



Rural City of
Wangaratta

Minutes

For the Scheduled Council Meeting
Council Chambers, Municipal Offices
62-68 Ovens Street, Wangaratta
6:00 PM 24 February 2026

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UNCONFIRMED

Rural City of Wangaratta Live Stream

Clause 24 of the Governance Rules provides the following:

“This public meeting is being recorded to improve access to the meeting for our community. The recording will be published and will be retained by Council in accordance with Council’s legal obligations. As a visitor in the public gallery, your presence may be recorded.”

1. Acknowledgement to Country

It is my privilege to respectfully acknowledge the traditional custodians of our wonderful country.

We give our thanks to all our ancestors whose vision, determination, innovation and resilience built our prosperous inclusive and democratic country.

We acknowledge that we are the proud inheritors of this legacy, and we accept the challenge to continue to nourish and nurture our communities and we pledge to work to implement and enhance opportunities for the benefit of future generations, our children and their children into the future.

2. Opening Prayer

Almighty God, we humbly ask thee to bless and guide this council in its deliberations so that we may truly preserve the welfare of the people whom we serve. Amen

3. Present

Councillors:

Irene Grant, David Fuller, Harry Bussell, Harvey Benton, Ashlee Fitzpatrick, Allison Winters, Tania Maxwell

Officers:

Stephen Swart, Interim CEO; Marcus Goonan, Director Community and Infrastructure; Sarah Brindley, Acting Director Sustainability and Culture, Tom Coeli-Donaghy, Acting Director Corporate and Leisure

Administration:

Executive Services Coordinator; Councillor and Executive Services Support Officer

4. Absent

Councillors:

Officers:

5. Acceptance of Apologies & Granting of Leave of Absence

Order of Business

6. Citizen Ceremony

Nil

7. Confirmation of Minutes

Resolution:

(Moved: Councillor H Benton/Councillor A Fitzpatrick)

That Council read and confirm the Minutes of the Scheduled Meeting of 16 December 2025 and the Unscheduled Meeting of 17 February 2026 as a true and accurate record of the proceedings of the meetings subject to the amendment of Item 1, the acknowledgment of country from the December scheduled council meeting.

Carried

8. Conflict of Interest Disclosure

In accordance with section 130 of the Local Government Act 2020 a councillor who has a conflict of interest in respect of a matter must disclose the conflict of interest in the manner required by Council's Governance Rules and exclude themselves from the decision making process in relation to that matter, including any discussion or vote on the matter and any action in relation to the matter.

Clause 28.1 of Council's Governance Rules requires a councillor to indicate that they have a conflict of interest by clearly stating:

- (a) the item for which they have a conflict of interest; and
- (b) whether their conflict of interest is general or material; and
- (c) the circumstances that give rise to the conflict of interest.

Immediately prior to the consideration of the item in which they have a conflict of interest, a councillor must indicate to the meeting the existence of the conflict of interest and leave the meeting.

A councillor who discloses a conflict of interest and leaves a Council meeting must not communicate with any participants in the meeting while the decision is being made.

9. Reception of Petitions

9.1 Visitor Information Centre (06:39)

Meeting Type:	Scheduled Council Meeting
Date of Meeting:	24 February 2026
Author:	Executive Services Coordinator
Presenters:	Interim Chief Executive Officer

No Council officers or contractors who have provided advice in relation to this report have declared a conflict of interest regarding the matter under consideration.

Executive Summary

A petition including 29 signatures from a group of citizens from the Bendigo area has been received.

The petition requests that the Rural City of Wangaratta restores its Visitor Information Centre in Wangaratta to enhance tourist experiences in the city and surrounds.

A copy of the letter has been provided to Councillors under separate cover.

Resolution:

(Moved: Councillor H Bussell/Councillor A Fitzpatrick)

1. That the petition regarding the Visitor Information Centre be received.
2. That the petition be referred to the Chief Executive Officer for consideration and response.

Carried

Conclusion

Clause 13.3 of the Rural City of Wangaratta Governance Rules sets out how petitions are to be considered. For this petition, council may determine that it be referred to the Chief Executive Officer for consideration and response.

Attachments

- 1 Petition - Visitor Information Centre - Confidential

10. Hearing of Deputations

Presentation of Reports

For full transcript, please refer to the recording on the [Rural City of Wangaratta YouTube channel](#). Time markers are noted in (minutes:seconds) format.

11. Councillor Reports

11.1 Appointment of new CEO

Cr. I Grant Reported that:

It is my great pleasure to announce on behalf of the Rural City of Wangaratta, that we have appointed a new CEO, Matt Nelson. He will begin his duties on 13 April 2026. Mr Nelson brings more than 25 years' experience across local, state and Commonwealth government with extensive experience in, strategic leadership, advocacy, sustainable regional growth and complex project delivery. He has a long-standing professional and personal connection to Wangaratta and the North East, having worked with Council and regional partners on key initiatives including Ride High Country, Prosecco Road and the nested development project, and through his involvement in regional sport as President of the North East Bushrangers Basketball Club, which is affiliated with the Wangaratta Basketball Association. So we're really very delighted to appoint Matt Nelson to the role of CEO. I would also like to minute our deep gratitude to the interim CEO Stephen Swart for the support and assistance that he's given to council in the time that he's been interim CEO.

Officers' Reports

12. Executive Services

Nil

13. Corporate and Leisure

13.1 2025/2026 Quarter 2 Forecast Review (09:10)

Meeting Type:	Scheduled Council Meeting
Date of Meeting:	24 February 2026
Category:	Strategic
Author:	Finance Manager
Approver:	Director - Corporate & Leisure

No Council officers or contractors who have provided advice in relation to this report have declared a conflict of interest regarding the matter under consideration.

Executive Summary

This report is presented to Council to provide an update of Council's financial performance and anticipated full year financial position based on developments over Quarter Two of this financial year.

(Moved: Councillor H Benton/Councillor T Maxwell)

Resolution:

That Council approves the 2025/2026 Quarter 2 Forecast Review, including:

1. The decrease in the projected full year accounting result of \$3.78m surplus to a (\$5.69m) deficit.
2. The decrease in capital works expenditure by \$281K to \$22.37m, largely due to the deferral of the WSAC Power efficiency project to align to contract timelines.

Carried

Background

Council has completed its second quarter financial reporting process to manage and monitor its financial performance against the 2025/26 Budget.

Council's 2025/26 Quarter 2 Forecast Report indicates decreases to the forecast full year Accounting Result of **\$9.47m** and a decrease to the Adjusted Underlying Operating Result by **\$8.74m**. This is primarily driven by the payout to exit license agreement with the Co-Store and the write off of assets from prior year projects being capitalised.

Implications

Financial/Economic Implications Quarter 2 Forecast Review:

The Chief Executive Officer is of the opinion that a revised budget is not required, pursuant to Section 97(3) of the Local Government Act 2020.

Accounting Result - Unavourable decrease:

The accounting result has deteriorated from a **\$3.78m** surplus forecast at Quarter 1 to a **(\$5.69m)** deficit in the Quarter 2 Forecast, representing a total unfavourable movement of **\$9.47m**.

Adjusted Underlying Deficit – Unfavorable Increase:

The adjusted underlying operating result has deteriorated from a **(\$9.15m)** deficit forecast at Quarter 1 to a **(\$17.89m)** deficit in the Quarter 2 Forecast, representing a total unfavourable movement of **\$8.74m**.

Rural City of Wangaratta	FY25/26 Adopted Budget	FY25/26 Adopted Budget (inc carry overs)	FY25/26 Q1 Reforecast	FY25/26 Q2 Reforecast	Projected Full Year to Adopted Budget Variance
31st December 2025	\$'000	\$'000	\$'000	\$'000	\$'000
Income	99,702	101,105	91,805	87,589	(4,216)
Expenses	86,260	86,996	88,027	93,276	(5,250)
Accounting Surplus/Deficit	13,442	14,109	3,778	(5,688)	(9,466)
Add/(Less) Non-Operating	15,960	17,237	12,928	12,206	723
Adjusted Underlying Result	(2,518)	(3,128)	(9,150)	(17,893)	(8,743)
Capital Works Expenditure	23,633	25,931	22,656	22,375	281
Net Fav/(Unfav) Q2 Variance					(8,462)

Total projected income has decreased by **\$4.22m** to **\$87.59m**. This unfavorable decrease is largely due to:

Grants Operating - (\$834K) unfavourable movement due to:

- Homecare grants decreased by **(\$923k)** due to less packages being funded, this is offset by reduction to Materials and Services.
- Budgeted grant for New Years Eve event did not occur **(\$50k)**.

User Fees - (\$950k) unfavourable movement due to:

- Early Learning - **(\$419k)** not running at capacity, this is offset by less staffing requirements.
- Aged Care **(\$244k)** - Comprehensive assessments is not to the level anticipated; this is offset by less staffing requirements.

- Wangaratta Government Centre tenant vacancy has resulted in a reduction of rent of **(\$155k)**.
- Parking revenue has been reduced by **(\$138k)** to reflect current market conditions around usage of the parking app.
- Reduction in Wangaratta Sports and Aquatic Centre (WSAC) stadium hire and memberships **(\$88k)**.

Contribution – Cash Capital– (\$735k) unfavourable movement due to:

- No Development Contribution Plan (DCP) cash contributions have been received in 2025/26, consistent with the ongoing trend of developers providing in-kind contributions instead of cash payments.

Other Revenue – (131\$)k unfavourable movement due to:

- Impact on interest income due lower cash on hand from the termination of Co-Store licence **(\$99k)**.

Statutory Fees and Fines \$55k favourable movement due to:

- Additional fine income received from Victorian Electoral Commission **\$52k**.

Reimbursements \$81k favourable movement due to:

- Finalisation of prior year Natural Disaster claim paid **\$81k**.

Total expenditure has a net forecast increase of **\$5.25m** to **\$93.28m**. Overall this increase is an unfavourable movement, which is a result of the below drivers over the quarter:

Employee Benefits \$862k – favourable movement due to:

- Realisation of YTD savings via vacancies and lower staffing requirements in Aged Care and Early Learning.

Materials and Services \$1.35m – favourable movement due to:

- Home Care materials and services reduced based on packages to be delivered **\$1.15m, this is offset by Operating Grant reduction**
- Saving identified through out the organisation of **\$788k** including:
 - Reduction in plant operating expenses \$100k
 - Reduction in drainage maintenance \$100k
 - Reduction in road maintenance materials \$100k
 - Removal of panning project \$50k
- Software Licence increase **(\$100k)**
- Co-Store Licence adjustment **(\$86k)**
- Asset valuation to be completed by external valuers **(\$82k)**
- Legal Fees increase **(\$48k)**

Other Expenses – (\$7.22m) unfavourable movement due to:

- Termination of Co-Store licence agreement **(\$5.00m)**.
- Reallocation of non Council owned assets from Work in Progress, spend that has occurred is transferred from a capital to and expense item when capitalised **(\$2.14m)**.

Net gain/(loss) on sale/disposal of Property, Plant, Equipment and Infrastructure (\$1.71m) unfavourable movement due to:

- As part of the capitalisation process when assets have a remaining useful life and they are upgraded or renewed the **Written Down Value (WDV)** of these assets are written off and the cost of the renewal becomes the new WDV.

Capital Works

Expenditure of **\$6.80m** towards Council's capital works program had been spent as at **31st December 2025**, with a further **\$4.09m** of works committed.

The full year expenditure forecast has reduced by **\$281k** from the Quarter 1 Adopted Forecast. Key changes are as follows:

- Deferral of WSAC power efficiency project to following financial years - **\$280k**
- Deferral of After Hours Drop off - Domestic Animals to following financial years - **\$41k**
- Reduction of IT asset renewal - **\$30k**
- Reduction of asset renewals - **\$14k**

Additional Capital Works to be included in the forecast are as follows:

- Targoora Lighting Upgrade - correction to the funding amount advised in Q1- **\$152k**

Balance Sheet

A this point in time; Council's working capital is in a strong position at 168% due largely to Capital Works delays and carried over projects that are expected to be spent later this year.

However, when considering the Long-Term Financial Plan projections, the current working capital position is likely to deteriorate in future years. We continue to work with a financial sustainability focus to ensure all reasonable efforts are made to address any long-term impacts.

Current year rates outstanding is sitting at 52% compared to 52% same time last year. The rates receivable balance as at 31 December 2025 was \$22.35m.

Legal/Statutory

In accordance with section 94 of the Local Government Act 2020 (the Act), Council must prepare a budget for each financial year. Additionally, section 101 of the Act requires Council to apply principles of sound Financial Management. Section 97 of the Act requires the Chief Executive Officer, at least every three months, to prepare a statement comparing the budgeted financial performance with the actual performance to date and present this report to Council.

Section 181G of the Local Government Act 1989 requires that Council prepares a quarterly statement in respect of Environmental Upgrade Agreements.

Social

Social benefits of the delivery of Council services and projects are outlined in the 2025/26 Budget and in the Council Plan 2025-29.

Environmental/Sustainability Impacts

Council budgets for and delivers several projects that support its Environmental Sustainability Strategy. Refer to the Council Plan 2025-29 for further details.

Strategic Links

Council Plan 2025 – 2029

This report supports the 2025-2029 Council Plan through the following objectives and actions:

1. Strengthening our Leadership

Undertake regular and transparent reporting against Council's Adopted Budget.

Risk Management

Risk Management Framework

Risks	Likelihood	Consequence	Rating	Mitigation Action
Poor performance against budget	M	M	M	Regular monitoring and reporting of the budget position

Consultation/Communication

Consultation has been undertaken with Council Managers and the Corporate Management Team. Officers believe that appropriate consultation has occurred, and the matter is now ready for Council consideration.

Options for Consideration

1. That Council endorses the Quarter 2 Forecast Review report – recommended.
2. That Council advises of any changes to the 2025/26 Quarter 2 Forecast and proposes an alternative recommendation for changes to the 2025/26 Quarter 2 Forecast.

Conclusion

This report compares actual performance with Council's 2025/26 adopted Q1 Forecast, adopted by Council on 24 November 2025. Council's Quarter 2 Forecast Review continues to be based on the best estimates of the Organisation as to its financial outlook.

Attachments

- 1 Q2 2025_26 Finance Report 

13.2 2025-2029 Council Plan Performance Quarter 2 (October - December 2025) (15:58)

Meeting Type:	Scheduled Council Meeting
Date of Meeting:	24 February 2026
Category:	Operational
Author:	Governance Manager
Approver:	Director - Corporate & Leisure

No Council officers or contractors who have provided advice in relation to this report have declared a conflict of interest regarding the matter under consideration.

Executive Summary

This report presents the 2025-26 Quarter 2 (October – December 2025) update for the Council Plan and Actions.

Resolution:

(Moved: Councillor A Fitzpatrick/Councillor A Winters)

That Council:

1. Notes the Quarter 2 (2025-26) results for the Council Plan 2025-2026 Actions as contained in the attached reports.

Carried

Background

Council Plan Actions

Of the 37 actions relating to the 25-26 Financial year all are currently on track **(see attachment 1)**.

Of note, within the reporting period the following actions have taken place:

- 1) Council officers continue to review community facility usage resulting in Warrena Park facilities now being shared by 4 user groups
- 2) Through Victoria Health funding, we have implemented healthy eating options at Children Services Centre,
- 3) Council has been successful in attracting a Community Energy Upgrade Fund Grant of over \$0.5m from the Federal Government to transition the WSAC from gas to electric thermal heat pumps, with the project design period commencing this January.
- 4) Events growth including RegFest continuing into it's third year, launching our Hello Summer Program and delivering our NYE festivities with around 8,500 attendees.

Strategic Indicators

There are 26 Strategic Indicators for the 25-29 Council Plan. These are now reported annually and as such there is no update at this time.

Implications

Policy Considerations

There are no specific Council policies or strategies that relate to this report.

Financial/Economic Implications

There are no financial or economic implications identified for the subject of this report. Funding to deliver the actions in the Council Plan has been allocated via council's Annual Budget.

Legal/Statutory

The obligation to report on progress of delivery of the actions and priorities set out in the Council Plan actions is prescribed by the *Local Government Act 2020*.

Social and Diversity

The intended social benefits from delivering these actions are outlined in the Council Plan 2025-29.

Equity Impact Assessment (EIA)

There are no equity impacts identified for the subject of this report.

Environmental/Sustainability Impacts

The intended environmental/sustainability benefits from delivering these actions are also outlined in the Council Plan 2025-29.

Strategic Links

Council Plan 2025 – 2029

This report supports the 2025-2029 Council Plan by providing an update on the organisation's progress in implementing its actions.

Risk Management

Council risks a reputational failure by failing to adequately monitor and deliver its key objectives. By the regular reporting of its Strategic Indicators and Actions, Council can ensure the appropriate level of monitoring and transparency occurs to mitigate this risk.

Risk Management Framework

Risks	Likelihood	Consequence	Rating	Mitigation Action
Failure to proactively monitor Council's progress against it's Council Plan	2 – Unlikely	Moderate	5 – Medium	Schedule a standing bi-annual Council Meeting report.

Consultation/Communication

Council Plan actions are being progressively implemented by the appropriate officers across the organisation. The status of Council Plan actions and strategic indicators are reported to the executive management team and Audit & Risk Committee on a quarterly basis alongside other regular updates.

Officers believe that appropriate consultation has occurred and the matter is now ready for Council consideration.

Options for Consideration

There are no options for consideration.

Conclusion

The attached reports provide the community with an appropriate level of transparency on the progress of council's delivery against the actions and commitments set out in the Council Plan 2025-29.

Attachments

- 1 2025-2029 Council Plan Actions Quarter 2 - (October - December 2025) 

13.3 Instruments of Appointment and Authorisations (19:33)

Meeting Type:	Scheduled Council Meeting
Date of Meeting:	24 February 2026
Category:	Operational
Author:	Governance & Reporting Advisor
Approver:	Director - Corporate & Leisure

No Council officers or contractors who have provided advice in relation to this report have declared a conflict of interest regarding the matter under consideration.

Executive Summary

This report is presented to Council to approve the updated S11A and S11B Instruments of Appointment and Authorisations under the Planning and Environment Act 1987 and Environment Protection Act 2017 respectively.

(Moved: Councillor A Winters/Councillor H Benton)

Resolution:

In the exercise of the power conferred by s 242(2) of the Environment Protection Act 2017 and the Instrument of Delegation of the Environment Protection Authority under the Act dated 4 June 2021, the Wangaratta Rural City Council (**Council**) resolves that:

1. The members of Council staff referred to in the instrument attached be appointed and authorised as set out in the instrument; and
2. The instrument comes into force immediately once it is signed by Council's Chief Executive Officer and remains in force until Council determines to vary or revoke it.

In the exercise of the powers conferred by s 147(4) of the *Planning and Environment Act 1987*, Wangaratta Rural City Council (**Council**) resolves that: –

1. The members of Council staff referred to in the instrument attached be appointed and authorised as set out in the instrument;
2. The instrument comes into force immediately once it is signed by Council's Chief Executive Officer and remains in force until Council determines to vary or revoke it.

Carried

Background

Council regularly updates its suite of delegations to reflect changes in legislation, operational capacity and efficiency and service delivery. The specific Instruments of Appointment and Authorisations presented to Council today will ensure Council maintains suitably qualified Council representatives to undertake work and enforce provisions of the *Planning and Environment Act 1997* and the *Environment Protection Act 2017*.

Implications

Policy Considerations

There are no specific Council policies or strategies that relate to this report.

Financial/Economic Implications

There are no financial or economic implications identified for the subject of this report.

Legal/Statutory

These Instruments of Appointment and Authorisations give effect to the *Planning and Environment Act 1997* and the *Environment Protection Act 2017*.

Social and Diversity

There are no social impacts identified for the subject of this report.

Equity Impact Assessment (EIA)

There are no equity impacts identified for the subject of this report.

Environmental/Sustainability Impacts

By providing the legislative authority for Council representatives to enforce key environmental obligations under the *Planning and Environment Act 1997* and the *Environment Protection Act 2017*, Council is demonstrating its commitment to protecting the natural environment.

Strategic Links

Council Plan 2025 – 2029

This report supports the 2025-2029 Council Plan through the following objectives and actions:

Natural Environment

2.3 Increase, preserve and protect the natural environment and open spaces.

Other strategic links

This report supports the Wangaratta Environmental Sustainability Strategy, Climate Adaptation Plan and the Environmental Sustainability Strategy

Risk Management

Risks	Likelihood	Consequence	Rating	Mitigation Action
Unauthorised Council representatives enforce key provisions of legislation outlined in this report.	4 – Likely	Moderate	7 – High	Regularly updating the Instruments of Authorisation and Appointment as contained in this report in consultation with key internal stakeholders.

Consultation/Communication

Officers believe that appropriate consultation has occurred, and the matter is now ready for Council consideration.

Options for Consideration

There are nil alternative options available for councillors to consider. By endorsing the S11A and S11B Instruments Council ensures authorised officers can continue to enforce key provisions of the Planning and Environment Act and Environment Protection Act.

Conclusion

Councillors are recommended to endorse the updated S11A and S11B Instruments of Authorisation and Appointment for the Planning and Environment Act 1997 and under the EP Act respectively to ensure the currency of authorised Council representatives for the purposes of enforcing those Acts are maintained.

Attachments

- 1 S11A 
- 2 S11B 

14. Community and Infrastructure

14.1 Community Asset Committees Annual Report 2024-2025 (21:24)

Meeting Type:	Scheduled Council Meeting
Date of Meeting:	24 February 2026
Category:	Strategic
Author:	Executive Assistant - Community & Infrastructure
Approver:	Director Community and Infrastructure

No Council officers or contractors who have provided advice in relation to this report have declared a conflict of interest regarding the matter under consideration.

Executive Summary

This report is presented to Council to brief Councillors on the activities of the thirteen Community Asset Committees during 2024/25 including their expenditure on maintenance and improvements.

(Moved: Councillor H Bussell/Councillor T Maxwell)

Resolution:

That Council accepts the report on the activities of the Community Asset Committees in accordance with section 47 of the Local Government Act 2020.

Carried

Background

In alignment with the Local Government Act 2020 and the Instrument of Sub Delegation, it is now a requirement that Council Officers report to Council annually on the activities of all Community Asset Committees.

The Community Asset Committees within the municipality of the Rural City of Wangaratta are:

Bowmans-Murmungee Memorial Hall & Tennis Reserve	Myrree Soldiers Memorial Hall
Carboor Soldiers Memorial Hall & Recreation Reserve	Old Murmungee Hall
Edi Upper Hall & Recreation Reserve	Oxley Shire Hall
Eldorado Memorial Hall	Whitfield Recreation Reserve
Everton Hall and Sporting Reserve	Whorouly Memorial Park
Milawa Hall and Park	Whorouly Public Hall
Moyhu Soldiers Memorial Hall	

This mandatory annual report from the Chief Executive Officer seeks to increase the level of accountability and transparency between the Victorian State Government and Local Government.

Implications

Policy Considerations

The Council policy "Appointment to Council Committees" applies to this matter.

Financial/Economic Implications

All Community Asset Committees are provided with an annual Facility Maintenance Allowance which is based on a matrix of facility size, condition, and recreational usage. This allowance is used to facilitate improved service for volunteers and ongoing maintenance of these Council owned community assets and a reduced risk level for Council.

Legal/Statutory

Pursuant to Section 47 of the 2020 Local Government Act - Delegations by Chief Executive Officer from Local Government must report to the State Government on the activities and performance of Community Asset Committees.

Social and Diversity

Close links between Council and its Community Asset Committees create greater awareness of the needs of the local communities and the facilities being managed on Council's behalf. The responsibilities delegated to these committees promote the exchange of information and facilitate ongoing community use. The Halls are a key social connector in their rural communities, providing a place for events, activities, and sometimes safe refuge.

Equity Impact Assessment (EIA)

There are no equity impacts identified for the subject of this report.

Environmental/Sustainability Impacts

Community Asset Committees are responsible for the management of any environmental issues relating to the land upon which the facilities are situated. Council is currently reviewing the use of electricity and the potential for solar panels at the halls.

Strategic Links

Council Plan 2025 – 2029

This report supports the 2025-2029 Council Plan through the following objectives and actions:

1. Community Wellbeing

- 1.2 People feel connected and included in the community
 - 1.2.2 Provide resources to strengthen volunteering at Council Services and local community groups

4. Infrastructure & Place

- 4.3 Ensure assets are financially sustainable and fit for purpose

- 4.3.1 Explore additional efficiencies in the maintenance and repair of Council Infrastructure and assets
- 4.3.3 Encourage the sustainable use of Council and Community facilities by prioritising shared access and multi-use

Rural City of Wangaratta 2045 Community Vision

This report supports the 2045 Community Vision through the following objectives:

Places and spaces for community connection and culture
 Transport, roads and Infrastructure
 Community Safety

Risk Management

Risk Management Framework

Risks	Likelihood	Consequence	Rating	Mitigation Action
Committee of management could collapse	2	moderate	1	RCOW support

Consultation/Communication

Officers believe that appropriate consultation has occurred and the matter is now ready for Council consideration.

Options for Consideration

1. That Council accept the report on activities of the Community Asset Committees in accordance with section 47 of the Local Government Act 2020.
2. That Council ask for the report to be revised with specific additional information.

Conclusion

Community Asset Committees undertake an important function throughout the municipality and should continue to be supported by the Rural City of Wangaratta.

Attachments

- 1 Report to Council on Community Asset Committees 2024-2025 - Confidential

14.2 T14476 - Recruitment Labour Hire Services(24:09)

Meeting Type:	Scheduled Council Meeting
Date of Meeting:	24 February 2026
Author:	Director Community and Infrastructure
Presenters:	Director Community and Infrastructure

No Council officers or contractors who have provided advice in relation to this report have declared a conflict of interest regarding the matter under consideration.

Executive Summary

This report is presented to Council to seek approval for the award and execution of Contract T14476 – Recruitment Labour Hire Services, including endorsement of the full contract term and associated expenditure, which is projected to exceed the CEO's financial delegation.

Collaboration was undertaken with all relevant operational teams to ensure the recommended panel arrangement meets organisational workforce needs, supports service continuity, and aligns with procurement and financial governance requirements. Joint procurement was considered but surrounding Councils already had panels in place.

Resolution:

(Moved: Councillor H Benton/Councillor A Fitzpatrick)

That Council:

1. Awards Contract T14476 - Recruitment Labour Hire Services to:
 - a. Chandler Macleod Group
 - b. JPEX Recruitment & Labour Services
 - c. Protech Personnel Vic Pty Ltd
 - d. Julie Reid Management Pty
 - at the tendered Schedule of Rates
 - for a term of 3+1+1 years, with pricing schedules, with approximately 1.5yrs remaining on the initial contract award.
2. Notes the estimated contract cost for the maximum term is \$1,000,000 plus (excluding GST).
3. Authorises the Chief Executive Officer to re-sign and seal all the relevant contract documents for Contract T14476 - Recruitment Labour Hire Services including possible extensions.

Carried

Background

Rural City of Wangaratta (RCoW) engage a panel of recruitment agencies for the provision of recruitment and labour hire services for permanent, temporary and casual staff for indoor and outdoor work to supplement Council's existing workforce via an open tender process approved under CEO delegation.

It is now clear that the original estimated spend will be exceeded and will be over CEO delegation. Given this we are seeking approval from Council for the remaining term of this contract.

To ensure ongoing service delivery, it is crucial that the RCoW attracts, engages and retains a suitably skilled and diversified workforce to meet the human resource needs of RCoW, both now and into the future.

RCoW's workforce consists of staff engaged on a permanent, temporary and casual basis across four directorates and a wide variety of occupations and locations. To maintain quality service delivery to its customers, RCoW also requires on a regular basis the services of temporary agency staff and contractors to cover various planned and unplanned absences and workload.

Implications

Policy Considerations

Procurement Policy

Financial/Economic Implications

The estimated spend with these suppliers is captured within existing operating budgets.

Legal/Statutory

There are no legal/statutory implications identified for the subject of this report.

Social and Diversity

There are no social impacts identified for the subject of this report.

Equity Impact Assessment (EIA)

There are no equity impacts identified for the subject of this report.

Environmental/Sustainability Impacts

There are no environmental/ sustainability impacts identified for the subject of this report.

Strategic Links

Council Plan 2025 – 2029

This report supports the 2021-2025 Council Plan through the following strategic theme:

1. Infrastructure and Place

We are developing places that connect people, businesses, and neighbourhoods. Our focus is on maintaining and improving what we already have, while delivering new infrastructure to meet community needs.

- Ensure Assets are financially sustainable and fit for purpose.
- Explore additional efficiencies in the maintenance and repair of Council Infrastructure and assets.

Community Vision 2045

The content of this report supports delivery of the new Community Vision:

The Rural City of Wangaratta is a place for everyone.

We are a welcoming, connected, and caring community.

We value our urban and rural communities, ensuring shared opportunity and quality of life.

Our natural environment supports our wellbeing and forms a strong part of our cultural identity.

Our strength is our resilience and active participation in shaping a future for everyone to thrive.

Risk Management

Risks	Likelihood	Consequence	Rating	Mitigation Action
Inability to provide Council with value for money	Possible (3)	Moderate (3)	Medium (9)	Council may seek multiple quotes from the panel to ensure value for money
Unavailability of quality personal	Unlikely (2)	Moderate (3)	Medium (6)	Council evaluates all submissions to ensure quality of service

Consultation/Communication

This was a public Tender Process and no community consultation was required. Officers believe that appropriate consultation has occurred and the matter is now ready for Council consideration.

Options for Consideration

1. Award Contract T14476 – Recruitment Labour Hire Services to the four recommended providers for the term of 3+1+1 years at the tendered Schedule of Rates.
2. Council may choose not to award the contract and instead proceed to a new tender.
3. Council may opt to extend the existing labour-hire arrangements for a limited period (e.g., up to 12 months) while a revised procurement process is undertaken.
4. Council may explore delivering recruitment and labour-hire functions internally through increased staffing or new workforce models.

Conclusion

Award Contract T14476 – Recruitment Labour Hire Services to Chandler Macleod Group, JPEX Recruitment & Labour Services, Protech Personnel Vic Pty Ltd, and Julie Reid Management Pty Ltd, at the tendered Schedule of Rates, for a term of 3+1+1 years as outlined in the evaluation report.

Attachments

- 1 T14476 - Recruitment Labour Hire Services - EVALUATION REPORT - Confidential

UNCONFIRMED

15. Sustainability and Culture

15.1 C95 Amendment - Moyhu Township Development Plan - Consideration of Submissions & Next Steps in Amendment Process (27:36)

Meeting Type:	Scheduled Council Meeting
Date of Meeting:	24 February 2026
Category:	Strategic
Author:	Strategic Planning Officer
Approver:	Director of Sustainability and Culture

No Council officers or contractors who have provided advice in relation to this report have declared a conflict of interest regarding the matter under consideration.

Executive Summary

The Moyhu Township Development Plan (TDP) was adopted in 2024. Amendment C95 proposes to implement the key recommendations of the Moyhu TDP into the Wangaratta Planning Scheme, including local policy, rezoning of land and application of overlays to achieve the objectives of the plan.

This report is presented to Council to consider the submissions received and matters raised in the public exhibition process of the amendment. The report also informs and advises Council about the content of submissions, key issues raised and how issues are addressed. It further seeks Council's agreement to:

1. make changes to the exhibited amendment to respond to submissions; and
2. adopt the amendment.

Recommendation:

(Moved: Councillor H Bussell/Councillor H Benton)

That Council:

1. Considers all submissions to Amendment C95 – Moyhu Township Development Plan and makes changes to the exhibited amendment as detailed and recommended in this report and its attachments, pursuant to Sections 22 and 23 of the Planning and Environment Act, 1987;
2. Adopts Amendment C95 incorporating the changes identified in Attachments 1 and 2 of this report pursuant to Section 29 of the Act;
3. Submits Amendment C95 to the Minister for Planning for approval pursuant to Section 31 of the Act;
4. Delegates the Director of Sustainability & Culture authority to make any changes to the adopted documents and Amendment C95 as required by the Department of Transport and Planning or otherwise identified in preparation of the planning scheme amendment material.
5. Notifies all submitters to Amendment C95 of Council's decision.

Carried

Background

The Moyhu Township Development Plan was prepared and adopted by Council in 2024 to provide the town with an overall direction for growth and development. The Moyhu Township Development Plan (TDP) provides the basis for Amendment C95 and changes to the Wangaratta Planning Scheme.

What the exhibited C95 Amendment proposes:

Zoning:

- Rezone land identified in the Moyhu Township Development Plan as the Strategic Development Area from Farming Zone (FZ) and Low Density Residential Zone (LDRZ) to Township Zone (TZ) and LDRZ.
- Rezone 7 Nyberg Close from Farming Zone (FZ) to Public Use Zone 6 (PUZ6 Local Government).
- Rezone 1 Byrne Street from Township Zone (TZ) to Public Use Zone 1 (PUZ1 Service and Utility).

Overlays:

- Apply the Vegetation Protection Overlay (VPO) to the Moyhu Township Vegetation Protection Area.
- Apply the Heritage Overlay schedules 312 – 322 on various properties within Moyhu.
- Apply the Design and Development Overlay Schedule 10 to the Moyhu Township.
- Apply the Environmental Audit Overlay to 33-35 Bartley Street and 9 and 22 Byrne Street.

Planning Scheme Ordinances:

- Amending Local Policy at Clause 02.03-1 Settlement to recognise the Moyhu TDP in the Settlement hierarchy.
- Insert new Local Policy at Clause 11.01-1L-05 Moyhu Township to introduce policy objectives and strategies to achieve planning outcomes sought by the Moyhu TDP.
- Insert new Schedule 3 to Clause 42.02 Vegetation Protection Overlay to protect scattered and patches of native and other significant vegetation in the area identified by VPO maps.
- Amend the Schedule to Clause 43.01 Heritage Overlay to protect built form and heritage values for 11 additional places within Moyhu.
- Insert Schedule 10 to Clause 43.02 Design and Development Overlay to apply to the Moyhu Township to guide built form, environmental and fire safety outcomes in areas identified to facilitate residential outcomes.
- Make changes to operation provisions to accommodate the above changes.

Public Exhibition of Amendment C95

Amendment C95 was publicly exhibited formally between 20 November – 22 December 2025.

Public notification of the amendment included:

- Direct notification to prescribed Ministers, government departments and statutory authorities.
- Direct notification to approximately 115 property owners and occupiers impacted by the proposed changes.
- Display of amendment exhibition material and mapping at Council offices.
- Display of amendment exhibition material and mapping online.
- Public notices published in the Wangaratta Chronicle on 14 and 21 November and in the Victorian Government Gazette on 20 November 2025.
- Public drop-in session occurred on 27 November 2025 at the Moyhu Soldiers Memorial Hall.

Submission to Amendment C95

Council has received 5 submissions in response to the exhibition of the amendment.

Of these submissions:

- All 5 were from authorities.
- 2 fully supported the amendment and did not request any changes.
- 3 requested changes to the exhibited documents.

Key Issues

A full analysis of the submissions, along with a response and outcome is contained in **Attachment 1**.

Submissions requested the following changes:

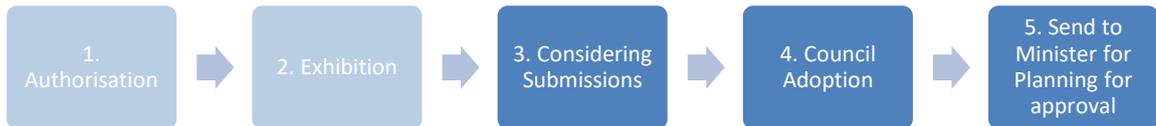
- Update of explanatory report in relation to potentially contaminated land and separation distances.
- Removal of rezoning from TZ to PUZ1 to a particular parcel of land.
- Strategies to be included/elaborated on.
- Rewording in local policy and mapping made clearer on the delivery/outcomes from this Township Development Plan (TDP).

Attachment 2 identifies updated (post exhibition) changes to exhibited documents, resolving the matters raised in these submissions.

Next Steps in the Amendment Process

The first two steps in the amendment process have been completed. This report provides

Council with the opportunity to consider the remaining steps in the amendment process.



Implications

Policy Considerations

Other relevant Council policies considered in the development of this amendment include consideration of key actions from the:

Domestic Wastewater Management Plan: in managing impacts of wastewater in the Municipality.

Environmental Sustainability Strategy: in planning for growth and particularly subdivision that reduces greenhouse gas emissions, protects the natural environment and makes efficient use of existing resources.

Walking and Cycling Strategy: which identifies recreational and offroad cycling and walking networks to improve non-vehicular transport opportunities around Moyhu township.

Financial/Economic Implications

Financial costs associated with the amendment including statutory fees and exhibition are covered by Councils operational budget.

Legal/Statutory

Amendment C95 abides by the requirements of the Planning and Environment Act 1987 and other relevant legal/statutory processes.

Social and Diversity

There are no social impacts identified for the subject of this report.

Equity Impact Assessment (EIA)

In relation to the requirements of the Gender Equity Act 2020 Planning Scheme Amendments are putting existing changes into legislation and not considered to be a policy program or service. Therefore, an Equity Impact Assessment is not required.

Environmental/Sustainability Impacts

Sustainability impacts have been considered throughout the development of the Moyhu Township Development Plan and policy implemented into the Wangaratta Planning Scheme has an obligation to consider and attempt to minimise risk to the natural environment.

Bushfire risk was considered to avoid locating new development in areas assessed as high risk at the landscape scale. Significant native vegetation was also considered by applying a Vegetation Protection Overlay over areas that contain large river red gums.

Strategic Links

Council Plan 2025 – 2029

This report supports the 2025-2029 Council Plan through the following objectives and actions:

1. Natural Environment

2.1 Mitigate the impacts of climate change and support the community to prepare for and recover from natural hazard events

2.1.4 Advocate for planning and building legislation that supports sustainable development

2.3 Increase, preserve and protect the natural environment and open spaces

2.3.1 Ensure the provision of open spaces aligns with the community needs

2. Infrastructure & Place

4.1 Plan for infrastructure, facilities and open spaces that reflect changing community and environmental needs

4.1.1 Strategically plan for growth across infrastructure, facilities and open spaces.

Rural City of Wangaratta 2045 Community Vision

This report supports the 2045 Community Vision through the following priorities:

- Places and spaces for community connection and culture
- Transport, roads and infrastructure
- Care for nature and the environment
- Local economy and employment

Other strategic links

Plan for Victoria, 2025

The Plan for Victoria will shape the strategic direction, particularly around the provision of land for residential housing and the work program of the Strategic Planning team going forward. The Plan for Victoria specifies residential housing targets to achieve between now and 2051. (For the Rural City of Wangaratta the residential housing target is set at 6000 new dwellings).

Risk Management Consultation/Communication

Level of public participation	Promises to the public/stakeholders	Tools/Techniques
Inform	To provide the public with balanced and objective information to assist them in understanding the problem, alternatives and solutions.	All required Ministers, relevant authorities, owners and occupiers directly notified of the exhibition period. Notice in the local newspaper. All submitters to be notified of Council's decision.

Involve	To work directly with the public throughout the process to ensure that public concerns and aspirations are consistently understood and considered.	Drop in session held for the community to have direct engagement with the amendment and Council staff. Post-exhibition engagement with submitters to work through issues raised in submissions and find solutions that address the matters raised.
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Consultation has occurred in accordance with the requirements of the *Planning and Environment Act, 1987*.

Options for Consideration

Option 1: Recommended Option

Make changes requested by submitters, Council to resolve to adopt the amendment and submit the amendment to the Minister for approval.

Option 2: Not Recommended

That Council considers all submissions and refers the amendment and submissions to a Planning Panel for independent review.

Option 3: Not Recommended

Abandon the amendment.

Conclusion

Planning Scheme Amendment C95 represents the implementation of a significant piece of strategic planning work into the mechanical elements of the Wangaratta Planning Scheme. This is achieved by implementing the Township Development Plan to provide a vision to guide the future development of the Moyhu Township. It should be noted this amendment is supported by the Moyhu community.

Attachments

- 1 C95 Submissions Summary 
- 2 Explanatory Report with Post Exhibition Suggested Changes (Tracked Changes) 

15.2 Planning Application 25/096 - 16 Depot Road, Bowser - Use & Development of the Land for Warehousing, including Shipping Container Storage and Store (32:10)

Meeting Type:	Scheduled Council Meeting
Date of Meeting:	24 February 2026
Category:	Strategic
Author:	Planning Coordinator
Approver:	Director of Sustainability and Culture

No Council officers or contractors who have provided advice in relation to this report have declared a conflict of interest regarding the matter under consideration.

Executive Summary

This report is presented to Council to make a determination on whether to grant or refuse a planning permit for the use and development of the land for warehousing, including shipping container storage and store at 16 Depot Road Bowser.

The subject site is located within the Farming Zone and is not affected by any overlays.

A total of 5 objections were received to the application.

A detailed officer's assessment of the application is included at **Attachment 1**.

Based on the attached officer's assessment, it is recommended that a Notice of Refusal is issued as the proposal is not considered to represent an orderly planning outcome.

The copy of the application material is also included at **Attachment 2**.

Recommendation:

(Moved: Councillor A Winters/Councillor H Benton)

That Council:

1. Issues a Notice of Refusal on the grounds set out in **Attachment 1**.

Carried

Background

This report is presented to Council to determine Planning Application PInApp25/096 as the application received 5 objections. The grounds of objection, and the officer's consideration of these are discussed in detail in the report at **Attachment 1**.

The key issues discussed later in this report and as part of the officer's assessment report include:

- Amenity
- Land use compatibility
- Rural landscape character
- Retrospective application

A detailed assessment of the application against the relevant policies and provisions of the Wangaratta Planning Scheme (the Scheme) and the *Planning and Environment Act 1987* (the Act) is included at **Attachment 1**.

Implications

Policy Considerations

Council's local planning policies (given effect by the Wangaratta Planning Scheme) are of relevance to this report. These policies are considered and addressed within this report and in the Officer's Assessment Report at **Attachment 1**.

Financial/Economic Implications

There are no specific financial implications to Council arising from this report although there may be potential costs should this matter proceed to the Victorian Civil Administrative Tribunal (VCAT).

Legal/Statutory

All procedures associated with the lodgement and assessment of this application have been carried out in accordance with the *Planning and Environment Act 1987*.

Social and Diversity

There are no social impacts identified for the subject of this report.

Equity Impact Assessment (EIA)

There are no equity impacts identified for the subject of this report.

Environmental/Sustainability Impacts

Environmental/ sustainability impacts have been considered by the application and as part of the officer's assessment.

Strategic Links

Council Plan 2025 - 2029

This report supports the Council Plan which includes the following strategic themes:

1. Community Wellbeing
2. Natural Environment
3. Economy and Tourism
4. Infrastructure and Place

Rural City of Wangaratta Community Vision 2045

This report supports the 2045 Community Vision –

The Rural City of Wangaratta is a place for everyone

We are a welcoming, connected, and caring community.

We value our urban and rural communities, ensuring shared opportunity and quality of life.
 Our natural environment supports our wellbeing and forms a strong part of our cultural identity.
 Our strength is our resilience and active participation in shaping a future for everyone to thrive.

Risk Management

It is not considered that there are any relevant risks to Council beyond those associated with standard statutory process (such as any decision being appealed at VCAT).

Risk Management Framework

Risks	Likelihood	Consequence	Rating	Mitigation Action
Appeal of decision at VCAT	Possible	Minor	Low	Appropriate representation of Council at VCAT.

Consultation/Communication

Notice of the application was given to adjoining and surrounding landowners and occupiers. To date, 5 objections have been received. Submissions have been considered as part of the assessment process.

Officers believe that appropriate consultation has occurred and the matter is now ready for Council consideration.

Options for Consideration

1. Council issues a Notice of Refusal for Planning Application PInApp25/096 (recommended).
2. Council issues a Notice of Decision to Grant a Planning Permit for Application PInApp25/096 subject to conditions.

Conclusion

The proposal is not considered to represent an orderly planning outcome as it would detrimentally impact on the visual landscape character and amenity of sensitive land uses within the area. The proposal does not provide a sympathetic design response to a township entry and is not considered to be a compatible land use within the context of the site and surrounds. Therefore, the proposal should not be supported.

Attachments

- 1 Officer report 
- 2 Application material 

16. Special Committee Reports

Nil

17. Advisory Committee Reports

Nil

UNCONFIRMED

18. Minutes of Advisory Committee Meetings

18.1 Minutes of Advisory Committee Meetings (35:13)

Meeting Type: Scheduled Council Meeting
 Date of Meeting: 24 February 2026
 Author: Councillor and Executive Services Support Officer
 Presenters: Chief Executive Officer

No Council officers or contractors who have provided advice in relation to this report have declared a conflict of interest regarding the matter under consideration.

Executive Summary

Minutes of Advisory Committee Meetings and committee reports are reported to Council for information (please refer attachments.)

Date	Meeting details	Refer
25 September 2025	Audit and Risk Committee	Attachment

Recommendation:

(Moved: Councillor A Fitzpatrick/Councillor H Benton)

That Council notes the minutes of this Advisory Committee.

Carried

Attachments

- 25 September 2025 - Audit and Risk Committee Minutes 

19. Notices of Motion

Nil

20. Urgent Business

21. Public Question Time

21.1 (36:32)	<p>Mrs G R Vincent</p> <p>Approving hundreds of housing, my question is this!! Where in heaven is all the water to service each home here in Wangaratta coming from? Lake Buffalo has never been enlarged, which should have been done 60 yrs ago! Also, sewage work, cannot take all the sewage. So where to from here?? Seems to me there are some very narrow-minded councillors in council – Shame on you all.</p> <p><i>Director Sarah Brindley responded:</i> <i>Water and sewerage services for Wangaratta are managed by North East Water. The Water supply source for Wangaratta and Glenrowan comes from a mixture of sources, including the Ovens River, Fifteen Mile Creek and groundwater. North East Water also manages sewerage services for Wangaratta through its two wastewater treatment plants. They have a Growth Servicing Plan you can view online that sets out there plans for future reticulated services provision. To plan responsibly for growth Council consults actively with North East Water and other authorities. Developers are encouraged to engage early with North East Water, and council assesses subsequent planning applications to confirm that appropriate water and sewerage systems are included. Before new dwellings are approved.</i></p>
21.2 (38:37)	<p>Mr Adrian Fox submitted the following questions:</p> <p>Question 1: PARKING MACHINE IMPLEMENTATION DATE I suggest that the planned implementation of the 10 parking machines will enable non-app users, and especially visitors & tourists who are unlikely to already have the app downloaded, to quickly work out how to otherwise pay their parking. Could you please advise the planned implementation date of the 10 parking machines?</p> <p><i>Director Sarah Brindley responded:</i> <i>The Procurement process is currently being completed. Council Officers anticipate that the installation of the machines will be completed in 2-3 months, and will be able to confirm timelines once the tender is awarded.</i></p>

	<p>Question 2: CAR PARKING PETITION RESPONSE</p> <p>I suggest that the 3 hours free parking at the costore multideck carpark will provide a welcoming boost to parking in the CBD area. Hopefully costore traders will see increased foot traffic. I guess we can wait and see if that needs to be balanced with first hour free parking across the entire CBD. All this touches on the free parking quest of the 2025 car parking petition. In regards to that petition, has council provided their final response to the petition as my recollection is that it was to be held over from the December meeting (minutes no longer accessible to confirm) to this meeting? Hopefully the CBD will see favourable outcomes likely to result from the 10 car parking machines and the multideck car park purchase with 3hr free parking. I am just wondering if they are in response the petition. Does council plan to make a further response to the 2025 parking petition?</p> <p><i>Director Sarah Brindley responded:</i></p> <p><i>The Petition regarding Parking in the Wangaratta CBD was formally received at the 25 November council meeting instructing the CEO to provide a report about the request within the petition to be considered at a future Scheduled Council Meeting.</i></p> <p><i>This report was presented to the 16 December council meeting. Council formally considered the petition and resolved to continue with paid parking in the CBD and amend the parking payment system with the installation of 10 car parking payment machines as you have referenced in your prior question. Council has taken the position that the installation of parking machines and revised parking arrangements represent the practical response to the petition's core concerns. Council will continue to monitor outcomes, including CBD usage, visitor access and trader impacts, and has stated it remains open to reviewing parking arrangements based on operational data and community feedback in the future.</i></p>
21.3	<p>Anne Dunstean asked the following questions:</p> <p>I just wanted to give some positive feedback about small differences that make our CBD look and present well. I'd like congratulate the staff on the line marking around the car parking that they've been doing. Whilst it's very small it does make an improvement. My question around that is also, was there some consideration that the carparks natural self, in relation to our beautiful trees that we have in the CBD, some of those carparks are very hard to access because they're very narrow and very close to the trees. So before line marking occurred, one would assume that you would have assessed those spaces before you painted fresh lines on the ground?</p> <p><i>Director Marcus Goonan responded:</i></p> <p><i>Council adopted a position some 5 or so years ago that we would not remove parking from the CBD so we would hold the status quo as it was. We continued with that approach, so the line marking is there as it is, and it's gone back in the same spot. When we do street upgrades which we Ovens St and Faithfull St as well. When we do that work we then kind of asses the trees and look at the parking, and that might be the only time you see the odd park move or additional work done to facilitate tree growth and those type of things. it's definitely</i></p>

	<p><i>something we're very aware of, trying to strike a balance between parking and the trees.</i></p> <p>As part of the current beautification of our CBD, is that I think we're currently moving from burgundy to grey or is the grey an undercoat? Our rubbish bin, light poles etc. are currently being painted a colour which isn't burgundy, and I don't know whether that's an undercoat or whether we are moving forward to a new colour within the CBD?</p> <p><i>Director Marcus Goonan responded:</i></p> <p><i>We have a firm design framework which quit clearly sets out the various colours our in the various areas of various things. That will have been followed. It's certainly being followed as per the urban design framework that was adopted by council probably back about the same time as we adopted the parking piece.</i></p>

22. Confidential Business

Nil

23. Closure of Meeting

The Meeting closed at 6:40 pm.