



**STRATHBOGIE SHIRE COUNCIL**

**MINUTES OF THE ORDINARY MEETING OF THE STRATHBOGIE SHIRE COUNCIL  
HELD ON TUESDAY 21 JULY 2020 AT THE EUROA COMMUNITY CONFERENCE  
CENTRE, COMMENCING AT 6.00 P.M.**

<b>Chair:</b>	Amanda McClaren (Mayor)	<i>(Lake Nagambie Ward)</i>
<b>Councillors:</b>	Robert Gardner	<i>(Lake Nagambie Ward)</i>
	Malcolm Little	<i>(Hughes Creek Ward)</i>
	John Mason	<i>(Seven Creeks Ward)</i>
	Chris Raeburn	<i>(Honeysuckle Creek Ward)</i>
	Alistair Thomson	<i>(Mount Wombat Ward)</i>
	Graeme Williams OAM	<i>(Seven Creeks Ward)</i>
<b>Officers:</b>	Julie Salomon	Chief Executive Officer (CEO)
	David Roff	Director, Corporate Operations (DCO)
	Dawn Bray	Executive Manager, Governance and Customer Service (EMGCS)
	Kristin Favaloro	Executive Manager, Communications and Engagement (EMCE)
	Kylie Dowell	Team Leader Community Relations

**Until further notice, all meetings conducted by Strathbogie Shire Council will be virtually, using Zoom, and live streamed on our website at [www.strathbogie.vic.gov.au](http://www.strathbogie.vic.gov.au). This ensures we are meeting the Victorian Government's social distancing requirements to slow the spread of coronavirus (COVID-19) and help keep our communities safe**

We encourage all community members to watch the meeting online, given we have had to close the public gallery until further notice following legal advice around how to comply with COVID-19 social distancing rules.

Questions for the Ordinary Council Meeting can still be submitted, and will be read out by the Mayor during the Public Question Time component of the meeting and responded to in the usual way by Councillors and/or Officers. A modified version of the question form will be displayed on the screen during the virtual meeting. **Questions must be submitted by 12 noon on Tuesday 21 July 2020** by emailing [info@strathbogie.vic.gov.au](mailto:info@strathbogie.vic.gov.au)

## BUSINESS

1. Welcome
2. Acknowledgement of Traditional Land Owners  
*'I acknowledge the Traditional Owners of the land on which we are meeting pay my respects to their Elders, past and present.'*
3. Apologies

Phil Howard, Director Community & Planning

4. Confirmation of Minutes of a Special Meeting of Council and the Ordinary Meeting of Council held on Tuesday 16 June 2020

***MOVED COUNCILLOR MASON, SECONDED COUNCILLOR LITTLE***

106/20 ***CARRIED***

5. Disclosure of Interests

Nil

6. Petitions

Nil

7. Reports of Mayor and Councillors and Delegates

Councillor Little

- Tree planting project in Avenel - southern approach to town. Working bees of 12 or more people. Wonderful town effort to beautify the approach into town, particularly John Hyland, who has been organizing the project.

Councillor McClaren

- Extend condolences to the community of Longwood on the passing of Max Cox and wish to send condolences to friends and family.
- Acknowledged Ms Salomon's first six months.
- Thank community and congratulate them on COVID-19 compliance and discipline. Stay safe, stay well.
- Let the community know that in partnership with VicPol that we will have signage at Goulburn Valley Highway and random checks on border with Mitchell Shire. We requested checks that were occurring on other entries into Mitchell Shire and have been successful in setting up checks.
- Other matters – July 2 webinar on Nagambie Growth Plan and thanks to community for participation in the Growth Plan and feedback.
- Launch of legends bar at Zephyrz – wall mural of all horses linked to the Nagambie area and legends of the past.

8. Public Question Time

Public Question Time will be conducted as per Strathbogie Shire Council's Meeting Procedure Local Law No. 1, Clause 32. A copy of the required form for completion and lodgment, and associated Procedural Guidelines, are attached for information.

As the questions are a permanent public record and to meet the requirements of the Privacy Act, only the initials of the person asking the question will be used together with a Council reference number.

*Questions lodged prior to the meeting and responded to at the meeting –*

**Council Ref: J&DWI: 58/2020**

1. We would like our letter dated 25th June to be tabled at the Council meeting for discussion, comment and response please
2. Why was a person behaving aggressively permitted to publicly threaten, intimidate and bully at the planning meeting held on 23<sup>rd</sup> June and not be called out?

*The Mayor read out the letter received on 25 June 2020 in relation to the proceedings at the Planning Committee meeting.*

*The Chair of Council's Planning Committee, Councillor Malcolm Little, provided the following response:*

*In relation to the specific matters raised in relation to the meeting, the following is advised:*

1. *All speakers to an application are given 3 minutes to put forward their case. Planning matters such as this are very sensitive and do result in a heightened emotional state for some parties. The applicant does have the right to speak to the application, and councillors cannot direct anyone on what can and cannot be said, provided they are working within the bounds of the law.*
2. *Decisions in matters such as this are not made lightly, and all relevant information and legislation is taken into due consideration. This includes the position of the referral authority (being Department of Environment, Land, Water and Planning (DELWP) in this instance), the relevant planning considerations and the submitters, in accordance with Section 60 of the Planning and Environment Act 1987.*
3. *Council officers notify all parties to an application of the time and date of the meeting as soon as they are able to. In this case, formal notification of the time and date of the meeting was sent on 16 June 2020, but it had been informally notified prior to that date. Go Nagambie were a submitter to the application and were afforded the same opportunity to speak to the matter as were objectors. The order of speakers was determined by timing of the request to speak. In this case, Go Nagambie was the first request to speak received by officers.*



8. Public Question Time (cont.)

Council Ref: J&DWI: 58/2020 (cont.)

*In relation to the specific matters raised in relation to the process in your email, the following is advised:*

- 1. Council is not in a position to provide comment on information provided by the Elloura sales assistant.*
- 2. Notification of the application was sent out in accordance with the Planning and Environment Act 1987, however, any person wishing to submit to the application is able to up until such time as a decision is made. Objections were lodged up until the time the decision was made, and all registered submitters have been provided with a copy of the Notice of Decision and are afforded all the relevant appeal rights.*
- 3. Council is only able to consider objectors to an application if they are in writing. This is a requirement of Section 57(2) of the Planning and Environment Act 1987 which states that an objection must be in writing. This is a legislated requirement Council is unable to vary.*
- 4. Council officers do try to facilitate a mediated outcome where possible, but the restrictions in place due the Covid-19 situation placed significant limitations on how that could be undertaken. However, a site inspection and an opportunity to speak to council prior to the meeting was provided, as well as the opportunity to present at the meeting itself.*
- 5. Shared conversations would only be available should an applicant and objector both agree to do so. Council officers cannot insist on this but do try to provide all parties with an opportunity to be heard throughout the process.*
- 6. Council meetings are a legal requirement for a decision in these sorts of cases, and officers provide a recommendation to Council for their consideration. All matters are taken seriously, and councillors make a concerted effort to fully inform themselves on all relevant matters when making a decision.*

*In addition to the answers to the specific questions raised, I would also like to request that council officers provide a written response on this matter to provide the [REDACTED] with details on the processes involved in planning matters.*

9. Reports of Council Officers

- 9.1 Climate Change
- 9.2 Infrastructure
- 9.3 Private Enterprise
- 9.4 Public Institutions
- 9.5 Housing and Recreation
- 9.6 Tourism
- 9.7 Organisation

10. Notices of Motion

11. Urgent Business

12. Closure of the Meeting to the Public

13. Confirmation of 'Closed Portion' Decision/s

An audio recording of this meeting is being made for the purpose of verifying the accuracy of the minutes of the meeting, as per Local Law No. 1 - Meeting Procedure (2014) or as updated from time to time through Council Resolution

Council does not generally permit individuals to make audio recordings of meetings. Individuals are required to make a written request addressed to the Council (Director, Corporate Operations) should they seek to obtain permission to do so.

**NEXT MEETING**

The next Ordinary Meeting of the Strathbogie Shire Council is scheduled to be held on Tuesday 18 August 2020, at the Euroa Community Conference Centre, commencing at 6.00 p.m.





Council Ref. .... / 2020

## Public Question Time Form Ordinary Council Meeting

Strathbogie Shire Council has allocated a time for the public to ask questions in the business of an Ordinary Meeting of the Council.

### How to ask a question:

Questions submitted to Council must be:

- (a) in writing, state the name, address and telephone number of the person submitting the question and generally be on this form, approved by Council; and
- (b) submitted to Council in person or electronically.

The Chair may refrain from reading a question or having a question read if the person who submitted the question is not present in the gallery at the time when the question is due to be read. Please refer to the back of this form for procedural guidelines.

Question/s: (please print clearly with a maximum of 25 words)

1.....  
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2.....  
.....  
.....  
.....  
.....

Name: .....

Address: .....

Telephone Number: .....

Signature: (signature not required if submitted by email) .....

Date of Ordinary Council Meeting: .....

**Privacy Declaration:** Personal information is collected on this form to allow Council to undertake follow-up / response and to confirm identity for future reference where necessary. The questioner's initials only, together with a question reference number, will be included in Council's Minutes. Council Minutes are a public document which will be published on Council's Website and are available for public scrutiny at any time. Other personal details included on this form will not be included in the Minutes and will be kept for Council reference only, unless disclosure is required for law enforcement purposes or under any other statutory requirement.

A handwritten signature in black ink, consisting of a stylized 'C' followed by a series of loops and a final flourish.

### Public Question Time - Procedural Guidelines

#### Question Time

- (1) There must be a public question time at every Ordinary meeting to enable members of the public to submit questions to Council.
- (2) Sub-clause (1) does not apply during any period when a meeting is closed to members of the public in accordance with section 89(2) of the Local Government Act 1989 (the Act).
- (3) Public question time will not exceed in duration any time limit imposed by the Chairperson, in the Chairperson's discretion in order to ensure that Council has sufficient time in which to transact Council business.
- (4) Questions submitted to Council must be:
  - a) in writing, state the name and address of the person submitting the question and generally be in a form approved or permitted by Council; and
  - b) submitted to Council in person or electronically.
- (5) No person may submit more than 2 questions at any 1 meeting.
- (6) If a person has submitted 2 questions to a meeting, the second question:
  - a) may, at the discretion of the Chair, be deferred until all other persons who have asked a question have had their questions asked and answered; or
  - b) may not be asked if the time allotted for public question has expired.
- (7) The Chair, a Councillor or a member of Council staff nominated by the Chair may read to those present at the meeting a question which has been submitted in accordance with this clause.
- (8) Notwithstanding sub-clause (6), the Chair may refrain from reading a question or having a question read if the person who submitted the question is not present in the gallery at the time when the question is due to be read.
- (9) A question may be disallowed by the Chair if the Chair determines that it:
  - a) relates to a matter outside the duties, functions and powers of Council;
  - b) is defamatory, indecent, abusive, offensive, irrelevant, trivial or objectionable in language or substance;
  - c) deals with a subject matter already answered;
  - d) is aimed at embarrassing a Councillor or a member of Council staff;
  - e) relates to personnel matters;
  - f) relates to the personal hardship of any resident or ratepayer;
  - g) relates to industrial matters;
  - h) relates to contractual matters that are commercial in confidence;
  - i) relates to proposed developments;
  - j) relates to legal advice;
  - k) relates to matters affecting the security of Council property; or
  - l) relates to any other matter which Council considers would prejudice Council or any person.
- (10) Any question which has been disallowed by the Chair must be made available to any other Councillor upon request.
- (11) All questions and answers must be as brief as possible, and no discussion may be allowed other than by Councillors for the purposes of clarification.
- (12) Like questions may be grouped together and a single answer provided.
- (13) The Chair may nominate a Councillor or the Chief Executive Officer to respond to a question.
- (14) A Councillor or the Chief Executive Officer may require a question to be put on notice. If a question is put on notice, a written copy of the answer will be sent within 14 days to the person who asked the question.
- (15) A Councillor or the Chief Executive Officer may advise Council that it is his or her opinion that the reply to a question should be given in a meeting closed to members of the public. The Councillor or Chief Executive Officer (as the case may be) must state briefly the reason why the reply should be so given and, unless Council resolves to the contrary, the reply to such question must be so given.

## REPORTS INDEX

		Page No.
<b>9.</b>	<b>REPORTS</b>	
<b>9.1</b>	<b>Climate Change</b>	
<b>9.2</b>	<b>Infrastructure</b>	
<b>9.3</b>	<b>Private Enterprise</b>	
<b>9.4</b>	<b>Public Institutions</b>	
<b>9.5</b>	<b>Housing and Recreation</b>	
<b>9.6</b>	<b>Tourism</b>	
<b>9.7</b>	<b>Organisation</b>	
9.7.1	2017-2021 Shire of Strathbogie Council Plan (2019 Review) - Fourth Quarter Report ~ 1 April to 30 June 2020	1
9.7.2	Royal Commission into National Natural Disaster Arrangements	37
9.7.3	Cancellation and Rescheduling of the 30 June Council Meeting	45
9.7.4	Draft Governance Rules	48
9.7.5	Draft Local Law No 1 – Use of the Common Seal 2020	126
9.7.6	Goulburn Broken Greenhouse Alliance Representative	139
9.7.7	Strathbogie Shire Council Community Local Law No.6 (2010) Review – Amended Process	142
9.7.8	Business Management System	145
<b>10.</b>	<b>NOTICES OF MOTION</b>	165
	Nil	
<b>11.</b>	<b>URGENT BUSINESS</b>	165
	Nil	
<b>12.</b>	<b>CLOSURE OF MEETING TO THE PUBLIC</b>	165
	Nil	
<b>13.</b>	<b>CONFIRMATION OF 'CLOSED PORTION' DECISION/S</b>	165
	N/A	



<b>9.7</b>	<b>Organisation Reports Index</b>	
9.7.1	2017-2021 Shire of Strathbogie Council Plan (2019 Review) - Fourth Quarter Report ~ 1 April to 30 June 2020	1
9.7.2	Royal Commission into National Natural Disaster Arrangements	37
9.7.3	Cancellation and Rescheduling of the 30 June Council Meeting	45
9.7.4	Draft Governance Rules	48
9.7.5	Draft Local Law No 1 – Use of the Common Seal 2020	126
9.7.6	Goulburn Broken Greenhouse Alliance Representative	139
9.7.7	Strathbogie Shire Council Community Local Law No.6 (2010) Review – Amended Process	142
9.7.8	Business Management System	145



## 9. REPORTS

### 9.7 ORGANISATION

#### 9.7.1 2017-2021 Shire of Strathbogie Council Plan (2019 Review) - Fourth Quarter Report ~ 1 April to 30 June 2020

Responsible Director: Director, Corporate Operations

##### ***EXECUTIVE SUMMARY***

Quarterly reports are presented to Council to provide an update on the status of the Key Strategies of the 2017-2021 Council Plan, following its annual review in 2019. The Key Strategies of the Plan have been reviewed and progress updated, and details are provided in the attached report for the fourth quarter period; April to June 2020.

***MOVED COUNCILLOR LITTLE, SECONDED COUNCILLOR MASON***

***That Council note the fourth quarter Council Plan (2019 review) report.***

***107/20 CARRIED***

##### ***PURPOSE***

That Council note the progress report for the fourth quarter (April to June 2020) following the 2019 review of the 2017-2021 Council Plan.

##### ***KEY ISSUES AND DISCUSSION***

The 2017-2021 Shire of Strathbogie Council Plan was adopted by Council at a Special Council meeting held on Tuesday 27 June 2017. The 2019 review of the 2017-2021 Shire of Strathbogie Council Plan was adopted by Council at a Special Council Meeting held on Tuesday 25 June 2019.

The 2019 Review of the 2017-2021 Shire of Strathbogie Council Plan has, in summary:

Eighty-seven (87) Actions, comprising -

- > Goal 1 - *To enhance community health and wellbeing*
  - *Plan to improve community health wellbeing and liveability ~ 11 Actions*
  - *Engage and participate with the community in Council / Community initiatives ~ 3 Actions*
  - *Enhance Community resilience, including supporting and increasing the participation of volunteers ~ 6 Actions*
  - *Support and drive community, arts and cultural events ~ 2 Actions*
- > Goal 2 - *To sustainably manage our natural and built environment*
  - *To promote and support sustainable environmental initiatives ~ 8 Actions*
  - *Mitigate and adapt to a changing climate ~ 5 Actions*
  - *Protect and enhance our natural environmental assets ~ 3 Actions*
  - *Protect and enhance our built environment ~ 2 Actions*
  - *Provide efficient and effective waste management programs ~ 2 Actions*

9.7.1 2017-2021 Shire of Strathbogie Council Plan (2019 Review)  
- Fourth Quarter Report ~ 1 April to 30 June 2020 (cont.)

- > *Goal 3 - To provide quality infrastructure*
  - *Provide best practice management of all assets including roads, bridges and facilities ~ 4 Actions*
  - *Provide passive and active recreational facilities ~ 9 Actions*
- > *Goal 4 - To support and deliver economic development*
  - *Promote and support local business and produce ~ 3 Actions*
  - *Support tourism and business development ~ 7 Actions*
  - *Prove innovative and sustainable land use planning ~ 5 Actions*
  - *Attract new residents ~ 2 Actions*
  - *Grow investment and employment opportunities ~ 1 Action*
- > *Goal 5 - To be a high performing Shire*
  - *To proactively develop and deliver quality services that achieve high customer satisfaction ~ 1 Action*
  - *Continue to focus on operational efficiencies ~ 6 Actions*
  - *Continue to create a secure investment environment through sound financial management ~ 2 Actions*
  - *To be equitable and fair in all decision making processes ~ 2 Actions*
  - *To communicate and engage effectively with our community and key stakeholders ~ 3 Actions*

Of these Actions -

- 46 Actions are listed for completion in 2019/2020.
- 41 Actions are spread over the remaining two terms of the Council Plan (2019-2021), with completion by June 2021

**COMMUNITY ENGAGEMENT**

Following the 2019 review of the 2017-2021 Council Plan, the Plan was placed on public exhibition for community members to review and provide comments on. The Plan was subsequently updated, following review and consideration of the comments.

**POLICY CONSIDERATIONS**

Council Policies and Strategic Plans are considered when preparing the Council Plan to ensure consistency with the overall objectives of Council, and their association with key strategies in the Plan.

**LEGAL CONSIDERATIONS**

A Council must prepare and approve a Council Plan within the period of 6 months after each general election or by the next 30 June, whichever is later, in accordance with Section 125 of the Local Government Act 1989.

At least once in each financial year, a Council must consider whether the current Council Plan requires any adjustment in respect of the remaining period of the Council Plan, and make any adjustment it considers necessary to the Council Plan.

No member of Council staff, or other person engaged under a contract, involved in advising on or preparing this report has declared a direct or indirect interest in relation to the matter of the report.



9.7.1 2017-2021 Shire of Strathbogie Council Plan (2019 Review)  
- Fourth Quarter Report ~ 1 April to 30 June 2020 (cont.)

**FINANCIAL CONSIDERATIONS**

All Council Plan actions are considered in conjunction with the preparation of Council's annual budget to ensure associated financial requirements are budgeted for.

**SOCIAL CONSIDERATIONS**

Council is very mindful of including the needs and requirements of its community members when preparing its Council Plan to ensure there are benefits to all communities in the objectives and strategies included in the Council Plan. These can include –

- (a) sense of community – e.g. cultural activities, stakeholder participation, recognition of diversity, cultural heritage or social cohesion;
- (b) community services – e.g. range and quality of services for different groups (children and families, young people, elderly people and people with disabilities), accessibility of services or cost of services;
- (c) community health and well-being – e.g. recreation facilities, public safety, health services and facilities or public health implications;
- (d) education and skills development – e.g. number and quality of education options for the community, life-long learning opportunities or meeting local needs; and
- (e) transport – e.g. safety for travellers, emissions and fuel consumption, public transport usage, walking and cycling or transportation needs of all people.

**HUMAN RIGHTS CONSIDERATIONS**

There are no human rights considerations arising from the issues discussed in this report.

**CONCLUSION**

Council is required to review its Council Plan at least once every year and make any adjustment to its key strategies deemed necessary. This report provides updates to the key strategies of the 2017-2021 Council Plan following its 2019 review.

**ATTACHMENTS**






**Attachment 1:** Strathbogie Shire Council Plan Progress Report for the April to June 2020 quarter.

ATTACHMENT 1:



# COUNCIL PLAN PROGRESS REPORT

**Status Indicators Key:**

-  In Progress
-  Not Started
-  Completed
-  Under Review
-  On Going

Created: 10 July 2020


A handwritten signature in black ink, located in the bottom right corner of the page.

## YEAR: 2019-2020

### GOAL: 1 To enhance community health and wellbeing

#### STRATEGY: 1.1 PLAN FOR THE IMPROVED COMMUNITY HEALTH, WELLBEING AND LIVEABILITY


##### ACTION: 1.1.01 Work with Strathbogie Health and Community Services Consortium to deliver relevant projects

Position(s)	Target Date	% Complete	Status	Comments
Chief Executive Officer	30-Jun-2021	20%		Euroa Health providers meetings held regularly to collaborate on COVID-19 response to pandemic. Council continues discussions with Nagambie Health regarding a potential joint venture to improve facilities and services in Nagambie.


##### ACTION: 1.1.02 Work with Euroa Health in the development of a Wellness Centre

Position(s)	Target Date	% Complete	Status	Comments
Chief Executive Officer	30-Jun-2020	25%		Grant funding has been extended for feasibility study into alternate sites, costs and potential funding sources – project to recommence October 2020.

##### ACTION: 1.1.03 Deliver initiatives which will support the prevention of family violence including achievement of accreditation as a workplace under the White Ribbon Australia Workplace Accreditation Program

Position(s)	Target Date	% Complete	Status	Comments
Manager Community Wellbeing	30-Jun-2020	50%		<p>Focus on supporting families during COVID 19 through the MCH program due to the potential increase of FV due to isolation requirements and also employment and financial impacts on families during this time.</p> <p>White Ribbon has been dissolved and, as such, action no longer exists.</p> <p>The following key actions have been on hold due to the impact of COVID19:</p> <ul style="list-style-type: none"><li>- Implementation Plan developed to continue the work into the future</li><li>- Continued attendance at PVAW Community of Practice</li><li>- Partnered with Women's Health Goulburn North East to develop the Gender Equality in Regional Arts, Festivals and Event Planning blueprint/Toolkit</li></ul> <p>MCH Nurses continuing to implement additional visits to support families who have disclosed family violence or those who the nurses have clinical assessed as possibly experiencing family violence. Also have continued to undertaken online and remote training to enhance skills and capacity in this area.</p>

**ACTION: 1.1.04 Complete the expansion of the Avenel Pre-School and Maternal and Child Health project**


Position(s)	Target Date	% Complete	Status	Comments
	30-Jun-2020			Project completed.

**ACTION: 1.1.05 Continue to review and implement priorities from the Walking Tracks and Trails Strategy and the Footpath Strategy (including but not limited to the Apex Walking Track Euroa)**

Position(s)	Target Date	% Complete	Status	Comments
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The Tracks and Trails Advisory Group have reconvened under the new structure and are making progress with the 11 priority Tracks and Trails as originally identified. It is expected that 6 of these will be nearing completion by the beginning of 2020.

As of January 2020, 10 of the 13 priority tracks and trails have now been mapped and a list of required works has been scoped. A list of priorities to be implemented under the drought funding program has been drawn up, with a consultant being employed to assist with this delivery.

Manager Tourism Arts & Culture	30-Jun-2021	70%		Funding was secured from Federal Government under the Bushfire Grants to make repairs to some of the priority tracks and trails as identified. EOIs for works to be carried out close on 17/04/20 and works will be carried out once awarded.
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Redeveloped maps are completed and being reviewed for printing for 10 of the priority tracks and trails identified. Capital works are still underway on some of the tracks identified as priorities.

A lot of media coverage has been given or the tracks and trails that have been mapped, and information for these is found on our website at <https://www.strathbogie.vic.gov.au/tourism/tourism/tracksandtrails>





## ACTION: 1.1.06 Implement the 2017-2021 Liveability Plan 12 month Action Plans

Position(s)	Target Date	% Complete	Status	Comments
				The five priority areas that currently guide our health and wellbeing actions are:
				<ul style="list-style-type: none"> <li>• Stronger Together</li> <li>• Respectful Relationships</li> <li>• Healthy Lifestyle</li> <li>• Rural Environment</li> <li>• Health Systems</li> </ul>
				Year 2 Annual Action Plan has been reviewed.
				Plans are underway to develop next 12mth Action Plan for year 3.
Manager Community Wellbeing	30-Jun-2021	70%		<p>The planning cycle for the next Municipal Public Health and Wellbeing Plan (Liveability Plan) has started. The Goulburn Area - Local Government Health Planners collaborative are regularly liaising to facilitate and support the planning process.</p> <p>Attended the DEWLP "Tackling Climate Change in Municipal Public Health and Wellbeing Planning" forum - discussions on climate change and its impact on health and wellbeing. Climate Change is a new priority in the next planning cycle.</p> <p>MCH Program had some significant changes with the facility upgrade at Euroa MCH completed and officially opening occurred on the 30th Oct 2019. Additionally, the completion of the Avenel Preschool expansion and the relocation of the MCH program to this new co-located facility. Official opening by the Minister occurred on 10th Oct 2019.</p> <p>All preschool serviced are delivering funded 3yr old kindergarten programs. Council has received Kindergarten Infrastructure Service Planning (KISP) funds to undertake planning for future requirements of the early years sector in coming years.</p>



**ACTION: 1.1.07 Improve recreation spaces within the Shire using the Play and Recreation Framework as a reference document**

Position(s)	Target Date	% Complete	Status	Comments
Manager Asset Planning	30-Jun-2021	35%		Framework endorsed by Council 15 October 2019. Engagement conducted in Nagambie and funding application submitted 19 December 2019. Work commenced on consultation for Violet Town. Further work to occur on prioritising balance of Shire in 2020.

**ACTION: 1.1.08 Work with the community to implement provision of dogs off leash areas**

Position(s)	Target Date	% Complete	Status	Comments
Team Leader Compliance	30-Jun-2020	60%	+	Negotiations continue with the Euroa Agricultural Society Inc regarding locating the Dogs Off Leash area adjacent to the Euroa Showgrounds.

**ACTION: 1.1.09 Promote responsible pet ownership through the implementation of Council's Domestic Animal Management Plan 2017-21**

Position(s)	Target Date	% Complete	Status	Comments
Team Leader Compliance	30-Jun-2021	75%	🔄	Implementation of DAMP is ongoing throughout the year

**ACTION: 1.1.10 Review Council's Community Local Law - to reflect contemporary issues**

Position(s)	Target Date	% Complete	Status	Comments
Director Corporate Operations	30-Jun-2020	20%	Year 3	Funding in 2019/20 Budget for review. Council endorsed process at December 2019 meeting, including make up of Working Group

**ACTION: 1.1.11 In conjunction with Nagambie Health progress Nagambie Healthy Ageing Hub concept and seek funding for delivery**

Position(s)	Target Date	% Complete	Status	Comments
Manager Community Wellbeing	30-Jun-2021	15%		Nagambie Health about to commence allied health service provision on site. Council briefed on project 8/10/19. Discussions occurring Nagambie Health Council and Senior Citizens. Awaiting report on consultation.
				No further update regarding this at this time.

**STRATEGY: 1.2 ENGAGE AND PARTICIPATE WITH THE COMMUNITY IN COUNCIL / COMMUNITY INITIATIVES**

**ACTION: 1.2.01 Continue to support local community planning processes across the Shire**

Position(s)	Target Date	% Complete	Status	Comments
Manager Community Wellbeing	30-Jun-2021	80%		2019- 2020 Community Planning program Acquittals are being submitted. Some projects and initiatives have been impacted by COVID19 and some groups have requested extensions for acquittals. Provision of support continues to be provided as required/requested to all groups.

**ACTION: 1.2.02 Seek to implement priority projects from Community Action Group Plans**

Position(s)	Target Date	% Complete	Status	Comments
Manager Community Wellbeing	30-Jun-2021	65%		All Community Planning Reference Groups have completed their Community Action Plans and these are all available on the website.  2019 -2020 Allocations have been distributed to the Community Planning Reference Groups. Nagambie Action Group allocation payment made once their terms and conditions were received on February 10th 2020. Quite a delay for this given it was requested to be completed by September 2019.  Groups are implementing projects aligned with their plans and acquittals will be due by June 30th 2020 - potentially some impact to projects due to COVID-19 but liaising with groups to determine this.  2020-2021 Community Planning Program to be discussed and direction moving forward post COVID-19 determined.

**ACTION: 1.2.03 Progress Youth Hub for Nagambie**

Position(s)	Target Date	% Complete	Status	Comments
Manager Community Wellbeing	30-Jun-2020	90%		Awaiting modem installation for wifi capabilities. Fully accessible toilet pod has been installed and is essential to the delivery of the program in this location. Consideration for the addition of a double garage to be built on site to store youth trailer and a vehicle, as well as acting as a covered live performance area for events and projects. All youth activities are presently being delivered online due to COVID-19. Application with the State Government for the development of the surrounding area of the Nagambie Youth Hub - announcement anticipated end of July 2020.

**STRATEGY: 1.3 ENHANCE COMMUNITY RESILIENCE, INCLUDING SUPPORTING AND INCREASING THE PARTICIPATION OF VOLUNTEERS****ACTION: 1.3.01 Work with registered indigenous representative groups to support settlement agreements**

Position(s)	Target Date	% Complete	Status	Comments
Manager Planning & Investment	30-Jun-2020	20%		Discussions in relation to work which is currently occurring and what Council's role is moving forward. This will be initiated by Aboriginal Affairs Victoria (AAV) and therefore is on-going by Council.

**ACTION: 1.3.02 Work with State Government to seek funding from Transport For Victoria for audit of transport services within the Shire**

Position(s)	Target Date	% Complete	Status	Comments
Economic Development & Projects Coordinator	30-Jun-2020	100%		Further investigation required to understand funding options for our Shire.



**ACTION: 1.3.03 Recognise and profile the importance of volunteers in our local community**

Position(s)	Target Date	% Complete	Status	Comments
Manager Tourism Arts & Culture	30-Jun-2021	50%	+	<p>Training is being organised to take place in November 2018 for the Visitor Information Centre Volunteers in Nagambie prior to the new VIC opening. This will also be rolled out to the VIC volunteers in Euroa. The VIC will also be recognised with a Strathbogie Shire branded vest and shirt.</p> <p>VIC volunteers are invited to participate in 'famils' of our region and other areas in the GRVT at no cost to themselves. There is also an annual yearly summit that takes place in recognition of their services.</p> <p>Further recognition opportunities are also being investigated for other volunteers (ie. Euroa Cinema).</p> <p>No further development of this action to date.</p> <p>This is a ongoing process and no further specific initiatives have been identified at this time.</p>

During COVID-19 lockdown we have been engaging with the 83 volunteers that Council manage through the Visitor Information Centres and the Euroa Cinema via newsletter, email and phone calls. We are working with the Engagement and Communications Executive Manager on how we can highlight the service that the volunteers throughout our community provide.


**ACTION: 1.3.04 Investigate provision of emergency power at relief centres within the Shire**

Position(s)	Target Date	% Complete	Status	Comments
Director Corporate Operations	30-Jun-2020	30%	Year 3	Investigations continue.

**ACTION: 1.3.05 Continue consultation with Fire Brigade Captains to explore Fire Management Planning and CFA Best Practice**

Position(s)	Target Date	% Complete	Status	Comments
Director Corporate Operations		50%	+	Consultations are progressing.


### ACTION: 1.3.06 Implement revised Community Grants program

Position(s)	Target Date	% Complete	Status	Comments
				2018/19 Acquittals
				Only one grant from this Round in the Arts and Culture category remains outstanding. Violet Town RSL project has still not been completed, have been in contact with them. Still waiting for request in writing for variation on their acquittal.
				2019 -2020 program
				Arts and Culture - 5 projects
				Environment & Sustainability - 1 project
				Facilities and Infrastructure - 14 projects
				Acquittals are being submitted now and most projects have been completed. Some impacted by COVID and these have asked for extensions.
Manager Community Wellbeing	30-Jun-2020	65%		2019/20 Seniors Citizens Grants
				Senior Citizens Annual Grant allocations have been processed Acquittals currently being received.
				2019/20 Seniors Festival Funding
				2 out of 5 submissions received; Euroa Third Age Club Inc. and Longwood Senior Citizens. Nagambie Senior Citizens, Avenel Senior Citizens, Violet Town Senior Citizens groups did not submit applications for the 2019 -2020 year.
				2020-2021 Community Grants Program currently suspended due to COVID19. Recommencement of program yet to be ascertained.




**STRATEGY: 1.4 SUPPORT AND DRIVE COMMUNITY, ARTS AND CULTURAL EVENTS**

**ACTION: 1.4.01 Develop and implement equitable Shire wide youth programs that focus on cultural activities, training and development, pathways to employment and civic participation**

Position(s)	Target Date	% Complete	Status	Comments
Manager Community Wellbeing	30-Jun-2021	80%		<p>Youth Program commenced at the beginning of the year with a number of projects and events planned.</p> <p>With the impact of COVID19 the youth program had to diversify and move to an online platform delivery.</p> <p>Currently weekly online activities include;</p> <p>Ukes2U - weekly sessions learning to play the ukulele</p> <p>"Don't Cut your finger off" - weekly cooking sessions</p> <p>Virtual Grooves - weekly online dance sessions.</p> <p>Youth programs across Councils in the North East region are regularly meeting remotely. Collectively they are collaborating to bring more opportunities to young people in the wider region during COVID-19 under the banner of "45degrees north"</p> <p>The first of these was a Live Stream Jam - a range of local young bands from across the north east all delivering a live stream set of music from their homes, this included our young local band "Splinter Kiss"</p>



## **ACTION: 1.4.02 Complete and prioritise actions from Arts and Culture Strategy including art work on Nagambie Water Tower**


Position(s)	Target Date	% Complete	Status	Comments
				Plan to present the Draft strategy to Council in the October 2019 Ordinary Meeting. This will then be presented to the Community for review and comment for a 30 day period, with the view that the final strategy and associated Action Plan will be adopted by the December 2019 Ordinary Meeting.
				Currently also working on an EOI application to Creative Victoria for the Regional Coworking Spaces and Creative Places program (new pilot program from Creative Victoria) to apply for funding for a feasibility study project into developing a Creative Hub in Strathbogie Shire.
Manager Tourism Arts & Culture	30-Jun-2020	80%		<p>The 2019 - 2023 Arts &amp; Culture strategy and associated 12 Month Action Plan has been completed and was adopted at the Ordinary Council Meeting on 17/12/19. Currently in the process of prioritising the actions in the 12 Month Action plan and identifying what stage these actions are at.</p> <p>A working group has been set up as a result of meetings undertaken the Tourism, Arts and Culture Advisory Group to drive the Nagambie Water Tower project. Appropriate funding is also being investigated for this project as the amount allocated in the budget has been identified as most likely being insufficient.</p> <p>12 Month Action plan has been prioritised, however a halt has occurred on planned activities during COVID-19.</p> <p>WE are investigating the opportunity to employ an and officer as a part of the Working for Victoria Initiative to assist with projects and initiatives in both the Arts &amp; Culture Action Plan and as a result of feedback from the community that have resulted from the COVID-19 situation.</p>




## GOAL: 2 To sustainably manage our natural and built environment

### STRATEGY: 2.1 PROMOTE AND SUPPORT SUSTAINABLE ENVIRONMENTAL INITIATIVES


#### ACTION: 2.1.01 Continue to support Landcare groups and Catchment Management networks to target weed and pest animal management on roadsides

Position(s)	Target Date	% Complete	Status	Comments
Environment & Waste Coordinator	30-Jun-2021	85%		State government funding received and distributed amongst local Landcare groups to target weeds and pests on Shire roadsides. 2019/2020 grant to be acquitted by 31 July 2020 and is currently on track to be fully acquitted by this date. Also worked on a joint project with Ag Vic in April 2020 to target rabbits in the Strathbogrie Tablelands.


#### ACTION: 2.1.02 Pursue 'Zero' waste events across the Shire through use of Shire Event Policy and Approvals process

Position(s)	Target Date	% Complete	Status	Comments
Environment & Waste Coordinator	30-Jun-2020	10%		A draft Waste Wise Events guide has been developed and is in final design stages. Once this has been finalised and all comments included it will be presented to Assembly of Councilors for comment and final approval. Waste staff have worked closely with the Events team to ensure that this Guide fits into the current approvals process.

#### ACTION: 2.1.03 Support sustainable energy initiatives in the Strathbogrie Shire in conjunction with the Sustainable Development Reference Group

Position(s)	Target Date	% Complete	Status	Comments
Environment & Waste Coordinator	30-Jun-2020	50%		This initiative is included in the SS2030 Strategy as an ongoing action. Council is involved with the ongoing Local Government Renewable Power Purchase Agreement with 41 other Victorian Councils to purchase Council energy from renewable sources. Councils has installed solar panels on most of its high energy use facilities. Leading the Carbon Crunching Councils project with Benalla, Murrindindi and Towong Shires to implement a shared carbon inventory, bill checking and payment service for utilities.

#### ACTION: 2.1.04 Support a community clean up targeting Lake Nagambie and surrounds

Position(s)	Target Date	% Complete	Status	Comments
Environment & Waste Coordinator	30-Jun-2020	%		A Cleanup was undertaken in partnership with Goulburn Murray Water on Sunday 1 March 2020. Residents and visitors collected 15 bags of rubbish around Lake Nagambie on the day. Further opportunities for partnering with GMW to minimise waste in Lake Nagambie are currently being explored.



**ACTION: 2.1.05 As part of Municipal Strategic Statement and Planning Scheme review, explore opportunities for native vegetation protection overlays on roadsides**

Position(s)	Target Date	% Complete	Status	Comments
Principal Planner	30-Jun-2020	100%	✓	Investigations for the best way to manage and protect native vegetation on roadsides was undertaken. Clause 52.17, Native Vegetation, provides state wide protection for native vegetation both within roadsides and on private land. Applying a separate overlay was considered, however, overlays should only be utilised when the existing controls in the Planning Scheme do not provide enough protection. As roadsides are either managed by Council, DELWP or VicRoads, and all are government bodies, the provisions in relation to vegetation removal under Clause 52.17 require that a planning permit is generally required and an overlay would not provide additional protections.

**ACTION: 2.1.06 Continue to support the Goulburn Broken Greenhouse Alliance**

Position(s)	Target Date	% Complete	Status	Comments
Environment & Waste Coordinator	30-Jun-2021	50%	⌚	Support for Goulburn Broken Greenhouse Alliance continues with membership renewed.

**ACTION: 2.1.07 Initiate a Community-Council working group which will frame the overarching objectives and charter for a Sub-Committee for the Transition of the Strathbogie Forest to alternative uses**

Position(s)	Target Date	% Complete	Status	Comments
	30-Jun-2020		✓	A working group has been formed to oversee the framing and new charter for a sub-committee that will work on the Transition of the Strathbogie Forest to alternative uses. It comprises of two councillors, TL Climate Change & Environment and two community members from the Strathbogie Ranges area. The group's thinking is well progressed on useful directions of the sub-committee.

**ACTION: 2.1.08 Implement the recommendations of Council's Domestic Wastewater Management Plan, including working with Goulburn Valley Water to explore small town sewer schemes**

Position(s)	Target Date	% Complete	Status	Comments
Team Leader Compliance	30-Jun-2021	10%	✗	Officers have reviewed documentation and contacted relevant authorities. As part of consideration of replacement of septic at Euroa Tennis Club, funding provided in 2020/21 Budget to investigate extension of sewer, which may eventually assist north side of Euroa.

**STRATEGY: 2.2 MITIGATE AND ADAPT TO A CHANGING CLIMATE****ACTION: 2.2.01 Develop a Council Policy on Climate Change**

Position(s)	Target Date	% Complete	Status	Comments
Environment & Waste Coordinator	30-Jun-2020	30%	+	Following the adoption of Sustainable Strathbogie 2030, organisational policies on climate change, energy efficiency, and procurement are now progressing for council review.

**ACTION: 2.2.02 Implement initiatives within the Sustainable Strathbogie 2030 Plan**

Position(s)	Target Date	% Complete	Status	Comments
Environment & Waste Coordinator	30-Jun-2021	25%	+	No budget was allocated to Sustainable Strathbogie 2030 for the 2019/20 financial year.

**ACTION: 2.2.03 Hold a flood mitigation / drainage update meeting in Violet Town to form a consensus on future actions after completion of works in 2018/19 Budget**


Position(s)	Target Date	% Complete	Status	Comments
Manager Asset Planning	30-Jun-2020	%	X	Meeting to be arranged.

**ACTION: 2.2.04 Include urban forestry into urban design frameworks to increase the shaded environment of our townships and implement pilot program**

Position(s)	Target Date	% Complete	Status	Comments
Manager Planning & Investment	30-Jun-2021	%	X	Pilot program completed in Euroa and future street tree programs rolling out. Captured within the Euroa Township document and Nagambie Growth Management Plan




**ACTION: 2.2.05 Develop a program to assist rural landholders in land management - strategies for climate change, planning controls, vegetation management**


Position(s)	Target Date	% Complete	Status	Comments
Environment & Waste Coordinator	30-Jun-2020	10%		Programs being developed for implementation. Properties that have a Trust for Nature Covenant are able to access a rebate in the rating year of 2019/20. This will be investigated by officers now that it is complete and a report to Council for the expansion of the program.

**STRATEGY: 2.3 PROTECT AND ENHANCE OUR NATURAL ENVIRONMENTAL ASSETS**


**ACTION: 2.3.01 Implement Tree Management Guidelines**

Position(s)	Target Date	% Complete	Status	Comments
	30-Jun-2021			Implementation of Guidelines ongoing.

**ACTION: 2.3.02 Investigate controls to preserve landscapes as part of Planning Scheme review**

Position(s)	Target Date	% Complete	Status	Comments
Principal Planner	30-Jun-2021	100%		As part of the Planning Scheme review, undertaken in March 2019, a Landscape Study was identified as a lower priority item for strategic planning for the municipality. This work will be considered when the higher priority strategic work has been completed.

**ACTION: 2.3.03 Continue to assist new land owners in land management through New Residents booklet, website and other means**

Position(s)	Target Date	% Complete	Status	Comments
Environment & Waste Coordinator	30-Jun-2021	20%		Content is placed on the website under "Environment" and various areas to assist new landowners. Council has previously partnered with the Arboretum, Landcare and CMN to assist with courses for small lot landowners new to the municipality, and will continue to do so.



## STRATEGY: 2.4 PROTECT AND ENHANCE OUR BUILT ENVIRONMENT

### ACTION: 2.4.01 Implement priority actions from the Stormwater Management Plan


Position(s)	Target Date	% Complete	Status	Comments
Manager Asset Planning	30-Jun-2021	30%	+	<p>The following projects from the Stormwater Management Plan have been included within the 2019 - 2020 Capital Works Budget -</p> <ul style="list-style-type: none"> <li>- Upgrade three existing retarding basins at McGregor Avenue with a pump system (solar). Preliminary design has commenced, looking into feasible options.</li> <li>- Review 1 in 5 STAGE storm event of the existing stormwater pipe network. Scope of Works and Request for Quotation to be issued in February 2020.</li> <li>- Boundary Rd South Future Open Drain from White St to Stevens Creek, including flood flap at outlet. Finalising discussion with service authorities for requirements for alterations to existing services prior to going out to tender.</li> <li>- Town centre outlet to Lake Nagambie. Reviewing requirements for Gross Pollutant Trap prior to tendering.</li> <li>- Scobie Street Catchment - Construct open drain. Discussions to be held with GBCMA in late January regarding outlet requirements for drain prior to construction.</li> <li>- Develop written procedures for Town Maintenance. Draft procedures written, just waiting on feedback from Operations Group.</li> </ul>

### ACTION: 2.4.02 Identify priority areas for additional street lighting and opportunities to implement additional street lighting

Position(s)	Target Date	% Complete	Status	Comments
Manager Asset Planning	30-Jun-2021	15%	+	<p>Street and Public Place Lighting Policy adopted by Council at September 2019 meeting.</p> <p>The Township Road Lighting LUX Surveys have now been completed.</p> <p>The report reflecting the recent adopted policy requirements has been provided for analysis to determine priority areas for additional street lighting and opportunities to implement additional street lighting.</p>

**STRATEGY: 2.5 PROVIDE EFFICIENT AND EFFECTIVE WASTE MANAGEMENT PROGRAMS**

**ACTION: 2.5.01 Implement the Waste Management Strategy**

Position(s)	Target Date	% Complete	Status	Comments
Environment & Waste Coordinator	30-Jun-2021	30%		Implementation of the Waste Management Strategy continues and is ongoing. This has also been supported by the adoption by Council of the Southern Goulburn Valley Waste and Resource Education Strategy 2019 - 2021

**ACTION: 2.5.02 Work with Goulburn-Murray Water to review and implement improved waste collection techniques on our waterways**

Position(s)	Target Date	% Complete	Status	Comments
Environment & Waste Coordinator	30-Jun-2020	30%		Discussions regarding options continue with Goulburn-Murray Water.







## GOAL: 3 To provide quality infrastructure

### STRATEGY: 3.1 PROVIDE BEST PRACTICE MANAGEMENT OF ALL ASSETS INCLUDING ROADS, BRIDGES AND FACILITIES


#### ACTION: 3.1.01 Investigate and implement asset rationalisation

Position(s)	Target Date	% Complete	Status	Comments
Director Corporate Operations	30-Jun-2021	30%		Investigation and implementation of asset rationalisation continues and is ongoing. New Asset disposal Policy developed .

#### ACTION: 3.1.02 Investigate options in consultation with the community for footpaths, kerb and channelling and parking at Queen, Belmont and the east end of Bank Street, Avenel

Position(s)	Target Date	% Complete	Status	Comments
Manager Asset Planning	30-Jun-2020	10%		Initial discussions have been carried out with Council's Planning Department (current and future developments within the study area) and Rural Roads Victoria (intersection requirements) to gauge an idea of the future pedestrian and vehicular usage patterns. Once completed, the study area shall be surveyed and preliminary designs undertaken for stakeholder feedback.

### **ACTION: 3.1.03 Target major capital works projects to seek government funding to reduce Council's costs**

Position(s)	Target Date	% Complete	Status	Comments
Chief Executive Officer	30-Jun-2021	50%		<p>Officers continue to apply for grant funding to supplement costs of capital projects. Funding secured to date includes:</p> <ul style="list-style-type: none"> <li>Drought Community Extension Round one \$1,000,000.00 (Extended to 31 December 2020)</li> <li>Inland Rail Interface Improvement Program Mangalore Business Case submission Figure undisclosed (approx. \$ 1.5 Million)</li> <li>Working for Victoria Program \$ 2.2 Million</li> </ul> <p>Current grant applications pending announcements include:</p> <ul style="list-style-type: none"> <li>Sports Recreation Victoria – Local Sporting Infrastructure Grants - Nagambie Active Hub – applied for \$250,000 for this project (total project cost is \$590,553), awaiting outcome end of July 2020</li> <li>Sports Recreation Victoria – Community Sports Infrastructure Stimulus Program – Lake Nagambie Infrastructure Development Program – applied for \$9,959,889 for this project (total project cost \$10,959,559), awaiting outcome end of July 2020</li> <li>Department of Justice – Community Safety Infrastructure Grants – funding to implement CCTV cameras to the Euroa Sale Yards and metal art 'story' panels to the foot bridge over the Seven's Creek which will provide enhanced safety by acting as a barrier to falling through the railing gap, which will also include collaboration from the Taungurung and community.</li> <li>Drought Community Extension Funding Round Two \$1,000,000.00.</li> </ul>

### **ACTION: 3.1.04 Undertake condition assessment of public toilets and develop a strategy for future development**

Position(s)	Target Date	% Complete	Status	Comments
Manager Asset Planning	30-Jun-2020	%		Strategy to be developed in 2020.




**STRATEGY: 3.2 PROVIDE PASSIVE AND ACTIVE RECREATIONAL FACILITIES**

**ACTION: 3.2.01 Investigate and consult in relation to providing link bridge at Rockies over the Seven Creeks and over Hughes Creek between Kent Street and Watson Street in Avenel**

Position(s)	Target Date	% Complete	Status	Comments
Manager Asset Planning	30-Jun-2020	50%		Review of Rockies bridge project and scoping has commenced and Hughes Creek bridge preparation work to be finalized in 2020/21.


**ACTION: 3.2.02 Construct pedestrian bridge linking Memorial Oval Euroa and Friendlies Reserve**

Position(s)	Target Date	% Complete	Status	Comments
	30-Jun-2020			Project to be completed July 2020.


**ACTION: 3.2.03 Continue to investigate funding opportunities for female change facilities at Euroa Memorial Oval**

Position(s)	Target Date	% Complete	Status	Comments
	30-Jun-2020			New Facilities and Recreation Officer appointed and this will be part of their brief for 2020/21.

**ACTION: 3.2.04 Prioritise and implement the outcomes of the Community Pools Strategy**

Position(s)	Target Date	% Complete	Status	Comments
	30-Jun-2021			Budget provision allocated. New Facilities and Recreation Officer appointed and this will be part of their brief for 2020/21.

**ACTION: 3.2.05 In partnership with the community support the priorities of the Nagambie Recreation Reserve Master Plan**

Position(s)	Target Date	% Complete	Status	Comments
Manager Asset Planning	30-Jun-2021	30%		New Facilities and Recreation Officer appointed and this will be part of their brief for 2020/21.

**ACTION: 3.2.06 Review Recreational Facilities for female friendly and All Abilities Access**

Position(s)	Target Date	% Complete	Status	Comments
				New Facilities and Recreation Officer appointed and this will be part of their brief for 2020/21.



**ACTION: 3.2.07 Work with Friendlies Reserve Committee of Management to identify future funding models for upgrades**

Position(s)	Target Date	% Complete	Status	Comments
	30-Jun-2020		✓	Friendlies Oval Upgrade completed.

**ACTION: 3.2.08 Review Violet Town Recreation Reserve Master Plan**

Position(s)	Target Date	% Complete	Status	Comments
			+	New Facilities and Recreation Officer appointed and this will be part of their brief for 2020/21.

**ACTION: 3.2.09 Seek Stage 2 funding for Stage 2 boardwalk Seven Creeks Park**


Position(s)	Target Date	% Complete	Status	Comments
	30-Jun-2021		✓	Project completed including Stage 2.

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## GOAL: 4 To support and drive economic development

### STRATEGY: 4.1 PROMOTE AND SUPPORT LOCAL BUSINESS AND PRODUCE


#### ACTION: 4.1.01 Encourage local produce sales in towns throughout the Shire through development of marketing collateral and actions in Economic Development Master Plan

Position(s)	Target Date	% Complete	Status	Comments
Economic Development & Projects Coordinator	30-Jun-2020	20%		<p>The development of the Food, Fibre and Flowers brochure has initiated this process. With the appointment of an Economic Development and Projects Officer in July, this action will be further explored in the Economic Development Mast Plan. Research is also being done on the advent of Agri-Tourism and ways of leveraging this new and emerging market.</p> <p>The review of the Economic Masterplan is still underway, no further progress has been made on this action at this time.</p> <p>Draft review of the Economic Masterplan will be presented to AoC in October.</p> <p>No firm decision has been reached by Council on the priorities for the Economic Development Masterplan, therefore no further direction has been identified for this action.</p>

#### ACTION: 4.1.02 Promote local businesses through a Business Awards program

Position(s)	Target Date	% Complete	Status	Comments
Economic Development & Projects Coordinator	30-Jun-2020	20%		<p>Options to reinstate the local Business Awards Program is being investigated as a part of the review of the Economic Development masterplan</p> <p>No firm decision has been reached by Council on the priorities for the Economic Development Masterplan, therefore no further direction has been identified for this action.</p>

### **ACTION: 4.1.03 Support and engage with local representative business groups**

Position(s)	Target Date	% Complete	Status	Comments
Economic Development & Projects Coordinator	30-Jun-2021	80%		<p>Further liaison with the two active business groups is being undertaken by the Economic Development Officer.</p> <p>Report has been developed to a funding support model for business groups within the Shire. Economic Development Officer is working with the Business Community in Violet Town to develop a group there.</p> <p>Formal monetary support from Council has been allocated and distributed to these recognised groups. The Economic Development and Projects Officer continues to liaise with these groups to identify priorities.</p> <p>Violet Town now has a recognised Chamber of Commerce to add to the Euroa Chamber of Commerce and Go Nagambie</p>


### **STRATEGY: 4.2 SUPPORT TOURISM AND BUSINESS DEVELOPMENT**

#### **ACTION: 4.2.01 Develop options to facilitate camping at appropriate locations within the Shire**


Position(s)	Target Date	% Complete	Status	Comments
Team Leader Compliance	30-Jun-2020	75%		successful operation of camping facilities at Community Centre - other locations throughout the municipality to be assessed on a case by case basis



### **ACTION: 4.2.02 Partner with business groups to develop support programs**


Position(s)	Target Date	% Complete	Status	Comments
Economic Development & Projects Coordinator	30-Jun-2021	50%		<p>Undertook the Better Approvals Project in partnership with the Victorian Government, and will begin rolling out the actions and implementations as a result of this project to the Community in October 2019</p> <p>There has been a delay in this roll out due to conflicting priorities - work will continue on this project in the 2019/2020 financial year</p> <p>A part of the Relief and Recovery strategy for COVID-19, we will be working with Business groups to partner to present a series of workshops to assist businesses with Marketing and resource development to aid in their recovery.</p>

### **ACTION: 4.2.03 Promote Graytown and other smaller communities through an increased presence on the Stathbogie Shire website and the investigation of interpretive signs and historical information**


Position(s)	Target Date	% Complete	Status	Comments
Executive Manager Communications & Engagement	30-Jun-2021	60%		<p>Graytown was recognised as a priority area in the latest funding round for mobile blackspot areas. Some work is also being done in regards to including information about Graytown and other smaller communities in the new Tourism App and in the new Official Visitors Guide.</p> <p>Development of the new Official Visitors Guide and Tourism App is still ongoing.</p> <p>Graytown now has a presence in the Official Visitors Guide and will also be added to the Tourism App in development</p> <p>REdevelopment of the Military Trail Map in conjunction with Mitchell Shire, City of Greater Shepparton and City of Benalla to incorporate the POW Camps of Graytown into the map</p>




### **ACTION: 4.2.04 Seek funding and support from Federal and State Governments to implement Nagambie Infrastructure Development Business Case**

Position(s)	Target Date	% Complete	Status	Comments
Chief Executive Officer	30-Jun-2021	30%		Funding grant to State Government Sports Recreation Victoria for a \$10.9 redevelopment of the Nagambie Rowing precinct comprising of deepening of rowing lanes, construction of a peninsula and construction of a walking connection between the caravan park/rowing precinct and main town. Grant outcome to be announced end July 2020.

### **ACTION: 4.2.05 Develop a Policy on town entry and roadside signage and progress implementation**

Position(s)	Target Date	% Complete	Status	Comments
Manager Asset Planning	30-Jun-2020	10%		The Boundary, Town Entry and District Signage Policy has been adopted by Council on the 18th June 2019 and implementation has been programmed to commence in March 2020.

### **ACTION: 4.2.06 Implement preferred option for involvement in regional tourism**

Position(s)	Target Date	% Complete	Status	Comments
Manager Tourism Arts & Culture	30-Jun-2020	50%		<p>In relation to submission from Go Nagambie to take over management of the Nagambie Visitor Information Centre, a resolution was passed by Council to further investigate options for the management of this Centre as well as the (yet to build) new Visitor Information Centre in Euroa.</p> <p>Developed a submission for the Regional Tourism Review and have discussed options with Justin Burney, Project Director of the Regional Tourism Review. Further decisions on options available for support of regional tourism by the Victorian Government are still being investigated as a part of this review - ongoing process.</p> <p>The Bushfires in January 2020 and the COVID-19 situation have delayed the review from the State Government of the review of the Regional Tourism positioning.</p> <p>Working with the Economic Development Coordinator to present a suggested alternated division to State Government for alignment of Regional Tourism Boards with the same 9 areas recognised by Regional Development Victoria. Delays of the review are still in place due to COVID-19.</p>



#### **ACTION: 4.2.07 Investigate installation of a dump point in Nagambie**

Position(s)	Target Date	% Complete	Status	Comments
Manager Asset Planning	30-Jun-2020	25%	+	Investigations into the installation of a dump point with Nagambie township has determined to utilise an area within the Regatta Centre reserve, just waiting on approval from EMT.

#### **STRATEGY: 4.3 PROVIDE INNOVATIVE AND SUSTAINABLE LAND USE PLANNING**

#### **ACTION: 4.3.01 Review rural land strategy and have these outcomes (including landscape protection) included into the Municipal Strategic Statement**

Position(s)	Target Date	% Complete	Status	Comments
Principal Planner	30-Jun-2020	%	X	As part of the Planning Scheme review, undertaken in March 2019, a Rural Land Use and Rural Living Review was identified as a high priority action, and a Landscape Study was identified as a lower priority item for strategic planning for the municipality. The Rural Land Use and Rural Living Review will be investigated when the policy neutral re-write of the planning scheme has been completed and resources become available.

#### **ACTION: 4.3.02 Review, in conjunction with the community, to identify options for improvements to Cowslip Street, Violet Town**

Position(s)	Target Date	% Complete	Status	Comments
Manager Planning & Investment	30-Jun-2020	20%	+	Conducted research into the Violet Town Development Plan (2010), which was conducted by Council and Planning Consultants. Reviewed all supporting documentation (e.g. Bicycle Walking Path Strategy) Working with the Strategic Planner, initial community consultation on the streetscape has been undertaken. Discussion have taken place between VTAG, Rural Roads Victoria and Council in May 2019, which have identified options for Cowslip Street. Council is currently undertaking the respective data collection and preparing concept designs for community input early in the new year.

#### **ACTION: 4.3.03 Review Nagambie Growth Management Plan**

Position(s)	Target Date	% Complete	Status	Comments
Manager Planning & Investment	30-Jun-2020	70%	+	Consultation has occurred and now working to update the Vision statement. This review is track with project plan however time frames have been pushed back for completion to allow further consultation



**ACTION: 4.3.04 Formalise Euroa parking arrangements following Euroa Township Plan Issues and Opportunities report**

Position(s)	Target Date	% Complete	Status	Comments
	30-Jun-2020		X	Euroa Township Strategy, which incorporates parking arrangements in Euroa, is yet to be finalised.

**ACTION: 4.3.05 Progress planning for future growth in Avenel**

Position(s)	Target Date	% Complete	Status	Comments
Manager Planning & Investment	30-Jun-2021	%	X	Avenel 2030 Strategy is still relevant for the growth of the Town, and provides sound Planning direction. This document will be reviewed in due course. Currently there is sufficient land zoned appropriately to accommodate projected growth. Subdivision of land is occurring in Avenel and we will continue to monitor

**STRATEGY: 4.4 ATTRACT NEW RESIDENTS****ACTION: 4.4.01 Review effectiveness of rating incentive package in new residents to the Strathbogie Shire**

Position(s)	Target Date	% Complete	Status	Comments
Director Corporate Operations	30-Jun-2020	%		Not commenced. Will review in second half of financial year

**ACTION: 4.4.02 Explore options to highlight the availability of employment opportunities within the Shire**

Position(s)	Target Date	% Complete	Status	Comments
Economic Development & Projects Coordinator	30-Jun-2020	20%	?	This action will form part of the review of the Economic Development Masterplan No firm decision has been reached by Council on the priorities for the Economic Development Masterplan, therefore no further direction has been identified for this action.



**STRATEGY: 4.5 GROW INVESTMENT AND EMPLOYMENT OPPORTUNITIES**

**ACTION: 4.5.01 Review, update and resource the Economic Development Master Plan and implement priority actions**


Position(s)	Target Date	% Complete	Status	Comments
Economic Development & Projects Coordinator	30-Jun-2021	40%		Briefing with Council held, CEO has commenced review process



## GOAL: 5 To be a high performing Shire

### STRATEGY: 5.1 TO PROACTIVELY DEVELOP AND DELIVER QUALITY SERVICES THAT ACHIEVE HIGH CUSTOMER SATISFACTION

#### ACTION: 5.1.01 Continue to enhance customer experiences through ongoing development of customer relationship management system


Position(s)	Target Date	% Complete	Status	Comments
Executive Manager Governance & Customer Service	30-Jun-2021	100%		<p>Customer service delivery and customer experience is an area of focus for council in a ongoing manner.</p> <p>At present a review of the Customer Service Charter is occurring.</p> <p>A recent project in relation to Better Approvals Process has been undertaken and systems being implemented to assist in improving our customers experience.</p> <p>Council's Customer Records Management Software continually being reviewed and improved.</p> <p>@03/01/2020 - Customer Service Charter has been completed and adopted</p> <p>Councils Customer Relations Management Software has had some improvements and will soon allow access to a Councillor portal to track requests lodged by Councillors</p>






**STRATEGY: 5.2 CONTINUE TO FOCUS ON OPERATIONAL EFFICIENCIES****ACTION: 5.2.01 Continue the service plan process to assist decision making and identify service enhancements**

Position(s)	Target Date	% Complete	Status	Comments
Chief Executive Officer	30-Jun-2021	100%		To support service enhancement and decision making, a structural alignment was announced for consultation with staff and subsequently implemented following feedback. Key positions for key vacancies and new positions have been recruited and commenced within existing budget parameters.

**ACTION: 5.2.02 Continue to explore opportunities through collaboration with other Councils in service delivery**

Position(s)	Target Date	% Complete	Status	Comments
Chief Executive Officer	30-Jun-2021	100%		<p>Opportunities to explore how services are delivered in collaboration with other rural councils are a continual discussion in regard to different projects and services.</p> <p>This will continue to ensure efficient delivery of services through shared knowledge, cost effectiveness and streamlining of processes, growing partnerships and networks</p> <p>Further discussions are commencing at a Hume Region level for exploring future projects which could work together</p> <p>An example of this occurring recently was a joint Planning Scheme Amendment to make updates to incorporate our Infrastructure Manual into the Planning Scheme.</p>

**ACTION: 5.2.03 Conduct an organisation wide cultural change / innovation program that promotes a "can do philosophy", continuous improvement processes, culture of collaboration and a willingness to embrace positive change**

Position(s)	Target Date	% Complete	Status	Comments
Chief Executive Officer	30-Jun-2021	90%		<p>VAGO Fraud and Corruption in Local Government Response Action plan completed in March, pending one action regarding a final meeting with VAGO in July. VAGO have been kept abreast of our progress and the Internal Auditors have noted that our new Purchasing Card Policy is best practice. Public reporting around Councillor expenses and CEO purchasing card transactions continue each quarter.</p> <p>The Local Government Inspectorate have also noted our new Statutory Obligations database, identifying all of the statutory requirements for reporting and new local government act deadlines, is best practice.</p> <p>Implementation of new Local Government Act 2020 We are well on track to comply with all of the requirements under the new Act, with several statutory documents about to go out for public comment. Work is continuing at pace on the remaining obligations including preparation of Governance Rules and a new set of delegations. Workshops have been held with Councillors, the Executive and management teams relating to the new Act. A significant amount of information has been disseminated to the organisation to ensure awareness and compliance with the new Act.</p> <p>There have been a number of other initiatives implemented to improve our governance framework including the introduction of a new conflict of interest form, training for over 40 staff on conflict of interest, preparation of a new Public Interest Disclosure Policy (including a training session for the entire management team on public interest disclosures), an action plan responding to recent IBAC reports around procurement and tenders.</p>
<b>ACTION: 5.2.04 Prioritise outcomes of ICT strategy to aid business transformation through finalisation of "Roadmap"</b>				
Position(s)	Target Date	% Complete	Status	Comments
Manager ICT	30-Jun-2020	95%		Presenting to Exec Team in August
<b>ACTION: 5.2.05 Link results of Community Satisfaction Survey to Council Plan actions</b>				
Position(s)	Target Date	% Complete	Status	Comments
Chief Executive Officer	30-Jun-2021	100%		Deferred to next financial year.





**ACTION: 5.2.06 Improve access to 'in the field' software and hardware for key Council functions to improve response times to permit applications and customer queries**

Position(s)	Target Date	% Complete	Status	Comments
Team Leader Compliance	30-Jun-2021	90%	🔄	In the field software for both our Environmental Health and Building has been purchased. testing is currently underway in both systems which are being tested to go live

**STRATEGY: 5.3 CONTINUE TO CREATE A SECURE INVESTMENT ENVIRONMENT THROUGH SOUND FINANCIAL MANAGEMENT****ACTION: 5.3.01 Upgrade Long Term Financial Plan to cover Ten Year period**

Position(s)	Target Date	% Complete	Status	Comments
Manager Finance	30-Jun-2020	100%	✅	Draft LTFP has been completed as part of the budget

**ACTION: 5.3.02 Review Contract Management Process and Guidelines**

Position(s)	Target Date	% Complete	Status	Comments
Director Corporate Operations	30-Jun-2020	30%	Year 3	Vacancy in Procurement filled, progressive change being made

**STRATEGY: 5.4 TO BE EQUITABLE AND FAIR IN ALL DECISION MAKING PROCESSES****ACTION: 5.4.01 Ensure strategies are developed in conjunction with key stakeholders on a regional basis - North East Local Government Network**

Position(s)	Target Date	% Complete	Status	Comments
Chief Executive Officer	30-Jun-2021	100%	🔄	Mayor and CEO attend meetings with the NELGN and act on strategies and initiatives beneficial to Strathbogie Shire.

**ACTION: 5.4.02 Promote open and transparent reporting of Council decision making including Know Your Council Data**


Position(s)	Target Date	% Complete	Status	Comments
Director Corporate Operations	30-Jun-2021	100%		Data submitted. Now live on KYC website. Some media attention.



**STRATEGY: 5.5 TO COMMUNICATE AND ENGAGE EFFECTIVELY WITH OUR COMMUNITY AND KEY STAKEHOLDERS****ACTION: 5.5.01 Review Communications and Engagement Strategy in line with pending changes to Local Government Act**

Position(s)	Target Date	% Complete	Status	Comments
Executive Manager Communications & Engagement	30-Jun-2020	100%		Completed.

**ACTION: 5.5.02 Work with local business associations to develop a Shire-wide skills bank that values and recognises local knowledge**

Position(s)	Target Date	% Complete	Status	Comments
Economic Development & Projects Coordinator	30-Jun-2020	20%		The Economic Development Officer is doing some work on developing a Local Procurement Policy which links in with this action item.  No further developments at this time.
				No firm decision has been reached by Council on the priorities for the Economic Development Masterplan, therefore no further direction has been identified for this action.

**ACTION: 5.5.03 Actively seek partnerships to achieve our Council Plan**

Position(s)	Target Date	% Complete	Status	Comments
Chief Executive Officer	30-Jun-2021	100%		Council Plans are developed with the Community and where relevant are implemented with community, business and individual partnerships.



## **9.7.2 Royal Commission into National Natural Disaster Arrangements**

Author: Emergency Management Officer

Responsible Director: Director Corporate Operations

### ***EXECUTIVE SUMMARY***

This report recommends noting of a submission made to the Royal Commission into National Natural Disaster arrangements

***MOVED COUNCILLOR MASON, SECONDED COUNCILLOR WILLIAMS***

***That Council note the submission made to the Royal Commission into National Natural Disaster Arrangements.***

***108/20 CARRIED***

### ***PURPOSE AND BACKGROUND***

The Royal Commission into National Natural Disaster Arrangements was established on 20 February 2020 in response to the extreme bushfire season of 2019-20 which resulted in loss of life, property and wildlife and environmental destruction.

Sometimes referred to as the 'Bushfires Royal Commission', the Commission will examine coordination, preparedness for, response to and recovery from disasters as well as improving resilience and adapting to changing climatic conditions and mitigating the impact of natural disasters. The inquiry will also consider the legal framework for Commonwealth involvement in responding to national emergencies.

### ***ISSUES, OPTIONS AND DISCUSSION***

Strathbogie Shire has proven to be susceptible to a range of natural disasters. Of recent times the Shire has been impacted by:

- Bushfires
- Flooding
- Windstorms

The Royal Commission sought feedback on a range of issues relating to processes to deal with Natural Disasters and a submission was provided by the due date:

Issues canvassed included:

- Information required to prepare for natural disasters
- Communication with and education of communities
- Guidance provided to local government
- Land use planning
- Evacuation processes
- Relief and recovery

The full submission is attached for information

#### 9.7.2 Royal Commission into National Natural Disaster Arrangements (cont.)

##### **COMMUNITY ENGAGEMENT**

No specific community engagement was undertaken as Council possesses a large amount of information gathered from its experiences over a number of years, and a number of issues relate to operational matters

##### **POLICY CONSIDERATIONS**

###### Council Plans and Policies

The issues being canvassed relate to the :

- Council Plan
- Municipal Emergency Management Plan
- Municipal Fire Management Plan

A desired outcome from the Royal Commission would be improvements to processes so that responses to Natural Disasters would result in improved outcomes for the community.

###### Regional, State and National Plans and Policies

The Royal Commission will be taking submissions from a range of bodies including State and Federal authorities

##### **LEGAL CONSIDERATIONS**

Council is not exercising a specific power as a result of this report but findings of the Commission may impact the extent and operation of those powers

Provision of Council's position on this matter is consistent with Council's responsibility to advocate on behalf of its community

###### Conflict of Interest Declaration

All officers, and/or contractors, involved in the preparation of this report have signed a written declaration that they do not have a conflict of interest in the subject matter of this report.

###### Transparency

Presenting the Council's submission to an open Council meeting makes the community aware of Council's position on the matter which are the subject of the Royal Commission's deliberations.

##### **FINANCIAL VIABILITY CONSIDERATIONS**

Other than officer time involved in developing the submission and Council report there is no cost to Council as a result of this matter . There may be potential for changed funding arrangements as a result of the findings of the Commission.

##### **SUSTAINABILITY CONSIDERATIONS**

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.

## 9.7.2 Royal Commission into National Natural Disaster Arrangements (cont.)

### Economic

Natural disasters can have significant impact on the local economy and improved arrangements have the potential to mitigate these effects

### Social

Natural disasters have the potential to affect the community in a number of ways:

- sense of community
- provision of services
- community health and wellbeing

### Environmental

Clearly the types of disasters experienced by the Shire can have significant impacts in a number of areas - the physical environment, biodiversity.

### Climate change

Occurrence of natural disasters may have been impacted by climate change. In coming years, the impacts of this are unlikely to decrease meaning that improved processes will be required.

### **INNOVATION AND CONTINUOUS IMPROVMENT**

One of the objectives of the Royal Commission is to make recommendations for improvements to the existing arrangements.

### **CONCLUSION**

To endorse the submission to the Royal Commission.

### **ATTACHMENTS**

**Attachment 1:** Submission into Royal Commission into National Natural Disaster Arrangements



**ATTACHMENT 1:**



**ROYAL COMMISSION INTO NATIONAL NATURAL DISASTER ARRANGEMENTS**

**SUBMISSION FROM STRATHBOGIE SHIRE COUNCIL TO**  
**ISSUES PAPER: LOCAL GOVERNMENTS AND NATURAL DISASTERS**

**Question 1:**

- a. What information do local governments have access to and rely on in preparing natural disaster management plans, conducting risk assessments and in otherwise preparing for natural disasters?
- Guidelines for the structure and content of EM plans from EMV – ensures consistency across municipalities and assists ICC understanding with multiple municipalities impacted, Bureau of Statistics – understanding of the population within a municipality in terms of numbers, age and diversity,
  - Experience of members of the MEMPC/MFMPC – Identification of risks and concerns, use of the Community Emergency Risk Assessment (CERA) process as a means to assess the overall severity of these risks by the committee– Identification of vulnerable facilities etc,
  - Mapping from CFA/DELWP on fire history, Ignition sources,
  - The Victorian Fire Risk Register (submissions entered following the endorsement of the local municipal fire management planning committee) – Identification of at risk sites/areas,
  - Council's own GIS – spatial representation of townships/rural fringes, Identification of potential Bushfire Places of Last resort (formerly Neighbourhood Safer Places),
  - Council's experience/knowledge of local contractors and services – resources for response and recovery,
  - Agency inputs/publications on available services – DHHS, Red Cross, DTF (emergency grants) etc,
  - Council's planning scheme - BMOs
- b. What information do local governments rely on in assessing the impact of natural disasters?
- Initial updates provided via the ICC or relayed from the Municipal Emergency Response Coordinator (VicPol) or from a council officer in attendance at the ICC (EMLO) – Initially involving road closure requests (extent of the fire's impact) and requests for the opening of emergency relief centres and the numbers of people attending these centres.
  - More accurate data based on field assessments by Council officers/contractors. Two aspects – first Council assets impacted (roads, bridges, council buildings), second – community losses – houses, commercial buildings.

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- c. How can the information available to, and relied on by, local governments be improved to assist their role in planning for, responding to and recovering from natural disasters?
- The regular updating of agency information (eg emergency grants, other support services) at least annually pre-fire season,
  - capturing the learnings from communities/local governments in impacted areas – eg make available documentation of those Community Recovery Committees which have been acknowledged by their communities as being successful so that these models can be considered in other emergency management plans,
  - Importance of holding de-briefings after an event to identify aspects which worked and those that could have been improved and update the EM Plans as required.
- d. To what extent is the information referred to in (a) and (b) shared or coordinated with other local governments and with the community?
- In Victoria, there is an active network of emergency management coordinators, which have in large part been funded under the Municipal Emergency Resourcing Program (MERP) arrangements. These positions are commonly required to take the lead role in preparing drafts of council emergency planning documents and provide administration support for the various EM council committees. It is noted that without this funding support councils would struggle to maintain up to date compliant emergency management plans.
  - This network provides ready access to the experience of a wide range of EM practitioners across the state, in addressing any EM matters. However, in recent years there has been a lack of direct interface with our adjoining municipalities in for example a joint emergency planning exercise involving our EM agency partners.

Question 2:

- a. What is the responsibility of local governments for communicating with, and educating their communities about, natural disaster risks, preparedness, response and recovery?
- Council has a key role as a facilitator in the promotion of resilience within the community in response to a natural disaster.
  - Council supports control agencies, but do not take any lead role in directly combating the natural disaster threat.
- b. How is this put into effect? c. How could this communication and education be improved?
- The control agency should be the lead for the development of information kits etc with the Council supporting the messaging through its website and in participation in programs with the lead agency.
  - For example, the CFA have a range of campaigns such as smoke detector battery changeover and engaging with the community in their Safer Together initiative which Council is supporting by ensuring officer representation in the CFA meetings with the local communities.
  - An area which could be improved is community understanding of what they can expect from their council and the state government in the aftermath of a natural disaster event. This could be targeted at a smaller scale and larger scale event and coordinated the DHHS.

Question 3:

Are local governments provided with sufficient guidance, training and standards to perform their role in relation to natural disaster mitigation, preparedness, response and recovery?

- Consider that guidance on the development of EM plans through the Emergency Management Manual Victoria document is very helpful.
- Increased responsibility on agencies in developing EM Plans will also assist the planning processes (preparedness).
- Training for council EM officers should be improved including a course on community recovery planning which would be beneficial.

Question 4:

How can local governments ensure accountability for, and compliance with, land-use planning or hazard management obligations designed to mitigate and increase resilience to natural hazard risks?

- Councils rely on the traditional planning and building approvals processes to achieve compliance with the Council's Planning Scheme (eg BMO, vegetation removals) and building code requirements.
- The annual fire prevention inspection process targets residential settlements including the rural/farming interface adjacent to these areas to ensure fuel loads are managed appropriately.
- The management of fire hazards on rural farming land is more problematic and to date Council has not extended the fire inspections process in these areas due to the uncertainty over Council's ability to enforce any directions given and the lack of resources to expand the program to these areas.

Question 5:

- a. What is the responsibility of local governments for evacuation, evacuation centres and safe places?
  - Victoria Police are responsible for the coordination of evacuations. Council in conjunction with Regional Roads Victoria may be required to erect traffic detour signage or road closure signs.
  - Council is responsible for setting up emergency relief centres and the establishment and maintenance of Bushfire Places of Last Resort (BPLR) (formerly Neighbourhood Safer Places (NSPs)) with the approval of the CFA.
- b. How could these arrangements, including with respect to coordination between local governments, be improved?
  - The active incorporation of the nearest BPLRs and ERCs in adjoining municipalities could become a requirement within a council's emergency management plan.
  - This would assist an improved functionality of the EM plans in the face of an emergency event and could be an aspect incorporated in the emergency management training and exercising within the local MEMPC.



Question 5:

- a. What is the responsibility of local governments for assisting the community with relief and recovery from natural disasters?
- Council is responsible for planning and implementing local relief and recovery arrangements.
  - The Municipal Emergency Management Plan (MEMP) allows for escalation to regional and state levels as required.
  - Municipal councils are the lead agency at the local level for the following relief and recovery activities:
    - arranging emergency shelter and accommodation for displaced households
    - providing personal support and counselling referral
    - housing of displaced and lost/stray companion animals. Municipal councils will work with the Victorian Farmers' Federation, RSPCA and Australian Veterinary Association where required.
    - secondary impact assessment - gathering and processing of information
    - surveying and making a determination regarding occupancy of damaged buildings
    - forming, leadership and supporting Municipal/Community Recovery Committees
    - providing and staffing recovery/information centres
    - providing and managing community development services and activities
    - coordinating clean-up activities, including disposal of dead animals (domestic, native and feral) overseeing and inspecting rebuilding/redevelopment
    - undertaking the assessment, restoration, clearing and rehabilitation of public buildings and assets (e.g. roads, bridges, sporting facilities, public amenities) where the municipal council is the manager of that building or asset.
- b. How do local governments coordinate relief and recovery assistance with other local governments, Australian, state and territory governments, charities and community groups?
- The activation of the ERC will involve council contacting DHHS, VCC and Red Cross. As information is gathered including via attendees at the ERC(s) and impact assessments further discussions may be necessary with other agencies (eg AgVic) in planning for the community recovery.
  - Initially the Council would establish an internal crisis management team, although as the initial impact passes, consideration is given to the establishment of a community recovery committee. Community meetings would be arranged with impacted communities at which various agency representatives would be invited to attend to answer queries from the community.
  - Council would facilitate the activities of community-based organisations such as blaze aid by providing community information on its website.
  - Apart from liaison with DHHS, (also represented on the Council's MEMPC), council officers also interact with the Department of Treasury and Finance on claims for the restoration of council assets damaged or destroyed as a result of a natural disaster event under the Commonwealth/State natural disaster arrangements.



c. How could these arrangements be improved?

- Development of more detailed recovery plan templates based on those plans which have been considered successful by communities impacted by natural disasters.
- To further a community's understanding about what they can expect post impact, potentially set public triggers in relation to clean-up costs (demolition and removal) on residential buildings which have been destroyed where the state government will step in and arrange.
- Ensure that longer term access is available to support services for people directly impacted which will extend beyond the term of any community recovery committee. These services may be psychological support, financial planning or assistance with negotiating the re-building permit processes which will be required in the medium term.



### **9.7.3 Cancellation and Rescheduling of the 30 June Council Meeting**

Author: Chief Executive Officer

Responsible Officer: Chief Executive Officer

#### ***EXECUTIVE SUMMARY***

Strathbogie Shire Council cancelled the Council Meeting Scheduled for Tuesday, June 30 to allow Councillors more time to carefully consider community feedback.

This decision was made by the Chief Executive Officer, using the powers under clause 20 of the Strathbogie Shire Council Meetings Procedures Local Law No 1. Notice was given to the community through Facebook posts, a notice on the Shire's website and a media release covered in the Euroa Gazette outlining the reason for the cancellation on 1 July 2020.

The meeting was rescheduled to Tuesday 14 July 2020 at 5.00 pm.

***MOVED COUNCILLOR RAEburn, SECONDED COUNCILLOR GARDNER***

***That Council notes the report.***

***109/20 CARRIED***

#### ***PURPOSE AND BACKGROUND***

In accordance with clause 20 of the Strathbogie Shire Council Meetings Procedures Local Law No 1 of 2014, the purpose of this report is to formally advise Council and the community of the reasons underpinning the decision to cancel the scheduled Council meeting of 30 June 2020 to consider and adopt the draft 2020/21 draft Budget, the Strategic Resource Plan and Council Plan review.

#### ***ISSUES, OPTIONS AND DISCUSSION***

One of the Overarching governance principles in section 9 of the *Local Government Act 2020* is that Priority is to be given to achieving the best outcomes for the municipal community, including future generations.

Under clause 20 of the Strathbogie Shire Council Meetings Procedures Local Law No 1, the Chief Executive Officer cancelled the 30 June 2020 Council meeting to consider and adopt the draft 2020/21 draft budget, rating strategy, fees and charges and the Council Plan review

The meeting was rescheduled to Tuesday 14 July 2020 at 5.00 pm to provide more time for Councillors to carefully consider the feedback provided by the community during the public engagement process. Through their written and verbal submissions, our community expressed the need for support during the coronavirus pandemic and asked Councillors to prioritise essential capital works.

### 9.7.3 Cancellation and Rescheduling of the 30 June Council Meeting (cont.)

A Council meeting to consider and adopt the draft 2020/21 draft Budget, the Strategic Resource Plan and Council Plan review was rescheduled to 14 July 2020, from 5pm in the Conference Centre, 109A Binney Street, Euroa and livestreamed through Council's website at [www.strathbogie.vic.gov.au](http://www.strathbogie.vic.gov.au) to consider the draft budget, rating strategy, fees and charges and the Council Plan review.

#### **COMMUNITY ENGAGEMENT**

One of the Overarching governance principles in section 9 of the *Local Government Act 2020* is that the municipal community is to be engaged in strategic planning and strategic decision making.

To ensure that the community was made aware of this decision, the following actions were undertaken:

- Social Media posts: 29, 30 June 2020 and 3, 8 and 14 July 2020;
- Website posting <https://www.strathbogie.vic.gov.au/council/about-council/council-meetings>;
- Advertisement in Euroa News; and
- Email to all participants who attended the ward based online budget forums.

#### **POLICY CONSIDERATIONS**

The Local Government Act includes a planning and accountability framework for councils. Councils must deliver four core documents:

- A Council Plan within the period of six months after each general election or by 30 June, whichever is later;
- A Strategic Resource Plan for a period of at least four years that must be included in the Council Plan;
- A Budget for each financial year; and
- An Annual Report for each financial year (due October annually).

This is important to ensure accountability to residents and ratepayers.

#### **LEGAL CONSIDERATIONS**

One of the Overarching governance principles in section 9 of the *Local Government Act 2020* is that Council decisions are to be made and actions taken in accordance with the relevant law.

This report fulfils the statutory requirement under clause 20 of the Strathbogie Shire Council Meetings Procedures Local Law No 1 of 2014.

#### Conflict of Interest Declaration

The Chief Executive Officer has signed a written declaration that she does not have a conflict of interest in the subject matter of this report. The report is statutory by nature.

#### Transparency

One of the Overarching governance principles in section 9 of the *Local Government Act 2020* is that the transparency of Council decisions, actions and information is to be ensured.

### 9.7.3 Cancellation and Rescheduling of the 30 June Council Meeting (cont.)

Councils are required to plan and report their results to ensure their activities are transparent and accountable to the community and other levels of government. It is important for the community to understand how the public money from their Shire rates and other State and Federal government grants is spent and the range of services Strathbogie Shire Council delivers.

#### **SUSTAINABILITY CONSIDERATIONS**

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, is to be promoted.

As a result of the feedback received from the 2020/21 draft budget consultation process, Councillors have asked for more time to carefully consider the feedback we received from the community during the 202/21 Draft Budget public engagement process. The community (amongst other matters) have asked the Councillors to carefully consider their feedback, provide support during the coronavirus (COVID-19) pandemic, prioritise essential capital works and look at ways to redirect funding into community revitalisation and be financially responsible.

#### **HUMAN RIGHTS CONSIDERATIONS**

This report considers the human rights of our community in terms of taking part in public life and the opportunity to voice their opinion.

#### **CONCLUSION**

This report ensures compliance with clause 20 of the Strathbogie Shire Council Meetings Procedures Local Law No 1 of 2014 and to ensure that due consideration is given by Councillors in considering the feedback to the 2020/21 draft Budget.

#### **ATTACHMENTS**

Nil.



#### **9.7.4 Draft Governance Rules**

Responsible Officer: Executive Manager, Governance & Customer Service

##### ***EXECUTIVE SUMMARY***

A requirement of the newly introduced *Local Government Act 2020* (the Act) is the development of Governance Rules to replace Council's current Meetings Procedure Local Law No 1 of 2014.

These Rules have to contain:

- processes for Councillors, committee members and staff to declare conflicts of interest
- Council's Election (Caretaker) Period Policy
- processes for the election of Mayor and (if required) Deputy Mayor and Chairs of Delegated Committees or Community Asset Committees
- procedures for Council meetings, including the Audit and Risk Committee, any Delegated Committees and Community Asset Committees.

The document is divided into four chapters; meetings procedure, declaration of conflicts of interest, miscellaneous (dealing with informal meetings of Council and the classification of information as confidential by the Chief Executive Officer) and the Election Period Policy.

Overall, the Governance Rules ensure Council, Council appointed committees and delegated Officers:

- consider and make decisions on any matter being considered by the Council fairly and on its merits; and
- abide by consistent and transparent decision making processes to ensure that any person whose rights will be directly affected by a decision of the Council is entitled to communicate their views and have their interests considered.

The Governance Rules are based upon the template released by Local Government Victoria (LGV), a template prepared by Council's governance lawyers, Council's own existing local law and other best practice examples.

The Rules contain the Election Period Policy adopted by Council in March 2020, with minor amendments required to reflect the new provisions of the Act.

Overall, our Governance Rules ensure that Council is open and transparent in its decision making.

Moreover, these Rules ensure our community and people with direct interests in matters before Council (or a committee or delegated officers) are able to have their views heard and considered prior to a decision being made.

The draft Governance Rules will be placed on exhibition for public comment for a period of 28 days, with a Council meeting to be held at 4.00 p.m. on Friday 21 August 2020 to hear any verbal submissions people wish to make in support of their written submission. If there are no written submissions received during the consultation process, this meeting will not be held.

A Council meeting will be held on Tuesday 25 August 2020 to consider the adoption of the Governance Rules.

9.7.4 Draft Governance Rules (cont.)

***MOVED COUNCILLOR MASON, SECONDED COUNCILLOR LITTLE***

***That Council:***

1. ***Note the draft Governance Rules and place them on public exhibition for community review and comment for a period of 28 days, advertised through the following means:***
  - ***a notice in the 23 July 2020 Government Gazette***
  - ***an item under 'Top News Stories' on Council's website***
  - ***posts on Council's social media pages page***
  - ***notices in the local papers.***
2. ***Hold a Council meeting at 4.00 p.m. on Friday 21 August 2020 in the Conference Room, Bury Street, Euroa, to consider all written submissions and to hear any verbal submissions.***
3. ***Note that, should no written submissions be received during the public consultation period, the meeting on Friday 21 August 2020 will not be held.***
4. ***Hold a Council meeting at 5.00 p.m. on Tuesday 25 August 2020 in the Conference Room, Bury Street, Euroa, to consider the adoption of the Governance Rules.***

110/20 **CARRIED**

***PURPOSE AND BACKGROUND***

The purpose of this report is to enable Council to undertake an initial review of the Draft Governance Rules and to place them on public exhibition so that written and verbal submissions from the public can be considered prior to their adoption in late August 2020.

The development of the Governance Rules is one of the key new requirements under the *Local Government Act 2020*, and they must be operational by 1 September 2020. The consideration of the draft Rules is, therefore, the first step in the statutory process that must be undertaken to meet this timeframe.

***ISSUES, OPTIONS AND DISCUSSION***

The Governance Rules are based on a draft templates provided by the LGV and by Council's expert governance lawyer. The Author has participated in several online forums and workshops in relation to the development of the Governance Rules to ensure Strathbogie Shire is compliant with all aspect of the Act and adopts best practice.

Several other draft Governance Rules documents, and a review of local law provisions relating to community participation in Council meetings, have also been reviewed in the development of the draft Rules.



#### 9.7.4 Draft Governance Rules (cont.)

The Rules are divided into four chapters:

Chapter	Name
Chapter 1	Meetings Procedures
Chapter 2	Disclosure of Conflicts of Interest
Chapter 3	Miscellaneous
Chapter 4	Election Period Policy

Chapter 4 contains the Election Period Policy, which was reviewed and adopted by Council in March 2020. This policy has been amended to update references and definitions to comply with the requirements of the new 2020 Act but its provisions are fundamentally the same as the March 2020 document.

Overall, the draft Governance Rules underpin the fundamental decision making processes of Council and are a way in which the Overarching governance, and supporting, principles of the new Act are implemented on a day to day basis.

The Meetings Procedure Chapter outlines the role of Councillors, Officers and the community in the decision making process. It ensures that decision making is orderly, inclusive and managed in a way that ensures maximum community participation.

Other key provisions of the Act including the disclosure of interests by:

- Councillors
- members of Council appointed Committees
- officers making delegated decisions on a daily basis
- officers performing a statutory role such as the Municipal Emergency Response Officer

are also addressed by outlining clear and consistent procedures and record keeping practices.

New legislation relating to conflicts of interest, and how they are defined, comes into play in October 2020, however the Rule cater for the declaration of interests under current law. Training has been provided to the Executive Leadership Team, Management Team and key staff engaged in procurement to bolster awareness and compliance with conflict of interest provisions.

The Miscellaneous chapter deals with more informal meetings of Councillors, which used to be called Assemblies of Council, and how records of those in attendance and a summary of the matters discussed at these meetings are to be made available to the public through the Council agenda and minutes.

#### 9.7.4 Draft Governance Rules (cont.)

This chapter also deals with the classification of information as confidential by the Chief Executive Officer to ensure there is continuity with the 1989 Act. The tests for identifying information as confidential are more rigorous under the new Act, however for many years the Chief Executive Officer has been able to make this classification and therefore this is not a new power or role.

#### **COMMUNITY ENGAGEMENT**

Relevant Overarching governance principles, as outlined in section 9 of the *Local Government Act 2020*, are:

- priority is to be given to achieving the best outcomes for the municipal community, including future generations
- the municipal community is to be engaged in strategic planning and decision making.
- the transparency of Council decisions, actions and information is to be ensured.

There are also supporting principles relating to community engagement and public transparency that further promote community participation in Council decision making processes and Council meetings.

To meet these new obligations there is a dedicated section of Chapter 1, Meetings Procedure, dedicated to Community Participation (Division 1.5). This includes Question Time, Petitions and Joint Letters, and Representations/Deputations to Council.

#### Public exhibition of draft Governance Rules

The Act requires the draft Governance Rules must be subject to public consultation, however the form of consultation is not prescribed.

Our Community Engagement Strategy and the community engagement principles of the Act, the draft policy should be exhibited for public review and comment.

Given the importance of the document, and its nature, it is recommended that a 28 day consultation period be undertaken, in parallel with the consultation process for the creation of the new Use of Common Seal Local Law No 1 of 2020.

Members of the community must provide written comment by the close of business on Wednesday 19 August 2020 and they can also ask to be given the opportunity for them, or a nominated appointee, to make a verbal presentation to Council in support of their submission. This meeting will be held on 21 August 2020 at 4.00 p.m. in the Conference Room, Bury Street, Euroa.

Notices will be placed in newspapers circulating in Euroa, Benalla and Shepparton as well as in local newsletters in townships across the Shire. Posts will appear on Council's website and social media pages throughout the consultation period.



#### 9.7.4 Draft Governance Rules (cont.)

### ***POLICY CONSIDERATIONS***

#### Council Plans and Policies

The development of our Governance Rules is a day to day way of implementing the following Council Plan goal of:

*To be a high performing Shire.*

And the strategies to achieve this goal including:

*To be equitable and fair in all decision making processes*

*To communicate and engage effectively with our community and key stakeholders*

*Promote open and transparent reporting of Council decision making including Know Your Council Data.*

The Governance Rules also support the Councillor Code of Conduct and Staff Code of Conduct in relation to behaviour and declarations of conflict of interest.

The repealing of the current Meetings Procedures Local Law no 1 of 2014 also requires the creation of a new local law relating to the Use of the Common Seal 2020, which supports the Governance Rules.

#### Regional, State and National Plans and Policies

The adoption of Governance Rules and open, inclusive and transparent decision making processes is consistent with State legislation and directives.

In a broader sense, the Governance Rules ensure that the level of government closest to the community is open and accessible to its community and that it encourages meaningful participation in decision making processes.

### ***LEGAL CONSIDERATIONS***

The Governance Rules have been drafted in accordance with the requirements of section 60 the Act and has been developed under the guidance of an experienced governance lawyer and the department of Local Government Victoria.

The consultation process is also in accordance with the requirements of section 60(4).

As previously mentioned, the Rules provide a comprehensive and consistent framework to ensure Council, its Committees and its Officers comply with the provisions of the *Local Government Act 2020* relating to decision making, consultation and conflicts of interest.

#### Conflict of Interest Declaration

All officers, and/or contractors, involved in the preparation of this report have signed a written declaration that they do not have a conflict of interest in the subject matter of this report.

#### Transparency

One of the Overarching governance principles in section 9 of the *Local Government Act 2020* is to achieve transparency in Council decision making, actions and information.

#### 9.7.4 Draft Governance Rules (cont.)

The Governance Rules identify how the community is to be involved in Council decision making and ensures that access to Council meetings, including live streaming, is to be facilitated. Minimum standards for information to be provided in the minutes of meetings is also outlined in the document.

The Rules set out how Council and committee meetings will operate and the role of Councillors, Committee members, Officers and the community at these meetings.

#### **INNOVATION AND CONTINUOUS IMPROVMENT**

One of the Overarching governance principles in section 9 of the *Local Government Act 2020* is the pursuit of innovation and continuous improvement.

The Governance Rules include some important changes in the way our Council and committee meetings are conducted, such as allowing the submission of online/electronic petitions, increasing the time speakers have to put their views forward and ensuring that this Council adopts best practice in its achievement of good governance.

#### **HUMAN RIGHTS CONSIDERATIONS**

This policy has been reviewed against and complies with the rights and protections outlined by the *Charter of Human Rights and Responsibilities Act 2006* as it provides for the participation of our community in decisions that affect them and ensures that there is consistency and equity in the rights of our community to participate at meetings.

#### **CONCLUSION**

The draft Governance Rules comply with all aspects of the Act.

A 28 day community consultation process will ensure there is public scrutiny and input into the final document. There will also be an opportunity for our community to make a verbal presentation to Council in support of their written submission at an extraordinary Council meeting to be held on 21 August 2020.

#### **ATTACHMENTS**

**Attachment 1:** Draft Governance Rules



ATTACHMENT 1:



**STRATHBOGIE SHIRE COUNCIL  
GOVERNANCE RULES**

**Adopted by Council XXXX 2020**

A handwritten signature in black ink, located in the bottom right corner of the page.

## Authorisation

The Strathbogie Shire Council Governance Rules was adopted by Council on XX XXX 2020.

The Common Seal of the ) ..... Councillor

Strathbogie Shire Council ) ..... Councillor

was hereunto affixed ) ..... Chief Executive Officer

on the (day) of (month) (year)





## CONTENTS

1.	Nature Of Rules.....	62
2.	Date of Commencement .....	62
3.	Contents.....	62
4.	Definitions for Governance Rules.....	62
5.	Context .....	63
6.	Decision Making.....	63
Chapter 1 Meetings Procedure .....		65
7.	Purpose of this Chapter.....	65
8.	Definitions for the meetings procedures chapter .....	65
Part A – Election of Mayor.....		67
9.	Election of the Mayor.....	67
10.	Method of Voting.....	67
11.	Determining the election of the Mayor .....	67
12.	Election of Deputy Mayor and Chairs of Delegated Committees .....	69
13.	Ceremonial Speeches .....	69
14.	Appointment of Acting Mayor.....	69
Part B – Meetings Procedure .....		69
Division 1.1 – Good decision making .....		70
15.	Role of Chairperson and Members.....	70
16.	Role of Chief Executive Officer .....	70
17.	Role of Councillors and members of Delegated Committees .....	70
18.	Role of the Community .....	71
Division 1.2 – Notices of Meetings and Delivery of Agendas.....		71
19.	Dates and Times of Meetings Fixed by Council.....	71
20.	Council May Alter Meeting Dates.....	72
21.	Meetings Not Fixed by Council .....	72
22.	Notice Of Meeting.....	72
Division 1.3 – Quorums .....		73
23.	Inability To Obtain A Quorum .....	73
24.	Inability To Maintain A Quorum.....	73
25.	Adjourned Meetings .....	74
26.	Time limits for Meetings .....	75
27.	Cancellation or Postponement of a Meeting.....	75

Division 1.4 – Business Of Meetings .....	75
28. Agenda and the Order Of Business .....	75
29. Change To Order Of Business .....	76
30. Urgent Business .....	76
Division 1.5 – Community Participation.....	77
31. Question Time.....	77
32. Petitions and Joint Letters.....	79
33. Representations and Deputations .....	80
Division 1.6 – Reports from Councillors .....	81
Division 1.7 – Motions and Debate.....	81
34. Councillors May Propose Notices Of Motion .....	81
35. Notice Of Motion .....	82
36. Chair’s Duty.....	83
37. Officers May Introduce a Report .....	84
38. Introducing A Motion or an Amendment .....	84
39. Right Of Reply .....	85
40. Moving An Amendment .....	85
41. Who May Propose An Amendment .....	85
42. The Number of Amendments That May Be Proposed.....	85
43. An Amendment Once Carried.....	86
44. Foreshadowing Motions.....	86
45. Withdrawal Of Motions .....	86
46. Separation Of Motions .....	86
47. Chair May Separate Motions.....	86
48. Motions moved in a block .....	86
49. Motions In Writing .....	86
50. Repeating Motion and/or Amendment .....	87
51. Priority of address .....	87
52. Debate Must Be Relevant To The Motion.....	87
53. Speaking Times .....	87
54. Addressing the Meeting .....	87
55. Right to Ask Questions .....	88
Division 1.8 – Procedural Motions .....	88
56. Procedural Motions.....	88
Division 1.9 – Rescission Motions.....	88



57.	Notice of Rescission .....	88
58.	If Lost .....	89
59.	If Not Moved .....	89
60.	May Be Moved By Any Councillor .....	89
61.	When Not Required .....	89
Division 1.10 – Points of Order .....		90
62.	Chair To Decide .....	90
63.	Chair May Adjourn To Consider .....	90
64.	Dissent From Chair’s Ruling .....	90
65.	Procedure For Point Of Order .....	91
66.	Valid Points Of Order .....	91
Division 1.11 – Closure of meetings .....		91
Division 1.12 – Voting .....		91
67.	How Motion Determined .....	91
68.	Silence .....	92
69.	Recount .....	92
70.	Casting Vote .....	92
71.	By Show Of Hands .....	92
72.	Procedure For A Division .....	92
73.	No Discussion Once Declared .....	93
Division 1.13 – Minutes .....		93
74.	Confirmation of Minutes .....	93
75.	No Debate on Confirmation Of Minutes .....	94
76.	Deferral Of Confirmation Of Minutes .....	94
77.	Form and Availability of Minutes .....	95
Division 1.14 – Behaviour .....		96
78.	Public Addressing The Meeting .....	96
79.	Chair May Remove .....	96
80.	Chair may adjourn disorderly meeting .....	96
81.	Removal from Chamber .....	96
Division 1.15 – Additional Duties of Chair .....		96
82.	The Chair’s Duties And Discretions .....	96
Division 1.16 – Suspension of Standing Orders .....		97
83.	Suspension of Standing Orders .....	97
Division 1.17 – Miscellaneous .....		97

84.	Meetings Conducted Remotely .....	97
85.	Procedure not provided in this Chapter .....	97
86.	Criticism of members of Council staff.....	98
	Division 1.18 – Delegated Committees .....	98
87.	Delegated Committee Meeting Procedure Generally .....	98
88.	Delegated Committee Meeting Procedure Can Be Varied .....	98
	Division 1.19 – Audit and Risk Committee .....	99
89.	Audit and Risk Committee Meeting Procedure Generally.....	99
	Division 1.20 - Community Asset Committees .....	99
90.	Community Asset Committee Meeting Procedure .....	99
	Chapter 2 – Disclosure of Conflicts of Interest .....	101
91.	Introduction .....	101
92.	Definition .....	101
93.	Obligations with regard to conflict of interest:.....	101
	Division 2.1 – Disclosures by Councillors .....	102
94.	Disclosure of a Conflict of Interest at a Meeting.....	102
	Division 2.2 – disclosures at Delegated Committees.....	102
95.	Disclosure of Conflict of Interest at a Delegated Committee Meeting .....	102
	Division 2.3 – Disclosures at Community Asset Committees.....	103
96.	Disclosure of a Conflict of Interest at a Community Asset Committee Meeting.....	103
	Division 2.4 – Disclosures under Other Meetings.....	104
97.	Disclosure at a Meeting Conducted Under the Auspices of Council.....	104
	Division 2.5 – Disclosures by Council Staff .....	104
98.	Disclosure by Members of Council Staff Preparing Reports for Meetings.....	104
99.	Disclosure of Conflict of Interest by Members of Council Staff in the Exercise of Delegated Power .....	105
100.	Disclosure by a Member of Council Staff in the Exercise of a Statutory Function .....	105
101.	Retention of Written Notices .....	105
	Chapter 3 – Miscellaneous .....	106
102.	Informal Meetings of Councillors .....	106
103.	Confidential Information.....	106
	Chapter 4 – Election Period Policy .....	107
104.	Introduction .....	107
105.	Policy Position.....	107
106.	Definitions .....	108





107.	External References .....	110
108.	Related Council Documents .....	110
109.	Policy Objectives .....	110
110.	Review of This Policy .....	111
	Division 4.1 – Decision Making .....	111
111.	Limitations .....	111
112.	Council and Delegated Committee meetings.....	112
113.	Election period statement .....	112
	Division 4.2 – Access to Information.....	112
114.	Requests for Access to Council information .....	112
115.	Keeping of a Request for Information Register.....	113
	Division 4.3 - Council Media, Social Media Pages and Publications.....	114
116.	Certification of publications by the Chief Executive Officer .....	114
117.	Council spokesperson.....	114
118.	Annual Report .....	115
119.	Council websites and social media sites .....	115
120.	Internal publications/intranet.....	116
121.	Councillor-issued communications .....	116
	Division 4.4 – Public Consultation and Events.....	117
122.	Public meetings and events.....	117
123.	Speeches for external events .....	117
124.	Community consultation .....	117
125.	Council facilities/halls for hire.....	117
	Division 4.5 - Use of Council Resources.....	118
126.	Candidacy.....	118
127.	Elected Councillors Performing their Roles.....	118
128.	Use of the Title ‘Councillor’ .....	118
129.	Photographs and Images.....	118
130.	Council Branding and Stationery .....	118
131.	Councillor Expense Reimbursement .....	119
132.	Councillor Correspondence .....	119
133.	Politicisation of Council .....	119
	Division 4.6 – Charter of Human Rights and Responsibilities Act 2006 and the Equal Opportunities Act 2010 .....	119
	Schedule 1 Procedural Motions Table .....	120



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<b>Schedule 2 Election Period Certification Memorandum .....</b>	<b>124</b>
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## GOVERNANCE RULES

### 1. Nature Of Rules

These are the Governance Rules of Strathbogie Shire Council, made in accordance with section 60 of the *Local Government Act 2020*.

### 2. Date of Commencement

These Governance Rules commence on 1 September 2020.

### 3. Contents

These Governance Rules are divided into the following Chapters:

Chapter	Name
Chapter 1	Meetings Procedure
Chapter 2	Disclosure of Conflicts of Interest
Chapter 3	Miscellaneous
Chapter 4	Election Period Policy

### 4. Definitions for Governance Rules

In these Governance Rules, unless the context suggests otherwise the following words and phrases mean:

Act means the *Local Government Act 2020*.

Authorised Officer has the same meaning as in the *Local Government Act 1989* or any other Act.

Chief Executive Officer (CEO) includes an Acting Chief Executive Officer.

Code of Conduct has the same meaning as defined by the Act.

Council means the Strathbogie Shire Council.

Election period means the period that:

(a) starts at the time that nominations close on nomination day; and

(b) ends at 6 p.m. on election day

as defined by the Act.

Mayor means the Mayor of Council.

## 5. **Context**

These Rules should be read in the context of and in conjunction with:

the overarching governance principles specified in section 9(2) of the Act; and

the following documents adopted or approved by Council:

Councillor Code of Conduct

Staff Code of Conduct

Relevant Council Policies and CEO Directives

Draft Use of Common Seal Local Law No 1 of 2020.

## 6. **Decision Making**

In any matter in which a decision must be made by Council (including persons acting with the delegated authority of Council), Council must consider the matter and make a decision:

- (i) fairly, by giving consideration and making a decision which is balanced, ethical and impartial; and
- (ii) on its merits, free from favouritism or self-interest and without regard to irrelevant or unauthorised considerations

Council must, when making any decision to which the principles of natural justice apply, adhere to the principles of natural justice; including, without limitation, ensuring that any person whose rights will be directly affected by a decision of Council is entitled to communicate their views and have their interests considered.

Without limiting anything in paragraph (b) of this sub-Rule:

- (iii) before making a decision that will directly affect the rights of a person, Council (including any person acting with the delegated authority of Council) must identify the person or persons whose rights will be directly affected, give notice of the decision which Council must make and ensure that such person or persons have an opportunity to communicate their views and have their interests considered before the decision is made;





- (iv) if a report to be considered at a Council meeting concerns subject-matter which will directly affect the rights of a person or persons, the Report must record whether the person(s) has been provided with an opportunity to communicate their views and have their interests considered;
- (v) if a report to be considered at a Delegated Committee meeting concerns subject-matter which will directly affect the rights of a person or persons, the Report must record whether the person(s) has been provided with an opportunity to communicate their views and have their interests considered; and
- (vi) if a member of Council staff proposes to make a decision under delegation and that decision will directly affect the rights of a person or persons, the member of Council staff must, when making that decision, complete a Delegate Report that records that notice of the decision to be made was given to the person or persons and such person or persons were provided with an opportunity to communicate their views and have their interests considered.



## Chapter 1 Meetings Procedure

This Chapter will be known as the "Meeting Procedure Chapter".

### 7. Purpose of this Chapter

The purpose of this Chapter is to:

- a) provide for the election of the mayor and any deputy mayor
- b) provide for the appointment of any acting mayor
- c) provide for the procedures governing the conduct of council meetings
- d) provide for the procedures governing the conduct of delegated committees
- e) the form and availability of meeting records.

### 8. Definitions for the meetings procedures chapter

In this Chapter:

Advisory Committee or Group	means a committee or group established by the Council, that provides advice to: <ul style="list-style-type: none"><li>(a) the Council; or</li><li>(b) a member of Council staff who has been delegated a power, duty or function of the Council;</li></ul> that is not a Delegated Committee.
agenda	means a document containing the date, time and place of a Council meeting and a list of business to be transacted at the meeting.
Audit and Risk Committee	means the Audit and Risk Committee established by a Council under section 53 of the Act.
Chair	means the Chairperson of a meeting and includes a Councillor who is appointed by resolution to chair a meeting under section 61(3) of the Act and includes an acting, temporary and substitute Chairperson.
Community Asset Committee	means a Community Asset Committee established under section 65 of the Act.
Councillor	Means a Councillor of Strathbogie Shire Council.
Council meeting	means a meeting of the Council convened in accordance with these Governance Rules and includes a scheduled meeting and unscheduled meeting.
delegate	means a member of Council staff to whom powers, functions and duties have been delegated by an instrument of delegation.

Delegated Committee	means a Delegated Committee established under section 63 of the Act.
Delegated Committee meeting	means a Meeting of a Delegated Committee.
Deputy Mayor	means the Deputy Mayor of Council and any person appointed by Council to act as Deputy Mayor.
disorder	means any disorderly conduct of a member of the Gallery or a Councillor and includes: <ul style="list-style-type: none"><li>(a) interjecting when another person is speaking, except, in the case of where a Councillor is raising a Point of Order</li><li>(b) making comments that are defamatory, malicious, abusive or offensive</li><li>(c) refusing to leave the Meeting when requested, ordered or directed to do so by the Chairperson in accordance with the Act and the Governance Rules</li><li>(d) engaging in any other conduct which prevents the orderly conduct of the Meeting.</li></ul>
majority of the votes	means a majority of Councillors present at the time of a vote voting in favour of a matter.
meeting	means a Council Meeting or a Delegated Committee Meeting.
member	means a member of any committee to which these governance rules apply.
minutes	means the collective record of proceedings of Council.
motion	means a proposal framed in a way that will result in the opinion of Council being expressed, and a Council decision being made, if the proposal is adopted.
municipal district	means the municipal district of Council.
notice of motion	means a notice setting out the text of a motion, which it is proposed to move at the next relevant meeting.
notice of rescission	means a notice of motion to rescind a resolution made by Council.
on notice	means held or deferred to enable preparation of a response.
point of order	means a procedural point (about how the meeting is being conducted), not involving the substance of a matter before a meeting
procedural motion	means a motion that relates to a procedural matter only and which is not designed to produce any substantive decision but used merely as a formal procedural measure.



Rule or sub-Rule	means a rule or sub-rule included in these Governance Rules
urgent business	means a matter that relates to or arises out of a matter which has arisen since distribution of the agenda and cannot safely or conveniently be deferred until the next meeting.
unscheduled meeting	means a meeting of the Council convened for a particular purpose that cannot be effectively dealt with in the schedule of Council meetings set annually by Council.
written	includes duplicated, lithographed, photocopied, printed and typed, and extends to both hard copy and soft copy form, and writing has a corresponding meaning.

## Part A – Election of Mayor

This Part is concerned with the election of the Mayor and describes how the Mayor is to be elected.

The role and functions of the Mayor are provided in the Act. The holder of this significant office is the Chairperson at Council Meetings, is the leader of the Councillors, acts as the principal spokesperson for Council and carries out civic and ceremonial duties.

### 9. Election of the Mayor

The Chief Executive Officer must facilitate the election of the Mayor in accordance with the provisions of the Act.

### 10. Method of Voting

The election of the Mayor must be carried out by a show of hands.

### 11. Determining the election of the Mayor

The Chief Executive Officer must open the meeting at which the Mayor is to be elected and invite nominations for the office of Mayor.

#### 11.1 Any nominations for the office of Mayor must be:

11.1.1 in writing and in a form prescribed by the Chief Executive Officer; and

11.1.2 seconded by another Councillor.

#### 11.2 Once nominations for the office of Mayor have been received, the following provisions will govern the election of the Mayor:

11.2.1 if there is only one nomination, the candidate nominated must be declared to be duly elected

- 11.2.2 if there is more than one nomination the Councillors present at the meeting must vote for one of the candidates
- 11.2.3 in the event of a candidate receiving an absolute majority of the votes, that candidate is declared to have been elected
- 11.2.4 in the event that no candidate receives an absolute majority of the votes, and it is not resolved to conduct a new election at a later date and time, the candidate with the fewest number of votes must be declared to be a defeated candidate and the Councillors present at the meeting must then vote for one of the remaining candidates
- 11.2.5 if one of the remaining candidates receives an absolute majority of the votes, he or she is duly elected but if none of the remaining candidates receives an absolute majority of the votes, the process of declaring the candidates with the fewest number of votes a defeated candidate and voting for the remaining candidates must be repeated until one of the candidates receives an absolute majority of the votes and that candidate must then be declared to have been duly elected
- 11.2.6 in the event of two or more candidates having an equality of votes and one of them having to be declared:
  - (a) a defeated candidate
  - (b) duly electedthe declaration will be determined by lot.
- 11.2.7 if a lot is conducted, the Chief Executive Officer will have the conduct of the lot and the following provisions will apply:
  - (a) each candidate will draw one lot
  - (b) the order of drawing lots will be determined by the alphabetical order of the surnames of the Councillors who received an equal number of votes except that if two or more such Councillors' surnames are identical, the order will be determined by the alphabetical order of the Councillors' first names; and
  - (c) as many identical pieces of paper as there are Councillors who received an equal number of votes must be placed in a receptacle. If the lot is being conducted to determine who is a defeated candidate, the word "Defeated" shall be written on one of the pieces of paper, and the Councillor who draws the paper with the word "Defeated" written on it must be declared the defeated candidate (in which event a further vote must be taken on the remaining candidates unless there is only one





candidate remaining, in which case that candidate will be declared to have been duly elected).

12. **Election of Deputy Mayor and Chairs of Delegated Committees**

Any election for the office of Deputy Mayor or Chair of a Delegated Committee will be regulated by Rules 9 - 11 (inclusive) of this Chapter, as if the reference to the Chief Executive Officer is a reference to the Mayor; and Mayor is a reference to the Deputy Mayor or the Chair of the Delegated Committee (as the case may be).

13. **Ceremonial Speeches**

Upon being elected a Mayor, Deputy Mayor or Chair of a Delegated Committee may make a ceremonial speech lasting no more than 3 minutes.

14. **Appointment of Acting Mayor**

If Council has not established an office of Deputy Mayor and an Acting Mayor needs to be appointed, it can do so by resolving that a specified Councillor be so appointed.

## **Part B – Meetings Procedure**

### **Introduction**

This Part is divided into Divisions and each deals with a specific aspect of holding a Council meeting. The purpose of this section is to describe how and when a meeting is held, along with when and how business may be conducted at a meeting.

In accordance with Section 61 and 63 of the Act, the Mayor must take the Chair at all Council Meetings at which the Mayor is present. If the Mayor is absent, the Deputy Mayor (if any) must take the Chair and if both are absent, Council must elect one of the Councillors as Chairperson of the meeting.

The way in which Council and Committee Meetings are conducted makes a significant contribution to good governance. The Chairperson plays a crucial role in facilitating an orderly, respectful, transparent and constructive meeting by ensuring all Councillors and members of Delegated Committees and advisory committees have the opportunity to be heard, matters are adequately discussed, meeting procedures are followed appropriately, and statutory requirements are adhered to.

The Chairperson is an independent leader of meetings and generally does not participate in debate or move or second motions.

The Act provides for the Mayor to appoint a Councillor as the Chair of a Delegated Committee and any such appointment prevails over any appointment made by Council. While there are no limitations on exercising that power, the Mayor must always act in a way that is consistent with the adopted Councillor Code of Conduct and transparency commitments of the Council.

Additionally, each member of the meeting has an obligation to participate in good decision-making.

Specific duties and discretions of the Chairperson are outlined throughout these Governance Rules.

## **Division 1.1 – Good decision making**

### **15. Role of Chairperson and Members**

15.1 The Chairperson, Councillors and members of Delegated Committees will ensure good decision-making by endeavouring to ensure:

- (a) Decision making is transparent to members and observers
- (b) Meeting members have sufficient information to make good decisions
- (c) Every member is supported to contribute to decisions
- (d) Any person whose rights are affected has their interests considered
- (e) Debate and discussion is focussed on the issues at hand
- (f) Meetings are conducted in an orderly manner
- (g) Decisions are made on the merits of the matter.

### **16. Role of Chief Executive Officer**

16.1 The Chief Executive Officer, or delegate, may participate in the meeting to provide support to the Chairperson.

16.2 The Chief Executive Officer should:

- (a) Immediately advise, to the best of their knowledge, if a proposed resolution or action is contrary to the law
- (b) Advise if there are operational, financial or risk implications arising from a proposed resolution
- (c) Help clarify the intent of any unclear resolution to facilitate implementation
- (d) On request, assist with procedural issues that may arise.

### **17. Role of Councillors and members of Delegated Committees**

17.1 Councillors and members of Delegated Committees contribute to good governance and decision making by:



- (a) Seeking views of community members and reading agenda prior to the meeting
- (b) Demonstrating due respect and consideration to community views and the professional / expert advice provided in the agenda
- (c) Attending meetings and participating in debate and discussion
- (d) Demonstrating respect for the role of the Chair and the rights of other Councillors or members of Delegated Committees to contribute to the decision-making
- (e) Being courteous and orderly.

18. **Role of the Community**

- 18.1 Council meetings are decision making forums and it is important that they are open to the community to attend and/or view proceedings.
- 18.2 Community members may only participate in Council meetings in accordance with these Rules.
- 18.3 Community members are encouraged to participate in Council's engagement forums.
- 18.4 Community members may seek to inform individual Councillors of their views by contacting them directly in advance of Meetings.

## **Division 1.2 – Notices of Meetings and Delivery of Agendas**

Council Meetings are held regularly to conduct the ongoing business of the Council and unscheduled Meetings may be held from time to time.

It is important that the community is made aware of the times, dates and locations of Council and Delegated Committee meetings and the matters Council will consider. The timing of this notice should give the community adequate time to make arrangements to attend the meeting or view via the livestream on our website [www.strathbogie.vic.gov.au](http://www.strathbogie.vic.gov.au) .

An agenda for each Council Meeting must be provided to Councillors in advance so that they can prepare adequately for the Council Meeting. The Agenda contains the order of business and the professional advice of the organisation, with a recommendation for Council to consider.

The agenda is made available to the public via Council's website [www.strathbogie.vic.gov.au](http://www.strathbogie.vic.gov.au) and at Customer Service Centres in Euroa and Nagambie.

19. **Dates and Times of Meetings Fixed by Council**

Council must annually fix the date, time and place of all Council meetings for the next 12 months but may also alter meeting dates as per Rule 20 and fix additional meetings under Rule 21.

20. **Council May Alter Meeting Dates**

Council may change the date, time and place of any Council meeting which has been fixed by it by providing seven (7) calendar day's written notice of the change to the public through Council's website and social media pages.

21. **Meetings Not Fixed by Council**

21.1 The Mayor or at least 3 Councillors may by a written notice call a Council meeting.

21.2 The written notice must specify the date and time of the Council meeting and the business to be conducted, which must give consideration to:

21.2.1 the urgency of the business to be transacted; and

21.2.2 the availability of Councillors; and

21.2.3 a reasonable notice period for persons whose rights or interests may be impacted by the business to be transacted.

21.3 The Chief Executive Officer must convene the Council meeting as specified in the written notice.

21.4 Unless all Councillors are present and unanimously agree to deal with any other matter, only the business specified in the written notice can be transacted at the Council meeting.

21.5 The Chief Executive Officer must call an unscheduled meeting to elect a Mayor following a Council election declaration in accordance with the Act, which may also consider the role of Deputy Mayor and other matters as determined by the Chief Executive Officer.

22. **Notice Of Meeting**

22.1 A notice of meeting, incorporating or accompanied by an agenda of the business to be dealt with, must be delivered or sent electronically to every Councillor for all Council meetings at least 76 hours before the meeting.

22.2 Notwithstanding sub-Rule 22.1, a notice of meeting need not be delivered or sent electronically to any Councillor who has been granted leave of absence unless the Councillor has requested the Chief Executive Officer in writing to continue to give notice of any meeting during the period of his or her absence.

22.3 Unless in the case of an emergency at least seven (7) calendar days' notice of each Council meeting must be provided to the public and Council may do this:



- 22.3.1 for meetings which it has fixed by preparing a schedule of meetings annually and arranging the publication of this schedule on the Council's website and in a newspaper generally circulating in the municipal district at various times throughout the year; and
- 22.3.2 prior to each additional Council meeting set under Rule 20;
  - (a) by giving notice on its website and via notices displayed in both the Euroa and Nagambie Customer Service Centres; and
  - (b) whenever possible by publishing a notice in a newspaper generally circulating in the municipal district.
- 22.4 An agenda for each Council meeting will be made available on Council's website no less than 48 hours prior to the scheduled commencement of the meeting, unless in the case of an emergency as determined by the Chief Executive Officer.

### **Division 1.3 – Quorums**

No business can be transacted at a Council meeting or a Delegated Committee meeting unless a majority of the Councillors or members of the Delegated Committee (as the case may be) is present (quorum). If there is no quorum at the commencement of a meeting or if a quorum cannot be maintained during a meeting, the meeting is to be adjourned to another date and/or time. A quorum is an absolute majority as per section 61(7) of the Act.

#### **23. Inability To Obtain A Quorum**

If after 30 minutes from the scheduled starting time of any meeting, a quorum cannot be obtained:

- 23.1.1 the meeting will be deemed to have lapsed; and
- 23.1.2 the Mayor must convene another Council meeting, the agenda for which will be identical to the agenda for the lapsed meeting; and
- 23.1.3 the Chief Executive Officer must give all Councillors written notice of the meeting convened by the Mayor.

#### **24. Inability To Maintain A Quorum**

- 24.1 If a quorum cannot be maintained through the duration of any Council meeting then Rule 23 will apply.
- 24.2 Sub-Rule 23.1.1 does not apply if the inability to maintain a quorum is because of the number of Councillors who have a conflict of interest in the matter to be considered.
- 24.3 The Chair may defer an item of business in respect of which there is, or is likely to be, a disclosure of a conflict of interest by one or more Councillors that will cause a quorum to





be lost, and direct the Chief Executive Officer to include that item of business on an agenda for a future Council meeting.

- 24.4 If a quorum cannot be achieved or maintained due to the declaration of conflicts of interests by the majority of Councillors, Council will:

24.4.1 Determine the matter will be considered in separate parts, if a quorum can be maintained for each separate part; or

24.4.2 Determine to make decisions on separate parts of the matter at a meeting where quorum can be maintained, before making a decision on the whole matter at a meeting for which quorum can be maintained.

- 24.5 If a quorum cannot be achieved or maintained due to the declaration of conflicts of interests by the majority of Councillors, and the matter cannot be separated into component parts or prior decisions made, Council will delegate the decision to be made:

24.5.1 By the Chief Executive Officer; or

24.5.2 By a Delegated Committee, established for the purpose of determining the matter, comprised of all the Councillors who have not disclosed a conflict of interest and any other person(s) the Council considers suitable.

- 24.6 A decision made under delegation due to Council not being able to achieve or maintain a quorum will be reported to the next Council Meeting.

- 24.7 The Chief Executive Officer must provide written notice, including by electronic means, to each Councillor of any Council Meeting adjourned to another date or time due to an inability to achieve or maintain a quorum.

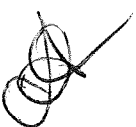
- 24.8 Where it is not practicable because time does not permit notice in accordance with Rule 22 to occur, then, provided every reasonable attempt is made to contact each Councillor either verbally, or by some other means, it will be sufficient.

- 24.9 Notice of an adjournment to another date or time due to another date or time must be published on Council's website as soon as practical and is sufficient if the notice in accordance with Rule 22 cannot occur.

## 25. **Adjourned Meetings**

- 25.1 Council may adjourn any meeting to another date or time but cannot adjourn a meeting that is in progress to another place, except in circumstances where there is disorder or a threat to the safety of any Councillor or member of Council staff is being experienced.

- 25.2 The Chief Executive Officer must give written notice to each Councillor of the date, time and place to which the meeting stands adjourned and of the business remaining to be considered.



- 25.3 If it is impracticable for the notice given under sub-Rule 25.2 to be in writing, the Chief Executive Officer must give notice to each Councillor by telephone or in person.

26. **Time limits for Meetings**

- 26.1 A Council meeting must not continue after 10:00pm unless a majority of Councillors present vote in favour of it being extended.
- 26.2 A meeting cannot be extended for more than 30 minutes.
- 26.3 In the absence of an extension being passed by resolution, the meeting must be adjourned to a time, date and place announced by the Chair immediately prior to the meeting being adjourned. In that event, the provisions of sub-Rules 25.2 and 25.3 apply.

27. **Cancellation or Postponement of a Meeting**

- 27.1 The Chief Executive Officer may, in the case of an emergency necessitating the cancellation or postponement of a Council meeting, cancel or postpone a Council meeting.
- 27.2 The Chief Executive Officer must present a written report at the next Council meeting outlining the details of why the meeting had to be cancelled or whenever exercising the power conferred by sub-Rule 27.1.

## **Division 1.4 – Business Of Meetings**

The business to be transacted at a Council Meeting is contained in the agenda provided to Councillors and available to the public on Council's website at [www.strathbogie.vic.gov.au](http://www.strathbogie.vic.gov.au).

The Chief Executive Officer oversees preparation of the agenda and determines the content and order of business to facilitate open, efficient and effective processes of government. The role of the Mayor includes providing advice to the Chief Executive Officer when the Chief Executive Officer is setting the agenda for Council meetings.

Council can admit an item of urgent business if it has arisen after distribution of the agenda and cannot be reasonably deferred to the next meeting.

28. **Agenda and the Order Of Business**

- 28.1 The agenda for and the order of business for a Council meeting is to be determined by the Chief Executive Officer so as to facilitate and maintain open, efficient and effective processes of government.
- 28.2 No business can be dealt with at a meeting unless it is:
- 28.2.1 Contained on the agenda; or
- 28.2.2 Is admitted as Urgent Business in accordance with Rule 30.
- 28.3 The order of business on the agenda shall be as follows:

- 28.3.1 Welcome
- 28.3.2 Acknowledgement of Traditional Land Owners
- 28.3.3 Apologies / Leaves of Absence
- 28.3.4 Disclosures of Interest
- 28.3.5 Confirmation of Minutes of Previous Meetings
- 28.3.6 Petitions
- 28.3.7 Reports from the Mayor and Councillors
- 28.3.8 Public Question Time
- 28.3.9 Reports from Officers
- 28.3.10 Notices of Motion
- 28.3.11 Notices of Rescission
- 28.3.12 Urgent Business
- 28.3.13 Confidential Business.
- 28.4 Planning reports relating to statutory and strategic planning matters shall be listed at the start of Officer Reports.
- 29. **Change To Order Of Business**

Once an agenda has been sent to Councillors, the order of business for that Council meeting may be altered with the consent of Council.
- 30. **Urgent Business**
- 30.1 The agenda will make provision for the consideration of urgent business, however such business must only be admitted by way of a resolution of Council and only then if it:
  - (a) relates to, or arises out of, a matter which has arisen since distribution of the agenda; and
  - (b) cannot safely or conveniently be deferred until the next Council meeting.
- 30.2 If the requirements of sub-Rule 30.1 cannot be met, the business must be held over until the next scheduled Council meeting.



## Division 1.5 – Community Participation

Council is committed to transparency in decision making and, in accordance with the *Local Government Act 2020*, Council and Delegated Committee Meetings are open to the public and the community are able to attend.

Meetings will be streamed live through Council's website at [www.strathbogie.vic.gov.au](http://www.strathbogie.vic.gov.au) and continue to be made available to the public after the meeting is closed through its social media pages.

As outlined in the purpose of these Governance Rules, Council Meetings are held for Council to make its decisions.

At each meeting there is an opportunity for members of the public to ask questions of the Council. Assistance will be available for any community member seeking or requiring support to write their question(s).

Petitioning is a long-established process for members of the community to demonstrate community support for a request or views on a matter, and for that request or view to be presented directly to Council.

The rights of persons that may be affected by Council's decisions will be given the opportunity to make a verbal submission to an item listed on the agenda.

Council meetings are recorded and broadcasted to the public, this includes community questions and submissions.

### 31. Question Time

31.1 There must be a public question time at every Council meeting fixed under Rule 19 to enable members of the public to submit questions to Council.

31.2 Sub-Rule 31.1 does not apply:

31.2.1 during any period when a meeting is closed to members of the public in accordance with section 66(2) of the Act

31.2.2 during any election period.

31.3 Public question time will not exceed 30 minutes in duration.

31.4 Questions submitted to Council must meet all of the following:

- (a) be in writing and state the name and address of the person submitting the question
- (b) be generally be in a form approved or permitted by Council
- (c) be lodged either by delivery to Council's main office, or electronically at the prescribed email address prior to 12 noon on the day of the Council meeting.



- 31.5 No person may submit more than two questions at any one meeting.
- 31.6 If a person has submitted two questions to a meeting, the second question:
- 31.6.1 May, at the discretion of the Chair, be deferred until all other persons who have asked a question have had their questions asked and answered; or
  - 31.6.2 May not be asked if the time allotted for public question time has expired and Council has not resolved to extend the time allocated for public questions.
- 31.7 If the person who has submitted the question is not present at the meeting the Chair, or a member of Council staff nominated by the Chair, will read out the question on the person's behalf if the person has elected not to participate in the meeting either by way of the live streaming software or by teleconference.
- 31.8 A question may be disallowed by the Chair if the Chair determines that it:
- (a) relates to a matter outside the duties, functions and powers of Council
  - (b) is defamatory, indecent, abusive, offensive, irrelevant, trivial or objectionable in language or substance
  - (c) deals with a subject matter already answered
  - (d) is aimed at embarrassing a Councillor or a member of Council staff
  - (e) relates to personnel matters
  - (f) relates to the personal hardship of any resident or ratepayer
  - (g) relates to industrial matters
  - (h) relates to contractual matters
  - (i) relates to proposed developments
  - (j) relates to legal advice
  - (k) relates to matters affecting the security of Council property
  - (l) relates to any other matter which Council considers would prejudice Council or any person.
- 31.9 Any question which has been disallowed by the Chair must be made available to any other Councillor upon request.
- 31.10 All questions and answers must be as brief as possible, and no discussion may be allowed other than by Councillors for the purposes of clarification.





- 31.11 Like questions may be grouped together and a single answer provided.
- 31.12 The Chair may nominate a Councillor or the Chief Executive Officer to respond to a question.
- 31.13 A Councillor or the Chief Executive Officer may require a question to be put on notice. If a question is put on notice, a written copy of the answer will be sent to the person who asked the question within five (5) working days and the answer included in the following Council meeting's agenda.
- 31.14 A Councillor or the Chief Executive Officer may advise Council that it is his or her opinion that the reply to a question should be given in a meeting closed to members of the public. The Councillor or Chief Executive Officer (as the case may be) must state briefly the reason why the reply should be so given and, unless Council resolves to the contrary, the reply to such question must be so given.

32. **Petitions and Joint Letters**

- 32.1 A petition signed by less than 10 people will be treated as a joint letter and forwarded directly to the Chief Executive Officer for action as an operational matter.
- 32.2 Every petition signed by 10 or more people submitted to Council must:
- (a) be legible and in writing
  - (b) be clear in what matter it relates to and identifies the action(s) being sought from Council
  - (c) not be derogatory, defamatory or objectionable in language or nature
  - (d) not relate to matters outside the powers of Council
  - (e) if submitted in hard copy, include the names, addresses and original signatures of the petitioners
  - (f) if submitted as an online or electronic petition must include, as a minimum, the names of the petitioners.
- 32.3 The number of signatories to an online or electronic petition will be taken to be the number of signatories at the time the petition is provided to Council for submission to a Council meeting.
- 32.4 Any Councillor presenting a petition is responsible for ensuring that:
- (a) he or she is familiar with the contents and purpose of the petition; and
  - (b) the petition is not derogatory, defamatory or objectionable in language or nature.



32.5 Unless sub-Rules 32.7 or 32.8 apply, the only Motions that may be considered by Council on any petition are:

- (a) that the petition be received and noted
- (b) that the petition be referred to the Chief Executive Officer or relevant Director for consideration and response
- (c) that the petition be referred to the Chief Executive Officer or relevant Director for a report to a future Council Meeting.

32.6 If a petition relates to an item listed on the Agenda for the Meeting at which it is submitted, the petition may be dealt with in conjunction with the item.

32.7 If a petition relates to a statutory matter which is the subject of a public submissions process under legislation, the petition will be treated as a joint submission in relation to the planning matter or the statutory matter (as the case may be).

### 33. **Representations and Deputations**

33.1 Council may develop guidelines relating to public addresses to Council to assist with the promotion of public involvement in Council meetings and the orderly operation of Council meetings.

33.2 Council may receive presentations from organisations thanking Council for its assistance. Similarly, Council may make a presentation to community members or groups as a sign of appreciation for their assistance, or to offer congratulations.

33.3 Deputations from members of the community relating to an item on the Agenda will be heard prior to the call for a motion on that item.

33.4 The Chair has the discretion to determine the order of persons to be heard, however for planning permit or planning scheme amendment related Items submitters or objectors will be heard first and then the applicant.

33.5 The person making the deputation will be requested to come forward, state their name and make a brief verbal presentation on the Item.

33.6 The person in addressing the Council:

- (a) must confine their address to the 5 minute allocation of time, unless extended by the Chair
- (b) shall extend due courtesy and respect to the Council and the processes under which it operates
- (c) shall take direction from the Chair whenever called upon to do.



- 33.7 There will be no discussion or debate with the person making the deputation aside from Councillors asking questions of clarification of the presenter.
- 33.8 Standing Orders do not need to be suspended to allow discussion for the purposes of clarification.
- 33.9 A group of people wanting to raise similar issues on a particular matter are encouraged to appoint a spokesperson to put forward a collective position regarding the Agenda item on their behalf.
- 33.10 Those wishing to make a deputation on an item must record their intention to do so by informing the Chief Executive Officer by 12 noon on the day of the Council meeting by one of the following means:
- (a) Email to [info@strathbogie.vic.gov.au](mailto:info@strathbogie.vic.gov.au)
  - (b) Telephone to 1800 065 933
  - (c) Using our online form at [www.strathbogie.vic.gov.au](http://www.strathbogie.vic.gov.au) .
- 33.11 Representations will not occur for any Item where Council has resolved to close the meeting in respect of a matter under section 66 (1) of the Act.

## **Division 1.6 – Reports from Councillors**

- 33.12 Provision shall be made on every Council meeting agenda for a Mayoral Report around activities undertaken in the previous month.
- 33.13 Provision shall be made on every Council meeting agenda for Councillors to raise activities or events of note that may be of interest to the Council and community.

## **Division 1.7 – Motions and Debate**

This Section describes the procedure for introducing a motion or amendment, the rules of debate, foreshadowing a motion or amendment and the duty of the Chairperson in relation to accepting motions and amendments. It also describes the process for a Councillor lodging a notice of motion for consideration and/or indicating they will raise a matter (foreshadowing items).

A Councillor may move any motion related to an item included in the agenda. In the interest of transparency and informed decision making, motions or amendments should not introduce new matters to a debate that have not been the subject of the report or background of the motion being considered by Council. Motions are required to be submitted in writing so they can be displayed to the meeting.

As a resolution must be able to be acted upon, a motion must clearly state what is intended and what its effect will be if it becomes the decision. This provides clarity for the implementation of Council decisions.

### **34. Councillors May Propose Notices Of Motion**

Councillors may ensure that an issue is listed on an agenda by lodging a Notice of Motion.

35. **Notice Of Motion**

35.1 A Notice of Motion must be:

- (a) in writing; and
- (b) signed by the Councillor lodging the Notice of Motion; and
- (c) lodged with, or sent to, the Chief Executive Officer to allow sufficient time for the Notice of Motion to be included in the agenda papers and no later than 48 hours before the meeting is scheduled.

35.2 The Chief Executive Officer must, as soon as possible after receipt of a Notice of Motion, electronically circulate the Notice of Motion if the requirements of sub-Rule 35.1 have been met.

35.3 A Notice of Motion must call for a Council report if the Notice of Motion proposes any action that:

- (a) impacts the levels of Council service
- (b) commits Council to expenditure greater than \$50,000 that is not included in the adopted Council Budget
- (c) proposes to establish, amend or extend Council policy
- (d) proposes to impact the rights of any person who has not had the opportunity to contribute their views
- (e) commits Council to any contractual arrangement
- (f) concerns any litigation in respect of which Council is a party.

35.4 The Chief Executive Officer may reject any Notice of Motion which:

- (a) is too vague
- (b) is defamatory
- (c) may be prejudicial to any person or Council
- (d) is objectionable in language or nature
- (e) is outside the powers of Council
- (f) is submitted during Election Period.

35.5 In exercising the power under sub-Rule 35.4, the Chief Executive Officer must:



- (a) give the Councillor who lodged it an opportunity to amend it prior to rejection, if it is practicable to do so; and
- (b) notify in writing the Councillor who lodged it of the reasons for the rejection.

- 35.6 The Chief Executive Officer must inform Councillors about the legal and cost implications of any proposed Notice of Motion, which may be given to Councillors prior to the Notice of Motion being placed on the next Council agenda.
- 35.7 The Chief Executive Officer may suggest revised wording to the draft Notice of Motion to facilitate compliance with the requirements for Notices of Motion.
- 35.8 The full text of any Notice of Motion accepted by the Chief Executive Officer must be included in the agenda. The Notice of Motion must be accompanied by a report outlining the policy, financial and resourcing implications if the Notice of Motion is passed.
- 35.9 The Chief Executive Officer may designate a Notice of Motion to be confidential in accordance with relevant grounds as contained in the Act, in which case, the Notice of Motion will be considered in the part of the relevant Council Meeting that is closed to members of the public.
- 35.10 The Chief Executive Officer must ensure all Notices of Motion to be numbered, dated and entered in the Notice of Motion Register in the order in which they were received.
- 35.11 Except by leave of Council, each Notice of Motion presented to any meeting must be considered in the order in which they were entered in the Notice of Motion Register.
- 35.12 If a Councillor who has given a Notice of Motion is absent from the meeting or fails to move the motion when called upon by the Chair, any other Councillor may move the motion.
- 35.13 If a Notice of Motion is not moved at the Council meeting at which it is listed, it lapses.

36. **Chair's Duty**

Any motion which is determined by the Chair to be any of the following must not be accepted by the Chair:

- (a) defamatory
- (b) objectionable in language or nature
- (c) vague or unclear in intention
- (d) outside the powers of Council



- (e) irrelevant to the item of business on the agenda and has not been admitted as urgent
- (f) purports to be an amendment but is not.

37. **Officers May Introduce a Report**

37.1 Before a written report is considered by Council and any motion moved in relation to such report, a member of Council staff may introduce the report by briefly indicating:

- (a) its background; or
- (b) the reasons for any recommendation.

37.2 Unless Council resolves otherwise, a member of Council staff need not read any written report to Council in full.

38. **Introducing A Motion or an Amendment**

38.1 The procedure for moving any motion or amendment is:

- 38.1.1 the mover must state the motion without speaking to it
- 38.1.2 the motion must be seconded by a Councillor other than the mover
- 38.1.3 if a motion is not seconded the motion lapses
- 38.1.4 if a motion, or an amendment, is moved and seconded the Chair must ask:

*"Is the motion or amendment opposed?"*

*Does any Councillor wish to speak to the motion or amendment?"*

- 38.1.5 if no Councillor indicates opposition or a desire to speak to it, the Chair may put the motion or amendment to the vote without discussion
- 38.1.6 if a Councillor indicates opposition or a desire to speak to the motion or amendment, then the Chair must firstly call on the mover to address the meeting
- 38.1.7 after the mover has addressed the meeting, the Chair must call on the seconder to address the meeting, although the seconder may reserve the right to address the meeting until all other Councillors wishing to speak to the matter, other than the mover's right of reply under Rule 39, have been heard
- 38.1.8 if the seconder wishes to address the meeting immediately after the mover has spoken, once he or she has done so, the Chair must then invite debate by calling on any Councillor who wishes to speak to the motion, providing an opportunity





to alternate between those wishing to speak against the motion and those wishing to speak for the motion

38.1.9 if, after the mover has addressed the meeting, the Chair has invited debate and no other Councillor speaks to the motion, then the Chair must put the motion to the vote.

38.2 A Councillor who has the floor must not be interrupted unless called to order, or given notice by the Chair their speaking time has elapsed or is about to elapse, in which case he or she must remain silent until the Councillor raising the Point of Order has been heard and the Point of Order dealt with.

39. **Right Of Reply**

39.1 The mover of a motion, including an amendment, has a right of reply to matters raised during debate.

39.2 No new material may be raised by the mover during this right of reply.

39.3 After the right of reply has been taken, but subject to any Councillor exercising his or her right to ask any question concerning or arising out of the motion, the Chair must immediately put the motion to the vote without any further discussion or debate.

40. **Moving An Amendment**

40.1 Subject to sub-Rule 40.2 a motion which has been moved and seconded may be amended by leaving out or adding words. Any added words must be relevant to the subject of the motion.

40.2 A motion to confirm a previous resolution of Council cannot be amended.

40.3 An amendment must not be directly opposite to the motion.

41. **Who May Propose An Amendment**

41.1 An amendment may be proposed or seconded by any Councillor, except the mover or seconder of the original motion.

41.2 Any one Councillor cannot move more than two amendments in succession.

42. **The Number of Amendments That May Be Proposed**

42.1 Any number of amendments may be proposed to a motion but only one amendment may be accepted by the Chair at any one time.

42.2 No second or subsequent amendment, whether to the motion or an amendment to it, may be taken into consideration until the previous amendment has been dealt with.



43. **An Amendment Once Carried**

43.1 If the amendment is carried the motion, as amended, then becomes the motion before the meeting.

43.2 The mover of the original motion retains the right of reply to the amended motion.

44. **Foreshadowing Motions**

44.1 A Councillor may foreshadow a motion, so as to inform Council of his or her intention to move a motion at a later stage in the meeting or at a future Council meeting, at any time during debate but this does not extend any special right to the foreshadowed motion.

44.2 A foreshadowed motion may be prefaced with a statement that in the event of a particular motion before the Chair being resolved in a certain way, a Councillor intends to move an alternative or additional motion.

44.3 The Chief Executive Officer, or person taking the minutes of the meeting, is not expected to record foreshadowed motions in the minutes until the foreshadowed motion is formally moved.

44.4 The Chair is not obliged to accept foreshadowed motions.

45. **Withdrawal Of Motions**

45.1 Before any motion is put to the vote it may be withdrawn by the mover and seconder with the leave of Council.

45.2 A motion may not be withdrawn if the majority of Councillors object to its withdrawal.

46. **Separation Of Motions**

Where a motion contains more than one part, a Councillor may request the Chair to put the motion to the vote in separate parts.

47. **Chair May Separate Motions**

The Chair may decide to put any motion to the vote in several parts.

48. **Motions moved in a block**

The Chair may allow like motions to be moved, or request Councillors to move like items, in a block (en bloc), only if the motions note actions already taken and will not commit Council to further action, spending or changes to policy.

49. **Motions In Writing**

49.1 The Chair may require that a complex or detailed motion be submitted in writing.

49.2 Council may resolve to:

49.2.1 adjourn the meeting while the motion is being written; or

49.2.2 defer the matter until the motion has been written thereby allowing the meeting to proceed uninterrupted.

50. **Repeating Motion and/or Amendment**

The Chair may request the person taking the minutes of the Council meeting to read the motion or amendment to the meeting before the vote is taken.

51. **Priority of address**

In the case of competition for the right of speak, the Chair must decide the order in which the Councillors concerned will be heard.

52. **Debate Must Be Relevant To The Motion**

52.1 Debate must always be relevant to the motion before the Chair, and if not, the Chair must request the speaker to confine debate to the motion.

52.2 If, after being requested to confine debate to the motion before the Chair, the speaker continues to debate irrelevant matters, the Chair may direct the speaker to not speak further in respect of that motion.

52.3 A speaker to whom a direction has been given under sub-Rule 52.2 must comply with that direction.

53. **Speaking Times**

53.1 A Councillor must not speak longer than the time set out below, unless granted an extension by the Chair:

53.1.1 the mover of a motion or an amendment which has been opposed: 5 minutes

53.1.2 any other Councillor: 5 minutes

53.1.3 the mover of a motion exercising a right of reply: 5 minutes.

54. **Addressing the Meeting**

If the Chair so determines:

54.1.1 any person addressing the Chair must refer to the Chair as:

(a) Madam Mayor; or

(b) Mr Mayor; or

(c) Madam Chair; or

(d) Mr Chair

as the case may be

54.1.2 all Councillors, other than the Mayor, must be addressed as  
Cr (name)

54.1.3 all members of Council staff, must be addressed as  
Mr or Ms (name), as appropriate, or by their official title.

## 55. Right to Ask Questions

55.1 A Councillor may, when no other Councillor is speaking, ask any question concerning or arising out of the motion or amendment before the Chair.

55.2 The Chair has the right to limit questions and direct that debate be commenced or resumed.

## Division 1.8 – Procedural Motions

### 56. Procedural Motions

56.1 Unless otherwise prohibited a procedural motion may be moved at any time and must be dealt with immediately by the Chair.

56.2 Procedural motions require a seconder.

56.3 Notwithstanding any other provision in this Chapter, procedural motions must be dealt with in accordance with the Table in Schedule 1 attached to these Governance Rules.

## Division 1.9 – Rescission Motions

### 57. Notice of Rescission

57.1 A Councillor may propose a notice of rescission provided:

57.1.1 it has been signed and dated by at least three Councillors

57.1.2 the resolution proposed to be rescinded has not been acted on as outlined under sub-Rule 57.3

57.1.3 the notice of rescission is delivered to the Chief Executive Officer setting out:

(a) the resolution to be rescinded; and

(b) the meeting and date when the resolution was carried.



57.2 A notice of rescission is a form of notice of motion and so all provisions set out under Governance Rule 35 apply equally to notices of rescission.

57.3 A resolution will be deemed to have been acted on if:

57.3.1 its contents have, or substance has, been communicated in writing to a person whose interests are materially affected by it; or

57.3.2 a statutory process has been commenced

so as to vest enforceable rights in or obligations on Council or any other person.

57.4 Should the resolution not have been acted upon, the Chief Executive Officer, or an appropriate member of Council staff must, immediately take action to defer implementing a resolution which:

57.4.1 has not been acted on; and

57.4.2 is the subject of a notice of rescission which has been delivered to the Chief Executive Officer in accordance with sub-Rule 57.1.3

unless deferring implementation of the resolution would have the effect of depriving the resolution of efficacy.

58. **If Lost**

If a motion for rescission is lost, a similar motion may not be put before Council for at least three months from the date it was last lost, unless Council resolves that the notice of motion be re-listed at a future meeting.

59. **If Not Moved**

A motion for rescission lapses if it is not moved at the meeting at which it is listed.

60. **May Be Moved By Any Councillor**

A motion for rescission listed on an agenda may be moved by any Councillor present but may not be amended.

61. **When Not Required**

61.1 A motion for rescission is not required where Council wishes to change policy unless sub-Rule 61.2 applies.

61.2 The following standards apply if Council wishes to change policy:

61.2.1 if the policy has been in force in its original or amended form for less than 12 months, a notice of rescission must be presented to Council; and



- 61.2.2 any intention to change a Council policy which may result in a significant impact on any person must be communicated in writing to those affected and may include undertaking a broader public consultation process.

## **Division 1.10 – Points of Order**

A point of order is taken when a Councillor draws the attention of the Chairperson to an alleged irregularity in the proceedings. Valid points of order, the process for raising and ruling on a point of order, and the procedure if there is dissent on the Chair's ruling are described in this section.

### **62. Chair To Decide**

The Chair must decide all points of order by stating the provision, rule, practice or precedent which he or she considers applicable to the point raised without entering into any discussion or comment.

### **63. Chair May Adjourn To Consider**

- 63.1 The Chair may adjourn the meeting to consider a point of order but otherwise must rule on it as soon as it is raised.
- 63.2 All other questions before the meeting are suspended until the point of order is decided.

### **64. Dissent From Chair's Ruling**

- 64.1 A Councillor may move that the meeting disagree with the Chair's ruling on a point of order, by moving:

*"That the Chair's ruling relating to [define that ruling or part of that ruling] be dissented from".*

- 64.2 When a motion in accordance with this Rule is moved and seconded, the Chair must leave the Chair and the Deputy Mayor (or, if there is no Deputy Mayor or the Deputy Mayor is not present, temporary Chair elected by the meeting) must take his or her place.
- 64.3 The Deputy Mayor or temporary Chair must invite the mover to state the reasons for his or her dissent and the Chair may then reply.
- 64.4 The Deputy Mayor or temporary Chair must put the motion in the following form:

*"That the Chair's ruling be dissented from."*

- 64.5 If the vote is in the negative the Chair resumes the Chair and the meeting proceeds.
- 64.6 If the vote is in the affirmative the Chair must then resume the Chair, reverse or vary (as the case may be) their previous ruling and proceed with the meeting.
- 64.7 The defeat of the Chair's ruling is in no way a motion of censure or lack of confidence in the Chair and must not be regarded as such by the meeting.



65. **Procedure For Point Of Order**

A Councillor raising a point of order must:

- (a) state the point of order; and
- (b) state any section, Rule, paragraph or provision relevant to the point of order.

66. **Valid Points Of Order**

A point of order may be raised in relation to:

- (a) a motion, which, under Rule 35 should not be accepted by the Chair
- (b) a question of procedure
- (c) any act of disorder.

## **Division 1.11 – Closure of meetings**

66.2 Meetings will only be closed to members of the public if:

- 66.2.1 there are clear reasons for particular matters to remain confidential; or
- 66.2.2 a meeting is required to be closed for security reasons; or
- 66.2.3 it is necessary to enable the meeting to proceed in an orderly manner.

66.3 If a meeting is closed to the public for the reasons outlined in sub-Rule 66.2 or 66.3, the meeting will continue to be livestreamed. In the event a livestream is not available the meeting may be adjourned, or a recording of the proceedings may be available on Council website.

## **Division 1.12 – Voting**

At the conclusion of debate on a matter before the meeting, the Chair must put the question, motion or amendment to the vote. Each Councillor is entitled to one vote and voting must be able to be seen by those participating in the meeting and those observing the meeting. The vote is determined by a majority of the Councillors present at the meeting at the time the vote is taken voting in favour of the motion.

If a vote is tied, the Chair has a casting vote.

Sometimes a Councillor may want his or her vote is recorded – this is provided for in this section, along with the procedure when a Councillor calls for a division on a vote which records in the minutes how each Councillor voted.

67. **How Motion Determined**

To determine a motion before a meeting, the Chair must first call for those in favour of the motion and then those opposed to the motion and must then declare the result to the meeting.

**68. Silence**

Voting must take place in silence.

**69. Recount**

The Chair may direct that a vote be recounted to satisfy himself or herself of the result.

**70. Casting Vote**

*In the event of a tied vote, the Chair must exercise a casting vote.*

**71. By Show Of Hands**

71.1 Voting on any matter may be by any method resolved by Council that enables those in attendance and those watching a livestream broadcast to clearly see which way a Council has voted at the time a vote is taken.

71.2 In the absence of a Council resolving an alternative method, voting on any matter is by show of hands.

**72. Procedure For A Division**

72.1 Immediately after any question is put to a meeting and before the next item of business has commenced, a Councillor may call for a division.

72.2 When a division is called for, the vote already taken must be treated as set aside and the division shall decide the question, motion or amendment.

72.3 When a division is called for, the Chair must:

72.3.1 first ask each Councillor wishing to vote in the affirmative to raise a hand and, upon such request being made, each Councillor wishing to vote in the affirmative must raise one of his or her hands.

72.3.2 the Chair must then state, and the Chief Executive Officer or any authorised officer must record, the names of those Councillors voting in the affirmative; and

72.3.3 then ask each Councillor wishing to vote in the negative to raise a hand and, upon such request being made, each Councillor wishing to vote in the negative must raise one of his or her hands.

- 72.3.4 the Chair must then state, and the Chief Executive Officer or any authorised officer must record, the names of those Councillors voting in the negative.

73. **No Discussion Once Declared**

Once a vote on a question has been taken, no further discussion relating to the question is allowed unless the discussion involves:

- (a) a Councillor requesting, before the next item of business is considered, that his or her opposition to a resolution be recorded in the minutes or a register maintained for that purpose; or
- (b) foreshadowing a notice of rescission where a resolution has just been made, or a positive motion where a resolution has just been rescinded.

## **Division 1.13 – Minutes**

The Minutes of a meeting must contain details of the proceedings and resolutions made, be clearly expressed, be self-explanatory and incorporate a summary of the relevant reports considered in the decision-making process. The Minutes of a Council Meeting must be submitted to the next appropriate Council Meeting for confirmation.

74. **Confirmation of Minutes**

- 74.1 At every Council meeting the minutes of the preceding meeting(s) must be dealt with as follows:

- 74.1.1 a copy of the unconfirmed minutes must be delivered to each Councillor no later than 48 hours before the next meeting
- 74.1.2 if no Councillor indicates opposition, the unconfirmed minutes must be declared to be confirmed;
- 74.1.3 if a Councillor indicates opposition to the minutes:
  - (a) he or she must specify the item(s) to which he or she objects
  - (b) the objected item(s) must be considered separately and in the order in which they appear in the minutes
  - (c) the Councillor objecting must move accordingly without speaking to the motion
  - (d) the motion must be seconded
  - (e) the Chair must ask

*"Is the motion opposed?"*

- (f) if no Councillor indicates opposition, then the Chair must declare the motion carried without discussion and then ask the second of the questions described in sub-Rule 74.1.3(k)
- (g) if a Councillor indicates opposition, then the Chair must call on the mover to address the meeting
- (h) after the mover has addressed the meeting, the seconder may address the meeting
- (i) after the seconder has addressed the meeting (or after the mover has addressed the meeting if the seconder does not address the meeting), the Chair must invite debate by calling on any Councillor who wishes to speak to the motion, providing an opportunity to alternate between those wishing to speak against the motion and those wishing to speak for the motion
- (j) if, after the mover has addressed the meeting, the Chair invites debate and no Councillor speaks to the motion, the Chair must put the motion
- (k) the Chair must, after all objections have been dealt with, ultimately ask:

*"The question is that the minutes be confirmed" or*

*"The question is that the minutes, as amended, be confirmed",*

and question must be put to the vote accordingly

- 74.1.4 a resolution of Council must confirm the minutes and the minutes must, if practicable, be signed by the Chair of the meeting at which they have been confirmed and if not practicable within seven (7) calendar days of the resolution
- 74.1.5 the minutes must be entered in the minute book and each item in the minute book must be entered consecutively
- 74.1.6 unless otherwise resolved or required by law, minutes of a Delegated Committee requiring confirmation by Council must not be available to the public until confirmed by Council.

## 75. **No Debate on Confirmation Of Minutes**

No discussion or debate on the confirmation of minutes is permitted except where their accuracy as a record of the proceedings of the meeting to which they relate is questioned.

## 76. **Deferral Of Confirmation Of Minutes**

Council may defer the confirmation of minutes until later in the Council meeting or until the next meeting if considered appropriate.



77. **Form and Availability of Minutes**

The Chief Executive Officer (or other person authorised by the Chief Executive Officer to attend the meeting and to take the minutes of such meeting) must keep minutes of each Council meeting, and those minutes must record:

- (a) the date, place, time and nature of the meeting
- (b) the names of the Councillors present and the names of any Councillors who apologised in advance for their non-attendance
- (c) the names of the members of Council staff present
- (d) any disclosure of a conflict of interest made by a Councillor, including the explanation given by the Councillor under Chapter 2
- (e) arrivals and departures, including temporary departures, of Councillors during the course of the meeting
- (f) a summary of any questions submitted to Council during Question Time and a summary of the Council response and/or action taken to those questions
- (g) a summary of the Officer report
- (h) each motion and amendment moved, including motions and amendments that lapse for the want of a seconder
- (i) the vote cast by each Councillor upon a division
- (j) the vote cast by any Councillor who has requested that his or her vote be recorded in the minutes
- (k) questions upon notice
- (l) the failure of a quorum
- (m) any adjournment of the meeting and the reasons for that adjournment
- (n) the time at which standing orders were suspended and resumed.

77.2 The Chief Executive Officer must ensure that the minutes of any Council meeting are:

- (a) published on Council's website; and
- (b) available for inspection at Council's Customer Service Centres at Euroa and Nagambie during normal business hours.



- 77.3 Nothing in sub-Rule 77.2 requires Council or the Chief Executive Officer to make public any minutes relating to a Council meeting or part of a Council meeting closed to members of the public in accordance with section 66 of the Act.

## **Division 1.14 – Behaviour**

### **78. Public Addressing The Meeting**

- 78.1 Members of the public may only address the Council in accordance with Rules 31-33 inclusive and with the consent of the Chair or by prior arrangement.
- 78.2 Any member of the public addressing Council must extend due courtesy and respect to Council and the processes under which it operates and must take direction from the Chair whenever called on to do so.
- 78.3 A member of the public present at a Council meeting must not disrupt the meeting.

### **79. Chair May Remove**

The Chair may order and cause the removal of any person, other than a Councillor, who disrupts any meeting or fails to comply with a direction given under sub-Rule 78.2.

### **80. Chair may adjourn disorderly meeting**

If the Chair is of the opinion that disorder at the Council table or in the gallery makes it desirable to adjourn the Council meeting, he or she may adjourn the meeting to a later time on the same day or to some later day as he or she thinks proper. In that event, the provisions of sub-Rules 25.2 and 21 apply.

### **81. Removal from Chamber**

The Chair, or Council in the case of a suspension, may ask the Chief Executive Officer or a member of the Victoria Police to remove from the Chamber any person who acts in breach of this Chapter and whom the Chair has ordered to be removed from the gallery under Rule 79.

## **Division 1.15 – Additional Duties of Chair**

### **82. The Chair's Duties And Discretions**

In addition to the duties and discretions provided in this Chapter, the Chair:

- (a) must not accept any motion, question or statement which is derogatory, or defamatory of any Councillor, member of Council staff, or member of the community; and
- (b) must call to order any person who is disruptive or unruly during any meeting.



## Division 1.16 – Suspension of Standing Orders

Standing Orders are the rules made to manage the proceedings at Council Meetings, as outlined in these Governance Rules. The Standing Orders cover a range of matters including the order of business, rules of debate, procedural motions and election procedures. Standing Orders can be suspended to facilitate the business of a meeting.

### 83. **Suspension of Standing Orders**

83.1 Council may suspend standing orders to expedite the business of a meeting, and to enable a full discussion of any issue without the constraints of a formal meeting procedure.

83.2 The suspension of standing orders should not be used purely to dispense with the processes and protocol of the government of Council. An appropriate motion would be:

*"That standing order be suspended to enable discussion on....."*

83.3 No motion can be accepted by the Chair or lawfully be dealt with during any suspension of standing orders.

83.4 Once the discussion has taken place and before any motions can be put, the resumption of standing orders will be necessary. An appropriate motion would be:

*"That standing orders be resumed."*

## Division 1.17 – Miscellaneous

### 84. **Meetings Conducted Remotely**

If:

(a) by law a meeting may be conducted electronically; and

(b) Council decides that a meeting is to be conducted electronically,

the Chair may, with the consent of the meeting, modify the application of any of the Rules in this Chapter to facilitate the more efficient and effective transaction of the business of the meeting.

### 85. **Procedure not provided in this Chapter**

In all cases not specifically provided for by this Chapter, resort must be had to the Standing Orders and Rules of Practice of the Upper House of the Victorian Parliament (so far as the same are capable of being applied to Council proceedings).

**86. Criticism of members of Council Staff**

- 86.1 The Chief Executive Officer may make a brief statement at a Council meeting in respect of any statement by a Councillor made at the Council meeting criticising them or any member of Council staff.
- 86.2 A statement under sub-Rule 86.1 must be made by the Chief Executive Officer, through the Chair, as soon as it practicable after the Councillor who made the statement has finished speaking.

**Division 1.18 – Delegated Committees**

Council may establish Delegated Committees as part of its governance framework. Delegated Committees can comprise Councillors, members of Council staff and others and must be chaired by a Councillor. As Council may delegate specific powers, duties and functions to Committees, their meeting procedures need to be formal and follow those of Council unless otherwise determined by the Council.

**87. Delegated Committee Meeting Procedure Generally**

If Council establishes a Delegated Committee:

- 87.1 all of the provisions of this Chapter apply to meetings of the Delegated Committee; and
- 87.2 any reference in this Chapter to:
- (a) a Council meeting is to be read as a reference to a Delegated Committee meeting
  - (b) a Councillor is to be read as a reference to a member of the Delegated Committee
  - (c) the Mayor is to be read as a reference to the Chair of the Delegated Committee.

**88. Delegated Committee Meeting Procedure Can Be Varied**

Notwithstanding Rule 87, if Council establishes a Delegated Committee that is not composed solely of Councillors:

- (a) Council may; or
- (b) the Delegated Committee may, with the approval of Council

resolve that any or all of the provisions of this Chapter are not to apply to a meeting of the Delegated Committee, in which case the provision or those provisions will not apply until Council resolves, or the Delegated Committee with the approval of Council resolves, otherwise.

## **Division 1.19 – Audit and Risk Committee**

The Act requires Council to establish an Audit and Risk committee which is comprised of a majority of independent community representatives and Councillors. This Committee is not a delegated committee as defined by the Act. Its Chair must be an independent member, not a Councillor and a Charter must be established by Council outlining the Committee's roles and responsibilities.

Essentially, the Audit and Risk Committee is the corporate watchdog appointed to monitor Council's:

- compliance with the Local Government Act and other legislation
- Financial management and performance reporting frameworks
- Monitor and provide advice around risk mitigation and fraud control.

Importantly, this Committee has oversight of all internal and external audit functions.

### **89. Audit and Risk Committee Meeting Procedure Generally**

- 89.1 The Governance Rules will apply to the Audit and Risk Committee established by Council unless otherwise provided in the Audit and Risk Charter.
- 89.2 Council may resolve, in establishing an Audit and Risk Committee that the meeting procedure chapter of these Governance Rules does not apply.
- 89.3 An Audit and Risk Committee must report the minutes of all Committee Meetings to the next practicable Council meeting.
- 89.4 An Audit and Risk Committee must act in accordance with its adopted Charter adopted by Council.

## **Division 1.20 - Community Asset Committees**

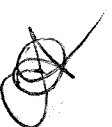
The Act provides for Council to establish a Community Asset Committee for the management of a community asset such as a hall. Council may appoint members of the community to the committee and delegate to it powers, duties or functions. The powers delegated to a community asset committee must be limited and specify the amount and purpose of any financial delegation.

In this clause, "Instrument of Delegation" means an instrument of delegation made by the Chief Executive Officer under section 47(1)(b) of the Act.

### **90. Community Asset Committee Meeting Procedure**

- 90.1 The Governance Rules set out in this Chapter may apply to any Community Asset Committee, as determined by Council.
- 90.2 Council may resolve, in establishing a Community Asset Committee, which chapters of the Governance Rules apply but as a minimum must include the rules relating to Minutes.

- 90.3 A Community Asset Committee must report the minutes of all Committee Meetings to the next practicable Council meeting.
- 90.4 A Community Asset Committee must act in accordance with its adopted Charter, Instrument of Delegation and any Terms of Reference adopted by Council.

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## Chapter 2 – Disclosure of Conflicts of Interest

### 91. Introduction

The Act defines general and material conflicts of interest and provides exemptions for remoteness and interests in common with a substantial proportion of ratepayers along with other specific circumstances.

The Act also states that Council must include procedures for disclosures of Conflicts of interest in its Governance Rules, including at meetings conducted under the auspices of Council that are not Council meetings. Meetings conducted under the auspices of Council include those meetings arranged or hosted by Council.

These Rules provide the procedures for disclosures of conflicts of interest.

The following Rules in this Chapter apply only upon Division 1A of Part 4 of the *Local Government Act 1989* being repealed.\*

### 92. Definition

In this Chapter:

92.1 “Meetings conducted under the auspices of council” means a meeting of the kind described in section 131(1) of the act, and includes a meeting referred to in rules 88 – 90 inclusive 1 of chapter 1 (whether such a meeting is known as a ‘councillor briefing’ or by some other name); and

92.2 a member of a delegated committee includes a Councillor.

### 93. Obligations with regard to conflict of interest:

93.1 Councillors, members of Delegated Committees and Council staff are required to:

- (a) Avoid - all situations which may give rise to conflicts of interest;
- (b) Identify - any conflicts of interest; and
- (c) Disclose – or declare all conflicts of interest.

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\* At the time of making these Rules the date on which Division 1A of Part 4 of the *Local Government Act 1989* is expected to be repealed is 24 October 2020.

## **Division 2.1 – Disclosures by Councillors**

### **94. Disclosure of a Conflict of Interest at a Meeting**

A Councillor who has a conflict of interest in a matter being considered at a Council meeting at which he or she:

94.1 is present must disclose that conflict of interest by explaining the nature of the conflict of interest to those present at the Council meeting immediately before the matter is considered; or

94.2 intends to be present must disclose that conflict of interest by providing to the Chief Executive Officer before the Council meeting commences a written notice:

94.2.1 advising of the conflict of interest;

94.2.2 explaining the nature of the conflict of interest; and

94.2.3 detailing, if the nature of the conflict of interest involves a Councillor's relationship with or a gift from another person, the:

(a) name of the other person;

(b) nature of the relationship with that other person or the date of receipt, value and type of gift received from the other person; and

(c) nature of that other person's interest in the matter,

and then immediately before the matter is considered at the meeting announcing to those present that he or she has a conflict of interest and that a written notice has been given to the Chief Executive Officer under this sub-Rule.

The Councillor must, in either event, leave the Council meeting immediately after giving the explanation or making the announcement (as the case may be) and not return to the meeting until after the consideration of the matter has been concluded.

## **Division 2.2 – disclosures at Delegated Committees**

### **95. Disclosure of Conflict of Interest at a Delegated Committee Meeting**

A member of a Delegated Committee who has a conflict of interest in a matter being considered at a Delegated Committee meeting at which he or she:

95.1 is present must disclose that conflict of interest by explaining the nature of the conflict of interest to those present at the Delegated Committee meeting immediately before the matter is considered; or

- 95.2 intends to present must disclose that conflict of interest by providing to the Chief Executive Officer before the Delegated Committee meeting commences a written notice:
- 95.2.1 advising of the conflict of interest;
  - 95.2.2 explaining the nature of the conflict of interest; and
  - 95.2.3 detailing, if the nature of the conflict of interest involves a member of a Delegated Committee's relationship with or a gift from another person the:
    - (a) name of the other person;
    - (b) nature of the relationship with that other person or the date of receipt, value and type of gift received from the other person; and
  - 95.2.4 nature of that other person's interest in the matter,
- and then immediately before the matter is considered at the meeting announcing to those present that he or she has a conflict of interest and that a written notice has been given to the Chief Executive Officer under this sub-Rule.

The member of a Delegated Committee must, in either event, leave the Delegated Committee meeting immediately after giving the explanation or making the announcement (as the case may be) and not return to the meeting until after consideration of the matter has concluded.

## **Division 2.3 – Disclosures at Community Asset Committees**

### **96. Disclosure of a Conflict of Interest at a Community Asset Committee Meeting**

- 96.1 A Councillor who has a conflict of interest in a matter being considered at a Community Asset Committee meeting at which he or she:
- 96.1.1 is present must disclose that conflict of interest by explaining the nature of the conflict of interest to those present at the Community Asset Committee meeting immediately before the matter is considered; or
  - 96.1.2 intends to present must disclose that conflict of interest by providing to the Chief Executive Officer before the Community Asset Committee meeting commences a written notice:
    - (a) advising of the conflict of interest;
    - (b) explaining the nature of the conflict of interest; and
  - 96.1.3 detailing, if the nature of the conflict of interest involves a member of a Councillor's relationship with or a gift from another person the:





- (a) name of the other person;
- (b) nature of the relationship with that other person or the date of receipt, value and type of gift received from the other person; and

96.1.4 nature of that other person's interest in the matter,

and then immediately before the matter is considered at the meeting announcing to those present that he or she has a conflict of interest and that a written notice has been given to the Chief Executive Officer under this sub-Rule.

The Councillor must, in either event, leave the Committee Asset Committee meeting immediately after giving the explanation or making the announcement (as the case may be) and not return to the meeting until after consideration of the matter has been concluded.

## **Division 2.4 – Disclosures under Other Meetings**

### **97. Disclosure at a Meeting Conducted Under the Auspices of Council**

97.1 A Councillor who has a conflict of interest in a matter being considered by a meeting held under the auspices of Council at which he or she is present must:

- 97.1.1 disclose that conflict of interest by explaining the nature of the conflict of interest to those present at the meeting immediately before the matter is considered;
- 97.1.2 absent himself or herself from any discussion of the matter; and
- 97.1.3 as soon as practicable after the meeting concludes provide to the Chief Executive Officer a written notice recording that the disclosure was made and accurately summarising the explanation given to those present at the meeting.

## **Division 2.5 – Disclosures by Council Staff**

### **98. Disclosure by Members of Council Staff Preparing Reports for Meetings**

98.1 A member of Council staff who, in his or her capacity as a member of Council staff, has a conflict of interest in a matter in respect of which he or she is preparing or contributing to the preparation of a Report for the consideration of a:

- 98.1.1 Council meeting;
- 98.1.2 Delegated Committee meeting;
- 98.1.3 Community Asset Committee meeting

must, immediately upon becoming aware of the conflict of interest, provide a written notice to the Chief Executive Officer disclosing the conflict of interest and explaining the nature of the conflict of interest.

98.2 The Chief Executive Officer must ensure that the Report referred to in sub-Rule 98.1 records the fact that a member of Council staff disclosed a conflict of interest in the subject-matter of the Report.

98.3 If the member of Council staff referred to in sub-Rule 98.1 is the Chief Executive Officer:

98.3.1 the written notice referred to in sub-Rule 98.1 must be given to the Mayor; and

98.3.2 the obligation imposed by sub-Rule 98.2 may be discharged by any other member of Council staff responsible for the preparation of the Report.

99. **Disclosure of Conflict of Interest by Members of Council Staff in the Exercise of Delegated Power**

99.1 A member of Council staff who has a conflict of interest in a matter requiring a decision to be made by the member of Council staff as delegate must, immediately upon becoming aware of the conflict of interest, provide a written notice to the Chief Executive Officer explaining the nature of the conflict of interest.

99.2 If the member of Council staff referred to in sub-Rule 99.1 is the Chief Executive Officer the written notice must be given to the Mayor.

100. **Disclosure by a Member of Council Staff in the Exercise of a Statutory Function**

100.1 A member of Council staff who has a conflict of interest in a matter requiring a statutory function to be performed under an Act by the member of Council staff must, upon becoming aware of the conflict of interest, immediately provide a written notice to the Chief Executive Officer explaining the nature of the conflict of interest.

100.2 If the member of Council staff referred to in sub-Rule 100.1 is the Chief Executive Officer the written notice must be given to the Mayor.

101. **Retention of Written Notices**

The Chief Executive Officer must retain all written notices received under this Chapter for a period of three years.



## Chapter 3 – Miscellaneous

### 102. Informal Meetings of Councillors

If there is a meeting of Councillors that:

- 102.1.1 is scheduled or planned for the purpose of discussing the business of Council or briefing Councillors;
- 102.1.2 is attended by at least one member of Council staff; and
- 102.1.3 is not a Council meeting, Delegated Committee meeting or Community Asset Committee meeting

the Chief Executive Officer must ensure that a summary of the matters discussed at the meeting are:

- (a) tabled at the next convenient Council meeting; and
- (b) recorded in the minutes of that Council meeting.

### 103. Confidential Information

- 103.1 If, after the repeal of section 77(2)(c) of the Local Government Act 1989, the Chief Executive Officer is of the opinion that information relating to a meeting is confidential information within the meaning of the Act, he or she may classify the information as confidential and advise Councillors and/or members of Council staff in writing accordingly.
- 103.2 Information which has been classified by the Chief Executive Officer as confidential information within the meaning of the Act, and in respect of which advice has been given to Councillors and/or members of Council staff in writing accordingly, will be presumed to be confidential information.

## Chapter 4 – Election Period Policy

### 104. Introduction

There is what is known as an 'election period' (often referred to as a 'caretaker period') that comes into force prior to each municipal election, which extends for the 32 days after candidate nominations close until 6 pm on election day.

During this time, Council must avoid making decisions or acting in a way that could be seen to be influencing voters, or which will have a significant impact on an incoming Council. There are also restrictions on Council publishing or distributing electoral matter or making major decisions during the election (caretaker) period.

The purpose of this policy is to ensure the transparency and accountability around the behaviour and actions of Councillors, Council officers, contractors, registered Council volunteers and candidates during an election (caretaker) period.

Legislation requires all councils to prepare and adopt an election period policy, to be incorporated into its Governance Rules, that manages Councillor conduct, decision making, transparency and equity, and use of Council resources during an election (caretaker) period.

### 105. Policy Position

#### 105.1 During an election (caretaker) period, Councillors:

105.1.1 will continue to fulfil their duties (unless they are granted a leave of absence)

105.1.2 will continue to engage and communicate with the community in undertaking their role as the local Councillor representative

105.1.3 must comply with the Act and Councillor Code of Conduct

105.1.4 must not use their position to influence Council officers, or access Council resources or information, in support of any election campaign or candidacy.

#### 105.2 The Chief Executive Officer will, as far as practicable, plan for significant policy matters to be considered well in advance of the election (caretaker) period and ensure Council officers are aware of their obligations during an election (caretaker) period.

#### 105.3 This Council policy exceeds minimum legislative requirements as it restricts the use of Council resources and decision making for any form of council election (for example a by election) by actively managing:

105.3.1 decisions made by Council, Advisory Committees or a staff member acting under delegation during an election (caretaker) period

- 105.3.2 Council's publications, promotion, media, consultations and events during an election (caretaker) period
- 105.3.3 the use of Council resources, including venues, during an election (caretaker) period
- 105.3.4 access to Council information by Councillors and candidates during an election (caretaker) period.

106. **Definitions**

Certification	means the Chief Executive Officer's statement in writing that no electoral matter is contained within any publication produced by Council during the election (caretaker) period.
Council branding	means branding and logos related to the: <ul style="list-style-type: none"><li>• Euroa Community Cinema</li><li>• Euroa Visitor Information Centre (The Hub)</li><li>• Nagambie Visitor Information Centre</li><li>• Evolve Youth committee</li><li>• Active Evolution youth activity</li><li>• Access and Disability Advisory Committee</li><li>• Audit Committee</li><li>• Love Strathbogie.</li></ul>
Council resources	means Council: <ul style="list-style-type: none"><li>• Staff, contractors and registered Council volunteers</li><li>• owned property or property managed by Council on behalf of a third party</li><li>• equipment</li><li>• stationery</li><li>• finances.</li></ul>
Electioneering	means any action, statement and/or publication that contains material directly related to, or likely to influence, a Councillor's re-election or a candidate's election.
Election (Caretaker) Period	means the period that starts on the last day on which nominations for the election can be received and ends at 6pm on the election day. For the purpose of the 2020 municipal election, the election (caretaker) period commences on 22 September 2020 and closes at 6pm on 24 October 2020.
Electoral advertisement, handbill, pamphlet or notice	means an advertisement, handbill, pamphlet or notice that contains electoral matter but does not include an advertisement in a newspaper announcing the holding of a Council or Committee meeting or a notice relating to a prescribed statutory consultation process which

	must be undertaken under legislation and cannot be delayed until after the election (eg notice of a planning permit application or the publication of the Annual Report).
Electoral matter	<p>means any matter which is intended or likely to affect voting in an election but does not include any electoral material produced by, or on behalf of, the Returning Officer for the purposes of conducting an election.</p> <p>Electoral matter is to be interpreted as being intended or likely to affect voting in an election if it contains an express or implicit reference to or comment on:</p> <ul style="list-style-type: none"><li>• the election, or</li><li>• a candidate in the election, or</li><li>• an issue submitted to, or otherwise before, the voters in an election.</li></ul>
Inappropriate decision	<p>means any decision that:</p> <ul style="list-style-type: none"><li>• could affect voting in an election</li><li>• could reasonably be made after the election.</li></ul>
Major decision	<p>means any decision that</p> <ul style="list-style-type: none"><li>• would enable the use of Council's resources in a way that is intended to influence, or is likely to influence, voting at the election</li><li>• relates to the appointment or remuneration of the Chief Executive Officer but not to the appointment or remuneration of an Acting Chief Executive Officer.</li><li>• commits the Council to expenditure exceeding one per cent of the Council's income from general rates, municipal charges and service rates and charges in the preceding financial year</li></ul>
Municipal election	means any general election or by-election.
Prospective candidate	means any person who publicly expresses an intention to run as a candidate for a municipal election.
Public consultation	means a process that involves an invitation(s) to individuals, groups, organisations or the community in general, to comment on an issue, proposed action, or proposed Council policy that is not statutory consultation prescribed by an Act or Regulation.
Publication	<p>means a document distributed by any means, whether in hard copy or electronically, including publication on the internet (a website or any form of social media), advertisements, promotional media releases, posters, newsletters/updates, booklets, surveys, invitations and group mailouts/emails.</p> <p>It excludes letters to individuals or groups of people required under other legislation (for example notices to abutting owners for a planning permit application).</p>



Returning Officer	means the person appointed in writing by the Victorian Electoral Commission to conduct the election.
Significant decision	means an irrevocable decision that significantly affects the municipality, the organisation and/or its community.
Social media and websites	means any form of social media account (eg Facebook, Twitter, Instagram) or website owned or auspiced by Council, including but not limited to: <ul style="list-style-type: none"><li>• Council's Facebook, Twitter and Instagram account</li><li>• Euroa Community Cinema Facebook, Instagram and Twitter account</li><li>• Evolve Facebook account</li><li>• What's on in Strathbogie Shire</li><li>• any auspiced social media site run and managed by committees appointed by Council under section 86 of the Act.</li></ul>
The Act	means the <i>Local Government Act 2020</i>

107. **External References**

*Local Government Act 2020*

*Victorian Electoral Act 2002*

108. **Related Council Documents**

Staff Code of Conduct April 2019

Council Expenses Policy 2020

Councillor Code of Conduct 2017

Governance and Protocols Guide 2013

Media Policy and Protocols 2013

109. **Policy Objectives**

109.1 Council and Councillor activities will be actively managed and monitored in the lead up to any election, whether it be a by-election or general election to ensure:

109.1.1 there is a level playing field for all election candidates

109.1.2 Council information can be equally accessed by all candidates

109.1.3 Council resources are not used in any way to support an election campaign

109.1.4 conflicts of interest are avoided

109.1.5 there is a distinct and clear separation of activities between an incumbent councillor undertaking their duties under the Act and that same person being a candidate or prospective candidate in a forthcoming election



- 109.1.6 Council complies with all aspects of the Act in relation to activities and decision making in the election (caretaker) period
- 109.1.7 to implement the overarching governance principles and supporting principles of the Act
- 109.1.8 decisions that can be reasonably deferred until the next Council is in place are held over until after the election.
- 109.2 This policy applies to all Councillors, Council staff, Council registered volunteers and contractors and must be complied with if you are:
  - 109.2.1 involved in making decisions
  - 109.2.2 involved in making a significant decision that will bind the incoming Council
  - 109.2.3 about to publish written material which has reference in it to a candidate (which includes sitting Councillors), or the election or an issue before the voters in connection with the election
  - 109.2.4 involved in the creation of any Council publication
  - 109.2.5 involved in any public consultation process
  - 109.2.6 a Councillor who is planning to attend a function or event
  - 109.2.7 supplying administrative or resource support to Councillors
  - 109.2.8 a Councillor requesting access to Council information
  - 109.2.9 a Councillor requesting media advice.

110. **Review of This Policy**

This policy will be reviewed and adopted twelve months prior to the next municipal election.

## **Division 4.1 – Decision Making**

111. **Limitations**

- 111.1 Section 69(2) of the Act requires this policy to prohibit any of the following decisions being made by Council during the election period for a general election:
  - 111.1.1 A decision that relates to the appointment or remuneration of the Chief Executive Officer but not the appointment or remuneration of an Acting Chief Executive Officer; or

- 111.1.2 A decision that commits the Council to expenditure exceeding one percent of the Council's income from general rates, municipal charges and service rates and charges for the preceding financial year; or
  - 111.1.3 A decision that could reasonably be deferred until the next Council is in place; or
  - 111.1.4 A decision the Council considers should not be made during an election period.
- 111.2 It is noted that a Council decision made in contravention of dot points (a) and (b) are invalid under section 69(4) of the Act. Further, we recognise that any person who suffers any loss or damage as a result of acting in good faith on a Council decision that is invalid is entitled to compensation from the Council for that loss or damage.
- 111.3 Council must not consider issues, nor make any decisions, during an election (caretaker) period that would enable, or could be perceived to enable, the use of Council resources in a way that intended to influence voting in an election.

112. **Council and Delegated Committee meetings**

- 112.1 The only items to be considered at a Council or Delegated Committee Meeting held during the election (caretaker) period will be those required for the Annual Report, including financial statements for the Annual Report, procedural items to complete the Council's term of office, for example, assemblies of Council, consideration of minor and non-contentious planning permit applications.
- 112.2 Public Question Time will be suspended during the election (caretaker) period.
- 112.3 No Notices of Motion will be accepted by the Chief Executive Officer for a Council meeting held during the election (caretaker) period.

113. **Election period statement**

- 113.1 During the election (caretaker) period, the Chief Executive Officer will ensure an election period statement is included in any report submitted to a Council or a Delegated Committee Meeting for consideration stating that:

*"The recommended decision is not a prohibited decision as defined under section 69(2) of the Local Government Act 2020."*

- 113.2 The election (caretaker) period statement must appear on every report submitted to Council, a Delegated Committee or a decision made under delegation to Officers during the election (caretaker) period.

## **Division 4.2 – Access to Information**

114. **Requests for Access to Council information**

- 114.1 Given that Councillors continue to perform their elected role during the election (caretaker) period, they will continue to receive all necessary information to fulfil their role under the Act.
- 114.2 Councillors who are candidates in the election will be treated the same as other candidates in relation to access to Council information. Councillors may continue to access Council information and public documents during the election (caretaker) period, but only as it is necessary for them to perform their current role and functions.
- 114.3 Information to be provided to Councillors will include information that is publicly and freely available such as Council Plans, Annual Reports, strategies, policies and the like.
- 114.4 Briefing papers in relation to the Annual Report and procedural matters to be decided at the Council Meeting or Special Committee Meeting during the election (caretaker) period will also be provided to Councillors.
- 114.5 All requests received by Council officers for information about Council's existing projects, programs or services will be responded to in a 'business as usual' manner. This means up to date responses will be provided about progress on Council projects or services to Councillors, candidates and members of the community.
- 114.6 A 'business as usual' approach does not include Council staff undertaking extensive research or analysis involving significant Council resources, or providing a level of information which would not normally be available.
- 114.7 All election-related enquiries from candidates, or prospective candidates (whether Councillors or not), must be directed to the Returning Officer. Where the matter is outside the responsibilities of the Returning Officer the matter will be referred to the Chief Executive Officer or delegate.
- 114.8 Applications for information under Freedom of Information legislation will be dealt with in the usual manner.
115. **Keeping of a Request for Information Register**
- 115.1 A Request for Information register will be maintained by the Chief Executive Officer and available for inspection by the public upon request.
- 115.2 The Register will be a public document that records all requests relating to electoral matters, routine and non-routine requests for information by Councillors and election candidates and a summary of the response provided.
- 115.3 Council officers are required to discuss requests for information by Councillors and candidates with their Manager to determine an appropriate response prior to providing the information (or declining to provide the information).
- 115.4 Managers are responsible for ensuring all requests are logged on the Register.



- 115.5 Requests for information that require significant resources to be devoted to a response, or which might be perceived to support an election campaign, will be referred to the Chief Executive Officer or delegate.
- 115.6 The Register will be published on Council's website for the duration of the election (caretaker) period, including a summary of response and/or link to any requested public document.

## **Division 4.3 - Council Media, Social Media Pages and Publications**

### **116. Certification of publications by the Chief Executive Officer**

- 116.1 Section 304 of the Act prohibits a Councillor or member of Council staff from using Council resources in a way that is intended to or likely to affect the result of an election (this offence attracts a fine of 60 penalty units). This relates to the use of resources to intentionally or recklessly publish, print or distribute any electoral material unless the information relates to the electoral process or is otherwise required to be published in accordance with the Act or regulation.
- 116.2 The Chief Executive Officer, or the appointed Acting Chief Executive Officer, must certify that a Council publication does not include electoral matter before it can be issued.
- 116.3 The Chief Executive Officer may authorise an officer(s) to vet material prior to certification (that is, this function may not be delegated).
- 116.4 Council will not issue, publish or distribute any publication during an election (caretaker) period, other than:
  - 116.4.1 media and social media responses/statements on an emergency or urgent service-related issue (such as a pool closure)
  - 116.4.2 those that are required under an Act or regulation
  - 116.4.3 the Annual Report as required by the Act.
- 116.5 Any publications to be issued during the election (caretaker) period must be forwarded to the relevant Manager for approval and then sent to the Executive Manager Governance & Customer Service for vetting for electoral matter. Once vetted, the Group Manager will submit the publication to the Chief Executive Officer for certification.
- 116.6 Schedule 2 contains the certification memorandum that must be issued by the Chief Executive Officer for any publication issued during the election (caretaker) period.
- 116.7 The Executive Manager Governance & Customer Service will ensure Council publications available at Council facilities are inspected before the election (caretaker) period to identify and temporarily remove anything that might reasonably influence the election.

### **117. Council spokesperson**



- 117.1 The Chief Executive Officer, or delegate, will be the primary spokesperson for Council communications during an election (caretaker) period.
- 117.2 Media and social media responses and statements will only be issued during an election (caretaker) period in the name of the Chief Executive Officer and will be subject to certification by the Chief Executive Officer.
- 117.3 Council officers must not make any public statement that could be construed as influencing the election. This will be considered as an offence under the Employee Code of Conduct.
- 117.4 Councillors must not use their position as an elected representative, nor their access to Council officers and other Council resources, to gain media attention in support of an election campaign.

118. **Annual Report**

- 118.1 The Act requires Council's Annual Report to be prepared and submitted to the Minister for Local Government by the end of September each year, which has been extended to 30 November 2020 for the current election period.
- 118.2 The Annual Report will not include material that is considered electioneering or electoral matter, or that publicises the attributes or achievements of individual Councillors.
- 118.3 Information referring to specific Councillors will be limited to names, titles, contact details, membership of special committees and other bodies to which they have been appointed by Council.
- 118.4 A Mayor's Message will be included but will be restricted to general Council business and not specific achievements of elected representatives.
- 118.5 The Chief Executive Officer will determine the appropriate content for an Annual Report produced in an election (caretaker) period.
- 118.6 Council will print and distribute the same number of copies during an election (caretaker) period as for the preceding year.

119. **Council websites and social media sites**

- 119.1 During the election (caretaker) period, information about Councillors published on Council websites will only include names, contact details and titles and any information contained in the Annual Report. The content of the Shire's website will also be reviewed by the Executive Manager, Communications and Engagement to ensure it does not contain electoral matter.
- 119.2 The Agenda and Minutes for Council and Special Committee Meetings will continue to be published on Council's website and meetings live streamed for public viewing.



119.3 No new material will be published on Council's websites or social media sites during an election (caretaker) period unless it relates to:

119.3.1 emergency information (eg bushfires, heatwaves, blackouts, food recalls or floods)

119.3.2 unforeseen interruption to Council services (eg pool closures)

119.3.3 any prescribed information that the Returning Officer requires to be published to inform the community about the election process.

119.4 A statement will be published on all social media sites advising that Council is in the election (caretaker) period and no new information, other than that outlined above, will be published until after the election. It will also state that any information on the site was published before the election (caretaker) period, and direct people to contact customer service if they have any issues/requests.

119.5 The Executive Manager, Communications and Engagement will ensure Council's social media sites are reviewed before the election (caretaker) period to identify and temporarily remove anything that might reasonably influence the election.

120. **Internal publications/intranet**

120.1 The publication of internal newsletters and intranet information including instruction for the election (caretaker) period, policy and protocols, is permitted and will continue as normal during an election (caretaker) period. The promotion of Councillors, candidates, or political parties in internal publications is not permitted.

121. **Councillor-issued communications**

121.1 Councillors, like other candidates, are permitted to issue their own media releases, provided they do not use Council resources, including email, fax, logo or any branding, letterhead or any Council owned device. Councillors and candidates must make it clear that the views expressed are personal views only, and not the views of the Council.

121.2 Councillors are not permitted to comment in an official capacity on behalf of Council about an issue raised by the media during the election (caretaker) period.

121.3 Should media outlets contact Councillors, or candidates, directly for comment about an issue during the election period, Councillors and candidates are able to comment, provided they make it known to media outlets that the views expressed are personal views only, and not the views of Council.

121.4 Council officers cannot provide media advice or assistance to Councillors during an election (caretaker) period.

## Division 4.4 – Public Consultation and Events

### 122. Public meetings and events

- 122.1 Council will not undertake any community consultations or events during the election (caretaker) period.
- 122.2 Clause 122.2 includes promotion of upcoming consultations or events held after the election (caretaker) period but excludes prescribed statutory consultation processes under legislation such as the *Planning and Environment Act 1987*.
- 122.3 Councillors may continue to attend other external community events, but no formal role will be accepted, or support provided by Council officers (for example, writing a speech).
- 122.4 Existing Council programs and services for the community will continue as business as usual, but new promotional activity is not permitted during an election (caretaker) period.

### 123. Speeches for external events

- 123.1 Council resources must not be used to prepare speeches, or support roles, for Councillors for community and external events during the election (caretaker) period.

### 124. Community consultation

- 124.1 Public consultation and engagement exercises must be avoided during the election (caretaker) period, except for statutory consultations required under the *Planning and Environment Act 1987* or other legislation where the matter cannot possibly be delayed until after the election (caretaker) period closes.

### 125. Council facilities/halls for hire

- 125.1 Council facilities will be able to be hired by local candidates (including Councillors) at the normal corporate hire rate determined for the facility in the lead up to an election, but not during an election (caretaker) period.
- 125.2 To avoid a perception that Council facilities are being used to promote any candidacy, no promotional material related to the event/hired use, apart from directional signage, can be displayed in the common public areas of the facility being hired. This will be advised at time of booking.
- 125.3 Candidates wishing to conduct electioneering activities in a public space for example, a stall at a shopping strip or park, must apply for a permit in accordance with Council's local law.
- 125.4 No other promotional material, including signage, posters, flyers or banners, for any election candidacy is permitted on Council land or at its facilities at any time. The Strathbogrie Planning Scheme sets out the requirements relating to display of candidacy information on private land across the shire.





## **Division 4.5 - Use of Council Resources**

### **126. Candidacy**

- 126.1 A Councillor must not use Council resources for candidacy, or any purpose that may be perceived as being used for candidacy (individual or political party). This applies to a Councillor standing in a local election and for any other elected positions, for example, positions on boards given such use would constitute misuse of position by the Councillor.

### **127. Elected Councillors Performing their Roles**

- 127.1 Councillors will have access to the resources necessary to fulfil their elected roles in accordance with the Councillor Code of Conduct.
- 127.2 Council resources including offices, vehicles, hospitality, equipment, email, mobile phones and stationery will remain available for Councillors to fulfil their elected role during an election (caretaker) period.
- 127.3 Council resources must not be used for election related purposes or used in a manner that could be perceived as supporting or being connected with a candidate's election campaign.
- 127.4 Council officers will not undertake any tasks connected directly or indirectly with a candidate's election campaign.

### **128. Use of the Title 'Councillor'**

- 128.1 Councillors may use the title 'Councillor' in their election material as they continue to hold office during the election (caretaker) period.
- 128.2 While a Councillor may refer to themselves as Councillor in all communication issued by the Councillor (verbal or written), it must be made clear that it is the communication of a candidate and not on behalf of Council.

### **129. Photographs and Images**

- 129.1 Photographs and images paid for by Council or taken by Council officers must not to be used in electoral material for any candidate. This includes images of Councillors, Council branded events, and Council owned or maintained infrastructure.
- 129.2 Photographs taken by Councillors, their family or friends, or professional photos they have directly commissioned and paid for, may be used in electoral material.

### **130. Council Branding and Stationery**

- 130.1 No Council branding, logo or letterhead can be used for, or linked in any way to, a candidate's election campaign.

- 130.2 Use of Council logos, branding and stationery whether in hardcopy or electronic is only permitted for Council related business.

131. **Councillor Expense Reimbursement**

- 131.1 Reimbursement of the out-of-pocket expenses for Councillors during the election (caretaker) period will only apply to costs that have been incurred in the performance of normal Council duties as per the Council Expenses Policy 2020.
- 131.2 Expenses that the Chief Executive Officer identifies that could be perceived as supporting or being connected with a candidate's election campaign will not be reimbursed.

132. **Councillor Correspondence**

- 132.1 General correspondence addressed to Councillors will be answered in a usual manner.
- 132.2 Councillors will only sign the necessary minimum correspondence during the election (caretaker) period. Correspondence relating to significant, sensitive or controversial matters will be referred to the Chief Executive Officer.

133. **Politicisation of Council**

- 133.1 Councillors are not able to censure government departments or Ministers during the election period, nor can they use Notices of Motion to make political statements of further their candidacy in their election.

## **Division 4.6 – Charter of Human Rights and Responsibilities Act 2006 and the Equal Opportunities Act 2010**

Council acknowledges the legal responsibility to comply with the *Charter of Human Rights and Responsibilities Act 2006* and the *Equal Opportunity Act 2010*. The *Charter of Human Rights and Responsibilities Act 2006* is designed to protect the fundamental rights and freedoms of citizens. The Charter gives legal protection to 20 fundamental human rights under four key values that include freedom, respect, equality and dignity.



## Schedule 1 Procedural Motions Table

Procedural Motion	Form	Mover & Second	When Motion Prohibited	Effect if Carried	Effect if Lost	Debate Permitted
1. Adjournment of debate to later hour and/or date	<i>"That this matter be adjourned to *am/pm and/or *date"</i>	Any Councillor who has not moved or seconded the original motion or otherwise spoken to the original motion	(a) During the election of a Chair; (b) When another Councillor is speaking	Motion and amendment is postponed to the stated time and/or date	Debate continues unaffected	Yes
2. Adjournment of debate indefinitely	<i>"That this matter be adjourned until further notice."</i>	Any Councillor who has not moved or seconded the original motion or otherwise spoken to the original motion	(a) During the election of a Chair (b) When another Councillor is speaking (c) When the matter is one where a call of the Council has been made for that meeting in accordance with section 85 of the Act (d) When the motion would have the effect of causing Council to be in breach of a legislative requirement.	Motion and any amendment postponed at but may be resumed at any later meeting if on the agenda	Debate continues unaffected	Yes

Procedural Motion	Form	Mover & Second	When Motion Prohibited	Effect if Carried	Effect if Lost	Debate Permitted
3. The closure of a debate	<i>"That the motion be now put"</i>	Any Councillor who has not moved or seconded the original motion or otherwise spoken to the original motion	During nominations for Chair	Motion or amendment in respect of which the closure is carried is put to the vote immediately without debate of this motion, subject to any Councillor exercising his or her right to ask any question concerning or arising out of the motion	Debate continues unaffected	No
4. Deferral of a matter (to a future meeting)	<i>"That the debate on this matter be deferred until (insert meeting/date) to allow (purpose of deferral)" ... "</i>	Any Councillor who has not moved or seconded the original motion or otherwise spoken to the original motion	(a) During the election of the Mayor/Deputy Mayor (b) During the election of a Chairperson (c) When another Councillor is speaking.	Consideration/debate on the motion and/or amendment is postponed to the stated date and the item is re-listed for consideration at the resolved future meeting, where a fresh motion may be put and debated	Debate continues unaffected	Yes
5. Laying a motion on the table (pausing debate)	<i>"That the motion be laid on the table"</i>	A Councillor who has not spoken for/against the motion	During the election of the Mayor/Deputy Mayor	Motion not further discussed or voted on until Council resolves to take the question from the table at the same meeting	Debate continues unaffected	No
6. Take a motion from the table (resume debate on a matter)	<i>"That the motion in relation to xx be taken from the table"</i>	Any Councillor	When no motion is on the table	Debate of the item resumes	Debate of the item remains paused	No

Procedural Motion	Form	Mover & Second	When Motion Prohibited	Effect if Carried	Effect if Lost	Debate Permitted
7. Alter the order of business	<i>"That the item listed at xx on the agenda be considered before/after the item listed as xy"</i>	Any Councillor	(a) At a Meeting to elect the Mayor; or (b) During any debate	Alters the order of business for the meeting	Items are considered in the order as listed in the <i>Agenda</i>	No
8. Suspension of Standing Orders	<i>"That Standing Orders be suspended to ... (reason must be provided"</i>	Any Councillor		The rules of the meeting are temporarily suspended for the specific reason given in the motion  No debate or decision on any matter, other than a decision to resume Standing Orders, is permitted	The meeting continues unaffected	No
9. Resumption of Standing Orders	<i>"That Standing Orders be resumed"</i>	Any Councillor	When Standing Orders have not been suspended	The temporary suspension of the rules of the meeting is removed	The meeting cannot continue	No

Procedural Motion	Form	Mover & Second	When Motion Prohibited	Effect if Carried	Effect if Lost	Debate Permitted
10. Consideration of confidential matter(s) (Close the meeting to members of the public)	<i>"That, in accordance with section 66(2)(a) of the Local Government Act 2020 the meeting be closed to members of the public for the consideration of item xx is confidential as it relates to [insert reason]"</i>	Any Councillor	During the election of the Mayor/Deputy Mayor	The meeting is closed to members of the public	The meeting Continues to be open to the public	Yes
11. Reopen the meeting	<i>"That the meeting be reopened to members of the public"</i>	Any Councillor		The Meeting is reopened to the public	The meeting remains closed to the public	No

## Schedule 2 Election Period Certification Memorandum

### MEMORANDUM

**To:** Executive Manager, Governance & Customer Service

**CC:** Chief Executive Officer

**From:** [INSERT NAME], [INSERT TITLE]

**Subject:** CERTIFICATION OF PUBLICATION DURING ELECTION PERIOD

**Date:**

Section 304 of the Local Government Act 2020 specifies a Council must not print, publish or distribute or cause, permit or authorise to be printed, published or distributed, any electoral material during the election period unless it contains information about the electoral process or is otherwise required in accordance with, or under, any Act or regulation.

In accordance with the Election (Caretaker) Period Policy 2020 Council further commits that where a publication is deemed necessary for a Council service or function, it will be certified by the Chief Executive Officer.

Please insert details of the publication here, such as the intended audience, reasons that it must be issued during the election period and any legislation that requires this publication to be issued during the election period.


\_\_\_\_\_  
Council Officer

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date





**Executive Manager Governance & Customer Service Use Only**

The attached material has been reviewed and does not contain any electoral related matter to the best of my knowledge. In accordance with the requirements of 304 of the Local Government Act 2020, please certify that you, as Strathbogie Shire Council's Chief Executive Officer, authorises this material to be printed, published or distributed.

_____	_____	_____
Name	Signature	Date

**Certification by Chief Executive Officer**

I, Julie Salomon, Chief Executive Officer, certify the attached material is suitable for printing, publishing or distributing on behalf of the Strathbogie Shire Council and does not contain electoral material as defined by the *Local Government Act 2020*.



### **9.7.5 Draft Local Law No 1 – Use of the Common Seal 2020**

Responsible Officer: Executive Manager, Governance & Customer Service

#### **EXECUTIVE SUMMARY**

A requirement of the newly introduced *Local Government Act 2020* (the Act) is the development of Governance Rules to replace Council's current Meetings Procedure Local Law No 1 of 2014.

This current local law contains provisions around the use of Council's Common Seal and so a new local law is required to ensure there is continuity in regulation around this matter. Furthermore, a local law is required to revoke an existing local law.

The provisions of the Local Government Act 1989 (the 1989 Act) in relation to Council powers to make and revoke local laws are still in operation, even though we are currently transitioning in stages to the new *Local Government Act 2020* (the 2020 Act).

This means that a formal consultation process under section 223 of the 1989 Act must be undertaken. To this end, the draft local law will be placed on public exhibition for community input and comment for a period of 28 days. Anyone who wishes to make a written submission in relation to the draft law can also request an opportunity to make a verbal presentation to Council, or have someone make that presentation on their behalf.

A Council meeting will be held at 4.00 p.m. on Friday 21 August 2020 to consider any written submissions and to hear any verbal submissions from the community in relation to the draft Local Law.

A further Council meeting will be held on 25 August 2020 to consider the adoption of the new Local Law.

#### **MOVED COUNCILLOR GARDNER, SECONDED COUNCILLOR THOMSON**

##### ***That Council:***

1. ***Note the draft Local Law No 1 – Use of Common Seal 2020 and, in accordance with sections 119 and 223 of the Local Government Act 1989, place it on public exhibition for community review and comment for a period of 28 days, advertised through the following means:***
  - ***a notice in the 23 July 2020 Government Gazette***
  - ***an item under 'Top News Stories' on Council's website***
  - ***posts on Council's social media pages page***
  - ***notices in the local papers.***
2. ***Hold a Council meeting at 4.00 p.m. on Friday 21 August 2020 in the Conference Room, Bury Street, Euroa, to consider all written submissions and to hear any verbal submissions.***



9.7.5 Draft Local Law No 1 – Use of the Common Seal 2020 (cont.)

*MOTION (cont.)*

3. ***Note that, should no written submissions be received during the public consultation period, the meeting on Friday 21 August 2020 will not be held.***
4. ***Hold a Council meeting at 5.00 p.m. on Tuesday 25 August 2020 in the Conference Room, Bury Street, Euroa, to consider the adoption of the Local Law.***

111/20 **CARRIED**

**PURPOSE AND BACKGROUND**

The purpose of this report is to enable Council to undertake an initial review of the Draft Local Law No 1 – Use of Common Seal 2020 to ensure there is continuity in regulation around the use of the Common Seal once the new Governance Rules, required by the 2020 Act, come into play on 1 September.

The revocation of the existing Meetings Procedures Local Law No 1 of 2014 would mean that there would be no regulation around the use of the common seal without replacing it with this draft (and brief) new local law.

Further, the existing Meetings Procedures Local Law must be revoked by way of a local law in itself, so the draft Local Law that is the subject of this report aims to do both things.

**ISSUES, OPTIONS AND DISCUSSION**

The draft Local Law has been developed through consultation with a highly experienced local government lawyer and through review of other similar local laws currently being developed by Councils across the North East region of Victoria.

The Author has participated in several online forums and workshops in relation to the implications of the new requirement for Councils to develop Governance Rules and revoke existing meetings procedures local laws.

The draft Local Law is brief, as the use of the Common Seal is restricted to matters that have been subject to the resolution of Council (such as Section 173 Agreements created under the *Planning and Environment Act 1987* or instruments of delegation).

**COMMUNITY ENGAGEMENT**

There are supporting principles relating to community engagement and public transparency in the 2020 Act that promote community participation in Council decision making processes.

The 1989 Act requires the draft Local Law to be placed on public exhibition for a period of no less than 28 days. Members of the community must provide written comment by the close of business on Wednesday 19 August 2020.

#### 9.7.5 Draft Local Law No 1 – Use of the Common Seal 2020 (cont.)

Those making written submissions may ask for an opportunity to make a verbal presentation, or have someone present on their behalf, to a Council meeting, set for 4.00 p.m. on 21 August 2020. This exhibition period will run parallel with the that for the new Governance Rules so that submissions can be considered at the same meetings.

Notices will be placed in newspapers circulating in Euroa, Benalla and Shepparton as well as in local newsletters in townships across the Shire. Posts will appear on Council's website and social media pages throughout the consultation period. A notice must also be placed in the Government Gazette to commence the statutory community engagement process.

The exhibition of the local law is also consistent with our Community Engagement Strategy.

A Community Impact Statement has been prepared to inform the community about the implications of the draft local law, and is a best practice requirement prescribed by the State Government when any council makes a new local law. This Statement can be found at Attachment 2 to this report.

#### **POLICY CONSIDERATIONS**

##### Council Plans and Policies

The proposed Local Law does not have any impacts on the Council Plan or existing policies, aside from the fact that it ensures continuity in provisions around the use of the Common Seal and ensures that the existing meetings procedures Local Law is repealed legally.

##### Regional, State and National Plans and Policies

The preparation and exhibition of the draft Local Law is consistent with practices across the State and discussions have been had within the North/North East Region as to how to best deal with the repealing of meetings procedures local laws to ensure there is still regulation around the use of the Common Seal.

#### **LEGAL CONSIDERATIONS**

The draft Local Law and its proposed public exhibition are in accordance with the power to make a local law under section 111 of the 1989 Act and the requirements of sections 119 and 223 of the same Act.

The draft Local Law is based on a template provided by governance lawyers.

The Local Law repeals the existing Meetings Procedures Local Law No 1 of 2014 as these are now to be replaced with Governance Rules, which are on public exhibition at the same time.

The inclusion of a penalty of misuse of the Common Seal, set at 20 penalty points, is a risk mitigation measure to deter the fraudulent use of the Common Seal. The current Local Law has identified a penalty of only 10 units, however after benchmarking against other Councils in North East Victoria, 20 penalty points is considered to be the norm and also reflects the severity of the infringement.

#### 9.7.5 Draft Local Law No 1 – Use of the Common Seal 2020 (cont.)

##### Conflict of Interest Declaration

All officers, and/or contractors, involved in the preparation of this report have signed a written declaration that they do not have a conflict of interest in the subject matter of this report.

##### Transparency

One of the Overarching governance principles in section 9 of the *Local Government Act 2020* is to achieve transparency in Council decision making, actions and information.

The exhibition of the draft Governance Rules and this draft Local Law is the most transparent way to explain what these documents mean and the way in which Council is complying with the 2020 Act's new requirements.

##### **COLLABORATION**

One of the Overarching governance principles in section 9 of the *Local Government Act 2020* is that collaboration with other councils, levels of government and statutory bodies is to be sought.

Engagement has been had with Local Government Victoria and the North East Governance Officer's Network to inform the preparation of the draft Local Law.

##### **HUMAN RIGHTS CONSIDERATIONS**

This policy has been reviewed against and complies with the rights and protections outlined by the *Charter of Human Rights and Responsibilities Act 2006* and has been found to have no impact on the Charter given the very limited and operational nature of the draft Local Law.

The infringement for misuse of the Common Seal is in accordance with the *Infringements Act 2006* and is subject to the natural justice principles and processes of this Act.

##### **CONCLUSION**

The draft Local Law complies with all aspects of the 1989 Act in relation to making a new local law and enables Council to comply with the requirements of the new 2020 Act.

A 28 day community consultation process will ensure there is public scrutiny and input into the final document. There will also be an opportunity for our community to make a verbal presentation to Council in support of their written submission at an extraordinary Council meeting to be held at 4pm on 21 August 2020.

##### **ATTACHMENTS**

**Attachment 1:** Draft Local Law No 1 – Use of Common Seal 2020

**Attachment 2:** Community Impact Statement for Draft Local Law No 1 – Use of Common Seal 2020

ATTACHMENT 1:



**LOCAL LAW NO 1  
USE OF THE COMMON SEAL 2020**

Adopted by Council XXX 2020

A handwritten signature in black ink, located in the bottom right corner of the page.

## CONTENTS

<b>PART 1 – INTRODUCTION .....</b>	<b>132</b>
<b>1.1 Title.....</b>	<b>132</b>
<b>1.2 Purpose .....</b>	<b>132</b>
<b>1.3 Authorising Provision.....</b>	<b>132</b>
<b>1.4 Operational Commencement.....</b>	<b>132</b>
<b>1.5 Revocation of Meeting Procedure Local Law.....</b>	<b>132</b>
<b>1.6 Sunset.....</b>	<b>132</b>
<b>PART 2 – THE COMMON SEAL.....</b>	<b>133</b>
<b>2.1 Use of the Common Seal.....</b>	<b>133</b>
<b>2.2 Signatures to Accompany the Common Seal.....</b>	<b>133</b>
<b>2.3 Authority for Use of the Common Seal.....</b>	<b>133</b>
<b>2.4 Who Keeps the Common Seal.....</b>	<b>133</b>
<b>2.5 Unauthorised Use of the Common Seal .....</b>	<b>133</b>



## **PART 1 – INTRODUCTION**

### **1.1 Title**

This Local Law will be known as the Strathbogie Shire Council, "Local Law No. 1 - Use of the Common Seal 2020".

### **1.2 Purpose**

The purpose of this Local Law is to regulate the use and prohibit unauthorised use of Council's Common Seal.

### **1.3 Authorising Provision**

This Local Law is made under section 14(2)(c) of the *Local Government Act 2020* and section 111(1) of the *Local Government Act 1989*.

### **1.4 Operational Commencement**

This Local Law:

- a. Comes into operation on 1 September 2020; and
- b. operates throughout the *municipal district* of Strathbogie Shire Council in accordance with section 121(1) of the *Local Government Act 1989*.

### **1.5 Revocation of Meeting Procedure Local Law**

Council's Local Law No.1 Meeting Procedure 2014 adopted by Council on 3 December 2019 is revoked upon the commencement of this Local Law.

### **1.6 Sunset**

This Local Law will cease to operate on the 1 September 2030, unless revoked sooner by Council resolution.





## **PART 2 – THE COMMON SEAL**

### **2.1 Use of the Common Seal**

The common seal of Council must be in the following form:

The Common Seal of the ) .....Councillor  
Strathbogie Shire Council ) .....Councillor  
was hereunto affixed ) .....Chief Executive Officer  
on the (day) of (month) (year)

### **2.2 Signatures to Accompany the Common Seal**

Every document to which the Common Seal is affixed must be signed by two (2) Councillors and the Chief Executive Officer.

### **2.3 Authority for Use of the Common Seal**

The Common Seal must be affixed to a document only for the purpose of giving effect to a decision which has been:

- a) made by Council resolution;
- b) made by resolution of a Delegated Committee to which the power to use the Common Seal has been delegated; or
- c) made by the Chief Executive Officer or a senior officer to whom power to use the Common Seal has been delegated.

### **2.4 Who Keeps the Common Seal**

For security purposes, the Chief Executive Officer or other member of Council staff to whom this duty has been delegated must keep the Common Seal in safe custody.

### **2.5 Unauthorised Use of the Common Seal**

Any person who uses the Common Seal or any device resembling the Common Seal without authority is guilty of an offence.

*Penalty 20 penalty units*



## **ATTACHMENT 2:**

### **STRATHBOGRIE SHIRE COUNCIL DRAFT LOCAL LAW NO. 1 – USE OF THE COMMON SEAL 2020 LOCAL LAW COMMUNITY IMPACT STATEMENT (LLCIS)**

Strathbogrie Shire Council (Council) provides the following information to the community to support the public exhibition of the draft new Local Law No. 1 – Use of the Common Seal 2020.

#### **1. INTRODUCTION**

Council is proposing to make the new Local Law No. 1 – Use of the Common Seal 2020 (proposed Local Law).

The proposed Local Law will revoke Council's Local Law No.1 Meeting Procedure 2014 (current Local Law) and replace the current Local Law to the extent that the current Local Law regulates the use of Council's common seal.

This Community Impact Statement has been prepared to inform the community about the draft new Local Law and to assist any member of the public who may wish to make a written submission to Council during the public consultation process required under the *Local Government Act 1989* (the 1989 Act).

#### **2. BACKGROUND**

The current Local Law addresses the meeting procedure for Council (and Special Committee) meetings. It also regulates the use of Council's common seal and creates an offence for misuse of the common seal.

The meeting procedures applicable to Council (and Delegated Committee) meetings will now be addressed through Governance Rules made under the *Local Government Act 2020* (the 2020 Act). As part of the transition to the new 2020 Act, Council is revoking the current Local Law to make way for Council's Governance Rules.

Council needs to make a new Local Law to regulate the use of Council's common seal in the future as these matters cannot be addressed through Governance Rules.

#### **3. OVERVIEW OF PROPOSED LOCAL LAW**

The purpose of the proposed Local Law is to:

- a) Revoke the current Local Law; and
- b) Regulate the use of the common seal.

The proposed Local Law will come into operation on 1 September 2020 and will expire 10 years after commencement unless revoked at an earlier date by Council.

On commencement of the proposed Local Law, the current Local Law will be revoked.



Proposed changes brought about by the draft new Local Law are not substantial and relate to updating terminology and reproducing the existing provisions of the current Local Law in relation to the use of the Common Seal.

#### **4. CONSULTATION**

There is a detailed process that Council must undertake when making or revoking a local law under section 223 of the 1989 Act.

We must seek comment from our community for at least 28 days, and this period will run from 22 July 2020 to 19 August 2020.

Anyone who makes a written submission can also request to Council to hear a verbal submission at a Council meeting.

The Council meeting to receive all written submissions and hear any verbal submissions will be held at 4pm on Friday 21 August 2020 in the Council's Conference Room Bury Street, Euroa.

A copy of the proposed Local Law is attached (Attachment 2) to this Community Impact Statement.



## 5. EVALUATION OF THE PROPOSED LOCAL LAW

Council has evaluated the proposed Local Law against the Guidelines issued by the Minister for Local Government in relation to the making of local laws as follows:

ISSUE	COMMENT
Legislative requirements	<p>The 2020 Act gives councils the power to make and revoke local laws.</p> <p>The proposed Local Law addresses matters related to the use of its common seal and repeals the existing Meetings Procedures Local Law 2014 as the majority of its provisions will be covered by new Governance Rules.</p>
State or Federal legislation impacts	<p>State legislation enables Council to make this local law.</p> <p>The local law does not seek to address any issues which are best addressed at the State or Federal level and there is no conflict with State or Federal legislation.</p>
Overlap with existing legislation	<p>The proposed Local Law is consistent with legislation and implements the requirements of the Local Government Acts of 1989 and 2020.</p>
Legislative Approach	<p>Council must regulate the use of its common seal to ensure it is used appropriately and with the correct authority and accountability.</p> <p>The Local Law to be repealed will be replaced by new Governance Rules required under the 2020 Act and the draft Local Law for the use of the Common Seal.</p>
Use of Performance Standards or Prescriptive Details	<p>A prescriptive approach is required to regulate the lawful use of the Common Seal.</p>
Risk Assessment	<p>The regulation of the use of the Common Seal through the proposed Local Law aims to mitigate risks around its misuse. The inclusion of a penalty around its misuse is designed to further deter any risk of fraud through the misuse of the Common Seal.</p>
Measures of Success	<p>The efficacy of the proposed Local Law will be measured by monitoring the level of compliance with its provisions.</p>

Permits and Fees	There are no permits required under the proposed local law and no fees are prescribed.
Penalties	<p>There is one offence under the proposed Local Law around the misuse of the Common Seal, which attracts a fine of 20 penalty units.</p> <p>Although this penalty is an increase on that contained in the 2014 Local Law, it has been benchmarked against other councils in the region and found to be a consistent and proportionate approach. The increased penalty also reflects the seriousness of the offense of misusing the Common Seal.</p>
Restriction of competition	<p>There are no impacts on competition arising from the regulation of use of the Common Seal.</p> <p>The repealing of the existing Local Law has no impacts on competition.</p>
Comparison with other councils	Other council Local Laws regulating the use of the Common Seal have been reviewed and the proposed local law is consistent with the practice adopted across the sector in terms of content and approach to penalties.
Charter of Human Rights	<p>The <i>Charter of Human Rights and Responsibilities Act 2006</i> contains twenty basic rights that promote and protect the values of freedom, respect, equality and dignity.</p> <p>Councils must not knowingly be in breach of these rights and must always consider any impacts on these rights when developing policies or delivering services.</p> <p>The proposed Local Law is consistent with upholding the principles and rights of the Charter and is not considered to adversely impact human rights.</p> <p>The revoking of the current Local Law does not impact on human rights given that the new Governance Rules will set out rights and opportunities for our community to participate in Council meetings and decision making.</p>

<p>Community Consultation</p>	<p>Internal consultation has occurred in relation to the development of this proposed Local Law.</p> <p>Community consultation will be undertaken in accordance with sections 119(2) and 223 of the 1989 Act.</p> <p>Members of our community will be able to review the proposed Local Law and provide written comment for a period of 28 days. Submitters can also request an opportunity to be heard at a Council meeting in support of their submission.</p> <p>Once a decision has been made on the proposed Local Law, all submitters will be informed in writing of the outcome and the reasons for the Council's decision.</p> <p>This Community Impact Statement is designed to assist our community in understanding the proposed Local Law so that they can make an informed decision as to whether or not to make comment on it.</p>
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#### **9.7.6 Goulburn Broken Greenhouse Alliance Representative**

Author: Environment and Waste Coordinator

Responsible Director: Director Corporate Operations

##### ***EXECUTIVE SUMMARY***

This report seeks Council's endorsement for a replacement representative on the Goulburn Broken Greenhouse Alliance.

Council is being asked to nominate another representative as the Mayor, the previous representative, has stepped down due to possible conflicting representations with her new role as Chair of Regional Development Australia.

##### ***MOVED COUNCILLOR LITTLE, SECONDED COUNCILLOR WILLIAMS***

***That Council endorses Councillor Chris Raeburn as Council's Representative on the Goulburn Broken Greenhouse Alliance.***

***112/20 CARRIED***

##### ***PURPOSE AND BACKGROUND***

The Goulburn Broken Greenhouse Alliance (GBGA) is a collaboration of Councils and key agencies in the Goulburn Broken and North East regions. Thirteen Councils, the Goulburn Broken Catchment Management Authority, North East Catchment Management Authority and Department of Environment, Land, Water and Planning all collaborate to increase capacity in the region to respond to the many challenges of climate change.

The members of the GBGA work together to raise awareness and capacity of the region to mitigate and adapt to climate change, recognising that there will be opportunities as well as challenges in a changing climate.

##### ***ISSUES, OPTIONS AND DISCUSSION***

Council has been an active member of the GBGA for many years and staff value the networks, knowledge and experience that is available across the region.

One of the Overarching governance principles in section 9 of the Local Government Act 2020 is that Priority is to be given to achieving the best outcomes for the municipal community, including future generations. The GBGA focus on climate change adaptation, and mitigation ensures that we are improving the world that we are passing onto our children. Council officers believe that the proposed recommendation is suitable to continue our membership and presence in such an important regional group.

##### ***COMMUNITY ENGAGEMENT***

One of the Overarching governance principles in section 9 of the Local Government Act 2020 is that the municipal community is to be engaged in strategic planning and strategic decision making. In this instance no community engagement was undertaken for this report as this is internal Council representation on a regional group.

9.7.6 Goulburn Broken Greenhouse Alliance Representative (cont.)

**POLICY CONSIDERATIONS**

Council Plans and Policies

The Strathbogie Shire Council Plan 2017 – 2021 directly references the GBGA under Section 2 “To Sustainably manage our natural and built environment’.

The action is – Continue to support the Goulburn Broken Greenhouse Alliance.

Regional, State and National Plans and Policies

One of the Overarching governance principles in section 9 of the *Local Government Act 2020* is that regional, state and national plans and policies are to be taken into account in strategic planning and decision-making. Being an active member of the GBGA also means that we are able to collaborate with the other Greenhouse Alliances around the state to increase the community’s ability to respond to climate change.

**LEGAL CONSIDERATIONS**

One of the Overarching governance principles in section 9 of the *Local Government Act 2020* is that Council decisions are to be made and actions taken in accordance with the relevant law. Council, as a member of the GBGA, may endorse representatives to the Group.

Conflict of Interest Declaration

All officers, and/or contractors, involved in the preparation of this report have signed a written declaration that they do not have a conflict of interest in the subject matter of this report.

Transparency

One of the Overarching governance principles in section 9 of the *Local Government Act 2020* is that the transparency of Council decisions, actions and information is to be ensured. Council is achieving this by having this matter discussed in the Council meeting open to the public.

**FINANCIAL VIABILITY CONSIDERATIONS**

One of the Overarching governance principles in section 9 of the *Local Government Act 2020* is that the ongoing financial viability of the Council is to be ensured. Council makes a small annual contribution to the GBGA but this is already budgeted for in the Environment operations budget.

**SUSTAINABILITY CONSIDERATIONS**

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. Membership in the GBGA encourages a sustainable shire by increasing our communities resilience to climate change.

Economic

Sharing of information and knowledge between Councils and working on projects collaboratively has many economic benefits to a smaller Council such as Strathbogie Shire as it allows our limited staffing to get more done with less.



9.7.6 Goulburn Broken Greenhouse Alliance Representative (cont.)

Social

Being an active member of the GBGA will help Council focus on projects that increase our communities' resilience to climate change.

Climate change

The GBGA undertake work focussed directly on climate change and climate change mitigation and adaptation.

**COLLABORATION**

Participation in the GBGA facilitates regional and state-wide collaboration on climate change issues with other Councils and responsible Government bodies.

**HUMAN RIGHTS CONSIDERATIONS**

There are no human rights considerations arising from the issues discussed in this report.

**CONCLUSION**

This report proposes that a Councillor is endorsed by the Council as a representative at the Goulburn Broken Greenhouse Alliance.

**ATTACHMENTS**

Nil.



### **9.7.7 Strathbogie Shire Council Community Local Law No.6 (2010) Review – Amended Process**

Author: Team Leader Compliance

Responsible Director: Director Corporate Operations

#### ***EXECUTIVE SUMMARY***

This report seeks Council's endorsement for the members of the Project Group as well as endorsement of the process for the review of the Strathbogie Shire Council Community Local Law No.6 (2010).

#### ***MOVED COUNCILLOR MASON, SECONDED COUNCILLOR LITTLE***

***That Council endorses the proposed amended process for the review and deployment of the proposed Local Law, specifically in relation to the Project Group which now contains:***

- ***Councillors Amanda McClaren and John Mason***
- ***Community representatives - Charlie Brydon and Mark Tame***
- ***2 Officers - Team Leader Compliance and Administration Support Officer (Building, Health and Compliance Services)***
- ***Director Corporate Operations***

***113/20 CARRIED***

#### ***PURPOSE AND BACKGROUND***

At its ordinary meeting on 17 December 2019, Council endorsed the proposed process of forming a Project Group which contained, two council officers, two councillors (Councillors McClaren and Mason were nominated), two members of Council Staff, one member of the Executive Management Team (now known as Executive Leadership Team), two community representatives and at least two industry representatives.

Since this endorsement, officers were unable to engage industry representatives to form part of the project group due to other commitments. It is considered however that the industries who have a stake in this process such as Agriculture, Health and Environment will be engaged with directly as part of the public consultation of the draft local law itself.

As a result the timetable needs to be reviewed and is now proposed as follows:

- Working Group review Draft by end of July 2020
- Special Council meeting 4 August 2020 to resolve to place on exhibition
- Exhibition period closes 4 September 2020
- Submissions considered by 11 September 2020
- Report to adopt 18 September 2020

9.7.7 Strathbogie Shire Council Community Local Law No.6 (2010) Review – Amended Process (cont.)

The feedback provided from the Project Reference Group along with other materials will be used to provide the content of the Draft Community Local Law which will be shared with our community and industry.

***ISSUES, OPTIONS AND DISCUSSION***

The purpose of the Community Local Law is to respond the issues and needs of our community. The laws complement Council's responsibilities under both state and federal legislation by providing guidance and setting requirements and expectations. A local law is often adopted to protect public health, safety and amenity. The local law should be designed to ensure that the actions of any individual or group do not adversely affect the amenity of the community.

Council's current Local Law is due to expire on 7 October 2020. The period of this current local law cannot be extended and affects all land within the Shire. The Local Government Act 1989 allows Council to have a Local Law. The Community Local Law is not required for the enforcement of other legislation, nor does it override any other legal responsibilities of Council.

***COMMUNITY ENGAGEMENT***

Advertisements were placed in the local papers as part of the creation of the group inviting the public and industry members for the group. The purpose of the group is to provide feedback into the draft before the commencement of the formal consultation and community engagement.

Two submissions were received from community members (Charlie Brydon and Mark Tame) to be a part of the Project Group and it is recommended that these people be appointed

***POLICY CONSIDERATIONS***

Council Plans and Policies

The author of this report considers that the report is consistent with Council Policies and the Council Plan.

***LEGAL CONSIDERATIONS***

The author of this report considers that the recommendation has no significant legal implications which require the consideration of Council.

Conflict of Interest Declaration

All officers, and/or contractors, involved in the preparation of this report have signed a written declaration that they do not have a conflict of interest in the subject matter of this report.

***FINANCIAL VIABILITY CONSIDERATIONS***

The author of his report considers that the recommendation has no capital or recurrent budget considerations.



9.7.7 Strathbogie Shire Council Community Local Law No.6 (2010) Review – Amended Process (cont.)

**SUSTAINABILITY CONSIDERATIONS**

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.

Economic

*The author of this report considers that the recommendation has no significant economic implications for Council or the broader community.*

Social

*The author of this report considers that the recommendation has no significant social implications for Council or the broader community.*

Environmental

*The author of this report considers that the recommendation has no significant environmental implications for Council or the broader community.*

Climate change

*The author of this report considers that the recommendation has no significant implications in terms of Climate Change.*

**HUMAN RIGHTS CONSIDERATIONS**

The author of this report considers that the recommendation of this report has no significant implications arising in relation to human rights.

**CONCLUSION**

Adoption of the recommendation allows for progression of the Local Law so that it is in place prior to expiry of the current one.

**ATTACHMENTS**

Nil

#### **9.7.8 Business Management System**

The July 2020 Business Management System Report includes reports as follows:-

- Building Department – June 2020 Statistics
- Planning Department – Planning Application Approvals – Development Cost (Capital Improved Value) - June 2020
- Customer Enquiry Analysis Report – Report for June 2020
- Waste Management Reporting ~ Year to Date - June 2020
- Actioning of Council Reports Resolutions – Council Meeting 16 June 2020
- Outstanding Actions of Council Resolutions to 30 June 2020
- Review of Council Policies and Adoption of new Policies – June/July 2020
- Record of Assemblies of Councillors
- Record of Minutes of Meetings of Special Committees of Council received in the past month

By reporting on a monthly basis, Council can effectively manage any risks that may arise. The Business Management System will also incorporate Council's corporate goals and objectives.

***MOVED COUNCILLOR GARDNER, SECONDED COUNCILLOR WILLIAMS***

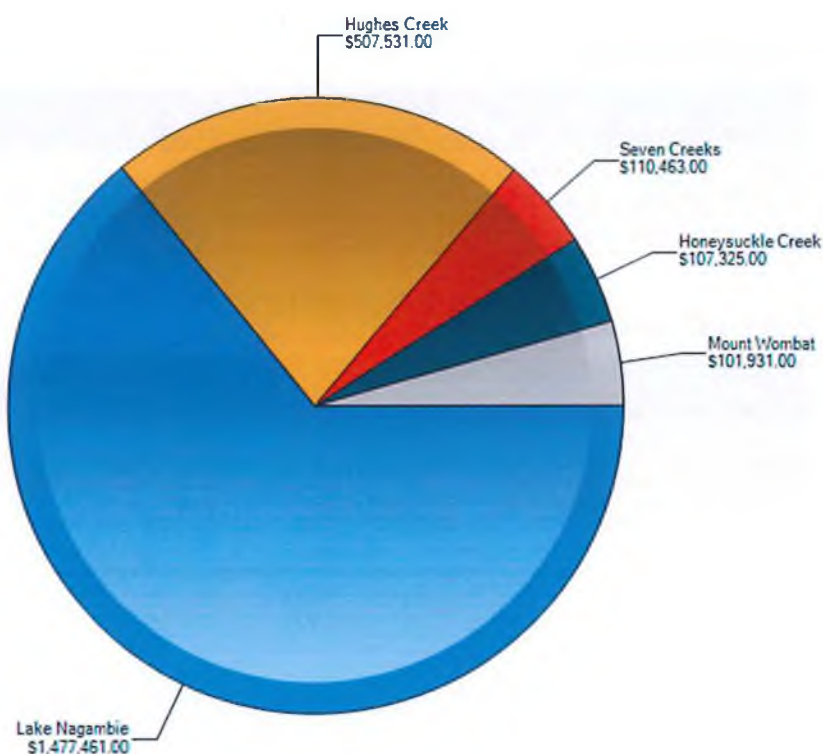
***That the report be noted.***

***114/20 CARRIED***

## BUILDING ACTIVITY

### JUNE 2020

Nineteen (19) permits, with a works value of \$2,304,711, were lodged with Council in June. Multiple dwellings are proposed for the Hughes Creek (2) and Lake Nagambie (4 and a class 1a outbuilding) wards, and a combination of domestic and industrial sheds are proposed for the Mount Wombat and Seven Creeks wards. With the exception of one proposed swimming pool, the proposed works are either for the construction/removal of dwellings or for the construction/extension of sheds.



### Honeysuckle Creek

Permit Number	Permit Date	Works	Building Use	Town	Cost of Works
2222324682293	16/06/2020	Construction of	Dwelling, Shed	Violet Town	\$90,000.00
2748305407533	30/06/2020	Demolition of	Dwelling	Boho	\$17,325.00

### Hughes Creek

Permit Number	Permit Date	Works	Building Use	Town	Cost of Works
1058839402970	10/06/2020	Construction of	Shed	Mangalore	\$127,986.00
7000691935106	3/06/2020	Removal of	Dwelling	Mangalore	\$0.00
9178719491611	25/06/2020	Construction of	Dwelling, Shed, Retaining Wall	Avenel	\$189,000.00
9231846651704	17/06/2020	Construction of	Dwelling	Avenel	\$190,545.00

## Lake Nagambie

Permit Number	Permit Date	Works	Building Use	Town	Cost of Works
1036091135159	2/06/2020	Construction of	Outbuilding	Nagambie	\$150,000.00
2437416159197	18/06/2020	Construction of	Dwelling	Nagambie	\$160,000.00
3909680726845	29/05/2020	Construction of	Dwelling & Garage	Nagambie	\$293,029.00
5921886231640	29/05/2020	Construction of	Shed, Carport	Nagambie	\$30,974.00
6598773007556	30/05/2020	Construction of	Swimming Pool	Mitchellstown	\$198,000.00
6879904651697	26/06/2020	Construction of	Dwelling & Garage	Nagambie	\$244,762.00
9145617220567	15/06/2020	Construction of	Dwelling	Nagambie	\$400,696.00

## Mount Wombat

Permit Number	Permit Date	Works	Building Use	Town	Cost of Works
3366357419220	12/06/2020	Construction of	Shed	Euroa	\$50,831.00
7008657176235	30/06/2020	Construction of	Shed	Sheans Creek	\$45,000.00
9053181487565	18/06/2020	Extension to	Shed	Ruffy	\$6,100.00

## Seven Creeks

Permit Number	Permit Date	Works	Building Use	Town	Cost of Works
3578874098665	6/05/2020	Construction of	Shed	Euroa	\$30,500.00
7863543244079	25/05/2020	Construction of	Shed	Euroa	\$69,000.00
8848504312618	9/06/2020	Construction of	Shed	Miepoll	\$10,963.00

**PLANNING APPLICATION APPROVALS – DEVELOPMENT COST (CAPITAL  
IMPROVED VALUE)  
JUNE 2020**



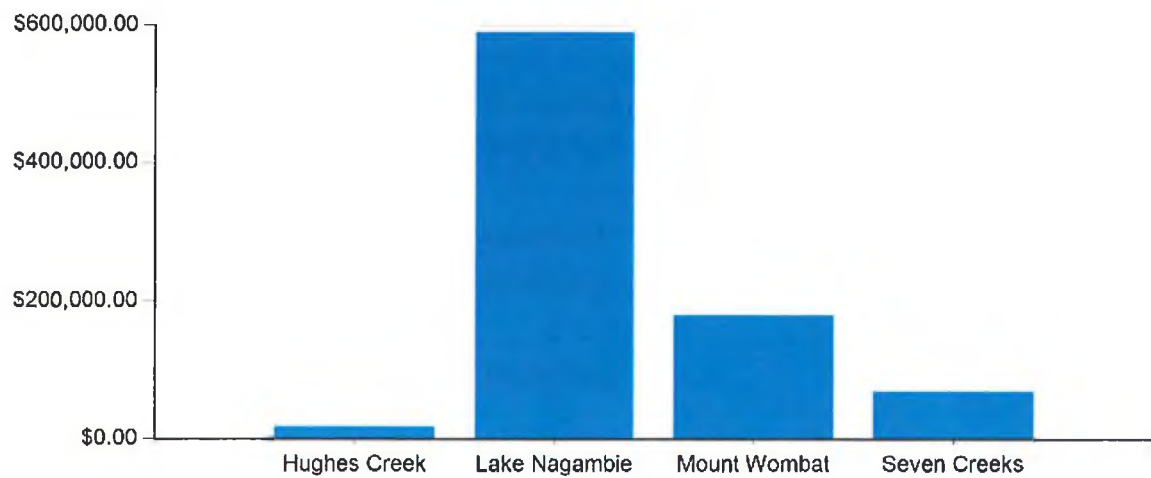
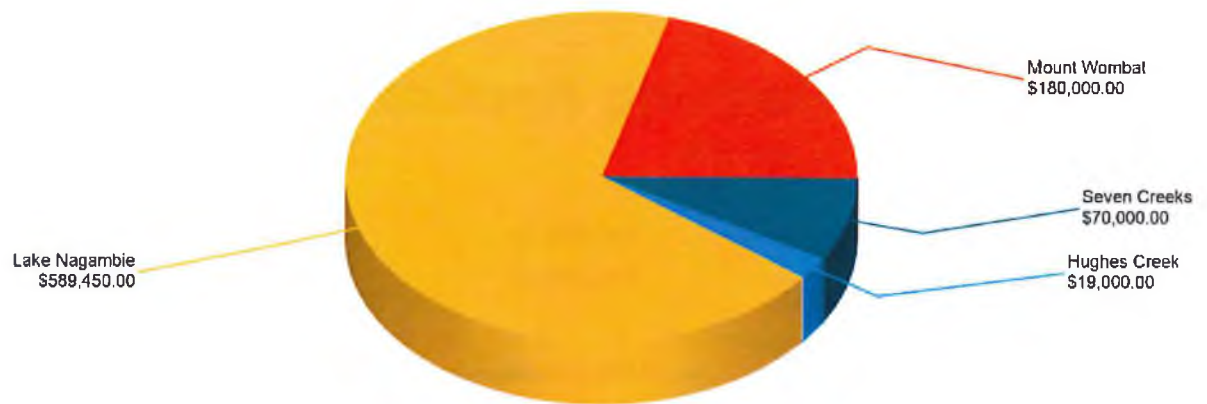
## Planning Applications Determined

June 2020

<b>Hughes Creek</b>	<b>\$19,000.00</b>
Avenel	\$19,000.00
<b>Lake Nagambie</b>	<b>\$589,450.00</b>
Kirwans Bridge	\$49,450.00
Nagambie	\$60,000.00
Whroo	\$480,000.00
<b>Mount Wombat</b>	<b>\$180,000.00</b>
Creightons Creek	\$180,000.00
<b>Seven Creeks</b>	<b>\$70,000.00</b>
Euroa	\$70,000.00
<b>Total Value</b>	<b>\$858,450.00</b>

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## CUSTOMER ENQUIRY ANALYSIS REPORT - REPORT FOR JUNE 2020



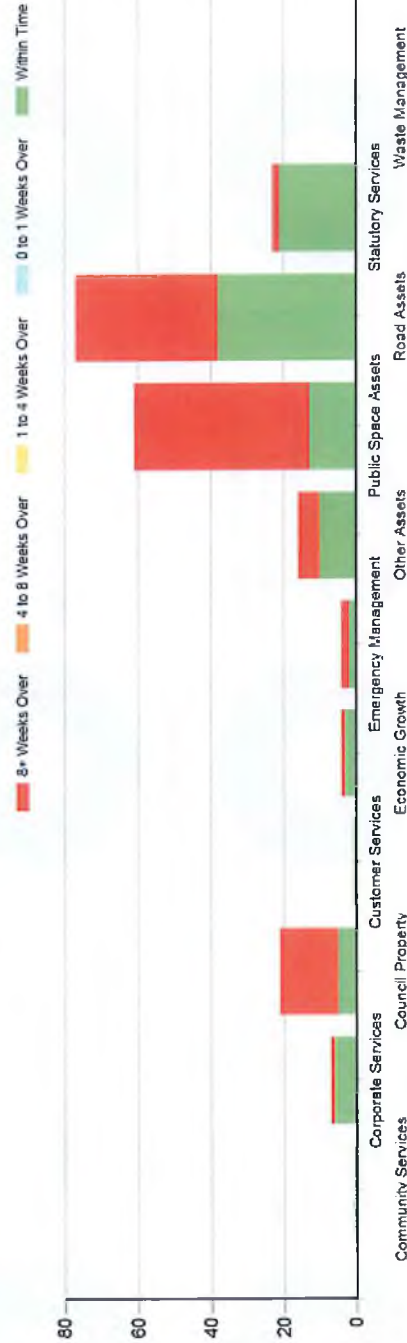
### Request Throughput Analysis

01/06/2020 to 30/06/2020

	Complete / New	> 80%	50-50%	< 50%
	Overdue / Remaining	< 33%	34-70%	> 70%

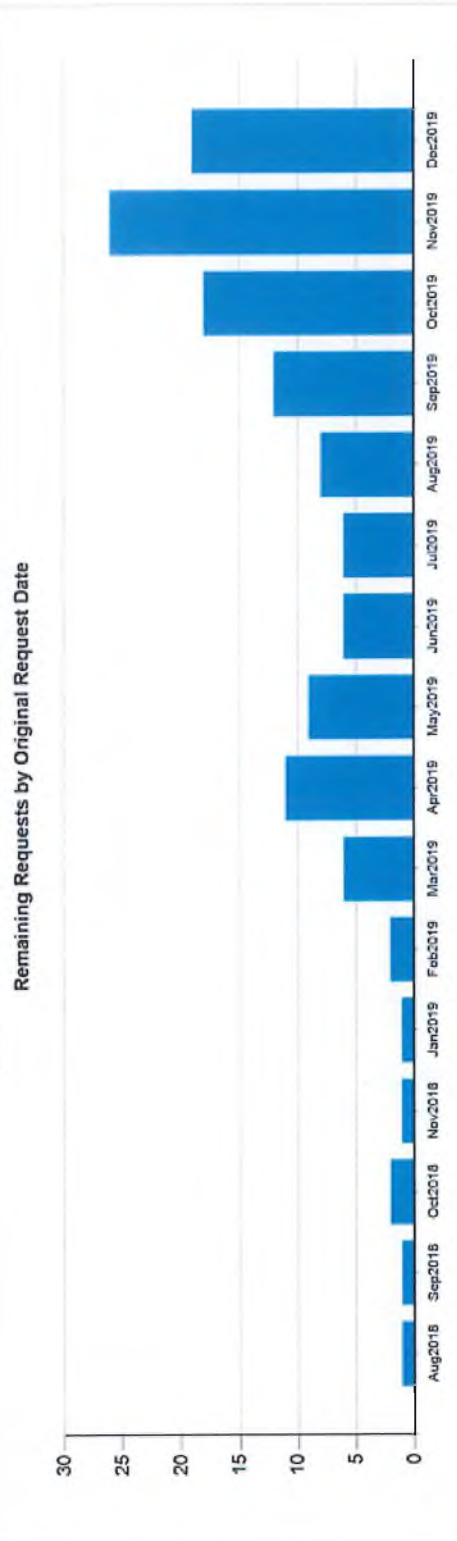
Service Area	Existing Requests	New Requests	Completed Requests	Remaining Requests	C	N	Within Time	Over Time	O	R	Pending Resources	Service Area Usage
Community Services	4	38	40	2			1	1			0	
Corporate Services	26	75	82	19			6	13			0	
Council Property	57	52	47	62			5	57			0	
Customer Services	2	18	13	7			1	6			0	
Economic Growth	21	207	212	16			3	13			0	
Emergency Management	29	22	22	29			2	27			0	
Other Assets	42	33	14	61			10	51			0	
Public Space Assets	174	52	98	117			13	104			11	
Road Assets	143	100	60	181			38	143			2	
Statutory Services	32	170	166	35			21	14			1	
Waste Management	2	10	10	2			0	2			0	

### Request Ageing



## Service Usage





	Corporate Services	Council Property	Economic Growth	Emergency Management	Other Assets	Public Space Assets	Road Assets	Statutory Services
2018								
August						1		
September						1		
October						1	1	
November							1	
January								1
February						1	1	
March		1				2	3	
April						5	6	
May	1				1	3	4	
June						1	5	
July					1	3	2	
August		2				2	4	
September		3			2	7		
October		4	1		1	6	5	1
November		4		2		16	4	
2019								
December		4	1	1	1	7	5	
<b>Total</b>	<b>1</b>	<b>18</b>	<b>2</b>	<b>3</b>	<b>6</b>	<b>56</b>	<b>41</b>	<b>2</b>



## Definitions

Service Area	Grouping of services by area of responsibility	Service	Activities that provide value to the customer
Existing	Requests open prior to reporting period	Remaining	Requests incomplete at end of reporting period
New	Requests made during reporting period	Completed	Requests completed during reporting period
Within Time	Remaining Requests where defined deadline is after reporting period	Over Time	Remaining Requests where defined deadline is before the end of the reporting period

Pending Resources  
Requests where additional resources are required to continue. This includes labour, materials, and financial resources.

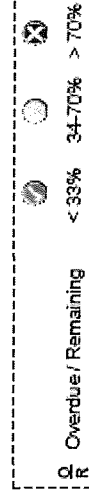
Complete  
New

An indicator showing the ratio of Completed requests and New requests. Designed to represent how well we are keeping up with the demand for a service.



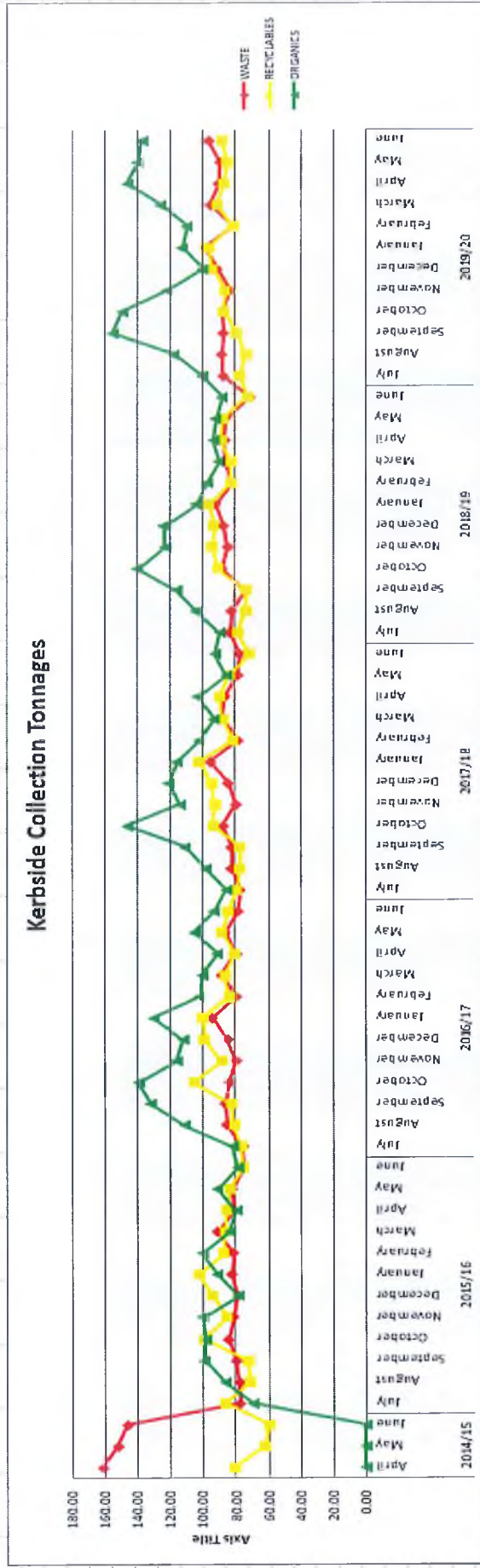
Overdue  
Remaining

An indicator showing the ratio of Overdue requests and Remaining requests. Designed to represent how well we are keeping to the defined deadlines.



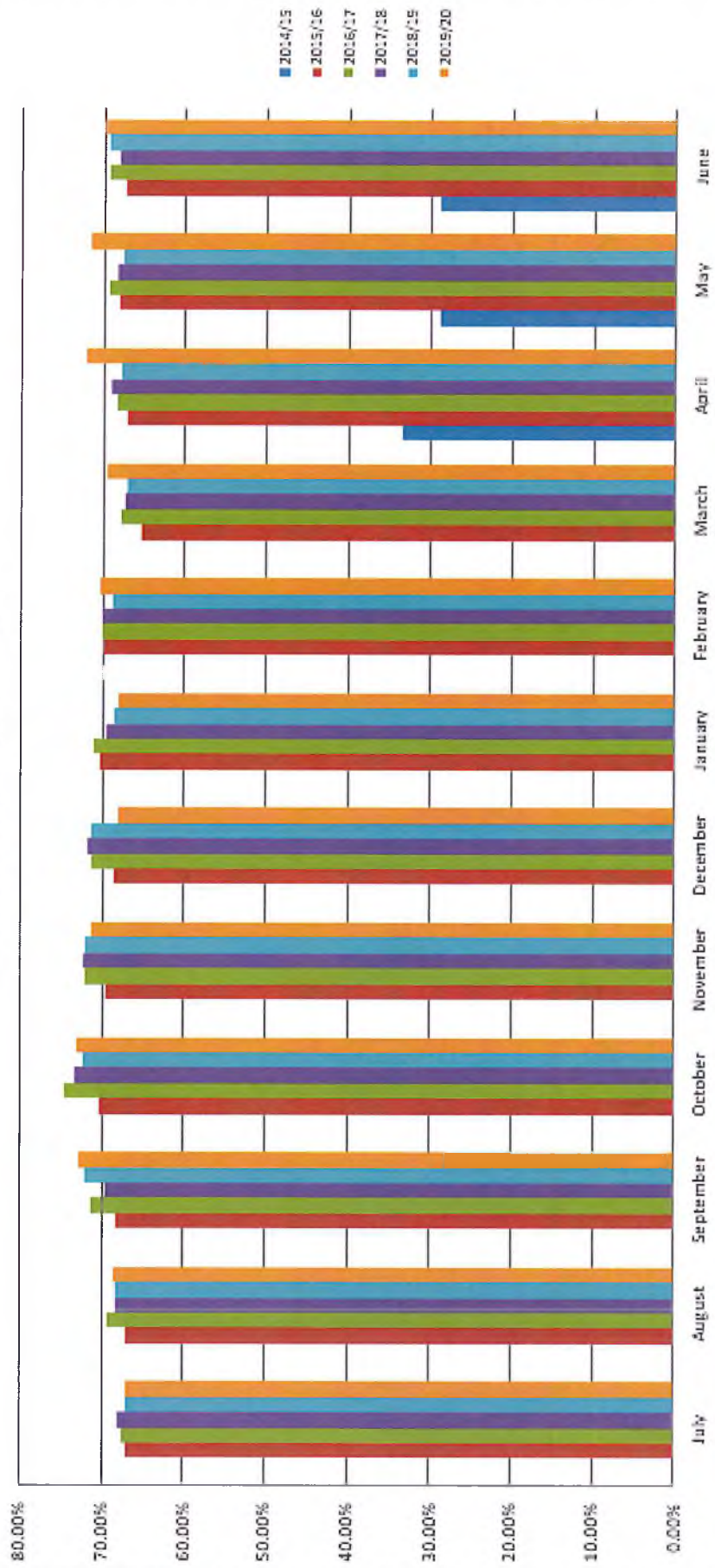


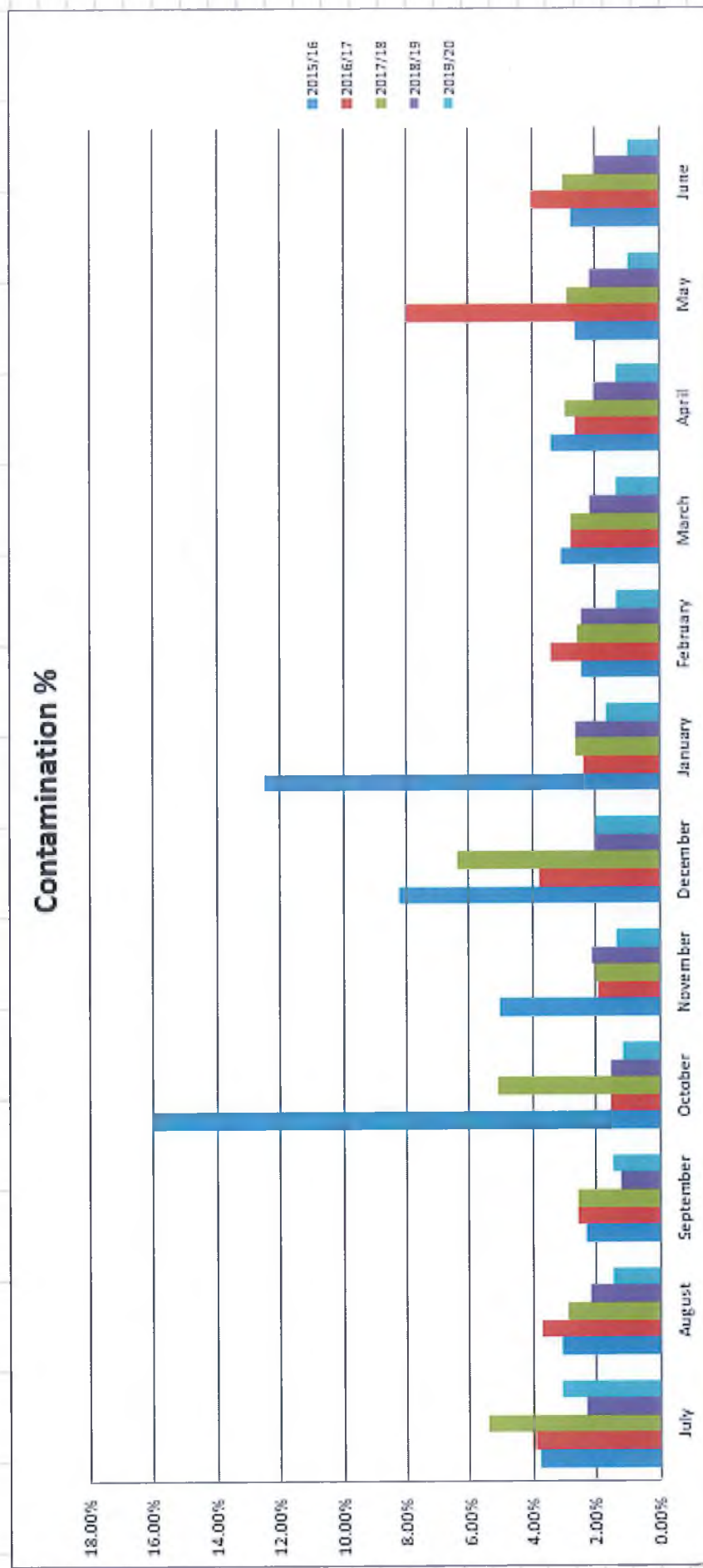
# WASTE MANAGEMENT REPORTING YEAR TO DATE - JUNE 2020



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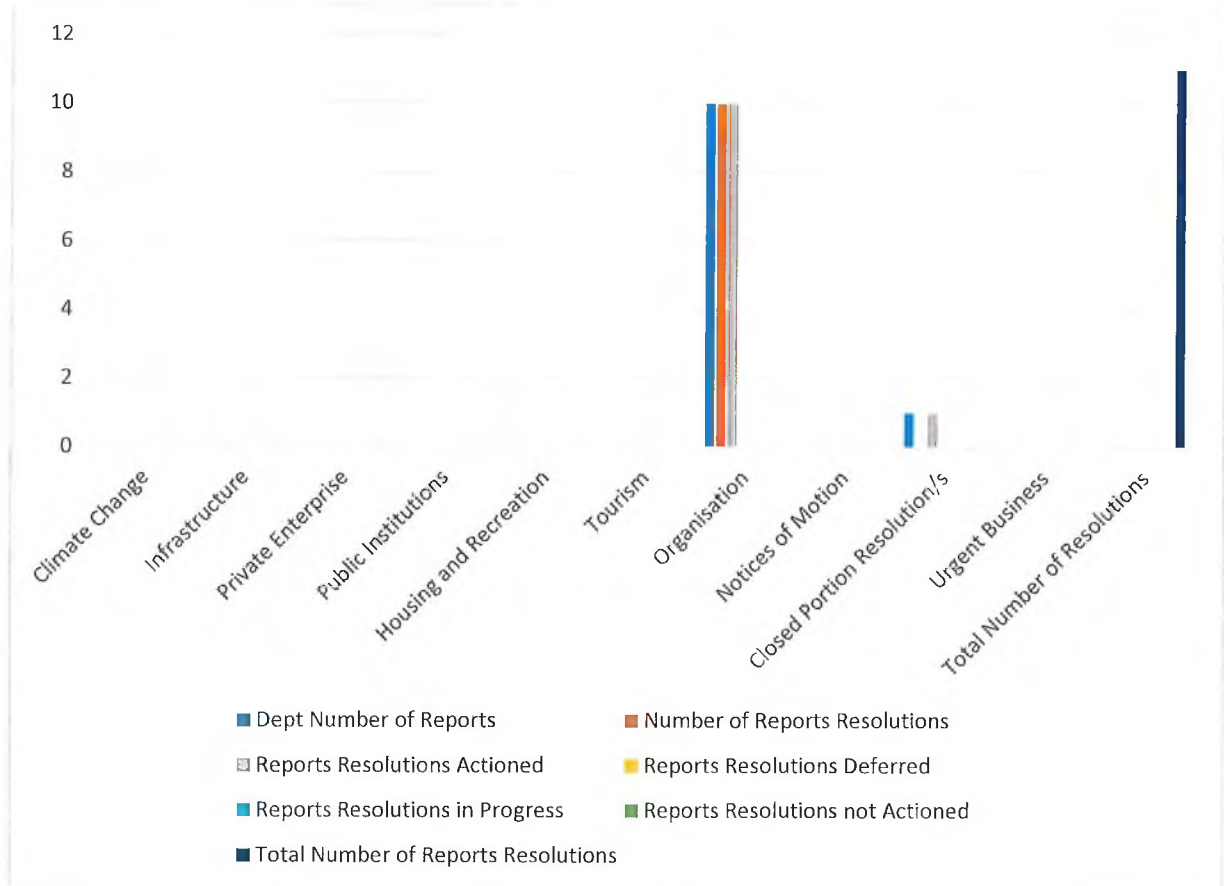
### Kerbside Diversion Rate %







**ACTIONING OF COUNCIL REPORTS RESOLUTIONS**  
**COUNCIL MEETING – 16 JUNE 2020**



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**OUTSTANDING ACTIONS OF COUNCIL RESOLUTIONS TO**  
**30 JUNE 2020**

*This Report is to advise the Executive Management Team, Councillors and the community of the status of previous Council resolutions which are in progress but are yet to be finalised.*

Council Meeting Date	Item No.	Description
Nil.		

**REVIEW OF EXISTING COUNCIL POLICIES**  
**AND ADOPTION OF NEW POLICIES**

Review of Policy / New Policy	Policy Name	Details
Review of Policy	Electronic Gaming Machine (EGM) Policy Statement	Minor administrative changes, e.g. officer title, date of review, date for next review



## **RECORDS OF ASSEMBLIES OF COUNCILLORS**

**For period 28 May to 1 July 2020**

Record in accordance with sections 77 and 80A(1) of the *Local Government Act 1989*

*Note: Details of matters discussed at the meeting that have been designated confidential under section 77 of the Local Government Act 1989 are described in a separate "confidential addendum" that will be reported to the next closed Council meeting]*

**Name of Meeting:** Assembly of Councillors

**Date of Meeting:** Tuesday 9 June 2020

**Time:** 12.00 noon to 5.30 p.m.

### **Attendees:**

#### Councillors

Amanda McClaren  
Robert Gardner  
Malcolm Little  
John Mason  
Chris Raeburn  
Alistair Thomson

#### Officers

Julie Salomon (Chief Executive Officer)  
Phil Howard (Director, Community and Planning)  
David Roff (Director, Corporate Operations)  
Dawn Bray (Executive Manager, Governance and Customer Service)  
Kristin Favaloro (Executive Manager, Communications and Engagement)

#### Apologies

Councillor Graeme Williams

1. Councillors / ELT – 'Welcome and What's been Happening'  
Declarations of Interest
2. Meeting with Applicant and Objectors  
- P2019-157: Removal of Native Vegetation ~ 50 Elloura Drive, Nagambie
3. Review of June Planning Committee Agenda
4. RE3 (Reboot / Revitalise / Reset) Update
5. Budget Update
6. Review of Draft June Ordinary Council Meeting Agenda / Special Council Meeting Agenda

Councillor/s - Declaration of Interest/s / Direct or Indirect - NIL

Officer/s - Declaration of Interest/s / Direct or Indirect - NIL

## Record of Assembly of Councillors

Record in accordance with sections 77 and 80A(1) of the *Local Government Act 1989*

*Note: Details of matters discussed at the meeting that have been designated confidential under section 77 of the Local Government Act 1989 are described in a separate "confidential addendum" that will be reported to the next closed Council meeting*

**Name of Meeting:** Assembly of Councillors

**Date of Meeting:** Tuesday 16 June 2020

**Time:** 2.00 p.m. to 7.17 p.m.

### **Attendees:**

#### Councillors

Amanda McClaren  
Robert Gardner  
Malcolm Little  
John Mason  
Chris Raeburn  
Alistair Thomson  
Graeme Williams

#### Officers

Julie Salomon (Chief Executive Officer)  
Phil Howard (Director, Community and Planning)  
David Roff (Director, Corporate Operations)  
Dawn Bray (Executive Manager, Governance and Customer Service)  
Kristin Favaloro (Executive Manager, Communications and Engagement)

#### Apologies

Nil

1. Councillors / ELT – 'Welcome and What's been Happening'  
Declarations of Interest
2. June Planning Agenda Review / Planning Matters
3. Special Council Meeting Agenda Review
4. June Ordinary Council Meeting Agenda Review
5. Items for Discussion
  - 5.1 Submission to Royal Commission into National Natural Disasters: Local Government and Natural Disasters
  - 5.2 Update on Nagambie Lake funding application
  - 5.3 Cities Power Partnership Champion
6. Special Council Meeting
  - Receiving / Hearing of Submissions to Budget and Council Plan
7. June Ordinary Council Meeting

Councillor/s - Declaration of Interest/s / Direct or Indirect

Matter No.	Names of Councillor/s who disclosed interest	Did the Councillor/s leave the meeting?
7 / 9.7.7 & 9.7.8	Cr Thomson	No
7 / 9.7.8	Cr Raeburn	Yes

Officer/s - Declaration of Interest/s / Direct or Indirect – NIL



### Record of Assembly of Councillors

Record in accordance with sections 77 and 80A(1) of the *Local Government Act 1989*

*Note: Details of matters discussed at the meeting that have been designated confidential under section 77 of the Local Government Act 1989 are described in a separate "confidential addendum" that will be reported to the next closed Council meeting*

**Name of Meeting:** Assembly of Councillors

**Date of Meeting:** Tuesday 23 June 2020

**Time:** 12.15 p.m. to 5.30 p.m.

**Attendees:**

Councillors

Amanda McClaren  
Robert Gardner  
Malcolm Little  
John Mason  
Chris Raeburn  
Alistair Thomson  
Graeme Williams

Officers

Julie Salomon (Chief Executive Officer)  
Phil Howard (Director, Community and Planning)  
David Roff (Director, Corporate Operations)  
Kristin Favaloro (Executive Manager, Communications and Engagement)

Apologies

Dawn Bray (Executive Manager, Governance and Customer Service)

1. Councillors / ELT – 'Welcome and What's been Happening'
- Declarations of Interest
2. Priority Projects / Engagement Report / Q & As
  3. Budget Submissions Review
  4. Planning Agenda Review / Planning Matters
  5. Planning Committee Meeting
  6. Items for Discussion
- Nil

Councillor/s - Declaration of Interest/s / Direct or Indirect

Matter No.	Names of Councillor/s who disclosed interest	Did the Councillor/s leave the meeting?
5 / 6.2	Cr Little	No
5 / 6.2	Cr Raeburn	No

Officer/s - Declaration of Interest/s / Direct or Indirect – NIL

### Record of Assembly of Councillors

Record in accordance with sections 77 and 80A(1) of the *Local Government Act 1989*

*Note: Details of matters discussed at the meeting that have been designated confidential under section 77 of the Local Government Act 1989 are described in a separate "confidential addendum" that will be reported to the next closed Council meeting*

**Name of Meeting:** Assembly of Councillors

**Date of Meeting:** Tuesday 30 June 2020

**Time:** 3.00 p.m. to 6.00 p.m.

#### **Attendees:**

##### Councillors

Amanda McClaren\*

Robert Gardner

Malcolm Little

John Mason

Chris Raeburn

Graeme Williams

\* Participated via video conference

##### Officers

Julie Salomon (Chief Executive Officer)

Phil Howard (Director, Community and Planning)

David Roff (Director, Corporate Operations)

Kristin Favaloro (Executive Manager, Communications and Engagement)

##### Apologies

Councillor Alistair Thomson

Dawn Bray (Executive Manager, Governance and Customer Service)

1. Councillors / ELT – 'Welcome and What's been Happening'  
Declarations of Interest
2. Budget Discussions

Councillor/s - Declaration of Interest/s / Direct or Indirect - NIL

Officer/s - Declaration of Interest/s / Direct or Indirect - NIL

**RECORD OF MEETINGS OF SPECIAL COMMITTEES OF COUNCIL**

**Record of Minutes of Meetings received in the June / July 2020 Period**

<b>Name of Special Committee</b>	<b>Date of Meeting</b>
<i>Nil.</i>	





**10. NOTICES OF MOTION**

Nil

**11. URGENT BUSINESS**

Nil

**12. CLOSURE OF MEETING TO THE PUBLIC**

Nil

**13. CONFIRMATION OF 'CLOSED PORTION' DECISION/S**

N/A

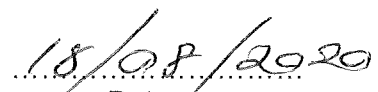
**NEXT MEETING**

The next Ordinary Meeting of the Strathbogie Shire Council is scheduled to be held on Tuesday 18 August 2020, at the Euroa Community Conference Centre, commencing at 6.00 p.m.

***THERE BEING NO FURTHER BUSINESS, THE MEETING CLOSED AT 6.37 P.M.***

Confirmed as being a true and accurate record of the Meeting

  
Chair

  
Date