



Yarriambiack
SHIRE COUNCIL

Minutes

Ordinary Meeting of Council

28 October 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

5 APOLOGIES

Name / Role	Description of Leave / Absence
Joel Turner, Chief Engineering Officer.	On leave.

6 CONFIRMATION OF MINUTES

6.1 MINUTES 30 SEPTEMBER 2026 – ORDINARY MEETING

Minutes of the Ordinary meeting of Council held on 30 September 2026 be taken as an accurate record and confirmed.

Resolution:

That the minutes of the Ordinary Meeting of Council held on 30 September 2026, as circulated be taken as read and confirmed.

Moved Cr Zanker

Seconded Cr Kirk

That the recommendation be adopted.

Carried Unanimously

6.2 MINUTES 30 SEPTEMBER 2026 – CLOSED (CONFIDENTIAL) MEETING

Minutes of the Closed (Confidential) meeting of Council held on 30 September 2026 be taken as an accurate record and confirmed.

Resolution:

That the minutes of the Closed (Confidential) Meeting of Council held on 30 September 2026, as circulated be taken as read and confirmed.

Moved Cr Heintze

Seconded Cr Keel

That the recommendation be adopted.

Carried Unanimously

7 DECLARATION OF CONFLICT OF INTEREST

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

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

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

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

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

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

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

OR

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

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

7.1 CONFLICT OF INTEREST DECLARED

Conflict Declared by	Agenda Item	Reason - Explanation

8 BUSINESS ARISING

8.1 BUSINESS ARISING FROM PREVIOUS MINUTES

As per ongoing and pending actions list, Item 8.2.

8.2 ONGOING AND PENDING ACTIONS

Council Meeting	Recommendation Action	Action Taken
30 June 2025 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.	MoU Drafted and Meeting with Committee to be scheduled.
29 October 2025 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. Report due by 29 October 2026.	CLOSED Report included in this Agenda.
26 November 2025 Item 14.3	Ensure that sanitary bins are available in Council's public toilets, wherever female disposal facilities exist.	CLOSED Sanitary bin now available in Warracknabeal male toilets. Council has contacted Veolia and obtained a list of all facilities. Veolia has been asked to relocate one sanitary bin from the female toilets to the male toilets at locations where more than one bin is currently provided in the female toilets, ensuring equitable access.
10 December 2025 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 Item 15.5	Gift 2 Wood Street, Rupanyup to the Victorian State Emergency Services (VICSES).	CLOSED Transfer completed, refer to report within this Council Agenda.
26 August 2026 Item 15.2	Transfer of Electricity and Water Accounts for the Beulah Memorial Hall to from Beulah Memorial Hall Committee of Management to Yarriambiack Shire Council.	CLOSED Transfer completed in September 2026.
26 August 2026 Item 15.4	Transfer of 1993 Henty Highway Brim (Crown Allotment 6, Section 10 Township of Brim, Plan TP547068A, Volume 2594, Folio 751) to Council for the purposes of supporting the town drainage function in Brim.	LawyersAU engaged to process this decision.

9 PETITIONS

No petitions received.

10 MINISTERIAL AND GOVERNMENT CORRESPONDENCE TO COUNCILLORS ONLY

Outgoing		
Date	Recipient	Details
14/10/2026	Dr Anne Webster MP	Email - Impact of Aviation Consumer Protections Consultation on Smaller Airports Council expressed gratitude for Dr Anne Webster MP and Senator McKenzie's advocacy efforts regarding this matter.

Incoming		
Date	Sender	Details
07/10/2026	The Hon Tim Richardson MP, Minister for Local Government	Letter - Local Government Legislation Amendment (Stronger Communities) Act 2026 (Amendment Act)
09/10/2026	The Hon Sonya Kilkenny MP, Minister for Planning	Letter – Amendment C36Yari to the Yarriambiack Planning Scheme Under Section 20 (4) of the Planning and Environment Act 1987: Warracknabeal Energy Park
13/10/2026	Dr Anne Webster MP	Email - Impact of Aviation Consumer Protections Consultation on Smaller Airports Outlining advocacy efforts and outcomes.

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
09 November 2026	Ordinary Meeting
08 February 2027	Ordinary Meeting
10 May 2027	Ordinary Meeting

12 ACTIVITY REPORTS

12.1 MAYOR ACTIVITY REPORT

Mayor Andrew McLean (October)		
Date	Activity	Location
01/10/26	Meeting with Residents along proposed alternative route Donald Mineral Sands Project	Minyip
02/10/26	Meeting with Bev McArthur MP, David Davis MP and Emma Kealy MP*	Horsham
02/10/26	Western Region Division 4 Medal and Awards Presentation – Victoria Police	Horsham
02/10/26	Attendance at the 140 th Murtoa Agricultural and Pastoral Show, including election commitment announcement from coalition for the Murtoa Community Centre at the Recreation Reserve if they form Government in November	Murtoa
07/10/26	Opened the Yarriambiack Seniors Concert	Warracknabeal
07/10/26	Meeting with Jade Benham MP and Brad Rosewell MP in Hopetoun to discuss Hopetoun Old School site and Hopetoun Kindergarten building issues*	Hopetoun
08/10/26	Warracknabeal Show	Warracknabeal
08/10/26	Mayor, Deputy Mayor, CEO and Governance Support Officer Meeting	Warracknabeal
08/10/26	MAV Delegates Pre State Council	Online
09/10/26	Partook in the Opening of Rabl Park Skatepark	Murtoa
11/10/26	Woomelang Flower Show	Woomelang
12/10/26	West Wind Energy Management Catch Up	Online
13/10/26	Chaired Sunraysia Highway Improvement Committee Meeting	Online
14/10/26	Council Forum and CEO Psychological Hazards Workshop	Warracknabeal
20/10/26	Emma Kealy MP Election Commitment Announcement – ANZAC Park	Warracknabeal
20/10/26	Conducted Citizenship Ceremony	Warracknabeal
21/10/26	Attended Inquiry Terms of Reference Social Licence and Economic Development Outcomes in Critical Minerals Projects Across Australia	Horsham

Mayor Andrew McLean (October)		
21/10/26	Officially Opened the Minyip Recreation Reserve Sports Lighting Upgrade Project	Minyip
23/10/26	MAV State Council	Melbourne
26/10/26	Meeting with One Nation Candidates*	Warracknabeal
26/10/26	ANZAC Park PCG Meeting	Warracknabeal
26/10/26	WMEAP Meeting	Warracknabeal

**Represent advocacy meetings*

12.2 COUNCILLOR ACTIVITY REPORTS

Deputy Mayor Corinne Heintze – Dunmunkle Ward (October)		
Date	Activity	Location
01/10/26	Meeting with Residents along proposed alternative route Donald Mineral Sands Project	Minyip
02/10/26	Meeting with Bev McArthur MP, David Davis MP and Emma Kealy MP	Horsham
02/10/26	Western Region Division 4 Medal and Awards Presentation – Victoria Police	Horsham
02/10/26	Attendance at the 140 th Murtoa Agricultural and Pastoral Show, including election commitment announcement from coalition for the Murtoa Community Centre at the Recreation Reserve if they form Government in November	Murtoa
04/10/26	Yarrilinks Landcare 40 th Anniversary Get-Together	Boolite
06/10/26	GWM Recreational Water Users Annual Meeting	Jeparit
06/10/26	Minyip Progress Meeting	Minyip
07/10/26	Seniors Concert	Warracknabeal
08/10/26	Mayor, Deputy Mayor, CEO and Governance Support Officer Meeting	Online
09/10/26	Rabl Park Skatepark Opening	Murtoa
09/10/26	GWM Stakeholders Meeting	Horsham
14/10/26	Council Forum and CEO Psychological Hazards Workshop	Warracknabeal
20/10/26	Emma Kealy MP Election Commitment Announcement – ANZAC Park	Warracknabeal
20/10/26	Citizenship Ceremony	Warracknabeal
21/10/26	Attended Inquiry Terms of Reference Social Licence and Economic Development Outcomes in Critical Minerals Projects Across Australia	Horsham
21/10/26	Minyip/Rupanyup Banking Annual General Meeting	Minyip
21/10/26	Minyip Recreation Reserve Sports Lighting Upgrade Project Official Opening	Minyip
23/10/26	Mayor, Deputy Mayor, CEO and Governance Support Officer Meeting	Online
26/10/26	Meeting with One Nation Candidates	Warracknabeal

Deputy Mayor Corinne Heintze – Dunmunkle Ward (October)

26/10/26	Emma Kealy MP Announcement - Horsham Mental Health Local Election Commitment	Horsham
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Cr Melinda Keel – Dunmunkle Ward (October)

Date	Activity	Location
02/10/26	Attendance at the 140 th Murtoa Agricultural and Pastoral Show, including election commitment announcement from coalition for the Murtoa Community Centre at the Recreation Reserve if they form Government in November	Murtoa
09/10/26	Rabl Park Skatepark Opening	Murtoa
14/10/26	Council Forum and CEO Psychological Hazards Workshop	Warracknabeal
20/10/26	Murtoa Progress Meeting	Murtoa

Cr Chris Lehmann – Hopetoun Ward (October)

Date	Activity	Location
07/01/26	Meeting with Jade Benham MP and Brad Rosewell at Hopetoun Old School Site	Hopetoun
07/10/26	Seniors Concert	Warracknabeal
14/10/26	Council Forum and CEO Psychological Hazards Workshop	Warracknabeal
14/10/26	Beulah Progress Meeting	Beulah
26/10/26	Meeting with One Nation Candidate	Warracknabeal
26/10/26	Emma Kealy MP Announcement - Horsham Mental Health Local Election Commitment	Horsham
27/10/26	Patchewollock Inc Annual General Meeting	Patchewollock

Cr Karly Kirk – Warracknabeal Ward (October)

Date	Activity	Location
07/10/26	Seniors Concert	Warracknabeal
20/10/26	Emma Kealy MP Election Commitment Announcement – ANZAC Park	Warracknabeal

Cr Karly Kirk – Warracknabeal Ward (October)		
Date	Activity	Location
26/10/26	Meeting with One Nation Candidate	Warracknabeal
14/10/26	Council Forum and CEO Psychological Hazards Workshop	Warracknabeal

Cr Kylie Zanker – Warracknabeal Ward (October)		
Date	Activity	Location
02/10/26	Meeting with Bev McArthur MP, David Davis MP and Emma Kealy MP, including a Tour of QA Hay Warracknabeal	Warracknabeal
08/10/26	Warracknabeal Show	Warracknabeal
14/10/26	Council Forum and CEO Psychological Hazards Workshop	Warracknabeal
20/10/26	Emma Kealy MP Election Commitment Announcement – ANZAC Park	Warracknabeal
20/10/26	Wimmera Pride Annual General Meeting	Online
20/10/26	Warracknabeal Action Group (WAG) Meeting	Warracknabeal
22/10/26	Attended Our Untied Future Forum with the Commissioner for LGBTIQA Communities	Horsham
23/10/26	Deal in the Beal	Warracknabeal
25/10/26	MC at Run the Beal	Warracknabeal
26/10/26	Meeting with One Nation Candidates	Warracknabeal
26/10/26	ANZAC Park PCG Meeting	Warracknabeal
26/10/26	WMEAP Meeting and Candidate Forum	Warracknabeal
26/10/26	Emma Kealy MP Announcement - Horsham Mental Health Local Election Commitment	Horsham

12.3 CHIEF EXECUTIVE OFFICER ACTIVITY REPORT

Tammy Smith (October)		
Date	Activity	Location
01/10/26	Department of Education – Hopetoun Kindergarten meeting	Online
01/10/26	Meeting with V/Line regarding possibility of being an agent	Online
01/10/26	Social and Affordable Housing Meeting with Community Housing Industry Association Victoria	Online
01/10/26	Meeting with Residents along proposed alternative route Donald Mineral Sands Project	Minyip
02/10/26	Meeting with Bev McArthur MP, David Davis MP and Emma Kealy MP, including a Tour of QA Hay Warracknabeal*	Horsham and Warracknabeal
02/10/26	Attendance at the 140 th Murtoa Agricultural and Pastoral Show, including election commitment announcement from coalition for the Murtoa Community Centre at the Recreation Reserve if they form Government in November*	Murtoa
06/10/26	Meeting with Powerhouse Committee	Hopetoun
07/10/26	Attended at the Seniors Concert	Warracknabeal
07/10/26	Meeting with Jade Benham MP and Brad Rosewell MP in Hopetoun to discuss Hopetoun Old School site and Hopetoun Kindergarten building issues*	Hopetoun
08/10/26	Wimmera Southern Mallee Regional Partnerships Quarterly Update	Online
08/10/26	Rural Councils Victoria Executive Committee Meeting	Online
08/10/26	Warracknabeal Show opening and meeting with Dr Anne Webster	Warracknabeal
08/10/26	Mayor, Deputy Mayor, CEO and Governance Support Officer meeting	Online
09/10/26	Wimmera Southern Mallee Councils Alliance CEO meeting	Horsham
09/10/26	Rabl Park Skatepark Official Opening	Murtoa
09/10/26	Meeting with Department of Transport and Planning regarding Resource Ready	Online
11/10/26	Guest Speaker at the Woomelang Flower Show	Woomelang
13/10/26-15/10/26	Participant in a delegation to Canberra with Rural Councils Victoria*	Canberra

Tammy Smith (October)		
19/10/26	Dunmunkle Land Protection Group Meeting	Rupanyup
19/10/26	Municipal Association Victoria Meeting CEO Meeting	Online
20/10/26	Emma Kealy MP Election Commitment Announcement – ANZAC Park	Warracknabeal
20/10/26	Attended Citizenship Ceremony	Warracknabeal
20/10/26	Restoration Working Group Meeting	Online
21/10/26	Presenting at the Inquiry Terms of Reference Social Licence and Economic Development Outcomes in Critical Minerals Projects Across Australia*	Horsham
22/10/26	Rural Councils Victoria Executive Committee Meeting	Online
26/10/26	One Nation Candidates Meeting*	Warracknabeal
26/10/26	Emma Kealy MP Announcement - Horsham Mental Health Local Election Commitment	Horsham
26/10/26	ANZAC Park Project Control Group Meeting	Warracknabeal

*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

Name:	Town:
Question:	
Respondent:	
Response:	

14 COUNCILLOR REPORTS AND NOTICE OF MOTIONS

14.1 MAYORS REPORT

It has been a busy month of advocacy across Yarriambiack Shire, and Council was delighted to welcome the announcement from Emma Kealy MP and The Nationals and Liberals of a commitment of \$2 million towards the redevelopment of the Murtoa Recreation Reserve, and \$2 million towards the redevelopment of ANZAC Park Warracknabeal should they be elected to Government in November.

This significant funding commitment for both recreation reserves would bring the projects one step closer to reality, helping deliver modern, accessible and inclusive facilities that will support local sporting clubs, community groups and residents for generations to come.

Both the Murtoa Recreation Reserve and ANZAC Park are vital community assets, and this commitment recognises the important role regional facilities play in fostering community wellbeing, participation and liveability. We sincerely thank Emma Kealy, our local Member of Parliament, for her support of these very important projects and for recognising the needs of rural communities.

Council would welcome similar commitments from other parties to help ensure both these transformative projects can be delivered for the Murtoa and Warracknabeal communities.

In further advocacy efforts, Yarriambiack Shire Council joined neighbouring Wimmera councils earlier in the month to present a united regional voice to State Opposition representatives Bev McArthur MP, David Davis MP and Emma Kealy MP ahead of the Victorian State Election.

Discussions focused on the priority investments needed to support growth, liveability and opportunity across Yarriambiack Shire, including road infrastructure, housing, early years services, community facilities and recreational water security. By working together, Wimmera councils continue to advocate for the strategic investment required to ensure rural communities can thrive well into the future.

It was also a pleasure to showcase QA Hay, a growing local business that highlights the innovation and entrepreneurial spirit that exists across our region.

On 07 October, Jade Benham MP and Brad Rowswell MP joined local Hopetoun advocates, Council's Chief Executive Officer, Cr Chris Lehmann and myself for a tour of the former Hopetoun school site and discussions regarding the community's vision for its future use.

The visit also included a tour of the Hopetoun Early Years building and the temporary kindergarten currently operating from the Senior Citizens Centre. We appreciate Jade and Brad taking the time to meet with Council representatives, teachers and families, providing an opportunity to discuss the challenges facing the service and the solutions being pursued.

I would also like to acknowledge and congratulate the Emerge Early Years management team, the Hopetoun staff and local families for the resilience they have demonstrated throughout a challenging period. Council remains committed to working behind the scenes with all stakeholders to support positive outcomes and secure long-term solutions for the community.

14.2 ANNUAL REPORT 2025-2026

Prepared by Anita McFarlane, Chief Financial Officer

Presented by Mayor Andrew McLean

SUMMARY

In accordance with the *Local Government Act 2020*, Council is required to prepare an annual report in respect of each financial year and the Mayor must report on the implementation of the Council Plan by presenting the annual report at a Council meeting open to the public.

The Annual Report includes the audited annual financial and performance statements that have been prepared in accordance with the *Local Government Act 2020* and the Local Government (Planning and Reporting) Regulations 2020 and have been certified by the Victorian Auditor Generals Office (VAGO).

To complement the Annual Report, an attachment to this report summarises the final results of Council's capital works program as at 30 June 2026 and identifies projects carried forward.

Resolution:

PART A

That Council:

- a) Adopts the Annual Report for the 2025-2026 financial year that contains the following sections as detailed in section 98 of the *Local Government Act 2020*:
 - i. A report of Operations of Council;
 - ii. An audited Performance Statement;
 - iii. Audited Financial Statements;
 - iv. A Copy of the Auditors Report on the Performance Statement;
 - v. A Copy of the Auditors Report of the Financial Statements under Part 3 of the *Audit Act 1994*; and
 - vi. Any other matters prescribed in the regulations.

PART B

That Council:

- a) Adopts the final results of the 2025-26 Capital Works Program and the identified carry-forward projects, as attached to this report.

Moved Cr Heintze

Seconded Cr Zanker

That the recommendation be adopted.

Carried Unanimously

ATTACHMENTS

[Attachment: Annual Report 2025-2026](#)

[Attachment: Final Capital Works Program 25-26 and Carry Forwards](#)

DISCUSSION

1. Annual Report 2025-26

The Annual Report (Report) has been prepared in accordance with sections 98, 99 and 100 of the *Local Government Act 2020*.

The Report outlines Council's financial and non-financial performance in the last 12 months and celebrates several key achievements.

The highlights from the 2025-2026 financial year included:

a) Infrastructure and Roads

- Completed the Banyena-Pimpinio Road Upgrade through the Safer Local Roads and Infrastructure Program.
- Delivered more than 22 kilometres of gravel road resheeting across the municipality.
- Completed urban and rural reseal programs across numerous townships and strategic routes.
- Delivered footpath improvements in Hopetoun, Woomelang, Warracknabeal, Rupanyup and Minyip.
- Completed multiple drainage, kerb and channel projects across the Shire.

b) Recreation and Community Facilities

- Completed the Hopetoun Recreation Reserve Netball Lighting Project.
- Completed the Murtoa Recreation Reserve Netball and Tennis Court Upgrade Project.
- Commenced the Hopetoun Swimming Pool Redevelopment and Changeroom Upgrade.
- Majority of the Rabl Park Skate Park Upgrade completed.
- Secured funding for the ANZAC Park netball, tennis and AFL infrastructure planning and upgrade project.
- Secured funding for the Minyip Recreation Reserve Sports Lighting Project.

c) Housing and Development

- Delivered affordable housing projects in Warracknabeal and Rupanyup.
- Progressed affordable housing development in Hopetoun.
- Supported the development of 40 Anderson Street, Warracknabeal to increase housing supply, establishing a partnership with E2E Growth.
- Completed subdivision works to support housing growth in Murtoa.

d) Economic Development and Advocacy

- Part of the establishment of the Wimmera Southern Mallee Councils Alliance to strengthen regional advocacy.
- Supported Federation University research into the impacts of renewable energy and mining developments on farming communities.
- Commissioned and adopted the Resource Ready North Western Victoria Energy and Mining Impact and Readiness Strategy, with eight other Councils.

e) Libraries, Community and Youth

- Successfully transitioned Early Years services to Emerge Early Years Services.
- Expanded youth leadership programs through partnerships with the Western Bulldogs Community Foundation.
- Continued delivery of the Engagement Van, supporting library and community outreach programs across the Shire.

f) Environment and Sustainability

- Adopted the Yarriambiack Street and Reserve Tree Strategy and Tree Management Policy.

- Completed rehabilitation of the Yaapeet landfill site.
- Expanded recycling programs including e-waste, battery, blister pack and glass recycling collections.
- Continued to be Victoria's leading DrumMuster recycler, collecting almost two million containers over the life of the program.

g) Organisational Performance

- Improved overall community satisfaction from 56 to 61, exceeding the Small Rural Shire average of 60.
- Achieved notable improvements in advocacy, community consultation, council decision-making and sealed road satisfaction.
- Secured funding and delivered a broad range of capital works while maintaining a strong financial position and low debt levels.

These achievements collectively demonstrate Council's investment in roads, recreation, housing, strategic planning, environmental sustainability, community wellbeing and advocacy during 2025/26.

2. Capital Works Program 2025-26 and Carry-Forwards

Attached to this report is the final costs associated with the capital works program, along with the identified carry-forwards.

RELEVANT LAW

- *Local Government Act 2020* – Division 3 Reporting - Section 98, 99 and 100.
- Applicable Australian Accounting Standards.

COUNCIL PLANS AND POLICIES

Council Plan 2025 – 2029 Strategic Objectives	Priorities
An Innovative and Diversified Economy	<ul style="list-style-type: none"> • Advocate and support agriculture, economic development and investment in our region. • Proactively communicate and advocate to Government bodies, to deliver positive tourism outcomes for our community, capitalising on opportunities as they arise. • 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. • Understand, support and advocate for services and associated skilled workforces to unlock economic and community development opportunities across our Shire.
A Healthy and Inclusive Community	<ul style="list-style-type: none"> • 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. • Advocate, prioritise, and invest in infrastructure that supports an accessible, inclusive, and socially connected community to improve liveability. • Plan for and support diverse housing options to meet community needs now and into the future. • Advocate and support community safety initiatives, that enhance community safety and the liveability of our communities. • Promote and support volunteerism throughout our Shire, recognising that collaborative efforts can lead to enhanced outcomes for our communities.

Council Plan 2025 – 2029 Strategic Objectives	Priorities
A Resilient and Sustainable Natural Environment	<ul style="list-style-type: none"> • Advocate and strategically position Council to maintain and enhance water security and harvesting. • Advocate for responsible land use, with consideration for the natural environment. • Embed climate change action into everything we do with a focus on decreased emissions, heat reduction and emergency management preparedness. • Provide innovative solutions that meet the specific requirements of our community to enable compliance with the State Government Circular Economy policy. • Elevate community education and positive engagement experience as a key priority while performing regulatory functions. • Support community groups to deliver on the Sport and Recreation Strategy and Recreation Reserve Master Plan initiatives, in alignment with Council's policies
A Council that serves its Community	<ul style="list-style-type: none"> • Undertake robust and transparent planning and risk management to ensure our organisation is sustainable now and into the future. • Embed good governance practices into all decision making. • Advocate for our community, on matters that are important to the entire municipal district. • Build trust through engaging with our community, delivering quality services and outcomes. • Consider a broad base of evidence before making decisions, ensuring value for money and responsive, innovative services and solutions are provided. • Promote initiatives ensuring safety, respect, and equal opportunities for all genders, aiming to end family violence.
Policies, Procedures, Guidelines, Plans, Strategies and Frameworks	
Plan	Long Term Financial Plan
Other	Budget 2025-2026

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 2026 – Ordinary Council Meeting Minutes - Item 15.3 Adoption of the 2025-26 Council Budget

OPTIONS

Not applicable.

SUSTAINABILITY IMPLICATIONS

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that the economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted.

The subject matter of the report does not raise any sustainability implications.

COMMUNITY ENGAGEMENT

Community engagement occurred in the development of the Council Plan 2025-2029 and the Annual Budget. Both documents inform the key performance metrics included in the Annual Report.

GENDER IMPACT ASSESSMENT

Not applicable.

RISK

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

Strategic Risk Description and Residual Risk Level	Action to Mitigate/Reduce Risk	Does Action maintain or reduce Residual Risk Level
Financial Risk - Residual Risk Level Medium	The Annual Report includes the Annual Financial and Performance Reports that are audited and certified by the Victorian Auditor Generals Office.	Maintains Residual Risk Level
Corporate Governance, Compliance and Liability Risk - Residual Risk Level Low	The presentation of the Annual Report within the required timeframes outlined in the <i>Local Government Act 2020</i> demonstrates Council has met the requirements of section 98, 99 and 100 of the Act.	Maintains Residual Risk Level
Strategy Execution and Change Management Risk - Residual Risk Level Medium	The Council Plan is Council's overarching strategic document that outlines Council's key actions for a four-year period. The Annual Report identifies, and reports on, how Council has met the actions outlined in the Council Plan.	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.

Did you use AI in the development of this report?	☐ YES	☒ NO
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15 REPORTS FOR DECISION

15.1 CAPITAL PROGRAM PLANT ALTERATIONS 2026/27 BUDGET REPORT

Prepared by Joel Turner, Chief Engineering Officer

SUMMARY

This report seeks Council approval to defer the scheduled grader replacement included in the 2026/27 Plant and Equipment Capital Program and reallocate the associated funding towards the replacement of utility vehicles, and the purchase of a tractor.

The proposed approach to replace the utilities would reduce ongoing lease costs, improve long-term financial sustainability, increase Council ownership of fleet assets, and deliver greater value to the organisation without impacting service delivery. Savings generated through reduced lease commitments over the next four years would be reinvested into the Plant Replacement Program, increasing its annual budget to approximately \$1.2 million.

The additional investment in the tractor purchase would enable the acquisition of a higher-horsepower model, providing improved operational capability, particularly when towing a roller.

It is proposed that procurement planning for the grader be undertaken during the 2026/27 financial year, with the purchase deferred to July 2027 and completed as part of the 2027/28 financial year capital program.

Resolution:

That Council:

- a) Endorses the reallocation of the \$500,000 capital budget allocated for grader replacement in 2026/27 to the:
 - i. Purchase of utility vehicles (\$470,000); and
 - ii. Increasing the tractor replacement capital budget by \$30,000.
- b) Endorse that the revised:
 - i. Utility vehicle replacement budget for 26/27 financial year will be \$640,000 (\$470,000 plus adopted budget of \$170,000); and
 - ii. Tractor budget for 26/27 financial year will be \$190,000 (\$30,000 plus adopted budget of \$160,000).
- b) Authorises the Chief Executive Officer to procure the utility vehicles and tractor in accordance with Council's revised adopted budget and the reallocations approved under items (a) and (b);
- c) Endorses the planning and procurement process for the grader replacement to be undertaken in the 2026/27 financial year, with delivery to be scheduled for July 2027 and the expenditure to be included in the 2027/28 Budget; and
- d) Endorses an increase in the annual Plant Replacement Capital Program budget to \$1.2 million from the 2027/28 financial year onwards, with the corresponding adjustment to be incorporated into the Long-Term Financial Plan at the next review.

Moved Cr Heintze

Seconded Cr Kirk

That the recommendation be adopted.

Carried Unanimously

ATTACHMENTS

Nil.

DISCUSSION

1. Background

Council's current Capital Works Plant and Equipment Program includes an allocation of \$500,000 for the purchase of a replacement grader and \$170,000 for three utility vehicle replacements (total \$670,000).

Council currently operates sixteen (16) leased operational utility vehicles through Porta Plant at a total lease cost of \$16,875 per month, equating to \$202,500 per annum.

Existing fleet replacement plans provide for the progressive replacement of these leased vehicles over the next four years. While this approach would gradually reduce Council's lease liability, it also requires Council to continue incurring substantial annual operating costs for leased assets during the transition period.

Council could instead redirect \$470,000 of the \$500,000 grader allocation to purchase additional utility vehicles. This would accelerate the shift from leased vehicles to Council-owned assets and free up operational funds for future plant replacement programs.

2. Benefits

The most compelling argument for deferring the grader replacement is the immediate and ongoing financial benefit achieved through the reduction of lease costs.

Council currently incurs annual lease costs of approximately \$202,500 for utility vehicles. The remaining lease commitment during the planned phase-out period is estimated at \$383,420.52.

Replacing the remaining leased utility fleet is estimated to cost between \$520,000 and \$640,000. Combining the redirected grader allocation with the existing utility vehicle replacement budget would provide \$640,000, enabling Council to replace all remaining leased vehicles, subject to procurement outcomes.

The remaining \$30,000 from the redirected funding ($\$500,000 - \$470,000 = \$30,000$) is proposed to be added to the existing \$160,000 budget for the currently budgeted tractor, increasing the total tractor allocation to \$190,000.

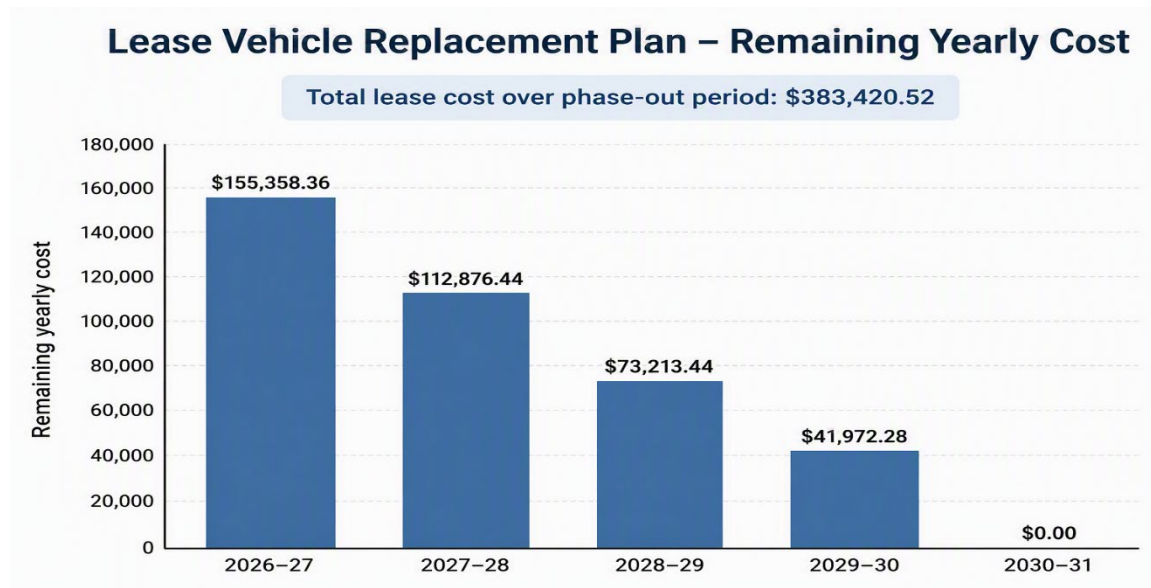
This approach delivers several advantages:

- a) Reduces recurrent operating expenditure associated with vehicle leasing.
- b) Converts ongoing lease payments into ownership of productive assets.
- c) Improves long-term budget sustainability by reducing future operating liabilities.
- d) Provides greater value from existing capital allocations without requiring significant additional funding.
- e) Creates future operating and/or capital budget capacity through avoided lease costs.
- f) Enables Council to purchase a tractor with increased horsepower to meet operational requirements.

Unlike lease payments, which provide no residual asset ownership, capital investment in fleet replacement results in Council acquiring assets that retain value throughout their service life.

It is proposed that the lease savings realised over the next four years be redirected into Council's Plant Replacement Program, increasing its annual budget to approximately \$1.2 million. This reinvestment would strengthen Council's capacity to fund planned plant renewals, reduce future funding pressures and support a more sustainable long-term replacement program.

In addition, purchasing a tractor with greater horsepower can maintain consistent performance when towing heavy equipment such as a roller, particularly on uneven terrain or during prolonged operation. The additional power reduces strain on the machine, improves efficiency, and provides better traction and control when undertaking road maintenance activities.



3. Grader Replacement Deferral

While the grader replacement has been included in the current capital works program, internal assessments indicate that deferral presents a manageable risk.

Council's mechanical staff have inspected the grader and determined that the unit remains suitable for continued operation. The deferral of its replacement to the 2027/28 financial year is considered appropriate and is supported by the findings of the external mechanical auditors recently engaged by Council to evaluate its heavy plant fleet. This assessment has been considered by the internal Plant Committee, which endorsed delaying replacement as a feasible option.

The condition of the current grader allows Council to safely defer replacement for a further twelve months while making the grader the highest priority plant replacement in the 2027/28 financial year. Council Officers have developed the grader specifications and can release to the market soon to ensure the grader is procured in July 2027.

The proposed deferral therefore represents a strategic timing adjustment rather than a cancellation of the grader replacement program.

Deferring the grader purchase until July 2027 would allow Council to realise immediate financial benefits while maintaining operational capability and preparing for its planned replacement in the following financial year.

4. Leasing versus Owning

Council's own fleet review and Motor Vehicle Manual concluded that an ownership model is the preferred approach for Council's light vehicle fleet, with leasing offering minimal benefit because Council generally operates in a liquid cash environment and does not receive the income tax advantages that make leasing attractive to private organisations. The 2024 Fleet Replacement Plan also found that the current Porta Plant vehicle hire arrangement was significantly less cost-effective than direct ownership.

By replacing leased vehicles with Council-owned utilities, Council can eliminate a substantial portion of its annual lease costs of \$202,500, convert ongoing operating expenditure into assets that retain residual value, and reduce long-term financial liabilities. Rather than continuing to make lease payments that provide no asset ownership, Council would build its own fleet, strengthen its balance sheet, and create future budget savings that can be redirected to service delivery and asset renewal. Given that the current grader has been assessed as suitable to remain in service for a further year, redirecting the grader allocation to accelerate utility replacement delivers a greater immediate financial return while still allowing the grader to be replaced as a priority in the 2027/28 financial year.

6. Conclusion

Deferring the grader replacement by nine months and reallocating its \$500,000 budget to the purchase of utility vehicles and a higher-horsepower tractor will improve Council's long-term financial sustainability while maintaining current service levels and operational capacity.

RELEVANT LAW

- a) *Local Government Act 2020* — relevant to Council decision-making, financial management, procurement obligations, transparency, value for money and responsible stewardship of public resources.
- b) *Road Management Act 2004* — relevant only to the extent that deferring the grader replacement may affect Council's capacity to deliver road maintenance and road management functions.

COUNCIL PLANS AND POLICIES

Council Plan 2025 – 2029 Strategic Objectives	Priorities
An Innovative and Diversified Economy	<ul style="list-style-type: none"> 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.
A Resilient and Sustainable Natural Environment	<ul style="list-style-type: none"> Embed climate change action into everything we do with a focus on decreased emissions, heat reduction and emergency management preparedness.
A Council that serves its Community	<ul style="list-style-type: none"> Undertake robust and transparent planning and risk management to ensure our organisation is sustainable now and into the future. Embed good governance practices into all decision making. Advocate for our community, on matters that are important to the entire municipal district. Build trust through engaging with our community, delivering quality services and outcomes. Consider a broad base of evidence before making decisions, ensuring value for money and responsive, innovative services and solutions are provided.
Policies, Procedures, Guidelines, Plans, Strategies and Frameworks	
Policy	Procurement Policy
Guideline	Maintenance and Servicing Guidelines
Plan	Long Term Financial 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

24 June 2026 – Ordinary Council Meeting Minutes - Item 15.1 Adoption of 2026/27 Budget

OPTIONS

Councillors could choose to retain the grader allocation and continue with the existing staged lease vehicle replacement program.

SUSTAINABILITY IMPLICATIONS

Economic	Reduces ongoing fleet lease expenditure and supports more sustainable whole-of-life fleet cost management.
Social	Supports continuity of Council operations by maintaining access to fit-for-purpose work utilities for staff delivering community services.
Environmental	Provides an opportunity to consider newer, more efficient utility vehicles and tractors through procurement, subject to availability and operational suitability.
Climate Change	Fleet renewal may improve fuel efficiency and reduce emissions where suitable replacement vehicles are available and operationally appropriate.
Financial	Council currently incurs \$202,500 per year in lease costs for 16 work utilities. Replacing leased vehicles with owned utilities would progressively reduce this liability.

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
Financial Risk - Residual Risk Level Medium	Redirecting the grader allocation to utility purchases and increased tractor horsepower reduces recurring lease expenditure, supports a reduction in operating cost liability, and enables operational efficiency.	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.

Did you use AI in the development of this report?	☒ YES	☐ NO
Have you reviewed the AI generated content to ensure accuracy?	☒ YES	☐ NO
How did you use AI in the development of this report? Answer below.		
<ul style="list-style-type: none"> Used AI to improve the clarity, tone and readability of sections of the report. Used AI to check grammar, spelling and sentence structure. 		

15.2 CAPITAL WORKS PROGRAM ALTERATIONS 2026/27

Prepared by Joel Turner, Chief Engineering Officer and Isaac McPherson, Business Lead Operations

SUMMARY

This report seeks Council approval to amend the 2026/27 Capital Works Program while retaining the adopted total budget of \$4,755,473. The proposed changes remove 29 projects, add four new projects, alters sixteen existing projects and applies calculated fuel levies to twenty-seven projects, with a separate contingency. The alterations respond to wet-winter deterioration on sandstone-based roads and renewed fuel-price pressure on externally supplied and carted materials.

Resolution:

That Council:

- a) Endorses the revised 2026/27 Capital Works Roads Program, as attached to this report, including the removal of 29 projects identified in the attachment, releasing \$954,085 from the program budget.
- b) Endorses the reallocation of the \$954,085 to:
 - i. Four new projects, totalling \$224,652;
 - ii. Alter the budgets of 16 existing projects, totalling \$522,730; and
 - iii. Contribute towards a fuel levy provision of \$206,703 to accommodate rising fuel costs, to be allocated to projects as required and as detailed in the attachment of this report.
- c) Acknowledges that these changes result in no change to the overall 2026/27 Capital Works Roads Program budget of \$4,755,473.

Moved Cr Kirk

Seconded Cr Keel

That the recommendation be adopted.

Carried Unanimously

ATTACHMENTS

[Attachment: Capital Works Roads Program Alteration Table - 2026-27](#)

DISCUSSION

While construction, material and freight costs continue to increase, the available capital allocation remains constrained. Project priorities, treatment lengths and delivery timing must therefore be carefully managed, with additional expenditure on higher priority works offset by reductions or deferrals elsewhere in the program.

Prolonged wet conditions have highlighted the limitations of sandstone-based pavement materials. Although some roads retain adequate gravel depth and consequently receive favourable asset-condition ratings, lower-quality material sourced from former pits has performed poorly under sustained wet-weather conditions. Several project scopes must therefore be extended or brought forward, using more suitable materials, to maintain safe and reliable access.

Renewed increases in fuel prices have materially affected the cost of Central and Southern resheeting works and shoulder resheeting projects, particularly where materials are externally sourced and transported. A fuel levy allocation is therefore proposed across 27 (twenty-seven) affected projects. Secured cartage quotations will reduce exposure to further price volatility; however, ongoing fuel-price movements remain a program-delivery risk.

The revised program removes 29 (twenty-nine) jobs and releases \$954,085. These funds are reallocated to:

- i. 4 (four) new jobs costing \$224,652;
- ii. Altering the budgets of 16 (sixteen) existing jobs, totalling \$522,730; and
- iii. Creating a fuel levy pool of \$206,703 to account for rising fuel prices which is allocated across projects as identified in the attachment and also includes a small contingency of \$16,144.54.

The changes fully reconcile and leave the total Capital Works Program unchanged at \$4,755,473.

The detailed changes are outlined in the attachment to this report. A summary of the capital works is outlined in the table below.

Capital Works Program alterations by work type and zone

Work Type	Adopted Budget	Updated Budget
Northern Resheets	\$463,947	\$545,716
Central Resheets	\$1,370,622	\$1,217,600
Southern Resheets	\$252,560	\$540,324
Shoulder Resheets	\$1,011,341	\$694,571
Rural Rehabilitations	\$700,000	\$700,000
Reseals	\$375,675	\$269,231
Kerb & Channel	\$304,200	\$304,200
Footpaths	\$277,128	\$277,128
Fuel Levy Contingency	-	\$206,703
Total	\$4,755,473	\$4,755,473

RELEVANT LAW

Section 10 of the *Local Government Act 2020* provides that, subject to limitations or restrictions imposed by legislation, Council has the power to do all things necessary or convenient in connection with the performance of its role.

COUNCIL PLANS AND POLICIES

Council Plan 2025 – 2029 Strategic Objectives	Priorities
A Resilient and Sustainable Natural Environment	<ul style="list-style-type: none"> Embed climate change action into everything we do with a focus on decreased emissions, heat reduction and emergency management preparedness.
A Council that serves its Community	<ul style="list-style-type: none"> Undertake robust and transparent planning and risk management to ensure our organisation is sustainable now and into the future. Embed good governance practices into all decision making. Consider a broad base of evidence before making decisions, ensuring value for money and responsive, innovative services and solutions are provided.
Policies, Procedures, Guidelines, Plans, Strategies and Frameworks	
Policy	Asset Management Policy

Plan	Council Plan
	Asset Management Plan
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

Council adopted the 2026/27 Capital Works Program as part of the annual budget process. The proposed alterations preserve the adopted total allocation while updating individual projects and work-type budgets to reflect current conditions and costs.

24 June 2026 – Ordinary Council Meeting Minutes - Item 15.1 Adoption of 2026/27 Budget

OPTIONS

Retain the Capital Works Program as adopted, accepting that some treatment lengths, project priorities and externally carted material costs no longer reflect current conditions; and that Council will be unable to deliver the full scope of works adopted within the current budget allocation.

SUSTAINABILITY IMPLICATIONS

Economic	Reallocating funding from lower-priority or deferred jobs enables Council to address higher-priority failures and updated construction costs without increasing the adopted Capital Works Program budget. The revised program maintains network coverage while directing gravel, plant, labour and externally supplied materials to projects that are currently deliverable and provide the greatest benefit. Existing allocations for rural rehabilitations, kerb and channel, and footpaths are preserved.
Social	The amendments prioritise safe and reliable access for residents, school transport, agricultural operations, emergency services and freight movements. Projects assessed as serviceable for another year may be deferred so funding can be directed to roads with more immediate condition, access or safety needs.
Environmental	Works will use established road formations and existing gravel-road construction practices. Environmental impacts will be managed through appropriate sourcing and placement of gravel, drainage controls, erosion and sediment management, dust suppression and avoidance of unnecessary disturbance beyond the road reserve.
Climate Change	The proposed changes respond to increased pavement degradation associated with prolonged wet conditions. Improving pavement shape, gravel depth and drainage performance will strengthen network resilience to future wet-weather events.
Financial	The total 2026/27 Capital Works Program remains unchanged at \$4,755,473. Removing 29 jobs releases \$954,085, fully reallocated to four new jobs (\$224,652), increases to 20 existing jobs (\$522,730) and a fuel levy pool for 28 jobs (\$206,703). The net budget impact is \$0.

COMMUNITY ENGAGEMENT

Where a change materially affects adjoining landholders, agricultural access, school transport or scheduled road use, targeted communication will occur before works commence.

Council will also issue a media release if this budget allocation is adopted.

GENDER IMPACT ASSESSMENT

Not applicable

RISK

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

Strategic Risk Description and Residual Risk Level	Action to Mitigate/Reduce Risk	Does Action maintain or reduce Residual Risk Level
Financial Risk - Residual Risk Level Medium	Reallocate funding within the adopted \$4,755,473 budget, apply the fuel levy to affected projects, and use secured cartage quotations to manage cost escalation. Monitor fuel, material and freight costs throughout delivery.	Maintains Residual Risk Level
Program and Project Risk - Residual Risk Level Medium	Approve the revised project scopes, priorities and budgets; undertake pre-construction inspections and drainage checks; use suitable pavement materials; and monitor seasonal conditions and delivery progress.	Maintains Residual Risk Level
Reputational Risk - Residual Risk Level Low	Apply transparent, evidence-based project prioritisation and communicate material changes with affected landholders, school transport operators and other road users before works commence.	Maintains Residual Risk Level

REGIONAL, STATE AND NATIONAL PLANS AND POLICIES

The proposed alterations are consistent with the Victorian Road Safety Strategy 2021–2030, Road Safety Action Plan 2 and the National Road Safety Strategy 2021–2030 by prioritising works that support safer and more reliable local-road access.

The alterations also support the Victorian Freight Plan 2025–30 and the National Freight and Supply Chain Strategy by maintaining local connections used for agricultural and freight movements and improving network resilience to wet-weather deterioration and cost pressures.

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.

Did you use AI in the development of this report?	☒ YES	☐ NO
Have you reviewed the AI generated content to ensure accuracy?	☒ YES	☐ NO
How did you use AI in the development of this report?		
AI was used to assist with structure, clarity, grammar. The generated content was reviewed against the source information before finalisation.		

15.3 EXTERNAL PRIVATE WORKS POLICY

Prepared by Joel Turner, Chief Engineering Officer

SUMMARY

This report seeks Council's endorsement of the revised External Private Works Policy. The revision would allow Council, at its discretion, to undertake private works in exceptional circumstances where the works directly support the operation of Council infrastructure.

Resolution:

That Council:

- a) Rescind the version of the External Private Works Policy adopted by the Council on 22 May 2024; and
- b) Adopt the revised External Private Works Policy as attached to this report.

Moved Cr Kirk

Seconded Cr Heintze

That the recommendation be adopted.

Carried Unanimously

ATTACHMENTS

[Attachment: External Private Works Policy](#)

DISCUSSION

Background

Section 3.5 currently prohibits Council from performing private works for ratepayers or municipal residents. The proposed amendment replaces this absolute prohibition with a controlled discretion to undertake crossover works where Council determines it has the capacity and it is appropriate to do so, and where it contributes to the overall enhancement of our road network and supporting infrastructure.

The policy has also been revised to support decision-making under this change and to clarify roles and responsibilities.

Addition to Policy

3.5 External Works Requests – Ratepayers / Municipal Residents

Council will not ordinarily perform private works for ratepayers or municipal residents.

Where Council engages a contractor to undertake kerb and channel works, a ratepayer may liaise directly with that contractor if they wish to upgrade their driveway. This will be a commercial arrangement between the ratepayer and the contractor, and Council will not be a party to the arrangement.

When kerb and channel works are undertaken, Council will replace Council-owned infrastructure only. Any damage caused by Council works to existing ratepayer infrastructure, including a driveway, will be reinstated using the same or a similar material at no cost to the ratepayer. Such reinstatement is not external private work.

However, the option to provide external private works should be considered under exceptional circumstances, therefore Council Officers propose the following addition:

Council will not undertake private works for ratepayers or municipal residents except in exceptional circumstances.

Exceptional circumstances may arise where privately owned infrastructure, such as a culvert located within a property access crossover, contributes to or supports Council's drainage network. In such cases, Council may consider undertaking works on the privately owned asset where its condition has the potential to adversely impact Council infrastructure, service delivery, or operational activities.

Consideration of private works will be limited to situations where failure of the asset presents a significant risk to Council, including increased liability exposure, or where timely intervention is necessary to protect Council assets and infrastructure.

The Chief Engineering Officer is responsible for assessing all requests for private works and determining whether exceptional circumstances exist that warrant Council intervention.

Where Council agrees to undertake private works in response to an exceptional circumstance, the landowner will be responsible for all direct costs associated with the works, unless otherwise determined by Council. Any costs incurred by Council must be recovered from the landowner prior to, or as part of, the completion of the works.

Private crossover works under this clause are limited to the drainage section of the driveway and do not extend to construction or replacement of the entire driveway. For kerb and channel locations, concreting will be limited to a standard kerb and layback, with tie-ins to the existing road pavement and driveway. For open-channel locations, works will be limited to pipework, end walls and gravel tie-ins to the existing roadway and driveway.

Works approved under this clause will be charged to the ratepayer or municipal resident on a full cost-recovery basis, including labour, plant, materials, contractor costs, administration and applicable overheads. No work will commence until the required written agreement and payment arrangements have been completed.

Approval remains at Council's discretion. Council may decline a request where the work is operationally impractical, presents unacceptable risk, would affect Council priorities or service delivery, or can reasonably be undertaken through the local private market.

In addition, section 3.4 External Works Requests – Community Groups, was also updated to provide clearer examples.

RELEVANT LAW

Local Government Act 2020

COUNCIL PLANS AND POLICIES

Council Plan 2025 – 2029 Strategic Objectives	Priorities
A Council that serves its Community	<ul style="list-style-type: none"> Undertake robust and transparent planning and risk management to ensure our organisation is sustainable now and into the future. Embed good governance practices into all decision making. Build trust through engaging with our community, delivering quality services and outcomes. Consider a broad base of evidence before making decisions, ensuring value for money and responsive, innovative services and solutions are provided.
Policies, Procedures, Guidelines, Plans, Strategies and Frameworks	
Policy	Public Transparency Policy
	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

- 22 May 2024 – Ordinary Council Meeting Minutes – Item 15.10 External Private Works Policy

- 24 February 2021 - Ordinary Council Meeting Minutes – Item 15.3 External Private Works Policy

OPTIONS

Council may choose not to support the recommendation and retain the prohibition on private works. However, this would leave a risk that a resident or ratepayer may not undertake necessary works, potentially affecting Council's drainage system.

SUSTAINABILITY IMPLICATIONS

Environmental	Failure to address deteriorating private drainage infrastructure can have wider impacts on Council's drainage network, increasing the risk of localised flooding. This policy amendment enables Council to assist residents with the repair of privately owned drainage infrastructure where the works provide a broader benefit to the overall drainage system.
Financial	Residents receiving assistance under this policy will be required to enter into a formal agreement committing them to the repayment of Council's contribution.

COMMUNITY ENGAGEMENT

This policy has been revised based on community feedback and discussions with residents with problematic infrastructure.

GENDER IMPACT ASSESSMENT

Not applicable.

RISK

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

Strategic Risk Description and Residual Risk Level	Action to Mitigate/Reduce Risk	Does Action maintain or reduce Residual Risk Level
Financial Risk - Residual Risk Level Medium	While residents will be required to enter into a formal agreement before any works are undertaken, there remains a risk that repayment obligations may not be met. In such cases, Council may be required to pursue debt recovery action, increasing Council's exposure to financial risk. Given that assistance will only be provided in exceptional circumstances, this risk is expected to be limited but cannot be entirely eliminated.	Increases Residual Risk Level
Reputational Risk - Residual Risk Level Low	Failing to support residents with problematic infrastructure that impacts our drainage system can increase Council's reputational risk. Assessing and mitigating the risk by offering to undertake the works based on the terms and conditions included in the revised Policy mitigates this risk.	Maintains Residual Risk Level
Strategy Execution and Change Management Risk - Residual Risk Level Medium	Providing a provision to undertake private works under exceptional circumstances assists with the management of our drainage network.	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.

Did you use AI in the development of this report?	☒ YES	☐ NO
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Have you reviewed the AI generated content to ensure accuracy?	☒ YES	☐ NO
How did you use AI in the development of this report?		
<ul style="list-style-type: none">• Used AI to improve the clarity, tone and readability of sections of the report.• Used AI to check grammar, spelling and sentence structure.		

15.4 FINAL REPORT - GIFTING OF LAND AND RESCINDING OF LEASE - 2 WOOD STREET, RUPANYUP TO VICTORIA STATE EMERGENCY SERVICE (SES)

Prepared by Jo White, Governance Officer

SUMMARY

At its meeting on 28 January 2026, Council resolved to gift 2 Wood Street, Rupanyup, known as the Rupanyup SES Depot, to Victoria SES.

This report updates Council on the successful land transfer, execution of the Section 173 Agreement, and transfer of the title and registered agreement to Victoria SES.

The report also seeks Council approval to rescind the current lease for 2 Wood Street, Rupanyup, following the transfer of land ownership.

Resolution:

PART A

That Council:

- a) Note the status of the Gifting and Transfer of Land of 2 Wood Street, Rupanyup (Lot 1 TP893169, Volume 8392 Folio 48) to Victoria SES.

PART B

That Council:

- a) Endorse that the twenty-year Lease (commenced 01 March 2019) between Yarriambiack Shire Council and Victoria State Emergency Service for 2 Wood Street, Rupanyup be rescinded;
- b) Endorse that the gifted land parcel —2 Wood Street, Rupanyup (Lot 1 TP893169, Volume 8392 Folio 48) be deemed non-rateable under section 154(2)(c) of the *Local Government Act 1989*, on the basis that the land is used exclusively for charitable purposes. This recognises that the Victoria State Emergency Service has been accepted as a charitable organisation, as evidenced by the State Revenue Office granting exemptions from stamp duty and GST on the land transfer; and
- c) Acknowledge that the gifted land parcel at 2 Wood Street, Rupanyup (Lot 1 TP893169, Volume 8392 Folio 48) is being transferred to the Victoria State Emergency Service Authority, which is listed as exempt from paying the Emergency Services Volunteer Fund (ESVF) in the ESVF 2026–27 Manual of Operating Procedures; and
- d) Endorse that the gifted land parcel at 2 Wood Street, Rupanyup (Lot 1 TP893169, Volume 8392 Folio 48) still be subject to waste a recycling charges.

Moved Cr Lehmann

Seconded Cr Keel

That the recommendation be adopted.

Carried Unanimously

ATTACHMENTS

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

[Confidential Attachment: Fully Executed Section 173 Agreement \(Planning and Environment Act 1987\)](#)

[Confidential Attachment: Fully Executed Agreement for the Gifting and Transfer of Land - YSC and Vic SES](#)

[Confidential Attachment: Lease Agreement - 2 Wood Street, Rupanyup - Victoria State Emergency Service Authority SES](#)

[Confidential Attachment: Title Showing Transfer of Ownership and S173 Lodgement](#)

DISCUSSION

1. Background

The property was initially owned by the Country Roads Board, followed by VicRoads, which likely utilised it as a depot. Subsequently, after an operational review, the premises in Rupanyup were deemed surplus to requirements. For a considerable period, there appears to have been an arrangement allowing SES Victoria to use the facility as a base within the Dunmunkle area. In 1992, ownership of the property was transferred to the Shire of Dunmunkle, with the intention that the Dunmunkle SES Unit would continue to occupy it. Following local government amalgamations in 1995, the Shire became part of Yarriambiack Shire Council. From that time, Yarriambiack Shire Council received an annual Municipal Emergency Service Volunteer Unit Subsidy payment, which was matched by Council and subsequently provided to the Dunmunkle SES Unit. This funding arrangement concluded in 2016/17, at which point funds began to be paid directly to the Dunmunkle SES Unit.

The Yarriambiack Shire Council has continued to pay the utilities and the insurance costs for the building, with no subsidies being provided by the State Government from 2016/17. In 2025, Council negotiated that the utilities be paid by the SES.

SES Victoria has managed the building and land throughout this period, making improvements to both for the community's benefit. This support has been especially valuable during emergencies like floods, storms, bushfires, and accidents. Numerous volunteers have received training at this site, where various equipment and supplies are also stored.

2. Gifting of Land

The consideration of gifting land commenced in 2018 when SES Victoria was consulted regarding their preference for a land transfer as opposed to establishing a long-term lease, following the MAV/State Government/VICSES Memorandum of Understanding pertaining to volunteer unit facilities.

As no response was received, a long-term lease was instituted to provide secure tenure over the site and facilitate infrastructure investment.

During the current lease period, SES Victoria has completed various improvements at the premises. The most recent discussions about a potential land gift took place in November 2025 between Council and SES Victoria.

The site is surplus to Council's requirements and has been maintained solely for SES purposes, which do not constitute part of Council's core operations.

SES Victoria fully intends to maintain its presence in Rupanyup, as the location is strategically important, being north of the Dadswell's Bridge cutoff, and serves as a crucial operations base during flooding events. Council remains aware of the overhead costs tied to maintaining Council assets, including insurance and major works.

Although Council owned the land, it was not involved in the site's daily operations or development. Following community consultation in accordance with Council's Community Engagement Policy and Procedure, Councillors resolved on 28 January 2026 to transfer ownership to SES Victoria, which had expressed interest in owning, managing and maintaining the property. They also resolved to establish a Section 173 Agreement restricting the property's sale for private benefit or profit.

Background to a Section 173 Agreement

If Council is intending to gift land, it is best practice that Council would require the purchaser to agree to certain conditions or obligations attaching to the gift, such as developing the land for the intended purpose and returning the land to Council or compensating Council if the land is not developed and used for that purpose.

The most common vehicle for imposing such obligations on a purchaser is an agreement pursuant to section 173 of the *Planning and Environment Act 1987* (Section 173 Agreement). This has the advantage of imposing positive enforceable covenants on the purchaser which are recorded on the title and attached to the land, so those obligations

are binding upon any successor in title of the purchaser. Common forms of positive obligations to be included in such a Section 173 Agreement include:

- a) Not using the land for any other purpose than the intended one without Council's consent; and
- b) Returning the land to Council (at Council's option) for nominal consideration in the event the land is not developed and used for the intended purpose.

Council, as outlined above has enacted a Section 173 Agreement restricting the property's sale for private benefit or profit.

3. Land Valuation

A land valuation has been completed by a certified valuer, as required in accordance with the *Local Government Act 2020* requirements. This valuation was complete on 01 December 2025, and identified that the current market value, as is \$185,000 (one hundred and eighty-five thousand dollars) exclusive of GST and subject to vacant possession.

On 05 May 2026, a revised valuation was obtained, with the market value remaining unchanged.

Councillors endorsed to transfer ownership of the site to the SES, foregoing market value for the property, as the Council was not responsible for its initial financing and currently retains it exclusively for the benefit of the SES. The continued requirement to insure and manage risks associated with the site imposes a financial obligation on the Council, without delivering direct benefits or fulfilling a distinct purpose. This measure also aligns with the recommendations provided in the Long Term Financial Plan health check conducted by LGExperts.

4. Property Rates and Charges

Currently the land is not subject to property rates, and it is recommended that on transfer of the land to SES Victoria, in accordance with the *Local Government Act 1989*, the land remains exempt from rates. In addition, the SES is exempt from paying the Emergency Services Volunteer Fund (ESVF) as outlined in the ESVF 2026–27 Manual of Operating Procedures.

However, the land will still be the subject of Councils waste and recycling charges.

5. Confirmation of Transfer and Execution of 173 Agreement

To progress the transfer, Council engaged Hunt & Hunt Lawyers (Hunt & Hunt) on 24 March 2026, following receipt of a quotation for legal services.

On 03 June 2026, both the Section 173 Agreement and the Agreement for the Gifting and Transfer of Land were fully executed by all parties, and Council formally instructed Hunt & Hunt to proceed with the disposal of the land to Victoria SES. Russell Kennedy Lawyers were confirmed as acting on behalf of Victoria SES on 11 June 2026.

Following execution of the agreements, Hunt & Hunt advised on 14 July 2026 that the transfer documentation had been submitted to the State Revenue Office (SRO) for review and exemption from stamp duty.

On 09 September 2026, Council was advised that settlement via PEXA was expected to occur on 24 or 25 September 2026, with the Section 173 Agreement to be lodged shortly thereafter.

However, on 23 September 2026, Hunt & Hunt notified Council that settlement had been delayed due to Victoria SES finalising NIL duty verification requirements. Council subsequently contacted Victoria SES to escalate the matter and seek a revised settlement date.

On 30 September 2026, Hunt & Hunt advised that a new settlement date of 29 October 2026 had been proposed, with the possibility of settlement being brought forward to 14 October 2026.

Hunt & Hunt confirmed transfer of the Land to Victoria SES occurred on 14 October, 2026 and supplied the Electronic Instrument Statement attached to this report as validation.

Hunt & Hunt further confirmed the S173 Agreement was registered against the title on 20 October, 2026 and supplied the updated Titles attached to this report as clarification.

RELEVANT LAW

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

COUNCIL PLANS AND POLICIES

Council Plan 2025 – 2029 Strategic Objectives	Priorities
An Innovative and Diversified Economy	<ul style="list-style-type: none"> • Advocate and support agriculture, economic development and investment in our region. • 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.
A Healthy and Inclusive Community	<ul style="list-style-type: none"> • 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. • Advocate, prioritise, and invest in infrastructure that supports an accessible, inclusive, and socially connected community to improve liveability.
A Council that serves its Community	<ul style="list-style-type: none"> • Undertake robust and transparent planning and risk management to ensure our organisation is sustainable now and into the future. • Embed good governance practices into all decision making. • Advocate for our community, on matters that are important to the entire municipal district. • Build trust through engaging with our community, delivering quality services and outcomes. • Consider a broad base of evidence before making decisions, ensuring value for money and responsive, innovative services and solutions are provided.
Policies, Procedures, Guidelines, Plans, Strategies and Frameworks	
Policy	Community Engagement Policy and Procedure
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

- 10 December 2025 – Ordinary Meeting of Council Minutes - Item 15.3 Gifting of 2 Wood Street (SES Depot) to VICSES Dunmunkle
- 28 January 2026 – Ordinary Meeting of Council Minutes – Item 15.5 Gifting of 2 Wood Street (SES Depot) to Victorian State Emergency Services

OPTIONS

Council could have chosen not to gift the land to the SES; however, Council would have had to increase its compliance oversight to ensure its meeting its governance requirements in relation to the management of tenanted land and buildings.

SUSTAINABILITY IMPLICATIONS

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that the economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted.

Sustainability implications were addressed in the Council Report endorsed at the Council 28 January 2026.

There are no further sustainability implications identified in this report.

COMMUNITY ENGAGEMENT

Council sought feedback on this proposal from 11 December 2025 to 16 January 2026. The feedback encouraged people to have their say regarding if they did or did not support the proposal. There were five (5) submissions which were addressed in the minutes of the Council Meeting held 28 January 2026.

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	Gifting the land reverts the land to its original and intended purposes. This provides support to both Council and the local community in times of emergency.	Reduces Residual Risk Level
Financial Risk - Residual Risk Level Medium	Gifting the land has enabled Council to enact it's Long Term Financial Plan initiatives in regards to reducing expenditure and divest surplus assets.	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.

Did you use AI in the development of this report?	☒ YES	☐ NO
Have you reviewed the AI generated content to ensure accuracy?	☒ YES	☐ NO
How did you use AI in the development of this report?		
<ul style="list-style-type: none"> Used AI to help brainstorm the structure and key headings for the report. Used AI to improve the clarity, tone and readability of sections of the report. 		

15.5 GROUND LEASE – VICTRACK LOT 35 PATCHEWOLLOCK WITH YARRIAMBIACK SHIRE COUNCIL

Prepared by Jo White, Governance Officer

SUMMARY

In February 2017, Council entered into a five-year ground lease with VicTrack for Lot 35, Patchewollock, as a Tenant, to establish a community walking track in front of the Patchewollock Silos on Federation Street. Patche Inc would oversee the community project.

A review in January 2025 identified that the lease renewal had not been completed correctly in 2022, and neither party could locate an executed copy. At VicTrack's request, Council submitted a new application in March 2025. Although further delays occurred, the issues have now been resolved.

This report outlines the lease administration undertaken to date and seeks Council's endorsement of a ten-year lease, backdated to 02 February 2022, and its subsequent sublease to Patche Inc.

Resolution:

That Council:

- a) Endorse the Chief Executive Officer to negotiate with VicTrack for the renewed Ground Lease to be executed, providing the intent of the Ground Lease agreement is not altered, and acknowledging there were no objections received as a result of 28 days Community Consultation;
- b) Endorse the Ground Lease (as attached) between VicTrack and Yarriambiack Shire Council for the land known as Lot 35 Patchewollock;
- c) Endorse the affixing of the Common Seal to the Ground Lease in accordance with Council's Common Seal and Conduct at Meetings Local Law 2024; and
- d) Endorse the Chief Executive Officer, or her delegate, to negotiate details for a subsequent Sub Lease of Lot 35 Patchewollock between Yarriambiack Shire Council and Patche Inc.

Moved Cr Zanker

Seconded Cr Heintze

That the recommendation be adopted.

Carried Unanimously

ATTACHMENTS

[Attachment: Public Notice - Lease - VicTrack - Lot 35 Patchewollock](#)

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

[Confidential Attachment: Lease Draft - VicTrack Lot 35 Patchewollock](#)

[Confidential Attachment: Lease - Land Only Community Use 2017 - Patchewollock Lot 35 Cummings Road](#)

DISCUSSION

1. Background

On 14 December 2016, Council endorsed a five-year Ground Lease with VicTrack for Lot 35, Patchewollock, for the purpose of a walking track in front of the silos. Refer to the plan diagram at the end of this section.

Council has also been in a lease arrangement with VicTrack for the adjacent Lot 30, Patchewollock (Railway Station and Goods Shed), since 1995. Since July 2022, Lot 30

has been subject to a formal five-year Sub Lease from Council to the local progress association, Patche Inc.

Patche Inc oversees both lots, supporting community involvement and providing social, health and wellbeing benefits for residents and visitors. The annual rental charged to Council for both lots is fully reimbursed by Patche Inc.

For unknown reasons, Lot 35 has never been formally sub-leased by Council to Patche Inc. Officers aim to rectify this matter once the renewed Ground Lease is in place.

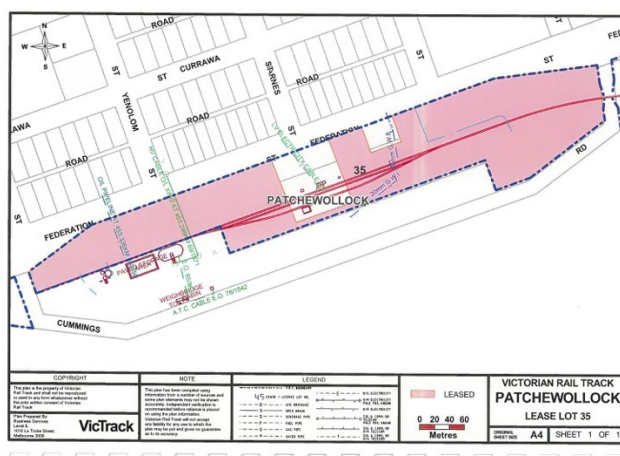
The review of the lease arrangements for Lot 35 was initiated following receipt of VicTrack's annual rental invoice in January 2025 for the forthcoming 12-month period. As part of a broader review of Council's lease portfolio, it was identified that the original lease had expired and there was no documentation confirming its renewal. The continued issuance of annual rental invoices indicated that the lease was still being treated as active, noting that unexecuted leases commonly transition into an overholding arrangement, with monthly rental invoices continuing until a new lease is formally executed. Subsequent discussions between Council and VicTrack confirmed that, while there was an expectation that the lease had previously been renewed, both parties agreed that commencing a new lease process represented the most appropriate course of action. Accordingly, a new lease application was submitted on 18 March 2025.

Over the ensuing months, progress was impacted by ongoing correspondence, organisational changes within VicTrack's Property Team, and Council's concurrent management of several lease-related matters across Warracknabeal, Woomelang and Beulah. At various times, issues relating to other lease sites, particularly those in Beulah and Warracknabeal, required priority attention, resulting in limited advancement of the Lot 35 lease application. Throughout 2026, Council adopted a more proactive approach to progressing the matter, culminating in a meeting in August 2026 between a senior VicTrack Property Manager and Council's Chief Executive Officer. Following this meeting, Council was advised that transport clearance, being the key approval gateway, had been granted on the basis of the March 2025 application and that VicTrack was preparing a new ten-year lease. Council was subsequently requested to resubmit the Lease Proforma, which was completed in early September 2026. VicTrack also advised that annual rural lease fees had increased to \$800; however, Council successfully negotiated a reduced annual rental of \$500 in recognition of the fact that the site is occupied by a not-for-profit community organisation.

A draft lease was received from VicTrack on 23 September 2026 and has since been reviewed by the Chief Executive Officer. The draft lease is considered satisfactory and suitable for progression. As the proposed lease term is equal to or exceeds ten years, Council is required to undertake community consultation in accordance with section 115 of the *Local Government Act 2020* and Council's Community Engagement Policy and Procedure.

Council Officers are now recommending that Council enter into the ten-year lease with Vic Track, and as per Vic Tracks request, the lease be back dated to 02 February 2022.

Image: Lot 35 Vic Track Lease allotment



Moving Forward

For improved governance and administrative efficiency, Council could ask VicTrack to combine Lots 30 and 35 when the Lot 30 lease is renewed in July 2027. Recent discussions indicate that VicTrack supports this approach.

Council entered into the lease arrangements for Lots 30 and 35 solely to support community use through Patche Inc. Retaining the Head Lease and administering sub-leases creates an ongoing administrative burden.

Recent discussions confirm that Patche Inc supports the proposal and is willing to lease directly from VicTrack, opposed to sub-leasing through Council. This will be explored further closer to the renewal date of Lot 30.

RELEVANT LAW

Local Government Act 2020.

COUNCIL PLANS AND POLICIES

Council Plan 2025 – 2029 Strategic Objectives	Priorities
A Council that serves its Community	<ul style="list-style-type: none"> Embed good governance practices into all decision making. Advocate for our community, on matters that are important to the entire municipal district. Build trust through engaging with our community, delivering quality services and outcomes.
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

14 December 2016 – Ordinary Council Meeting Minutes - Item 7.2 Land Lease Patchewollock (Lot 35)

OPTIONS

Council could choose not to renew the lease on VicTrack land at this time. However, VicTrack will restrict use of the land, which could impact silo viewing and other events.

SUSTAINABILITY IMPLICATIONS

Economic	Opportunity for local businesses, such as the Hotel and Local Store, with tourists stopping to enjoy the Silo Art.
Social	The lease provides an additional asset for community health and wellbeing.
Environmental	Council, VicTrack and Patche Inc work together to maintain the land to reduce environmental impacts.

COMMUNITY ENGAGEMENT

The proposed ten-year lease required a 28-day community consultation period under section 115 of the *Local Government Act 2020* and Council's Community Engagement Policy and Procedure. A public notice approved by the Chief Executive Officer was published on Council's website from 21 September until 5.00pm on 20 October 2026. Council also promoted the consultation through social media, Yarri Yarns and newspaper

articles. The notice invited feedback on whether the community supported or opposed the proposed lease renewal. A copy of the public notice is attached to this report.

At the close of the 28-day community consultation period, Council had received no submissions supporting or opposing the proposed lease renewal.

GENDER IMPACT ASSESSMENT

Not applicable.

RISK

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

Strategic Risk Description and Residual Risk Level	Action to Mitigate/Reduce Risk	Does Action maintain or reduce Residual Risk Level
Financial Risk - Residual Risk Level Medium	Council may face financial risk if the subtenant cannot meet the annual lease payment; however, this has not occurred under the existing lease arrangement.	Maintains Residual Risk Level
Reputational Risk - Residual Risk Level Low	Council has supported other communities with VicTrack leases, however, is moving away from being the head tenant in a sub-lease arrangement.	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.

Did you use AI in the development of this report?	☒ YES	☐ NO
Have you reviewed the AI generated content to ensure accuracy?	☒ YES	☐ NO
How did you use AI in the development of this report? Answer below.		
In the Background and Discussion Sections Used AI to help brainstorm the structure and key headings for the report. Used AI to improve the clarity, tone and readability of sections of the report.		

15.6 PLANNING SCHEME REVIEW

Prepared by Adam Moar, Manager Development and Environmental Services

SUMMARY

The Council, as the planning authority for the scheme, is required to review its scheme every four years under Section 12(B) of the *Planning and Environment Act 1987* (PE Act). The Minister for Planning has required Councils to submit their reviews by 31 October 2026.

Resolution:

That Council:

- a) Adopts this Planning Scheme Review; and
- b) Endorses that this Planning Scheme Review is forwarded to the Minister for Planning as evidence the Yarriambiack Shire Council, as the planning authority for Yarriambiack Planning Scheme, has met its obligations in accordance with Section 12B of the *Planning and Environment Act 1987* to review the planning scheme every four years.

Moved Cr Zanker

Seconded Cr Keel

That the recommendation be adopted.

Carried Unanimously

ATTACHMENTS

[Attachment: YSC 2026 R1 Planning Scheme Review Report - October 2026](#)

DISCUSSION

The scope of a planning scheme review is established under Section 12(B) of the PE Act and should focus on:

- The effectiveness and efficiency of the planning scheme in achieving the objectives of planning and the planning framework in Victoria.
- Aligning the planning scheme with the Ministerial Direction on the Form and Content of Planning Schemes.
- Ensuring the planning scheme contains a clear narrative about the way use and development of land will be managed to achieve the planning vision or objectives of the area.

Planning scheme reviews also provide the opportunity to:

- Align council's policy position with the planning scheme.
- Update out of date or redundant information.
- Educate and inform stakeholders about how the planning scheme works and the process by which to improve it.

This review will be forwarded to the Minister for Planning as required under section 12(B) of the Act once complete.

The last review of the Yarriambiack Planning Scheme was undertaken by Regional Planning Services within the Department of Transport and Planning through the Regional Planning Hub program in 2023. The subsequent planning scheme amendment was completed in 2025. Prior to this, the planning scheme was reviewed in 2008.

It was considered that given the short period of time between the 2023 review and this review that a high-level review by Council officers would be sufficient.

C34yari, the amendment to the planning scheme that implemented the 2023 review introduced a schedule to Clause 74.02 of the Scheme. This schedule identified the

following Further Strategic Work that Council would undertake and their current status are:

- Prepare and implement the Yarriambiack Flood Study to update the existing schedule to the Land Subject to Inundation Overlay (LSIO) and introduce a new LSIO schedule to the Flood Overlay and local flood policy to address flood plain management.

Work on this amendment continues with Climate Change modelling recently updated for inclusion into the amendment.

- Review the Yarriambiack Heritage Study Stage 2 (2014) and implement the findings into the scheme and correct heritage overlay mapping errors identified in the 2004 Planning Scheme Review Report.

The review of the heritage study has been completed with planning scheme amendment documentation being prepared to correct the mapping errors and to implement the findings of the 2024 heritage study into the Scheme.

- Prepare Structure Plans for Warracknabeal, Murtoa and Hopetoun.

Structure plans have been drafted for Warracknabeal, Murtoa and Hopetoun. They have been sent to the CFA for comment, receiving of the comments has been slow, therefore the finalisation of the plans has been delayed.

- Prepare and implement a Rural Land Use Strategy.

A scope of works will be developed for this Strategy to seek assistance from the Regional Planning Hub through its Resource Ready stream.

- Review and update the Municipal Planning Strategy (MPS) as part of the 2026-2030 Council Plan community engagement process.

The 2026-2030 Council plan has already been adopted by Council; therefore the MPS review will be delayed until the next Council Plan has been developed.

- Prepare and implement a permit trigger review of all local overlay, zone and VicSmart schedules to improve clarity, reduce triggers or introduce exemptions and correct mapping errors.

Mapping errors continue to be monitored and recorded. A complete permit trigger review will be undertaken once previous planning scheme amendments and studies as listed above have been completed. As some of the existing permit triggers would be addressed through the Flooding Amendment and the Heritage mapping amendment.

This review is not recommending any changes to the scheme at this point or updating the further strategic works list until the current active projects are completed. During any future amendment process the further strategic work list can be updated as projects are completed and implemented.

Section 12B of the Planning and Environment Act 1987 states:

(1) A planning authority which is a municipal council must review its planning scheme—

(a) no later than one year after each date by which it is required to approve a Council Plan under section 90 of the Local Government Act 2020; or

(b) within such longer period as is determined by the Minister.

(2) A planning authority which is a municipal council must also review its planning scheme at any other time that the Minister directs.

Therefore, the next Planning Scheme review is likely to be required in 2030.

RELEVANT LAW

Planning and Environment Act 1987

COUNCIL PLANS AND POLICIES

Council Plan 2025 – 2029 Strategic Objectives	Priorities
A Council that serves its Community	<ul style="list-style-type: none"> Embed good governance practices into all decision making.
Policies, Procedures, Guidelines, Plans, Strategies and Frameworks	
Other	Yarriambiack Planning Scheme

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

23 August 2023 – Ordinary Council Meeting Minutes – Item 15.6 Review of the Yarriambiack Planning Scheme

OPTIONS

SUSTAINABILITY IMPLICATIONS

Social	The Planning Scheme should be kept relevant and reflect the direction of Council. The planning scheme review is to monitor how it is performing against the current requirements set by the Department of Transport and Planning.
Climate Change	Climate change is required to be considered for every planning scheme amendment.

COMMUNITY ENGAGEMENT

This planning scheme review was not placed out for public consultation. The previous review, which this review is generally based, was also not placed out for public comment, however the associated planning scheme amendment was, as required by the *Planning and Environment Act 1987*. The planning scheme amendments associated with the current projects will be required to be exhibited for a period of 30 days through the amendment process.

GENDER IMPACT ASSESSMENT

Not applicable.

RISK

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

Strategic Risk Description and Residual Risk Level	Action to Mitigate/Reduce Risk	Does Action maintain or reduce Residual Risk Level
Reputational Risk - Residual Risk Level Low	Providing advice to the Minister to advise them that Council has met its requirements under section 12B of the <i>Planning and Environment Act 1987</i> .	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.

Did you use AI in the development of this report?	☐ YES	☒ NO
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15.7 PROPOSED CHANGE OF TRAFFIC CONDITIONS IN CAMPBELL STREET WARRACKNABEAL

Prepared by Joel Turner, Chief Engineering Officer

SUMMARY

Council has undertaken community consultation on proposed changes to traffic conditions along Campbell Street, Warracknabeal, between King Street and Lyle Street. The proposed changes respond to significant safety concerns raised by local schools and recommendations identified through a traffic safety assessment, which highlighted the need for improvements to enhance pedestrian and vehicle safety in the area.

This report seeks Council's endorsement of the proposed traffic management changes to improve safety outcomes for students, families, and the wider community.

Resolution:

That Council:

- a) Notes that community engagement regarding the proposed traffic changes on Campbell Street, Warracknabeal, between King Street and Lyle Street, has been undertaken in accordance with the requirements of Schedule 11 of the *Local Government Act 1989*, the *Local Government Act 2020*, Council's Community Engagement Policy and Procedure, and the *Road Management Act 2004*;
- b) Adopts the proposed traffic management changes to improve road user and pedestrian safety within the Warracknabeal Education Precinct, that includes the introduction of a one-way traffic arrangement on Campbell Street between King Street and Lyle Street, Warracknabeal as soon as reasonably practicable, after approvals have been granted from Department of Transport and Planning and other applicable referral authorities; and
- c) Authorises the Chief Executive Officer or her delegate to investigate and apply for funding for further safety improvements to Campbell Street following implementation of the one-way traffic arrangement to enhance public safety, including supporting Councils application as part of the Commonwealth Active Transport Fund Tranche 2 Application process.

Moved Cr Zanker

Seconded Cr Heintze

Opposed by Cr Kirk

Cr Lehmann abstained from voting on the motion

Voted for the motion: Mayor Cr McLean, Cr Zanker, Cr Heintze and Cr Keel

That the recommendation be adopted.

Carried

ATTACHMENTS

[Attachment: Campbell Street Have Your Say Summary](#)

DISCUSSION

Council undertook community consultation on a proposal to improve road user and pedestrian safety within the Warracknabeal Education Precinct through the introduction of a one-way traffic arrangement on Campbell Street between King Street and Lyle Street, Warracknabeal.

The proposal was developed in response to ongoing safety concerns raised by local schools regarding traffic congestion, pedestrian movements and conflicts between buses, vehicles and pedestrians during peak school drop-off and pick-up periods. The Education Precinct includes Warracknabeal Primary School, Warracknabeal Secondary College,

Warracknabeal Special Developmental School, Warracknabeal Early Years Centre and St Mary's Primary School.

As part of the consultation process, Council sought feedback from residents, businesses, school communities and other stakeholders on the proposed traffic changes. Feedback received was considered alongside the findings of traffic and safety assessments undertaken within the precinct.

Council has secured more than \$1 million through the Victorian Government's Safe Local Roads and Streets Program to deliver a range of road safety improvements throughout the precinct, including raised pedestrian crossings, traffic-calming measures, improved street lighting, connecting footpaths and enhanced signage. The proposed one-way arrangement on Campbell Street is intended to complement these works and support future safety improvements.

Following completion of the consultation process and consideration of the feedback received, Council Officers recommend proceeding with the introduction of a one-way traffic arrangement on Campbell Street between King Street and Lyle Street.

Expected Benefits

The proposed one-way traffic arrangement is expected to:

- Improve safety for pedestrians, students, families and motorists.
- Improve traffic flow during peak school periods.
- Reduce conflicts between buses, vehicles and pedestrians.
- Create opportunities to widen and improve the existing footpath on Campbell Street.
- Support future funding applications for additional safety improvements within the education precinct.

Council considers the proposal to be an important initiative in enhancing safety and accessibility for all users of the Warracknabeal Education Precinct.

Image of Proposed Traffic Change below:



RELEVANT LAW

- Schedule 11 of the *Local Government Act 1989*
- *Local Government Act 2020*
- *Road Management Act 2004*

COUNCIL PLANS AND POLICIES

Council Plan 2025 – 2029 Strategic Objectives	Priorities
An Innovative and Diversified Economy	<ul style="list-style-type: none"> • Advocate and support agriculture, economic development and investment in our region. • 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.
A Healthy and Inclusive Community	<ul style="list-style-type: none"> • 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. • Advocate, prioritise, and invest in infrastructure that supports an accessible, inclusive, and socially connected community to improve liveability. • Advocate and support community safety initiatives, that enhance community safety and the liveability of our communities.
A Council that serves its Community	<ul style="list-style-type: none"> • Undertake robust and transparent planning and risk management to ensure our organisation is sustainable now and into the future. • Embed good governance practices into all decision making. • Advocate for our community, on matters that are important to the entire municipal district. • Build trust through engaging with our community, delivering quality services and outcomes. • Consider a broad base of evidence before making decisions, ensuring value for money and responsive, innovative services and solutions are provided.
Policies, Procedures, Guidelines, Plans, Strategies and Frameworks	
Policy	Risk Management Manual
Plan	Asset Management Strategy
	Road Management Plan
	Footpath Hierarchy and Implementation 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

- 28 January 2026 – Ordinary Council Meeting Minutes – Item 15.7 Discontinuation of Roads
- 23 November 2022 – Ordinary Council Meeting Minutes – Item 15.2 Wombat Crossing Scott Street, Warracknabeal

- 27 January 2021 – Ordinary Council Meeting Minutes – Item 14.4 Proposed Boroopka Lane and Meral Street Closure in Lascelles

OPTIONS

Council may choose not to endorse the proposed one-way traffic arrangement. However, the significant safety risks would remain, requiring Council to consider alternative measures to mitigate pedestrian safety risks along Campbell Street and within the precinct. It is deemed that making the section between King Street and Lyle Street a one-way section of Campbell Street greatly reduces the risk to public safety.

SUSTAINABILITY IMPLICATIONS

Social	The change in traffic conditions will increase Councils ability to apply for future funding to enhance the footpath between Lyle Street and King Street – along Campbell Street. Creating greater connection and enhancing pedestrian and bike access.
Financial	The traffic changes will enable Council to access funding that would otherwise be unavailable, reducing the financial burden of addressing pavement issues along the Campbell Street footpath.

COMMUNITY ENGAGEMENT

Council encouraged residents, businesses, school communities, affected property owners and other interested parties to provide feedback on the proposal before a recommendation was presented to Council. All submissions received were considered by Council Officers before determining whether to proceed with the recommendation to implement the proposed traffic changes.

The “Have Your Say” opened on Thursday 24 September 2026 and closed at 12.00 noon on Thursday 22 October 2026.

Community consultation was undertaken in accordance with the *Local Government Act 2020*, the *Road Management Act 2004*, Schedule 11 of the *Local Government Act 1989* and Council's Community Engagement Policy and Procedure.

During the consultation period, Council received 27 submissions, comprising 19 in support of the proposal and eight opposed.

Key Themes from Community Feedback

Support for the Proposal

- Improved pedestrian and student safety, particularly during school drop-off and pick-up periods.
- Reduced congestion and traffic conflicts, including interactions between buses, vehicles and pedestrians.
- Improved traffic flow through the education precinct.
- Better pedestrian infrastructure, with several respondents highlighting the need for wider or improved footpaths, crossings and safer access for children, families, prams, bikes and scooters.
- Support for the one-way arrangement as part of the broader package of safety improvements within the precinct.

Non-support / Concerns Raised

- Traffic displacement to surrounding streets, particularly Werrigar Street, Beggs Street and O'Brien Street.
- Concern that a one-way arrangement may not address the underlying safety issues, with alternatives such as lower speeds, roundabouts, pedestrian crossings and other traffic-calming measures suggested.
- Access and parking impacts, including access to residential properties and school-related parking.

- Bus movements and intersection congestion, particularly around Campbell Street, Lyle Street and the Werrigar Street end of the precinct.
- Questions about the priority and value of the proposal, as well as concerns about driver confusion and the consultation process.

Consideration of Community Feedback

Council officers reviewed and considered all submissions received during the community consultation process. Overall, the consultation demonstrated majority support for the proposed one-way traffic arrangement, with 19 of the 27 submissions supporting the proposal. Feedback identified a number of recurring matters, including pedestrian and student safety, traffic congestion during school drop-off and pick-up periods, the condition and width of existing footpaths, bus movements, parking, turning movements at Lyle Street, and the potential redistribution of traffic to surrounding streets.

Community feedback has informed the final recommendation by highlighting matters to be considered alongside the broader safety improvements proposed for the Warracknabeal Education Precinct. In particular, submissions reinforced the importance of improved pedestrian infrastructure, including wider and improved footpaths, crossings and traffic-calming measures. Several supportive submissions also identified matters requiring consideration, including congestion and turning movements at the Campbell Street and Lyle Street intersection, drainage, parking, sight distances and potential traffic impacts on surrounding streets.

Where community feedback did not support the proposed one-way arrangement, Council officers considered the concerns raised, including potential traffic redistribution to Werrigar Street, Beggs Street and O'Brien Street, property access, parking, bus movements, possible driver confusion and whether alternative measures such as speed reductions, roundabouts, crossings or additional traffic-calming treatments would better address the identified issues.

These matters were considered alongside the traffic and safety assessments undertaken for the precinct and the broader package of funded safety improvements. On balance, having regard to the consultation feedback, identified safety issues and the intended benefits of improving pedestrian safety and traffic movement within the Education Precinct, Council officers recommend proceeding with the proposed one-way arrangement on Campbell Street between King Street and Lyle Street.

A summary of submissions is provided as an attachment.

GENDER IMPACT ASSESSMENT

Not applicable.

RISK

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

Strategic Risk Description and Residual Risk Level	Action to Mitigate/Reduce Risk	Does Action maintain or reduce Residual Risk Level
Reputational Risk - Residual Risk Level Low	Council has undertaken engagement with Schools, community and has acted to address significant safety concerns.	Reduces Residual Risk Level
Strategy Execution and Change Management Risk - Residual Risk Level Medium	The change in traffic conditions supports the overall strategy to improve road, pedestrian and cyclist safety in and around the Warracknabeal Education Precinct.	Reduces Residual Risk Level
Occupational Health and Safety Risk - Residual Risk Level Low	The change in traffic conditions will reduce the conflict between buses, vehicles, pedestrians and cyclists improving safety. It will also enable and support future funding applications to further enhance public safety in that precinct.	Reduces Residual Risk Level

Strategic Risk Description and Residual Risk Level	Action to Mitigate/Reduce Risk	Does Action maintain or reduce Residual Risk Level
Financial Risk - Residual Risk Level Medium	The change in traffic conditions will enable Council to apply for funding that would have otherwise been unavailable. This then reduces Councils reliance on own source revenue to address the safety concerns.	Reduces Residual Risk Level

REGIONAL, STATE AND NATIONAL PLANS AND POLICIES

- Safer Local Roads and Streets Programs
- Victorian Road Safety Strategy 2021-2030
- National Road Safety Strategy 2021-2030

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.

Did you use AI in the development of this report?	☐ YES	☒ NO
Have you reviewed the AI generated content to ensure accuracy?	☐ YES	☒ NO
How did you use AI in the development of this report? Answer below.		
Not applicable		

15.8 AUTOMATED WEATHER STATION WARRACKNABEAL UPDATE

Prepared by Tim Rose, Chief Operating Officer

SUMMARY

On 29 October 2025, Council authorised the Chief Executive Officer, or her delegate, to enter into a new three-year maintenance agreement with the Bureau of Meteorology to keep the Automated Weather Station at Warracknabeal Aerodrome operational. Council also resolved to seek alternative financial support for the station's future maintenance costs.

This report updates Council on progress in securing financial support for the operation of the Weather Station.

Resolution:

That Council:

- a) Notes that it has entered into a three-year maintenance agreement with the Bureau of Meteorology (as endorsed on 29 October 2025) to ensure the continued operation of the Automated Weather Station at the Warracknabeal Aerodrome;
- b) Notes that advocacy efforts undertaken by Councillors and Officers have not resulted in external funding being secured to support the ongoing operation of the weather station; and
- c) Acknowledges the significant value of the weather station to the Yarriambiack community and the important role it plays in supporting agricultural, emergency management, aviation and community needs.

Moved Cr Zanker

Seconded Cr Keel

That the recommendation be adopted.

Carried Unanimously

ATTACHMENTS

Not applicable.

DISCUSSION

Council currently has two Automated Weather Stations (AWS) within the municipality, located at the aerodromes in Hopetoun and Warracknabeal.

The Hopetoun AWS is owned and maintained by the Bureau of Meteorology (BoM) and operates under a ten-year land lease agreement with Council, expiring in 2034, which permits the station to be located on Council-owned land at the Hopetoun Aerodrome.

By contrast, the Warracknabeal AWS is owned by Council, with all servicing and maintenance obligations undertaken through an agreement with the BoM. The previous ten-year maintenance agreement commenced in 2015 and expired in September 2025.

In May 2025, the BoM approached Council regarding renewal of the maintenance agreement. Under the previous arrangement, the annual servicing cost was approximately \$12,700. The BoM advised that these costs were significantly outdated and proposed a new three-year maintenance agreement at an annual cost of \$38,701. Following negotiations regarding servicing requirements and maintenance intervals, the BoM presented Council with a revised agreement at a cost of \$27,959 per annum, with costs to increase per year.

The substantial increase in operating costs presented a significant challenge to Council.

In response, Council undertook extensive advocacy seeking financial assistance from State and Federal Government representatives, including relevant Ministers, the Victorian Emergency Management Commissioner, and a renewable energy provider.

Despite these efforts, no funding commitment was secured to support the ongoing operation of the Warracknabeal AWS.

Correspondence received from Senator the Hon Murray Watt advised that the increased servicing and maintenance costs for the Warracknabeal Aerodrome automatic weather station are due to the Bureau of Meteorology revising its budget and costing approach for the 2025-26 financial year. The correspondence further noted that, without funding from the weather station owner, the Bureau is unable to maintain third-party-owned automatic weather stations such as the Council-owned instrument in Warracknabeal.

As part of exploring alternative options, Council offered to transfer ownership of the Warracknabeal AWS to the BoM at no cost so that it could be incorporated into the national weather monitoring network. Following assessment, the BoM advised that it was unable to absorb the station into its existing program.

Despite the financial challenges, the Warracknabeal AWS provides considerable value to the Yarriambiack community. The station delivers critical local weather data that supports emergency management agencies, aviation operations, agricultural enterprises and the broader community.

Given the importance of reliable local weather monitoring, Council entered into the new three-year maintenance agreement with the BoM as endorsed on 29 October 2025. This approach ensured the Warracknabeal AWS remained operational and continues to provide vital weather data to the community, emergency services and industry sectors.

Council will continue to highlight the station's operating costs and advocate that local government should not bear the ongoing cost of maintaining this important national asset.

RELEVANT LAW

Local Government Act 2020

COUNCIL PLANS AND POLICIES

Council Plan 2025 – 2029 Strategic Objectives	Priorities
An Innovative and Diversified Economy	<ul style="list-style-type: none"> Advocate and support agriculture, economic development and investment in our region.
A Healthy and Inclusive Community	<ul style="list-style-type: none"> 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. Advocate and support community safety initiatives, that enhance community safety and the liveability of our communities.
A Resilient and Sustainable Natural Environment	<ul style="list-style-type: none"> Embed climate change action into everything we do with a focus on decreased emissions, heat reduction and emergency management preparedness.
A Council that serves its Community	<ul style="list-style-type: none"> Undertake robust and transparent planning and risk management to ensure our organisation is sustainable now and into the future. Embed good governance practices into all decision making. Advocate for our community, on matters that are important to the entire municipal district. Build trust through engaging with our community, delivering quality services and outcomes.
Policies, Procedures, Guidelines, Plans, Strategies and Frameworks	
Plan	Municipal Emergency Management 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

29 October 2026 – Ordinary Council Meeting Minutes - Item 15.8 Automated Weather Station – Warracknabeal Aerodrome.

OPTIONS

Councillors may choose not to renew the maintenance agreement when it expires.

SUSTAINABILITY IMPLICATIONS

Environmental	The loss of accurate data may cause challenges associated with agricultural practices that rely on weather forecasts. In addition, forecasting is vitally important for monitoring conditions on catastrophic fire rating days.
Financial	The significant costs associated with maintaining the AWS will result in a decrease to another area of service within Council.

COMMUNITY ENGAGEMENT

Council has undertaken advocacy efforts as outlined below to secure additional funding such as:

OUTGOING CORRESPONDENCE		
DATE	RECIPIENT	DETAILS
27/08/25	Senator the Hon Murray Watt MP	Letter - Request for Financial Assistance - Warracknabeal Aerodrome Automated Weather Station
27/08/25	Tim Wiebusch, Victorian Emergency Management Commissioner	Letter - Request for Financial Assistance - Warracknabeal Aerodrome Automated Weather Station
27/08/25	The Hon Vicki Ward MP	Letter - Request for Financial Assistance - Warracknabeal Aerodrome Automated Weather Station
27/08/25	The Hon Chris Bowen MP	Letter - Request for Financial Assistance - Warracknabeal Aerodrome Automated Weather Station
27/08/25	The Hon Josh Wilson MP	Letter - Request for Financial Assistance - Warracknabeal Aerodrome Automated Weather Station
27/08/25	Emma Kealy MP	Letter - Request for Support - Warracknabeal Aerodrome Automated Weather Station
27/10/25	Dr Anne Webster MP	Provided Dr Anne Webster MP with a copy of Senator the Hon Murray Watt's response to Council's request for financial assistance and sought her advocacy and support in pursuing funding for the Warracknabeal Automated Weather Station.
27/06/26	Rikkie-Lee Tyrrell MP	Letter - Advocacy Support Request – Warracknabeal Aerodrome Automated Weather Station

Council sought advocacy and financial assistance to address the significant increase in servicing and maintenance costs associated with the Warracknabeal Aerodrome Automated Weather Station. As an alternative, Council requested that responsibility for the station be assumed by the Bureau of Meteorology. In its advocacy, Council emphasised the station's critical role in supporting emergency management, agriculture, aviation and community safety, and highlighted the risk of decommissioning the station

and creating a substantial gap in regional weather monitoring coverage if a sustainable funding solution could not be secured.

INCOMING CORRESPONDENCE		
DATE	RECIPIENT	DETAILS
01/10/25	Senator the Hon Murray Watt MP	Response to letter: Senator the Hon Murray Watt advised that the significant increase in servicing costs for the Warracknabeal Aerodrome Automatic Weather Station resulted from the Bureau of Meteorology revising its budgeting and costing methodology for 2025-26.
09/10/25	Emma Kealy MP	Emma Kealy MP wrote to Senator the Hon Murray Watt advocating for Commonwealth assistance to support the ongoing operation of the Warracknabeal Aerodrome Automated Weather Station.
06/11/25	Emma Kealy MP	Emma Kealy MP provided Council with correspondence received from Senator the Hon Murray Watt, which advised that the Bureau of Meteorology would not assume responsibility for the Council-owned weather station and that ongoing maintenance remains the responsibility of the asset owner. The response also noted that weather forecasting services would continue to be supported through the Bureau's broader weather monitoring network and nearby observation infrastructure.
24/11/25	Dr Anne Webster MP	Dr Anne Webster MP provided Council with correspondence received from Senator the Hon Murray Watt in response to her advocacy regarding the Warracknabeal Aerodrome Automated Weather Station. In his response, he advised that the Bureau of Meteorology cannot maintain third-party-owned weather stations without funding from the asset owner and noted that Council had subsequently entered into a new maintenance agreement with the Bureau. The response further advised that weather forecasts are generated using a broad network of monitoring systems rather than a single weather station and confirmed the Bureau's ongoing commitment to supporting regional communities through its existing services and infrastructure.
04/12/25	Tim Wiebusch, Victorian Emergency Management Commissioner	Tim Wiebusch advised Council that Emergency Management Victoria (EMV) is not funded or in a position to provide financial assistance for the ongoing servicing and maintenance costs of the Warracknabeal Aerodrome Automated Weather Station. The response further advised that EMV could not assume responsibility for the station and noted that the Bureau of Meteorology cannot maintain third-party-owned weather stations without an active, funded agreement. As the matter falls within Commonwealth Government responsibilities, Council was encouraged to raise the matter with the relevant Federal Minister.

The Victorian Farmers Federation, on behalf of Wimmera Farmers has raised the matter directly with Dr Anne Webster, Federal Member for Mallee.

In addition, at the request of Yarriambiack Shire Council, the matter was raised with The Hon. David Littleproud MP on Wednesday 30 September 2026 during his visit in Horsham. Unfortunately, due to clashing with a Council Meeting and Forum, Yarriambiack could not attend, however, Horsham Rural City Council representatives raised the matter on Council's behalf.

Council Officers have also raised the complexities of this matter at several Municipal Emergency Management Planning Committee meetings, enabling engagement with neighbouring local governments, State Government and emergency response stakeholders.

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
Environmental Sustainability Risk - Residual Risk Level Medium	Maintaining the AWS may help inform environmental related services of Council and support the agricultural industry.	Maintains Residual Risk Level
Financial Risk - Residual Risk Level Medium	Council is facing financial sustainability challenges and a decision that involves expending significant resources requires careful consideration.	Increases Residual Risk Level
Reputational Risk - Residual Risk Level Low	While it is rare for Councils to own and maintain an AWS, as it is not core business, the asset is vitally important to in the broader emergency management remit. Therefore, under duress, Council is continuing to maintain the weather station for the broader benefit to the community.	Increases Residual Risk Level

REGIONAL, STATE AND NATIONAL PLANS AND POLICIES

Not applicable.

CONFLICTS OF INTEREST

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

Did you use AI in the development of this report?	☐ YES	☒ NO
Have you reviewed the AI generated content to ensure accuracy?	☐ YES	☒ NO
How did you use AI in the development of this report?		
Answer below.		
Not applicable.		

15.9 COUNCIL PLAN YEAR 2 ACTIONS UPDATE REPORT

Prepared by Tammy Smith, Chief Executive Officer

SUMMARY

Council must adopt and prepare a Council Plan for the period of at least the next four financial years after a general election. Council must also prepare a Community Vision with an outlook of at least the next 10 years. The Council Plan 2025 – 2029 was adopted on 30 June 2025 and incorporates the Municipal Health and Wellbeing Plan.

Council has delivered on its Year 1, Council Plan – Action Plan. This report is now presenting on the Year 2, Council Plan – Action Plan progress.

Resolution:

That Council:

- a) Endorse the Council Plan Year 2 Actions 2025-2029 progress update as attached to this report.

Moved Cr Kirk

Seconded Cr Keel

That the recommendation be adopted.

Carried Unanimously

ATTACHMENTS

[Attachment: Council Plan Year 2 Action Plan Progress Report as at 30 September 2026](#)

DISCUSSION

1. Background

The Council Plan 2025–2029 is a comprehensive strategic document that integrates the Community Vision, and the Municipal Public Health and Wellbeing Plan, whilst also reflecting on the Long-Term Financial Plan, and the Community Engagement Policy and Procedure. This plan was formally adopted by Council on 30 June 2025, following an extensive and inclusive community consultation process conducted in accordance with Council's Community Engagement Policy and Procedure. This process ensured that the voices and perspectives of residents, stakeholders, and community groups were actively considered in shaping the future direction of the Shire.

The Council Plan sets out four overarching strategic objectives that will guide Council's decision-making, resource allocation, and service delivery over the next four years. These objectives reflect Council's commitment to fostering a resilient, healthy, and connected community, promoting sustainable economic growth, protecting the natural environment, and upholding principles of good governance.

Each action within the Council Plan has been carefully developed to align with these strategic objectives. The actions were developed through community consultation, ensuring that they are responsive to local needs and aspirations, and that Council remains accountable and transparent in its operations.

2. Council Plan 2025-2029 Year 2 Actions Update

The Year 2 Actions were adopted on 22 July 2026 and were compiled in consultation with the Councillors and the Leadership Team and are based on the strategic objectives identified in the Council Plan.

The Year 2 Action Plan, as attached to this report outlines Council's progress against each objective.

RELEVANT LAW

The obligation for Council to prepare and maintain a Council Plan, a 10-year Community Vision, and a 10-year Long Term Financial Plan is set out in Part 4, Division 1 – Strategic Planning and Division 4 - Financial Management of the *Local Government Act 2020*.

These provisions ensure that Council's planning and financial management processes are transparent, forward-looking, and responsive to community needs.

Additionally, Council is required to develop and implement a Public Health and Wellbeing Plan, as mandated by the *Public Health and Wellbeing Act 2008*. This requirement reflects the importance of promoting and protecting the health and wellbeing of the community through strategic planning and coordinated action.

Together, these legislative frameworks provide the foundation for Council's long-term vision, strategic priorities, and commitment to the health, wellbeing, and prosperity of the Yarriambiack Shire community.

COUNCIL PLANS AND POLICIES

The Council Plan serves as the principal strategic framework for Council, establishing the key objectives and priorities that will guide Council's direction over the four-year term. These strategic objectives provide the foundation for the development of all other plans, policies, services, and activities, ensuring that every initiative undertaken is aligned with the broader vision and goals of the Shire.

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

On 30 June 2025, Council adopted the Council Plan 2025-2029.

22 July 2026 – Ordinary Council Meeting Minutes - 15.2 Council Plan Amendments, Year 1, Action Plan Close Out and Adoption of Year 2 Action Plan.

OPTIONS

Councillors could choose to continue to revise the Council Plan actions and strategic priorities.

SUSTAINABILITY IMPLICATIONS

The Council Plan is the overarching strategic document guiding the operations and future direction of Council over its four-year term. It establishes clear priorities for Council and outlines how these priorities will be resourced, both financially and through staff allocation. The Plan also incorporates measurable indicators to track progress and ensure accountability in achieving its objectives.

Central to the Council Plan are objectives focused on driving economic growth through diversification, enhancing environmental sustainability by implementing measures to reduce emissions and improve waste recovery, and delivering community wellbeing services that are vital to the health of our townships. Furthermore, the Plan emphasises the importance of robust governance, ensuring that Council consistently serves the community with transparency, integrity, and responsiveness across all areas of its operations.

COMMUNITY ENGAGEMENT

Council undertook a comprehensive community consultation process to inform the development of the Council Plan. Engagement activities included a series of community sessions held across multiple townships, with both day and evening meetings to ensure broad participation. Hard copy surveys were distributed at these sessions and made available at Yarriambiack Libraries branches, while the survey was also accessible online, resulting in 229 responses that were carefully collated and considered.

To further encourage dialogue and gather feedback, Councillors hosted 'Coffee with a Councillor' sessions in eleven townships throughout the municipality. These informal gatherings provided residents with the opportunity to discuss local priorities and share their perspectives directly with Council representatives.

Additionally, Council organised a Budget and Council Plan Roadshow servicing eleven townships across the Shire, offering residents the chance to provide in-person feedback on both the draft Budget and the Council Plan.

The draft Council Plan was also placed on public exhibition, from 03 June 2025 to 29 June 2025, inviting further community input and ensuring transparency throughout the planning process.

This extensive engagement ensured that the Council Plan reflects the diverse needs and aspirations of the Yarriambiack Shire community, and demonstrates Council's commitment to open, inclusive, and responsive governance.

No public comments or submissions were received regarding the revision of the Council Plan. Following this period of public exhibition and consultation, the revised plan was formally adopted by Council on 30 June 2025.

The Year 2 Action Plan was developed, and community engagement has occurred in accordance with Council's Community Engagement Policy and Procedure. The consultation period was open for 28 days, closing on 30 June 2026. One submission was received which contained the following feedback:

"From my perspective as a Murtoa resident, Council needs to be ready to capture future industrial growth opportunities associated with the introduction of QUBE to the region. This represents a significant opportunity that Yarriambiack Shire has not seen for many years. I believe this plan should more clearly acknowledge the potential for industrial growth and be honest with the community about the opportunities this investment may bring. Murtoa is well positioned to benefit from this growth, and Council should ensure appropriate planning is undertaken now so the Shire is prepared to support and attract future industry investment."

Council acknowledges the significant economic development and industrial growth opportunities that may arise from major future investment in the region, including investment associated with the QUBE terminal development. The draft Structure plans for Murtoa, Warracknabeal and Hopetoun all identify each town has a suitable amount of industrially zoned land for the short term but recommends Council monitors this into the medium to longer term. The Council Plan makes commitments to support economic development and investment, undertake strategic township and land-use planning, and advocate for the infrastructure, housing and workforce requirements needed to attract and support future industry growth. Council recognises the importance of being prepared to capture emerging opportunities across the Shire, including within Murtoa, and will continue to support planning initiatives that enable sustainable future investment and employment outcomes.

GENDER IMPACT ASSESSMENT

A gender impact assessment is not required for this report.

RISK

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

Strategic Risk Description and Residual Risk Level	Action to Mitigate/Reduce Risk	Does Action maintain or reduce Residual Risk Level
Corporate Governance, Compliance and Liability Risk - Residual Risk Level Low	Progress on Council Plan actions is reported quarterly in alignment with Council's Performance Management Framework. In addition, the Mayor provides an annual report on the achievement of these objectives, as required under the <i>Local Government Act 2020</i> . This approach ensures ongoing transparency and accountability in tracking Council's strategic priorities and outcomes.	Maintains Residual Risk Level
Strategy Execution and Change Management Risk - Residual Risk Level Medium	Operational resources, including dedicated staff and financial allocations, are assigned to support the achievement of Council Plan	Maintains Residual Risk Level

Strategic Risk Description and Residual Risk Level	Action to Mitigate/Reduce Risk	Does Action maintain or reduce Residual Risk Level
	objectives. This ensures that each strategic priority is adequately resourced, enabling effective implementation and delivery of Council's commitments to the community.	
Reputational Risk - Residual Risk Level Low	Quarterly reporting on Council Plan objectives and actions tracks progress and communicates updates to the community. In addition, it ensures accountability and transparency.	Maintains Residual Risk Level

REGIONAL, STATE AND NATIONAL PLANS AND POLICIES

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

- Wimmera Mallee Destination Management Plan
- Victorian Government Active Recreation Strategy
- Victorian Government Recycling Victoria
- Regional Development Economic Development Strategies
- [State Government Public Health and Wellbeing Plan 2023-2027](#)

CONFLICTS OF INTEREST

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

16 COUNCIL REPORTS FOR NOTING

16.1 FINAL REPORT SALE OF 74-76 CUMMING AVENUE, HOPETOUN (OLD DEPOT)

Prepared by Jo White, Governance Officer

SUMMARY

At the 28 January 2026 Council Meeting, Council resolved to sell the land and buildings known as 74-76 Cumming Steet, Hopetoun, Vic 3396, one of the former Council depot sites.

This report provides an update to Council in regards to the successful sale of the land, which was surplus to Council's requirements.

Resolution:

That Council:

- a) Note the outcome of the sale of 74-76 Cummings Street, Hopetoun 3396 (Lot 2 LP147375), comprising a total area of 1,543 square metres.

Moved Cr Kirk

Seconded Cr Keel

That the recommendation be adopted.

Carried Unanimously

ATTACHMENTS

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

[Confidential Attachment: Fully Signed Contract of Sale 74-76 Cumming Street, Hopetoun Vic 3396 \(includes S173 Agreement\)](#)

[Confidential Attachment: Soil Contaminant Report 74-76 Cumming Street, Hopetoun Vic 3396](#)

[Confidential Attachment: PEXA Settlement Completion Record 74-76 Cumming Street, Hopetoun Vic 3396](#)

[Confidential Attachment: Title showing transferred ownership and lodgement of S173 Agreement](#)

DISCUSSION

1. Background - 74 – 76 Cummings Street Hopetoun

This site was the former Telecom yard which Council took ownership of prior to amalgamations in approximately 1985. Council has generally used this site for the storage of bitumen emulsion and road sealing stone, of which the tank and stone storage has been moved to the old Iluka storage facility on the Hopetoun West road.

Image 1: Image identifying location of 74 – 76 Cummings Street Hopetoun



Image 2: Image identifying street view of 74 – 76 Cummings Street Hopetoun



The site was a former Council depot site, due to this a soil contamination assessment has been undertaken. It is deemed to conform to the NEPM Health-based Investigation Level Category D – Commercial/ Industrial Use (HIL-D) sites.

When reviewing the chemical findings in relation to the site's usage, none of the samples were found to exhibit concentrations exceeding the permissible NEPM HIL-D health limits.

It is noted, if Council was to sell the land, the chemical findings in relation to other *NEPM levels* (Category A – Residential/Sensitive Site Use (HIL-A), Category B – Medium to high-density Residential Use (HIL-B) and Category C – Public/ Recreational Use (HIL-C), one (1) of the soil samples was found to exhibit concentrations meeting or exceeding the permissible NEPM HIL-A, HIL-B and/or HIL-C health limits.

To mitigate the risk of the site being utilised for anything other than Commercial and Industrial use, it was recommended that Council enact a Section 173 Agreement as a condition of sale, to impose such an obligation on a purchaser.

Section 173 Agreement

As Council was intending to sell the land, it was recommended that Council require the purchaser to agree to certain conditions or obligations attaching to the sale, such as developing the land for an intended purpose and use.

The most common vehicle for imposing such obligations on a purchaser is an agreement pursuant to section 173 of the *Planning and Environment Act 1987* (Section 173 Agreement). This has the advantage of imposing positive enforceable covenants on the purchaser which are recorded on the title and attached to the land, so those obligations are binding upon any successor in title of the purchaser. Common forms of positive obligations to be included in such a Section 173 Agreement include (but not limited to):

- a) Not using the land for any other purpose than the intended one without Council's consent. This could mean outlining that the use for this land is restricted to commercial and/or industrial use.

Property Valuation and Funds Generated from the Sale

In accordance with the requirements of the *Local Government Act 2020*, a property valuation had been obtained from a person who holds the qualification or experience specified under 13DA (2) of the *Valuation of Land Act 1960* and that it is within the six-month period specified prior to the proposed sale. It should be noted that if the land is not sold within six months of the valuation report, a new valuation is required to be obtained.

The valuation for the following property concluded that the market value as of 13 October 2025, at date of valuation report issue was \$40,000 (forty thousand) excluding GST and subject to Vacant Possession.

2. Sale of Land

Council entered into a 180-day exclusive sale authority with North West Real Estate on 05 February 2026. A revised valuation was provided by Preston Rowe Paterson on 05 May 2026, confirming no change to the market value, which remained at \$40,000 excluding GST.

In July 2026, Council accepted an offer of \$40,000, and on 21 July 2026 executed a Contract of Sale incorporating a 60-day settlement period and a Section 173 Agreement.

Settlement was confirmed by Maddocks Lawyers on 21 September 2026. Following settlement, the Certificate of Title was updated to reflect the transfer of ownership and registration of the Section 173 Agreement.

RELEVANT LAW

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

COUNCIL PLANS AND POLICIES

Council Plan 2025 – 2029 Strategic Objectives	Priorities
An Innovative and Diversified Economy	<ul style="list-style-type: none"> • Advocate and support agriculture, economic development and investment in our region.
A Resilient and Sustainable Natural Environment	<ul style="list-style-type: none"> • Advocate for responsible land use, with consideration for the natural environment.
A Council that serves its Community	<ul style="list-style-type: none"> • Embed good governance practices into all decision making. • Consider a broad base of evidence before making decisions, ensuring value for money and responsive, innovative services and solutions are provided.
Policies, Procedures, Guidelines, Plans, Strategies and Frameworks	
Policy	Asset Lifecycle Policy
	Community Engagement Policy and Procedure
Plan	Long Term Financial 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

- 28 January 2026 – Ordinary Meeting of Council Minutes – Item 15.4 Proposal to Sell Land, Former Depot Sites in Hopetoun
- 26 November 2025 – Ordinary Meeting of Council Minutes – Item 15.4 Proposal to Sell Land, Former Depot Sites in Hopetoun

OPTIONS

Not applicable.

SUSTAINABILITY IMPLICATIONS

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that the economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted.

Sustainability implications were addressed in the Council Report endorsed at the Council 28 January 2026.

COMMUNITY ENGAGEMENT

Council sought feedback on this proposal from 11 December 2025 to 16 January 2026. The feedback encouraged people to have their say regarding if they did or did not support the proposal – there were 5 submissions which were addressed in the minutes of the Council Meeting held 28 January 2026.

GENDER IMPACT ASSESSMENT

Not applicable.

RISK

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

Strategic Risk Description and Residual Risk Level	Action to Mitigate/Reduce Risk	Does Action maintain or reduce Residual Risk Level
Financial Risk - Residual Risk Level Medium	Selling land helps Council achieve long-term financial sustainability by lowering asset holdings.	Reduces Residual Risk Level
Strategy Execution and Change Management Risk - Residual Risk Level Medium	Selling land enables those funds to be utilised for alternative purposes, supporting the strategic vision and objectives of the Council.	Reduces Residual Risk Level
Environmental Sustainability Risk - Residual Risk Level Medium	Ensuring a Section 173 Agreement is enacted with the sale of both properties mitigates environmental sustainability risks.	Reduces Residual Risk Level

REGIONAL, STATE AND NATIONAL PLANS AND POLICIES

Department of Health - [Managing risks associated with land contamination. Guidance for councils.](#)

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.

Did you use AI in the development of this report?	☐ YES	☒ NO
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17 PERMITS ISSUED

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

Resolution:

That Council:

Note the permits issued by Council between 01 September 2026 to 30 September 2026.

Moved Cr Keel

Seconded Cr Zanker

That the recommendation be adopted.

Carried Unanimously

Reference No	Description	Address	Date of Issue
Local Law Permits			
18-26	Murtoa Show – Conduct a Carnival	Murtoa	09/09/2026
19-26	Murtoa Events – Movie Night	Murtoa	10/09/2026
20-26	Murtoa Big Weekend – Conduct a Carnival	Murtoa	18/06/2026
21-26	YSC – Senior Citizens – Conduct a Carnival	Warracknabeal	23/09/2026
22-26	Warracknabeal A & P Society – Conduct a festival	Warracknabeal	28/09/2026
23-26	Wimmera Mallee Pyro – Discharge fireworks	Murtoa	29/09/2026
RRWP & APP Permits			
2026-13	Vehicle Crossing	Warracknabeal	07/09/2026

18 CLOSED DECISIONS TO BE RECORDED IN OPEN COUNCIL MEETING AGENDA

The following Council decisions have been made in a Closed Confidential Council Meeting and are being recorded, where appropriate, in the Agenda of an open Council meeting for public transparency.

Resolution:

That Council:

- a) Determines, pursuant to section 125(2) of the *Local Government Act 2020*, that the Resolution(s) made and outlined in the table below, while a meeting was closed to the public be made publicly available; and recorded in the public Minutes of this meeting.

Moved Cr Kirk

Seconded Cr Zanker

That the recommendation be adopted.

Carried Unanimously

Date	Item Number and Title	Decision
30 September 2026	Item 4.1 C370-2026 – Tree Trimming, Maintenance & Removal (Arboriculture Services) – Panel of Suppliers	<p>Resolution:</p> <p>That Council:</p> <ol style="list-style-type: none"> a) Endorse that Contract C370-2026 for the provision of Tree Trimming, Maintenance and Removal (Arboriculture Services) for an initial five (5) year period with an option, at Council's sole discretion, to offer a further two by one year extensions (to a maximum contract term of seven (7) years), be awarded to the suppliers listed within the attachment contained in this report. b) Endorse that the Chief Executive Officer have the option of exercising the remaining two by one-year extension options available to Council without the need to make further recommendations to Council for each remaining term. c) Endorse the affixing of the Common Seal to Contract C370-2026 in accordance with Council's Common Seal and Conduct at Meetings Local Law 2024. <p>Moved Cr Kirk Seconded Cr Lehmann</p> <p>That the recommendation be adopted.</p> <p><u>Carried Unanimously</u></p>

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

Statutory Meeting Wednesday 11 November 2026.

Wednesday 25 November 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.

Resolution:

That the Ordinary Meeting of Council is now closed at 10.32am.

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

Moved Cr Heintze

Seconded Cr Kirk

That the recommendation be adopted.

Carried Unanimously

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. C356-2026 Panel of Preferred Suppliers – Green Waste Shredding

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.