



## STRATHBOGRIE SHIRE COUNCIL

### **MINUTES / DECISIONS OF THE ORDINARY MEETING OF THE STRATHBOGRIE SHIRE COUNCIL HELD, VIRTUALLY, ON TUESDAY 15 SEPTEMBER 2020, COMMENCING AT 6.00 P.M.**

<b>Chair:</b>	Amanda McClaren (Mayor)	(Lake Nagambie Ward)
<b>Councillors:</b>	Robert Gardner	(Lake Nagambie Ward)
	Malcolm Little	(Hughes Creek Ward)
	John Mason	(Seven Creeks Ward)
	Chris Raeburn	(Honeysuckle Creek Ward)
	Alistair Thomson	(Mount Wombat Ward)
	Graeme Williams OAM	(Seven Creeks Ward)
<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)
	Emma Kubeil	Acting Director, Community and Planning (ADCP)

## **BUSINESS**

### 1. Welcome

*The Mayor provided the following introduction –*

Today all Councillors are working from home as are our Council Officers – or they are in a closed office space.

This is so we can participate without having to wear a mask.

We understand wearing a mask may create accessibility concerns for some members of our community and we hope, by participating in today's meeting remotely, we can overcome this.

I wanted to take the opportunity to outline that voting at today's meeting will be held by a show of hands.

All Councillors will raise their hands to vote for any motion. For and against cards will be used by Councillors – to make it really clear to our community how they are voting on motions.

You will see a card with the GREEN words FOR on it for those voting for motions and a card with the RED word AGAINST on it held by Councillors voting against a motion.

If a Councillor has a conflict of interest in a matter, then they will be asked to leave the meeting and no discussion on the matter will commence until we are sure they have done so.

I will announce when the Councillor has rejoined the meeting after the matter has been considered and the vote concluded.

If we have technical difficulties during today's meeting, which means we are unable to broadcast to the public we will adjourn the meeting for 15 minutes.

If the issue is not resolved after this time but we maintain a quorum of Councillors under our Local Law, we will continue the meeting.

If we cannot maintain a quorum I will have to close the meeting and will call another Council meeting to consider the unfinished business on the agenda.

Thank you for joining us today.

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

Phil Howard                      Director, Community and Planning (DCP)
4. Disclosure of Conflicts of Interest  

Councillor Raeburn declared an interest in Item 9.17 'Community Funding Programs', due to being Chairperson of the Violet Town Action Group, and advised he would be removing himself from the meeting

Councillor Williams declared an interest in Item 9.9 'Tender for Contract Number 20/21-20: Operation and Management of Municipal Swimming Pools', and indicated his interest would not require him to leave the meeting
5. Confirmation of Minutes of Previous Meetings
  - Ordinary Meeting of Council held on Tuesday 18 August 2020 and Special Meetings of Council held on Tuesday 25 August 2020 and Tuesday 8 September 2020
  - Planning Committee meeting held on Tuesday 18 August 2020

**MOVED: COUNCILLOR RAEBURN**  
**SECONDED: COUNCILLOR MASON**

130/20 **CARRIED**

6. Petitions

Nil.

7. Reports of Mayor and Councillors and Delegates

Councillor Mason reported on the graffiti attack on the Honouring our Heroes statues, and the subsequent cleaning which, fortunately, left no long-lasting damage. He indicated there was a lot of angst in the community of the attack.

*The Mayor provided the following report –*

Tonight I wanted to provide a quick update on the use of our local roads by super loads for the Westgate Tunnel Project.

As I'm sure most people in our Shire would now know, the Westgate Tunnel Project would like to use our local roads, through the townships of Longwood and Locksley, to move super loads from Benalla to Melbourne.

We are now working with the is working with Victorian Government's Department of Transport and the Westgate Tunnel Project to develop a Memorandum of Understanding (MOU) that must be signed off before we will provide access to our road network.

This ensures our ratepayers are not burdened by the costs associated with significant damage to our road infrastructure.

To ensure superloads do not travel down our roads, we have also introduced enforced load limits on our roads.

These load limits will continue until an MOU can be signed off and community consultation has occurred.

We acknowledge this project is of state significance. Council supports the genuine increase in regional jobs and investment that it is creating in Benalla where the pre-cast concrete pieces are being manufactured.

However, we are extremely disappointed with the timeframes imposed and the lack of engagement with our community.

## **RATES**

As rate notices go out I would also like to take this opportunity to quickly remind our community that property valuations (which are conducted by the Valuer-General and is outside of Council's control) could mean people see changes in their rates this year.

Council approved a zero rate increase because we wanted to support our community during this hugely challenging time. People may still see variations in their rates due to the changing value of their properties.

If people have concerns about their rates notices, or are looking for some hardship support during this time, we encourage you to phone Council and speak to our Customer Service Team.

We are here to help.

## **COVID**

Finally we are still working through the Premier's announcements today to understand what it means for our community.

What we know is from 11.59pm on tomorrow (16<sup>th</sup> September) we will progress to the third step of the Victorian Government roadmap.

In this stage "household bubbles" will now be a possibility.

That means, households can choose one other household to be in a bubble. You can visit them in their home. They can visit you in your home – with up to a total of five visitors.

Our hospitality businesses will also be able to serve patrons outdoors, with a cap of 50 seated patrons per venue, and an updated 'two square metre' density limit in place.

Indoors, venues can open with a cap of 10 seated customers per space – with up to two spaces per venue – and in line with the existing 'four square metre' density rule.

In our Shire – if you're a hospitality business – you can expect a phone call or visit from one of our team in coming days. We'll be working with you to support you in every way we can.

There are many other changes, and I encourage all our residents in the community to visit our website and the Department of Health and Human Service's website to stay up-to-date and stay safe.

## 8. Public Question Time

Public Question Time will be conducted as per Rule 31 of Strathbogie Shire Council's Governance Rules. 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 and Data Protection Act 2014, only the initials of the person asking the question will be used together with a Council reference number.

*The Mayor provided an update on questions to Council and provided responses –*

We have received many questions from the community about a planning permit issued for a property at Delany Rd, Mitchellstown.

**Council Refs: JR: 61/2020, JR&SC: 62/2020, AS: 63/2020, AN: 64/2020, RT: 65/2020, CSB: 67/2020, R&EL: 68/2020, CB: 69/2020, RK: 70/2020, MW: 71/2020, BW: 72/2020 GM: 77/2020**

Because they are on the same topic, we will respond to all questions at the same time.

The questions are:

- Why did the responsible authority approve storage of explosives / ammunition equivalent to approximately 1/100<sup>th</sup> the destructive power of Hiroshima without public notification for comments?
- If Council referred the application to WorkSafe, why are there no WorkSafe conditions on the permit and no requirement that the applicant must comply with WorkSafe requirements?
- Council describes Aurumtown as a storage shed or warehouse. It is multiple buildings including eight separate magazines. Why has Council misled ratepayers?
- Council's "Aurumtown" advertisement only said "warehouse" – it didn't mention explosive fireworks. How does Council think this is reasonable notice for such a dangerous facility?
- How is it Possible that Strathbogie Shire Council can approve a large scale Explosives Storage Facility without any proper consultation with neighbouring ratepayers?
- Will council adjust land values in the area to reflect the drop in property value that would be expected considering property proximity to an explosives storage site, and will we get a drop in rates?
- What is the risk assessment for a bushfire going through the site?
- Council has described the planned explosives storage facility to be a "storage shed", a "warehouse", "the warehouse". In fact it seems to be none of these – it is a complex of many buildings over 626 acres including 8 separate magazines for 150 tonnes. Why has Council misled ratepayers by describing this as a "storage shed"?
- Council placed an advertisement in the Nagambie Voice for the explosives storage facility which said "warehouse", it didn't mention fireworks, explosives or ammunition. How does Council think this is reasonable notice for such a dangerous facility in our neighbourhood?

8. Public Question Time (cont.)

- If the proposed dangerous goods storage facility in Delaney's Road is approved, will residents be informed each time the company transports dangerous goods in the Shire and what safety measures will be in place for the proposed regular transport of dangerous goods through the Shire?
- Did Council have any thought for, or consideration, for the interests of local ratepayers in granting a storage facility for explosives next to the Goulburn River?
- Aurumtown is adjacent to Sandy Creek, did council contact GBCMA about the planned explosive storage facility, and what was the response?
- Council has approved a zone 1, 150 tonne explosives facility on Delaney Road and also a "zone 2". What is in zone 2?
- It is true Council approved a 150 tonne explosives storage facility in Nagambie without a Council meeting and if so under what power?
- Why did Council planning change the route for explosives storage from northbound to southbound and why didn't they tell those on the southbound route?
- Why did the responsible authority approve storage of explosives / ammunition without public notification for comment.
- If Council judged public advertising necessary, why did Community Voice notice only refer to a "warehouse", not "fireworks" and why no re-advertising when "explosives" added?
- As Storage of 100+ tons of explosives/ammunition vs some fireworks is a major "change of use", why wasn't a new Town Planning application required.
- Are the elected representatives satisfied that the risks of the Aurumtown development have been addressed and are acceptable and if not what remedy is proposed?

**Response provided by the Mayor**

I, firstly, would like to thank everyone who has sent in a question on this important topic.

We understand that this planning permit is causing concern in our community and we hope tonight's information will in some way allay these worries.

I would like to first address the concerns raised about bushfire and safety. The products stored at the facility are regulated under the *Dangerous Goods Act 1985*, with WorkSafe as the regulating authority.

This means the property owner not only needs a planning permit, they must be licenced to handle, transport, and store the goods on this site.

There are significant requirements that must be met, in accordance with the relevant Australian Standards (AS2187.1), to allow this type of storage to be undertaken.

8. Public Question Time (cont.)

The owner of the property must follow all of the following regulations on top of the planning requirements. These are:

- *Dangerous Goods (Explosives) Regulations 2011*
- *Dangerous Goods (Storage and Handling) Regulations 2012*
- *Dangerous Goods (Transport by Road or Rail) Regulations 2018*

The transport of goods to and from the site will be managed in accordance with the requirements of the *Dangerous Goods (Transport by Road or Rail) Regulations 2018*, and the permit holder must be appropriately licenced to do so.

This is managed by WorkSafe Victoria and ensures that high safety standards are applied to any dangerous goods being moved throughout the state.

The route identified in the amended permit was to minimise vehicles going past properties in Wattlevale Road.

The permit condition about route for transport was considered by our Engineering department taking into consideration the number of traffic movements, standards of roads and assessing these against the current conditions.

The actual amount dangerous goods that will be allowed to be stored on site is also subject to the licencing requirements of WorkSafe.

We do understand acknowledge concerns about safety. We know this is heightened by the recent tragedy in Lebanon.

However, the owner of this property must comply with Australian Standards that detail how the magazines must be constructed.

For example, the magazines on site are constructed out of concrete walls with no windows, tamper proof steel doors and security systems in place.

There are no combustible materials near the magazines, and the magazines have been built to withstand more than five hours of direct flame contact.

The same level of construction and security goes for potential tampering with the facility itself.

I hope this gives you the clarity you need to understand that the warehouse facility on the site will not increase the risks to your property or the nearby houses.

I will now provide some further information on the other questions raised by our community.

Under Victorian Planning Legislation the definition for this facility is a warehouse. This is why it was advertised as a warehouse. It is defined as 'land used to store goods'.

8. Public Question Time (cont.)

In this instance, the goods originally proposed were fireworks, with the permit later amended to include ammunition and explosives. The planning definition for the development continues to be a warehouse.

When the original application was made a notice was placed in the Nagambie Voice and nearby and adjoining landowners were notified – this means full details on the application were made available to the public.

At this time council officers thought the adjoining and nearby landowners would benefit from more details and the notice to neighbours stated the good to be stored were fireworks.

The permit was issued on 20 August 2019, with endorsed plans showing the location of the two zones to be used for storage of fireworks.

The permit holder requested, and was issued, an amended endorsed plan on 19 December 2019, which did not change the amount of goods being stored or the location of the storage areas.

The only changes were to the layout of the magazines within the zones. This was done under secondary consent, with no additional public notice given, as it was considered a minor change.

An application to amend what the permit allowed was lodged in January 2020. At this time nearby and adjoining landowners were notified.

The amendment did not change the location of the magazines or the amounts to be stored. It included ammunition and explosives instead of exclusively being for fireworks.

At this time neighbours were again notified and council officers ensured the notice was entitled “Amendment to proposal to include “Explosives and Ammunition” in the warehouse”.

For further information, the proposal for the use of the land as a warehouse approves two areas of the property, known as Zone 1 and Zone 2. Each zone has magazines constructed within these areas that will be able to store fireworks, explosives and/or ammunition.

The application as advertised on each occasion specified these zones, and showed details on magazines within these zones.

We can confirm the original application and the amended application were referred to the Country Fire Authority, Goulburn Murray Water, WorkSafe and the Environment Protection Authority.

In both instances all authorities were provided with a full copy of the application documentation and were aware that the proposal included fireworks initially, and ammunition and explosives as part of the amendment.

They all provided conditional consent to the permit.



8. Public Question Time (cont.)

As a referral authority on the application WorkSafe did not request any conditions to be placed on the permit.

The guiding principles for planning permit conditions is that Council should not place conditions on any permit that that will then require compliance with some other Act or regulation. In this case the permit issued will not override the permit holder's requirements to comply with their licencing requirements under the *Dangerous Goods Act 1985*.

The amount of product that will be allowed to be stored on site is also subject to the licencing requirements of WorkSafe. Council do not determine how much can be stored on site. This assessment is undertaken by WorkSafe in accordance with the relevant legislation.

The zones in the facility are both located more than 600 metres away from Sandy Creek. A referral to the Goulburn Broken Catchment Management Authority is generally only undertaken when a proposal is in land subject to flooding or less than 100 metres from a waterway. As neither of these triggers applied, the application was not sent to Goulburn-Broken Catchment Management Authority.

From the feedback we have received on this matter, we acknowledge that we could have been clearer in advertising to the broader community, however this would not have impacted the decision to grant a permit as the applicant met all criteria required.

As a process improvement we will now ensure we work with applicants to include more information in the description of a permit application, such as the nature of the good to be stored in any warehouse, and include this in in all future notices for planning permit applications.

In relation to land values – these are set annually by the Victorian Valuer General. This is a process outside of Council's control and managed by the Victorian Government.

It is also well-established planning law that effect on property values is not something that can be considered when making a decision on a planning permit application.

Finally, I wanted to speak about Council's commitment to improving communication and engagement with our community.

The communication and advertising associated with planning decisions are prescribed under Section 52 of the *Planning and Environment Act 1987*.

However, as a Council we're committed to doing better. This will mean investigating the communications tools we use to alert people to planning permit applications in their areas.

8. Public Question Time (cont.)

More broadly, you may have read in our latest My Strathbogie Bulletin that we have developed a set of minimal requirements and objectives that our community engagement must adhere too.

These are our engagement principles.

One of these principles is Genuine and transparent. It's about being open and honest in our engagement approach.

Another principle is Listen and learn. This is so we can continually improve.

On this topic it's obvious our community wants more information. We have developed a fact sheet, including Q&As and made them available on our website.

If there are any other questions our community would like answered we encourage them to phone us on 1800 065 993 or email [info@strathbogie.vic.gov.au](mailto:info@strathbogie.vic.gov.au) at any time.

**Council Ref: GH: 66/2020**

Our property is Crown Allotment 10 on Wattlevale Road – adjoining the “Aurumtown” explosives storage – why weren't we notified?

**Response provided by the Mayor**

The planning permit issued for the warehouse on Delaney Road is made up of two separate parcels of land – Crown Allotment 20 and Crown Allotment 21. Crown Allotment 10 on Wattlevale Road adjoins a road reserve, and then Crown Allotment 20 of the subject land.

The warehouse facility is being constructed on Crown Allotment 21 and does not technically adjoin the site in question. Notice of the application was also placed in the Nagambie Voice to ensure broader consideration of the original application and to allow persons not formally advised of the application an opportunity to make a submission.

**Council Ref: JB: 73/20520**

I congratulate and thank Cr McClaren for her diligence in lobbying for Federal Government funding towards a pedestrian and cycling pathway at the Crown Land lake frontage of the Nagambie Rowing Course between Elloura Estate and the Nagambie Regatta Centre. In May 2019 the then Federal Government Sports Minister promised \$350,000 toward the project. At the same public announcement in Nagambie the Mayor also committed \$200,000 from the Strathbogie Shire Council and local businesses committed \$110,000 towards the project. The local business contribution is ready to go and now the council and Federal funding is confirmed, meeting any identified shortfall will be positively considered by local businesses if this means the project will commence ASAP.

8. Public Question Time (cont.)

My questions is given that Federal Government funding for this project is required to be acquitted prior to June 30, 2020 and there is an appetite by governments at all levels to encourage 'shovel-ready' community infrastructure projects in a post-COVID environment, could the Mayor please provide a summary of the status of this visionary project which will be a major contributor to economic and social stimulus to businesses in the Nagambie township?

**Response provided by the Mayor**

Together with \$350,000 from the Federal Government and \$110,000 from business, Council has committed \$250,000 to this project and the original grant application indicated a potential State government contribution, which is still being pursued.

In order for the project to progress a Cultural Heritage Management Plan needs to be completed, design and costings reaffirmed and the balance of funding secured.

Work is underway to achieve the above along with work on a community engagement plan.

We have also received questions from:

**Council Refs: PA: 74/2020, HMCK: 75/2020, JH: 76/2020**

- Why has the Shire not appointed an Environmental sustainability coordinator with responsibility for biodiversity maintenance and enhancement?
- My Landcare Network would like to know when a new Shire Environmental Officer will be appointed. We have been looking forward to continuing the position relationship we had with the past Environmental Officer and have been disappointed that no permanent replacement has been employed.
- Why has no-one been appointed to the position of Environment Officer since the departure of Carole Hammond at the end of 2019?
- Why has the Shire not appointed a dedicated Environment Officer since the departure of Carole Hammond at the end of November 2019?

**Response provided by Mayor**

Since the departure of the previous Environment Officer, some changes have been made to that area of Council's operation. Council's previous Waste Management Officer, who possesses a Masters in Environmental Science has been placed in the position of Environment and Waste Co-Ordinator and Council will be recruiting a Waste Management Officer, which will allow for further emphasis on Environment programs.

Of recent times the officer has worked on a number of environmental issues including liaison with Landcare groups, the Greening Euroa project, Roadside Weeds and Pests program and Power Partnership agreement which aims to increase Council's use of renewable energy.

8. Public Question Time (cont.)

**Council Ref: EG: 77/2020**

What financial investment does the Caravan Park lessee receive annually from the Council?

**Response provided by Mayor**

Funding of the caravan park from Council is set out in the Lease agreement with current and previous tenants. Funding is based on rent paid and is applied towards maintenance and agreed capital improvements. At times in its Budget process Council has allocated funds for additional works where these have been deemed of benefit to the community.

9. Officer Reports
10. Notices of Motion
11. Notices of Rescission
12. Urgent Business
13. Confidential Business

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 final Ordinary Meeting of the Strathbogie Shire Council for this current term of Council is scheduled to be held, virtually, on Tuesday 20 October 2020, commencing at 6.00 p.m.

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## 9. OFFICER REPORTS

### 9.1 Planning Permit Application No. P2018-148 - Use and Development of Land for 4 Glamping Huts and 6 Tents (defined as Caravan and Camping Park as per Clause 73.03 Land Use Terms) ~ 204 Goulburn Weir-Murchison Road, Goulburn Weir

Author: Principal Planner

Responsible Director: Director Community and Planning (Acting)

#### **EXECUTIVE SUMMARY**

- This application was heard by Council in June 2019 and was deferred to allow the applicant further time to address the concerns of council officers.
- The application has since been amended and now proposes the use and development of land at 204 Goulburn Weir-Murchison Road, Goulburn Weir for camping and glamping only.
- The proposal is to have 4 glamping huts and 6 tent sites available for short term accommodation on the site, with the ability to provide accommodation for up to 20 people within these two areas.
- The application was advertised, and 2 objections were received. The objections raise a number of issues mainly relating to impacts on amenity.
- The application has been assessed within the 60 day statutory timeframe.
- The application is being heard before Planning Committee due to the 2 unresolved objections.
- The proposal meets the objectives of the Planning Policy Framework, Local Planning Policy Framework and the Farming Zone.
- It is recommended that Council resolve to issue a Notice of Decision to grant a permit in accordance with the Officer's recommendation.

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#### **Application Details:**

Application is for:	Use and development of land for 4 glamping huts and 6 tents (defined as caravan and camping park as per Clause 73.03 land use terms)
Applicant's/Owner's Name:	HAMMOND, Anthony James
Date Received:	22 October 2018 Amended application received 21 July 2020
Statutory Days:	30
Application Number:	P2018-148
Planner: Name, title & department	Melissa Crane Principal Planner Planning and Investment Department
Land/Address:	Lot 2 Plan of Subdivision 624203 204 Goulburn Weir-Murchison Road, Goulburn Weir VIC 3608
Zoning:	Farming Zone

9.1 Planning Permit Application No. P2018-148  
- Use and Development of Land for 4 Glamping Huts and 6 Tents (defined as Caravan and Camping Park as per Clause 73.03 Land Use Terms) ~ 204 Goulburn Weir-Murchison Road, Goulburn Weir (cont.)

Overlays:	Floodway Overlay, Land Subject to Inundation Overlay
Is a CHMP required?	In Aboriginal Cultural Heritage Sensitivity Area, but no significant ground disturbance
Is it within an Open Potable Catchment Area?	No, not in an open potable catchment area.
Under what clause(s) is a permit required? (include description)	Clause 35.07, Farming Zone – planning permit required for the use and development of land for a caravan and camping park.
Restrictive covenants on the title?	None that affect this proposal
Current use and development:	Residential/accommodation

*The Mayor read out a letter from Stephen Kearney and Associates on behalf of one of the objectors, M. Kearney*

*Mr Paul Little addressed the meeting on behalf of the applicant T. Hammond.*

**MOVED: COUNCILLOR GARDNER**  
**SECONDED: COUNCILLOR MASON**

***That Council***

- ***having caused notice of Planning Application No. P2018-148 to be given under Section 52 of the Planning and Environment Act 1987 and or the planning scheme; and***
- ***having considered all the matters required under Section 60 of the Planning and Environment Act 1987 decides to Issue a Notice of Decision to grant a permit under the provisions of Clause 35.07 Farming Zone of the Strathbogrie Planning Scheme in respect of the land known as Lot 2 Plan of Subdivision 624203, 204 Goulburn Weir-Murchison Road, Goulburn Weir VIC 3608, for the use and development of land for caravan and camping park (4 glamping huts and 6 tents) , in accordance with endorsed plans, subject to the following conditions:***



- 9.1 Planning Permit Application No. P2018-148  
- Use and Development of Land for 4 Glamping Huts and 6 Tents (defined as Caravan and Camping Park as per Clause 73.03 Land Use Terms) ~ 204 Goulburn Weir-Murchison Road, Goulburn Weir (cont.)

**Endorsed Plans**

1. ***Prior to the commencement of use and development, amended plans must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and a minimum of three copies must be provided. Such plans must be generally in accordance with the plan submitted but modified to show:***
  - (a) ***Location and number of car spaces to support the glamping and camping approved on this permit.***
  
2. ***The camping and caravan park (glamping and camping) must operate within the following limitations:***
  - (a) ***Maximum number of patrons using the accommodation within this area at any one time is 20.***
  - (b) ***No more than 4 glamping huts are to be on site at any one time.***
  - (c) ***No more than 6 tents are to be on site at any one time.***
  - (d) ***When the tents are not in use, they must be taken down and packed away.***

**Environmental Health:**

3. ***All sewage and sullage waters shall be treated in accordance with the requirements of the Environment Protection Act 1970 and the Guidelines for Environmental Management: Code of Practice – Onsite Wastewater Management 891. 4 (2016) and the Responsible Authority. All wastewater shall be disposed of within the curtilage of the land and sufficient area shall be kept available for the purpose of wastewater disposal to the satisfaction of the Responsible Authority. No wastewater shall drain directly or indirectly onto an adjoining property, street or any watercourse or drain to the satisfaction of the Responsible Authority.***
  
4. ***All wastewater and liquid are to be contained and treated on site by an approved septic tank system or equivalent. The system must be at least 300 metres from potable water supply. The system must be at least 60 metres from any watercourse and/or dam (non-potable water supply) for primary sewage and 30 metres for secondary sewage, on the subject or neighbouring properties, and must meet the Guidelines for Environmental Management: Code of Practice – Onsite Wastewater Management 891. 4 (2016).***
  
5. ***No buildings or works shall occur over any part of the approved waste disposal system including the septic tank in accordance with the requirements of the Environment Protection Act 1970, the Guidelines for Environmental Management: Code of Practice – Onsite Wastewater Management 891. 4 (2016).***

- 9.1 Planning Permit Application No. P2018-148  
- Use and Development of Land for 4 Glamping Huts and 6 Tents (defined as Caravan and Camping Park as per Clause 73.03 Land Use Terms) ~ 204 Goulburn Weir-Murchison Road, Goulburn Weir (cont.)

**Engineering**

6. ***Prior to the commencement of the use all car parking areas and internal access roads must be constructed, formed and drained to avoid erosion and to minimise disturbance to natural topography of the land to the satisfaction of the Responsible Authority. Internal access, including the turn-around areas for emergency vehicles, must be all weather construction with a minimum trafficable width of 4m.***
7. ***All stormwater and surface water discharging from the site, buildings and works must be conveyed to the legal point of discharge drains to the satisfaction of the Responsible Authority/Goulburn Murray Water or dissipated within the site boundaries. No effluent or polluted water of any type may be allowed to enter the stormwater drainage system.***
8. ***Appropriate steps must be taken to retain all silt and sediment on site during the construction phase to the satisfaction of the Responsible Authority, in accordance with the sediment control principles outlined in Construction Techniques for Sediment Pollution Control (EPA, 1991) and to the satisfaction of the Responsible Authority.***

**Muted tones**

9. ***The external cladding of the proposed buildings, including the roof, must be constructed of new materials of muted colours to enhance the aesthetic amenity of the area. Material having a highly reflective surface must not be used.***

**Amenity**

10. ***The amenity of the area must not be detrimentally affected by the use, through the:***
  - (a) ***Appearance of any building, works or materials;***
  - (b) ***Transport of materials, goods or commodities to or from the land;***
  - (c) ***Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, wastewater, waste products, grit or oil;***
  - (d) ***Presence of vermin, and;***
  - (e) ***Others as appropriate.***
11. ***All refuse and rubbish associated with the use allowed must be removed from the area at least once weekly, and more often if required by the Responsible Authority.***
12. ***The subject land must be kept neat and tidy at all times and its appearance must not, in the opinion of the Responsible Authority, adversely affect the amenity of the locality.***

- 9.1 Planning Permit Application No. P2018-148  
- Use and Development of Land for 4 Glamping Huts and 6 Tents (defined as Caravan and Camping Park as per Clause 73.03 Land Use Terms) ~ 204 Goulburn Weir-Murchison Road, Goulburn Weir (cont.)

**13. Outdoor lighting must be designed, baffled and located to the satisfaction of the Responsible Authority such that no direct light is emitted outside the boundaries of the subject land.**

**Goulburn Murray Water**

**14. All construction and ongoing activities must be in accordance with sediment control principles outlined in EPA Publication 275, Construction Techniques for Sediment Pollution Control (May 1991).**

**15. No buildings or works may be erected or carried out within 50 metres of the Goulburn River.**

**16. The wastewater management system must be appropriately designed to manage the potential volume of wastewater generated under full occupancy (based on a minimum of 20 guests), including an appropriately sized disposal area based on a full water balance specific to the proposal and subject land. The wastewater management system must be appropriately designed to manage peak and intermittent flows from the accommodation, to the satisfaction of council's environmental health department.**

**17. The wastewater disposal area must be located a minimum setback distance of 100 metres from the Goulburn River.**

**18. All wastewater requiring disposal to land must be treated to a standard of at least 20mg/L BOD and 30mg/L suspended solids using a package treatment plant or equivalent. The system must be an EPA approved system, installed, operated and maintained in accordance with the relevant EPA Code of Practice and Certificate of Conformity.**

**19. All wastewater must be applied to land via pressure-compensating sub-surface irrigation installed along the contour.**

**20. The proposed accommodation and onsite wastewater management system must not encroach on the existing wastewater treatment system or disposal area or breach the minimum setback distances specified in the relevant EPA Code of Practice – Onsite Wastewater Management.**

**21. The wastewater disposal area must be kept free of stock, buildings, driveways and service trenching and must be planted with appropriate vegetation to maximise its performance. Stormwater must be diverted away. A reserve wastewater disposal field of equivalent size to the primary disposal field must be provided for use in the event that the primary field requires resting or has failed.**

- 9.1 Planning Permit Application No. P2018-148  
- Use and Development of Land for 4 Glamping Huts and 6 Tents (defined as Caravan and Camping Park as per Clause 73.03 Land Use Terms) ~ 204 Goulburn Weir-Murchison Road, Goulburn Weir (cont.)

**22. Stormwater run-off from the carpark must be dissipated as normal unconcentrated overland flow or directed to a storage tank or dam.**

**23. Prior to the issue of a building permit, the applicant must enter into a Commercial Occupation Licence with GMW for the boat shed located on GMW foreshore land adjacent to the property.**

**Country Fire Authority**

**24. Prior to the commencement of use, a Bushfire Emergency Plan (BEP) must be submitted to and approved by the responsible authority. The BEP must clearly describe the proposed emergency management arrangements and should address the following matters:**

**(a) Premises details**

- i. Describe property and business details.**
- ii. Identify the purpose of the BEP stating that the plan outlines procedures for:**
  - 1. Closure of premises on any day with a Fire Danger Rating of Code Red.**
  - 2. Evacuation (evacuation from the site to a designated safer off-site location).**
  - 3. Shelter-in-place (remaining on-site in a designated building).**

**(b) Review of the BEP**

- i. Outline that the plan must be reviewed and updated annually prior to the commencement of the declared Fire Danger Period.**
- ii. Include a Version Control Table.**

**(c) Roles & Responsibilities**

- i. Detail the staff responsibilities for implementing the emergency procedures in the event of a bushfire.**

**(d) Emergency contact details**

- i. Outline organisation/position/contact details for emergency services personnel**

**(e) Bushfire monitoring procedures**

- i. Details the use of radio, internet and social networks that will assist in monitoring potential threats during the bushfire danger period.**
- ii. Describe and show (include a map) the area to be monitored for potential bushfire activity.**
- iii. Utilisation of the Vic Emergency App as a warning tool for fires in the surrounding landscape.**
  - 1. Establishment of a "Watchzone" in the Vic Emergency App.**

- 9.1 Planning Permit Application No. P2018-148  
- Use and Development of Land for 4 Glamping Huts and 6 Tents (defined as Caravan and Camping Park as per Clause 73.03 Land Use Terms) ~ 204 Goulburn Weir-Murchison Road, Goulburn Weir (cont.)

- (f) Action Statements – trigger points for action**
- i. Prior to the Fire Danger Period**
    - 1. Describe on-site training sessions and fire equipment checks.
    - 2. Identify maintenance of bushfire protection measures such as vegetation management.
  - ii. Closure of premise during forecast Fire Danger Rating of Code Red days**
    - 1. Outline guest notification procedures and details of premises closure (including timing of closure).
  - iii. Evacuation**
    - 1. Identify triggers for evacuation from site. For example, when evacuation is recommended by emergency services.
    - 2. Details of the location/s of the offsite emergency assembly location.
    - 3. Transport arrangements for staff and guests including details such as:
      - a. Number of vehicles required
      - b. Name of company providing transportation
      - c. Contact phone number for transport company
      - d. Time required before transportation is likely to be available
      - e. Estimated travelling time to destination
    - 4. Actions after the bushfire emergency event.
- (g) Shelter-in-place**
- i. Show the location and describe the type of shelter-in-place.**
  - ii. Triggers for commencing the shelter-in-place option.**
  - iii. Procedures for emergency assembly in the shelter-in-place building.**

**Expiry**

25. This permit will expire if one of the following circumstances applies:
- (a) The development is not started within two (2) years of the date of this Permit,**
  - (b) The development is not completed within four (4) years of the date of this Permit.**
  - (c) The use has not commenced within two (2) years of the completion of the development.**

- 9.1 Planning Permit Application No. P2018-148  
- Use and Development of Land for 4 Glamping Huts and 6 Tents (defined as Caravan and Camping Park as per Clause 73.03 Land Use Terms) ~ 204 Goulburn Weir-Murchison Road, Goulburn Weir (cont.)

***The Responsible Authority may extend the periods referred to if a request is made in writing:***

- before the permit expires; or***
- within six months afterwards if the use or development has not yet started; or***
- within 12 months after the permit expiry date, where the development allowed by the permit has lawfully started before the permit expires.***

**Planning Notes:**

- This Permit does not authorise the commencement of any building construction works. Before any such development may commence, the Applicant must apply for and obtain appropriate Building approval.***

***This Permit does not authorise the removal of any native vegetation including for access. Before any such works may commence, the Applicant must apply for and obtain appropriate Planning approval.***

**131/20 CARRIED**

**9.2 Combined Planning Scheme Amendment and Planning Permit Application – 401 High Street, Nagambie (C080 and P2019-096)**

Author: Manager Planning and Investment (Acting)

Responsible Director: Director Community and Planning (Acting)

**EXECUTIVE SUMMARY**

The purpose of this report is for Council to consider a request to be made to the Minister for Planning to authorize the preparation and exhibition of a proposed amendment to the Strathbogie Planning Scheme. Proposed Planning Scheme Amendment C080 has been prepared by the proponent to change the zoning and overlays that apply to the land known as 401 High Street and 19 Lobbs Lane, Nagambie.

The amendment includes rezoning of the subject land from Farming Zone to General Residential Zone and proposes changes to the Floodway Overlay. The Amendment seeks to amend Planning Scheme Zoning Maps 10 and 22 and Overlay Maps 10FO and 22FO. The application also seeks planning approval for the subdivision of the land into 250 allotments, the creation/alteration of access to the Road Zone Category 1 (High Street), the removal of native vegetation and associated earthworks.

*The applicant, G. Ryan, addressed the meeting.*

**MOVED: COUNCILLOR GARDNER  
SECONDED: COUNCILLOR WILLIAMS**

***That Council:***

- 1. Requests under section 8A (2) and (3) of the Planning and Environment Act 1987 that the Minister for Planning authorise Strathbogie Shire Council to prepare amendment C080 to the Strathbogie Planning Scheme as a combined permit and amendment under Section 96A of the Planning and Environment Act 1987;***
- 2. Notify the Minister for Planning that when it exhibits Amendment C080 and the proposed planning permit, Strathbogie Shire Council intends to give full notification of the amendment under Section 96C of the Planning and Environment Act 19987 for the minimum statutory exhibition period of one month; and***
- 3. When authorised by the Minister for Planning, exhibit Amendment C080 and proposed planning permit to the Strathbogie Planning Scheme under Section 96C of the Planning and Environment Act 1987.***

**132/20 CARRIED**

**9.3 Planning Applications Received**  
**- 29 July to 25 August 2020**

Responsible Officer: Manager Planning and Investment (Acting)

***SUMMARY***

Listings of Planning Applications Received for the period 29 July to 25 August 2020  
– provided for information.

***MOVED: COUNCILLOR MASON***  
***SECONDED: COUNCILLOR THOMSON***

***That the report be noted.***

***133/20 CARRIED***



**9.4 Tender for Contract Number 20/21-12: Environmental Monitoring at the Violet Town Landfill**

Author: Environment and Waste Coordinator

Responsible Director: Director Corporate Operations

***EXECUTIVE SUMMARY***

Strathbogie Shire Council is required to undertake quarterly monitoring at the Violet Town Landfill as per our Environmental Protection Authority Victoria Post Closure Pollution Abatement Notice. To ensure value for money Council released a tender for a suitable environmental consultant to undertake the monitoring for the next 3 years with a possible extension of 2 years at the discretion of Council.

Council went to public tender for Contract 20/21-12 Environmental Monitoring Violet Town Landfill on 5 June 2020.

At tender closing 8 July 2020 twelve (12) tenders were received. The tender submissions were assessed and evaluated with the results showing SMEC Australia Pty Ltd as the preferred tenderer.

***MOVED: COUNCILLOR THOMSON  
SECONDED: COUNCILLOR RAEBURN***

***That Council:***

- 1. Receives and notes the outcome of the tender assessment process for Contract 20/21-12 Environmental Monitoring at the Violet Town Landfill, as set out in the confidential appendices attached to this report;***
- 2. Awards the tender for Environmental Monitoring at the Violet Town Landfill to SMEC Australia Pty Ltd for a lump sum price of \$86,100.00 (excluding GST) for 3 years (\$23,232 per annum) with a possible extension of 2 years at the discretion of Council;***
- 3. Authorises officers to advise the unsuccessful tenders; and***
- 4. Authorises the Chief Executive Officer to execute the Contract by signing and affixing with the Common Seal of Strathbogie Shire Council.***

***134/20 CARRIED***

**9.5 Tender for Contract Number 20/21-10: Supply and Installation of Public Amenities Violet Town**

Authors: Procurement and Tender Officer & Project Manager

Responsible Director: Director Community & Planning (Acting)

***EXECUTIVE SUMMARY***

As part of the Strathbogie Shire Council's approved budget, the existing amenity facilities at the Violet Town Recreation Reserve is to be replaced and upgraded to align with community expectations, event demands and current standards. Tender documentation was prepared for the design, manufacturing and installation of new amenities unit and associated works.

Council went to public tender for Contract 20/21-10 Supply and Installation of Public Amenities Violet Town on 12 June 2020.

At tender closing 8 July 2020 four (4) tenders were received, with one (1) submission deemed non confirming. The tender submissions were assessed and evaluated by Council Officers, with the results showing GR Design and Construct Pty Ltd as the preferred Tenderer.

***MOVED: COUNCILLOR RAEBURN  
SECONDED: COUNCILLOR THOMSON***

***That Council:***

- 1. Receives and notes the outcome of the tender assessment process for Contract 20/21-10 Supply and Installation of Public Amenities, Violet Town as set out in the confidential appendices attached to this report;***
- 2. Awards the tender to GR Design and Construct Pty Ltd for Contract 20/21-10 – Supply and Installation of Public Amenities Violet Town for a total amount of \$169,133.04 (excluding GST);***
- 3. Authorises officers to advise the unsuccessful tenders;***
- 4. Authorises the Chief Executive Officer to execute the Contract by signing and affixing with the Common Seal of Strathbogie Shire Council; and***
- 5. Notes that the contract will commence on 28 September 2020 and the expected completion date is 20 November 2020.***

***135/20 CARRIED***

**9.6 Tender for Contract Number 20/21-08: Supply and Install of Water Tanks – Various Locations (Avenel, Creighton’s Creek, Euroa, Gooram, Ruffy, Strathbogie and Violet Town)**

Authors: Procurement and Tender Officer & Project Manager

Responsible Director: Director Community & Planning (Acting)

***EXECUTIVE SUMMARY***

These works relate to Council’s drought recovery initiatives funded through the Australian Government’s Drought Communities Program. Tender documentation was prepared for the supply, installation and commissioning of water tanks including construction of tank foundations pads, CFA requirements, three (3) generators and any associated civil, servicing and other necessary works. The sites nominated are located in Avenel, Creighton’s Creek, Euroa, Gooram, Ruffy, Strathbogie and Violet Town.

Council went to public tender for Contract 20/21-08 Supply and Install of Water Tanks – Various Locations on 11 July 2020.

At tender closing 5 August 2020, eight (8) tenders were received with the results showing Think Melbourne Water as the preferred tenderer.

***MOVED: COUNCILLOR WILLIAMS  
SECONDED: COUNCILLOR MASON***

***That Council:***

- 1. Receives and notes the outcome of the tender assessment process for Contract 20/21-08 Supply and Installation of Water Tanks – Various Locations (Avenel, Creighton’s Creek, Euroa, Gooram, Ruffy, Strathbogie and Violet Town) as set out in the confidential appendices attached to this report;***
- 2. Awards the tender to Think Melbourne Water Pty Ltd for Contract 20/21-08 – 20/21-08 Supply and Installation of Water Tanks – Various Locations (Avenel, Creighton’s Creek, Euroa, Gooram, Ruffy, Strathbogie and Violet Town) \$350,411.50 excluding GST;***
- 3. Authorises officers to advise the unsuccessful tenders; and***
- 4. Authorises the Chief Executive Officer to execute the Contract by signing and affixing with the Common Seal of Strathbogie Shire Council; and***
- 5. Notes that the contract will commence on 28 September 2020 and the expected completion date is 18 December 2020.***

***136/20 CARRIED***

**9.7 Tender for Contract Number 20/21-23: Ranger and Local Laws Enforcement Services**

Authors: Team Leader Compliance and Procurement and Tenders Officer

Responsible Director: Director Corporate Operations

***EXECUTIVE SUMMARY***

The current contract 17/18-01 for Ranger and Local Laws Enforcement Services will end on 24 October 2020. To ensure best value for money, Council went to public tender for Contract 20/21-23 Ranger and Local Laws Enforcement Services on 10 July 2020.

Council's Ranger and Local Law Enforcement Services provide for the enforcement of Council's Local Law, Operation of the municipal pound, animal control matters such as dog attacks and stock on roads. The service providers are authorised officers and are responsible for providing timely responses and advice to our community.

At tender closing 5 August 2020, one tender was received. The tender submission was assessed and evaluated with the results showing 4Site Australia Pty Ltd as the preferred tenderer.

***MOVED: COUNCILLOR THOMSON  
SECONDED: COUNCILLOR WILLIAMS***

***That Council:***

- 1. Receives and notes the outcome of the tender assessment process for Contract 20/21-23 Ranger and Local Laws Enforcement Services, as set out in the confidential appendices attached to this report;***
- 2. Awards the tender received from 4Site Australia Pty Ltd for Ranger and Local Laws Enforcement for a total cost of \$630,000 (excl GST) over the three-year contract term, commencing on 25 October 2020 completion date 24 October 2023;***
- 3. Authorises officers to advise the unsuccessful tenders; and***
- 4. Authorises the Chief Executive Officer to execute the Contract by signing and affixing with the Common Seal of Strathbogie Shire Council.***

***137/20 CARRIED***

## **9.8 Tender for Contract Number 20/21-22: Provision of Boating Safety Operations**

Authors: Team Leader Compliance and Procurement & Tenders Officer

Responsible Director: Director Corporate Operations

### ***EXECUTIVE SUMMARY***

Council is responsible for waterways management on Lake Nagambie and along the Goulburn River between the Hughes Creek and Goulburn Weir. The current contract 15/16-02 Boating Safety Operations will end 30 September 2020. Council went to public tender for Contract 20/21-22 Provision of Boating Safety Operations on 3 July 2020 to ensure ongoing service provision.

Contractors have been used in the past to patrol the lake and river during the boating season which generally runs between October and April. The use of contractors to provide this specialised service ensures the continued supply of staff both during the limited season in which the staff are required

At tender closing 29 July 2020, one tender was received. The tender submissions were assessed and evaluated with the results showing 4Site Australia Pty Ltd as the preferred tenderer.

***MOVED: COUNCILLOR GARDNER  
SECONDED: COUNCILLOR MASON***

***That Council:***

- 1. Receives and notes the outcome of the tender assessment process for Contract 20/21-22 Provision of Boating Safety, as set out in the confidential appendices attached to this report;***
- 2. Awards the tender Provision of Boating Safety at Lake Nagambie to 4Site Australia Pty Ltd for a lump sum price of \$230,181.82 (excluding GST) for 3 years (\$76,727.27 per annum);***
- 3. Authorises officers to advise the unsuccessful tenders; and***
- 4. Authorises the Chief Executive Officer to execute the Contract by signing and affixing with the Common Seal of Strathbogie Shire Council.***

***138/20 CARRIED***

**9.9 Tender for Contract Number 20/21-20: Operation and Management of Municipal Swimming Pools**

Author: Manager Community Wellbeing and Procurement & Tenders Officer

Responsible Director: A/Director Community and Planning

**EXECUTIVE SUMMARY**

Council went to public open tender for Contract Number 20/21- Operation and Management of Municipal Swimming Pools on 10 July 2020.

The tender offered a three (3) year term for the operation and management of the Euroa, Violet Town, Avenel and Nagambie Pools. At tender closing on 5 August 2020 two (2) tender submissions were received, which contained no offer or schedules, and were therefore determined to be non-conforming.

**MOVED: COUNCILLOR LITTLE  
SECONDED: COUNCILLOR MASON**

***That Council:***

- 1. Receives and notes the outcome of the tender assessment process for Contract 20/21-20 Management and Operation of Municipal Pools, as set out in the confidential appendices attached to this report;***
- 2. Formally abandon the public tender for Contract Number 20/21- Operation and Management of Municipal Swimming Pools as no conforming tenders were received***
- 3. Authorises officers to advise the unsuccessful tenders;***
- 4. Authorise the Chief Executive Officer to seek further submissions to approve a lump sum contract to an experienced aquatic company for the operation and management of the municipal pools for the 20/21 season. The approved contract must be no more than a 5% variance of the current approved budget allocation;***
- 5. Authorise the Chief Executive Officer to advertise the successful contractor for the season within respective media for each community;***
- 6. Authorise officers to immediately commence the process to form an Aquatic Facilities Reference Group through an Expression of interest process to coincide with the opening of the 20/21 summer season; and***
- 7. Receives a further report detailing options for inhouse and outsourced arrangements and financial implications for the operation and management of the Strathbogie Shire Municipal Swimming Pools for the February 2021 Council meeting cycle.***

**139/20 CARRIED**

## **9.10 'Recycling Victoria' – Household Recycling Reform Transition Planning**

Author: Environment & Waste Coordinator

Responsible Director: Director Corporate Operations

### ***EXECUTIVE SUMMARY***

'Recycling Victoria' is the Victorian Government's 10-year policy and action plan, aimed at fundamentally transforming our recycling sector, reducing waste, creating thousands of jobs, and positioning Victoria for a more sustainable future. As part of Recycling Victoria, the Victorian Government has committed \$129 million over the next four years to assist Councils to reform household waste and recycling services to ensure Victoria is well placed to transition to a circular economy.

The reforms will initially require councils to complete a transition planning process, outlining the proposed implementation of a service model to incorporate:

- The separate collection of glass, either via a kerbside service (bin with purple lid), drop-off facilities or a combination of both by 2027;
- The continuation of a commingled recycling service for paper, plastic and metals, (bin with yellow lid);
- The separate collection of Food Organics and Garden Organics (FOGO), either via a kerbside service (bin with light green lid), drop off facilities or a combination of both by 2030; and
- The continuation of residual garbage collection, (bin with a red lid).

This report will provide background for Councillors on what steps have been taken and will be taken as staff prepare the draft transition plan for submittal to the Department of Environment, Land, Water and Planning (DELWP) by 30 September 2020.

***MOVED: COUNCILLOR LITTLE  
SECONDED: COUNCILLOR MASON***

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

***140/20 CARRIED***

## 9.11 **Waste Wise Events Guide**

Author: Environment & Waste Coordinator

Responsible Director: Director Corporate Operations

### ***EXECUTIVE SUMMARY***

Council currently offers best practice waste management to its residents, which allows our residents to divert up to 70% of their waste away from landfill. This report recommends the endorsement of the Waste Wise Events Policy and Guide to ensure that the many events that happen in our Shire are able to access resources to ensure that waste is managed well and to minimise the impact on our environment.

***MOVED: COUNCILLOR THOMSON  
SECONDED: COUNCILLOR MASON***

***That Council:***

- 1. Adopt the Waste Wise Events Policy; and***
- 2. Support the publication and encourage the use of the 'Waste Wise Events Guide' and supporting materials.***

***141/20 CARRIED***



## **9.12 Finalisation of Victorian Auditor General's Office (VAGO) Fraud and Corruption Control Action Plan**

Author: Executive Manager, Governance & Customer Service

Responsible Director: Chief Executive Officer

### ***EXECUTIVE SUMMARY***

In June 2019 the Victorian Auditor General's Office (VAGO) released its report on Fraud and Corruption Control – Local Government. Strathbogie Shire was one of four councils reviewed in depth by VAGO in relation to:

- councillor and senior staff credit card and fuel card use and reimbursements
- identifying and managing conflicts of interest
- responding to suspected incidents of fraud and corruption.

VAGO did not find any instances of fraud and corruption at Strathbogie Shire. However, they did identify deficiencies in policy, procedures and monitoring of compliance.

In response to the VAGO report, Council and the Audit Committee passed a number of resolutions to ensure a comprehensive response was adopted by the organisation to address the areas of deficiency identified in the report.

An Action Plan was developed to address these resolutions and to directly address the recommendations made in the VAGO report.

Numerous updates have been provided to the community through updated Action Plans being published on Council's website under a dedicated VAGO Action Plan button on the home page. Communication with VAGO has also been ongoing over the past 12 months.

While most of the work required under the Action Plan had been completed by January 2020, the final action was to meet with VAGO representatives 12 months after the release of the report to reflect on our progress and learnings.

VAGO representatives commented that they were comfortable with our approach to the issues raised in their audit and the decision making/consultation processes around the adoption of new policies and procedures.

This report requests Council to note the completion of the VAGO Action Plan.

***MOVED: COUNCILLOR RAEBURN  
SECONDED: COUNCILLOR THOMSON***

***That Council note the completion of the Victorian Auditor General's Office  
Fraud and Corruption Control – Local Government Action Plan.***

***142/20 CARRIED***

### **9.13 Instruments of Appointment and Authorisation Update**

Author: Executive Manager Governance and Customer Service

Responsible Director: Chief Executive Officer

#### **EXECUTIVE SUMMARY**

Following recent changes to the organisational structure, officers who hold various positions and changes in position title names, several changes are required to be made to the following instruments:

- S11 Instrument of Appointment and Authorisation,
- S11A Instrument of Appointment and Authorisation (*Planning and Environment Act 1997*)

The amended authorisations, once approved by Council, will remain in force until the next Delegations and Authorisations update is prepared or following staff position title change/s, and / or staff changes.

**MOVED: COUNCILLOR LITTLE**  
**SECONDED: COUNCILLOR MASON**

***That, In the exercise of the powers conferred by section 224 of the Local Government Act 1989 (the Act) and the other legislation referred to in the attached instrument of appointment and authorisation (S11) and instrument of appointment and authorization (Planning and Environment Act 1997) (the instrument), Strathbogie Shire Council (Council) resolves that –***

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

**143/20 CARRIED**

## **9.14 Coronavirus (COVID-19) Management Policy**

Author: Policy, Research and Councillor Support Officer

Responsible Director: Chief Executive Officer

### ***EXECUTIVE SUMMARY***

Council has developed a Coronavirus (COVID-19) Management Policy to support the requirements passed by Federal, State, Local and associated Government Departments relating to COVID-19 and implement these practices across its business operations. This policy is the overarching document for the procedures that have been documented and enacted for some months.

Council will continue to work closely with our stakeholders, staff and volunteers to communicate and implement the necessary recommended practices to prevent the spread of COVID-19, while continuing to operate services and programs that are permitted to do so either as essential services or as part of the permitted programs/activities issued by Department of Health and Human Services (DHHS).

***MOVED: COUNCILLOR GARDNER  
SECONDED: COUNCILLOR LITTLE***

***That Council:***

- 1. Notes and endorses the Coronavirus (COVID-19) Management Policy;  
and***
- 2. Makes the adopted policy available on Council's website and internal  
intranet site.***

***144/20 CARRIED***

## 9.15 **Strathbogie Shire Economic Profile**

Author: Economic Development and Projects Coordinator

Responsible Director: Director Community and Planning

### ***EXECUTIVE SUMMARY***

Council recently commissioned Urban Enterprise to develop an Economic Profile of Strathbogie Shire across the key four strategic sectors in terms of economic output and employment. The sectors include:

- Primary industries & trade
- Tourism reliant industries
- Knowledge and public sector
- Population driven industries.

This Strathbogie Shire Economic Profile report provides a summary of demographic and economic data for the Strathbogie Local Government Area (LGA), as well as key considerations for economic development. Furthermore, the profile provides a baseline profile of Strathbogie's economy for use by Council, industry, investors and residents. The report draws on a range of datasets including ABS Census data, REMPLAN, Profile and Economy ID, and Building Industry data.

This will provide Council with data and identified opportunities to enhance and drive economic development across the shire and to engage and work in partnership with local business to collaboratively develop an economic development strategy and strategic advocacy agenda.

A key action for Council is to develop a Strategic Action Plan to support business and economic recovery in response to the impacts of the COVID-19 pandemic. It is proposed that to provide coverage and assistance to all business in the shire, a sum of \$30,000 to Go Nagambie and the Euroa Chamber of Business be allocated to provide for the provision of a one-off free 12 months membership and recovery support programs.

It is important to note that the Economic Profile use standard industry definitions and data is sourced from Government agencies such *Victoria in the Future*. Government data particularly in the prediction of future growth in residents and property investment may differ from predictions based on local planning information. As such, updated predictions sourced from Councils Planning department based on building and planning permit data form an addendum to this Strathbogie Shire Economic Profile document.

9.15 Strathbogie Shire Economic Profile (cont.)

**MOVED: COUNCILLOR MASON**  
**SECONDED: COUNCILLOR WILLIAMS**

***That Council:***

- 1. Adopt the Strathbogie Shire Economic Profile and the supplementary Strathbogie Shire Planning departmental data to inform the future development of an Economic Development Strategy;***
- 2. Authorise officers to make the Profile and supplementary data available to all businesses and on Council website: and***
- 3. Endorse the allocation of \$60,000.00 of unspent funds from the 2019/2020 Economic Development budget allocation to Go Nagambie (\$30,000) and the Euroa Chamber of Business and Commerce (\$30,000) to fund a one off Shire wide free membership of a businesses and mentoring / assistance programs subject to the signing of grant agreements by each organisation.***

**145/20 CARRIED**

## **9.16 Sale of Land – 7 Industrial Crescent, Nagambie**

Author: Director Corporate Operations

Responsible Director: Director Corporate Operations

### **EXECUTIVE SUMMARY**

This report recommends that Council commence the process under sections 189 and 223 of the *Local Government Act 1989* (the Act) to dispose of a property located at 7 Industrial Crescent Nagambie, following receipt of an expression of interest to acquire the property.

**MOVED: COUNCILLOR GARDNER  
SECONDED: COUNCILLOR RAEBURN**

***That Council :***

- 1. *Undertake the statutory public consultation process prescribed by sections 189 and 223 of the Local Government Act 1989 for the disposal of land known as 7 Industrial Crescent Nagambie (L 32 LP 218171 Parish of Tabilk) by:***
  - Placing notices of the intended sale of land in locally circulating newspapers***
  - Placing a notice under the 'Top News Stories' section of Council website***
  - Posting information on Council's social media pages.***
- 2. *Consider any written and verbal submissions received during the statutory consultation period at a meeting of Council, on a date to be determined.***
- 3. *Note that the Council meeting for the consideration of submissions, on a date to be determined, not be held if no submissions are received.***

**146/20 CARRIED**

## **9.17 Community Funding Programs – RE3 COVID-19 Response**

### **8.02 p.m.**

#### ***Cr Raeburn declared his interest and left the meeting***

Author: Manager Community Wellbeing

Responsible Director: Acting Director Community and Planning

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

Council recognises the significant impact COVID-19 has had on our community, individuals, families, organisations and groups that provide services across our Shire. As part of supporting our community, it is proposed that Council initiate COVID Response Community Grants of up to \$5000 to assist organisations and groups to address the impacts of COVID-19 within their community. Proposed Community Funding Programs include:

- Community Grants
- Community Planning
- Sponsorship.

#### **Community Grants**

With the changing environment and the significant impact Covid-19 has had on the community it has been identified that a modified community grants program which will focus on initiatives that specifically address these impacts would provide benefit to the community.

A COVID-19 Community Grants Program has been developed and draft guidelines are attached to this report. This includes a new timeline with an opening date of 16 September 2020 and closing on 13 November 2020. It is anticipated a decision will be made at the December Council meeting with the newly elected Council representatives. Projects are to be implemented from 1 January 2021 and completed by 30 June 2021.

#### **Community Planning**

The majority of Community Planning Reference Groups have requested an extension for their 2019 – 2020 Community Planning projects. These projects have been delayed due to the impacts of COVID-19 and the various restrictions that have been in place.

The Community Planning program is due for review within the twelve (12) months following a Council election and this will be undertaken in the first six (6) months.

#### **Sponsorship**

It is proposed that sponsorship funds will remain in reserve to allow for applications which are likely to be early in 2021 to support events, which will reinvigorate and support the broader community post Covid and during the recovery phase.

9.17 Community Funding Programs – RE3 COVID-19 Response (cont.)

**MOVED: COUNCILLOR LITTLE (with amendment as shown highlighted in Recommendation 2)**

**SECONDED: COUNCILLOR THOMSON**

**That Council:**

1. **Maintain the sponsorship budget allocation of \$30,000 for potential post COVID-19 applications during 2020 -2021.**
2. **Suspend Community Grants Program for 2020-2021 and endorse the RE3 COVID-19 Response Community Grants Program with a budget of \$85,000 and draft RE3 COVID-19 Response Community Grants Program Guidelines, **with grants of up to \$5,000.****
3. **Note that the RE3 COVID-19 Community Grant Program timelines will commence 16 September 2020 and close on 13 November 2020, with projects to be completed and acquitted by 30 June 2021.**
4. **Suspend Community Planning/Community Action Groups Program for 2020 – 2021 and authorise officers to review this program in accordance with the Local Government Act 2020.**
5. **Authorise officers to commence engagement with Graytown Action Group to establish an agreement for the management of their facility.**

**147/20 CARRIED**



**8.11 p.m.**

**Councillor Raeburn returned to the meeting**

**9.18 Nagambie Ageing Hub**

Author: Director Corporate Operations

Responsible Director: Director Corporate Operations

***EXECUTIVE SUMMARY***

This report recommends that Council commence the statutory process under sections 189 and 223 of the *Local Government Act 1989* (the Act) to transfer two blocks of land in Carrick Crescent Nagambie to Nagambie HealthCare, with a land valuation of \$162,000 (Council Rating Valuation) as an in kind contribution to a project which will see the:

- Creation of an *Age Friendly* community Living environment
- Development of seven (7) additional units for supported living
- Eventual refurbishment of the Senior Citizens and RSL building
- Delivery of allied health services from premises adjoining the Nagambie Library
- Enhancement of the open space within the precinct in line with Rural Councils Victoria Older Persons Framework.

***MOVED: COUNCILLOR GARDNER  
SECONDED: COUNCILLOR THOMSON***

***That Council :***

1. ***Undertake the statutory public consultation process prescribed by sections 189 and 223 of the Local Government Act 1989 to transfer Lots 3 and 4 Carrick Crescent Nagambie ( Lots 3 and 4 LP 220490 V9971 Parish of Tabilk ) at no cost but with the land valuation of the properties being noted as Council's contribution to the project with Nagambie HealthCare Inc. for the purpose of developing additional units for supported living and enhancement of open space by:***
  - ***placing notices of the intended exchange of land in locally circulating newspapers***
  - ***placing a notice under the 'Top News Stories' section of Council website***
  - ***posting information on Council's social media pages.***
2. ***Inform the community that a Memorandum of Understanding and Section 173 agreement under the Planning and Environment Act 1997 would be entered into with Nagambie HealthCare should the exchange of land occur.***
3. ***Consider any written and verbal submissions received during the statutory consultation period at a meeting of Council on a date to be determined in consultation with the new Council.***

9.18 Nagambie Ageing Hub (cont.)

- 4. Note that the Council meeting for the consideration of submissions, on a date to be determined, will not be held if no submissions are received.**

**148/20 CARRIED**

## **9.19 Visit Victoria Tourism Review**

Authors: Manager Tourism, Arts and Culture / Economic Development and Projects Coordinator

Responsible Director: Director Community and Planning

### ***EXECUTIVE SUMMARY***

Visit Victoria is the state government body responsible for promoting tourism within Victoria. This body has been reviewing the positioning of Local Government areas within its identified region and Strathbogie Shire have been advised informally that the Minister for Tourism, Sport and Major Events is looking to reduce the number of regional tourism regions from eleven (11) to nine (9) with the reasons for this reduction unclear.

Strathbogie Shire was previously aligned with the Goulburn River Valley Tourism board (GRVT) until its cessation in 2019, however this was a self-funded board as a collaborative four Shire entity and was never recognised by the state government as an official Regional Tourism Board (RTB) and therefore did not receive any government support, either financial or otherwise.

As part of the Visit Victoria Tourism Review, it is proposed for Strathbogie Shire to be positioned within the Murray River region would mean that effectively Strathbogie Shire will become part of the same tourist region as Mildura. If this option is confirmed without substantial modification it would once again reduce the Shire to being associated with a region with which we have no community of interest or consumer recognition.

It has been verbally proposed at the departmental level that a "Goulburn Region Subgroup" could be formed to facilitate a more identifiable geographic profile, however this subgroup would be reporting to the Murray River RTB. Despite numerous requests we have not received any written detail of this proposal to date.

Recent officer level discussions with the CEO of Murray Region Tourism Board has confirmed the understanding that the Minister is seeking to align Strathbogie Shire with the Murray region. He views the potential way forward is to have one board and two marketing arms including completely separate logo's and promotional campaigns for the Murray River and the Goulburn River regions.

9.19 Visit Victoria Tourism Review (cont.)

**MOVED: COUNCILLOR THOMSON**  
**SECONDED: COUNCILLOR MASON**

***That:***

- 1. Council take the lead on this issue and urgently write to the Hon. Martin Pakula Minister for Tourism, Sport and Major Events requesting written advice as to his intention of the proposed restructure of the Victorian Regional Tourism Boards (RTB) and the proposed alignment of Strathbogie Shire within an RTB and the need to for the formation of a Goulburn River Region group incorporating the Councils along the Goulburn River; and***
- 2. Should the Hon. Martin Pakula Minister for Tourism, Sport and Major Events confirm the intention to align Strathbogie Shire with the Murray Regional Tourism Board (board), Council authorise officers to enter into discussions with that board regarding potential membership and the preferred outcome of separate marketing bodies reporting back to that board.***

**149/20 CARRIED**

## 9.20 **Australian Rail Track Corporation (ARTC)**

Author: /Director Community & Planning (Acting)

Responsible Director: Chief Executive Officer

### **EXECUTIVE SUMMARY**

As a result of the Euroa Inland Rail Working Group meeting held with the Australian Rail Track Corporation (ARTC) on Monday 24<sup>th</sup> August 2020, considerable feedback was given to Council from members of the working group.

The feedback received was consistent in that each member expressed that whilst ARTC remained committed to meeting with the group, the matters discussed were not representative of the group's expectations. The meeting provided no clarity in regard to the process nor provided clear direction nor any commitment by ARTC to the *Creating Civic Presence* document (refer Attachment 1).

As a result, it is imperative that Council continue to remain committed to the Euroa Working Group and provide support. In this instance writing to ARTC (refer Attachment 2) reiterating our position moving forward through ARTC's Early Contractor Involvement (ECI) process and Detailed Design Process (DDP).

**MOVED: COUNCILLOR THOMSON (with amendments as shown highlighted in Recommendation 3)**

**SECONDED: COUNCILLOR WILLIAMS**

**That Council:**

1. **Support the Euroa Rail Inland Working Group through ongoing advocacy;**
2. **Write to the Australian Rail Track Corporation (ARTC), expressing the need for the *Creating Civic Presence* document and Council Officers comments, which formed Council's formal position, be supplied to relevant parties, through ARTC's Early Contractor Involvement (ECI) and Detailed Design Process (DDP) process; and**
3. **Write to the Department of Transport, Federal, State and Local Politicians, including the Deputy Prime Minister, the Hon Michael McCormack, the Independent Federal Member for Indi, Helen Haines, the Federal Member for Nicholls, Damian Drum, Hume Regional Development Australia, and Rail Freight Alliance, requesting that they recognise Council's formal position (as per Council minutes of the 15<sup>th</sup> September 2019) and seek support to work with the Australian Rail Track Corporation and the Euroa Inland Rail Working Group, to ensure the Euroa Community has a project delivered which recognises the work put in to the planning of this project.**

150/20 **CARRIED**

**9.21 Strathbogie Shire Council RE3 – Reset, Reboot, Revitalise – Community Recovery Plan**

Author: Manager Tourism Arts and Culture

Responsible Director: Chief Executive Officer & Executive Manager Communications and Engagement

Strathbogie Shire Council recognises that the COVID-19 pandemic and related government restrictions, has had specific and potential long-term impacts on our region and community. The *Strathbogie Shire Council RE3 – Reset, Reboot, Revitalise – Community Recovery Plan* has been initiated to support the immediate relief and recovery actions identified, as well as the future transition from the impacts of the pandemic.

The Community Recovery Plan has been developed by Council in consultation with our community and outlines actions to support our community while the pandemic continues, as well as actions to support both the short and long-term recovery and transition through the post COVID-19 phase, with the aim being to build on the strengths of our community and support them to learn, heal and flourish. We recognise that this is a dynamic plan and that further engagement with our community will influence and shape our directions going forward.

The release of the *Strathbogie Shire Council RE3 – Reset, Reboot, Revitalise – Community Recovery Plan* as a public document will contribute to the commitment from Council to continue to communicate with our community and be open and transparent in our actions.

**MOVED: COUNCILLOR RAEBURN  
SECONDED: COUNCILLOR LITTLE**

***That Council endorse the ‘Strathbogie Shire Council RE3 – Reset, Reboot, Revitalise – Community Recovery Plan’ and release as a public document.***

**151/20 CARRIED**

**9.22 Strathbogie Shire Submission to a Joint Standing Committee Inquiry into the Business Case for the NBN and Experiences of Small Businesses**

Authors: Economic Development Team

Responsible Director: Director Community and Planning (Acting)

***EXECUTIVE SUMMARY***

A Strathbogie Shire Submission has been prepared in response to calls for submissions from the Joint Standing Committee on the National Broadband Network (NBN) of the Commonwealth Parliament into the business case for the NBN and experiences of small businesses. The submission identifies the shortcomings of the NBN and mobile coverage for our Shire, considers the impact of Covid-19, calls for improvements, recommends recognition of the Goulburn Region Digital Plan and collaboration at all levels of Government to deliver an equitable offering of superfast broad band to the region.

The submission supports further development and improvements in the delivery of digital connectivity to communities and businesses in the Strathbogie Shire. Furthermore, providing a submission is consistent with a commitment to achieve best outcomes for the municipality for the future and being engaged in strategic decision making.

***MOVED: COUNCILLOR RAEBURN  
SECONDED: COUNCILLOR THOMSON***

***That Council:***

- 1. Notes and endorses the submission to be sent to the Commonwealth Joint Standing Committee of Inquiry on the National Broadband Network (NBN) of the Commonwealth Parliament into the business case for the NBN and experiences of small businesses.***
- 2. Authorise officers to submit the letter, submission response and associated supporting documentation to the Inquiry.***

***152/20 CARRIED***

## **9.23 Adoption of Strathbogie Shire Council Community Local Law No. 2 of 2020**

Author: Team Leader Compliance

Responsible Director: Director Corporate Operations

### ***EXECUTIVE SUMMARY***

Council's current Community Local Law No 6 (2010) is due to expire on 7 October 2020. It contains a number of provisions in relation to the use of Council land and restrictions on private land with the objective to ensure the safety of our community and protect neighbourhood amenity.

The draft Local Law contains a number of provisions around the use of Council property and private property with a number of new provisions as well as former provisions being either deleted or consolidated.

The draft document was reviewed by a Project Reference Group, which included two community representatives and was then placed on public exhibition of 28 days through August and September 2020, as required by sections 119 and 223 of the *Local Government Act 1989* (the 1989 Act).

Two online community meetings were held during the public exhibition as a response to community concerns being raised about a number of issues.

A total of 59 submissions were received during the exhibition period of which 3 elected to present a verbal submissions to a Special Meeting of Council on 8 September 2020.

In response to the issues raised by the community during the public exhibition process, a number of changes have been made to the Local Law including changes to provisions around the droving of stock, drones, shipping containers, animal excrement, permit requirements and penalties for breaching the Local Law.

The draft Local Law is now submitted to Council for adoption following the refinement of the local law in response to community engagement.

***MOVED: COUNCILLOR MASON (with the inclusion of a new Recommendation 2)***

***SECONDED: COUNCILLOR RAEBURN***

***That Council:***

- 1. Having considered all written and verbal submissions during the public consultation process undertaken under Section 223 of the Local Government Act 1989, and having made a number of amendments to the draft Local Law in response the issues raised, adopt Strathbogie Shire Council Community Local Law No.2 of 2020, which is made under the powers vested in Council under Section 111 of the Local Government Act 1989.***



9.23 Adoption of Strathbogie Shire Council Community Local Law No. 2 of 2020 (cont.)

2. ***Amend Clause 4(a) of the Local Law to make the commencement date 7 October 2020.***
3. ***Place a notice:***
  - *in the Government Gazette*
  - *in locally circulating newspapers*
  - *on Council's website and social media pages regarding the adoption of the local law****in accordance with Section 119(3) of the Local Government Act 1989.***
4. ***Send a copy of the adopted Strathbogie Shire Council Community Local Law No.2 2020 to the Minister for Local Government in accordance with Section 119(4) of the Local Government Act 1989.***
5. ***Make hard copies and electronic copies of the Strathbogie Shire Council Community Local Law No.2 2020 available at the Shire's Customer Service Centres and on the Shire's website in accordance with Section 120 of the Local Government Act 1989.***
6. ***Notify each submitted in writing of this decision and the reasons for that decision, including if and how the Local Law was changed in response to the issues their submission raised in accordance with section 223 (1) (d) (ii) of the Local Government Act 1989.***
7. ***Direct Officers to complete procedures for assessment of permit applications, using permit considerations included in the draft as a guide. The procedures must be approved by the Chief Executive Officer and made publicly available before January 2021.***

153/20 **CARRIED**

## **9.24 Business Management System**

### ***EXECUTIVE SUMMARY***

The September 2020 Business Management System Report includes reports as follows:-

- Building Department – August 2020 Statistics
- Planning Department – Planning Application Approvals – Development Cost (Capital Improved Value) - August 2020
- Customer Enquiry Analysis Report – Report for August 2020
- Waste Management Reporting ~ Year to Date - August 2020
- Actioning of Council Reports Resolutions – Council Meeting 18 August 2020
- Outstanding Actions of Council Resolutions to 31 August 2020
- Review of Council Policies and Adoption of new Policies – August/September 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 MASON***

***That the report be noted.***

***154/20 CARRIED***

**10. NOTICES OF MOTION**

**10.1 NOTICE OF MOTION (REF. NO. 6/2020) – ORDINARY COUNCIL MEETING  
- 15 SEPTEMBER 2020**

**Notice of Motion – Lodged by Councillors Amanda McClaren, Robert Gardner, Malcolm Little, John Mason, Chris Raeburn, Alistair Thomson and Graeme Williams (Ref. No. 6/2020)  
- West Gate Tunnel Project**

As a matter of urgency, write to the Hon. Dan Andrews MP Premier of Victoria, the Hon Jacinta Allen Minister for Transport and for the Coordination of Transport and the State Government Department of Transport to reinforce Councils' position that the contra-flow option along the northbound lane of the Hume Freeway is the preferred option to be adopted for the diversion of oversized over mass (OSOM) vehicles and that Avenel Longwood and Alexandersons Roads are only to be utilised during any contra-flow movements in cases of emergency.


**MOVED: COUNCILLOR LITTLE  
SECONDED: COUNCILLOR WILLIAMS**

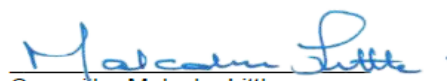
***That Council:***

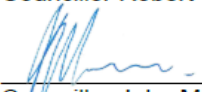
- 1. Write to the Hon Dan Andrews, Premier of Victoria, the Hon Jacinta Allen, Minister for Transport, and for the Coordination of Transport and the State Government Department of Transport that Council strongly reinforces its position in supporting the consideration of a contra-flow option aimed at the transportation of the OSOM vehicles intended for the Westgate Tunnel Project and if this option is adopted, the proposed use of Avenel Longwood and Alexandersons Roads are only to occur in emergency situations and not for northbound traffic deviation during the contra-flow operation; and***
- 2. Advise the Longwood/Locksley community of this decision.***

**155/20 CARRIED**

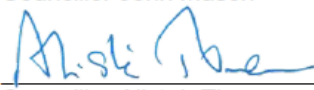
  
\_\_\_\_\_  
Mayor, Councillor Amanda McClaren


  
\_\_\_\_\_  
Councillor Robert Gardner

  
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Councillor Malcolm Little

  
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Councillor John Mason

  
\_\_\_\_\_  
Councillor Chris Raeburn

  
\_\_\_\_\_  
Councillor Alistair Thomson

  
\_\_\_\_\_  
Councillor Graeme Williams

Date : 10 / 09 / 2020

## 11. NOTICES OF RESCISSION

### 11.1 **Notice of Rescission Motion – Item 9.7.9 from Council Meeting 18 August 2020 ~ Proposed Memorandum of Understanding with the Taungurung Land & Waters Council (Ref. Nos 04/2020 and 05/2020)**

On 19 August 2020, the Chief Executive Officer received a 'Notice of Rescission' for Item 9.7.9 of the Ordinary Council meeting agenda of 18 August 2020 from Councillor Chris Raeburn. This notice was lodged under sections 76 and 77 of Strathbogie Shire Council's Meeting Procedure Local Law No. 1 of 2014 which was operational at the time; Council's Governance Rules did not come into force until 1 September 2020 as per the Council resolution from 25 August 2020.

The motion under request for rescission is:

*That Council authorise the Mayor and Chief Executive Officer to enter into a Memorandum of Understanding with the Taungurung Land and Waters Council after having:*

- 1. A broad-based discussion and information sessions with ratepayers, residents and the TLaWC; and*
- 2. As per the Council Plan developing an MOU in conjunction with other LGAs and in the TLaWC area.*

The Notice of Rescission was delivered within the 24 hour period after the resolution was made and in accordance with the Local Law requirements.

As per Section 78 of Local Law No. 1, for a Council to rescind a previous decision, it must be carried by a majority of the votes cast.

***MOVED: COUNCILLOR RAEBURN  
SECONDED: COUNCILLOR THOMSON***

***That Council:***

- 1. Rescind the Recommendation for Item '9.7.9' from the Ordinary Council meeting agenda of 18 August 2020, viz;***

***That Council authorise the Mayor and Chief Executive Officer to enter into a Memorandum of Understanding with the Taungurung Land and Waters Council after having:***

- 1. A broad-based discussion and information sessions with ratepayers, residents and the TLaWC; and***
- 2. As per the Council Plan, developing an MOU in conjunction with other LGAs in the TLaWC area.***

11.1 Notice of Rescission Motion – Item 9.7.9 from Council Meeting 18 August 2020 ~ Proposed Memorandum of Understanding with the Taungurung Land & Waters Council (Ref. Nos 04/2020 and 05/2020) (cont.)

**2. Resolve to move -**

***That Council:***

- 1. Undertake broad based consultation with ratepayers, residents and the TLaWC in relation to the development of a Memorandum of Understanding between Strathbogie Shire Council and the TLaWC.***
- 2. Receive a further report from Officers on the outcome of the consultation process.***

**156/20 CARRIED**

**Cr Gardner called for a division**

**For the Motion: Councillors Raeburn, Mason, McClaren, Thomson**

**Against the Motion: Councillors Gardner, Little, Williams**

## 12. URGENT BUSINESS

## 13. CONFIDENTIAL BUSINESS

That Council, in conformance with section 66(2)(a) and the definitions for confidential matters under Part 1, section 3 Definitions of the Local Government Act 2020 (the Act), resolve to close the meeting to members of the public for the purpose of considering an item relating to:-

### C.B. 1 Chief Executive Officer Performance Appraisal

In accordance with section 66(5) of the Act, this item is classified as confidential under the following definition outlined by section 3 of the Act

(f) *personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs*

This ground has been applied to this matter as it relates to personnel matters and the six-month performance review of the Chief Executive Officer undertaken by Council.

**9.25 p.m.**

**MOVED: COUNCILLOR RAEBURN  
SECONDED: COUNCILLOR MASON**

**157/20 CARRIED**

### **Confidential Appendices**

These appendices have been classified as being confidential in accordance with section 66(2)(a) and Part 1, section 3 Definitions of the Local Government Act 2020 as they relate to:

(g) *private commercial information, being information provided by a business, commercial or financial undertaking that -*  
(i) *relates to trade secrets; or*  
(ii) *if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage*

- Appendix 1: Tender for Contract Number 20/21-12: Environmental Monitoring at the Violet Town Landfill
- Appendix 2: Tender for Contract Number 20/21-10: Supply and Installation of Public Amenities Violet Town
- Appendix 3: Tender for Contract Number 20/21-08: Supply and Install of Water Tanks – Various Locations (Avenel, Creighton's Creek, Euroa, Gooram, Ruffy, Strathbogie and Violet Town)
- Appendix 4: Tender for Contract Number 20/21-23 Ranger and Local Laws Enforcement Services
- Appendix 5: Tender for Contract Number 20/21-22: Provision of Boating Safety Operations
- Appendix 6: Tender for Contract Number 20/21-20: Operation and Management of Municipal Swimming Pools

**9.58 p.m.**

**MOVED: COUNCILLOR LITTLE  
SECONDED: COUNCILLOR MASON**

**That Council open the meeting to members of the public and resume normal business.**

**159/20 CARRIED**

*(Cr Williams was absent at the time the meeting was re-opened. He returned to the meeting shortly thereafter.)*

**Confirmation of Confidential Business Decision/s**

***Confidential Business Decision/s -***

**C.B. 1 Chief Executive Officer Performance Appraisal**

**MOVED: COUNCILLOR THOMSON  
SECONDED: COUNCILLOR RAEBURN**

***That Council:***

- 1. Adopt the Interim Performance Appraisal Report for its Chief Executive Officer, Ms Julie Salomon, for 2020.***
- 2. Ensure the Interim Performance Appraisal Report remains confidential.***
- 3. Authorises the Mayor to make any necessary public comments about the Chief Executive Officer Performance Appraisal process.***

**158/20 CARRIED**

**MOVED: COUNCILLOR RAEBURN  
SECONDED: COUNCILLOR LITTLE**

***That the decision/s of Council's Confidential Business considerations be confirmed.***

**160/20 CARRIED**

*The Mayor read the following statement -*

Council is pleased to make the following statement following an extensive performance appraisal process undertaken in August 2020, as specified in the CEO Contract.

The CEO Appraisal process included a full 360 degree review which engaged and sought feedback from Councillors, Executive Staff and Management as well as a selection of key stakeholders across business, government, regional development and community.

Council acknowledges our Chief Executive Officer's performance, since she commenced with us in January 2020, has been highly commendable under particularly difficult circumstances with the COVID-19 Pandemic.

We look forward to the CEO working with Council and our community leading the municipality into the recovery from the impacts COVID-19.

More than this, we are excited to see the plans for community engagement – become a reality.

### **NEXT MEETING**

The final Ordinary Meeting of the Strathbogie Shire Council for this current term of Council is scheduled to be held, virtually, on Tuesday 20 October 2020, commencing at 6.00 p.m.

***THERE BEING NO FURTHER BUSINESS, THE MEETING CLOSED AT 10.01 P.M.***

Confirmed as being a true and accurate record of the Meeting

.....  
Chair

.....  
Date