



STRATHBOGIE SHIRE COUNCIL

Minutes / Decisions a Meeting of the Strathbogie Shire Council held virtually on Tuesday 15 June 2021, commencing at 2.00 p.m.

It is noted that the earlier commencement time was to enable Council to hear verbal objections in relation to Planning Permit Application No. P2020-124: Use and Development of a Camping and Caravan Park, Two (2) lot Subdivision and Creation of Easements, Development of land for boat ramp and four (4) jetties, at 82 Kirwans Bridge Road, Nagambie. Consideration of the application commenced at the conclusion of the hearing of objections.

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

1. Welcome

Good afternoon everyone. I am Julie Salomon, the Chief Executive Officer of Strathbogie Shire Council.

I am opening the Council meeting today as we need to firstly elect a Chair, given that the Mayor and Deputy Mayor are both on leave today.

In accordance with Rule 14 of Council's Governance Rules, we are required to elect an Acting Mayor just for the purpose of chairing today's Council meeting.

Councillors, can I please have a motion regarding the appointment of an Acting Mayor for the purpose of chairing today's Council meeting?

COUNCILLOR HAYES-BURKE NOMINATED COUNCILLOR BINKS AS ACTING MAYOR TO CHAIR TODAY'S MEETING

COUNCILLOR BINKS ACCEPTED THE ROLE OF ACTING MAYOR FOR TODAY'S MEETING

THERE BEING NO FURTHER NOMINATIONS OR OPPOSITION TO THE NOMINATION, COUNCILLOR BINKS WAS ELECTED AS ACTING MAYOR AND ASSUMED THE ROLE OF CHAIR FOR THE MEETING

The Acting Mayor addressed the meeting

Good afternoon everyone, I would like to welcome you all to this Council meeting of 15 June 2021, which is commencing earlier at 2.00 p.m. today in order to hear quite a number of submissions from the Applicant and community on Item 9.2 on the Agenda for the Use and Development of a Camping and Caravan Park, Two (2) lot Subdivision and Creation of Easements, Development of land for boat ramp and four (4) jetties ~ 82 Kirwans Bridge Road, Nagambie.

This meeting is held in accordance with Strathbogie Shire's Governance Rules and the Ministerial Good Practice Guidelines (MGPG-1) for Virtual Meetings.

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 Acting Mayor addressed the meeting

We hope everyone in our community has now received their invitation to be part of our Community Panel.

This is the first time Council has used deliberative engagement methods to develop our Community Vision and set the direction for the next Council Plan.

The panel will have the important role of reviewing the information received during the first stage of the community engagement program and creating the Strathbogie Shire 2040 Community Vision and the 2021-25 Council Plan.

The panel will consist of about 25 to 30 people from throughout our region.

Panel members will be independently recruited in a random-selection process to ensure there are a cross-section of people working together to drive our direction.

Expert facilitators will support panel members with different viewpoints to work together in a respectful manner and come to a shared position.

This will be a genuine, open process that will result in a shared vision for our future. It will not be a public meeting format where loud voices can sometimes dominate.



We are also keen to include younger people in these processes, so we encourage our young people aged between 18 to 30 years old, to register so we can include their voice in this process.

To register your interest, go to deliberatelyengaging.com.au/strathbogie.

Registrations close at midnight on Sunday, June 20. So please – we encourage you to register your interest now.

3. Apologies / Leave of Absence

Chris Raeburn (Mayor)

(Honeysuckle Creek Ward)

Melanie Likos (Deputy Mayor)

(Lake Nagambie Ward)

Dawn Bray

Executive Manager, Governance and Customer Service (EMGCS)

4. Disclosure of Conflicts of Interests

Cr Hourigan declared an interest only in Item 9.2 and made the following statement -

After considering whether or not I have a conflict of interest in this matter I have consulted with Council staff and legal advice has been sought. I wish to declare an interest in the matter as one of a group of many tourism operators that run businesses across the Shire and the region, however I do not have a general or material conflict of interest in this matter.

The Acting Mayor addressed the meeting

Councillors, we have a number of people wishing to make a submission to Council on item 9.2 on the Agenda.

We also have a number of questions submitted for Item 8 Public Question Time that relate to this Item.

In accordance with Rule 29 of Council's Governance Rules, we are able to change the order of business by way of a resolution.

Councillors, can I have a motion to change the order of business so that we now consider Items 8 and 9.2 on the Agenda relating to Public Question Time and the Use and Development of a Camping and Caravan Park, Two (2) lot Subdivision and Creation of Easements, Development of land for boat ramp and four (4) jetties ~ 82 Kirwans Bridge Road, Nagambie?

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

That the Order of Business be changed to allow consideration of Items 8 and 9.2 on the Agenda relating to Public Question Time and the Use and Development of a Camping and Caravan Park, Two (2) lot Subdivision and Creation of Easements, Development of land for boat ramp and four (4) jetties ~ 82 Kirwans Bridge Road, Nagambie

135-20/21 CARRIED



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.

Questions were received from twelve submitters, which were read out and responded to by the Chief Executive Officer

Council Ref: DO: 12/2021

1. Ref P2020-124 The Decision Guidelines take into account the impact on the character and appearance of the area. Why is it feasible for 215 cabins and 57 camper sites to not have an impact on the natural scenic beauty and environment of the area.
2. Ref 2020-124 The Strathbogie Planning Scheme Clause 21.06 promotes tourism. Why does tourism carry more value than the amenity of the township of Kirwans Bridge, the wellbeing of residents and the preservation of the environment.

Response

The questions posed are in relation to the Officer report being heard before Council today. The Strathbogie Planning Scheme takes into consideration a broad range of matters both State and Local polices. The planning matter will ultimately be decided by VCAT and all Victorian Planning Policies.

Council Ref: BC: 13/2021

- Can the following be included in the Permit Conditions?
- Proposed development is classified as a non-motorized water sports tourist park.
 - No Launching of Powered Boats, or PWC's / Jet ski's is to be allowed from the property, nor is the property to allow waterfront access of any visitors by water using same.

Response

Thank you for raising the proposed additional conditions for the Planning Application to be heard today. Council notes your comments for consideration.

Council Ref: PL: 14/2021

Has any consideration been taken by The Shire or the Developer regarding the local neighbours. If so has the developer expressed to the Shire any circumstances that would mitigate the impact to neighbours. Has The Shire considered 21.02-2 of Strathbogie Planning Scheme to preserve and protect small community settlements as Kirwans Bridge, Goulburn Weir?

The fact the proposal hasn't really changed beside a change to the size of the boat ramp. Is the Shire aware of any proposals by the developer, to add any infrastructure for the benefit of the Kirwans Bridge or Nagambie residence. (if successful).

Response

1. *The questions posed are in relation to the Officer report being heard before Council today. The Strathbogie Planning Scheme takes into consideration a broad range of matters both State and Local polices. The planning matter will ultimately be decided by VCAT and all Victorian Planning Policies.*



8. Public Question Time (cont.)

Response to Council Ref: PL: 14/2021 (cont.)

2. *The application before council has taken into consideration a number of matters and infrastructure is a part of that consideration. The draft permit conditions which will be provided to VCAT cover a range of infrastructure requirements.*

Council Ref: DM: 16/2021

Many submitters were disadvantaged: they weren't notified of an internet link to the virtual meeting.

Response

All people who registered to speak have been contacted

The following questions from seven submitters were responded to collectively

Council Ref: DM: 15/2021

Will the Shire be spending ratepayer funds for roads, paths, tracks and service utilities to be provided to the development site ref P2020-124?

Council Ref: DL: 17/2021

1. Given the significant level of concern for the environmental impact from the many objectors to Planning Application P2020-124, why hasn't the Council seen the need to obtain an independent flora and fauna assessment, rather than relying on that of the Applicant's alone, or as a minimum had the Applicant's assessment independently peer reviewed, prior to a decision being considered by Council.
2. The development for P2020-124 is immediately adjacent to a backwater area that is environmentally sensitive and has not had the impact of powered watercraft for over 130 years. Why is the Shire permitting such activity into this backwater and wetland area?.

Council Ref: RH: 18/2021

I have 2 questions regarding application P2020/124:

Section 9 of the Local Government Act 2020 requires transparency. Why have the reports from the Applicant to the Shire not been made available for distribution to Respondents to the Application?

Also

The Officer Comments state that one portion of the land (Lot 1) was used as a commercial business. Was the function centre, café, restaurant, cellar door not a secondary facility to the whole agricultural business of the vineyard?

Council Ref: JA: 19/2021

1. Ref P2020-124 The analysis of the development is based on the Decision Guidelines of the Strathbogie Planning Scheme which is very general. Why has the planning analysis not been more in-depth particularly with regard to the Clause 12.01 Biodiversity and the sub-Clauses 12.01-1S and 12.01-2S?
2. Ref P2020-124 Why has the planning analysis not investigated in detail Clause 13.03-1S of the Strathbogie Planning Scheme to protect and enhance river corridors, waterways, lakes and wetlands?

8. Public Question Time (cont.)

Council Ref: DM: 20/2021

1. Ref. P2020-124 The site is in a Farming Zone where the Purpose is to provide for the use of the land for agriculture. Why is the land being permitted to become a zone for a commercial operation and pseudo-residential zone?
2. Ref. P2020-124 The Farming Zone specifies 40Ha as the minimum lot size. Why is the Proposal being permitted to create Lot 1 which is only 16.4Ha?

Council Ref: RA: 21/2021

1. P2020-124 The development is supposed to relate to sustainable land management. Why is the planning consideration that connection to reticulated services the only component in sustainable land management?
2. P2020-124 The Decision Guidelines suggest that the buildings avoid any adverse impacts on surrounding agricultural uses. How is it possible for the development to cover the whole of Lot 1 and be considered to have no adverse impacts?

Council Ref: GM: 22/2021

1. P2020-124 The Strathbogie Planning Scheme calls for the Protection of Biodiversity. Why is the planning consideration based on reticulated sewer, landscape plans and stormwater and NOT on the protection of threatened species and their habitat?
2. P2020-124 The Strathbogie Planning Scheme requires protection of river corridors, waterways, lakes and wetlands. Why is the planning consideration not based on an assessment of the protection of these assets?

Response to above seven submitters

The questions posed are in relation to the Officer report being heard before Council today. The Strathbogie Planning Scheme takes into consideration a broad range of matters both State and Local polices. The planning matter will ultimately be decided by VCAT and all Victorian Planning Policies.

Council Re: AD: 23/2021

Regarding Planning Permit P2020-124.

- Q1: Does Cr Likos have a conflict of interest in this matter due to her business that relies on this tourist activity?
- Q2: Is the Shire aware of the developers plan to use this decision as the base to develop low density housing on the \$15 -20 million dollars of land he has purchased directly north and east the proposal site?

Response

1. *All matters of potential conflict are part of the Council meeting and declared accordingly.*
2. *All planning applications are considered on their merit and should an application be submitted into the future, it will be considered at the time. Low Density housing will be required to be zoned accordingly prior to the consideration of a permit. Land to the south is zoned Low Density Residential with a Development Plan Overlay.*



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9. OFFICER REPORTS

9.2 Planning Permit Application No. P2020-124

Use and Development of a Camping and Caravan Park, Two (2) lot Subdivision and Creation of Easements, Development of land for boat ramp and four (4) jetties ~ 82 Kirwans Bridge Road, Nagambie

Author: Manager Planning & Investment

Responsible Director: Director Community and Planning

EXECUTIVE SUMMARY

- Council has received notice from the Victorian Civil and Administrative Tribunal (VCAT) that the Applicant has lodged an application under Section 79 Failure of the Responsible Authority to grant the permit within the prescribed time of 60 statutory days (known as a failure to determine appeal) of the *Planning & Environment Act 1987*.
- Even though a failure to determine appeal has been lodged and VCAT is now the decision maker, Council must still form a view on the merits of the application.
- The purpose of this report is to provide Council with information pertaining to Planning Application P2020-124 to enable Council to form a position on the application to provide to VCAT.
- The application as proposed is for the use and development of land for a Camping and Caravan Park, two (2) lot subdivision, the creation of easements and the development of land for a boat ramp and four (4) jetties.
- The use and development is proposed to be located at 82 Kirwans Bridge Road, Nagambie also known as 225 Lobbs Lane Nagambie, formally identified as Lot 1 on Title Plan 5782242L, Certificate of Title Volume 09667, Folio 723.
- The subject site is approximately 42 hectares in area. The proposed two (2) lot subdivision will create two (2) lots of approximately 16 hectares (Lot 1) and 26 hectares (Lot 2). The 16 hectare parcel will be located in the north west corner of the site with existing access and is proposed to contain the Camping and Caravan Park. The balance lot contains an existing dwelling and associated shedding and is accessed via an existing driveway from Lobbs Lane.
- The proposed creation of easements will allow for water and power supply to both lots.
- The application was advertised, and 1177 objections were received and in addition 19 submissions were received in support of the application. Further detail is contained within this report.
- The application was referred to the Country Fire Authority (CFA), Goulburn Broken Catchment Management Authority (GBCMA), Goulburn Murray Water, Goulburn Valley Region Water Corporation, the Department of Environment, Land, Water and Planning (DELWP), AusNet Electricity Services (AusNet) and Taungurung Land and Waters Council (Taungurung). All authorities have provided conditional consent to the proposal, subject to the inclusion of planning permit conditions.



9.2 Planning Permit Application No. P2020-124

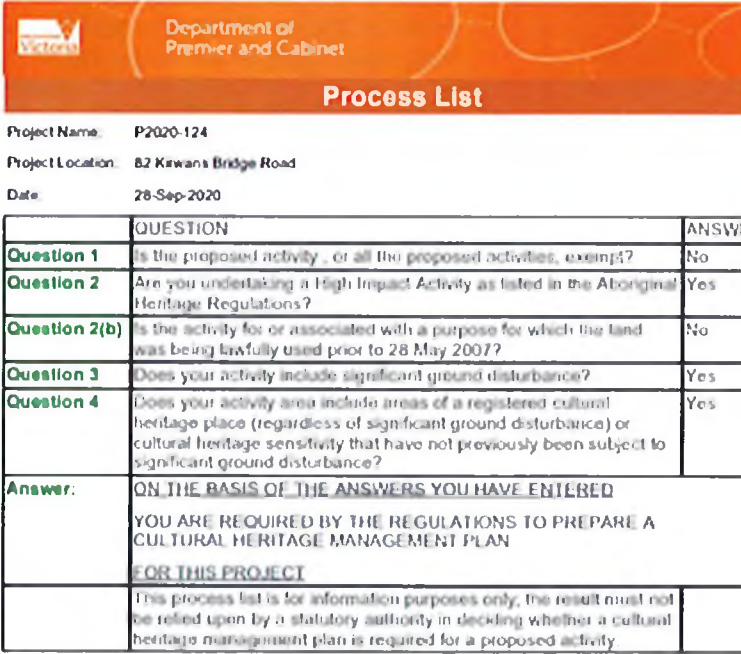
Use and Development of a Camping and Caravan Park, Two (2) lot Subdivision and Creation of Easements, Development of land for boat ramp and four (4) jetties ~ 82 Kirwans Bridge Road, Nagambie (cont.)

- The application was referred internally to Council's Asset department and Environmental Health Officer. Neither object to the proposal. The Assets department has provided conditional consent, whilst Council's Environmental Health Officer offered no conditions due to the proposal including connection to reticulated sewer and water services to the site.
- Having provided notification to residents in the surrounding area and more broadly through notification in local media, online through Councils website and the provision of drop in sessions and consultative meetings, the submissions received both objecting to and in support of the application are predominately related to the Camping and Caravan Park component of the application. Further detail in relation to the objections and letters of support can be found within the consultation section of this report.
- The application has not been assessed within the 60-day statutory timeframe due to the extensive consultation with relevant authorities, further detail contained within the consultation section of this report.
- The proposal is considered to meet the objectives of the Planning Policy Framework, Local Planning Policy Framework, the Farming Zone, Overlays and relevant particular provisions.
- It is recommended that Council notify the Victorian Civil and Administrative Tribunal that the issue of a permit is supported subject to the conditions.

APPLICATION DETAILS

Application is for:	Use and Development of land for a Camping and Caravan Park, Two (2) lot subdivision, Creation of Easements, development of land for a boat ramp and four (4) jetties.
Applicant's/Owner's Name:	Spiire for Parklea Pty Ltd
Date Received:	28 September 2020
Statutory Days:	83 Statutory days
Application Number:	P2020-124
Planner: Name, title & department	Emma Kubeil Manager Planning & Investment Planning & Investment Department
Land/Address:	Lot 1 on Title Plan 578242L. Certificate of Title Volume 09667 Folio 723 82 Kirwans Bridge Road, Nagambie
Zoning:	Farming Zone
Overlays:	Floodway Overlay (Part)

9.2 Planning Permit Application No. P2020-124
Use and Development of a Camping and Caravan Park, Two (2) lot Subdivision
and Creation of Easements, Development of land for boat ramp and four (4) jetties
~ 82 Kirwans Bridge Road, Nagambie (cont.)

<p>Is a CHMP required?</p>	<p>Yes – Provided and approved</p>  <p>Department of Premier and Cabinet Process List</p> <p>Project Name: P2020-124 Project Location: 82 Kirwans Bridge Road Date: 28-Sep-2020</p> <table border="1"> <thead> <tr> <th></th> <th>QUESTION</th> <th>ANSWER</th> </tr> </thead> <tbody> <tr> <td>Question 1</td> <td>Is the proposed activity, or all the proposed activities, exempt?</td> <td>No</td> </tr> <tr> <td>Question 2</td> <td>Are you undertaking a High Impact Activity as listed in the Aboriginal Heritage Regulations?</td> <td>Yes</td> </tr> <tr> <td>Question 2(b)</td> <td>Is the activity for or associated with a purpose for which the land was being lawfully used prior to 28 May 2007?</td> <td>No</td> </tr> <tr> <td>Question 3</td> <td>Does your activity include significant ground disturbance?</td> <td>Yes</td> </tr> <tr> <td>Question 4</td> <td>Does your activity area include areas of a registered cultural heritage place (regardless of significant ground disturbance) or cultural heritage sensitivity that have not previously been subject to significant ground disturbance?</td> <td>Yes</td> </tr> <tr> <td>Answer:</td> <td colspan="2">ON THE BASIS OF THE ANSWERS YOU HAVE ENTERED YOU ARE REQUIRED BY THE REGULATIONS TO PREPARE A CULTURAL HERITAGE MANAGEMENT PLAN FOR THIS PROJECT</td> </tr> <tr> <td></td> <td colspan="2">This process list is for information purposes only, the result must not be relied upon by a statutory authority in deciding whether a cultural heritage management plan is required for a proposed activity.</td> </tr> </tbody> </table>		QUESTION	ANSWER	Question 1	Is the proposed activity, or all the proposed activities, exempt?	No	Question 2	Are you undertaking a High Impact Activity as listed in the Aboriginal Heritage Regulations?	Yes	Question 2(b)	Is the activity for or associated with a purpose for which the land was being lawfully used prior to 28 May 2007?	No	Question 3	Does your activity include significant ground disturbance?	Yes	Question 4	Does your activity area include areas of a registered cultural heritage place (regardless of significant ground disturbance) or cultural heritage sensitivity that have not previously been subject to significant ground disturbance?	Yes	Answer:	ON THE BASIS OF THE ANSWERS YOU HAVE ENTERED YOU ARE REQUIRED BY THE REGULATIONS TO PREPARE A CULTURAL HERITAGE MANAGEMENT PLAN FOR THIS PROJECT			This process list is for information purposes only, the result must not be relied upon by a statutory authority in deciding whether a cultural heritage management plan is required for a proposed activity.	
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<p>Is it within an Open Potable Catchment Area?</p>	<p>No</p>																								
<p>Under what clause(s) is a permit required? (include description)</p>	<p>Clause 35.07-1, Farming Zone, Planning Permit required for the 'Use' of land for a Camping and Caravan Park Clause 35.07-3, Farming Zone – planning permit required for subdivision. Clause 35.07-4, Farming Zone – planning permit required for 'buildings and works' associated with a Section 2 use. Clause 44.03-2 Buildings and works (Jetties and Boat ramp) Clause 44.03-4 Subdivision Clause 52.02 Easements, Restrictions and Reserves – planning permit required to create an easement</p>																								
<p>Restrictive covenants on the title?</p>	<p>No</p>																								
<p>Current use and development:</p>	<p>Existing use for restaurant, café, liquor license, functions at the time of application.</p>																								

Objectors who requested to present a verbal presentation in support of their written objections were given the opportunity to address Council.

The applicant addressed Council in support of the application. Apologies were conveyed that the owner of the property was going to address Council, however, due to time constraints, was now unable to make a presentation due to other meeting commitments.



- 9.2 Planning Permit Application No. P2020-124
Use and Development of a Camping and Caravan Park, Two (2) lot Subdivision
and Creation of Easements, Development of land for boat ramp and four (4) jetties
~ 82 Kirwans Bridge Road, Nagambie (cont.)

MOVED: COUNCILLOR MURRAY
SECONDED: COUNCILLOR HAYES-BURKE

That Council:

1. ***Having caused notice of planning application No. P2020-124 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, resolved that it would have decided to refuse the application on land known and described as 82 Kirwans Bridge Road, Nagambie for the Use and Development of land for a Camping and Caravan Park, Two (2) lot subdivision, Creation of Easements, development of land for a boat ramp and four (4) jetties, on the following grounds:***
 - ***The permit application has failed to adequately address the potential environmental impacts of the proposed development and Clause 12.01-1S of the Strathbogie Planning Scheme.***
 - ***The permit application has failed to adequately address how the proposed development of the Caravan and Camping park satisfies with Clause 12.03-1S and will not have unacceptable impacts on the environment, including on the Sloane Froglet.***
 - ***The permit application fails to adequately address the context of the area and Clause 18.02-1S and provide adequate provision for transport connectivity for pedestrians or cyclists to Nagambie and features of interest in the area.***
 - ***The permit application has failed to adequately address the lack of connectivity and benefit of the proposed development to the Nagambie community.***
2. ***Advise the Victorian Civil and Administrative Tribunal and relevant parties of its position on planning permit application P2020-124.***

136-20/21 **CARRIED**



The Acting Mayor addressed the meeting

Councillors, given that we have considered the submissions and made a resolution on Item 9.2 we will now adjourn this Council meeting and reconvene at the usual time of 6.00 p.m.

Under Governance sub rule 25.1 I require a motion to defer the meeting until 6.00 p.m., which will continue to be held virtually due to COVID-19 restrictions.

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

That the meeting be adjourned, and reconvened virtually at 6.00 p.m.

137-20/21 CARRIED

THE MEETING ADJOURNED AT 4.24 P.M.



6.00 p.m.

The Acting Mayor reconvened the meeting and addressed the meeting

Good evening everyone, I am Councillor Laura Binks and was elected as temporary Acting Mayor for the purpose of chairing this meeting given the absence of the Mayor, Councillor Chris Raeburn, and Deputy Mayor, Melanie Likos.

I would like to recommence the Council meeting of 15 June 2021, which was adjourned by Council at 4.24 p.m. following the consideration of Items 8 and 9.2 on the Agenda.

We had to change the order of business on the Agenda to accommodate the submitters to Item 9.2, and so I'd like to recommence this meeting by starting with Item 5, however, before that, I am going to repeat my introduction for the benefit of those who weren't here earlier on

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'

Due to COVID-19 restrictions, this meeting is being held virtually.

I have already spoken about this when the meeting started at 2pm, but I'm going to speak again because it's important.

We hope everyone in our community has now received their invitation to be part of our Community Panel.

This is the first time Council has used deliberative engagement methods to develop our Community Vision and set the direction for the next Council Plan.

The panel will have the important role of reviewing the information received during the first stage of the community engagement program and creating the Strathbogie Shire 2040 Community Vision and the 2021-25 Council Plan.

The panel will consist of about 25 to 30 people from throughout our region.

5. Confirmation of Minutes of Previous Meetings

- Tuesday 11 May 2021 (Extraordinary Council Meeting – Submissions to Proposed Road Exchange – Un-named Road Reserve (Gilgai Farm))
- Tuesday 18 May 2021
- Tuesday 8 June 2021 (Extraordinary Council Meeting – Submissions to Road Closure - Euroa Tip Road)
- Tuesday 8 June 2021 (Extraordinary Council Meeting – Submissions to Draft 2021/22 Budget, 2021/22 Revenue and Rating Plan, and 2021/22 Fees and Charges

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

That the Minutes of the meetings listed above be confirmed.

138-20/21 CARRIED



6. Petitions

Council received a petition from resident of Branjee Road, Euroa, with 19 signatories. The petition reads:

Petition for private property letterbox mail delivery in Branjee Road, Euroa. May 2021

Branjee Rd is 1.1km long. In recent years there have been 16 new houses and one currently being built.

There are also 10 vacant blocks available for building. The first half of Branjee Road (eastern end) has mail delivered to each individual property via Motorbike delivery. The second half (western end) (which has eight new houses and five vacant blocks), only receives mail to RMB boxes, via car.

There are several issues with this svstem:

- *One section cannot receive mail on a Monday as the Roadside Mail Boxes must be on the right-hand side, the same side that the rubbish bins are required to be placed. This means the bins obstruct the mail delivery.*
- *The vehicle delivering mail to Roadside Mail Boxes must drive on the right-hand side of the road to make deliveries in this section of the road, which is illegal, it has been observed on several occasions when the mail vehicle has attempted to move back to the left-hand side of the road, there have been near misses of a collisions from cars travelling/passing along the left hand side of the road.*
- *There is a privacy and security issue where the Roadside Mail Boxes are clumped together in threes or fours, particularly if there is a rental property in the cluster. Also there have been occasions when hand delivered letters have been placed into an incorrect RMB box because there has been a Roadside Mail Box outside a property, that was not for the property. The only alternative, if not happy with the privacy and security of your mail or parcel delivery is to pay to have a PO Box at the Post Office.*

We the undersigned request Australia Post to have mail delivery direct in all of Branjee Rd, Euroa.

The CEO advised that Council officers would action this by writing to Australia Post on behalf of the residents.

7. Reports of Mayor and Councillors and Delegates

The Acting Mayor again raised the community engagement process and the formation of a community panel, and hoped community members would become involved in the process.

Cr Hourigan

Attended ARTC / DoT meeting, and asked parties to participate in a meeting with Euroa Connect, which has taken place.



9.1 Planning Permit Application No. P2020-141

Development of land for a commercial building; eleven (11) lot subdivision; reduction of car parking requirements ~ 272-278 High Street, Nagambie

Author: Manager Planning and Investment

Responsible Director: Director Community and Planning

EXECUTIVE SUMMARY

- The proposal is for subdivision and development of a two-storey commercial building comprising 11 tenancies and associated carparking on the subject site 272-278 High Street, Nagambie.
- The proposal includes a waiver of a proportion of car parking requirements (20 spaces on site) and extensive landscaping of the public realm. A detailed assessment of the carparking can be found within the relevant section of this report.
- All power connections to the development will be via underground cables from the nearest source infrastructure. Vehicular access to the proposed site will be via crossover from Goulburn Street.
- The proposal includes common property for access and carparking provisions. A total of 31 Car spaces provided on site.
- The application is considered a Section 1 use under the Commercial Zone. A planning permit is still required for subdivision, buildings and works and car parking reduction.
- The application was advertised pursuant to Section 52 with one (1) objection received.
- The application has not been assessed within the 60-day statutory timeframe due to extended consultation with the applicant in relation to car parking requirements (73 days outside of the statutory timeframe).
- The proposal meets the objectives of the Planning Policy Framework and Local Planning Policy Framework.
- It is recommended that Council resolve to Issue a Notice of Decision to Grant a planning permit in accordance with the Officer's recommendation.

APPLICATION DETAILS

Application is for:	Building and works to construct a commercial building, eleven (11) lot subdivision with common property, reduction of car parking requirements
Applicant's/Owner's Name:	Spiire
Date Received:	4 November 2020
Statutory Days:	133 days
Application Number:	P2020-141
Planner: Name, title & department	Ben Yates Contract Planner Planning and Investment
Land/Address:	272-278 High Street, Nagambie VIC 3608 Lots 1-5 TP140281, Lots 103 TP139950

9.1 Planning Permit Application No. P2020-141

Development of land for a commercial building; eleven (11) lot subdivision; reduction of car parking requirements ~ 272-278 High Street, Nagambie (cont.)

Zoning:	Clause 34.01 Commercial 1 Zone
Overlays:	None
Is a CHMP required?	Not within an area of Aboriginal cultural heritage sensitivity - No CHMP required
Is it within an Open Potable Catchment Area?	No
Under what clause(s) is a permit required? (include description)	Clause 34.03-4 Commercial 1 Zone – Subdivision Clause 34.01-4 Commercial 1 Zone – Construct or carry out works Clause 52.29 Land Adjacent to a Road is a Road Zone, Category 1 – subdivision land adjacent to a road in a Road Zone, Category 1 Clause 52.06-3 Car Parking – reduction of car parking requirements
Restrictive covenants on the title?	None
Current use and development:	Vacant

The applicant addressed Council in support of the application.

MOVED: COUNCILLOR HOURIGAN
SECONDED: COUNCILLOR HAYES-BURKE

That Council:

Having caused notice of Planning Application No. P2020-141 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 34.01, Clause 34.03 Commercial 1 Zone, Clause 52.29 and Clause 52.06 Car Parking, of the Strathbogie Planning Scheme in respect of the land known as Lots 1-5 TP140281 and Lots 1-3 TP139950, for subdivision, buildings and works and reduction in carparking requirement in accordance with the endorsed plans, subject to the following conditions:

Conditions:

LAYOUT NOT ALTERED

- 1. The buildings and works detailed on any endorsed plans must not be altered without the written consent of the Responsible Authority.***



- 9.1 Planning Permit Application No. P2020-141
Development of land for a commercial building; eleven (11) lot subdivision;
reduction of car parking requirements ~ 272-278 High Street, Nagambie (cont.)

AMENDED PLANS

2. ***Before the development commences, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of this permit. The plans must be generally in accordance with the plans submitted with the application but modified to include:***
 - a. ***Bicycle parking in accordance with Table 1 to clause 52.34-5. Bicycle parking should be located at the High Street frontage and to the rear of the building, for ease of access for staff and visitors, and to make use of passive surveillance from the public realm. A minimum of 11 spaces to be provided across the development.***
3. ***Prior to the commencement of works, Amended Landscape Plans must be submitted to the responsible Authority for approval to the satisfaction of the Responsible Authority. Once approved these plans will be endorsed and form part of the permit. These plans must be amended to include landscaping on the eastern boundary and southern boundary to soften the visual bulk.***

SUBDIVISION

3. ***The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage facilities, electricity and gas services to each lot shown on the endorsed plan in accordance with the authority's requirements and relevant legislation at the time.***
4. ***All existing and proposed easements and sites for existing or required utility services and roads on the land must be set aside in the plan of subdivision submitted for certification in favour of the relevant authority for which the easement or site is to be created.***
5. ***The plan of subdivision submitted for certification under the Subdivision Act 1988 must be referred to the relevant authority in accordance with Section 8 of that Act.***
6. ***The owner of the land must enter into an agreement with:***
 - ***A telecommunications network or service provider for the provision of telecommunications services to each lot shown on the endorsed plan in accordance with the provider's requirements and relevant legislation at the time; and***
 - ***A suitably qualified person for the provision of fibre ready telecommunications facilities to each lot shown on the endorsed plan in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.***



- 9.1 Planning Permit Application No. P2020-141
Development of land for a commercial building; eleven (11) lot subdivision;
reduction of car parking requirements ~ 272-278 High Street, Nagambie (cont.)

7. *Before the issue of a Statement of Compliance for any stage of the subdivision under the Subdivision Act 1988, the owner of the land must provide written confirmation from:*
- *A telecommunications network or service provider that all lots are connected to or are ready for connection to telecommunications services in accordance with the provider's requirements and relevant legislation at the time; and*
 - *A suitable qualified person that fibre ready telecommunication facilities have been provided in accordance with any industry specifications or any standards set by the Australian Telecommunications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.*

ENGINEERING

Urban Vehicle Crossing Requirements

8. *Before the use begins and/or the building(s) is/are occupied vehicular crossings shall be constructed in accordance with the endorsed plan(s) to the satisfaction of the Responsible Authority, and shall comply with the following:*
- a. *standard vehicular crossings shall be constructed at right angles to the road to suit the proposed driveways, and any existing redundant crossing shall be removed and replaced with concrete (kerb and channel);*
 - b. *any proposed 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;*
 - c. *crossings shall be at least 9 metres apart.*

Parking and Traffic Management Plan

9. *Before the use starts, a traffic and parking management plan to the satisfaction of the Responsible Authority must be submitted to and approved by the responsible authority. When approved, the plan will be endorsed and will then form part of the permit. Traffic and parking operations on and adjacent to the site must conform to this endorsed plan. Relevant digital and hard copy plans must be submitted to Council. The plan must include:*
- a. *the location of all areas on- and/or off-site to be used for staff and patron parking*
 - b. *owner's permission and any required planning permission for parking on other land*



9.1 Planning Permit Application No. P2020-141

Development of land for a commercial building; eleven (11) lot subdivision; reduction of car parking requirements ~ 272-278 High Street, Nagambie (cont.)

- c. specification of staff numbers adequate to enable efficient operation of car parking areas both on- and off-site*
- d. the number and location of all on- and off-site security staff*
- e. (the means by which the direction of traffic and pedestrian flows to and from car parking areas will be controlled both on- and off-site*
- f. measures to discourage patron car parking in (specify location)*
- g. measures to preclude staff parking in designated patron car parking areas*
- h. staffing and other measures to ensure the orderly departure and arrival of patrons especially any large groups departing at closing time*
- i. servicing of the drainage and maintenance of car parking areas.*

Car Park Construction requirements

10. Before construction works start associated with the provision of carparking, detailed layout plans demonstrating compliance with Australian Standards 2800.1, AustRoads Publication 'Guide to Traffic Engineering Practice : Part 11 Parking' and to the satisfaction of the relevant authority, must be submitted to and approved by the responsible authority. The plans must be drawn to scale with dimensions.

- a. Before the use or occupation of the development starts, the area(s) set aside for parking of vehicles and access lanes as shown on the endorsed plans must be:*
- b. surfaced with an all-weather seal coat / surfaced with crushed rock or gravel and treated to the satisfaction of the Responsible Authority to prevent dust;*
- c. constructed and completed to the satisfaction of the Responsible Authority;*
- d. drained in accordance with an approved drainage plan;*
- e. line-marked to indicate each car space and all access lanes;*
- f. properly illuminated with lighting designed, baffled and located to the satisfaction of the Responsible Authority to prevent any adverse effect on adjoining land;*
- g. measures taken to prevent damage to fences or landscaped areas of adjoining properties and to prevent direct vehicle access to an adjoining road other than by a vehicle crossing;*
- h. Provision of traffic control signage and or structures as required;*



9.1 Planning Permit Application No. P2020-141

Development of land for a commercial building; eleven (11) lot subdivision; reduction of car parking requirements ~ 272-278 High Street, Nagambie (cont.)

- i. Provision of signage directing drivers to the area(s) set aside for car parking. Such signs are to be located and maintained to the satisfaction of the Responsible Authority. This sign must not exceed 0.3 square metres.*

To the satisfaction of the responsibility authority:

- The areas must be constructed, and drained to prevent diversion of flood or drainage waters, and maintained in a continuously useable condition to the satisfaction of the Responsible Authority.*
- Car spaces, access lanes and driveways must be kept available for these purposes at all times.*

Urban Drainage - Works

11. 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. No effluent or polluted water of any type may be allowed to enter the stormwater drainage system.

A qualified engineer is to prepare Stormwater Impact Assessment Report [SIAR] and/ or Stormwater Management Assessment Report [SMAR] in accordance with the requirements of clause 11 of the Infrastructure Design Manual.

Appropriate steps must be taken to retain all silt and sediment on site during the construction phase (including existing dwelling and shed removal) to the satisfaction of the Responsible Authority and must be carried out in accordance with the following EPA guidelines and policies: -

- Environmental Guidelines for Major Construction Sites (EPA publication No. 480, December 19985); and*
- Construction Techniques for Sedimentation Pollution Control (EPA publication No. 275, May 1991)*

For Common Access, the drainage system must be constructed before commencement of the use and development as per the approved plans

Drainage Discharge Plan

12. Before any of the development starts or before the plan of subdivision is certified under the Subdivision Act 1988, a properly prepared drainage discharge plan with computations to the satisfaction of the responsible authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The information submitted must show the details listed in the council's Infrastructure Design Manual (IDM) and be designed in accordance with the requirements of that manual.



- 9.1 Planning Permit Application No. P2020-141
Development of land for a commercial building; eleven (11) lot subdivision;
reduction of car parking requirements ~ 272-278 High Street, Nagambie (cont.)

The information and plans must include:

- a. details of how the works on the land are to be drained and/or retarded.***
- b. computations including total energy line and hydraulic grade line for the existing and proposed drainage as directed by Responsible Authority***
- c. location of the overland flow paths within the development***
- d. underground pipe drains conveying stormwater to the legal point of discharge for each allotment***
- e. measures to enhance stormwater discharge quality from the site and protect downstream waterways Including the expected discharge quality emanating from the development (output from MUSIC or similar) and design calculation summaries of the treatment elements;***
- f. documentation demonstrating approval from the relevant authority for the legal point of discharge.***
- g. the details of the incorporation of water sensitive urban design in accordance with clause 20.3.1 of the Infrastructure Design Manual.***
- h. maintenance schedules for treatment elements.***

Before the use begins and/or the building(s) is/are occupied or issue of a Statement of Compliance all works constructed or carried out must be in accordance with those plans. to the satisfaction of the Responsible Authority.

Council Assets

- 13. Before the development starts or subdivision works commences, 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, street lights, 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.***

DEPARTMENT OF TRANSPORT

- 14. No access will be permitted from High Street or High Street Service Road. Access will only be permitted via Goulburn Street.***
- 15. Prior to the development coming into use, the existing access to High Street Service Road must be closed and area must be reinstated to the satisfaction of and at no cost to Head, Transport for Victoria.***



- 9.1 Planning Permit Application No. P2020-141
Development of land for a commercial building; eleven (11) lot subdivision;
reduction of car parking requirements ~ 272-278 High Street, Nagambie (cont.)

GOULBURN VALLEY WATER

- 16. Payment of new customer contribution charges for water supply to the development, such amount being determined by the Corporation at the time of payment.**
- 17. Provision of separate water supply meters to each tenement within the development, located at the property boundary and to the satisfaction of Goulburn Valley Region Water Corporation.**
- 18. Any existing water service that crosses any of the proposed allotment boundaries within the proposed development must be disconnected and re-located at the developer's expense, to be wholly within one allotment only, including notification of the proposed lot to be serviced by the existing water meter, to the satisfaction of the Goulburn Valley Region Water Corporation.**
- 19. Payment of new customer contributions charges for sewerage services to the development, such amount being determined by the Corporation at the time of payment.**
- 20. Provision of sewerage connection points and/or combined sewer drains with an inspection opening to each allotment within the development, at the developer's expense, in accordance with standards of construction adopted by and to the satisfaction of the Goulburn Valley Region Water Corporation.**
- 21. In the case of multi-tenement development, the works required are to be carried out in accordance with AS 3500.2 - 'Sanitary plumbing and drainage' and include disconnection of any existing house connection drain to the satisfaction of the Corporation's Property Services Section.**
- 22. A notation is to be placed on the plan of subdivision to note that pursuant to Section 12(2) of the Subdivision Act 1988, there exists "implied easements" over all of the allotments and the common property within the development.**
Alternatively, the developer is to provide a two-metre-wide sewerage easement over the common portion of the house connection drain, in favour of the benefiting land, to the satisfaction of the Goulburn Valley Region Water Corporation.
- 23. The plan of subdivision lodged for certification is to be referred to the Goulburn Valley Region Water Corporation pursuant to Section 8(1) of the Subdivision Act, 1988.**
- 24. Before the development begins, a construction management plan must be submitted to the Responsible Authority to be endorsed. The plan must detail:**
 - a. The hours of construction including days of the week.**
 - b. The name and contact details of an onsite manager to be the point of contact during construction.**



- 9.1 Planning Permit Application No. P2020-141
Development of land for a commercial building; eleven (11) lot subdivision;
reduction of car parking requirements ~ 272-278 High Street, Nagambie (cont.)

c. Traffic management measures for ingress and egress during construction to ensure road safety

AUSNET SERVICES

25. The plan of subdivision submitted for certification must be referred to AusNet Electricity Services Pty Ltd in accordance with Section 8 of the subdivision Act 1988.

26. The applicant must –

- a. Enter into an agreement with AusNet Electricity Services Pty Ltd for the extension, upgrading or rearrangement of the electricity supply to lots on the plan of subdivision. A payment to cover the cost of such work will be required.**
- b. Provide electricity easements internal and external to the subdivision in favour of AusNet Electricity Services Pty Ltd to service the lots on the plan of subdivision and/or abutting lands as required by AusNet Electricity Services Pty Ltd. The provision of reserves for electricity substations may also be required.**

GOULBURN BROKEN CATCHMENT MANAGEMENT AUTHORITY

27. The finished floor level of the proposed commercial development must be constructed at least 300 millimetres above the general surrounding ground level, or higher level deemed necessary by the Responsible Authority.

GENERAL

28. The amenity of the area must not be detrimentally affected by the development, 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**

ASSETS

29. 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.



9.1 Planning Permit Application No. P2020-141

Development of land for a commercial building; eleven (11) lot subdivision; reduction of car parking requirements ~ 272-278 High Street, Nagambie (cont.)

30. 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 the following EPA guidelines and policies: -

- *Environmental Guidelines for Major Construction Sites (EPA publication No. 480, December 19985); and*
- *Construction Techniques for Sedimentation Pollution Control (EPA publication No. 275, May 1991)*

PERMIT EXPIRY

31. This permit will expire if one of the following circumstances applies:

- (a) the approved development does not start within 2 years of the date of this permit; and**
- (b) the approved development is not completed within 4 years of the date of this permit.**
- (c) the subdivision is not started (Certification) within two (2) years of the date of this permit;**
- (d) the subdivision is not completed (Statement of Compliance) within five (5) years of the date of Certification under the Subdivision Act 1988.**

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 creation of a new access way/crossover. Before any such development may commence, the Applicant must apply for and obtain appropriate approval from Council.

139-20/21 **CARRIED**



9.3 Planning Applications Received and Planning Applications Determined
- 1 to 30 May 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 31 May 2021 are provided for information.

It is noted that there were fifteen (15) planning applications received, and (13) thirteen planning applications determined, during this period.

MOVED: COUNCILLOR MURRAY
SECONED: COUNCILLOR HOURIGAN

That Council:

- 1. Note that there were fifteen (15) new planning applications received, and thirteen (13) planning applications determined, during this period; and***
- 2. Note the report.***

140-20/21 CARRIED



9.4 Tender for Contract No. 20/21-47: Provision of Road Maintenance Service – Panel of Suppliers

Authors: Procurement and Tender Officer & Manager Operations

Responsible Director: Director Corporate Operations

EXECUTIVE SUMMARY

Council has conducted a competitive process to create what is known as a Provision of Road Maintenance Service – Panel of Suppliers for a three (3) years period, commencing 21 June 2021.

A Panel of Suppliers Arrangement creates a more efficient and competitive process when goods or services under the value of \$50,000 need to be procured. This is because the due diligence around expertise and quality systems has already been undertaken. It also means a maximum schedule of rates has been locked in.

Officers will be required to seek quotes from approved Panel of Supplier members through a further competitive process as projects arise. This process will be in accordance with the Purchasing provision in Council's Procurement Policy. 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.

At the closure of the advertising process, eleven (11) 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 tables within this report. It is recommended that a Panel of Suppliers Arrangement be issued to eleven (11) suppliers.

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

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



9.4 Tender for Contract No. 20/21-47: Provision of Road Maintenance Service – Panel of Suppliers (cont.)

MOVED: COUNCILLOR MURRAY
SECONDED: COUNCILLOR HAYES-BURKE

That Council:

1. **Awards Panel of Supplier Arrangement for Provision of Road Maintenance Services Contract 20/21-47 for a schedule or rates based contract for the contract term of three (3) years to:**

Line Marking

Miepol

North Eastern Roadmarkers

Street Sweeping

Miepol

RDI Services

Specialised Pavement Services

Minor Patching of Sealed Roads including Stabilisation

Seven Creeks Excavations Pty Ltd

Bitu-mill Pty Ltd

Cleaves Earthmoving & Drainage Pty Ltd

Miepol

Stabilco Pty Ltd

Underground Drainage Maintenance

Sevens Creek Excavations Pty Ltd

Environmental Services Group

Miepol

RDI Services

RSP Environmental Services

Traffic Management

Sevens Creek Excavations Pty Ltd

Cleaves Earthmoving & Drainage Pty Ltd

Synergy; and

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; and**

3. **Notes that the Contracts will commence 21 June 2021.**

141-20/21 **CARRIED**



9.5 Tender for Contract No. 20/21-26: Supply and Delivery of Road Maintenance Discharge Truck

Author: Manager Operations

Responsible Director: Director Corporate Operations

EXECUTIVE SUMMARY

As part of the Strathbogie Shire Council's approved 2020/21 plant replacement program, Council invited tenders from 23 suppliers through the Municipal Association of Victoria's (MAV) Contract for Trucks NPN04-13 using the MAV Vendorpanel portal.

Council Officers sought quotations for the supply and delivery of one Road Maintenance Discharge Truck.

Request for submissions commenced on Wednesday 28 October 2020. At closing of the formal quotation period on 5pm Wednesday 11 November 2021, one (1) supplier had submitted a quotation. This submission was evaluated by the Tender Evaluation Panel to have met the tender specifications.

This report seeks Council approval to award the tender to Daimler Trucks and Bus Australia Pacific Pty Ltd for a total cost \$313,326.52, excluding GST.

**MOVED: COUNCILLOR HOURIGAN
SECONDED: COUNCILLOR DICKINSON**

That Council:

- 1. Receives and notes the outcome of the tender assessment process for Contract No 20/21-26 – Supply and Delivery of Road Maintenance Discharge Truck;***
- 2. Awards the tender for Contract No 20/21-26 to Daimler Trucks and Bus Australia Pacific Pty Ltd via the Municipal Association of Victoria's Contract for Trucks – NPN04-13 for supply of Fuso Fighter 1627 XLWB, 5550mm, Hi GCM, AUTO Air model Mitsubishi Fuso Model # FM67FM2RFAM including the FLOCON Road Maintenance body to specification – 4.83 cubic metres, for a total cost \$313,326.52 excluding GST;***
- 3. Authorises the Chief Executive Officer to approve the purchase order for the amount of \$313,326.52 (plus GST);***
- 4. Authorises the Chief Executive Officer to execute the Contract by signing and affixing with the Common Seal of Strathbogie Shire Council; and***
- 5. Notes that the Road Maintenance Discharge Truck Delivery will occur between six to eight months of order of the order confirmation.***

142-20/21 **CARRIED**



9.6 Strathbogie Shire Council Road Management Plan Review

Author: Manager Asset Planning

Responsible Director: Director Community and Planning

EXECUTIVE SUMMARY

The Strathbogie Shire Council Road Management Plan (RMP) is a document which describes road assets within road reserves for which Council is responsible.

The document sets inspection intervals and response times as well as stating management systems that Council will implement to ensure that responsibilities within the *Road Management Act 2004* are met.

Under the *Road Management Act 2004* and in accordance with the *Road Management (General) Regulations 2016*, Council must review and publish its Road Management Plan every four years. In line with the general Council election held in October 2020, the Plan is now due for renewal.

An internal review of the Plan has been undertaken following a series of workshops and discussions over the past three months. In summary proposed amendments to the plan include:

- Identification of stakeholders
- Diagram to assist with determining who is responsible for the road
- Figures to describes the most common operational demarcation scenario found for the arterial road network
- Provision of clearer explanations and additional definitions.

It is now recommended that public comment and input be sought for the draft *Road Management Plan 2021 – 2025* in accordance with Council's Community Engagement Policy.

The provisions relating to community consultation for a review of the RMP are set out in *the Local Government Act 1989* (the 1989 Act), which are still relevant given that the new *Local Government Act 2020* does not contain provisions around road management by councils.

This means that a formal section 223 consultation process is required under the 1989 Act, with submitters being provided with 28 days to make a written submission and also the opportunity for submitters to ask for an opportunity to make a verbal presentation to a Committee of Council, which is recommended to be the entire Council.

A meeting date of 10th August 2021 for this Committee is proposed. It should be noted that this meeting will not be required should there be no written submissions received and the reviewed RMP would be referred directly to Council for adoption.



9.6 Strathbogie Shire Council Road Management Plan Review (cont.)

MOVED: COUNCILLOR HOURIGAN
SECONDED: COUNCILLOR DICKINSON

That Council:

- 1. Endorse the draft Road Management Plan 2021 – 2025;***
- 2. Seek community input in the draft Road Management Plan by placing it on public exhibition for a period of 28 days in accordance with section 223 of the Local Government Act 1989;***
- 3. Use a variety of communication platforms from 18 June until 16 July 2021 to seek public input in accordance with Council's Community Engagement Policy, ensuring the community understands submitters can request an opportunity to present a verbal submission to a Committee of Council in support of their written submission;***
- 4. Appoint the entire Council to be the Committee of Council to consider any written submissions and to hear any supporting verbal submissions;***
- 5. Set the Committee of Council meeting to be held on 10th August 2021 at the Euroa Community Conference Centre commencing at 5:00pm;***
- 6. Note that the Committee of Council meeting will not be required should there be no written submissions received during the public exhibition period; and***
- 7. Note that should no written submissions be received, the final Road Management Plan 2021 – 2025 will be presented to Council for adoption at a future Council meeting.***

143-20/21 **CARRIED**



9.7 Request for Variation to Request For Quotation Strathbogie Recreation Reserve Pavilion Upgrade Stage 1

Author: Manager Project Delivery

Responsible Director: Director Community and Planning

EXECUTIVE SUMMARY

This report seeks Council approval for a variation to the Request for Quotation (RFQ) awarded to NEAD Architectural & Design Pty Ltd for the design of stage 1 of the upgrade to Strathbogie Recreation Reserve Pavilion.

The need for a variation, with a value of \$12,600 excluding GST, is required to further develop this project from concept design to fully developed plans in readiness for tendering & construction.

The initial RFQ was awarded for a total price of \$19,000 excluding GST. The approved notional budget for this project was \$20,000, however savings from other projects means that the additional funding can be found within the existing capital works budget.

This report is coming to Council due to the quantum of the value of the variation. In doing so, Council achieves maximum public transparency around the project costs.

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

That Council endorse a variation to the Request for Quote Strathbogie Recreation Reserve Pavilion Upgrade for the sum of \$12,600.00 excluding GST with NEAD Architectural & Design Pty Ltd for the completion of Stage 1 of the Strathbogie Recreation Reserve Pavilion Upgrade.

144-20/21 CARRIED



9.8 Strathbogie Shire Council Audit and Risk Committee
- Unconfirmed Minutes of the Meeting held on Wednesday 14 April 2021

Author: Director Corporate Operations

Responsible Director: Director Corporate Operations

EXECUTIVE SUMMARY

This report presents the draft unconfirmed Minutes of the Strathbogie Shire Council Audit and Risk Committee meeting held on:

- Wednesday 14 April 2021.

Items considered by the Committee at its 14 April 2021 meeting were:

- Budget documents 2021/22 including :
 - Revenue and Rating Plan
 - Budget 2021/22
 - Fees and Charges 2021/22
 - Financial Plan 2021/22 to 2030/31
- Risk Report
- Investment and cash management policy
- Internal Audit program update
- Shared Services update

It is recommended that council notes the unconfirmed minutes of the Audit and Risk Committee meeting held on Wednesday 14 April 2021.

MOVED: COUNCILLOR HOURIGAN
SECONDED: COUNCILLOR MURRAY

That Council:

- 1. Notes the unconfirmed Minutes of the Audit and Risk Committee meeting held on Wednesday 14 April 2021.***
- 2. Notes that the unconfirmed Minutes will be signed by the Chair of the Committee, once accepted, at the next Committee meeting, and any substantive changes to the unconfirmed Minutes will be reported to the next Council meeting.***

145-20/21 ***CARRIED***



9.9 Operational Management of Strathbogrie Shire Aquatic Facilities

Author: Coordinator Community Services and Inclusion

Responsible Director: Director Community and Planning

EXECUTIVE SUMMARY

In 2020 Strathbogrie Shire Officers conducted an analysis of the management and operational model of the Shire's aquatic facilities and concluded the most appropriate model going forward was to contract out the management and operations of all four pools to a professional aquatic management organisation for the 2020/21 season. The maintenance, capital improvements and preparation of the pools was managed by the Strathbogrie Shire Operations (Works) Department as per previous seasons.

This approach was endorsed by Council at the May 2020 Council Meeting and a procurement process was undertaken with a one-year contract awarded to Belgravia Health Leisure Group in November 2020.

The 2020/21 pool season under Belgravia Leisure's operational management has been a successful one with facilities vastly improved through the management of Belgravia and their expertise in this field and strong focus on safety and risk management at each pool.

There was a total of seven cold weather days in the season where each venue was closed due to the forecast temperature being less than 22 degrees. In addition, there was a five-day closure in February related to COVID-19 equating to 12 total closure days for the season. This contributed to labour savings over the season at each venue.

Over the 2020/21 a total of 1,098 residents activated their free season ticket to the local pools. Season pass attendances made up 58% (6,398) of total attendances (11,851). There were 6,401 paid swim entries, delivering a total of \$4,076 compared to the budget expectation of \$10,000. In summary, attendance figures are significantly lower than prior years, which is likely to be a result of Covid 19 related closures and inadequate manual tracking of membership users through the gates.

The Officer recommendation is to establish a longer, fixed term contract with a professional aquatic management organisation to deliver long term strategic goals and mutually beneficial outcomes for the community in line with Strathbogrie Community Pools 10 Year Strategy.

It is also important to note that the Pools Advisory Committee, to which the Mayor Councillor Raeburn and Councillor Murray were appointed to as Council representatives at the November 2020 Statutory Council Meeting, will recommence meeting on a quarterly basis.



9.9 Operational Management of Strathbogie Shire Aquatic Facilities (cont.)

MOVED: COUNCILLOR HAYES-BURKE
SECONDED: COUNCILLOR HOURIGAN

That Council:

- 1. Note the attendance and income figures for the 2020-21 pool season provided by Belgravia Pty Ltd; and***
- 2. Authorise Officers to proceed with a competitive tender process to source a provider to manage and operate Council's aquatic facilities for an initial three-year period with the option of two, one year extensions subject to satisfactory performance.***

146-20/21 CARRIED



9.10 Review of 2021-22 Sponsorship Program Guidelines

Author: Manager Tourism and Community Services

Responsible Director: Executive Director Community and Planning

EXECUTIVE SUMMARY

This report is to inform Council of the guidelines associated with the 2021/2022 Sponsorship Program that provides both financial and in-kind support for our community for events where they align with the values and priorities of Council.

The Sponsorship Program provides an opportunity for groups to undertake events that complement the focus areas identified as priorities for the Strathbogie Shire Council, and an annual allocation of \$30,000 is provided for event sponsorship within the draft 2021/2022 Council budget.

Adoption of the guidelines is sought from Council.

***MOVED: COUNCILLOR DICKINSON
SECONDED: COUNCILLOR MURRAY***

That Council adopt the 2021-22 Sponsorship Program Guidelines, subject to amendments being made as put forward at the meeting by Councillor Hayes-Burke, and make them available on the Shire's website.

These amendments included:

Under 2: Features of an eligible application

Amend to: 'The event welcomes gender equity, inclusivity, access for all abilities and cultural diversity.'

Under 6: Funding conditions

Add dot point: 'An acknowledgement of Traditional Owners and/or a Welcome to Country to be given at all events receiving sponsorship from the Strathbogie Shire Council.'

147-20/21 **CARRIED**



9.11 Violet Town & District Early Childhood Centre – Application for Sponsorship

Author: Manager Tourism and Community Services

Responsible Director: Executive Director Community and Planning

EXECUTIVE SUMMARY

The Violet Town & District Early Childhood Centre have submitted a request for sponsorship of \$3,000 from Council to be used towards hosting Fanny Lumsden's Country Halls Tour in the Violet Town Community Complex on Saturday 3rd July, 2021.

Proceeds from this event will go into supporting Violet Town & District Early Childhood Centre develop its programs (Childcare for under 3 years old, 3 & 4 year old Kindergarten, After School Care, School Holidays Care), improve physical environment, access resources and equipment, support local residents to get Early Childhood Education Qualifications and allow them to provide children with experiences and opportunities through excursions and incursions.

Although the event is to be held three days into the new financial year, it is recommended that the \$3000 sponsorship be funded from the current financial year's budget given the request has been received in the 2021-21 financial year. There is currently \$18,000 available in the budget for sponsorship as the Covid 19 pandemic has hampered community events.

This report seeks approval for the provision of this sponsorship request.

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

That Council endorse the request for \$3,000 in sponsorship, to be funded from the 2020-21 budget allocation for community sponsorship, for the Violet Town & District Early Childhood Centre to be used towards hosting Fanny Lumsden's Country Halls Tour in the Violet Town Community Complex on Saturday 3rd July, 2021.

148-20/21 ***CARRIED***



9.12 Strathbogie Shire Council Audit and Risk Committee – Appointment of Two Independent External Members

Author: Executive Manager Governance & Customer Service

Responsible Director: Director Corporate Operations

EXECUTIVE SUMMARY

There are currently two vacancies on Council's Audit and Risk Committee following the end of the term of appointment for independent external members Mr Geoff Dobson and Ms Claire Taranto, the latter of which was Chair of the Committee, in May 2021.

The Audit and Risk Committee Charter requires the appointment of four (4) independent external members to help drive the important work undertaken by the Committee to provide independent oversight over Council finances, risk management and governance.

At its 12 March 2021 meeting, the Audit and Risk Committee endorsed the release of an Expression of Interest document outlining the roles, responsibilities and skill set required for independent members, along with the process for advertising of the two vacancies. The Committee also endorsed the interview panel membership of one Executive Leadership Team member, one external independent member and one Councillor.

The vacancies were widely advertised on Council's website, social media and newspapers between 17 to 31 March 2021.

In response, ten (10) applications were received from a wide variety of skills and work experience. The interview panel shortlisted these applications and conducted four (4) interviews.

Following this process, and after conducting referee checks, the panel have recommended that Mr Alistair Thomson and Mr Paul Ayton be appointed to the Audit and Risk Committee for a term of three (3) years.

***MOVED: COUNCILLOR DICKINSON
SECONDED: COUNCILLOR MURRAY***

That Council appoint Alistair Thomson and Paul Ayton to be independent external members of the Audit and Risk Committee for a three-year term ending in June 2024.

149-20/21 CARRIED



9.13 Victorian Small Business Commission (VSBC) - Small Business Friendly Council Charter Agreement

Author: Economic Development and Projects Coordinator

Responsible Director: Director Community and Planning

EXECUTIVE SUMMARY:

The Victorian Small Business Commission (VSBC) have developed a Small Business Friendly Council Charter Agreement (Charter). This Charter outlines a commitment between local councils and the VSBC to work together to create a fair and competitive trading environment for Victorian small businesses.

A summary of this commitment includes:

- pay small business supplier invoices within 14 days
- support local businesses in managing the disruption caused by infrastructure projects
- streamline approval processes for people looking to open a business in the area
- help set up and support local business networks.

Currently, 55 of the 79 Victorian local councils have signed up to the initiative.

In an unofficial capacity, Council is already delivering a number of the above commitments to support small business in our municipality. It is recommended that Council become a signatory to the Small Business Friendly Council Charter Agreement.

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

That Council become a signatory to the Small Business Friendly Council Charter Agreement.

150-20/21 CARRIED



9.14 Contract 20-21-55: Roads Rehabilitation Program 2020-21
- Variation to Contract

Author: Manager Projects

Responsible Director: Director Community & Planning

EXECUTIVE SUMMARY

The Roads Rehabilitation Program is part of Strathbogie Shire's Capital Work Program for the Financial Year 2020-21. The project is required to maintain Council road assets to ensure that Strathbogie Shire region has safe and high-quality local roads.

At the December Council Meeting, Council approved the recommendation to award Contract No 20/21-55 for Roads Rehabilitation Program to GW & BR Crameri Pty Ltd, following a competitive tender process. The lumpsum contract was awarded for a total sum of \$593,913.00 plus GST.

Contract No 20/21-55 was fully executed on 18/02/2021 and GW & BR Crameri have commenced work, having completed over 60% of the project by 03/06/2021. However, latent ground conditions and other unforeseen conditions at the roadwork locations have necessitated additional works which are considered necessary to successfully complete the program. Total project cost including the proposed cost variation would become \$668,894.77 plus GST if approved. The new contract value would still be within \$800,000.00 budget allocated for Rehabilitation Program for the Financial Year 20/21. Having considered these, it is hereby recommended that Council support this variation.

MOVED: COUNCILLOR MURRAY
SECONDED: COUNCILLOR HOURIGAN

That Council accept the variation to increase the value of Contract No 20-21-55 Roads Rehabilitation Program 2020-21, from the original amount of \$595,913.00 plus GST to \$668,894.77 plus GST to cover additional works required to complete work.

151-20/21 ***CARRIED***



9.15 **Business Management System**

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

- Building Department – April and May 2021 Statistics
- Planning Department – Planning Application Approvals – Development Cost (Capital Improved Value) - May 2021
- Customer Enquiry Analysis Report – Report for May 2021
- Waste Management Reporting ~ Year to Date – May 2021
- Actioning of Council Reports Resolutions – Council Meeting 18 May 2021
- Outstanding Actions of Council Resolutions to 31 May 2021
- Review of Council Policies and Adoption of new Policies – May / June 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.

DISCUSSION

There has been a further reduction in outstanding requests from 2018-19 this month from 26 to 22, continuing the recent trend of attending to these long term outstanding matters.

The number of new requests received was down slightly from last month to 879 but there has been some gain in reducing the overall numbers of outstanding requests as some 899 requests were completed during May. This leaves 486 outstanding requests, down from just over 500 last month.

MOVED: COUNCILLOR HOURIGAN
SECONDED: COUNCILLOR HAYES-BURKE

That the report be noted.

152-20/21 CARRIED



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

NEXT MEETINGS

Two Extraordinary Meeting of Strathbogrie Shire Council are scheduled to be held on Tuesday 29 June 2021, as per details below –

4.00 p.m.

Business:

- Receiving / Hearing of Submissions to Review of Mayoral and Councillor Allowances

5.00 p.m.

Business:

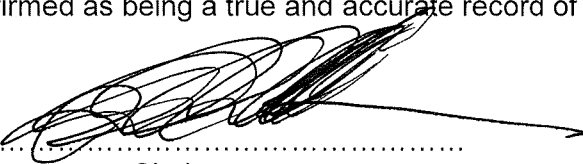
- Adoption of –
 - Draft 2021/2022 Revenue and Rating Plan
 - Draft 2021/2022 Budget
 - Draft 2021/2022 Fees and Charges
- Determination of Mayoral and Councillor Allowances

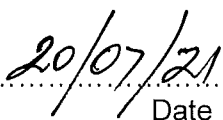
The next monthly Meeting of the Strathbogrie Shire Council is scheduled to be held on Tuesday 20 July 2021, commencing at 6.00 p.m.

It is also hoped to have these meetings held 'in person', however, due to any restrictions of the day, these meetings may be virtual.

THERE BEING NO FURTHER BUSINESS, THE MEETING CLOSED AT 7.51 P.M.

Confirmed as being a true and accurate record of the Meeting


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Chair


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Date



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