



STRATHBOGRIE SHIRE COUNCIL

**MINUTES OF A MEETING OF THE STRATHBOGRIE SHIRE COUNCIL HELD ON
TUESDAY 18 MAY 2021 AT THE EUROA COMMUNITY CONFERENCE CENTRE,
COMMENCING AT 6.00 P.M.**

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

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'

The Mayor addressed the meeting to outline procedures for the conduct of the meeting

3. Apologies / Leave of Absence
Nil

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4. Disclosure of Conflicts of Interest
 - Cr Hayes-Burke declared a General Conflict of Interest under Section 127 of the Local Government Act 2020 in Item 9.1 (Planning Application No. P2020-125) due to being a close relation of an objector.
 - Cr Hayes-Burkes declared a Material Conflict of Interest under Section 128 of the Local Government Act 2020 in Item 9.7 (Councillor Training and Development Expense Request).
 - Cr Binks declared a Material Conflict of Interest under Section 128 of the Local Government Act 2020 in Item 9.8 (Councillor Training and Development Expense Request).
5. Confirmation of Minutes of Previous Meetings
 - Council Meeting - Tuesday 20 April 2021

MOVED: COUNCILLOR MURRAY

SECONDED: COUNCILLOR HAYES-BURKE

112-20/21 **CARRIED**

6. Petitions
 Nil

The Mayor provided the following address to the meeting

Tonight, I wanted to take the opportunity to thank all the hard working volunteers in our Shire and acknowledge the significant role they play in building strong, inclusive and resilient communities.

This week is National Volunteer Week and to thank our local volunteers today, Council hosted a morning tea and film screening at the Euroa Community Cinema.

I want to thank those who attended, and each and every person in our Shire who gives up their time to help others.

We appreciate your hard work.

I also want to quickly touch on the next steps in our community engagement program as we develop our Community Vision, Council Plan and 2021/22 Budget.

If you haven't been to www.share.strathbogje.vic.gov.au already, I urge you to jump online today.

It's our dedicated online community engagement platform and it's where you can contribute ideas, provide feedback and exchange views with others on key decisions and priorities for our community.

We're now calling for feedback on the draft Budget, on the Community Vision and Council Plan, on the proposed partial road closure of the Euroa Tip Road, and for expressions of interest to join the Kirwans Bridge Community Panel.

These are all important topics and we need your advice to help our decision making.



7. Reports of Mayor and Councillors

Cr Dickinson

- Acknowledgement to staff for hard work involved in the successful achievement in \$3million funding for foreshore walk around Lake Nagambie

Cr Binks

- Presented a report, a copy of which is attached over the next two pages

Cr Likos

- Also acknowledged the work staff had put in to the funding application for the foreshore walk around Lake Nagambie, which resulted in \$3million being granted

Cr Murray

- Echoed comments from Cr Binks in relation to ANZAC Day services
- Continuing being at the Daily Dose in Avenel on Fridays to speak to local residents
- Attendance at Active Avenel meeting
- Attendance at renewable energy meeting in Avenel – progressing solar energy hub options for community

Cr Hayes-Burke

- Thanked Cr Binks for attending Euroa ANZAC Day service on behalf of Seven Creeks ward Councillors, due to them being unable to attend
- Attendance Greening Euroa meeting
- Attendance morning tea for volunteers, and conveyed thanks to their volunteering commitments

The Mayor also advised that Nagambie has been announced as a finalist for Victorian Top Tourism Town Award, and encouraged community members to vote, which would assist in the Shire being recognized as part of a regional tourism region, which it currently isn't.

7. Reports of Mayor and Councillors and Delegates (cont.)

Cr Laura Binks – Councillor Report May 18th 2021

My month started with a very busy Anzac Day. I joined Cr Murray in Longwood for the Anzac Day March and Wreath Laying in a fabulous service organised by Lisa Hearmon and Peter Zuccato. Lisa's commitment to having an ANZAC Day service in Longwood is commendable and I was sorry to have to leave the proceedings early, to make an appearance at the Euroa ANZAC Day Ceremonies.

The Euroa ANZAC Day ceremony was incredibly well attended, and I had the honour of laying a wreath in the absence of Cr Hayes-Bourke and Cr Hourigan. Again, I was sorry to have to leave the ceremony early to make my way to Strathbogie where Joan and Alan Wood had organised an ANZAC Day ceremony at the War Memorial in Main St, Strathbogie. After laying a bouquet on behalf of Strathbogie Shire Councillors and Staff, I was able to remain for the full service and a photo to mark the occasion with the Mount Wombat Ward community. After a very busy series of services I was home when I realised, I had attended 3 ANZAC Day and not had a single ANZAC Biscuit!

We attended a tour of Kestrel Aviation in Mangalore to understand their crucial role in the fire fighting season and to get to know the facility, one of the most equipped in Australia, that is right here in our shire.

The final week of April was busy with formal visits from State politicians, The Honourable Mary-Anne Thomas, Minister for Regional Development and the Minister for Agriculture along with members of Regional Development Victoria met with councillors to discuss ongoing challenges and current opportunities for Strathbogie Shire Council.

The Honourable Shaun Leane, Minister for Local Government was in Avenel to announce the Living Libraries Infrastructure Program in partnership with Goulburn Valley Regional Library Corporation.

On Saturday 1st of May I attended the 2021 Australian Local Government Women's Association Conference, Culture, Conduct, Retention, hosted by the City of Yarra.

Following Aunty Annette Xiberras' Welcome to Country, an opening address by City of Yarra Mayor Cr Gabrielle de Vietri, the morning session was a deep conversation between Dr Helen Haines, Federal Member for Indi and Winsome McCaughey AO, ex Mayor of the City of Melbourne, discussing Women's Ways of Knowing, Doing and Power Sharing. Given the current behaviours coming to light at the federal level and the recent Victoria Attorney General Office report into Sexual Harassment in Local Government this was a lengthy and dynamic conversation around how we can work within the current patriarchal models of government we work in.

Jill Gallagher AO shared with us her experience on leadership in the field of advancing Aboriginal and Torres Strait Islander health and wellbeing.

7. Reports of Mayor and Councillors and Delegates (cont.)

Cr Laura Binks – Councillor Report May 18th 2021 (cont.)

We heard the incredible story of Maggie Toko, CEO of VIMAC, Victoria's peak consumer body for consumers of mental health services. Maggie is a strong advocate for growing consumer leadership across all sectors and forging change to enable a mental health system that is consumer driven. Her personal story of living with paranoid schizophrenia whilst maintaining leadership roles is an inspiring story of removing the stigma of those living with mental health challenges.

Many more inspiring speakers spoke with us during the day, however, it was without a doubt that the keynote address by Lawyer and Human Rights Advocate Nyadol Nyuon left us committed to being fierce advocates for truth telling, anti-racism and including the experiences and opinions of minorities in our places of power.

By far the most beneficial aspect of the conference was the opportunity to connect with 200 other women in local government. The chance to discuss common wins, challenges and opportunities was so helpful at this stage in my term as a newly elected councillor and I am confident the connections I made will be of great value to my ongoing role in local government. Already I have made contact with fellow councillors on the Goulburn Valley Waste Forum with me, some Councillors have shared how their council is facing similar challenges of strategy and policy and I've begun to discuss potential partnerships between other councils.

The peer to peer learning in opportunities such as the Australian Local Government Women's Association Conference are crucial to understanding how the local government sector is operating across the state. I was particularly thrilled to have a chance to speak with Pam Robinson AO, who was a councillor and president of Violet Town Shire when I was a child. Since reconnecting she has offered her ongoing support and mentoring which is really exciting.

My take aways from the 2021 Australian Local Government Women's Association Conference are;

Remember to shout out the wins of local government!
Thinking about the legacy I want to leave for women to come
Retreat is not defeat
And to disagree with grace and empathy.



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: RM: 10/2021

Does Council have process or independent ombudsman/woman that ratepayers can make submission to where they feel Council's personnel have been unresponsive to ratepayers requests?

Response provided by the CEO

The Ombudsman contact details are as follows: [Home | Victorian Ombudsman](#) to lodge an complaint online or alternatively, you can call 1800 806 314 for regional residents.

Also, under the new Local Government Act 2020, it is a requirement of Councils to develop a complaints policy by the end of 2021. Therefore, Council will be developing a new policy in the coming months.

There is also an ability for community members to Report an Issue' via a link on our website homepage ([Home - Strathbogie Shire Council](#) – under "I Want to"), or they could raise a customer request through Customer Service or their ward Councillor.

Council Ref: HO: 11/2021

How much of the land rate (completed house) per year at Elloura Lake Nagambie.

Does it have Gas supplies at Elloura Lake Nagambie.

Response provided by the CEO

Unfortunately we are unable to advise what the 'rates' will be for any property within the Strathbogie Shire without knowing the Capital Improved Value (CIV) of the property as provided to us by the Valuer General's department.

*Should you be looking to purchase in the area, and upon application through your conveyancer or solicitor, you will be provided with a Land Information Certificate which shows the **current** 'rates' of the property you are enquiring about.*

If the property has not been developed, then, of course, the Land Information Certificate will show the rates as being for Vacant Land based on the CIV being the same as the Site Value.

Once you have gone through the process to build on the property, the valuers will re-value the property providing the new CIV which Council will then use to rate the property from the effective date at the new CIV which will include the land and any improvements (house/garage/shedding etc).

8. Public Question Time (cont)

Response to Council Ref: HO: 11/2021 (cont)

As for the question on gas availability, I would suggest that you could contact a local real estate agent or gas provider who would also be able to advise more appropriately.

It is my belief that residents who wish to use gas, currently need to be set up for bottled gas only.

9. Officer Reports

10. Notices of Motion

11. Notices of Rescission

12. Urgent Business

13. Confidential Business

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9. OFFICER REPORTS

9.1 Planning Permit Application No. P2020-125 - Use of land for Transfer Station (loading, unloading and handling of scrap metal including vehicles) and signage ~ 30 Boundary Road North, Euroa VIC 3666

COUNCILLOR HAYES-BURKE LEFT THE MEETING AT 6.21 PM DUE TO DECLARING A GENERAL CONFLICT OF INTEREST IN THIS ITEM

Author: Town Planner

Responsible Director: Director Community and Planning

EXECUTIVE SUMMARY

- The proposal is for the use of land for a Transfer Station and associated signage at 30 Boundary Road North, Euroa VIC 3666.
- Existing infrastructure is located on site.
- The application was advertised, and six (6) objections were received. Further detail is contained within this report.
- As a result of consultation with objectors, two (2) objections have been withdrawn.
- Council was notified by one of the objectors who had withdrawn that they would like to change their position on the application and re-object to the proposal.
- An additional submission has been received the submitter objects to the installation and operation of a motor vehicle crushing machine.
- The application is being heard before Council due to six (6) outstanding submissions.
- The application has not been assessed within the 60-day statutory timeframe due to the Christmas period, agenda timeframes and consultation with objectors and applicant.
- The proposal meets the objectives of the Planning Policy Framework, Local Planning Policy Framework, the Industrial 1 Zone, Floodway Overlay and the Land Subject to Inundation Overlay.
- As a result of the application being heard before Council at the March Council meeting, it was determined;- *That consideration of this application be deferred until Council can receive reports from the applicant with regard to the generation of noise by the proposed use, and to enable the applicants and objectors to negotiate a satisfactory working arrangement for further consideration by Council.*
- The applicant engaged Audiometric & Acoustic Services to conduct the assessment and has submitted this to Council. A copy of this report was provided to one of the objectors to the proposal to allow them to assess the information contained within the report.
- Council referred the noise report to the EPA and Council's Environmental Health Officer. EPA provided the following comments:
 - *EPA confirms that our referral comments made in the letter dated 17 Dec 2020 remain our assessment of the above mentioned proposal.*



9.1 Planning Permit Application No. P2020-125 - Use of land for Transfer Station (loading, unloading and handling of scrap metal including vehicles) and signage ~ 30 Boundary Road North, Euroa VIC 3666 (cont.)

- *The subsequent Environmental Impact Assessment forwarded by council, does not change our assessment to provide conditional consent to the application as outlined in the correspondence 17 Dec 2020. In our referral comments, we assessed potential environmental and amenity impacts and determined the facility should be able to manage its impacts if managed appropriately.*
- *We also bring to the applicants attention their responsibility to manage the site mindful of their lawful obligations under the Environment Protection Act 1970, more broadly.*

Council's Environmental Health Officer, responded advising, that EPA are the relevant authority in commenting on the report and therefore, there are no formal comments.

- In addition to the deferral whereby it was determined to allow for the applicant and objector to consider negotiating satisfactory working arrangements, it is noted that a further offers of mediation or meeting to discuss the proposal with the applicant and objector were offered. Council officers offered to be present to conduct the meeting. The objector declined.
- Having undertaken the request as per the decision of Council at the March meeting, Council Officers recommendation remains relatively unchanged, with the exception of an additional EPA condition which was not contained within the original report and the deletion of a duplication condition. Additionally, minor changes to condition 1 in relation to the height of the storage of cars has also been made to reflect fence height rather than a specific height.
- It is recommended that Council resolve to issue a Notice of Decision to Grant a Permit in accordance with the Officer's recommendation.

APPLICATION DETAILS

Application is for:	Use of land for Transfer Station (loading, unloading and handling of scrap metal including vehicles) and signage.
Applicant's/Owner's Name:	Jarrold Chilcott
Date Received:	29 September 2020 Application Received. 01 October 2020 Application Paid. 9 November 2020 Further Information. 19 November 2020 request to include collection and transfer of cars in proposal.
Statutory Days:	92 days
Application Number:	P2020-125
Planner: Name, title & department	Trish Hall Town Planner Planning and Investment Department
Land/Address:	Lot 3 on Plan of Subdivision 411986G, Certificate of Title Volume 10391 Folio 101 30 Boundary Road North, Euroa VIC 3666

9.1 Planning Permit Application No. P2020-125 - Use of land for Transfer Station (loading, unloading and handling of scrap metal including vehicles) and signage ~ 30 Boundary Road North, Euroa VIC 3666 (cont.)

Zoning:	Industrial 1 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 Catchment Area.
Under what clause(s) is a permit required? (include description)	Clause 33.01-1 Section 2 use in the Industrial 1 Zone Clause 52.05-2 Signage
Restrictive covenants on the title?	No
Current use and development:	Vacant

An objector's representative addressed the meeting in support of the objector's objection

The applicant addressed the meeting in support of their application

MOVED: COUNCILLOR HOURIGAN

SECONDED: COUNCILLOR DICKINSON

That Council

Having caused notice of Planning Application No. P2020-125 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 issue a Notice of Decision to Grant a Permit under the provisions of Clause 33.01-1 Section 2 Use in the Industrial 1 Zone and Clause 52.05, Signage, of the Strathbogie Planning Scheme in respect of the land known as Lot 3 on Plan of Subdivision 411986G, Certificate of Title Volume 10391 Folio 101, 30 Boundary Road North, Euroa VIC 3666, for the Use of land for Transfer Station (loading, unloading and handling of scrap metal including vehicles) and signage in accordance with endorsed plans, subject to the following conditions:

Amended Plans:

- Prior to the commencement of any works on site, amended plans must be submitted to and approved by the Responsible Authority and Goulburn Broken Catchment Management Authority. The plans must be generally in accordance with the plans submitted with the application but include the following details:***

9.1 Planning Permit Application No. P2020-125 - Use of land for Transfer Station (loading, unloading and handling of scrap metal including vehicles) and signage ~ 30 Boundary Road North, Euroa VIC 3666 (cont.)

- a. *Site, landscape, signage, carparking plans removing reference to compactor*
 - b. *Amended Emergency Response Procedure Flip Chart to include Amended Site Plan*
 - c. *Notation on site plan included "The storage of scrap cars must not be stacked higher than the existing fence."*
 - d. *Plans must be in accordance with Goulburn Broken Catchment Management Authority Conditions 37, 38, 39 and 40*
2. *Prior to the commencement of any works on site, plans must be submitted to and approved by the Responsible Authority and Goulburn Broken Catchment Management Authority, that detail the following:*
- a. *Details on the proposed bunded areas including the following:*
 - i. *Proposed construction methods; and*
 - ii. *How the bunded areas will ensure that any spills will be contained within the boundaries of the property and will not contaminate downstream waterways.*
 - b. *Details on a secondary containment system for liquids which, if split, are likely to cause pollution or pose an environmental hazard.*
 - c. *Details on proposed containment measures to prevent non-liquid scrap materials or contaminants from entering downstream waterways through the actions of both water runoff and wind.*
3. *Prior to the commencement of use, a site management plan must be submitted to and approved by the Responsible Authority. When approved the plan will be endorsed and will form part of the permit. This plan must detail the ongoing management of the site, with the following matters addressed:*
- a. *How the permit holder will ensure nuisance dust and/or nuisance airborne particles from the site will not be discharged or emitted beyond the boundaries of the property.*
 - b. *Management of the bunded areas to ensure that spills will be contained within the boundaries of the property and will not contaminate downstream waterways.*
 - c. *Management of the secondary containment system.*
4. *The storage area for chemicals, oil, fuel, grease, waste or other potential pollutants (including batteries) must be stored above the minimum elevation of 172.5 metres AHD.*

- 9.1 Planning Permit Application No. P2020-125 - Use of land for Transfer Station (loading, unloading and handling of scrap metal including vehicles) and signage ~ 30 Boundary Road North, Euroa VIC 3666 (cont.)

Endorsed Plans:

- 5. The use 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.**

Plans for Endorsement include:

- **Emergency Response Procedure Flip Chart**
- **Landscape Plan**
- **Handling and Storage of Batteries Reference MS-PRO-10-03 Revision 4**
- **Signage Plan**
- **Carparking.**

Engineering:

- 6. Prior to the commencement of works, 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.**
- 7. Prior to the commencement of the use an upgrade to extend the vehicular entrance to the subject land from the road shall be constructed at a location and of a size and standard satisfactory to the Responsible Authority. The vehicular crossing shall have satisfactory clearance to any side-entry pit, power or Telecommunications pole, manhole cover or marker, or street tree. Any relocation, alteration or replacement required shall be 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, with a drawing submitted for approval. Refer to Clause 12.9 "Vehicular Access" of the Infrastructure Design Manual and to standard drawing SD265.**
- 8. Trucks must enter and exit the site from Boundary Road North via Euroa- Shepparton Road.**

- 9.1 Planning Permit Application No. P2020-125 - Use of land for Transfer Station (loading, unloading and handling of scrap metal including vehicles) and signage ~ 30 Boundary Road North, Euroa VIC 3666 (cont.)

9. 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.

Hours of operation:

10. Unless with the prior written consent from the Responsible Authority, the use hereby permitted may only operate between the following hours:

- **Monday - Friday 7.30am - 4.30pm.**
- **Saturdays - 9am – 12.00pm (Per EPA guidelines for Industrial Noise).**

Amenity:

11. The compaction of cars must not occur onsite.

12. The site must be used only for the handling and storage of metals for transfer to other sites.

13. The Transfer Station must not accept:

- **Tyres (other than those fixed to vehicles)**
- **Household rubbish**
- **Green waste**
- **Hazardous items.**

14. Materials received for handling, separation or sorting must be removed elsewhere for landfill or recycling.

15. The recycling, processing or treatment of materials must not be carried out on the land.

16. The shredding or shearing of metals must not be conducted onsite.

17. The development and use hereby permitted must be managed so that the amenity of the area is not detrimentally affected, through the:

- a. **Transport of materials, good or commodities to or from the land.**
- b. **Appearance of any building works or materials.**
- c. **Emissions of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, wastewater, waste products, grit or oil.**
- d. **Presence of vermin.**

9.1 Planning Permit Application No. P2020-125 - Use of land for Transfer Station (loading, unloading and handling of scrap metal including vehicles) and signage ~ 30 Boundary Road North, Euroa VIC 3666 (cont.)

- 18. The amenity of the locality must not be adversely affected by the activity on the site, the appearance of any buildings, works or materials, emissions from the premises or in any other way, to the satisfaction of the Responsible Authority.**
- 19. Stormwater contaminated with waste oil, grease, chemicals, leachate or sediments must not be discharged beyond the boundary of the premises.**
- 20. The applicant must ensure that litter is not deposited beyond the boundary of the premises.**
- 21. The permit holder must ensure no more than 12 vehicles as part of the scrap car storage, are stored on the site at any one time.**
- 22. Scrap cars must be stored on site in accordance with the endorsed plans to the satisfaction of the Responsible Authority and must not be stacked higher than the existing fence.**
- 23. The site shall at all times be kept in a neat and tidy condition to the satisfaction of the Responsible Authority. Any litter shall be immediately removed from the site and surrounding area at the direction of the Responsible Authority.**
- 24. All external lighting must be designed, baffled and located so as to prevent adverse effect on adjoining land, to the satisfaction of the Responsible Authority.**
- 25. All security alarms or similar devices installed on the land must be of a silent type approved by the Standards Association of Australia and be connected to a registered security service.**
- 26. All materials are to be removed from site if the operation of the Transfer Station ceases "Use" to the satisfaction of the Responsible Authority.**
- 27. The use must comply with all EPA standards, regulations, policies and legislation undertaken on site.**
- 28. No more than five (5) staff members may be working on the site at any one time.**
- 29. Provision must be made on the land for the storage and collection of garbage and other solid waste. This area must be graded and drained and screened from public view to the satisfaction of the Responsible Authority.**

9.1 Planning Permit Application No. P2020-125 - Use of land for Transfer Station (loading, unloading and handling of scrap metal including vehicles) and signage ~ 30 Boundary Road North, Euroa VIC 3666 (cont.)

30. All buildings and works, landscaping and signage must be maintained in good order and appearance to the satisfaction of the responsible authority.

Landscaping:

31. Prior to the commencement of use, the landscaping must be carried out generally in accordance with endorsed plan submitted by Architect Ambient Architect TP01 Revision B. This plan may only be altered or modified with the prior written approval of the Responsible Authority, or to comply with statutory requirements.

Bushfire Protection:

32. Grass areas must be regularly maintained and short cropped during the declared fire danger period.

33. All leaves and vegetation debris must be removed at regular intervals during the declared fire danger period.

EPA Conditions:

34. The permit holder must ensure that nuisance dust and/or nuisance airborne particles must not be discharged or emitted beyond the boundaries of the premises.

35. A secondary containment system must be provided for liquids which if spilt are likely to cause pollution or pose an environmental hazard.

36. There must be no emissions of noise and/or vibrations from the premises which are detrimental to either of the following:

- the environment in the area around the premises; and
- the wellbeing of persons and/or their property in the area around the premises"

Goulburn Broken Catchment Management Authority:

37. The identified scrap car storage area, scrap pressing metal storage area, ferrous unloading and heavy material storage area must be located on land with an elevation of at least 171.7 metres AHD.

38. Any chemicals, oil, fuel, grease, waste or other potential pollutants (including batteries) must be stored in areas at least 300 millimetres above the 100-year ARI flood level of 172.2 metres AHD, i.e. 172.5 metres AHD.

- 9.1 Planning Permit Application No. P2020-125 - Use of land for Transfer Station (loading, unloading and handling of scrap metal including vehicles) and signage ~ 30 Boundary Road North, Euroa VIC 3666 (cont.)

- 39. Any chemicals, oil, fuel, grease, or other potential liquid pollutants must be stored in bunded areas to ensure any spills can be contained and not contaminate downstream waterways.**
- 40. Containment measures must be implemented that prevent non-liquid scrap materials or contaminants from entering downstream waterways through the actions of both water runoff and wind.**
- 41. Revised plans must be submitted to the Goulburn Broken Catchment Management Authority demonstrating the above conditions are achieved.**

Goulburn Valley Water:

- 42. Connection of all sanitary fixtures within the development to reticulated sewerage, at the developer's expense, in accordance with standards of construction adopted by and to the satisfaction of the Goulburn Valley Region Water Corporation. All works required are to be carried out in accordance with AS 3500.2 - 'Sanitary plumbing and drainage', and to the satisfaction of the Corporation's Property Services Section.**
- 43. Discharge of trade waste from the development shall be subject to a Trade Waste Consent Agreement. The Owner and or occupier should contact Goulburn Valley Water's Trade Waste Section to determine if a Trade Waste Application is required.**

Permit Expiry:

- 44. 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 is not commenced within two (2) years of the completion of the development**

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.**

- 9.1 Planning Permit Application No. P2020-125 - Use of land for Transfer Station (loading, unloading and handling of scrap metal including vehicles) and signage ~ 30 Boundary Road North, Euroa VIC 3666 (cont.)

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.*

Environment Protection Authority Notes:

- *The permit holder must ensure any obligations or duties that arise under the Environment Act 1970 are met.*
- *This includes compliance with the
 - *Waste Management Policy (Combustible Recyclable and Waste Materials) as published in the Government Gazette No S397 on 28 August 2018.*
 - *Section 38 - Discharges of water to comply with policy including State Environment Protection Policy (Waters).*
 - *Section 41 - Pollution of atmosphere including offences for discharging offensive odours to the sense of human beings.*
 - *Section 46 - Emission of noise to comply with policy including State Environment Protection Policy (Control of Noise from Commerce, Industry and Trade) N-1.**

Goulburn Broken Management Authority Notes:

- *The Authority's best estimate of the 100-year ARI flood level for the location described above is 172.2 metres AHD, which was established from Euroa Post Flood Mapping and Intelligence Project (2015)*
- *Based on available ground surface level information, the property would flood to depths in excess of 0.8 metres along the southern and western portions of the site during a 100-year ARI (1% AEP) type flood event. Flood depths in the north east portion of site are generally less than 0.4 metres, with the existing building generally shown to be not inundated during the same flood event.*
- *Information available to the Goulburn Broken CMA indicates that the western portion of the land acts as an important flow path for floodwaters. The development and use of the property must not impede the flow of water during flood events. The identified scrap car storage area, scrap pressing metal storage area, ferrous unloading and heavy material storage area needs to be located any areas which flood to depths of less than 0.5 metres (i.e. on land with an elevation of at least 171.7 metres AHD). Flood depths across the site are shown in Figure One.*



9.1 Planning Permit Application No. P2020-125 - Use of land for Transfer Station (loading, unloading and handling of scrap metal including vehicles) and signage ~ 30 Boundary Road North, Euroa VIC 3666 (cont.)

- ***The 100-year ARI flood is not the maximum possible flood. There is always a possibility that a flood larger in height and extent, than the 100-year ARI flood, may occur in the future.***

113-20/21 **CARRIED**

DIVISION CALLED BY COUNCILLOR MURRAY

FOR: COUNCILLORS HOURIGAN, DICKINSON, DEPUTY MAYOR LIKOS AND MAYOR RAEBURN

AGAINST: COUNCILLORS BINKS AND MURRAY

COUNCILLOR HAYES-BURKE RETURNED TO THE MEETING AT 6.49 PM FOLLOWING THE COMPLETION OF THE CONSIDERATION OF ITEM 9.1.



9.2 Planning Applications Received and Planning Applications Determined - 1 to 30 April 2021

Responsible Officer: Manager Planning and Investment

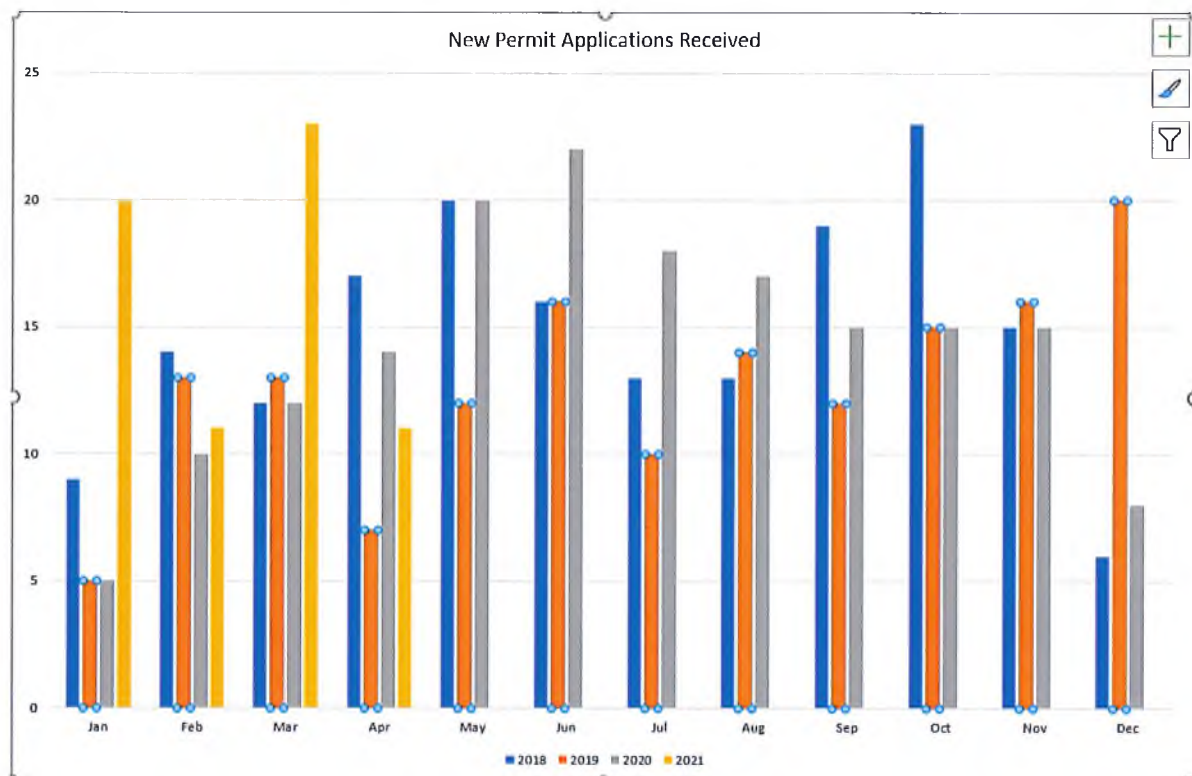
Responsible Director: Director Community & Planning

EXECUTIVE SUMMARY

This report provides listings of all Planning Applications Received (Attachment 1) and Planning Applications Determined (Attachment 2) for the period 1 to 30 April 2021 are provided for information.

It is noted that there were eleven (11) planning applications received, and (11) planning applications determined, during this period.

Table below reflects New Applications received trend:



9.2 Planning Applications Received and Planning Applications Determined
- 1 to 30 April 2021 (cont.)

MOVED: COUNCILLOR MURRAY
SECONDED: DEPUTY MAYOR LIKOS

That Council:

- 1. Notes that there were eleven (11) new planning applications received, and eleven (11) planning applications determined, during this period; and***
- 2. Notes the report.***

114-20/21 CARRIED

9.3 Tender for Contract Number 20/21-21: Provision of Architectural Building Design Drafting and Surveying Services

Authors: Procurement and Tenders Officer and Manager Asset Planning

Responsible Director: Director Community and Planning

EXECUTIVE SUMMARY

Council has conducted a competitive process for the Provision of Architectural Building Design Drafting Surveying Services – Panel of Suppliers (incorporating Architectural, Building Design, Building Surveying, Drafting and Surveying Services).

The public tender process for this Panel of Suppliers has been undertaken to meet Council's compliance requirements under the *Local Government Act 1989* for potential spends on services under \$150,000. This Panel of Suppliers will provide Strathbogie Shire Council a 'go-to' list of preferred suppliers that meet the required skillset, demonstrated experience and quality management systems, along with valuing and rewarding local content.

Officers will be required to seek quotes from a minimum of three Panel of Supplier members through a further competitive process as projects arise. Experience tells us that this further competitive process often leads to a reduction in cost from the maximum rates schedule provided when the Panel of Suppliers Arrangement was created.

Where the Panel of Suppliers do not meet required skillset for a particular project, Council is still able to seek quotations from alternative suppliers to undertake the desired works.

At the closure of the advertising process, 37 submissions to be included on the Panel were received. These have now been independently assessed and evaluated by a panel of Council Officers, with the results summarised in the table within this report. It is recommended that a Panel of Suppliers Arrangement be issued to 23 suppliers. Given the length of time from the original tender submission date, Officers have made contact with the proposed panellist seeking confirmation that rates submitted are still relevant.

This report seeks Council's authorisation to constitute this Panel of Suppliers and authorise the Chief Executive Officer to execute the agreements accordingly.



9.3 Tender for Contract Number 20/21-21: Provision of Architectural Building Design Drafting and Surveying Services (cont.)

MOVED: COUNCILLOR BINKS
SECONDED: DEPUTY MAYOR LIKOS

That Council:

1. ***Awards Panel of Supplier Arrangement for Provision of Architectural, Building Design, Drafting and Surveying Services, Contract No. 20/21-21, for a schedule of rates-based contract for a contract term of three (3) years.***
 - ***Avor Architecture Pty Ltd***
 - ***Spaces Pty Ltd***
 - ***James Seymour Architecture***
 - ***Bourke and Bouteloup Architects Pty Ltd***
 - ***GMR Engineering Services***
 - ***Craig Tan Architects***
 - ***Onleys***
 - ***Centrum Architects***
 - ***Y2 Architects***
 - ***Chris Smith & Associates Pty Ltd***
 - ***Spiire Australia Pty Ltd***
 - ***CAF Consulting Services Pty Ltd***
 - ***Tomkinson Group***
 - ***Regional Management Group***
 - ***WHDA***
 - ***Peter Wright & Associates Pty Ltd***
 - ***Taylor's Development Strategies Pty Ltd***
 - ***Emerge Associates***
 - ***Brazel Haley Maggs Architects Pty Ltd***
 - ***CCG Architects Pty Ltd***
 - ***K20 Architecture***
 - ***Infrastructure Solutions Pty Ltd***
 - ***Idle Architecture Studio***
2. ***Authorises the Chief Executive Officer to execute the Panel of Supplier Arrangements by signing and affixing with the Common Seal of Strathbogie Shire Council.***
3. ***Notes that the Contract will commence on 24 May 2021 and the expected completed date is 24 May 2024.***

115-20/21 **CARRIED**

9.4 Tender for Contract Number 20/21-39: Provision of Asset Management Services – Panel of Suppliers Arrangement

Authors: Procurement and Tenders Officer and Manager Asset Planning

Responsible Director: Director Community and Planning

EXECUTIVE SUMMARY

Council has conducted a competitive process to create what is known as a Panel of Suppliers Agreement for Provision of Asset Management Services – commencing 24th May 2021.

The public tender process for this Panel of Suppliers has been undertaken to meet Council's compliance requirements under the *Local Government Act 1989* (the 1989 Act) for potential spends on services under \$150,000.

This Panel of Suppliers will provide Strathbogrie Shire Council a 'go-to' list of preferred suppliers that meet the required skillset, demonstrated experience and quality management systems, along with valuing and rewarding local content.

The life of the panel of supplier contract will be 3 years.

Officers will be required to seek quotes from a minimum of three Panel of Supplier members through a further competitive process as projects arise. Experience tells us that this further competitive process often leads to a reduction in cost from the maximum rates schedule provided when the Panel of Suppliers Arrangement was created.

Where the Panel of Suppliers do not meet required skillset for a particular project, Council is still able to seek quotations from alternative suppliers to undertake the desired works.

At the closure of the advertising process, 17 submissions to be considered for inclusion on the Panel were received. These have now been independently assessed and evaluated by a panel of Council Officers, with the results summarised in the table within this report. Given the length of time from the original tender submission date, Officers have made contact with the proposed panellist seeking confirmation that rates submitted are still relevant.

It is recommended that a Panel of Suppliers Arrangement be issued to nine (9) suppliers.

This report seeks Council's authorisation to constitute this Panel of Suppliers and authorise the Chief Executive Officer to execute the agreements accordingly.



9.4 Tender for Contract Number 20/21-39: Provision of Asset Management Services – Panel of Suppliers Arrangement (cont.)

MOVED: COUNCILLOR MURRAY
SECONDED: COUNCILLOR DICKINSON

That Council:

- 1. Awards Panel of Supplier Arrangement for Provision of Asset Management Services - Panel of Supplier, Contract No. 20/21-39 for a Schedule of Rates based contract for the Contract term of three (3) years.***

***ANA Infrastructure Pty Limited
Rapid Map Services Pty Ltd
Infrastructure Solutions Pty. Ltd
HDS Australia Pty Ltd
Macutex Pty Ltd
CT Management Group
Chris Smith & Associates
LG Valuation
Hendry Group.***

- 2. Authorises the Chief Executive Officer to execute the Panel of Supplier Arrangements by signing and affixing with the common Seal of Strathbogie Shire Council.***
- 3. Notes that the Contract will commence on 24 May 2021 and the expected completed date is 24 May 2024.***

116-20/21 **CARRIED**

9.5 Review of Investment and Cash Management Policy

Author: Manager Finance

Responsible Director: Director Corporate Operations

EXECUTIVE SUMMARY

This report presents a revised Investment and Cash Management Policy for Council adoption. This policy was endorsed at the 14 April 2021 Audit and Risk Committee meeting.

Key changes to the investment and cash management policy are;

- Policy objectives were updated to reflect current macro-economic factors.
- Investment terms and diversification strategy section was updated to give a clearer picture.
- Added additional reporting requirement to the Executive Management Team, Audit and Risk Committee, and the Council.
- Authority for implementation of the Policy is delegated by the Council to the Chief Executive Officer in accordance with the Local Government Act 2020.

MOVED: COUNCILLOR MURRAY
SECONDED: COUNCILLOR BINKS

That the consideration of this policy be deferred for a period of six months to allow for the inclusion of objectives and guidance for ethical investments.

117-20/21 **CARRIED**

9.6 Councillor Induction Declaration

Author: Executive Manager, Governance and Customer Service

Responsible Director: Chief Executive Officer

EXECUTIVE SUMMARY

Section 32 of the *Local Government Act 2020* (the Act) requires Councillors to complete a comprehensive induction program within the six months after the oath or affirmation of office is taken.

The *Local Government (Governance and Integrity) Regulations 2020* (the Regulations) set out the mandatory topics that must be covered during the induction program. Induction is able to be delivered in person and by virtual means.

Since November 2020, the newly elected Council has participated in an extensive induction program each Tuesday. All of the mandatory topics required of the Regulations have been covered, in addition to many other topics identified by the Chief Executive Officer (CEO).

Our induction program has been augmented by a hard and soft copy Councillor Induction Manual and a Councillor Portal, where all relevant Council policies and documents are easily accessed by Councillors.

Section 32(3) of the Act requires Councillors to sign and date a written declaration in front of the CEO that they have completed the induction program.

The purpose of this report is to present an outline of the induction program completed by all Councillors and to provide Councillors with an opportunity to make the declaration required by the Act at a Council meeting to achieve maximum public transparency.

MOVED: COUNCILLOR HAYES-BURKE
SECONDED: COUNCILLOR BINKS

That all Councillors sign and date individual declaration forms, witnessed by the Chief Executive Officer, affirming they have completed the Councillor Induction Program in accordance with section 32 of the Local Government Act 2020 and regulation 6 of Local Government (Governance and Integrity) Regulations 2020.

118-20/21 **CARRIED**

9.7 Councillor Training and Development Expense Request – Councillor Sally Hayes-Burke

COUNCILLOR HAYES-BURKE LEFT THE MEETING AT 7.06 PM DUE TO DECLARING A MATERIAL CONFLICT OF INTEREST IN THIS ITEM.

Author: Policy Research and Councillor Support Officer

Responsible Director: Executive Manager of Governance and Customer Service

EXECUTIVE SUMMARY

As per the Council Expenses Policy, Councillors are entitled to claim training and development and conference attendance expenses of up to \$1,500 per financial year to participate and complete reputable industry programs that may assist in their performance of duties and responsibilities as representatives for Local Government. Any request for training and conference expenses exceeding this annual allowance must be subject to a Council resolution under section 17.2 of the Council Expenses Policy.

In February 2021, Councillor Sally Hayes-Burke expressed her desire to participate in a training and development program to accelerate and expand her knowledge, skills and professional development in her role as a Councillor.

Councillor Hayes-Burke has commenced a series of executive coaching and mentoring coaching sessions with Ruth McGowan Pty Ltd, at a total cost of \$3,900. Councillor Hayes Burke has not yet used any of her individual training allowance for this financial year and is therefore seeking an additional contribution from Council of \$2,400. An invoice has been received from Ruth McGowan Pty Ltd for the initial payment of \$1,500 for this financial year, which is in the process of being paid.

Councillor Hayes-Burke is aware that given her course has already commenced, should additional funding not be provided by Council that these expenses will need to be met by her.

***MOVED: COUNCILLOR BINKS
SECONDED: COUNCILLOR HOURIGAN***

That Council:

- 1. Endorse the provision of an additional \$2,400 of training funding to Councillor Sally Hayes-Burke for participation in executive and mentoring coaching by Ruth McGowan Pty Ltd; and***
- 3. Receive a written report from Councilor Sally Hayes-Burke upon completion of the upon the completion of the program as required by section 17.2 of the Council Expenses Policy identifying the key issues discussed, issues of relevance to the Shire and the community benefit gained by the completion of the course.***

9.7 Councillor Training and Development Expense Request – Councillor Sally Hayes-Burke (cont.)

AMENDMENT PUT BY COUNCILLOR DICKINSON

1. *That Council endorse the provision of an additional \$1,200 of training funding to Councillor Sally Hayes-Burke for participation in executive and mentoring coaching by Ruth McGowan Pty Ltd.*

AMENDMENT LAPSED FOR WANT OF A SECONDER.

ORIGINAL MOTION PUT TO THE VOTE.

119-20/21 **CARRIED**

DIVISION CALLED BY COUNCILLOR BINKS

FOR: COUNCILLORS HOURIGAN, BINKS, MURRAY, DEPUTY MAYOR LIKOS, MAYOR RAEBURN

AGAINST: COUNCILLOR DICKINSON

COUNCILLOR HAYES-BURKE RETURNED TO THE MEETING AT 7.15 PM AFTER THE VOTE ON ITEM 9.7 HAD CONCLUDED.

9.8 Councillor Training and Development Expense Request – Councillor Laura Binks

COUNCILLOR BINKS LEFT THE MEETING AT 7.15 PM DUE TO DECLARING A MATERIAL CONFLICT OF INTEREST IN THIS ITEM.

Author: Policy Research and Councillor Support Officer

Responsible Director: Executive Manager of Governance and Customer Service

EXECUTIVE SUMMARY

As per the Council Expenses Policy, Councillors are entitled to claim training and development and conference attendance expenses of up to \$1,500 per financial year to participate and complete reputable industry programs that may assist in their performance of duties and responsibilities as representatives for Local Government. Any request for training and conference expenses exceeding this annual allowance must be subject to a Council resolution under section 17.2 of the Council Expenses Policy.

In February 2021, Councillor Laura Binks expressed her desire to participate in a training and development program to accelerate and expand her knowledge, skills and professional development in her roles as a Councillor.

Councillor Binks, after receiving a \$2,500 scholarship to complete a Mastery of Business and Empathy with the Small Giants Academy, is seeking approval for Council to contribute the remaining \$7,500 of the course fee. Councillor Binks has used \$590 of her \$1,500 for the 2020-21 financial year to attend the Australian Local Government Women's Association of Victoria Conference, which was held on 30 April – 1 May 2021 leaving a balance of \$910. This means Cr Binks is requesting additional funding of \$6,590 towards the Mastery of Business and Empathy course.

Councillor Binks is aware that given her training and development course has already commenced, should additional funding not be provided by Council that these expenses will need to be met by her.

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

That Council:

- 1. Endorse the provision of an additional \$3,750 of training funding to Councillor Laura Binks for participation in the Mastery of Business and Empathy with the Small Giants Academy to balance budget constraints with the community benefit derived from participation in this course; and***
- 2. Receive a written report from Cr Laura Binks upon the completion of the Mastery of Business and Empathy as required by section 17.2 of the Council Expenses Policy identifying the key issues discussed, issues of relevance to the Shire and the community benefit gained by the completion of the course.***

120-20/21 ***LOST***

9.8 Councillor Training and Development Expense Request – Councillor Laura Binks (cont.)

COUNCILLOR HAYES-BURKE CALLED FOR A DIVISION.

FOR: COUNCILLORS HOURIGAN, HAYES-BURKE AND DEPUTY MAYOR LIKOS

AGAINST: COUNCILLORS DICKINSON, MURRAY AND MAYOR RAEBURN (WHO USED HIS CASTING VOTE AS PER SUB RULE 70 OF THE STRATHBOGIE SHIRE COUNCIL'S GOVERNANCE RULES).

COUNCILLOR BINKS RETURNED TO THE MEETING AT 7.27 PM FOLLOWING THE CONCLUSION OF VOTING ON ITEM 9.8.

9.9 **Financial Report to 31 March 2021**

Responsible Director: Corporate Operations

EXECUTIVE SUMMARY

The attached March Financial Report compares the Year to Date (YTD) Mid-year Budget to Actual expenditure at March 2021.

The report contains the Operational Performance, Income Statement, Balance Sheet, Cash Flow Statement, and capital performance and other financial data in graphical format.

In relation to the current year, the operating surplus for the nine months period ending 31 March was \$8,294,019.

As at 31 March 2021, total capital works was \$5,196,386 not including committed works.

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

That the Financial Report for the nine months ended 31 March 2021 be noted.

121-20/21 CARRIED

9.10 Endorsement of the Strathbogie Shire Council Sexual Harassment Policy

Responsible Director: Executive Manager People & Culture

EXECUTIVE SUMMARY

The Victoria Auditor-General's Office (VAGO) tabled a Sexual Harassment in Local Government audit report on 9 December 2020 after auditing five councils and surveying seventy-five councils across Victoria. The audit report provided eleven recommendations to Victorian local councils in relation to identifying and acting on risk factors, regularly collecting data on the prevalence of sexual harassment and the development of regular data collection methodology.

At the April Council Meeting, the Strathbogie Shire Council adopted an action plan which addresses the recommendations from the VAGO audit report. The fifth item of the action plan is to develop a sexual harassment policy for Council that meets other recommendations from actions 3, 8 and 10.

This policy aims to create a culture where staff feel empowered to report unacceptable incidents, and whereby complaints will be properly investigated. This safe environment is created by the policy initially defining what sexual harassment is, followed by the demonstrated steps that will be taken to address all disclosures. Staff should always feel safe in their workplace, but equally feel safe that organisational leaders will support and manage appropriately.

MOVED: COUNCILLOR BINKS
SECONDED: DEPUTY MAYOR LIKOS

That Council endorse the Strathbogie Shire Council Sexual Harassment Policy and make it publicly available through Council's website.

122-20/21 ***CARRIED***

9.11 Goulburn Valley Regional Libraries – Community Representative

Author: Director Corporate Operations

Responsible Director: Director Corporate Operations

EXECUTIVE SUMMARY

This report initiates the process to obtain a community representative for Strathbogie Shire to fill a position on the Board of the Goulburn Valley Regional Library Corporation.

The Corporation operates under an agreement signed by the three participating councils; Strathbogie, Greater Shepparton City Council and Moira Shire Council and is overseen by a Board comprising of one councillor, a senior officer and a community member from each municipality.

Library services are delivered through branches at Euroa, Violet Town and Nagambie and through the book mobile and online services.

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

That Council conduct a recruitment campaign to seek a community representative for Strathbogie Shire to sit on the Board of the Goulburn Valley Regional Library Corporation.

123-20/21 CARRIED

9.12 2020 Local Government Elections - Strathbogie Shire Council Election Report

Author: Executive Manager Governance & Customer Service

Responsible Director: Chief Executive Officer

EXECUTIVE SUMMARY

The Victorian Electoral Commission (VEC) is required to prepare a report for each municipal election by the Local Government (Electoral) Regulations 2020. This report has now been received by the Chief Executive Officer.

The report outlines:

- legislative changes around the conduct of the election brought in by the new Local Government Act 2020 and Electoral Regulations
- the Victorian Electoral Commission's information, advertising and community awareness campaign to promote voter enrolment and participation in the election
- election process (including information about the number of candidates for each Ward)
- Covid 19 pandemic social distancing management
- election statistics
- results of the election
- complaints received by the VEC during the conduct of the election.

A total of 9,806 voters were listed on the certified roll and some 8,514 or 86% of voters returned their ballots. Of these, 84% were formal ballot papers that could be counted, with the remainder being informal votes excluded from the count (2%). Informal voting rates were lower than the 2016 election (2.7%) and the 2020 election average for the State (4.8%).

Seventy-one (71) percent of voters on the Chief Executive Officer's list (non-resident ratepayers, tenants and company nominees) participated in the election, even though voting for these groups is not compulsory.

It is important to highlight that voter participation in our 2020 election was higher than for Strathbogie's 2016 election (81%) and higher for the State average turnout for the 2020 election (84%). This high participation rate is, in part, attributable to the significant media and community education awareness campaign undertaken by Council and the VEC in the lead up to the election.

Six (6) written complaints were received by the VEC relating to the nomination process, potential breaches of campaigning regulations and queries around voter entitlements.

Despite the challenges of the social distancing restrictions and campaigning due to the Covid 19 pandemic, all wards were contested. There were a total of 16 candidates in all and the elected Councillors provided for a diversity of genders, backgrounds and ages.

9.12 2020 Local Government Elections - Strathbogie Shire Council Election Report (cont.)

MOVED: COUNCILLOR MURRAY
SECONDED: DEPUTY MAYOR LIKOS

That Council:

- 1. *Note the 2020 Local Government Elections Strathbogie Shire Council Election Report prepared by the Victorian Electoral Commission; and***
- 2. *Make the Election Report available on the Shire's website.***

124-20/21 CARRIED



9.13 Minutes of Tourism, Arts and Culture Advisory Group - Previous Meetings held during 2020/2021

Author: Manager Tourism, Arts and Culture

Responsible Director: Director Community and Planning

EXECUTIVE SUMMARY

Attached are the accepted minutes of the Tourism, Arts and Culture Advisory Group for the most recent meetings held to date in 2020/2021 – Thursday 17 September 2020 and Monday 29 March 2021.

***MOVED: COUNCILLOR BINKS
SECONDED: COUNCILLOR MURRAY***

That Council notes the minutes of the Tourism, Arts and Culture Advisory Group's meetings held on Thursday 17 September 2020 and Monday 29 March 2021.

125-20/21 CARRIED

9.14 Goulburn Murray Regional Prosperity Plan

Author: Director Community and Planning

Responsible Director: Director Community and Planning

EXECUTIVE SUMMARY

Strathbogie Shire Council has recently become a signatory to the Goulburn Murray Regional Prosperity Plan. Following consultation with a number of key stakeholders in the Goulburn Murray region, the vision of the plan is to generate a thriving and sustainable First Nations economy to achieve parity for Yorta Yorta and other First Nations people, leading to increased prosperity for all.

The Plan is accompanied by a 15 year action plan for the region. Furthermore, the commitment from partners to the Plan will deliver an additional \$150 million gross regional product per annum for the Goulburn Murray region through inclusion, prosperity and shared value.

The Traditional Owners of the land for the majority of the Strathbogie Shire Local Government Area, are the Taungurung People. The Yorta Yorta People are the Traditional Owners of the land covering a small portion of land to the north near the municipal boundary.

Council Officers have consulted with the Taungurung Land and Waters Council and were comfortable with Council becoming a signatory to the Goulburn Murray Regional Prosperity Plan.

MOVED: COUNCILLOR HAYES-BURKE
SECONDED: COUNCILLOR BINKS

That Council note Strathbogie Shire Council's commitment to the Goulburn Murray Regional Prosperity Plan through the signing of the Statement of Intent.

126-20/21 ***CARRIED***

9.15 Community Grants Program Guidelines 2021-2022 and establishment of a Community Grants Program Assessment Panel

Author: Coordinator Community Services and Inclusion

Responsible Director: Director Community and Planning

EXECUTIVE SUMMARY

The Strathbogie Shire Community Grants Program encourages community organisation and community groups to apply for funding to support projects that improve the liability of Strathbogie residents.

A review of the grant guidelines has been undertaken with a number of opportunities identified to strengthen the guidelines for the 2021/22 program. These include:

- All Community Grant Program dates updated for the 2021-2022 program with application rounds opening 1st June and closing 30th June 2021
- Assessment process to be undertaken in July and recommendations presented to Council meeting on 17th August
- Inclusion of a grant condition that joint applications from multiple entities, for the same project, must have sign off by all entities agreeing that they will work collaboratively to deliver the project. Individual applications for the same project will not be accepted.
- Applicants will be asked to outline the environmental impacts/benefits of their project as part of the application process
- The grants assessment process has been added to the guidelines, including Terms of Reference for the Community Grants Program Assessment Panel.
- Removal of emergency services, educational institutions and religious organisations being eligible for funding

This report seeks to adopt the above changes to the guidelines for 2021-2022. On adoption of these changes a new re-vamped community facing document will be created, displaying the content in an easy to read manner and will be visually engaging to the reader.

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

That Council:

- 1. Adopt the revised 2021-2022 Community Grants Program Guidelines;***
- 2. Endorse the Terms of Reference for the Community Grants Program Assessment Panel; and***
- 3. Release 2021-22 Community Grants Guidelines on Strathbogie Shire Council Website and publication of information around the grant program and community engagement opportunities via local newspapers and social media.***

127-20/21 CARRIED

9.16 Advocacy Support – Roadmap for Quality Dementia Care

Author: Coordinator Community Services and Inclusion

Responsible Director: Director Community and Planning

EXECUTIVE SUMMARY

Dementia Australia has written to Council calling on our support to advocate to the Australian Federal Government on behalf of the half a million people living with dementia and the 1.6 million people involved in their care.

Since 2018 people living with dementia, their families and carers have shared their experiences in a Royal Commission in the Aged Care Quality and Safety. The Royal Commission's final report captures the essence of the issues facing those living with dementia and sets forth key recommendations.

Dementia Australia have created a Roadmap for Quality Dementia Care which reflects all of the recommendations in relation to dementia made in the Royal Commission's final report and now seek our support to advocate on their behalf to Australian Federal Government to implement Dementia Australia's roadmap.

A draft letter of support addressed to our local federal members of parliament is attached to this report.

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

That Council advocate to Local Federal Members of Parliament by writing a letter of support to the Government to implement Dementia Australia's Roadmap for Quality Dementia Care.

128-20/21 CARRIED



9.17 Review of Community Funding and Investment Policy

Author: Manager Tourism and Community Services

Responsible Director: Director Community and Planning

EXECUTIVE SUMMARY

A review of the current Council Community Funding and Investment Policy has been undertaken in accordance with the review timelines and changes to the organisational structure.

The purpose of this policy is to assist Councillors and Council employees to achieve consistency in corporate processes and produces when developing, assessing, monitoring, acquitting and evaluating funding and investment opportunities.

Minor amendments to the policy have been made including:

- Staff position title updates
- Date updates
- Review date of the Policy (every two years, as opposed to every year).

MOVED: COUNCILLOR HAYES-BURKE
SECONDED: COUNCILLOR MURRAY

That Council:

- 1. *Adopt the revised Community Funding and Investment Policy; and***
- 2. *Inform the community of its adoption via social media and provision of access to the policy through the Shire's website.***

129-20/21 CARRIED

9.18 Strathbogie Shire Council's response to the Australian Rail Track Corporation (ARTC) proposed Planning Scheme Amendment

Author: Manager Planning and Investment

Responsible Director: Director Community and Planning

EXECUTIVE SUMMARY

The Commonwealth Government's Inland Rail Project, lead by the Australian Rail Track Corporation (ARTC), has a clear aim of getting more freight on rail. To support this vision, in Victoria as part of the Tottenham to Albury project, work will be undertaken along the existing rail corridor throughout North East Victoria.

As part of this project changes are required to provide sufficient horizontal and vertical clearance for double-stacked freight trains to safely pass. Works expected throughout the project from Tottenham to Albury include lowering rail track under road bridges or replacing existing bridges with taller bridges.

To assist in facilitating this project, ARTC will request the Minister for Planning make a change to Whittlesea, Mitchell, Strathbogie, Benalla, Wangaratta and Wodonga Planning Schemes, known as a Planning Scheme Amendment.

A Planning Scheme Amendment is a change to the relevant Planning Scheme to apply for a project specific planning control which will remove the need for separate permits. This proposed amendment introduces site specific controls via an Incorporated Document and Specific Controls Overlay (SCO), meaning the project can progress without the need for additional planning permits, subject to conditions being met to the satisfaction of the Minister for Planning.

The ARTC have provided Council an update on their progress on the Planning Scheme Amendment. The ARTC are currently undertaking a voluntary exhibition process for Amendment GC157, covering the Inland Rail Project area from Tottenham to Albury. A final copy of the ARTC's amendment will be sent to the Minister for Planning in due course.

In addition, the ARTC have requested a letter of support for the Inland Rail Project from Strathbogie Shire Council, that includes our views and feedback on the Inland Rail Project, Planning Scheme Amendment and supporting documentation (draft Incorporated Document and draft Explanatory Report).

Following review of the relevant documentation, the attached response to ARTC has been formulated. In summary our response highlights:

- In-principle support for the project
- The importance of continual and genuine community engagement
- The need for a focus on movement and connectivity of vehicles and pedestrians
- Ensuring the best possible outcome for our community.

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9.18 Strathbogie Shire Council's response to the Australian Rail Track Corporation (ARTC) proposed Planning Scheme Amendment (cont.)

MOVED: COUNCILLOR MURRAY
SECONDED: COUNCILLOR HOURIGAN

That Council provide feedback on the Inland Rail Project, proposed Planning Scheme Amendment and supporting documents (draft incorporated Document and draft Explanatory Report) around the following key points:

- In-principle support for the project
- The importance of continual and genuine community engagement
- The need for a focus on movement and connectivity of vehicles and pedestrians
- Ensuring the best possible outcome for our community
- Seek written confirmation from the Australian Rail Track Corporation that the community will have input into the final designs for the Euroa Railway Precinct as part of the Planning Scheme Amendment

130-20/21 **CARRIED**

9.19 Request for Variation to Contract No. 19-20-06 Longwood-Ruffy Road Safety Upgrade Stage 1

Author: Executive Manager, Governance & Customer Service

Responsible Director: Director Community and Planning

EXECUTIVE SUMMARY

This report seeks Council approval for a second variation to Contract No. 19-20-06 awarded to Mawson Construction Pty Ltd for the construction of stage 1 of a safety upgrade to Longwood-Ruffy Road following a resolution of Council on 18 February 2020.

The need for additional variations, to a total value of \$260,045.24 excluding GST, has arisen due to the need to undertake a revised pavement design and further road stabilisation works.

The initial tender was awarded for a total price of \$711,352.56 excluding GST. The first variation total \$2,850.00, approved under delegation, was due to the requirement to seal/protect drainage trenches across the road during the suspension of the additional works. The second variation of \$145,469.24 was following instability caused by high rainfall and the need to redesign the road to respond to unexpected issues relating to drainage and the need for a revised specification for the pavement. The third variation of \$114,576.00 was for the stabilisation of the subgrade that developed significant soft spots for the majority of its length on each side of the pavement (the widened sections).

There have been some savings throughout the project in other areas as a lesser amount of new material was required to complete the road to the new specification. This means the total cost of the project will be \$892,887.80, an overall increase of \$181,535.24, from the original contract price.

The approved notional budget for this project was \$1,500,000, part of which was carried over from the 2019-20 budget, given construction works were delayed and have been undertaken during the 2020-21 financial year.

This report is coming to Council due to the quantum of the value of the variations. In doing so, Council achieves maximum public transparency around why the project has cost more than the original contract.

***MOVED: COUNCILLOR BINKS
SECONDED: COUNCILLOR MURRAY***

That Council endorse a variation to contract No. 19-20-06 of \$260,045.24 excluding GST with Mawson Construction Pty Ltd for the completion of Stage 1 of the Longwood-Ruffy Road Safety Upgrade.

131-20/21 CARRIED

9.20 Determination of Mayoral and Councillor Allowances

Author: Executive Manager Governance & Customer Service

Responsible Director: Chief Executive Officer

EXECUTIVE SUMMARY

Mayors and councillors are entitled to receive an allowance for performing their duties as an elected official under section 39 of the Local Government Act 2020 (the 2020 Act).

The introduction of the 2020 Act has seen a change in the approach to setting allowances for the Mayor, Deputy Mayor and Councillors through a determination by the Victorian Independent Remuneration Tribunal under the *Victorian Independent Remuneration Tribunal and Improving Parliamentary Standards Act 2019*.

However, the Minister for Local Government is yet to request the Tribunal to review allowances. This means that although technically the former provisions of section 74(1) of the *Local Government Act 1989* (the 1989 Act) are still in force until the Tribunal makes its first determination. Section 39(6) of the 2020 Act provides for this transitional arrangement.

Council must, therefore, undertake a review of Mayoral and Councillor allowances by 30 June 2021.

Under the 1989 Act, allowances for mayors and councillors are set through an Order in Council by the Minister for Local Government dated 13 November 2019. There are three tiers of councils with varying levels of allowance ranges. Strathbogie Shire is in Category 1 (small rural councils), with the Mayor being able to be paid an allowance up to \$62,884 and councillors between \$8,833 – \$21,049. All are also entitled to receive a payment equivalent to the superannuation guarantee contribution of 9.5%.

A remote area travel allowance of \$40 per day (and up to a maximum of \$5000 per annum) per Councillor is a separate allowance that is able to be claimed when travel of more than 50 kilometres from home is required to attend official meetings or functions that are subject to a resolution of Council (eg ordinary Council meetings, committee meetings for which a Councillor is the nominated representative or Committee of Council meetings).

Currently, our Mayor and Councillors are paid the maximum permissible allowance. All receive the superannuation equivalent of 9.5% of their allowance. Previous Councillors have made a decision not to claim the remote area allowance and therefore a budget allocation has not been made in the current nor draft 2021-22 budget for this purpose.

Under section 39(5) of the 2020 Act Councillors and the Mayor can decide to receive all, part or none of the Councillor and Mayoral allowance. However, these provisions will only come into effect at the end of the year so, at present, Councillors can either elect to receive all of the allowance or no allowance at all.

9.20 Determination of Mayoral and Councillor Allowances (cont.)

An indexation of allowances has not been undertaken by the Minister since 2019. Usually, allowances are indexed to the rate capping figure. Given there has been no change to the quantum allowance amounts, it is recommended that the allowance rates for the Mayor and Councillors remain at current levels.

In reviewing allowances, Council must seek public input through the formal section 223 process under the 1989 Act. This means that a public notice must be published allowing a minimum of 28 days for written submissions to be received. A Committee of Council, which in this case it is recommended the entire Council, must be appointed and a date assigned to consider written and verbal submissions. It is proposed that the meeting date be set for 4pm Tuesday 29 June, 2021 at a time to be determined. This meeting would not be required if there are no submissions received.

MOVED: COUNCILLOR BINKS
SECONDED: DEPUTY MAYOR LIKOS

That Council, having reviewed the Mayoral and Councillor allowances in accordance with 74(1) of the Local Government Act 1989:

- 1. Endorse in principle retaining the Mayoral allowance at its current level of \$62,884 and Councillor allowances at their current level of \$21,049.***
- 2. Endorse in principle the payment of an allowance equivalent to the superannuation guarantee level of 9.5%, or \$5,973.98 for the Mayor and \$1999.66 for Councillors.***
- 3. Give 28 days public notice to seek written submissions in response to the review of Mayoral and Councillor allowances through notices in local newspapers, on Council's website and social media pages, highlighting the ability for submitters to request an opportunity to make a verbal presentation to a Committee of Council in support of their written submission.***
- 4. Appoint the whole Council to be the Committee of Council to consider all written and verbal submissions in relation to the review of Mayoral and Councillor Allowances at a meeting to commence at 4pm on Tuesday 29 June 2021.***
- 4. Determine not to hold the Committee of Council meeting should no written submissions be received and that the decision on the review of Mayoral and Councillor Allowances be considered at the extra ordinary meeting to be held from 5pm on Tuesday 29 June 2021.***

132-20/21 **CARRIED**

9.21 Road Exchange – Un-named Road Reserve (Gilgai Farm)

Author: Manager Asset Planning

Responsible Director: Director Community & Planning

EXECUTIVE SUMMARY

Council approval is sought to commence proceedings to deviate a road for a road reserve adjacent to the un-named road within 4316 Heathcote-Nagambie Road, Gilgai Farm (the Property) for Lots 3 and 8 on Title Plan TP 009233Q, as shown on Attachment 1.

A road exchange will then be undertaken for private property in the western part of Lot 8 - TP 009233Q un-named road, as shown on Attachment 2.

In exchange for the western part of Lot 8 - TP 009233Q as shown on Attachment 2, to realign the unused road reserve with the physical track, the eastern part of the Property adjacent to Lot 3 - TP 009233Q, as shown on Attachment 1, will revert to private property for the construction of staff accommodation. The un-named road (Road) traverses through the Property. The Road is used by Department of Environment, Land, Water and Planning (DELWP), Goulburn Murray Water (GM-W) and is open to members of the public to access the Goulburn River.

The new *Local Government Act 2020* is being introduced gradually over four tranches. At the time of writing this report, the provisions of the *Local Government Act 1989* remain in place in relation to council powers over roads. Further, the requirements for the proposal to be advertised to the public for a period of 28 days and allow written submissions to be lodged under section 223 of the Act still remain in place.

At the March Council Meeting, Council resolved to: -

1. *Determines under the powers of section 206 and clause (2) Schedule 10 of the Local Government Act 1989 that the road reserve to Lot 3 - TP 009233Q is not required for public access or any future public use.*
2. *Resolve to advertise its intention to deviate part of the road reserve adjacent to Lot 3 - TP 009233Q in the eastern section of the private property, pursuant to Section 206 of the Local Government Act 1989.*
3. *Authorise Council officers to place a public notice of the proposed road deviation and the road exchange in local newspapers and to obtain the consent of the Minister for Energy, Environment and Climate Change administering the Land Act 1958 via the Department of Environment, Land, Water and Planning in accordance with sections 206, 207a and section 223(a) of the Local Government Act 1989.*
4. *Appoints a Committee comprising the whole of Council with a quorum of five Councillors, to hear and consider any written public submission received in relation to the proposed road exchange in accordance with section 223(b) of the Local Government Act 1989.*
5. *Nominates 6th April at 1:00pm (subsequently amended to 11th May at 5:00pm at the April Council Meeting) as the date and time for the Committee to consider any written, or hear any verbal submissions in support of written submissions, in accordance with section 223(b) of the Local Government Act 1989.*

9.21 Road Exchange – Un-named Road Reserve (Gilgai Farm) (cont.)

6. *Proceeds to publish a notice in the Government Gazette and all relevant documentation surrounding the exchange to be lodged with the Registrar of Title if no submissions are received on the proposed road exchange.*
7. *Be provided with a report outlining a recommendation from the Committee hearing for presentation at the next available Council meeting for its consideration, should any submissions be received regarding the proposed road exchange in accordance with section 223(c) of the Local Government Act 1989.*
8. *Following the advertising period, if no public submissions are received -*
 - a. *authorise officers to undertake the exchange of road reserve adjacent to Lot 3-TP 009233Q for part of Lot 8 on TP 009233Q with the owner of 4316 Heathcote-Nagambie Road,*
 - b. *require the owner to install signage advising that the road will remain open for public access, with all costs in parts (a) and (b) to be borne by the owner.*

Following the submission period, one submission regarding the proposal was received. This submitter requested to be heard in support of their written submission. This hearing took place on 11 May 2021. A summary of the submitters' objection can be found further in this report.

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

That Council:

1. ***Note the submission received as a result of the public exhibition period of the proposed road deviation and the road exchange;***
2. ***In consideration of the submission received, proceed with the exchange of road reserve adjacent to Lot 3 - TP 009233Q for part of Lot 8 on TP 009233Q with the owner of 4316 Heathcote-Nagambie Road, with all costs to be borne by the owner; and***
3. ***Authorise Officers to:***
 - a. ***undertake the exchange of road reserve adjacent to Lot 3-TP 009233Q for part of Lot 8 on TP 009233Q with the owner of 4316 Heathcote-Nagambie Road,***
 - b. ***require the owner to install signage advising that the road will remain open for public access, with all costs in parts (a) and (b) to be borne by the owner.***

133-20/21 **CARRIED**

9.22 Business Management System

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

- Building Department – April 2021 Statistics (*data for April to be included in the June Council Meeting BMS report*)
- Planning Department – Planning Application Approvals – Development Cost (Capital Improved Value) - April 2021
- Customer Enquiry Analysis Report – Report for April 2021
- Waste Management Reporting ~ Year to Date – April 2021
- Actioning of Council Reports Resolutions – Council Meeting 20 April 2021
- Outstanding Actions of Council Resolutions to 31 April 2021
- Review of Council Policies and Adoption of new Policies – April/May 2021
- Records of Informal Council Briefings / Meetings

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.

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DISCUSSION

Work has continued across the organisation on improving our performance in ensuring customers are kept informed of the progress of their request and the action taken by Council in response to their issue.

The Customer Request Analysis Report for April shows a reduction this month in the number of outstanding tasks from 2018 and 2019 from 28 to 26.

The number of remaining requests is relatively stable at just over 900, while the number of outstanding requests is up slightly from 497 in March to 508. This is because 840 new requests were received. Some 828 requests for service were completed during April.

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

That the report be noted.

134-20/21 CARRIED

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

NEXT MEETINGS

Strathbogie Shire Council will be conducting two Extraordinary Meetings on Tuesday 8 June 2021 at the Euroa Community Conference Centre, being -

1.00 p.m.

- Receiving / Hearing of Submissions to a Road Closure – Euroa Tip Road
Please note: If there are no submissions, the meeting will not go ahead

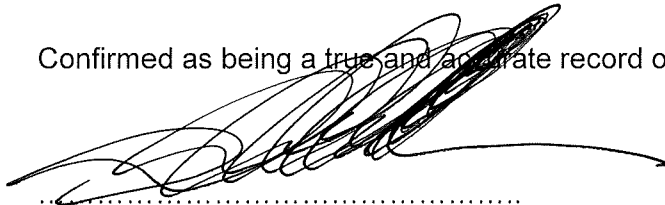
4.00 p.m.

- Receiving / Hearing of Submissions to the draft 2021/2022 Budget.

The next monthly Meeting of the Strathbogie Shire Council is scheduled to be held on Tuesday 15 June 2021, at the Euroa Community Conference Centre, commencing at 6.00 p.m.

THERE BEING NO FURTHER BUSINESS, THE MEETING CLOSED AT 8.27 P.M.

Confirmed as being a true and accurate record of the Meeting


.....
Chair

15/06/21
.....
Date