOTIONS

### 14.1 MAYORS REPORT

Earlier this month, Yarriambiack Shire Council had the pleasure of hosting the annual mandatory Councillor training program in Warracknabeal. Conducted over two days and facilitated by the Victorian Local Governance Association (VLGA), the training was attended by Councillors from across the Wimmera Southern Mallee Councillor Alliance.

The program provided a valuable opportunity for Councillors to strengthen their knowledge and understanding of their governance responsibilities while also connecting with colleagues from neighbouring municipalities. It was particularly rewarding to share ideas, discuss common challenges, and explore opportunities for collaboration, all while achieving value for money through a regional approach to training. We look forward to continuing to strengthen our relationships and work closely with our Wimmera Southern Mallee partner councils in the future.

On Thursday, 06 August, the Chief Executive Officer and I attended the Mallee Machinery Field Days. This event continues to be one of the region's premier agricultural showcases, bringing together industry leaders, businesses, producers and community members. Congratulations to the Speed Lions Club for once again delivering a highly successful event that provides significant economic and social benefits for our region.

I also attended the Early Years Service in Small Rural Communities Round Table on Tuesday, 18 August. Access to quality childcare and kindergarten services remains one of the most significant challenges facing many rural communities. The round table provided a valuable forum to share ideas, discuss innovative approaches and advocate for practical solutions that will help address the workforce and service delivery challenges experienced across our region. Ensuring young families can access quality early years services is critical to the long-term sustainability and growth of our communities.

I am pleased to report that the Minyip Recreation Reserve Lighting Project has now been completed. Yarriambiack Shire Council delivered the project with the support of the Minyip Recreation Reserve Committee and the Minyip-Murtoa Football Netball Club. The upgraded lighting is a fantastic addition to the reserve and further enhances the excellent facilities available to local sporting clubs and community groups. Congratulations and thank you to the many volunteers who have contributed countless hours towards the ongoing improvements at the reserve. Their dedication and commitment continue to make a significant difference to the community.

Finally, I encourage all residents, particularly those who keep poultry or work closely with birds, to remain vigilant regarding avian influenza (bird flu). While there are currently no reported cases within Yarriambiack Shire, early detection and reporting are essential in protecting our agricultural industries and local bird populations.

Signs of avian influenza can include sudden bird deaths, respiratory difficulties, swelling around the head and neck, reduced egg production, or lethargy in poultry. Any unusual illness or deaths in birds should be reported immediately to Agriculture Victoria's Emergency Animal Disease Watch Hotline on **1800 675 888**. By remaining alert and reporting concerns promptly, we can all play a role in protecting our region's important agricultural sector and community wellbeing.

## 14.2 MUNICIPAL ASSOCIATION OF VICTORIA MOTIONS

***Presented by Mayor, Cr Andrew McLean***

### Summary

This report seeks Council endorsement to support five motions being submitted to the Municipal Association of Victoria (MAV) State Council in October 2026.

The motions are to be submitted by Horsham Rural City Council and Hindmarsh Shire Council and address several significant issues affecting the Wimmera Southern Mallee communities, including:

1. Advocacy for a Rural Mental Health and Wellbeing Local and Satellite Network in the Wimmera (Hindmarsh Shire Council).
2. A Tiered Rural and Regional Mental Health and Wellbeing Model (Horsham Rural City Council)
3. Reliability of Water Supply for Recreational Lakes (Horsham Rural City Council).
4. Increased Government Funding for Integrated Water Management (IWM) Implementation (Horsham Rural City Council); and
5. Communications Network Resilience During Emergencies (Horsham Rural City Council).

The motions are consistent with the priorities of the Wimmera Southern Mallee Councils Alliance and seek improved investment, service delivery and infrastructure outcomes for rural communities. They also align strongly with the Yarriambiack Shire Council Plan 2025-2029, Tourism Strategy and Economic Development Strategies through their focus on community wellbeing, liveability, resilience, advocacy, visitor attraction and economic sustainability.

### Recommended Motion

That Council:

1. Formally acknowledges the Yarriambiack Shire Council support for the Municipal Association of Victoria State Council Motion to be submitted by Hindmarsh Shire Council titled "Advocacy for a Rural Mental Health and Wellbeing Local and Satellite Network in the Wimmera".
2. Formally acknowledges the Yarriambiack Shire Council support for the four MAV State Council Motions to be submitted by Horsham Rural City Council, as listed in the summary section of this report.
3. Notes Yarriambiack Shire Council's existing written support for the Hindmarsh Shire Council and Horsham Rural City Council motions as attached to this report; and
4. Continues to advocate through the Wimmera Southern Mallee Councils Alliance for improved outcomes for rural communities across the region.

### Attachment

[Link: Horsham Rural City Council - Ordinary Council Meeting Agenda - 24 August 2026](#)

[Link: Hindmarsh Shire Council – Ordinary Council Meeting Minutes – 29 July 2026](#)

[Attachment: Letters of Support - Hindmarsh Shire Council MAV Motion and Horsham Rural City Council MAV Motions](#)

### Discussion

The Municipal Association of Victoria State Council provides Victorian councils with an opportunity to advocate collectively on matters of state significance.

Hindmarsh Shire Council will submit a motion seeking MAV advocacy to the Victorian Government for the establishment of a Rural Mental Health and Wellbeing Local in the Hindmarsh Shire or a neighbouring municipality, supported by satellite services and

outreach programs throughout the Wimmera region. The motion is supported by the Wimmera Southern Mallee Councils Alliance which includes Hindmarsh Shire Council, Yarriambiack Shire Council, West Wimmera Shire Council, Buloke Shire Council, Northern Grampians Shire Council and Horsham Rural City Council.

Horsham Rural City Council will also lodge four motions focused on rural mental health services, recreational water security, integrated water management funding and telecommunications resilience during emergencies.

Together, these motions represent a coordinated regional advocacy agenda addressing key challenges facing rural and regional Victorian communities.

### **1. Advocacy for a Rural Mental Health and Wellbeing Local and Satellite Network in the Wimmera**

The Hindmarsh Shire Council motion seeks Victorian Government investment in a regionally coordinated mental health service model that includes:

- A Rural Mental Health and Wellbeing Local in Nhill or a neighbouring municipality.
- Satellite service locations throughout the Wimmera.
- Mobile clinical outreach teams.
- Integrated rural outreach programs.
- A mental health workforce development hub.
- Future Step Up/Step Down subacute facilities.

The motion responds to significant and long-standing mental health service inequities across the Wimmera Southern Mallee region, including limited local services, workforce shortages, lack of crisis support and significant travel distances to access care.

As a member of the Wimmera Southern Mallee Councils Alliance, Yarriambiack Shire Council has participated in regional advocacy supporting improved mental health services and has provided a formal letter of support for this motion.

Improving access to mental health services will contribute to stronger communities, healthier workforces, increased social inclusion and improved quality of life for residents across the region.

### **2. Tiered Rural and Regional Mental Health and Wellbeing Model**

The Horsham Rural City Council motion complements the Hindmarsh proposal by advocating for a statewide rural mental health model that includes:

- Additional acute psychiatric bed capacity in the Wimmera.
- Psychology services in identified service-gap towns.
- Expanded counselling and social work services.
- Mobile outreach services.
- Mental Health and Wellbeing Locals in rural communities.
- Future workforce development initiatives.

The motion recognises that rural Victorians continue to experience inequitable access to mental health services and seeks long-term systemic reform to address these challenges.

For Yarriambiack Shire residents, this motion supports broader improvements to regional health infrastructure and complements local and regional advocacy efforts already underway through the Wimmera Southern Mallee Councils Alliance.

### **3. Reliability of Water Supply for Recreational Lakes**

The motion seeks Victorian Government commitment to identify and fund options to improve the reliability of water supplies for recreational lakes affected by drought, climate change and competing water demands. It also advocates for recreational and amenity values to be given greater consideration in regional water planning processes.

Reliable recreational water assets play an important role in regional liveability, tourism, community wellbeing and local economic activity. They support visitation, recreation opportunities and community events, all of which contribute to the vitality of rural communities.

For Yarriambiack Shire, protecting water-based recreation and amenity assets supports broader tourism and community development objectives.

#### **4. Increased Government Funding for Integrated Water Management (IWM)**

The motion advocates for dedicated ongoing funding and streamlined grant programs to support the implementation of IWM initiatives, including stormwater harvesting, alternative water supplies and waterway health projects.

Water security remains a critical issue for rural communities. Increased investment in Integrated Water Management has the potential to improve the sustainability of community infrastructure, public open spaces, sporting facilities and local water supplies.

Supporting this motion aligns with Council's commitment to sustainable resource management and climate resilience.

#### **5. Communications Network Resilience During Emergencies**

The motion seeks improved telecommunications resilience through implementation of recommendations arising from the Victorian Inquiry into the 2026 Summer Fires. This includes telecommunications resilience planning, recognition of telecommunications as an essential service, mandatory backup power standards and expanded satellite communications capability.

Reliable communications infrastructure is essential during emergencies, particularly for geographically dispersed rural communities. Improved telecommunications resilience would support emergency response, community safety, visitor management and business continuity during disasters.

For Yarriambiack Shire, strengthened communication networks would enhance resilience across the municipality and improve outcomes during emergency events.

#### **6. Conclusion**

The MAV State Council motions to be submitted by Hindmarsh Shire Council and Horsham Rural City Council address key social, economic, environmental and infrastructure challenges affecting the Wimmera Southern Mallee region and rural Victoria more broadly. As a member of the Wimmera Southern Mallee Councils Alliance, Yarriambiack Shire Council has a strong interest in supporting coordinated regional advocacy that seeks improved outcomes for local communities.

The motions align strongly with the Yarriambiack Shire Council Plan 2025-2029, Tourism Strategy and Economic Development Strategy by supporting community wellbeing, regional liveability, tourism growth, economic resilience, water security and emergency preparedness. Accordingly, it is recommended that Council formally endorse support for all five motions.

## 15 REPORTS FOR DECISION

### 15.1 MODIFIED FINANCIAL AND NON-FINANCIAL PERFORMANCE REPORT

*Prepared by Anita McFarlane, Chief Financial Officer*

#### SUMMARY

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

This is the June modified version which presents both Financial and Non-Financial Performance indicators in accordance with our Performance Reporting Framework. The Profit and Loss, Balance Sheet, and Financial Indicators will be finished as part of the Annual Reporting process and must be completed by 30 September 2026.

#### Recommended Motion:

That Council:

- a) Adopt the quarterly Modified Financial and Non-Financial Performance Report as of 30 June 2026, as attached to this report.

#### ATTACHMENTS

[Attachment: Modified Financial and Non-Financial Performance Reporting Report 2025-26 - Quarter 4](#)

#### DISCUSSION

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

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

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

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

The 4th quarter report is a modified version, in preparation for the end of financial year report to be completed and finalised. The project reports included are preliminary figures only. Final project reports for the conclusion of the financial year will be presented at the September Council Meeting, along with details of final carry-over budget from prior years.

For this quarter, the report has been presented to the Leadership Team, to Councillors at Council Forum on 22 July 2026 and was presented to the Audit and Risk Committee on 10 August 2026.

#### RELEVANT LAW

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

## COUNCIL PLANS AND POLICIES

| Council Plan 2025 – 2029<br>Strategic Objectives                   | Priorities                                                                                                                                                                                                                                            |
|--------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| A Council that serves its Community                                | <ul style="list-style-type: none"> <li>Undertake robust and transparent planning and risk management to ensure our organisation is sustainable now and into the future.</li> <li>Embed good governance practices into all decision making.</li> </ul> |
| Policies, Procedures, Guidelines, Plans, Strategies and Frameworks |                                                                                                                                                                                                                                                       |
| Policy                                                             | Risk Management Manual                                                                                                                                                                                                                                |
| Guideline                                                          | Occupational Health and Safety and Wellbeing Guidelines                                                                                                                                                                                               |
| Plan                                                               | Revenue and Rating Plan                                                                                                                                                                                                                               |
| Framework                                                          | Budget Framework and Guidelines Manual                                                                                                                                                                                                                |
|                                                                    | Performance Reporting Framework                                                                                                                                                                                                                       |
| Other                                                              | Risk Management Manual                                                                                                                                                                                                                                |

## OVERARCHING GOVERNANCE PRINCIPLES

This Council report has been prepared in accordance with, and to give effect to, the overarching governance principles articulated in section 9 of the *Local Government Act 2020*, to the extent practicable.

## RELATED COUNCIL DECISIONS

- 30 June 2025 – Ordinary Meeting of Council Minutes – Item 15.3 Adoption of the 2025/26 Budget
- 27 August 2025 – Ordinary Meeting of Council Minutes – Item 15.2 Modified Financial and Non-Financial Performance Report - Quarter 4 – 2024/25
- 26 November 2025 – Ordinary Meeting of Council Minutes – Item 15.2 Financial and Non-Financial Performance Report
- 25 February 2026 – Ordinary Meeting of Council Minutes – Item 15.1 Financial and Non-Financial Performance Report
- 27 May 2026 – Ordinary Meeting of Council Minutes – Item 15.1 Financial and Non-Financial Performance Report

## OPTIONS

This report recommends that Council receive a quarterly report including both financial and non-financial performance metrics. Such reporting will strengthen governance, improve oversight, and foster greater transparency in decision-making processes.

Options to be considered:

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

## SUSTAINABILITY IMPLICATIONS

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

## COMMUNITY ENGAGEMENT

Engagement has not been undertaken to develop the Performance Reporting Framework, and is not required to undertake deliberative engagement in accordance with the *Local Government Act 2020* and associated regulations.

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

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

## GENDER IMPACT ASSESSMENT

Not applicable.

## RISK

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

| Strategic Risk Description and Residual Risk Level                            | Action to Mitigate/Reduce Risk                                                                                                                                                                                          | Does Action maintain or reduce Residual Risk Level |
|-------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------|
| Corporate Governance, Compliance and Liability Risk - Residual Risk Level Low | The quarterly report incorporates the reporting requirements as outlined in the Local Government (Planning and Reporting) Regulations 2020 Schedule 1.                                                                  | Maintains Residual Risk Level                      |
| Financial Risk - Residual Risk Level Medium                                   | The quarterly report includes Budget v Actual reporting, which enables management, Audit and Risk Committee and Councillors to monitor the financial performance of Council and assess and address risks as they arise. | Maintains Residual Risk Level                      |
| Program and Project Risk - Residual Risk Level Medium                         | The quarterly report incorporates detailed project reporting, providing enhanced oversight on the performance of projects.                                                                                              | Maintains Residual Risk Level                      |

## REGIONAL, STATE AND NATIONAL PLANS AND POLICIES

Not applicable.

## CONFLICTS OF INTEREST

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

## 15.2 TRANSFER OF BEULAH MEMORIAL HALL WATER AND POWER ACCOUNTS TO COUNCIL

*Presented by Jo White, Governance Officer*

### SUMMARY

The Beulah Memorial Hall and adjoining public toilets are not Council-owned assets. However, Council currently cleans and stocks the public toilets as a community service.

The Beulah Memorial Hall Committee of Management is currently billed directly for power and water charges. For many years, Council has reimbursed the Committee for these costs due to the public toilets operating from the site. This process requires the Committee to pay each invoice upfront, retain copies of invoices and receipts, and submit them with an annual invoice to Council for reimbursement.

This report seeks Council's endorsement to transfer the power and water accounts into Council's name. This would streamline the payment process, reduce administrative duplication, and lessen the cash flow burden on the Committee of Management.

### Recommended Motion:

That Council:

- a) Endorse the Chief Executive Officer or her delegate to arrange for the Electricity and Water Accounts for the Beulah Memorial Hall to be transferred from Beulah Memorial Hall Committee of Management to Yarriambiack Shire Council.

### ATTACHMENTS

[Attachment: Letter – 28.03.2014 - Beulah Memorial Hall Committee of Management re Council cleaning and payment obligations](#)

[Attachment: Letter – 27.10.2019 - to Beulah Memorial Hall re Energy Bill](#)

### DISCUSSION

#### History of the Beulah Memorial Hall

The original Beulah Mechanics Institute in Phillips Street opened in 1894, with the Free Library opening the following year. In 1920, a significant fire destroyed the Hall and all associated records. The local community rallied to rebuild the facility, with the new Institute opening in 1921 and the occasion marked by a grand banquet. A Supper Room was added in 1922, and in 1927 the facility was renamed the Beulah Memorial Hall and Free Library.

During World War I, large crowds gathered at the Hall to welcome soldiers home from service, and a Soldiers Lounge was later incorporated into the facility. In 1987, the Ladies Auxiliary launched an appeal to raise \$10,000 for a new toilet block adjoining the Hall. The toilet block was completed the following year.

#### Public Toilet Status and Council Contribution

Although the Hall and adjoining toilets are not Council-owned assets, Council records indicate that the toilets have been treated as public toilets within the past 20 years. They are also listed on the National Public Toilet Map.

Council contributes to the power and water costs of public toilets throughout the Shire. In March 2014, Council committed to providing cleaning services for the Beulah public toilets and initially contributed 50% of the associated power and water costs, as outlined in the attached correspondence.

By 2019, use of the Hall had declined, and Council agreed to reimburse the Committee of Management for 100% of the energy costs, as outlined in the attached correspondence. During the COVID-19 period, the Hall was rarely used and continues to host only a small number of events each year.

Given the limited use of the Hall, it is reasonable to conclude that the majority of utility usage is directly related to the public toilets.

### Current Billing and Reimbursement Process

Historically, utility charges have been billed directly to the Beulah Memorial Hall Committee of Management. The Committee pays the invoices, retains copies of the relevant power and water accounts and receipts, and then invoices Council annually for reimbursement.

### Rationale for Transferring the Accounts to Council

The current reimbursement process places an unnecessary cash flow burden on the Committee of Management, particularly given the reduced hiring of the Hall and its ongoing overheads, including insurance. The process also creates administrative duplication through the payment, copying, invoicing and reimbursement of utility accounts.

Transferring the power and water accounts into Council's name would provide a more efficient and transparent process. It would also align the Beulah public toilets with Council's broader practice of directly managing utility costs for public toilet facilities across the Shire.

### RELEVANT LAW

*Local Government Act 2020*

### COUNCIL PLANS AND POLICIES

| Council Plan 2025 – 2029<br>Strategic Objectives                   | Priorities                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
|--------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| A Healthy and Inclusive Community                                  | <ul style="list-style-type: none"> <li>Develop and/or maintain strong partnerships to deliver high quality services and sustainable infrastructure to enhance the social health and wellbeing outcomes for all our residents.</li> <li>Advocate, prioritise, and invest in infrastructure that supports an accessible, inclusive, and socially connected community to improve liveability.</li> <li>Advocate and support community safety initiatives, that enhance community safety and the liveability of our communities.</li> <li>Promote and support volunteerism throughout our Shire, recognising that collaborative efforts can lead to enhanced outcomes for our communities.</li> </ul> |
| A Council that serves its Community                                | <ul style="list-style-type: none"> <li>Embed good governance practices into all decision making.</li> <li>Advocate for our community, on matters that are important to the entire municipal district.</li> <li>Build trust through engaging with our community, delivering quality services and outcomes.</li> <li>Consider a broad base of evidence before making decisions, ensuring value for money and responsive, innovative services and solutions are provided.</li> </ul>                                                                                                                                                                                                                 |
| Policies, Procedures, Guidelines, Plans, Strategies and Frameworks |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| Policy                                                             | Community Engagement Policy and Procedure                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |

### OVERARCHING GOVERNANCE PRINCIPLES

This Council report has been prepared in accordance with, and to give effect to, the overarching governance principles articulated in section 9 of the *Local Government Act 2020*, to the extent practicable.

### RELATED COUNCIL DECISIONS

Not applicable.

## OPTIONS

Council could retain the current reimbursement process, noting that it does not own the assets and that changing the arrangement may create a precedent. However, no comparable arrangements exist elsewhere, and the toilets are public facilities. Hall toilets such as Brim and Hopetoun are owned by Council, and Council pays the utilities costs.

## SUSTAINABILITY IMPLICATIONS

|                  |                                                                                                                                                                                                                             |
|------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Social</b>    | Transferring the accounts for power and water into Council's name would reduce the workload for the volunteers of the Beulah Memorial Hall Committee of Management.                                                         |
| <b>Financial</b> | Transferring the accounts for power and water into Council's name would be more efficient, and also negate any cash flow issues on the Beulah Hall Committee of Management's cashflow as they are only reimbursed annually. |

## COMMUNITY ENGAGEMENT

Not applicable.

## GENDER IMPACT ASSESSMENT

Not applicable.

## RISK

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

| <b>Strategic Risk Description and Residual Risk Level</b> | <b>Action to Mitigate/Reduce Risk</b>                                                                                                                                                                                                      | <b>Does Action maintain or reduce Residual Risk Level</b> |
|-----------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------|
| Reputational Risk - Residual Risk Level Low               | The transfer of the Beulah Hall/Public Toilet power and water accounts to Council will enable the Hall committee to continue to manage the facilities and day to day operations of the Hall without unnecessary impact on their cash flow. | Reduces Residual Risk Level                               |
| Financial Risk - Residual Risk Level Medium               | The transfer of the Beulah Hall/Public Toilet power and water accounts to Council aligns with current practice for other Halls/Public Toilets throughout the Shire, where the toilets are dual purpose public toilets.                     | Reduces Residual Risk Level                               |

## REGIONAL, STATE AND NATIONAL PLANS AND POLICIES

Not applicable.

## CONFLICTS OF INTEREST

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

### 15.3 FUEL MANAGEMENT POLICY AND PROCEDURE

*Prepared by Joel Turner, Chief Engineering Officer*

#### SUMMARY

The Fuel Management Policy and Procedure has been prepared to strengthen Council's prevention, detection and response controls for fuel purchasing, fuel card use, supplier accounts, fuel storage and bulk fuel distribution. The Policy and Procedure clarifies roles and accountabilities, improves transparency over Council fuel use, and supports the transition from manual bulk fuel records to a digital fuel tracking system.

#### **Recommended Motion:**

That Council:

- a) Adopts the Fuel Management Policy and Procedure as attached to this report.

#### ATTACHMENTS

[Attachment: Fuel Management Policy and Procedure](#)

#### DISCUSSION

The Fuel Management Policy and Procedure establishes a consistent framework for managing Council fuel systems and reducing the risk of fuel theft, misuse, inaccurate allocation and weak accountability. It supports effective governance over fuel cards, approved supplier accounts, bulk fuel purchases, tanker fuel distribution, transaction records, reconciliations and incident reporting.

- *Fuel management controls*  
The Policy and Procedure introduces prevention, detection and response controls including secure fuel storage, restricted access to fuel cards and fuel pumps, transaction monitoring, staff education, reporting requirements and investigation processes.
- *Fuel card governance*  
Fuel cards are assigned to specific Council vehicles, plant items or fuel tankers and are not interchangeable. Fuel cards must only be used for official Council business, and unauthorised or personal use may result in recovery of costs and disciplinary action.
- *Roles and accountabilities*  
The Chief Engineering Officer provides final oversight and approval for fuel management controls. The Business Lead Asset Systems, Networks and Planning is responsible for day-to-day fuel card compliance and bulk fuel oversight, supported by the Customer Liaison Administrator for administration and by Works Supervisors, Finance, Payroll and Accounts Payable for reconciliation, review and exception management.
- *Bulk fuel and tanker controls*  
Council will purchase bulk fuel in approved fuel tanker trailers to support construction and maintenance works. Interim paper records require the fuel quantity, plant number, employee name and signature, with monthly reconciliation by supervisors until the digital fuel tracking system is implemented.
- *Digital fuel tracking*  
The Policy and Procedure supports implementation of a digital fuel tracking system for portable fuel trailers. The system will improve accountability by recording user, asset, equipment and quantity dispensed at the point of fuel issue, enabling improved reporting, reconciliation and exception review.
- *Monitoring, review and continuous improvement*  
The Policy and Procedure requires regular audits, monthly reconciliations, monitoring of unusual fuel activity, escalation of unexplained variances, record keeping and periodic review to ensure controls remain effective.

The Policy and Procedure supports Council's obligations under the *Local Government Act 2020* by promoting good governance, financial control, fraud prevention, risk management, transparency and responsible management of public resources.

### RELEVANT LAW

- *Local Government Act 2020*
- *Public Interest Disclosures Act 2012*
- *Privacy and Data Protection Act 2014*
- *Occupational Health and Safety Act 2004*
- *Environment Protection Act 2017*

### COUNCIL PLANS AND POLICIES

| Council Plan 2025–2029<br>Strategic Objective   | Priorities                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
|-------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| A Council that serves its Community             | <ul style="list-style-type: none"> <li>• Undertake robust and transparent planning and risk management to ensure our organisation is sustainable now and into the future.</li> <li>• Embed good governance practices into all decision making.</li> <li>• Build trust through engaging with our community, delivering quality services and outcomes.</li> <li>• Consider a broad base of evidence before making decisions, ensuring value for money and responsive, innovative services and solutions are provided.</li> </ul> |
| <b>Related Policies, Procedures and Manuals</b> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| Policy                                          | <ul style="list-style-type: none"> <li>• Fraud and Corruption Prevention Policy</li> <li>• Information Privacy Policy</li> <li>• Procurement Policy</li> <li>• Public Interest Disclosure Policy and Procedure</li> </ul>                                                                                                                                                                                                                                                                                                      |
| Procedure / Guidelines                          | <ul style="list-style-type: none"> <li>• Procurement Management Manual</li> <li>• Finance and Payroll Management Manual</li> <li>• Motor Vehicle Manual</li> </ul>                                                                                                                                                                                                                                                                                                                                                             |
| Forms                                           | <ul style="list-style-type: none"> <li>• Lost or Stolen Corporate Card Form</li> <li>• Credit and Debit Card Purchase Request Form</li> <li>• Fuel Supply Declaration Form</li> </ul>                                                                                                                                                                                                                                                                                                                                          |

### OVERARCHING GOVERNANCE PRINCIPLES

This Council report has been prepared in accordance with, and to give effect to, the overarching governance principles articulated in section 9 of the *Local Government Act 2020*, to the extent practicable.

### RELATED COUNCIL DECISIONS

Not applicable.

### OPTIONS

Option 1 – Endorse the Fuel Management Policy and Procedure as recommended.

Option 2 – Request further amendments or additional information before endorsement.

### SUSTAINABILITY IMPLICATIONS

|                 |                                                                                                                                                                                                                         |
|-----------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Economic</b> | Improves fuel cost control through clear purchasing rules, transaction monitoring, approved supplier arrangements, monthly reconciliations and better allocation of fuel costs to vehicles, plant and works activities. |
|-----------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

|                       |                                                                                                                                                                                                           |
|-----------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Environmental</b>  | Supports improved monitoring of fuel use, secure storage and fuel-efficient practices, reducing the likelihood of fuel loss, misuse or avoidable consumption.                                             |
| <b>Climate Change</b> | Improved fuel data and monitoring will assist Council to better understand fleet usage patterns and support future efficiency and emissions reduction initiatives.                                        |
| <b>Financial</b>      | Strengthens financial controls by setting approval requirements, supplier account limits, monthly review of actual versus budget transactions, and reconciliation processes for fuel cards and bulk fuel. |

### COMMUNITY ENGAGEMENT

Not applicable. The Policy and Procedure is an internal operational governance document and does not require community engagement.

### GENDER IMPACT ASSESSMENT

Not required for this report.

### RISK

The recommendation reduces risk by endorsing a consistent governance framework for fuel purchasing, use, monitoring, reconciliation and incident response.

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

| <b>Strategic Risk Description and Residual Risk Level</b>                     | <b>Action to Mitigate/Reduce Risk</b>                                                                                                                                                                                                                                          | <b>Does Action maintain or reduce Residual Risk Level</b> |
|-------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------|
| Corporate Governance, Compliance and Liability Risk – Residual Risk Level Low | Endorsement provides clear roles, responsibilities, approval points, documentation requirements and escalation processes for fuel card use, supplier accounts and bulk fuel distribution.                                                                                      | Maintains Residual Risk Level                             |
| Financial Risk – Residual Risk Level Medium                                   | The Policy and Procedure strengthens prevention, detection and response controls, including restricted fuel card use, card registers, supplier account limits, transaction monitoring, reconciliations, audits and investigation of suspected misuse or unexplained variances. | Maintains Residual Risk Level                             |
| Reputational Risk – Residual Risk Level Low                                   | Clear fuel management controls reduce the likelihood of misuse, service disruption or public concern by supporting transparent purchasing, secure access and accountable use of Council fuel resources.                                                                        | Maintains Residual Risk Level                             |
| Security and Technology Risk – Residual Risk Level Low                        | Implementation of digital fuel tracking will improve the quality and timeliness of fuel records by capturing users, assets, equipment and quantities dispensed, supported by exception reporting and retained reconciliation evidence.                                         | Maintains Residual Risk Level                             |

### REGIONAL, STATE AND NATIONAL PLANS AND POLICIES

The Fuel Management Policy and Procedure is an internal operational governance document. It aligns with the *Local Government Act 2020* governance principles and supports Council's broader fraud prevention, procurement, financial management and information privacy obligations.

No specific regional, state or national plans are directly triggered beyond the legislative and governance obligations identified in this report.

### CONFLICTS OF INTEREST

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

## 15.4 TRANSFER OF 1993 HENTY HIGHWAY BRIM TO SELF - SECTION 181 PROPERTY FOR DRAINAGE

**Prepared by Tammy Smith, Chief Executive Officer and Joel Turner, Chief Engineering Officer**

### SUMMARY

Under section 181 of the *Local Government Act 1989* (Vic), Yarriambiack Shire Council has the power to recover outstanding rates and charges in respect of any rateable land where the debt is more than three years overdue. Council may sell the land or cause the land to be transferred to itself. This paper outlines that the Chief Executive Officer is seeking a resolution by Council to commence the Section 181 process and to transfer the land known as 1993 Henty Highway Brim to itself (Yarriambiack Shire Council).

### Recommended Motion:

That Council:

- a) In accordance with Section 181 of the *Local Government Act 1989*, approve the transfer of 1993 Henty Highway Brim (Crown Allotment 6, Section 10 Township of Brim, Plan TP547068A, Volume 2594, Folio 751) to itself for the purposes of supporting the town drainage function in Brim.

### ATTACHMENTS

[Attachment: Public Notices Yarriambiack Shire](#)

The attachments are confidential information for the purpose of section 3(1) of the *Local Government Act 2020*, specifically s3(1)(a), s3(1)(g).

[Confidential Attachment: Valuation Report 1993 Henty Highway Brim](#)

[Confidential Attachment: Vendor Statement - 1993 HENTY HIGHWAY BRIM VIC 3391 VOL 2594 FOL 751](#)

### DISCUSSION

#### Background

The property known as 1993 Henty Highway Brim is eligible for Council to enact the Section 181 process in accordance with the *Local Government Act 1989*.

Figure 1: Location of 1993 Henty Highway Brim property



Figure 2: Location 1993 Henty Highway Brim, satellite view from Google maps



Figure 3: Location 1993 Henty Highway Brim, street view from Google maps



### **Eligibility for Section 181 Process**

Council has made all attempts to locate the owners of the land, to notify them that Council is making a claim against them.

As the owners cannot be located, Council is required to apply for substituted service to serve the complaint (as the owner cannot be located). This is a way of bringing documents to a person's attention, other than via the means of personally handing the documents to the person, putting the documents down in the person's presence, or handing the documents to someone over the age of 16 years who lives at the same residence or place of work as the person who owns the property.

Substituted service is made via an application to the court. This is to demonstrate that all attempts to locate the debtor have been made.

Once substituted service is granted and judgement is obtained, Council can commence the public advertising process in an attempt to locate the owners of the property and notify them that Council wishes to sell and/or transfer the property to itself, to recover the outstanding rates and charges.

Council is required to ensure a public notice process is undertaken of its intention to conduct the sale or carry out the transfer (s181 (5)(b)). Council must ensure that the public notice occurs at least four weeks before the date of the sale or transfer (s181 (6)(a)).

The public notice must meet the requirements of Council's Community Engagement Policy and Procedure, in accordance with the *Local Government Act 2020*. This includes ensuring that the notice is printed in relevant newspaper publications, on Council's website, in the Yarri Yarns newsletter and on social media.

Once this process is complete, Council can move to selling or transferring the property to itself.

Council may recover the following amounts from the proceeds of a sale of land, or if the land is transferred, may offset from the transfer the following amounts:

- a) All expenses incurred in connection with the sale or transfer.
- b) The amount of outstanding rates and charges, including interest associated with the amount.
- c) Any other amounts due to it for, or in respect of, rates or charges, including enforcement costs and interest in respect of the land.

Council is required to seek a valuation for the land in accordance with the requirements of the *Local Government Act 1989*. On the 19 July 2026 (date of issue) the valuation for this property was \$15,000 (fifteen thousand dollars) exclusive of GST.

### **Debt on Property**

As of 17 August 2026, rates and charges arrears applied to 1993 Henty Highway Brim is \$15,693.11. Legal costs and associated costs will be incurred from the section 181 sale and/or transfer of land process.

As per the confidential vendor statement there are no other associated costs against the property.

In accordance with the *Local Government Act 1989*, if an amount remains after the Council has offset or recovered everything that is permitted to be recovered, it must then use the remaining amount to discharge, in the order of priority, any mortgages and other charges in respect of the land, whether registered or not, that it has notice of, and pay any amount remaining to each person who appears to have an estate or interest in the land.

If any person who is entitled to an amount under section 181 cannot be found after reasonable efforts have been made to find the person, the Council may use the funds for general purposes.

In the case of 1993 Henty Highway Brim, the valuation of the property is:

|                                |                                                    |
|--------------------------------|----------------------------------------------------|
| Valuation market value "as is" | \$ 15,000.00                                       |
| Amount owing to Council        | (\$15,693.11)                                      |
| Amount outstanding to Council  | (\$693.11) plus further legal costs to be incurred |

### **Why Transfer Land?**

The parcel known as 1993 Henty Highway Brim is vacant land and holds a dam on it. The dam has been identified as being utilised as part of Councils drainage network in times of heavy rainfall. This assists with managing the waterflows around the Brim township.

If Council was to sell the land, and the dam was to be filled in, Council would need to develop another drainage strategy and undertake works to redirect water. This would be a cost imposition on Council. Therefore, it was deemed that the parcel of land and dam should be retained to assist with the drainage function to support the township.

### **RELEVANT LAW**

- Section 181 of the *Local Government Act 1989*
- *Local Government Act 2020*

## COUNCIL PLANS AND POLICIES

| Council Plan 2025 – 2029<br>Strategic Objectives                   | Priorities                                                                                                                                                                                                                                                                                                                                                                                                         |
|--------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| A Resilient and Sustainable Natural Environment                    | <ul style="list-style-type: none"> <li>Advocate for responsible land use, with consideration for the natural environment.</li> </ul>                                                                                                                                                                                                                                                                               |
| A Council that serves its Community                                | <ul style="list-style-type: none"> <li>Undertake robust and transparent planning and risk management to ensure our organisation is sustainable now and into the future.</li> <li>Embed good governance practices into all decision making.</li> <li>Consider a broad base of evidence before making decisions, ensuring value for money and responsive, innovative services and solutions are provided.</li> </ul> |
| Policies, Procedures, Guidelines, Plans, Strategies and Frameworks |                                                                                                                                                                                                                                                                                                                                                                                                                    |
| Policy                                                             | Debt Management, Relief and Hardship Policy                                                                                                                                                                                                                                                                                                                                                                        |
| Plan                                                               | Revenue and Rating Plan                                                                                                                                                                                                                                                                                                                                                                                            |

## OVERARCHING GOVERNANCE PRINCIPLES

This Council report has been prepared in accordance with, and to give effect to, the overarching governance principles articulated in section 9 of the *Local Government Act 2020*, to the extent practicable.

## RELATED COUNCIL DECISIONS

22 November 2023 – Ordinary Council Meeting Minutes - Item 16.2 Rates Arrears Property, 16 Stewart Street Rupanyup.

27 April 2022 - Ordinary Council Meeting Minutes - Item 13.2 Rates Arrears Transfer Land – 98 Anderson Street Warracknabeal

27 April 2022 - Ordinary Council Meeting Minutes - Item 13.3 Rates Arrears Transfer Land – 26 Gloucester Avenue Woomelang

24 July 2024 - Ordinary Council Meeting Minutes - Item 15.7 Rates Arrears Property – 41 Bell Street Beulah

## OPTIONS

The Council could choose not to transfer the land into Council's name and sell the property in accordance with the Section 181 process. However, this will require to consider alternative drainage options in times of heavy rain and flooding.

## SUSTAINABILITY IMPLICATIONS

|               |                                                                                                                                                                                                                                                                                                      |
|---------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Environmental | This parcel of land would contribute to managing drainage for township of Brim.                                                                                                                                                                                                                      |
| Financial     | The transfer of land would not pose a significant financial imposition on Council. It is estimated that there may be a cost difference between the debt on the property and the valuation, up to \$5,000 depending on legal costs. Council can write this amount off and accept it is unrecoverable. |

## COMMUNITY ENGAGEMENT

The public notice period occurred in accordance with the *Local Government Act 1989* and *Local Government Act 2020* requirements.

## GENDER IMPACT ASSESSMENT

Not applicable for this report.

## RISK

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

| Strategic Risk Description and Residual Risk Level                            | Action to Mitigate/Reduce Risk                                                                                                                                                                                                                                                                  | Does Action maintain or reduce Residual Risk Level |
|-------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------|
| Corporate Governance, Compliance and Liability Risk - Residual Risk Level Low | <p>The transfer of land will be undertaken in accordance with the <i>Local Government Act 1989 and Local Government Act 2020</i>, along with the Council's Community Engagement Policy and Procedure.</p> <p>The transferring of land will assist Council to manage its drainage functions.</p> | Maintains Residual Risk Level                      |

### REGIONAL, STATE AND NATIONAL PLANS AND POLICIES

Not applicable.

### CONFLICTS OF INTEREST

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

## 15.5 PUBLIC INTEREST DISCLOSURE POLICY AND PROCEDURE

*Prepared by Bernardine Schilling, Chief People and Culture Officer*

### SUMMARY

The purpose of this report is to present the reviewed Public Interest Disclosure Policy and Procedure for Council consideration and adoption. The policy establishes Council's framework for receiving, assessing, notifying and managing public interest disclosures in accordance with the *Public Interest Disclosures Act 2012* (Vic), associated regulations and current guidelines issued by the Independent Broad-based Anti-Corruption Commission.

The review has refreshed the policy and procedural content to align with the June 2025 IBAC Guidelines for handling public interest disclosures. Key improvements include clearer guidance for verbal, written and anonymous disclosures, strengthened confidentiality and information management requirements, updated welfare and support provisions, clearer urgent action processes and simplified guidance on assessment, notification and IBAC determination processes.

### Recommended Motion:

That Council:

- a) Rescind the version adopted by Council on 28 June 2023; and
- b) Adopt the revised Public Interest Disclosure Policy and Procedure as attached to this report. Noting this revision will supersede the previous version that was adopted by the Chief Executive Officer on 17 May 2024 that included minor administrative changes.

### ATTACHMENTS

[Attachment: Public Interest Disclosure Policy and Procedure](#)

### DISCUSSION

The Public Interest Disclosure Policy and Procedure has been reviewed to ensure Council's framework remains current, practical and aligned with legislative obligations and contemporary integrity guidance. The revised policy confirms Council's commitment to integrity, accountability and transparency by providing clear processes for receiving, assessing, notifying and managing public interest disclosures. It also reinforces Council's obligations to protect disclosers, witnesses, co-operators and affected persons from detrimental action and to maintain strict confidentiality when handling protected information.

The review has incorporated updated guidance issued by the Independent Broad-based Anti-corruption Commission in June 2025, including guidance on who can make a disclosure, how disclosures may be made, assessment requirements, urgent action, protections, welfare management and internal procedure requirements. The revised document improves operational clarity for authorised recipients and staff by consolidating roles and responsibilities, clarifying notification requirements and strengthening information management controls.

The revised policy and procedure supports Council to meet its obligations under the *Public Interest Disclosures Act 2012* (Vic) and provides a clear, accessible framework for staff, Councillors, contractors, volunteers and members of the public who may wish to report suspected improper conduct or detrimental action. Adoption of the revised policy is recommended.

### RELEVANT LAW

- *Public Interest Disclosures Act 2012* (Vic)
- *Public Interest Disclosures Regulations 2013*
- *Independent Broad-based Anti-corruption Commission Act 2011*

- *Freedom of Information Act 1982*
- *Charter of Human Rights and Responsibilities Act 2006*
- *Local Government Act 2020*

## COUNCIL PLANS AND POLICIES

The revised policy aligns with Council's commitment to ethical conduct, good governance, transparent decision-making, responsible information management and safe reporting pathways. It supports the Council Plan objective of being a Council that serves its community, particularly through embedding good governance practices into decision-making, undertaking transparent planning and risk management, and building community trust through accountable systems and processes.

| Council Plan 2025 – 2029<br>Strategic Objectives                   | Priorities                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|--------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| A Council that serves its Community                                | <ul style="list-style-type: none"> <li>• Undertake robust and transparent planning and risk management to ensure our organisation is sustainable now and into the future.</li> <li>• Embed good governance practices into all decision making.</li> <li>• Build trust through engaging with our community, delivering quality services and outcomes.</li> <li>• Consider a broad base of evidence before making decisions, ensuring value for money and responsive, innovative services and solutions are provided.</li> <li>• Promote initiatives ensuring safety, respect, and equal opportunities for all genders, aiming to end family violence.</li> </ul> |
| Policies, Procedures, Guidelines, Plans, Strategies and Frameworks |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| Policy                                                             | Employee Code of Conduct                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
|                                                                    | Fraud and Corruption Prevention Policy                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|                                                                    | Information Privacy Policy                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| Guideline                                                          | Occupational Health and Safety and Wellbeing Guidelines                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| Plan                                                               | Council Plan                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| Other                                                              | Local Government Privacy Guide                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|                                                                    | Freedom of Information Part II Statement                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
|                                                                    | Public Interest Disclosure Coordinator Role and Responsibilities                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |

## OVERARCHING GOVERNANCE PRINCIPLES

This Council report has been prepared in accordance with, and to give effect to, the overarching governance principles articulated in section 9 of the *Local Government Act 2020*, to the extent practicable.

## RELATED COUNCIL DECISIONS

- 27 May 2020 – Ordinary Council Meeting Minutes - Item 13.11 Public Interest Disclosure Policy and Guidelines.
- 28 June 2023 – Ordinary Council Meeting Minutes - Item 16.3 – Public Interest Disclosure Policy and Guidelines.

## OPTIONS

- Adopt the recommended motion; or
- Council could elect to request further amendments prior to adoption; or

c) Defer consideration to a future meeting.

Adoption is recommended as the revised policy provides a current and practical framework that supports legislative compliance, strengthens confidentiality and welfare protections and improves clarity for staff and authorised recipients.

### SUSTAINABILITY IMPLICATIONS

The adoption of the revised policy does not raise direct environmental or climate change implications. The policy supports social and organisational sustainability by strengthening Council's integrity framework, promoting safe reporting pathways, protecting people from detrimental action and supporting accountable decision-making.

|                  |                                                                                                                                                                                          |
|------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Social</b>    | Positive social impact through improved confidence in Council's integrity framework, clearer reporting pathways and stronger protections for people who make or assist with disclosures. |
| <b>Financial</b> | No material financial implications are anticipated. Implementation will be managed within existing operational resources.                                                                |

### COMMUNITY ENGAGEMENT

Community engagement was not undertaken as the revised policy is primarily a legislative compliance and governance document. The policy will be made available on Council's website and will provide clear information for members of the public, staff, Councillors, contractors and volunteers about how public interest disclosures may be made and managed. Community members may also access a hard copy of the policy from the Yarriambiack Shire Council office.

### GENDER IMPACT ASSESSMENT

Not required for this report.

### RISK

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

| Strategic Risk Description and Residual Risk Level                            | Action to Mitigate/Reduce Risk                                                                                                                                                                                                                                                                                                                                                                                                      | Does Action maintain or reduce Residual Risk Level |
|-------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------|
| Corporate Governance, Compliance and Liability Risk - Residual Risk Level Low | Adoption of the revised policy maintains Council's governance and compliance risk at a low residual level by ensuring Council has a current framework for receiving, assessing, notifying and managing public interest disclosures in accordance with legislative requirements and current IBAC guidance. The policy strengthens confidentiality, information management, welfare support and role clarity for authorised officers. | Maintains Residual Risk Level                      |
| Financial Risk - Residual Risk Level Medium                                   | The recommendation maintains the financial risk level as implementation can be managed within existing operational resources. Maintaining an effective disclosure framework also assists Council to identify and respond to suspected improper conduct, fraud, corruption or misuse of public resources, reducing the likelihood of financial loss or liability arising from unmanaged matters.                                     | Maintains Residual Risk Level                      |
| People, Safety and Reputational Risk - Residual Risk Level Low                | The revised policy reduces people, safety and reputational risk by providing clear reporting pathways, welfare management arrangements and protections from detrimental action. Clear procedures support confidential handling of sensitive matters, promote trust in Council's integrity processes and reduce the risk of harm to disclosers, witnesses, co-operators and affected persons.                                        | Maintains Residual Risk Level                      |

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

The revised policy has been prepared having regard to the current IBAC Guidelines for handling public interest disclosures and the IBAC Guidelines for public interest disclosure welfare management, both issued in June 2025. These guidelines support Victorian public sector organisations, including local councils, to identify, assess and manage disclosures about improper conduct and detrimental action.

## **CONFLICTS OF INTEREST**

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

## 15.6 COMPLAINTS HANDLING POLICY AND PROCEDURE

***Prepared by Bernardine Schilling, Chief People and Culture Officer***

### SUMMARY

The purpose of this report is to present the revised Complaints Handling Policy and Procedure for adoption. The document provides a clear, consistent and contemporary framework for receiving, recording, assessing, responding to and learning from complaints received by Yarriambiack Shire Council.

The review has strengthened alignment with the *Local Government Act 2020*, *Charter of Human Rights and Responsibilities Act 2006*, privacy and records management obligations and the Victorian Ombudsman's Complaint Handling for Victorian Public Sector Organisations – Good Practice Guide, 2nd edition, April 2025. Key changes include clearer complaint handling roles and timeframes aligned with Victorian Ombudsman good practice guidance, stronger accessibility and human rights provisions, improved contractor oversight, revised remedies, enhanced outcome letter requirements, strengthened complaint recording and reporting and improved governance oversight.

### Recommended Motion:

That Council:

- a) Rescinds the Complaints Handling Policy and Procedure adopted on 26 July 2023; and
- b) Adopts the Complaints Handling Policy and Procedures as attached to this report.

### ATTACHMENTS

[Attachment: Complaints Handling Policy and Procedures](#)

### DISCUSSION

The Complaints Handling Policy and Procedure has been reviewed and updated to ensure Council has a clear, accessible and accountable framework for managing complaints. The revised document clarifies the distinction between complaints and service requests and confirms that service requests will generally be managed through Council's Customer Request Management System or service delivery processes, unless the matter expresses dissatisfaction with the quality, timeliness or outcome of Council's action, decision or service. The Policy has also been amended to include reference to Snap Send Solve, in response to Councillor feedback, as an additional channel through which service requests or community concerns may be received and managed by Council.

The policy and procedures now provide more detailed guidance on roles and responsibilities for frontline staff, Managers, Coordinators, Supervisors, Chief Officers, the Chief Executive Officer, Councillors and contractors. The updated process confirms acknowledgement within three business days, a written response, outcome or progress update within 10 business days once referred to a responsible officer and an aim to resolve complaints within 30 days. The acknowledgement timeframe has been updated from two to three business days and the resolution target has been updated from 28 to 30 days, to reflect the Victorian Ombudsman's Complaint Handling for Victorian Public Sector Organisations – Good Practice Guide, 2nd edition, April 2025.

The review also strengthens accessibility and support provisions, embeds human rights consideration into complaint assessment and decision making, clarifies Council's continued responsibility for contractor-delivered services, separates complaint remedies from internal employment or disciplinary processes and improves the requirements for outcome letters, complaint recording, analysis and reporting.

### RELEVANT LAW

Section 107 of the *Local Government Act 2020* requires councils to develop and maintain a complaints policy that includes processes for dealing with complaints, reviewing the

action, decision or service complained about and exercising discretion where a complaint is subject to statutory review.

The review process must be independent of the person who took the action, made the decision or provided the service that is the subject of the complaint. The revised policy and procedures support compliance with these requirements. The report is also relevant to the *Charter of Human Rights and Responsibilities Act 2006*, *Privacy and Data Protection Act 2014*, *Public Records Act 1973* and *Public Interest Disclosures Act 2012*.

## COUNCIL PLANS AND POLICIES

The report is aligned with Council’s governance, complaint handling, privacy, risk management and records management obligations. The revised policy supports the Council Plan strategic objective of a Council that serves its community by embedding good governance practices, building trust through quality services and outcome and supporting transparent and responsive decision making.

| Council Plan 2025 – 2029<br>Strategic Objectives                   | Priorities                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|--------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| A Council that serves its Community                                | <ul style="list-style-type: none"> <li>Undertake robust and transparent planning and risk management to ensure our organisation is sustainable now and into the future.</li> <li>Embed good governance practices into all decision making.</li> <li>Advocate for our community, on matters that are important to the entire municipal district.</li> <li>Build trust through engaging with our community, delivering quality services and outcomes.</li> <li>Consider a broad base of evidence before making decisions, ensuring value for money and responsive, innovative services and solutions are provided.</li> <li>Promote initiatives ensuring safety, respect, and equal opportunities for all genders, aiming to end family violence.</li> <li></li> </ul> |
| Policies, Procedures, Guidelines, Plans, Strategies and Frameworks |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| Policy                                                             | Information Privacy Policy                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|                                                                    | Public Transparency Policy                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|                                                                    | Public Interest Disclosure Policy and Procedures                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| Policy                                                             | Gender Equality Policy and Guidelines                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| Guideline                                                          | Occupational Health and Safety and Wellbeing Guidelines                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| Plan                                                               | Council Plan                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |

## OVERARCHING GOVERNANCE PRINCIPLES

This Council report has been prepared in accordance with, and to give effect to, the overarching governance principles articulated in section 9 of the *Local Government Act 2020*, to the extent practicable.

## RELATED COUNCIL DECISIONS

- 27 May 2020 – Ordinary Council Meeting Minutes – Item 13.7 Complaints Handling Policy & Customer Service Charter
- 28 June 2023 – Ordinary Council Meeting Minutes – Item 16.3 Public Interest Disclosure Policy and Procedure

## OPTIONS

- Adopt the recommended motion; or

- b) Council could elect to request further amendments prior to adoption; or
- c) Defer consideration to a future meeting.

It is recommended to adopt the revised Complaints Handling Policy and Procedures as attached to this report, as it supports legislative compliance, contemporary complaint handling practice, clear responsibilities, transparent timeframes and improved reporting.

### SUSTAINABILITY IMPLICATIONS

The revised policy and procedures support organisational sustainability by improving complaint handling consistency, strengthening accountability and reducing the risk of unresolved or poorly managed complaints escalating unnecessarily.

|                  |                                                                                                                                                                                                                               |
|------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Social</b>    | The revised policy improves access, fairness and transparency for community members who raise complaints, including people who may need communication support, advocacy, authorised representation or reasonable adjustments. |
| <b>Financial</b> | Implementation will be managed within existing operational resources. Improved complaint handling may reduce escalation, rework and reputational risk over time.                                                              |

### COMMUNITY ENGAGEMENT

No community engagement was undertaken for this policy review. The revised document responds to legislative obligations, Victorian Ombudsman good practice guidance and Council's operational complaint handling requirements.

The policy itself supports community engagement by providing accessible pathways for community members to raise concerns and receive clear information about how complaints will be managed, reviewed and escalated.

### GENDER IMPACT ASSESSMENT

The revised Complaints Handling Policy and Procedures directly impact the public by setting out how community members may make complaints and how Council will respond. A Gender Impact Assessment should be completed or confirmed in accordance with Council's Gender Impact Assessment requirements.

| <b>Gender Impact Assessment (GIA)</b>                                                                      | <b>Status</b>                                            |
|------------------------------------------------------------------------------------------------------------|----------------------------------------------------------|
| Does this Council report recommendation                                                                    | YES <input checked="" type="checkbox"/>                  |
| a) Introduce a new policy, program and/or service; or                                                      | A GIA has been completed.                                |
| b) Is it a review of a policy, program and/or service; that directly and significantly impacts the public? | NO <input type="checkbox"/><br>A GIA is not required.    |
| Link to Gender Impact Assessment                                                                           | <a href="#">GIA complaints Handling Policy 2026.docx</a> |

### RISK

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

| <b>Strategic Risk Description and Residual Risk Level</b>                     | <b>Action to Mitigate/Reduce Risk</b>                                                                                                                                    | <b>Does Action maintain or reduce Residual Risk Level</b> |
|-------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------|
| Corporate Governance, Compliance and Liability Risk - Residual Risk Level Low | Adoption will reduce governance and compliance risk by ensuring Council has a current complaints policy aligned with legislative obligations and good practice guidance. | Maintains Residual Risk Level                             |
| Reputational Risk - Residual Risk Level Low                                   | Clear roles, timeframes, escalation points, internal review requirements and outcome letter expectations will reduce the risk of inconsistent complaint handling.        | Maintains Residual Risk Level                             |

| Strategic Risk Description and Residual Risk Level                            | Action to Mitigate/Reduce Risk                                                                                                              | Does Action maintain or reduce Residual Risk Level |
|-------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------|
| Corporate Governance, Compliance and Liability Risk - Residual Risk Level Low | Improved recording, analysis and reporting will support organisational learning, early identification of trends and continuous improvement. | Maintains Residual Risk Level                      |

### REGIONAL, STATE AND NATIONAL PLANS AND POLICIES

The revised policy and procedures have been informed by the Victorian Ombudsman's Complaint Handling for Victorian Public Sector Organisations – Good Practice Guide, 2nd edition, April 2025. This guidance promotes accessible, fair, transparent, accountable and improvement-focused complaint handling across Victorian public sector organisations.

### CONFLICTS OF INTEREST

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

## 15.7 INFORMATION COMMUNICATION TECHNOLOGY (ICT) ACCEPTABLE USE POLICY

*Prepared by Daniel Brandon, Manager Business Systems*

### SUMMARY

Council has revised the Information Communication Technology (ICT) Acceptable Use Policy for adoption. The policy establishes the requirements for the secure, lawful and responsible use of Council ICT resources by Councillors, staff, contractors and other authorised users. It supports Council's obligations relating to information security, privacy, records management and responsible technology use.

While the policy has been widely rewritten and restructured, the overall intent has not changed. The rewrite was undertaken to modernise the document, improve readability, align with current legislative, cyber security and governance requirements, and incorporate technologies such as cloud services, Microsoft 365 and Artificial Intelligence (AI).

The revised policy brings the existing requirements together in a clearer and easier to follow format, while keeping Council's expectations for acceptable use, information security, privacy and accountability.

### Recommended Motion:

That Council:

- a) Rescinds the Information Communication Technology Acceptable Use Policy adopted on 23 August 2023; and
- b) Adopts the Information Communication Technology Acceptable Use Policy as attached to this report; and
- c) Notes that the revised policy has been substantially rewritten and reformatted to improve clarity and align with current governance, technology and legislative requirements, with no material change to the policy's intent.

### ATTACHMENTS

[Attachment: Information Communication Technology \(ICT\) Acceptable Use Policy](#)

### DISCUSSION

The ICT Acceptable Use Policy has been reviewed in accordance with its required periodic review cycle. The review identified that the previous policy required a broader refresh to ensure it appropriately reflects Council's current operating environment, contemporary technology use, evolving cyber security considerations and updated governance expectations.

As part of this review, the policy has been substantially updated and restructured to improve clarity, readability and consistency with Council's policy framework. Consideration has also been given to the Australian Human Resources Institute policy template to support a more contemporary, practical and user-friendly format, while ensuring the policy remains aligned with Council's legislative, information security, privacy and records management obligations.

This approach has enabled the policy to:

- a) Align with current cyber security, privacy, records management and governance obligations.
- b) Fit with Council's Microsoft 365 environment, cloud-based services and digital workplace practices.
- c) Clarify roles, responsibilities and accountability for users, managers and system administrators.
- d) Strengthen information security, incident reporting, monitoring and compliance.

- e) Include requirements relating to approved Artificial Intelligence (AI) tools and alignment with Council's Use of Artificial Intelligence Policy.

The document has been largely reformatted and rewritten, but the core intent of the policy remains unchanged. The policy continues to establish expectations for appropriate use of Council ICT resources, protection of Council information, compliance with legislative requirements and responsible conduct when using Council technology systems.

## RELEVANT LAW

The policy supports compliance with:

- *Local Government Act 2020* (Vic)
- *Privacy and Data Protection Act 2014* (Vic)
- *Victorian Protective Data Security Act 2013* (Vic)
- *Public Records Act 1973* (Vic)

## COUNCIL PLANS AND POLICIES

| Council Plan 2025 – 2029<br>Strategic Objectives                   | Priorities                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
|--------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| A Council that serves its Community                                | <ul style="list-style-type: none"> <li>• Undertake robust and transparent planning and risk management to ensure our organisation is sustainable now and into the future.</li> <li>• Embed good governance practices into all decision making.</li> <li>• Build trust through engaging with our community, delivering quality services and outcomes.</li> <li>• Consider a broad base of evidence before making decisions, ensuring value for money and responsive, innovative services and solutions are provided.</li> </ul> |
| Policies, Procedures, Guidelines, Plans, Strategies and Frameworks |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| Policy                                                             | Use of Artificial Intelligence Policy                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|                                                                    | Information Privacy Policy                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
|                                                                    | Information Management Policy                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| Procedure                                                          | Information Management Procedure                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| Strategy                                                           | ICT & Business Transformation Strategy                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| Framework                                                          | Service Level Planning Framework                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |

## OVERARCHING GOVERNANCE PRINCIPLES

This Council report has been prepared in accordance with, and to give effect to, the overarching governance principles articulated in section 9 of the *Local Government Act 2020*, to the extent practicable.

## RELATED COUNCIL DECISIONS

- 24 June 2020 – Ordinary Council Meeting Minutes – Item 12.8 Information Community Technology Acceptable Use Policy (ICT)
- 23 August 2023 – Ordinary Council Meeting Minutes – Item 15.5 Information Communication Technology Acceptable Use Policy (review and update)

## OPTIONS

- a) Councillors could choose to seek further amendments and/or changes to the Information Communication Technology (ICT) Acceptable Use Policy as attached to this report.

**SUSTAINABILITY IMPLICATIONS**

|                      |                                                                                                                                          |
|----------------------|------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Economic</b>      | Supports efficient and effective use of Council technology investments.                                                                  |
| <b>Social</b>        | Promotes responsible use of technology and protection of personal and confidential information.                                          |
| <b>Environmental</b> | Supports digital service delivery and reduced reliance on paper-based process.                                                           |
| <b>Financial</b>     | No additional budget allocation is required. The policy supports management of technology, cyber security and information related risks. |

**COMMUNITY ENGAGEMENT**

Not applicable.

**GENDER IMPACT ASSESSMENT**

Not required for this report.

**RISK**

| <b>Strategic Risk Description and Residual Risk Level</b> | <b>Action to Mitigate/Reduce Risk</b>                                                                                                                      | <b>Does Action maintain or reduce Residual Risk Level</b> |
|-----------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------|
| Security and Technology Risk - Residual Risk Level Low    | Adoption of the revised policy strengthens governance controls, security responsibilities, acceptable use requirements and incident reporting obligations. | Maintains Residual Risk Level                             |

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

The policy aligns with the Victorian Protective Data Security Framework (VPDSF).

**CONFLICTS OF INTEREST**

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

## 15.8 LEASE DEED OF VARIATION WITH EMERGE EARLY YEARS SERVICES

*Prepared by Jo White, Governance Officer*

### SUMMARY

In March 2025, Yarriambiack Shire Council entered into a five-year lease with Horsham and District Kindergarten Association Inc trading as Emerge Early Years Services (Emerge) for the Early Years Centre at 78 Mandeville Street, Hopetoun (known as Hopetoun Kindergarten).

In June, the leased premises suffered severe structural damage which will require long term repairs and the building has been vacated. Council has made the Senior Citizens Building in Hopetoun available and Emerge will operate the kindergarten from that location.

The proposed Deed of Variation will support the relocation of the early years services to an alternate location, benefiting both parties and the local community.

This report seeks Council's endorsement of the Deed of Variation of Lease.

### Recommended Motion:

That Council:

- a) Endorse the Chief Executive Officer to negotiate details with Emerge Early Years Services for the Deed to be executed, providing the intent of the Lease agreement is not altered.
- b) Endorse the Deed of Variation (as attached) to the Lease (as attached) between Yarriambiack Shire Council and Emerge Early Years Services in regards to Hopetoun Kindergarten Services, to include the following:
  - i. Amend the premises from 78 Mandeville Street, Hopetoun Vic 3396 to 20 Dennys Street, Hopetoun Vic 3396;
  - ii. Expiry Date of Deed to align with the Lease as 10 March 2030, or the date the service recommences at 78 Mandeville Street, Hopetoun Vic 3396 – whichever occurs first (Subject to the Kindergarten Licence being issued); and
  - iii. Keep current utility responsibilities for each building as they are until a more permanent arrangement is decided.
- c) Endorse the affixing of the Common Seal to the Deed of variation in accordance with Council's Common Seal and Conduct at Meetings Local Law 2024.

### ATTACHMENTS

[Attachment: Deed of Variation of Lease – Early Years Centre, Hopetoun – Emerge Early Years](#)

[Attachment: Lease – Early Years Centre, Hopetoun – Emerge Early Years Services](#)

### DISCUSSION

#### Background

In March 2025, Yarriambiack Shire Council entered into a five-year lease with Horsham and District Kindergarten Association Inc trading as Emerge Early Years Services (Emerge) for the Early Years Centre at 78 Mandeville Street, Hopetoun (known as Hopetoun Kindergarten).

#### Damage

In June and July 2026 the leased premises suffered severe structural damage which will require long term repairs and the building has been vacated.

The insurers are managing this matter.

A plumbing leak occurred beneath the suspended timber floor and appeared to have remained undetected for a period. The prolonged release of water saturated the subfloor soils and resulted in elevated moisture levels within the timber flooring, bearers and joists, resulting in significant damage.

### Works Plan and Timeline

The affected floor finishes and sections of the underlying flooring have been removed to expose the subfloor and facilitate assessment and drying. Damaged flooring, floor joists and any other affected structural members identified during the works will require removal and replacement.

The engineer identified existing cracking and differential floor levels throughout the building.

The engineering report recommends an 18-month soil stabilisation period, commencing from the date the plumbing leak was repaired. The centre will be unavailable for occupation during this period.

At the end of the 18-month period, the engineer should re-attend the property, undertake a further floor-level survey and confirm that the subfloor soils have stabilised before structural reinstatement proceeds.

*Remediation and other preliminary works* - Some preliminary activities, hygienist assessment, remediation planning, design development and preparation of the reinstatement scope, can be progressed during the stabilisation period. This will help minimise avoidable delays once engineering clearance is received.

*Indicative reinstatement timeframe* - Following completion of the stabilisation period and receipt of the necessary engineering and hygienist clearances, the reinstatement works are currently expected to require approximately 24 weeks. The centre will again remain unavailable for occupation during this period.

In total, the anticipated timeframe before the centre can be reoccupied is approximately 24 months, comprising the 18-month soil stabilisation period and an estimated 24 weeks for reinstatement works, subject to the required clearances and any unforeseen delays.

### Temporary Solution

Council has worked closely with Emerge to help identify an alternative venue and support the continuation of kindergarten services in Hopetoun.

Council met with the members of the Hopetoun's Senior Citizen Club who operate once a week out of the Council owned Senior Citizen Building – they were happy to support the Kindergarten service and agree to relocate to Neighbourhood House. Emerge have subsequently been approved for a Licence with the Department of Education to operate out of the Seniors Building.

Due to the lengthy time frame to repair the Mandeville Street Premises, it was felt it was appropriate to vary the existing Lease to account for the change of location, align the expiry date and maintain the existing utility responsibilities to avoid administration overload.

### RELEVANT LAW

*Local Government Act 2020.*

### COUNCIL PLANS AND POLICIES

| Council Plan 2025 – 2029<br>Strategic Objectives | Priorities                                                                                                                                                                                                                                                                                                                                                                                            |
|--------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| A Healthy and Inclusive Community                | <ul style="list-style-type: none"> <li>Develop and/or maintain strong partnerships to deliver high quality services and sustainable infrastructure to enhance the social health and wellbeing outcomes for all our residents.</li> <li>Advocate, prioritise, and invest in infrastructure that supports an accessible, inclusive, and socially connected community to improve liveability.</li> </ul> |

| Council Plan 2025 – 2029<br>Strategic Objectives                   | Priorities                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
|--------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| A Council that serves its Community                                | <ul style="list-style-type: none"> <li>Undertake robust and transparent planning and risk management to ensure our organisation is sustainable now and into the future.</li> <li>Embed good governance practices into all decision making.</li> <li>Advocate for our community, on matters that are important to the entire municipal district.</li> <li>Build trust through engaging with our community, delivering quality services and outcomes.</li> </ul> |
| Policies, Procedures, Guidelines, Plans, Strategies and Frameworks |                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| Policy                                                             | Leases and Licences Policy                                                                                                                                                                                                                                                                                                                                                                                                                                     |

### OVERARCHING GOVERNANCE PRINCIPLES

This Council report has been prepared in accordance with, and to give effect to, the overarching governance principles articulated in section 9 of the *Local Government Act 2020*, to the extent practicable.

### RELATED COUNCIL DECISIONS

26 February 2025 – Ordinary Council Meeting Minutes - Item 158 Endorsement of Lease of Early Years Centre, Hopetoun to Emerge Early Years Services

### OPTIONS

- a) Council could choose to reject the Deed of Variation but should note there is currently no other suitable venue in Hopetoun.

If rejected, Kindergarten services would be severely impacted and most likely have to cease which would have a negative impact on staff, students, their families and the wider Hopetoun Community.

### SUSTAINABILITY IMPLICATIONS

|                  |                                                                                                                                                                                                                     |
|------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Social</b>    | The Deed of Variation, along with the lease, supports local students having access to early educational opportunities, enhancing general wellbeing and connectedness.                                               |
| <b>Financial</b> | The Deed of Variation, along with the lease, clarifies rental and maintenance terms, supporting Council's financial sustainability. It will assist in maintaining the infrastructure as a valuable community asset. |

### GENDER IMPACT ASSESSMENT

Not required for this report.

### RISK

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

| Strategic Risk Description and Residual Risk Level                            | Action to Mitigate/Reduce Risk                                                                                                              | Does Action maintain or reduce Residual Risk Level |
|-------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------|
| Corporate Governance, Compliance and Liability Risk - Residual Risk Level Low | The Deed of Variation and Lease enables Council to meet its corporate governance and compliance obligations and reduces its liability risk. | Reduces Residual Risk Level                        |
| Reputational Risk - Residual Risk Level Low                                   | The Deed of variation and Lease enables Emerge to continue offering early learning to Hopetoun and community.                               | Reduces Residual Risk Level                        |

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

Not applicable.

**CONFLICTS OF INTEREST**

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

## 15.9 S11A APPOINTMENT AND AUTHORISATION (PLANNING AND ENVIRONMENT ACT 1987) REVIEW

*Prepared by Jo White, Governance Officer*

### SUMMARY

To comply with the *Local Government Act 2020* and to support good governance and efficient business operations, Council may delegate specific power, duties or functions to the Chief Executive Officer or to Council Staff by way of an Instrument of Delegation.

This bi-annual review includes updates to legislation and any organisational changes made since the previous review and update.

This report seeks Council's endorsement of the review and any subsequent amendments to the S11A Appointment and Authorisation (*Planning and Environment Act 1987*).

### Recommended Motion:

In the exercise of the powers conferred by s 224 of the *Local Government Act 1989* (**the Act**) and the other legislation referred to in the attached instrument of appointment and authorisation S11A Appointment and Authorisation (*Planning and Environment Act 1987*), **Yarriambiack Shire Council (Council) RESOLVES THAT -**

1. The members of Council staff referred to in the instrument be appointed and authorised as set out in the instrument.
2. The instrument comes into force immediately the common seal of Council is affixed to the instrument, and remains in force until Council determines to vary or revoke it.
3. The instrument be sealed.

### ATTACHMENTS

[Attachment: S11A Appointment and Authorisation \(Planning and Environment Act 1987\)](#)

### DISCUSSION

In exercising the powers conferred by section 11(1) of the *Local Government Act 2020* and other legislation referred to in the attached instruments of delegation, Yarriambiack Shire Council delegates certain power, duties and functions to the Chief Executive Officer and Council Staff.

This enables for the effective day-to-day operations and administration of the Council and places conditions and limitations to ensure Council continues to make key strategic decisions.

Utilising the Maddocks Lawyers subscription, July 2026 Mark Ups, Council has undertaken a bi-annual review of the S11A Appointment and Authorisation (*Planning and Environment Act 1987*).

No mark-ups were required for this instrument as part of the July 2026 bi-annual review. Accordingly, no substantive changes have been made to the instrument, other than updating the version number, issue date and review date.

### RELEVANT LAW

- *Planning and Environment Act 1987*
- *Local Government Act 2020*

## COUNCIL PLANS AND POLICIES

| Council Plan 2025 – 2029<br>Strategic Objectives | Priorities                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|--------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| A Council that serves its Community              | <ul style="list-style-type: none"> <li>Undertake robust and transparent planning and risk management to ensure our organisation is sustainable now and into the future.</li> <li>Embed good governance practices into all decision making.</li> <li>Advocate for our community, on matters that are important to the entire municipal district.</li> <li>Build trust through engaging with our community, delivering quality services and outcomes.</li> <li>Consider a broad base of evidence before making decisions, ensuring value for money and responsive, innovative services and solutions are provided.</li> <li>Promote initiatives ensuring safety, respect, and equal opportunities for all genders, aiming to end family violence.</li> </ul> |

## OVERARCHING GOVERNANCE PRINCIPLES

This Council report has been prepared in accordance with, and to give effect to, the overarching governance principles articulated in section 9 of the *Local Government Act 2020*, to the extent practicable.

## RELATED COUNCIL DECISIONS

- 27 August 2025 - Ordinary Meeting of Council Minutes – Item 15.8 S11A Instrument of Appointment and Authorisation (*Planning and Environment Act 1987*)
- 26 February 2026 - Ordinary Meeting of Council Minutes - Item 15.7 S6 Instrument of Delegation to Members of Council Staff (noted there was no change to S11A Instrument)

## OPTIONS

Not applicable.

## SUSTAINABILITY IMPLICATIONS

|           |                                                                                                                       |
|-----------|-----------------------------------------------------------------------------------------------------------------------|
| Financial | By implementing this delegation and authority it ensures the applicable employees are acting in their delegated roles |
|-----------|-----------------------------------------------------------------------------------------------------------------------|

## COMMUNITY ENGAGEMENT

Not applicable.

## GENDER IMPACT ASSESSMENT

Not required for this report.

## RISK

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

| Strategic Risk Description and Residual Risk Level                            | Action to Mitigate/Reduce Risk                                                                                      | Does Action maintain or reduce Residual Risk Level |
|-------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------|----------------------------------------------------|
| Corporate Governance, Compliance and Liability Risk - Residual Risk Level Low | Review of the S11A Instrument of Delegation ensures Council is operating within an authorised legislative framework | Maintains Residual Risk Level                      |

## REGIONAL, STATE AND NATIONAL PLANS AND POLICIES

Not applicable.

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**CONFLICTS OF INTEREST**

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

## 15.10 S6 INSTRUMENT OF DELEGATION TO MEMBERS OF COUNCIL STAFF REVIEW

*Prepared by Jo White, Governance Officer*

### SUMMARY

To comply with the *Local Government Act 2020* and to support good governance and efficient business operations, Council may delegate specific power, duties or functions to the Chief Executive Officer or to Council Staff by way of an Instrument of Delegation.

This bi-annual review includes updates to legislation and any organisational changes made since the previous review and update.

This report seeks Council's endorsement of the review and any subsequent amendments to the S6 Instrument of Delegation to Members of Council Staff.

### Recommended Motion:

In the exercise of the powers conferred by the legislation referred to in the attached instrument of delegation, Yarriambiack Shire Council (Council) **RESOLVES THAT –**

- a) There be delegated to the members of Council staff holding, acting in or performing the duties of the offices or positions referred to in the attached *S6 Instrument of Delegation to Members of Council Staff*, the powers, duties and functions set out in that instrument, subject to the conditions and limitations specified in that Instrument.
- b) The instrument comes into force immediately the Common Seal of Council is affixed to the instrument.
- c) On the coming into force of the instrument all previous delegations to members of Council staff (other than the Chief Executive Officer) are revoked.
- d) The duties and functions set out in the instrument must be performed, and the powers set out in the instruments must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.

### ATTACHMENTS

[Attachment: S6 - Instrument of Delegation from Council to Members of Council Staff](#)

### DISCUSSION

In exercising the powers conferred by section 11(1) of the *Local Government Act 2020* and other legislation referred to in the attached instruments of delegation, Yarriambiack Shire Council delegates certain power, duties and functions to the Chief Executive Officer and Council Staff.

This enables the effective day-to-day operations and administration of the Council and places conditions and limitations on provisions to ensure Council continues to make key strategic decisions.

Council has undertaken the bi-annual review of the S6 Instrument of Delegation to Members of Council Staff using Council's Maddocks Lawyers subscription, which provides access to the July 2026 mark-ups.

Changes that have been made to the Instrument as a result of the bi-annual review are:

- Site Engineer-SE amended to Business Lead Operations-BLO with additional delegations in the *Road Management Act 2004*, *Road Management (General) Regulations 2016* and *Road Management (Works and Infrastructure) Regulations 2015*;
- Amendments and Additions to the *Food Act 1984*;
- Amendments and Additions to the *Planning and Environment Act 1987*;

- Name change and amendments to the *Planning and Environment Interim Regulations 2026*; and
- Version, Issue and Review Dates updated.

## RELEVANT LAW

*Local Government Act 2020*

## COUNCIL PLANS AND POLICIES

| Council Plan 2025 – 2029<br>Strategic Objectives | Priorities                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|--------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| A Council that serves its Community              | <ul style="list-style-type: none"> <li>• Undertake robust and transparent planning and risk management to ensure our organisation is sustainable now and into the future.</li> <li>• Embed good governance practices into all decision making.</li> <li>• Advocate for our community, on matters that are important to the entire municipal district.</li> <li>• Build trust through engaging with our community, delivering quality services and outcomes.</li> <li>• Consider a broad base of evidence before making decisions, ensuring value for money and responsive, innovative services and solutions are provided.</li> <li>• Promote initiatives ensuring safety, respect, and equal opportunities for all genders, aiming to end family violence.</li> </ul> |

## OVERARCHING GOVERNANCE PRINCIPLES

This Council report has been prepared in accordance with, and to give effect to, the overarching governance principles articulated in section 9 of the *Local Government Act 2020*, to the extent practicable.

## RELATED COUNCIL DECISIONS

- 26 February 2026 - Ordinary Meeting of Council Minutes - Item 15.7 S6 Instrument of Delegation to Members of Council Staff
- 27 August 2025 - Ordinary Meeting of Council Minutes - Item 15.9 S6 Instrument of Delegation to Members of Council Staff

## OPTIONS

- That Council does not approve the S6 Instrument of Delegation bringing into question the legality of decision making by Council Staff.
- That Council approve the S6 Instrument of Delegation with additional modified conditions and limitations.

## SUSTAINABILITY IMPLICATIONS

|           |                                                                                                                       |
|-----------|-----------------------------------------------------------------------------------------------------------------------|
| Financial | By implementing this delegation and authority it ensures the applicable employees are acting in their delegated roles |
|-----------|-----------------------------------------------------------------------------------------------------------------------|

## COMMUNITY ENGAGEMENT

Not applicable.

## GENDER IMPACT ASSESSMENT

Not applicable.

## RISK

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

| Strategic Risk Description and Residual Risk Level                            | Action to Mitigate/Reduce Risk                                                                                                                 | Does Action maintain or reduce Residual Risk Level |
|-------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------|
| Corporate Governance, Compliance and Liability Risk - Residual Risk Level Low | Review of the S6 Instrument of Delegation to Members of Council Staff ensures Council is operating within an authorised legislative framework. | Maintains Residual Risk Level                      |

### REGIONAL, STATE AND NATIONAL PLANS AND POLICIES

Not applicable.

### CONFLICTS OF INTEREST

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

## 15.11 S5 INSTRUMENT OF DELEGATION TO CHIEF EXECUTIVE OFFICER REVIEW

*Prepared by Jo White, Governance Officer*

### SUMMARY

To comply with the *Local Government Act 2020* and to support good governance and efficient business operations, Council may delegate specific power, duties or functions to the Chief Executive Officer or to Council Staff by way of an Instrument of Delegation.

This bi-annual review includes updates to legislation and any organisational changes made since the previous review and update.

This report seeks Council's endorsement of the review and any subsequent amendments to the S5 Instrument of Delegation to Chief Executive Officer.

### Recommended Motion:

In the exercise of the power conferred by s 11(1)(b) of the *Local Government Act 2020 (the Act)*, Yarriambiack Shire Council (**Council**) **RESOLVES THAT** –

- a) There be delegated to the person holding the position, or acting in or performing the duties, of Chief Executive Officer the powers, duties and functions set out in the attached *Instrument of Delegation to the Chief Executive Officer*, subject to the conditions and limitations specified in that Instrument.
- b) The instrument comes into force immediately the common seal of Council is affixed to the instrument.
- c) On the coming into force of the instrument all previous delegations to the Chief Executive Officer are revoked.
- d) The duties and functions set out in the instrument must be performed, and the powers set out in the instruments must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.

### ATTACHMENTS

[Attachment: S5 Instrument of Delegation to Chief Executive Officer](#)

### DISCUSSION

In exercising the powers conferred by section 11(1) of the *Local Government Act 2020* and other legislation referred to in the attached instruments of delegation, Yarriambiack Shire Council delegates certain power, duties and functions to the Chief Executive Officer and Council Staff.

This enables for the effective day-to-day operations and administration of the Council and places conditions and limitations to ensure Council continues to make key strategic decisions.

Council has undertaken the bi-annual review of the S5 Instrument of Delegation to the Chief Executive Officer using Council's Maddocks Lawyers subscription, which provides access to the July 2026 mark-ups.

No mark-ups were required for this instrument as part of the July 2026 bi-annual review. Accordingly, no substantive changes have been made to the instrument, other than updating the version number, issue date and review date.

### RELEVANT LAW

Section 11 of the *Local Government Act 2020* requires that a Council may delegate specific powers, duties or functions to the CEO.

## COUNCIL PLANS AND POLICIES

| Council Plan 2025 – 2029<br>Strategic Objectives | Priorities                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|--------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| A Council that serves its Community              | <ul style="list-style-type: none"> <li>Undertake robust and transparent planning and risk management to ensure our organisation is sustainable now and into the future.</li> <li>Embed good governance practices into all decision making.</li> <li>Advocate for our community, on matters that are important to the entire municipal district.</li> <li>Build trust through engaging with our community, delivering quality services and outcomes.</li> <li>Consider a broad base of evidence before making decisions, ensuring value for money and responsive, innovative services and solutions are provided.</li> <li>Promote initiatives ensuring safety, respect, and equal opportunities for all genders, aiming to end family violence.</li> </ul> |

## OVERARCHING GOVERNANCE PRINCIPLES

This Council report has been prepared in accordance with, and to give effect to, the overarching governance principles articulated in section 9 of the *Local Government Act 2020*, to the extent practicable.

## RELATED COUNCIL DECISIONS

- 27 August 2025 - Ordinary Meeting of Council Minutes - Item 15.10S5 Instrument of Delegation to Chief Executive Officer
- 26 February 2026 - Ordinary Meeting of Council Minutes - Item 15.7 S6 Instrument of Delegation to Members of Council Staff (noted there was no change to S5 Instrument)

## OPTIONS

- That Council does not approve the S5 Instrument of Delegation bringing into question the legality of decision making by the Chief Executive Officer.
- That Council approve the S5 Instrument of Delegation with modified conditions and limitations.

## SUSTAINABILITY IMPLICATIONS

|                  |                                                                                                                       |
|------------------|-----------------------------------------------------------------------------------------------------------------------|
| <b>Financial</b> | By implementing this delegation and authority it ensures the applicable employees are acting in their delegated roles |
|------------------|-----------------------------------------------------------------------------------------------------------------------|

## COMMUNITY ENGAGEMENT

Not applicable .

## GENDER IMPACT ASSESSMENT

Not required for this report.

## RISK

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

| Strategic Risk Description and Residual Risk Level                            | Action to Mitigate/Reduce Risk                                                                                                                | Does Action maintain or reduce Residual Risk Level |
|-------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------|
| Corporate Governance, Compliance and Liability Risk - Residual Risk Level Low | Review of the S5 Instrument of Delegation to Chief Executive Officer ensures Council is operating within an authorised legislative framework. | Maintains Residual Risk Level                      |

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

Not applicable.

**CONFLICTS OF INTEREST**

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

## 15.12 S18 INSTRUMENT OF SUB DELEGATION AND S11B – INSTRUMENT OF APPOINTMENT AND AUTHORISATION UNDER THE ENVIRONMENTAL PROTECTION ACT 2017

*Prepared by Jo White, Governance Officer*

### SUMMARY

To comply with the *Local Government Act 2020* and to support good governance and efficient business operations, Council may delegate specific power, duties or functions to the Chief Executive Officer or to Council Staff by way of an Instrument of Delegation.

This bi-annual review includes updates to legislation and any organisational changes made since the previous review and update.

This report seeks Council's endorsement of the reviewed S18 Instrument of Sub-Delegation under the *Environment Protection Act 2017* (EPA 2017), together with the S11B Instrument of Appointment and Authorisation under the EPA 2017.

### Recommended Motion:

#### PART 1

In the exercise of the power conferred by s 437(2) of the *Environment Protection Act 2017* and the Instrument of Delegation of the Environment Protection Authority under the Act dated 4 June 2021, **Yarriambiack Shire Council (Council) RESOLVES THAT -**

1. There be delegated to the members of Council staff holding, acting in or performing the duties of the offices or positions referred to in the attached Instrument of Delegation to members of Council staff, the powers, duties and functions set out in that instrument, subject to the conditions and limitations specified in that Instrument.
2. The instrument comes into force immediately the common seal of Council is affixed to the instrument.
3. The duties and functions set out in the instrument must be performed, and the powers set out in the instruments must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.

#### PART 2

In the exercise of the powers conferred by s 242(2) of the *Environment Protection Act 2017* and the Instrument of Delegation of the Environment Protection Authority under the Act dated 4 June 2021, **Yarriambiack Shire Council (Council) RESOLVES THAT -**

1. The members of Council staff referred to in the instrument attached be appointed and authorised as set out in the instrument.
2. The instrument comes into force immediately the common seal of Council is affixed to the instrument, and remains in force until Council determines to vary or revoke it.
3. The instrument be sealed.

### ATTACHMENTS

[Attachment: S18 Instrument of Sub-Delegation under the EPA 2017](#)

[Attachment: S11B Instrument of Appointment and Authorisation under the EPA 2017](#)

### DISCUSSION

In exercising the powers conferred by section 11(1) of the *Local Government Act 2020* and other legislation referred to in the attached instruments of delegation, Yarriambiack

Shire Council delegates certain power, duties and functions to the Chief Executive Officer and Council Staff.

This enables for the effective day-to-day operations and administration of the Council and places conditions and limitations to ensure Council continues to make key strategic decisions.

Council has undertaken the bi-annual review of the S18 Instrument of Sub-Delegation under the EPA 2017 using Council's Maddocks Lawyers subscription, which provides access to the July 2026 mark-ups.

In addition to the S18 Instrument of Sub-Delegation, Council is also being asked to consider the S11B Instrument of Appointment and Authorisation under the *Environment Protection Act 2017* (EPA 2017), which appoints and authorises relevant Council officers to exercise specific powers and functions under that Act.

No mark-ups were required for this instrument as part of the July 2026 bi-annual review. Accordingly, no substantive changes have been made to the instrument, other than updating the version number, issue date and review date.

## RELEVANT LAW

Section 11 of the *Local Government Act 2020* requires that a Shire Council delegates certain power, duties and functions to the Chief Executive Officer and Council Staff.

## COUNCIL PLANS AND POLICIES

| Council Plan 2025 – 2029<br>Strategic Objectives | Priorities                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|--------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| A Council that serves its Community              | <ul style="list-style-type: none"> <li>• Undertake robust and transparent planning and risk management to ensure our organisation is sustainable now and into the future.</li> <li>• Embed good governance practices into all decision making.</li> <li>• Advocate for our community, on matters that are important to the entire municipal district.</li> <li>• Build trust through engaging with our community, delivering quality services and outcomes.</li> <li>• Consider a broad base of evidence before making decisions, ensuring value for money and responsive, innovative services and solutions are provided.</li> <li>• Promote initiatives ensuring safety, respect, and equal opportunities for all genders, aiming to end family violence.</li> </ul> |

## OVERARCHING GOVERNANCE PRINCIPLES

This Council report has been prepared in accordance with, and to give effect to, the overarching governance principles articulated in section 9 of the *Local Government Act 2020*, to the extent practicable.

## RELATED COUNCIL DECISIONS

- 27 August 2025 - Ordinary Meeting of Council Minutes - Item 15.11 S18A Instrument of Sub Delegation to Members of Council Staff
- 26 February 2026 - Ordinary Meeting of Council Minutes - Item 15.7 S6 Instrument of Delegation to Members of Council Staff (noted there was no change to S18 Instrument)

## OPTIONS

Council could request that whilst changes have not been made, that the Delegations and Authorisations still be presented to Councillors for endorsement (with no changes).

**SUSTAINABILITY IMPLICATIONS**

|                  |                                                                                                                       |
|------------------|-----------------------------------------------------------------------------------------------------------------------|
| <b>Financial</b> | By implementing this delegation and authority it ensures the applicable employees are acting in their delegated roles |
|------------------|-----------------------------------------------------------------------------------------------------------------------|

**COMMUNITY ENGAGEMENT**

Not applicable.

**GENDER IMPACT ASSESSMENT**

Not required for this report.

**RISK**

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

| <b>Strategic Risk Description and Residual Risk Level</b>                     | <b>Action to Mitigate/Reduce Risk</b>                                                                                                               | <b>Does Action maintain or reduce Residual Risk Level</b> |
|-------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------|
| Corporate Governance, Compliance and Liability Risk - Residual Risk Level Low | Review of the S18 Instrument of Sub-Delegation to Members of Council Staff ensures Council is operating within an authorised legislative framework. | Maintains Residual Risk Level                             |

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

Not applicable.

**CONFLICTS OF INTEREST**

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

### 15.13 2026/27 SHARE GRANTS FUNDING OUTCOME

**Prepared by Tammy Smith, Chief Executive Officer and Sarah Christian, Manager Community Strengthening and Engagement**

#### **SUMMARY**

Yarriambiack Shire Council works in partnership with the community to encourage, develop, support and sustain local recreational, cultural, social, community support and business initiatives. These initiatives make a positive contribution to the Yarriambiack Shire community and strengthen the development of resilient local communities.

Each year, Council invites community funding applications under its Community SHARE Grant Program Policy and supporting procedures. This report outlines the outcomes of the 2026/27 SHARE Grant Program allocation and recommends additional projects for inclusion, as the program was undersubscribed.

#### **Recommended Motion:**

##### **PART A**

That Council:

- a) Notes the 2026/27 Community SHARE Grants Program outcome as outlined in the body of this report; and
- b) Notes that the 2026/27 Community Share Grant Program was undersubscribed in the financial year.

##### **PART B**

As the 2026/27 Community SHARE Grant Program was undersubscribed, it is recommended that Council support the following projects and event by contributing to associated planning and/or building permit costs.

That Council:

- a) Endorse for the Minyip Recreation Reserve Playground Project to be included in the 26/27 Community Share Grant Program allocation, with a value of \$1,338.40 allocated to cover the cost of planning permit fees;
- b) Endorse for the Lake Corrong/Lake Lascelles Committee of Management building project be included in the 26/27 Community Share Grant Program allocation, with a value of \$1302.80 allocated to cover the costs of the planning permit associated with the project;
- c) Endorse for the inclusion of the Speed Lions Club Mallee Machinery Field Days in the 2026/27 Community SHARE Grant Program allocation, with \$2,108 allocated to cover building permit costs, including place of public entertainment fees, for the 2026/27 and 2027/28 financial year events. The Speed Lions Club will be required to apply for Community SHARE Grant funding for support in future years;
- d) Endorse for the inclusion of the Lake Marma Playground and Fishing Pontoon project be included in the 26/27 Community Share Grant Program allocation, with a value of \$1338.40 allocated to cover the costs of the planning permit associated with the project;
- e) Endorse that the Chief Executive Officer, or her delegate, write to each community group advising that their planning and building permit fee waiver requests do not meet the criteria under the Community Assistance and Fee Waiver Policy. On this occasion, Council can support the requests because the Community SHARE Grant Program was undersubscribed. Future planning and building permit costs must be included in relevant project funding applications, or specific grant funding must be sought. Community SHARE Grant applications are assessed on merit and available funding, and success is not guaranteed.

## ATTACHMENTS

The attachments are confidential information for the purpose of section 3(1) of the *Local Government Act 2020*, specifically s3(1)(f) and s3(1)(g).

[Confidential Attachment: SHARE Grants - Evaluation Report - 2026-27](#)

[Confidential Attachment: Permit Fee Waiver Request \(PA20260102\) - Lake Lascelles Committee of Management](#)

[Confidential Attachment: Email - Request to Waiver Planning Permit - Murtoa Progress Association](#)

## DISCUSSION

### 1. 2026/27 Community SHARE Grant Program

Applications for the 2026/27 Community SHARE Grant Program opened at 8.00am on Wednesday, 01 July 2026 and closed at 12.00pm on Friday, 31 July 2026, in accordance with the Community SHARE Grant Program Policy.

The program was promoted through Council's newsletter and website, the Shire-wide local newspaper, community newsletters and social media. Information was also emailed directly to previous applicants, community groups and progress associations.

For the first time in several years, the program was undersubscribed. Council received 21 applications requesting \$47,300 from the available funding pool of \$60,000. Together, these applications represented \$331,459.42 in proposed project expenditure.

One application was received shortly after the application period closed. The applicant requested special consideration from the Chief Executive Officer (CEO) due to technical issues experienced during submission. The CEO accepted the application because the request was received within one hour of the closing time, the draft application was visible in the system awaiting submission and the program was undersubscribed. Including this application increased the total funding requested to \$47,800.00; representing \$332,664.42 in proposed project expenditure.

The lower number of applications may have been influenced by several other community funding opportunities that were open during the period. These concurrent opportunities may have affected the timing and funding priorities of local community groups.

Applications were received across the following funding streams and townships, including the application accepted after the closing time:

| Funding stream           | Applications                    |
|--------------------------|---------------------------------|
| Community Events         | <b>12</b><br>(+1 after closing) |
| Business and Streetscape | <b>0</b>                        |
| Community Building—Minor | <b>7</b>                        |
| Community Building—Major | <b>2</b>                        |
| <b>TOTAL</b>             | <b>22</b>                       |

| Township | Applications |
|----------|--------------|
| Rupanyup | <b>2</b>     |
| Murtoa   | <b>6</b>     |

| Township      | Applications                          |
|---------------|---------------------------------------|
| Minyip        | <b>3</b><br><i>(+1 after closing)</i> |
| Warracknabeal | <b>3</b>                              |
| Beulah        | <b>2</b>                              |
| Woomelang     | <b>1</b>                              |
| Hopetoun      | <b>2</b>                              |
| Patchewollock | <b>2</b>                              |
| <b>TOTAL</b>  | <b>22</b>                             |

Evaluation Process:

The competitive scoring was not undertaken because the total value of eligible funding requests did not exceed the available program budget. Instead, each application was subject to a comprehensive eligibility assessment to confirm compliance with the Community SHARE Grant Program Policy and the relevant funding guidelines.

Each application was assessed against the following eligibility and compliance criteria:

- Alignment to the Funding Guidelines;
- Outstanding debt checks,
- Relevant permit requirements;
- Previous SHARE Grant Completion Reports received; and
- Required supporting documentation received.

This approach maintained the governance standards that would have applied if the program had been fully subscribed or oversubscribed. It also ensured that funding was recommended only for projects that satisfied the program's eligibility and compliance requirements.

Applicants who had not provided all required supporting documentation were given an additional period to submit the outstanding information to Council to proceed through the Eligibility assessment; this period was between 06 August 2026 to 19 August 2026.

Ineligible funding submissions:

Two applications submitted by schools are considered ineligible under the Funding Guidelines, which exclude schools seeking support for curriculum-based activities, activities whose outcomes are confined to the school, and projects proposed by groups or organisations to work with schools.

Summary of evaluations:

Of the 22 applications assessed, 20 were recommended for funding. This total includes 16 applications recommended for conditional funding agreements, as detailed in the following section.

Conditional Agreements:

Conditional Agreements were offered for the following reasons:

- No Public Liability Insurance - Certificate of Currency (PLI-CoC) provided, or PLI-CoC to be renewed at the time of proposed works/activity;
- Successful event notification with Council to assess for permits relating to event activity;

- Prior funding completion reports not yet resolved (2025/26 Program completion reports due 01 September 2026);
- Proof of formal landowner's consent for proposed works/activity; and
- Building/Planning/Road Reserve permits to be obtained for proposed works.

Final Outcome:

Council will award a total of \$34,733.00 through the 2026/27 Community SHARE Grant Program. The recommended grants would support projects with a combined value of \$289,395.42 across Yarriambiack Shire.

The applications recommended for funding are distributed across the following funding streams and townships:

| Funding stream           | Applications | Township      | Applications |
|--------------------------|--------------|---------------|--------------|
| Community Events         | 13           | Rupanyup      | 2            |
| Business and Streetscape | <b>0</b>     | Murtoa        | <b>6</b>     |
| Community Building—Minor | 6            | Minyip        | 3            |
| Community Building—Major | 1            | Warracknabeal | 2            |
| <b>TOTAL</b>             | <b>20</b>    | Beulah        | 2            |
|                          |              | Woomelang     | 1            |
|                          |              | Hopetoun      | 2            |
|                          |              | Patchewollock | 2            |
|                          |              | <b>TOTAL</b>  | <b>20</b>    |

The list of successful funding submissions and values is as follows:

| Project Name                              | Applicant                                       | Funded Amount |
|-------------------------------------------|-------------------------------------------------|---------------|
| Barley Banquet                            | Rupanyup Major Events                           | \$1,500.00    |
| Laser Tag at the Murtoa Show              | Murtoa Agricultural and Pastoral Society        | \$1,500.00    |
| Murtoa's Big Weekend 2026                 | Murtoa's Big Weekend – Murtoa Events Inc.       | \$1,500.00    |
| Beulah Recreation Reserve Storage Upgrade | Beulah Memorial Recreation Reserve - CoM        | \$3,000.00    |
| Minyip Show and Shine 2027                | Minyip Show and Shine Committee                 | \$1,500.00    |
| Woomelang Bowling Club Biodiversity       | Woomelang Bowling Club                          | \$3,000.00    |
| Warracknabeal Show                        | Warracknabeal Agricultural and Pastoral Society | \$1,500.00    |

| Project Name                                   | Applicant                                              | Funded Amount      |
|------------------------------------------------|--------------------------------------------------------|--------------------|
| Stronger Bodies, Stronger Minds – Yarriambiack | Fat Farmers / Active Farmers                           | \$1,500.00         |
| Better Signs, Better Connections               | Hopetoun & District Neighbourhood House                | \$2,238.00         |
| Annual Bowls Carnival                          | Hopetoun Bowls Club Inc.                               | \$500.00           |
| September School Holiday Event                 | Murtoa & District Neighbourhood House                  | \$1,500.00         |
| Minyip Bowls Tournament                        | Minyip Bowls Club inc.                                 | \$1,000.00         |
| 2026 Patchewollock Music Festival              | Patchewollock Music Festival Inc.                      | \$1,500.00         |
| New Tools & Safety Protection                  | Rupanyup & District Men's Shed                         | \$2,095.00         |
| Bollard Repainting                             | Beulah Historic Learning and Progress Association Inc. | \$2,000.00         |
| Wine & Dine in the Stick Shed                  | Wine & Dine Murtoa – Murtoa Events Inc.                | \$1,500.00         |
| Lake Marma Birdlife Interpretive Signage Trail | Murtoa Progress Association                            | \$3,900.00         |
| NYE: A Day By The Lake                         | A Day By The Lake – Murtoa Events Inc.                 | \$1,500.00         |
| Patchewollock Community Store Signage          | Patchewollock Inc.                                     | \$1,500.00         |
| Pink Day for Cancer Research                   | Minyip Golf Club                                       | \$500.00           |
| <b>Total Funding:</b>                          |                                                        | <b>\$34,733.00</b> |

## 2. Additional Projects to be included in 2026/27 Community SHARE Grant Allocation

### Lake Corrong/Lake Lascelles Committee of Management Improvement Works

Lake Corrong/Lake Lascelles Committee of Management Inc has requested that Yarriambiack Shire Council either reduce or waive planning permit application fees for the proposed verandah extensions to a function room and six additional powered camping sites at Lake Lascelles.

Lake Corrong/Lake Lascelles Committee of Management (the Committee) is an incorporated, community-based, volunteer group that is responsible for the maintenance and development of Lake Lascelles. The Committee is proposing to extend the verandah of the existing building (the "Stick Shed") which is used as a function room for the community and have lodged a planning permit application PA20260102. The Committee has subsequently received a Tiny Towns grant of \$45,000 for maintenance of existing caravan sites and installation of six additional powered caravan sites. The grant, in addition to the development costs for the verandah, would fall into a Class 11 permit application which specifies a permit fee of \$1302.80 (FY25-26). This fee was paid on 21 May 2026.

Council has a Councillor endorsed Community Assistance and Fee Waiver Policy (the Policy) that was revised and adopted on 26 November 2025. The Policy provides a framework for determining the type and level of support Council may provide to the Yarriambiack Shire community. This includes the eligibility criteria and governance structures that facilitate the management of fee waiver requests. The Policy specifies that Council will consider Regulation 20 of the Planning and Environment (Fees) Regulation 2016 when considering a fee waiver. Regulation 20 identifies that the Responsible Authority may wholly or in part waive a fee if the application assists—

- i. the proper development of the State, region or municipal district; or
- ii. the proper development of part of the State, region or municipal district; or
- iii. the preservation of buildings or places in the State, region or municipal district which are of historical or environmental interest.

Council's Tourism Strategy 2023-27 identifies Lake Lascelles as a tourism asset which provides boating, fishing and swimming for locals and visitors in addition to camping and powered caravan sites. Council provides a financial contribution annually to the Committee to assist in the operations and improvements of the caravan park and associated areas with the Lake Lascelles.

In assessing the fee waiver request, Council considered that the project is funded through the Tiny Towns program, and that permit-related expenses were an eligible cost that could have been included in the successful grant application. Council also considered that its annual contribution to the Committee supports the ongoing operation of Lake Lascelles, including recreational water associated with the weir pool. As a result, Council funding already forms part of the Committee's available financial resources.

As the Policy relates specifically to the waiver of fees, approval of this request would be a refund of permit fees as they have already been paid, opposed to a waiver. Therefore, does not meet the criteria of the policy.

Having regard to the discussion above, it is considered that granting a fee waiver (refund) to the Committee may create a perception of preferential treatment and establish a precedent for future requests. This may make it more difficult for Council to consistently apply permit fees across all applicants and could expose Council to reputational risks if decisions are perceived as being applied inconsistently.

On balance, there are insufficient grounds to depart from Council's standard application of planning permit fees. It is therefore recommended that Council does not waive (refund) the planning permit fees for this development.

As an alternative, Council may choose to allocate \$1,302.80 from undersubscribed SHARE Grant funding to support the Lake Lascelles project. However, it will be important to communicate to the committee Council's expectations in relation to planning permit fees moving forward.

### **Speed Lions Club Mallee Machinery Field Day**

The organisers, Speed Lions Club of the Mallee Machinery Field Days have requested that Council review the invoice issued for the Place of Public Entertainment (POPE) permit associated with this year's event held on 05 and 06 August 2026. The invoice totalled \$1,090 and included fees for the POPE permit and the assessment of additional temporary structures.

In accordance with Council's Community Assistance and Fee Waiver Policy, the Chief Executive Officer does not have the authority to waive fees associated with Building Permits, under which a POPE permit is classified.

In 2025, Council issued an invoice of \$605 to the Speed Lions Club for the POPE permit, which was subsequently paid. Records indicate that prior to 2025, no POPE-related charges were applied to the event.

The Chief Executive Officer received a telephone call from two Committee Members requesting that the invoice be waived, on the basis that the event had not historically been charged for this activity. They also highlighted the significant economic

development benefits the Mallee Machinery Field Days delivers to the Yarriambiack Shire and expressed, politely and respectfully the view that Council should support the event wherever possible.

Whilst it is not recommended that Council waive the building permit fee in accordance with the Policy criteria, as an alternative, Council may choose to allocate part of the undersubscribed SHARE Grant funding to support the Mallee Machinery Field Days event.

Council should advise the Committee that it does not have a policy to waive building permit fees. However, as a gesture of good faith, it is recommended that Council allocate SHARE Grant funding to the event to cover the POPE fees for the 2026/27 and 2027/28 financial years. The Speed Lions Club should be asked to apply for Community SHARE Grant funding in July 2027 to support the 2028 event.

### **Playground Minyip Recreation Reserve**

The Minyip Recreation Reserve Committee, in partnership with the Minyip-Murtoa Football Netball Club, was successful in securing funding through the Tiny Towns Fund for the installation of a new playground.

Unfortunately, a miscommunication occurred between Council officers and representatives of the Minyip-Murtoa Football Netball Club regarding the planning requirements for the project. It was initially understood that a planning permit was not required. However, as the playground exceeds 10 square metres in area, a planning permit is required under the relevant planning provisions.

The planning permit cost was not included in the original project budget because it was understood that a permit was not required. As the 2026/27 Community SHARE Grant Program was undersubscribed, it is recommended that Council allocate \$1,338.40 through the program to support the project. This recognises the significant community-led investment, volunteer project management and labour already contributed by the Minyip Recreation Reserve Committee and Minyip-Murtoa Football Netball Club, alongside recent improvements to the reserve, including the new netball and swimming pool change rooms, netball courts and lighting, and Council's management of the football lighting project.

### **Fishing Pontoon and Playground at the Lake Marma Murtoa**

The Lake Marma Reserve Committee of Management is installing a new playground and has already installed a fishing pontoon at Lake Marma. The pontoon was funded through Fisheries Victoria and installed promptly, without the Committee realising a permit was required. A retrospective permit application has since been lodged, together with the playground permit application. Council has worked with the Committee to resolve the matter.

As the Community SHARE Grant program for 2026/27 is undersubscribed, to support the Lake Marma Reserve Committee of Management it is recommended that Council allocate \$1338.40 through the program to support this project.

### **3. Conclusion**

The four additional funding proposals would support volunteer committees by helping offset unexpected or unplanned project costs. These projects contribute to improved economic development, social connection, health and wellbeing outcomes for residents.

### **Funding Summary**

The total SHARE Grant funding pool available for allocation is \$60,000.00. It is recommended that \$34,733.00 be allocated to eligible SHARE Grant applications, with a further \$6,159.60 allocated to additional projects, as outlined above. This results in a total proposed funding allocation of \$40,892.60.

Following these allocations, \$19,107.40 will remain unallocated. These remaining funds may be considered for other purposes or projects, subject to a future Council resolution.

### **RELEVANT LAW**

- a) Planning and Environment (Fees) Regulation 2016

b) *Local Government Act 2020*

**COUNCIL PLANS AND POLICIES**

| <b>Council Plan 2025 – 2029<br/>Strategic Objectives</b>                  | <b>Priorities</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|---------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| An Innovative and Diversified Economy                                     | <ul style="list-style-type: none"> <li>Advocate and support agriculture, economic development and investment in our region.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| A Healthy and Inclusive Community                                         | <ul style="list-style-type: none"> <li>Develop and/or maintain strong partnerships to deliver high quality services and sustainable infrastructure to enhance the social health and wellbeing outcomes for all our residents.</li> <li>Advocate, prioritise, and invest in infrastructure that supports an accessible, inclusive, and socially connected community to improve liveability.</li> <li>Advocate and support community safety initiatives, that enhance community safety and the liveability of our communities.</li> <li>Promote and support volunteerism throughout our Shire, recognising that collaborative efforts can lead to enhanced outcomes for our communities.</li> </ul> |
| A Resilient and Sustainable Natural Environment                           | <ul style="list-style-type: none"> <li>Support community groups to deliver on the Sport and Recreation Strategy and Recreation Reserve Master Plan initiatives, in alignment with Council's policies</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| A Council that serves its Community                                       | <ul style="list-style-type: none"> <li>Embed good governance practices into all decision making.</li> <li>Advocate for our community, on matters that are important to the entire municipal district.</li> <li>Build trust through engaging with our community, delivering quality services and outcomes.</li> <li>Consider a broad base of evidence before making decisions, ensuring value for money and responsive, innovative services and solutions are provided.</li> <li>Promote initiatives ensuring safety, respect, and equal opportunities for all genders, aiming to end family violence.</li> </ul>                                                                                  |
| <b>Policies, Procedures, Guidelines, Plans, Strategies and Frameworks</b> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| Policy                                                                    | Community Assistance and Fee Waiver Policy                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
|                                                                           | Community Engagement Policy and Procedure                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|                                                                           | Community Share Grants Program Policy                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| Procedure                                                                 | Information Management Procedure                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|                                                                           | Incoming Correspondence Procedure                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| Plan                                                                      | Council Plan                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| Strategy                                                                  | Economic Development Strategy                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
|                                                                           | Tourism Strategy                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| Framework                                                                 | Budget Framework and Guidelines Manual                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| Other                                                                     | Conflict of Interest Manual                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |

**RELATED COUNCIL DECISIONS**

- 22 April 2026 – Ordinary Meeting of Council Minutes – Item 15.6 Community Share Grants Program Policy

- 23 August 2023 – Council Forum Minutes – Delegation of approval of SHARE Grant allocation to Chief Executive Officer

## OPTIONS

Councillors may choose not to support the recommendation to allocate funding to the three additional projects and one event and may instead determine an alternative approach for distributing or allocating the remaining funds.

## SUSTAINABILITY IMPLICATIONS

|                  |                                                                                                                                                                                                                                                                                                                                                    |
|------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Economic</b>  | Offers support to local community groups and businesses to support larger projects that provide economic benefit directly to our communities.                                                                                                                                                                                                      |
| <b>Social</b>    | Offers support to local community groups and businesses to undertake projects, initiatives, and/or events that benefit the social wellbeing of our communities.<br><br>Including the three projects and one event in this funding round demonstrates Council's proactive support, where possible, for volunteer-led community groups and projects. |
| <b>Financial</b> | Provides financial support to local community groups and businesses to assist with their projects, initiatives, and/or events                                                                                                                                                                                                                      |

## COMMUNITY ENGAGEMENT

The program was advertised via the Council newsletter, Shire-wide local newspaper and community newsletter ads, social media and on Council's website. A list of previous applicants, community groups and progress associations were also emailed with information on the program.

## GENDER IMPACT ASSESSMENT

Not applicable.

## RISK

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

| <b>Strategic Risk Description and Residual Risk Level</b>                     | <b>Action to Mitigate/Reduce Risk</b>                                                                                                                                                                                                                                                                                                                                                           | <b>Does Action maintain or reduce Residual Risk Level</b> |
|-------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------|
| Corporate Governance, Compliance and Liability Risk - Residual Risk Level Low | Robust Policy and Procedures that ensure the SHARE Grant funding program is administered within Governance Principles. A robust process results in this initiative to remain available to our community.<br><br>Including the additional projects and event as separate recommendations improves transparency and helps Councillors and the public understand how the decisions were developed. | Reduces Residual Risk Level                               |
| Program and Project Risk - Residual Risk Level Medium                         | Embedded project planning required of applicants to demonstrate ability to deliver on funded activities. Acquittal reporting to ensure project is completed within timeframes stated in the funding program.                                                                                                                                                                                    | Reduces Residual Risk Level                               |
| Financial Risk - Residual Risk Level Medium                                   | Council to endorse the amount of funding allocated to the Community SHARE Grant program each year during the Budget adoption process. This means that Council can ensure that the amount of funding available through this program is in line with available Council resources.                                                                                                                 | Reduces Residual Risk Level                               |

|                                                |                                                                                                                                                                                                                                                                                                                                                            |                                  |
|------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------|
| Reputational Risk - Residual Risk<br>Level Low | <p>A clear and transparent application and scoring process that is followed for all applicants received to ensure that all applications are treated equally and funds are distributed through merit.</p> <p>Conditional agreements can be issued to applications that are worthy projects, needing to submit a small amount of additional information.</p> | Maintains Residual Risk<br>Level |
|------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------|

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

Not applicable.

## **CONFLICTS OF INTEREST**

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

## 15.14 SUPPORTING RURAL COUNCILS VICTORIA ADVOCACY CAMPAIGN

*Prepared by Tammy Smith, Chief Executive Officer*

### SUMMARY

Rural Councils Victoria (RCV) has developed a comprehensive election platform. The headline call is for the government to establish a \$1 billion Rural and Regional Victoria Productivity and Growth Fund.

Funding would be delivered across four complementary streams:

1. Community wellbeing and local places renewal
2. Economic development
3. Council sustainability; and
4. Housing Supply.

In addition, RCV is calling for additional funding for roads and Council sustainability, reforms to enhance councillor safety, and genuine reform of the emergency services volunteer fund.

This report seeks Councils endorsement to support the advocacy as Council enters into the State Government election campaign.

### Recommended Motion:

That Council:

1. Notes Rural Councils Victoria's strong advocacy for rural communities.
2. Acknowledges the critical role rural communities play in supporting Victoria's economy, including through agriculture, tourism, manufacturing, freight, energy production and regional employment.
3. Recognises the significant infrastructure, housing, financial and emergency management challenges currently facing rural councils and communities.
4. Endorses the key advocacy priorities in Rural Councils Victoria 2026 election platform, including:
  - a. Increased investment in rural and regional roads;
  - b. Expanded support for local infrastructure and community facilities;
  - c. Additional investment in housing enabling infrastructure;
  - d. Greater support for emergency preparedness and resilience;
  - e. Measures to improve long-term council sustainability and financial capacity; and
  - f. Increased support for regional economic development.
5. Supports calls for the establishment of a dedicated \$1 billion Rural and Regional Victoria Productivity and Growth Fund, as detailed in the Rural Councils Victoria election platform.
6. Urges all Members of Parliament and political candidates to publicly support the RCV platform and act on its recommendations after the election.

### ATTACHMENTS

Link: [Invest in Rural Victoria](#)

### DISCUSSION

Yarriambiack Shire Council is a member of the advocacy alliance RCV. In addition, Council's Chief Executive Officer is the North West Chief Executive Officer Member of RCV, along with the organisations Treasurer.

In direct consultation with regional representatives, RCV has developed a statewide advocacy platform calling for greater investment in rural communities and a stronger long-term partnership between state and local government.

A formal, public-facing campaign will support this advocacy platform. While largely driven by RCV centrally, Council is being asked to support local delivery and promotion of the campaign.

The campaign will be non-partisan. It will not endorse any political party or election candidate.

The resolution does not commit Council to any specific or new financial contribution. Any spending will be at Council's discretion and managed within existing budget allocations.

The recommendation is designed to formalise Yarriambiack Shire Council's support for the RCV campaign and signal this support publicly.

The recommendation is intended to provide a clear mandate for Council staff to participate in the RCV campaign.

### RELEVANT LAW

- *Local Government Act 2020*
- *Local Government Act 1989*

### COUNCIL PLANS AND POLICIES

| Council Plan 2025 – 2029<br>Strategic Objectives | Priorities                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|--------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| An Innovative and Diversified Economy            | <ul style="list-style-type: none"> <li>• Advocate and support agriculture, economic development and investment in our region.</li> <li>• Proactively communicate and advocate to Government bodies, to deliver positive tourism outcomes for our community, capitalising on opportunities as they arise.</li> <li>• Advocate for continued and enhanced funding to enable strategic investment in our roads, footpaths, and associated assets to support tourism, economic development and social inclusion and connection across our Shire.</li> <li>• Understand, support and advocate for services and associated skilled workforces to unlock economic and community development opportunities across our Shire.</li> </ul>                                                                                    |
| A Healthy and Inclusive Community                | <ul style="list-style-type: none"> <li>• Develop and/or maintain strong partnerships to deliver high quality services and sustainable infrastructure to enhance the social health and wellbeing outcomes for all our residents.</li> <li>• Advocate, prioritise, and invest in infrastructure that supports an accessible, inclusive, and socially connected community to improve liveability.</li> <li>• Plan for and support diverse housing options to meet community needs now and into the future.</li> <li>• Advocate and support community safety initiatives, that enhance community safety and the liveability of our communities.</li> <li>• Promote and support volunteerism throughout our Shire, recognising that collaborative efforts can lead to enhanced outcomes for our communities.</li> </ul> |
| A Resilient and Sustainable Natural Environment  | <ul style="list-style-type: none"> <li>• Advocate and strategically position Council to maintain and enhance water security and harvesting.</li> <li>• Advocate for responsible land use, with consideration for the natural environment.</li> <li>• Embed climate change action into everything we do with a focus on decreased emissions, heat reduction and emergency management preparedness.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                       |

| Council Plan 2025 – 2029<br>Strategic Objectives | Priorities                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|--------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                  | <ul style="list-style-type: none"> <li>• Provide innovative solutions that meet the specific requirements of our community to enable compliance with the State Government Circular Economy policy.</li> <li>• Elevate community education and positive engagement experience as a key priority while performing regulatory functions.</li> <li>• Support community groups to deliver on the Sport and Recreation Strategy and Recreation Reserve Master Plan initiatives, in alignment with Council's policies</li> </ul>                                                                                                                                                                                                                                              |
| A Council that serves its Community              | <ul style="list-style-type: none"> <li>• Undertake robust and transparent planning and risk management to ensure our organisation is sustainable now and into the future.</li> <li>• Embed good governance practices into all decision making.</li> <li>• Advocate for our community, on matters that are important to the entire municipal district.</li> <li>• Build trust through engaging with our community, delivering quality services and outcomes.</li> <li>• Consider a broad base of evidence before making decisions, ensuring value for money and responsive, innovative services and solutions are provided.</li> <li>• Promote initiatives ensuring safety, respect, and equal opportunities for all genders, aiming to end family violence.</li> </ul> |

## OVERARCHING GOVERNANCE PRINCIPLES

This Council report has been prepared in accordance with, and to give effect to, the overarching governance principles articulated in section 9 of the *Local Government Act 2020*, to the extent practicable.

## RELATED COUNCIL DECISIONS

Not applicable.

## OPTIONS

Councillors could choose not to participate or support the Rural Councils Victoria campaign; however the campaign has been delivered based on feedback and direct input from its membership base.

## SUSTAINABILITY IMPLICATIONS

|                  |                                                                                                                                                                                                                                                                                                                                                                                                             |
|------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Financial</b> | Yarriambiack Shire Council is classified as an unsustainable rural Council as outlined in the Merv and Rohan Whelan "Local Government Financial Sustainability" Report (2010). Without increased government funding, Council will be unable to adequately address its asset renewal gap and may be required to reduce service levels to maintain its long-term financial sustainability as a going concern. |
|------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

## COMMUNITY ENGAGEMENT

Community engagement will commence if the resolution is endorsed, promoting the need for investment in rural Victoria. The community will be encouraged to share Council's social media posts and support the advocacy efforts of both Council and Rural Councils Victoria.

## GENDER IMPACT ASSESSMENT

Not applicable.

**RISK**

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

| Strategic Risk Description and Residual Risk Level                         | Action to Mitigate/Reduce Risk                                                                                                                 | Does Action maintain or reduce Residual Risk Level |
|----------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------|
| Strategy Execution and Change Management Risk - Residual Risk Level Medium | Supporting the Rural Councils Victoria Campaign aligns with the Yarriambiack Shire Council – Council Plan 2025-2029 objectives and priorities. | Reduces Residual Risk Level                        |

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

Rural Councils Victoria – Invest Campaign

**CONFLICTS OF INTEREST**

The Chief Executive Officer is a Committee member and the Treasurer of Rural Councils Victoria. Yarriambiack Shire Council is a member of Rural Councils Victoria, and the committee structure includes a nominated Chief Executive Officer and a nominated Councillor from the Northwest region to represent rural council interests. While this role may create a connection with Rural Councils Victoria, it is not considered a conflict of interest under Division 2 of the *Local Government Act 2020* where the interest arises from the person's public duty rather than a private interest. Section 127 provides that a general conflict of interest requires a relevant private interest that could result in a person acting contrary to their public duty and defines private interests as interests that do not derive from public duty. The Local Government Inspectorate guidance similarly states that a conflict requires a relevant private interest that overlaps with a person's official duty. On this basis, the Chief Executive Officer's role with Rural Councils Victoria is understood as part of representing Council and rural local government interests, rather than a private interest requiring exclusion from the matter.

## 16 COUNCIL REPORTS FOR NOTING

Nil.

## 17 PERMITS ISSUED

List of permits issued in July 2026 is listed below for noting.

### Recommended Motion:

That Council:

Note the permits issued by Council between 01 July 2026 to 31 July 2026.

| Reference No             | Description                                     | Address  | Date of Issue |
|--------------------------|-------------------------------------------------|----------|---------------|
| <b>Local Law Permits</b> |                                                 |          |               |
| 15-26                    | Keeping more than the allowed number of animals | Minyip   | 08/07/2026    |
| 16-26                    | Keeping more than the allowed number of animals | Hopetoun | 10/07/2026    |
| 17-26                    | Conduct a festival, carnival or similar event.  | Speed    | 27/07/2026    |

## 18 CLOSED DECISIONS TO BE RECORDED IN OPEN COUNCIL MEETING AGENDA

Nil.

## 19 URGENT BUSINESS

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

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

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

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

## 20 NEXT MEETING

Wednesday 30 September 2026.

## 21 CLOSED

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

### **Recommended Motion:**

That the Ordinary Meeting of Council is now closed at (time).

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

## SUMMARY CLOSED (CONFIDENTIAL) MEETING AGENDA

That, in accordance with sections 66(1) and 66(2)(a) of the *Local Government Act 2020*, the meeting be closed to members of the public for consideration of the following confidential items:

### 1. Chief Executive Officer Key Performance Indicators 2026-2027

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

- a) Because it is personal information, being information which if released would result in unreasonable disclosure of information about any person (section 3(1)(f)); and
- b) This ground applies because the Agenda Item concerns human resource information about the Chief Executive Officer, that would, if prematurely released, compromise Council's position in relation to the requirement to comply with the *Privacy and Data Protection Act 2014*.

### 2. C367-2026 Provision of Building Services (including Municipal Building Surveyor Services)

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

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

### 3. Hopetoun and District Neighbourhood House Inc Service Agreement and Lease Extension

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

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