



STRATHBOGIE SHIRE COUNCIL

**MINUTES/DECISIONS OF THE MEETING OF THE STRATHBOGIE SHIRE COUNCIL
HELD VIRTUALLY ON TUESDAY 19 JANUARY 2021, COMMENCING AT 6.00 P.M.**

Chair:	Chris Raeburn (Mayor)	<i>(Honeysuckle Creek Ward)</i>
Councillors:	Melanie Likos (Deputy Mayor)	<i>(Lake Nagambie Ward)</i>
	Laura Binks	<i>(Mount Wombat Ward)</i>
	Reg Dickinson	<i>(Lake Nagambie Ward)</i>
	Sally Hayes-Burke	<i>(Seven Creeks Ward)</i>
	Kristy Hourigan	<i>(Seven Creeks Ward)</i>
	Paul Murray	<i>(Hughes Creek Ward)</i>
Officers:	Julie Salomon	Chief Executive Officer (CEO)
	David Roff	Director, Corporate Operations (DCO)
	Amanda Tingay	Director, Community and Planning (DCP)
	Kristin Favaloro	Executive Manager, Communications and Engagement (EMCE)

Until further notice, all meetings conducted by Strathbogie Shire Council will be virtually, and live streamed on our website at www.strathbogie.vic.gov.au. This ensures we are meeting the Victorian Government's COVID-19 social distancing requirements to help keep our communities safe.

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

lll

1. Welcome
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

Dawn Bray

Executive Manager, Governance and Customer Service (EMGCS)
4. Disclosure of Conflicts of Interest
 - Cr Hourigan declared a General conflict of interest under section 127 of the Local Government Act 2020 in relation to Item 9.2 (Planning Application No.P2020-140 - Two (2) Lot Subdivision - Use and development of land for a dwelling ~ 239 Cowells Lane, Euroa) due to having a close working relationship with the land owner
 - Cr Hayes-Burke declared a Material conflict of interest under section 128 of the Local Government Act 2020 in relation to Item 9.11 (Australian Rail Track Corporation (ARTC)) due to living adjacent to the railway line and having a family business which is in close proximity to the railway line
 - The Mayor declared a Material conflict of interest under section 128 of the Local Government Act 2020 in relation to Item 9.7 (Tender for Contract Number 20/21-57: Violet Town Netball Multi-Purpose Court – Design & Construct) due to being a member of the Violet Town Football Netball Club, but not on the Committee or having any representation on the Committee of the Club
5. Confirmation of Minutes of Previous Meetings
- Ordinary Council Meeting Tuesday 15 December 2020

MOVED: COUNCILLOR MURRAY
SECONDED: COUNCILLOR HOURIGAN

32-20/21 **CARRIED**
6. Petitions
Nil
7. Reports of Mayor and Councillors and Delegates
Cr Murray reported on his attendance at a Friendlies Oval meeting and commended all those involved in the work that's gone into the development of this facility.

The Mayor advised he and Cr Hayes-Burke also attended this meeting, and reiterated all the good work put in by the local community to make that

The Mayor delivered the following update to the meeting

I wanted to quickly take this opportunity to update our community on some important topics.

Firstly, on our advocacy work to close the digital divide between us at the city.

As you may be aware, I spoke to the Joint Standing Committee inquiry into the National Broadband Network in December and told them the struggle for internet speed and reliability in the region is unacceptable.

Since then Council Officers and I have had two meetings with NBNCO and I'm happy to say these discussions have been positive.

The most recent was in Violet Town where NBNCO representatives met with local farmers and members of the local agricultural industry.

They were able to share their frustration with dropouts, congestion, and slow internet speeds.

We have more of these sessions planned and we're working with NBNCO to make sure we continue to improve service in our Shire.

And reminder to our community, especially in Nagambie, that we are holding a drop-in day at the Nagambie Lakes Regatta Centre on Monday, February 1 from 3pm to 7pm.

This is an opportunity for people to come and speak to Councillors and Council Officers about the planning application to develop a caravan and camping site at 82 Kirwans Bridge Rd.

Interested people can come at any time between 3pm and 7pm and have a discussion with me or any Councillor or officer.

While I'm on the topic of community engagement, I wanted to let you know about some plans we have in the pipeline.

Councillors will be holding face-to-face opportunities for locals in each ward in coming months.

You can expect to see us at community markets, or maybe just popping up in the main street or park.

We want to hear from our community about what matters to them.

These face-to-face opportunities will be just one way of sharing your thoughts and feedback, but also ways for us to share important information with our community.

We're also about to start recruiting for our community forum – which is part of our new approach to community engagement.

This is about making sure our community has input into our vision, our direction, our priorities and how we spend important ratepayer dollars.

KE

I encourage you to stay connected with us through our social media channels or by the new column we're running in our local newspapers.

We'll keep sharing information every way we can on how to get involved.

I'd also like to let the Councillors and community in Violet Town know that I'll be at the local café every Friday from 1pm to 5pm, so anyone in Honeysuckle Creek can come and visit and have a chat to me – except when Collingwood plays on a Friday night; so I do have to apologise for that.

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.

Council Ref: L&MT: 01/2021

I wish to source information (if any) for the protection of long-standing eucalyptus trees that have matured intermittently in Wignell St, Euroa?

There appears to be urban development on the West side of Wignell Street, Euroa. Wignell Street is an unsealed road with majestic local eucalyptus trees.

Increase vehicles traveling over root zones of the trees has the potential to threaten their survival.

Does the Council have an action plan to preserve the vegetation of Wignell St, Euroa?

Response provided by the CEO

Thank you for question, Linda and Michael, and further to your enquiry, I can advise the following.

Wignell Street is a Gazetted Road, but while the first section from Kennedy Street (some 90 metres) is on Council's Road Register, the balance through to Boundary Road South is Crown Land and responsibility for trees in this area is the responsibility of the Department of Environment, Land, Water and Planning (DELWP). Consent for any works within the Road Reserve needs to be sought through that Department.

Development on the EAST side of Wignell Street is occurring for a single dwelling which required Planning approval due to the zoning being Farm Zone. Land on the WEST is zoned General Residential Zone and a single house does not require permission for that use.

When planning applications are received for developments, they are referred to a number of statutory authorities, such as DELWP, who may decide to recommend that Council place conditions on a permit.

In regard to protection of the majestic local eucalyptus trees and increase in vehicles travelling over root zones of the trees which has the potential to threaten their survival, this is acknowledged and Council has been advised that this is increasing, and we will refer the matter to the appropriate authority, namely DELWP for further investigation.

How we can proceed to ensure that all community concerns are taken into consideration will need to be tabled via a report to Council and would need community consultation.

8. Public Question Time

Council Ref: TM: 02/2021

As per tonight's Agenda, as per the report index of 9.4 Planning Applications Received and Planning Applications Determined 1-31 December 2020 on page 55, under application number P2020-163 (page 57), 45-85 Boundary Road South, Euroa, Staged Subdivision for 52 lots, should be brought to Council and outline the future development of lot sizes, drainage (storm water), kerb and channel, footpaths and parks lots.

What overlays apply, and other services.

Response provided by the CEO

Thank you for your question, Tom, and the response to your question is -

In response to Item 9.4 of the Council Agenda, please note that the application for a Staged Subdivision at 45-85 Boundary Road South, Euroa, has been lodged as noted in the applications received list.

The application will commence the process of review and request for further information, if and as required. Once sufficient information is provided, the application will be notified to all relevant authorities including internally to Council's Asset department for comment on proposed conditions should a permit be issued. All abutting properties will be notified and a sign on the property, along with relevant application documentation being placed on Council's website and in our local newspaper column, as a minimum.

This process informs our Planners of areas of relevance and consideration to assist in their full assessment of the application.

Should Council wish to call the application in to hear the matter, Council will follow due process to enable this to occur. In addition, should the application receive submissions whereby there is an objection to the proposal, officers will prepare a Council report to be heard before Council.

As part of the assessment of the application, infrastructure as outlined within your question of Council, is considered and reviewed against relevant standards and guidelines and forms requirements via permit conditions, should permit issue, for works to be completed and costs to be paid by a developer.

The subject site is zoned general residential zone and is seen as infill development for residential use. The site is affected by the Land Subject to Inundation overlay which the Goulburn Broken Catchment Management Authority is the relevant authority, who will be part of the referral process.

- 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 next Ordinary Meeting of the Strathbogie Shire Council is scheduled to be held on Tuesday 16 February 2021, at the Euroa Community Conference Centre, commencing at 6.00 p.m.

REPORTS INDEX

		Page No.
9.	OFFICER REPORTS	
9.1	Planning Application No. P2020-019 - Use and development of land for a dwelling ~ 114 Jeffries Road, Locksley	1
9.2	Planning Application No. P2020-140 - Two (2) Lot Subdivision - Use and development of land for a dwelling ~ 239 Cowells Lane, Euroa	7
9.3	Request for Waiver of Fees - Planning Application No. P2020-150: Development of land for a shed – 33 Filson Street, Nagambie Vic 3608	9
9.4	Planning Applications Received and Planning Applications Determined - 1 to 31 December 2020	10
9.5	Tender for Contract Number 19/20-44: Mullers Road – Road Reconstruction – Stage 2	11
9.6	Tender for Contract Number 20/21-61: Shoulders Pavement Program (Ewing's Road, Avenel & Goulburn Weir – Murchison Road, Kirwans Bridge)	13
9.7	Tender for Contract Number 20/21-57: Violet Town Netball Multi-Purpose Court – Design & Construct	15
9.8	Tender for Contract Number 19/20-43: Longwood-Ruffy Road, Tarcombe Road Reconstruction – Stage 2	17
9.9	Tender for Contract Number 20/21-60: Avenel Ewing's Road and Livingston Street Intersection Upgrade	19
9.10	Mid-Year Budget Review 2020/21	21
9.11	Australian Rail Track Corporation (ARTC)	22
9.12	Business Management System	23
10.	NOTICES OF MOTION	24
	Nil	
11.	NOTICES OF RESCISSION	24
	Nil	
12.	URGENT BUSINESS	24
	Nil	
13.	CONFIDENTIAL BUSINESS	24

HL

9. REPORTS

9.1 Planning Application No. P2020-019

- Use and development of land for a dwelling ~ 114 Jeffries Road, Locksley

Author: Principal Planner

Responsible Director: Director Community and Planning

The applicant was provided the opportunity to dial into the meeting while the application was considered/determined.

EXECUTIVE SUMMARY

- The proposal is for use and development of a dwelling.
- The application was advertised, and no objections were received.
- The application is being heard before Council due to the proposal being for a dwelling on a lot less than the as of right size (40 hectares) in the Farming Zone.
- The application has not been assessed within the 60-day statutory timeframe due to delays due to agenda timeframes for council meetings.
- 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 grant a permit in accordance with the Officer's recommendation.

Application is for:	Use and Development of land for a Dwelling
Applicant's/Owner's Name:	Sandro Tomaino
Date Received:	04 March 2020
Statutory Days:	70
Application Number:	P2020-019
Planner: Name, title & department	Melissa Crane Principal Planner Planning and Investment Department
Land/Address:	Lot 1 on Plan of Subdivision 125177 Certificate of title Volume 09482 Folio 511 Parish of Monea South 114 Jeffries Road, Locksley VIC 3665
Zoning:	Farming Zone
Overlays:	No Overlay
Is a CHMP required?	No, the site is not in an area of cultural sensitivity.
Is it within an Open Potable Catchment Area?	No, the site is not in an open potable catchment area.
Under what clause(s) is a permit required? (include description)	Clause 35.07, Farming Zone – Permit required for a dwelling on a lot less than 40 hectares Clause 35.07, Farming Zone – Buildings and works associated with a section 2 use.
Restrictive covenants on the title?	No
Current use and development:	Agriculture

- 9.1 Planning Application No. P2020-019
- Use and development of land for a dwelling ~ 114 Jeffries Road, Locksley (cont.)

MOVED: COUNCILLOR MURRAY
SECONDED: COUNCILLOR HAYES-BURKE

That Council

- *having Caused notice of Planning Application No. P2020-019 to be given under Section 52 of the Planning and Environment Act 1987 and having considered all the matters required under Section 60 of the Planning and Environment Act 1987 decides to grant a permit under the provisions of Clause 35.07 Farming Zone of the Strathbogie Planning Scheme in respect of the land known as Lot 1 on Plan of Subdivision 125177 Certificate of title Volume 9482 Folio 511 Parish of Monea South, 114 Jefferies Road, Locksley VIC 3665, for the use and development of land for dwelling, in accordance with endorsed plans, subject to the following conditions:*

Endorsed Plans:

1. *The development must be sited and constructed in accordance with the endorsed plans. These endorsed plans can only be altered or modified with the prior written approval of the Responsible Authority, or to comply with statutory requirements.*

Section 173 Agreement:

2. *Prior to the commencement of works a Section 173 Agreement must be entered into at no cost to Council, which ensures the following:*
 - (a) *Prevent subdivision of the land so as to excise the dwelling.*
 - (b) *Require that the use of the land for a dwelling must be undertaken in accordance with an agricultural use of the property in accordance with the Whole Farm Plan endorsed as part of this permit.*
 - (c) *The Owner acknowledges and accepts that the possibility of nuisance from adjoining or nearby agricultural operations may occur. The possible off site impacts include but are not limited to dust, noise, odour, waste, vibration, soot, smoke or the presence of vermin, from animal husbandry, animal waste, spray drift, agricultural machinery use, pumps, trucks and associated hours of operation.*

The Section 173 Agreement must be prepared by Council's solicitors, to the satisfaction of the Responsible Authority and must be recorded on the folio of the Register to the subject land pursuant to Section 181 of the Planning and Environment Act 1987.



- 9.1 Planning Application No. P2020-019
- Use and development of land for a dwelling ~ 114 Jeffries Road, Locksley (cont.)

Engineering Conditions:

Rural Vehicle Crossing Location

3. *Prior to the commencement of works on site, any new, relocated, alteration or replacement of required vehicular entrances to the subject land from the road shall be constructed at a location and of a size and standard in accordance with the requirements of the relevant Authority and shall be at the applicant's expense. The final location of the crossing is to be approved by the Responsible Authority via a Vehicle Crossing Permit. Reference should be made to Clause 12.9.2 "Rural Vehicle Crossings" of the Infrastructure Design Manual. Refer to standard drawing SD255 for small vehicles or SD265 for large vehicles.*
4. *The vehicular crossing shall have satisfactory clearance to any power or Telecommunications pole, manhole cover or marker, or street tree and have a minimum of 50mm of gravel from the shoulder to the property boundary.*

Internal Access Roads

5. *Prior to the commencement of the use all 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.*

Rural Drainage - Works

6. *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.*
7. *Appropriate steps must be taken to retain all silt and sediment on site during the construction phase to the satisfaction of the Responsible Authority and must be carried out in accordance with Construction Techniques for Sedimentation Pollution Control (EPA publication No. 275, May 1991)*
8. *Prior to the commencement of any works, the design parameters for any defined watercourse crossing(s), both structural and hydraulic design, shall be approved by the Responsible Authority (GBCMA – Works on Waterways Permit).*

- 9.1 Planning Application No. P2020-019
- Use and development of land for a dwelling ~ 114 Jeffries Road, Locksley (cont.)


Council's Assets

9. *Prior to commencement of development, the owner or developer must submit to the Responsible Authority a written report and photos of any prior damage to public infrastructure. Listed in the report must be the condition of kerb & channel, footpath, seal, streetlights, signs and other public infrastructure fronting the property and abutting at least two properties either side of the development. Unless identified with the written report, any damage to infrastructure post construction will be attributed to the development. The owner or developer of the subject land must pay for any damage caused to the Councils assets/Public infrastructure caused as a result of the development or use permitted by this permit.*

Environmental Health Conditions:

10. *Prior to installation works commencing on the septic tank system, a Permit to Install must be obtained from Council.*
11. *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.*
12. *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).*
13. *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 and the Guidelines for Environmental Management: Code of Practice – Onsite Wastewater Management 891.4 (2016).*

General Conditions:

14. *The external cladding of the proposed buildings, including the roof, must be constructed of materials in good order and condition and must be of muted colours to enhance the aesthetic amenity of the area. Material having a highly reflective surface must not be used.*
- 

9.1 Planning Application No. P2020-019
- Use and development of land for a dwelling ~ 114 Jeffries Road, Locksley (cont.)

15. 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.**

Bushfire Protection Measures:

Water Supply

16. A minimum of 10,000 litres of effective water supply for firefighting purposes must be provided which meets the following requirements:

- Be stored in an above ground water tank constructed of concrete or metal.**
- Have all fixed above ground water pipes and fittings required for firefighting purposes made of corrosive resistant metal.**
- Include a separate outlet for occupant use.**
- Be readily identifiable from the building or appropriate identification signage to the satisfaction of the relevant fire authority.**
- Be located within 60 metres of the outer edge of the approved building.**
- The outlet/s of the water tank must be within 4 metres of the accessway and unobstructed.**
- Incorporate a separate ball or gate valve (British Standard Pipe (BSP 65 millimetre) and coupling (64-millimetre CFA 3 thread per inch male fitting).**
- Any pipework and fittings must be a minimum of 65 millimetres (excluding the CFA coupling)**

Access

17. Access for fire-fighting purposes must be provided which meets the following requirements:

- All weather construction.**
- A load limit of at least 15 tonnes.**
- Provide a minimum trafficable width of 3.5 metres**
- Be clear of encroachments for at least 0.5 metre on each side and at least 4 metres vertically.**
- Curves must have a minimum inner radius of 10m.**
- The average grade must be no more than 1 in 7 (14.4 per cent) (8.1 degrees) with a maximum of no more than 1 in 5 (20 per cent) (11.3 degrees) for no more than 50m.**
- Dips must have no more than a 1 in 8 (12.5 per cent) (7.1 degrees) entry and exit angle.**

- 9.1 Planning Application No. P2020-019
- Use and development of land for a dwelling ~ 114 Jeffries Road, Locksley (cont.)

Permit Expiry:

18. 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.**

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.**
- This Permit does not authorise the creation of a new access way/crossover. Before any such development may commence, the Applicant must apply for and obtain appropriate approval from Council.**

33-20/21 **CARRIED**

ME

9.2 Planning Application No. P2020-140

**Two (2) Lot Subdivision - Use and development of land for a dwelling ~ 239
Cowells Lane, Euroa**

6.17 p.m.

Cr Hourigan left the meeting due to stating a material conflict of interest in this matter.

Author: Town Planner

Responsible Director: Director Community and Planning

EXECUTIVE SUMMARY

- The proposal is for a two (2) lot subdivision (house lot excision) and the use and development of the land for a dwelling.
- The site has an area of 24.98 hectares.
- The site is in the Farming Zone and is affected in part by both the Land Subject to Inundation Overlay and the Floodway Overlay.
- The application was referred internally to Council's Asset Services and Environmental Health Departments who have consented to the proposal, subject to conditions.
- The application was referred externally to the Goulburn Broken Catchment Management Authority who has consented to the proposal subject to conditions regarding the floor height of the dwelling.
- The application was referred to APA who consent to the proposal.
- An assessment against the Farming Zone, Floodway Overlay and Land Subject to Inundation Overlay, Decision Guidelines and State and Local Policies indicates the proposal is consistent with these provisions of the Strathbogie Planning Scheme.
- The application was advertised to adjoining landowners and no objections have been received.
- The application is being presented to Council as the proposal is for the development of a dwelling on a lot less than 80 hectares.
- The application has been assessed outside the 60-day statutory time period due to the Christmas holiday period.
- It is recommended Council resolve to grant a Permit subject to conditions as outlined in the Officer's recommendation.

The Director, Community and Planning advised that Council had received an application today, Tuesday 19 January 2021, objecting to this planning permit. In light of that objection, it is now recommended that an amendment be made to the Recommendation, and that Recommendation be that Council resolve to Issue a Notice of Decision to grant a Permit, subject to the conditions, as outlined in the officer's Recommendation. The amendments are to be made to the Executive Summary, the fourth line in the Recommendation and in the 'Conclusion' component of the report.

Application is for:	Two (2) Lot Subdivision and the Use and Development of the land for a dwelling and shed
Applicant's/Owner's Name:	Troy Spencer Planography Pty Ltd
Date Received:	27 October 2020 Application Received 29 October 2020 Fee Paid

9.2 Planning Application No. P2020-140
Two (2) Lot Subdivision - Use and development of land for a dwelling ~ 239 Cowells Lane, Euroa (cont.)

Statutory Days:	67
Application Number:	P2020-140
Planner: Name, title & department	Trish Hall Town Planner Planning and Investment Department
Land/Address:	Lot 2 Plan of Subdivision 94006, Certificate of Title Volume 8917 Folio 633, 239 Cowells Lane, Euroa VIC 3666
Zoning:	Farming Zone
Overlays:	Land Subject to Inundation Overlay (Part) Floodway Overlay (Part)
Is a CHMP required?	No The subject site is not within a Culturally Sensitive area.
Is it within an Open Potable Catchment Area?	No The subject site is not within an Open Potable Water Catchment Area
Under what clause(s) is a permit required?	Clause 35.07-1 Use and development of land for a dwelling on a small lot in the Farming Zone Clause 35.07-3 Subdivision in the Farming Zone Clause 35.07-4 Buildings and works in the Farming Zone Clause 44.01-2 Building and works in the Land Subject to Inundation Overlay Clause 44.01-3 Subdivision in the Land Subject to Inundation Overlay Clause 44.03-3 Subdivision in the Floodway Overlay
Restrictive covenants on the title?	Nil
Current use and development:	Agriculture and Dwelling

MOVED: COUNCILLOR MURRAY
SECONDED: COUNCILLOR HAYES-BURKE

Motion:

That the planning permit application for 239 Cowells Lane, Euroa, be deferred due to the need for Councillors to be able to review the objection that has just arrived.

34-20/21 ***CARRIED***

6.23 p.m.
Cr Hourigan returned to the meeting

lll

9.3 Request for Waiver of Fees
- Planning Application No. P2020-150: Development of land for a shed – 33
Filson Street, Nagambie Vic 3608

Author: Town Planner

Responsible Director: Director Community and Planning

EXECUTIVE SUMMARY

This report is in relation to a request for the waiver of fees for a VicSmart planning permit application (P2020-150). The planning fees for the above proposal are \$199.90.

The request has been made due to the applicant being a not for profit community group (Nagambie Lakes Men's Shed).

The Planning Permit proposal is for the development of land for a shed (Shipping Container to be utilised to store materials and equipment including BBQ for the Nagambie Lakes Men's Shed).

In considering a request to waive fees for an application lodged under Section 47 of the *Planning and Environment Act 1987*, a fee can only be waived pursuant to section 20 of the *Planning and Environment Regulations (Fees) 2016*.

The request complies with section 20(d) of these Regulations as the Men's Shed is a not for profit organisation.

MOVED: DEPUTY MAYOR LIKOS
SECONDED: COUNCILLOR DICKINSON

That Council:

- 1. Notes the request by the Nagambie Lakes Men's Shed to waive a planning permit application fee.***
- 2. Waives the \$199.90 VicSmart application fee under Section 20(d) of the Planning and Environment Regulations (Fees) 2016 for application P2020-150 - development of land for a shed (Storage Container) at 33 Filson Street, Nagambie.***

35-20/21 CARRIED

**9.4 Planning Applications Received and Planning Applications Determined
- 1 to 31 December 2020**

Responsible Officer: Manager Planning and Investment

Listings of Planning Applications Received and Planning Applications Determined for the period 1 to 31 December 2020 – provided for information.

***MOVED: COUNCILLOR HOURIGAN
SECONDED: DEPUTY MAYOR LIKOS***

That the report be noted.

36-20/21 CARRIED

ME

9.5 Tender for Contract Number 19/20-44: Mullers Road – Road Reconstruction – Stage 2

Authors: Manager Projects Delivery and the Senior Project officer

Responsible Director: Director Community & Planning

EXECUTIVE SUMMARY

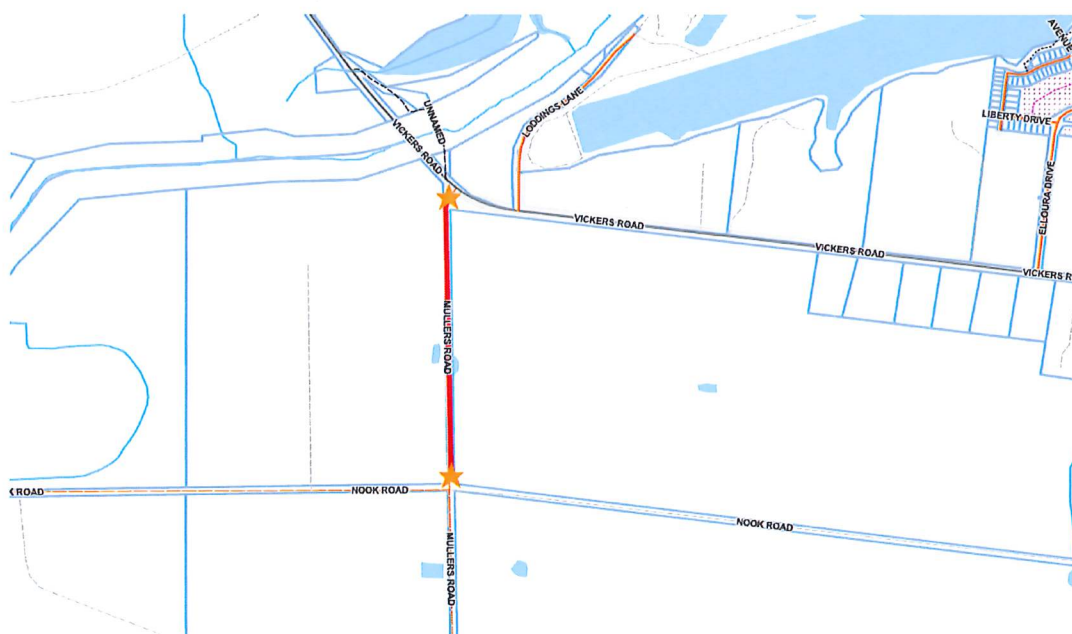
Re-construction of Mullers Stage 2 road has been integrated into the Strathbogie Shire Capital Work Program for the Financial Year 2020-21, being the second stage of the road work currently under construction.

Through public advertisement in local and national newspapers, Council invited tenders for the Work under Contract No. 19/20-44, between 13/11/2020 and 16/12/2020.

Four (4) tenderers submitted tenders for the work. These tenders have been assessed and evaluated by Council Officers and a summary of results outlined in this report. All tenders were found to be conforming.

Having considered the results of the evaluation, it is hereby recommended to the Council that the tender submissions be received and noted, with the tender being awarded to Bitu-mill (Civil) Pty Ltd for a total amount of \$505,987.63 plus GST and advise the tendering parties accordingly.

Subject location



9.5 Tender for Contract Number 19/20-44: Mullers Road – Road Reconstruction – Stage 2 (cont.)

MOVED: COUNCILLOR HAYES-BURKE
SECONDED: DEPUTY MAYOR LIKOS

That Council:

- 1. Receives and notes the outcome of the tender assessment process for Contract No 19/20-44 Mullers Road – Road Reconstruction – Stage 2- Lump Sum as set out in the confidential appendices attached to this agenda;***
- 2. Awards the tender for Contract No 19/20-44 Mullers Road – Road Reconstruction – Stage 2 - Lump Sum to Bitu-mill (Civil) Pty Ltd for a total amount of \$505,987.63 plus GST;***
- 3. Authorises officers to advise the unsuccessful tenderers; and***
- 4. Authorises the Chief Executive Officer to execute the Contract by signing and affixing with the Common Seal of Strathbogie Shire Council.***

37-20/21 CARRIED

lll

9.6 Tender for Contract Number 20/21-61: Shoulders Pavement Program (Ewing's Road, Avenel & Goulburn Weir – Murchison Road, Kirwans Bridge)

Authors: Manager Projects Delivery and the Project Manager

Responsible Director: Director Community and Planning

EXECUTIVE SUMMARY

As part of the Strathbogie Shire Council's approved budget, selected municipal roads are required to be widened and upgraded to meet current requirements that will improve safety based on current traffic volumes and proposed increase of use from proposed developments. To implement the shoulder pavement program, tender documentation was prepared for public advertisement.

Through public advertisement in local and state newspapers, Council invited tenders for the Work under Contract No. 20/21-61 Shoulders Pavement Program (Ewing's Road, Avenel, Goulburn Weir – Murchison Road, Kirwans Bridge) between 20/11/20 and 16/12/20.

Nine (9) tenders were submitted for the work. These tender submissions have been assessed and evaluated by Council Officers, and a summary of results is shown in the attached table.

All tenders were found to be conforming.

Having considered the results of the evaluation, it is hereby recommended to the Council that the tender submissions be received and noted, with the tender being awarded to MACA Infrastructure Pty Ltd for a total amount of \$514,676.00 plus GST and advise the tendering parties accordingly.

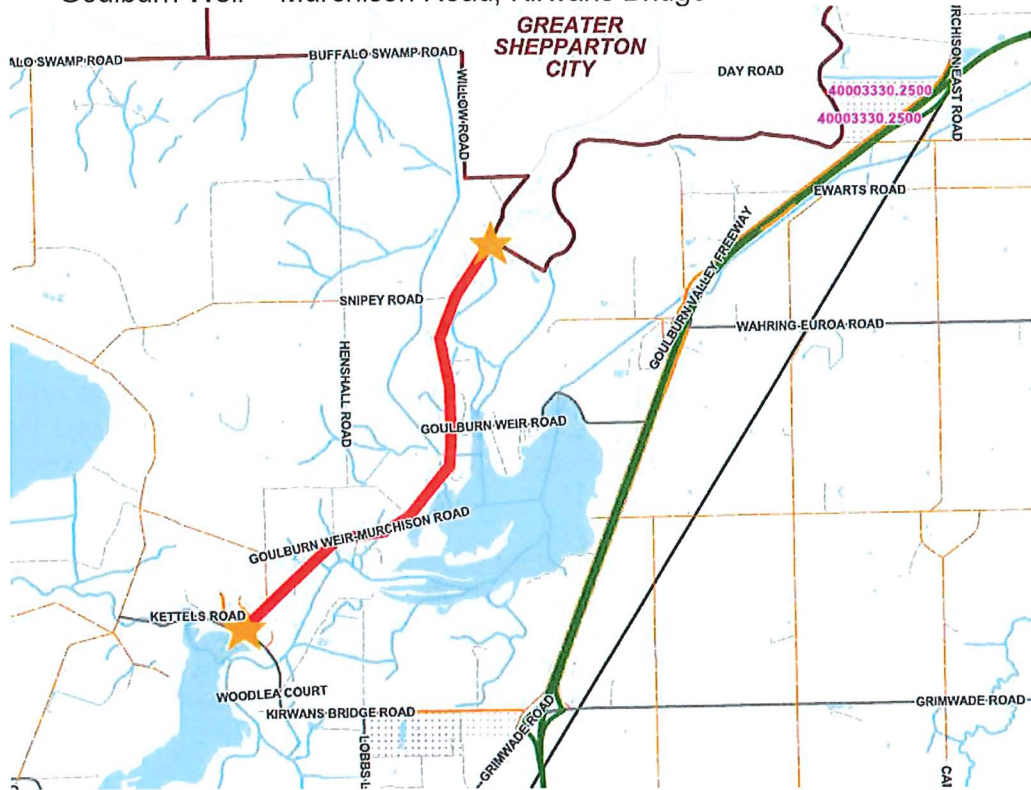
Subject locations

- Ewing's Road, Avenel



9.6 Tender for Contract Number 20/21-61: Shoulders Pavement Program (Ewing's Road, Avenel & Goulburn Weir – Murchison Road, Kirwans Bridge) (cont.)

- Goulburn Weir – Murchison Road, Kirwans Bridge



MOVED: COUNCILLOR MURRAY
SECONDED: COUNCILLOR DICKINSON

That Council:

1. ***Receives and notes the outcome of the tender assessment process for Contract No. 20/21-61 Shoulders Pavement Program (Ewing's Road, Avenel & Goulburn Weir – Murchison Road, Kirwans Bridge) – Lump Sum as set out in the confidential appendices attached to this report;***
2. ***Awards the tender for Contract No. 20/21-61 Shoulders Pavement Program (Ewing's Road, Avenel & Goulburn Weir – Murchison Road, Kirwans Bridge) – Lump Sum to MACA Infrastructure Pty Ltd for a total amount of \$514,676.00 + GST;***
3. ***Authorises officers to advise the unsuccessful Tenderers; and***
4. ***Authorises the Chief Executive Officer to execute the Contract by signing and affixing with the Common Seal of Strathbogie Shire Council.***

38-20/21

CARRIED

kl

9.7 Tender for Contract Number 20/21-57: Violet Town Netball Multi-Purpose Court – Design & Construct

Authors: Manager Projects Delivery and the Project Manager

Responsible Director: Director Community and Planning

EXECUTIVE SUMMARY

As part of the Strathbogie Shire Council's approved budget, the existing multipurpose court in the Violet Town Recreation Reserve is identified as requiring upgrading to improve safety and achieve compliance with current guidelines for netball and tennis activities. To implement the design and construction of the multipurpose court, tender documentation was prepared for public advertisement.

Through public advertisement on the Shire's website, in local and state-wide newspapers, Council invited tenders for the Work under Contract No. 20/21-57 Violet Town Netball Multi-Purpose Court – Design & Construct between 06/11/20 and 02/12/20.

Two (2) tenders were received for the work. These tender submissions have been assessed and evaluated by Council Officers, and a summary of results is shown in the attached table. Having considered the results of the evaluation, it is hereby recommended to the Council awards the tender to iDwala Pty Ltd for a total amount of \$309,969 plus GST and advise the tendering parties accordingly.

Subject location



9.7 Tender for Contract Number 20/21-57: Violet Town Netball Multi-Purpose Court – Design & Construct (cont.)

MOVED: COUNCILLOR BINKS
SECONDED: DEPUTY MAYOR LIKOS

That Council:

- 1. Receives and notes the outcome of the tender assessment process for Contract No. 20/21-57 Violet Town Netball Multi-Purpose Court – Design & Construct – Lump Sum as set out in the confidential appendices attached to this agenda;***
- 2. Awards the tender for Contract No. 20/21-57 Violet Town Netball Multi-Purpose Court – Design & Construct – Lump Sum to iDwala Pty Ltd for a total amount of \$309,969.00 + GST;***
- 3. Authorises officers to advise the unsuccessful Tenderers; and***
- 4. Authorises the Chief Executive Officer to execute the Contract by signing and affixing with the Common Seal of Strathbogie Shire Council.***

39-20/21 CARRIED



9.8 Tender for Contract Number 19/20-43: Longwood-Ruffy Road, Tarcombe Road Reconstruction – Stage 2

Authors: Manager Projects Delivery and Project Manager

Responsible Director: Director Community and Planning

EXECUTIVE SUMMARY

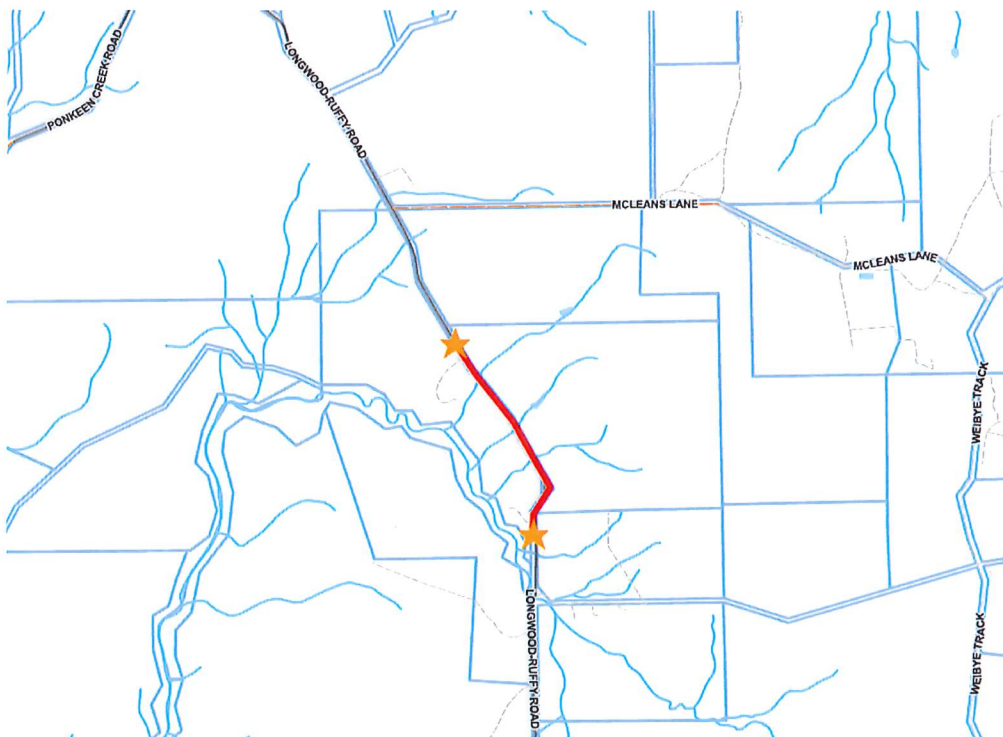
As part of the Fixing Country Roads Funding Program, Council was successful in receiving funds for the reconstruction of Longwood-Ruffy Road, Tarcombe. These works will be conducted by replacing the existing degraded pavement, widening, levelling off of the shoulders and renewing the swales to provide improved drainage during the inclement months. To implement the road reconstruction, tender documentation was prepared for public advertisement.

Through public advertisement in local and state-wide newspapers, Council invited tenders for the Work under Contract No. 19/20-43 Longwood-Ruffy Road, Tarcombe Road Reconstruction – Stage 2 between 06/11/20 and 02/12/20.

Six (6) Tenderers submitted proposals for the work. These tender submissions have been assessed and evaluated by Council Officers, and a summary of results is shown in the table included in this report.

Having considered the results of the evaluation, it is hereby recommended to the Council that the tender submissions be received and noted, with the tender being awarded to RECivil Pty Ltd for a total amount of \$652,422 plus GST and advise the tendering parties accordingly.

Subject location



9.8 Tender for Contract Number 19/20-43: Longwood-Ruffy Road, Tarcombe Road Reconstruction – Stage 2 (cont.)

***MOVED: COUNCILLOR MURRAY
SECONDED: COUNCILLOR HOURIGAN***

That Council:

- 1. Receives and notes the outcome of the tender assessment process for Contract No. 19/20-43 Longwood-Ruffy Road, Tarcombe Road Reconstruction – Stage 2 – Lump Sum as set out in the confidential appendices attached to this agenda;***
- 2. Awards the tender for Contract No. 19/20-43 Longwood-Ruffy Road, Tarcombe Road Reconstruction – Stage 2 – Lump Sum to RECivil Pty Ltd for a total amount of \$652,422.00 + GST;***
- 3. Authorises officers to advise the unsuccessful Tenderers of Council's decision; and***
- 4. Authorises the Chief Executive Officer to execute the Contract by signing and affixing with the Common Seal of Strathbogie Shire Council.***

40-20/21 CARRIED

kl

9.9 Tender for Contract Number 20/21-60: Avenel Ewing's Road and Livingston Street Intersection Upgrade

Authors: Manager Projects Delivery and the Senior Project officer

Responsible Director: Director Community and Planning

EXECUTIVE SUMMARY

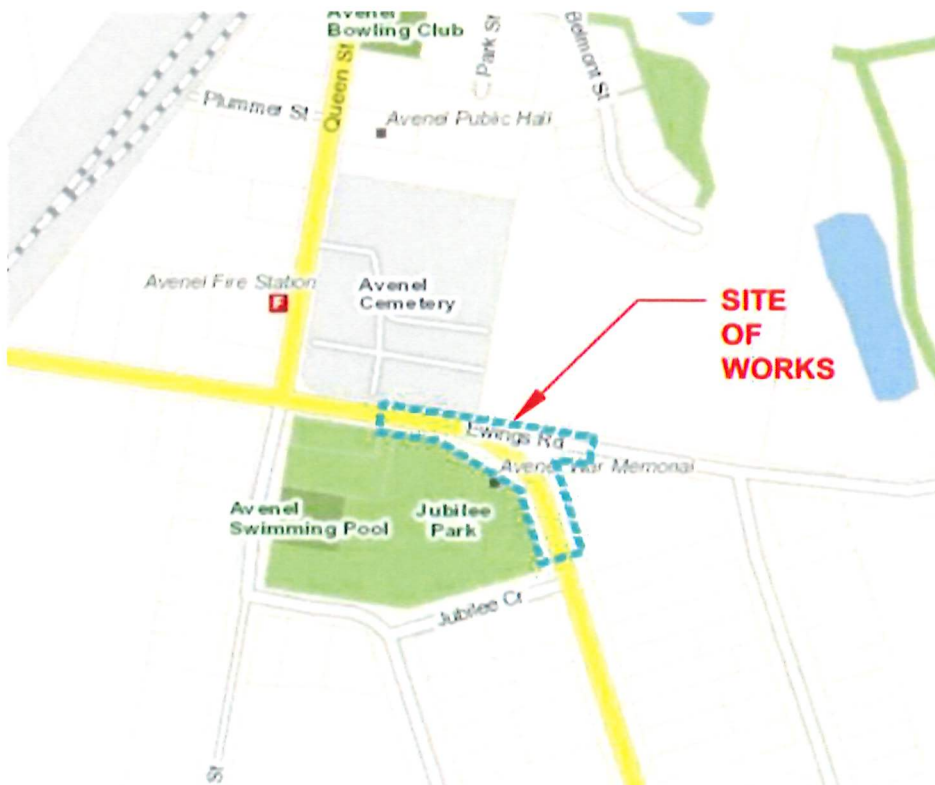
Future Commercial and Residential development towards the Avenel township has triggered an upgrade of the intersection at Ewing's Road and Livingston Street, Avenel, to ensure the safety of vehicles due to the forecast increase in traffic volumes. This work is part of Strathbogie Shire Capital Work Program for the Financial Year 2020-21.

Through public advertisement in local and national newspapers, Council invited tenders for the Work under Contract No. 20/21-60, between 20/11/2020 and 23/12/2020.

Five (5) tender submission were received for the Work. These tenders have been assessed and evaluated by Council Officers and all were found to be conforming.

Having considered the results of the evaluation, it is hereby recommended to the Council that the tender submissions be received and noted, with the tender being awarded to Anthony T. Lindsay Pty Ltd for a total amount of \$153,175.00 + GST and advise the tendering parties accordingly.

Subject location



9.9 Tender for Contract Number 20/21-60: Avenel Ewing's Road and Livingston Street Intersection Upgrade (cont.)

MOVED: COUNCILLOR MURRAY
SECONDED: COUNCILLOR DICKINSON

That Council:

- 1. Receives and notes the outcome of the tender assessment process for Contract No 20/21-60 Avenel Ewing's Road and Livingstone Street Intersection Upgrade - Lump Sum as set out in the confidential appendices attached to this agenda;***
- 2. Awards the tender for Contract No 20/21-60 Avenel Ewing's Road and Livingstone Street Intersection Upgrade - Lump Sum to Anthony T. Lindsay Pty Ltd for a total amount of \$153,175.00 plus GST;***
- 3. Authorises officers to advise the unsuccessful tenderers; and***
- 4. Authorises the Chief Executive Officer to execute the Contract by signing and affixing with the Common Seal of Strathbogie Shire Council.***

41-20/21 CARRIED

lll

9.10 Mid-Year Budget Review 2020/21

Author: Finance Manager

Responsible Director: Director Corporate Operations

EXECUTIVE SUMMARY

One of the key principles of the *Local Government Act 2020* is to ensure the ongoing viability of the Council.

One way in which we monitor progress of our financial position is to undertake a mid-year budget review.

This report presents the mid-year review for the 2020/21 financial year, which has been informed by a review of expenditure and income across all departments.

The mid-year budget review has been prepared to accommodate changes that have occurred since the original budget preparation and adoption process. The mid-year budget is expected to strengthen the financial performance by \$1,877,533 and the cash flow position by \$268,085. Further total investment in capital assets increase by \$3,057,471, which strengthen the financial position and long-term sustainability of the Council.

Overall, there is a net financial adjustment of impact \$386,938 arising from the review, which reflects an improvement of operating results and increase in capital expenditure.

MOVED: COUNCILLOR HAYES-BURKE
SECONDED: COUNCILLOR BINKS

That Council note the outcomes of the 2020/21 budget mid-year review.

42-20/21 ***CARRIED***

9.11 Australian Rail Track Corporation (ARTC)

Author: Manager Planning & Investment

Director: Director Community & Planning

EXECUTIVE SUMMARY

The purpose of this report is to continue to inform our community of Council's ongoing role with the Australian Rail Track Corporation Ltd (ARTC) Inland Rail project.

It is necessary to continue to emphasise our support for the Euroa Working Group and the broader community. We are advocating to ensure a best practice community engagement approach is implemented by the ARTC in the next phase of the project.

Following a meeting with Dr Helen Haines, Member for Indi, attended by well in excess of 60 people from the Euroa community, it is proposed that Council strongly advocate to the ARTC for further community engagement. We believe a deliberative engagement process is needed to provide the ARTC and AECOM with clear direction on the design, following completion of the Urban Design Framework.

***MOVED: COUNCILLOR HAYES-BURKE
SECONDED: COUNCILLOR HOURIGAN***

That Council:

- 1. Support the Euroa Working Group with ongoing representation of Councillors and continued advocacy.***
- 2. Write to the Australian Rail Track Corporation Ltd, to:***
 - a) confirm that broad community engagement will be undertaken by the Australian Rail Track Corporation Ltd and AECOM to inform the development of the Urban Design Framework for the precinct, and***
 - b) On completion of the Urban Design Framework, undertake a deliberative community engagement process that results in a clear and united community direction on the preferred design.***
- 3. Recognise and acknowledge that the broader Euroa community is the key stakeholder in future engagement process, supported by the work undertaken through the Euroa Working Group.***

43-20/21 CARRIED

kle

9.12 **Business Management System**

The January 2021 Business Management System Report includes reports as follows:-

- Building Department – December 2020 Statistics
- Planning Department – Planning Application Approvals – Development Cost (Capital Improved Value) - December 2020
- Customer Enquiry Analysis Report – Report for December 2020
- Waste Management Reporting ~ Year to Date – December 2020
- Contracts Awarded Under Delegation - Project Delivery Department
- Actioning of Council Reports Resolutions – Council Meeting 15 December 2020
- Outstanding Actions of Council Resolutions to 31 December 2020
- Review of Council Policies and Adoption of new Policies – December 2020
- Records of Council Briefings / Meetings
- 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 MURRAY
SECONDED: COUNCILLOR HAYES-BURKE

That Council note the Business Management System Report for January 2021.

44-20/21 CARRIED

10. NOTICES OF MOTION
Nil
11. NOTICES OF RESCISSION
Nil
12. URGENT BUSINESS
Nil
13. CONFIDENTIAL BUSINESS

6.46 P.M.

THE MEETING WAS CLOSED TO THE PUBLIC TO CLARIFY MATTERS CONTAINED WITHIN THE CONFIDENTIAL APPENDICES PERTAINING TO TENDER REPORTS

THESE DISCUSSIONS HAD NO IMPACT ON THE DETERMINATIONS MADE WHEN THE TENDER REPORTS WERE CONSIDERED EARLIER IN THE MEETING

6.52 P.M.

THE MEETING RE-OPENED TO THE PUBLIC

NEXT MEETING

The next Ordinary Meeting of the Strathbogie Shire Council is scheduled to be held on Tuesday 16 February 2021, at the Euroa Community Conference Centre, commencing at 6.00 p.m.

THERE BEING NO FURTHER BUSINESS, THE MEETING CLOSED AT 6.54 P.M.

Confirmed as being a true and accurate record of the Meeting


.....
Chair


.....
Date

