



STRATHBOGRIE SHIRE COUNCIL

**MINUTES/DECISIONS OF A MEETING OF THE STRATHBOGRIE SHIRE COUNCIL
HELD VIRTUALLY ON TUESDAY 21 SEPTEMBER 2021, COMMENCING AT 6.13
P.M.**

Chair: Chris Raeburn (Mayor) (Honeysuckle Creek Ward)

Councillors: David Andrews (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)

Municipal Monitor: Janet Dore

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)

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'

As part of the Mayor's address on the process for the conduct of the meeting, he welcomed the Municipal Monitor, Janet Dore.

He also advised of the procedure for the swearing in of Councillor-elect for Lake Nagambie Ward, David Andrews, which necessitated a change in the Order of Business, to bring forward Item 12: Urgent Business ~ 12.1: Oath of Office - Councillor-Elect for Lake Nagambie Ward

A handwritten signature in dark ink, appearing to be a stylized 'A' or 'K'.

MOVED: COUNCILLOR BINKS
SECONDED: COUNCILLOR MURRAY

That the Order of Business be changed, under rule 29 of Council's Governance Rules, to consider Agenda Item 12: Urgent Business, to allow Councillor-elect, David Andrews, to take the Oath of Office.

188-20/21 CARRIED

12. URGENT BUSINESS

12.1 Oath of Office Councillor-Elect for Lake Nagambie Ward – David Andrews

In accordance with Section 30(1) of the Local Government Act 2020 (the 2020 Act), a person elected to be a Councillor is not capable of acting as a Councillor until the person has taken the Oath of Office.

Section 31 of the Act states that the office of a Councillor becomes vacant if a person elected to be a Councillor does not take the Oath of Office within three months after the day on which the person was declared elected.

The oath is taken in accordance with section 30(1) if the Local Government Act 2020, regulation 5 of the Local Government (Governance & Integrity) Regulations 2020 and Part 2 of the Oaths and Affirmations Act 2018.

The Oath or Affirmation must be signed and dated before the Chief Executive Officer.

The elected representative for the Lake Nagambie Ward was invited to take the Oath of Office and to sign the document in the presence of the Chief Executive Officer.

The Mayor handed over to the Chief Executive Officer to undertake the swearing in of Councillor-elect, David Andrews, by taking the Oath of Office.



The Chief Executive Officer invited Councillor-elect, David Andrews, to take the Oath of Office and undertake the Declaration to abide by the Strathbogie Shire Council Councillor Code of Conduct, both of which were duly carried out.

OATH OF OFFICE


This oath is taken in accordance with section 30(1) of the *Local Government Act 2020*, regulation 5 of the *Local Government (Governance & Integrity) Regulations 2020* and Part 2 of the *Oaths and Affirmations Act 2018*.

I swear by Almighty God that I will undertake the duties of the office of Councillor in the best interests of the municipal community.

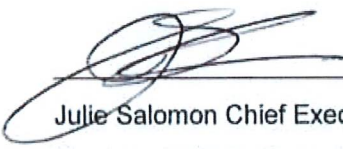
I will abide by the Councillor Code of Conduct and uphold the standards of conduct set out in the Councillor Code of Conduct.

I will faithfully and impartially carry out and exercise the functions, powers, authorities and discretions vested in me under the *Local Government Act 2020* and any other Act to the best of my skill and judgement.

Signed:


Councillor David Andrews, Lake Nagambie Ward

Before:


Julie Salomon Chief Executive Officer
Strathbogie Shire Council

Date: 21 September 2021

Councillor Andrews assumed his role on Council as the elected representative for the Lake Nagambie Ward, and participated in the remainder of the meeting.

The Mayor welcomed Councillor Andrews as the new Lake Nagambie Ward Councillor and invited him to address the meeting.

Councillor Andrews addressed the meeting, accepting the position of Councillor with much pleasure. He also conveyed his thanks to former Councillor, Melanie Likos. He indicated he was pleased to be on Council to represent the community of Lake Nagambie, many of whom he met during his election campaign in 2020. He passed on his thanks to his fellow Councillors for welcoming him to Council, and was looking forward to working with them and the staff at Strathbogie Shire Council.



3. Apologies / Leave of Absence
Kristin Favaloro Executive Manager, Communications and Engagement
(EMCE)

4. Disclosure of Conflicts of Interest

Nil

It is noted that, following being made aware of the subject of a petition being received under Item 6, Cr Hourigan declared a Material Conflict of Interest under Section 128 of the Local Government Act 2020

5. Confirmation of Minutes of Previous Meetings
- Council Meeting – Tuesday 17 August 2021
 - Extraordinary Council Meeting – Tuesday 31 August 2021

***MOVED: COUNCILLOR HAYES-BURKE
SECONDED: COUCILLOR BINKS***

That the minutes of the last two Council meetings be approved.

189-20/21 ***CARRIED***

6. Petitions

The Chief Executive Officer advised that Councillor Binks had requested that a petition objecting to the proposal for a Recreational Vehicle Friendly Site in Violet Town be lodged this evening.

The petition included 44 signatories, and reads –

We would appreciate your acknowledgement of our objection to proposed RV Friendly site in Tulip Street, Violet Town

On becoming aware of subject of the petition, Cr Hourigan declared a Material Conflict of Interest under Section 128 of the Local Government Act 2020, and left the meeting at 6.24 p.m.

The petition will be referred to the Chief Executive Officer for response.

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

That Council acknowledge the petition, which was submitted by the community through Councillor Binks, and acknowledge the acceptance of the petition.

190-20/21 ***CARRIED***

Cr Hourigan returned to the meeting at 6.29 p.m.



7. Reports of Mayor and Councillors and Delegates

All Councillors welcomed Councillor David Andrews, indicating they were looking forward to working with him for the remainder of this term of Council.

They also welcomed Council's recently-appointed Municipal Monitor, Janet Dore, and expressed appreciation of the guidance and advice she will be providing over the next few months.

Cr Hayes-Burke

- Urged all community members, not just Euroa residents, to look at draft designs being released by ARTC tomorrow, and to be very vocal to ensure the community's views are heard. Council is going to get behind the community
- Council Plan out for public comment. Encouraged community to view and provide comment

Cr Binks

- Encouraged community to view the Share Strathbogie platform to see what Council is currently seeking comment and feedback on – Council Plan, Economic Development Strategy, Arts and Culture survey
- Welcomed Kobe Pallis, Council's Arts and Culture Officer. Introductory video and survey on Share Strathbogie website for community to participate in

Cr Murray

- Reiterated the engagement opportunities available at the moment, with Council seeking views and comments on various documents, as mentioned by other Councillors
- Streetscape Project draft will hopefully be out this month
- Continue to attend 'The Daily Dose' in Avenel on Fridays (1.00 p.m. to 3.00 p.m.) and look forward to meeting community members to have a chat (COVID restrictions allowing)
- Congratulated Mitchell Shire Council on declaration of Climate Emergency at meeting held last night. Perhaps collaborative opportunities to work with them in developing a response to current climate emergency

Cr Dickinson

- On welcoming Councillor Andrews, he also wished former Councillor Mel Likos all the best for the future
- Attended Annual General Meetings of Nagambie Community House and Nagambie Historical Society
- Have had to put weekly meetings on hold due to Valley Hotel currently being closed. However, available to speak to anyone by phone
- Opening of skate park in Nagambie – has put a smile on a lot of faces, amongst a couple of broken bones

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

Cr Hourigan

- Reiterated Cr Hayes-Burke's comments in relation to the ARTC inland rail plans being released, and encouraged the community to visit the ARTC website or their office in Euroa to view the plans and provide feedback
- Reminder of 2020-2021 Community Grants program is currently out for round 2
- Impact of COVID-19 restrictions in Mitchell Shire, which could be affecting residents of Strathbogie Shire who work there, or may have lost their jobs. Advised Government payments and services are available to assist.

Mayor

- Thanked Councillors for their updates, which also covered many things he was going to raise.
- ARTC over or under bridge in Euroa. Need to ensure Council works with ARTC to get the best result for the community. Council will always support and assist the community, but community must have their say on what their preference is so that Council can advocate that position on their behalf. Also, to have all railway precinct updated so that the community can enjoy the area around the station and surrounds, which is also important.
- Impacts of COVID-19 restrictions and lockdowns in surrounding City of Greater Shepparton and Mitchell Shire. Encouraged communities to look after themselves and support each other
- RU OK day 9 September – spoke at staff meeting. Reminded everyone to keep a look out for, and be mindful of, each other.

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.

Nil

9. Officer Reports

- 9.1 Strategic and Statutory
- 9.2 Community
- 9.3 Infrastructure
- 9.4 Corporate
- 9.5 Governance and Customer Service
- 9.6 Executive

10. Notices of Motion

11. Notices of Rescission

12. Urgent Business

13. Confidential Business

NEXT MEETING

The next monthly Meeting of the Strathbogie Shire Council is scheduled to be held on Tuesday 19 October 2021, commencing at 6.00 p.m.

It is intended that this meeting be held at the Euroa Community Conference Centre, however, it should be noted that if coronavirus restrictions are in force, the meeting will be held virtually.



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9. OFFICER REPORTS

9.1 Strategic and Statutory Planning

9.1.1 Planning Permit Application No. P2021-072

Use and Development of land for a dwelling and associated outbuilding ~ 24 Babbler Lane, Tabilk

Author: Town Planner

Responsible Director: Director Community and Planning

EXECUTIVE SUMMARY

- The proposal is for the Use and Development of land for a dwelling and associated outbuilding at 24 Babbler Lane, Tabilk VIC 3607.
- The application was advertised, and one (1) objection was received. Further detail is contained within this report.
- The application has not been assessed within the 60-day statutory timeframe (15 days outside of the statutory timeframe) due to the timing of the Council Meeting.
- The proposal generally meets the objectives of the Planning Policy Framework, Local Planning Policy Framework, the Farming Zone and Bushfire Management Overlay.
- 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 and Development of land for a dwelling and associated outbuilding
Applicant's/Owner's Name:	Weam Elbedewy
Date Received:	23 April 2021 Application Received
Statutory Days:	75 days
Application Number:	P2021-072
Planner: Name, title & department	Trish Hall Town Planner Planning and Investment Department
Land/Address:	Crown Allotment 32 Portion 3, Certificate of Title Volume 9713 Folio 622 24 Babbler Lane, Tabilk VIC 3607
Zoning:	Farming Zone (FZ)
Overlays:	Bushfire Management Overlay (BMO)
Is a CHMP required?	The subject site is within a Culturally Sensitive Area, however; a single dwelling is an exempt activity - No CHMP required
Is it within an Open Potable Catchment Area?	The subject site is not within an Open Potable Water Catchment Area
Under what clause(s) is a permit required? (include description)	Clause 35.07-1 Use of land for a dwelling Clause 35.07-4 Buildings and works in the Farming Zone
Restrictive covenants on the title?	No
Current use and development:	Agriculture



9.1.1 Planning Permit Application No. P2021-072
Use and Development of land for a dwelling and associated outbuilding ~ 24
Babbler Lane, Tabilk (cont.)

MOVED: COUNCILLOR BINKS
SECONDED: COUNCILLOR MURRAY

That Council having caused notice of Planning Application No. P2021-072 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 35.07-1 and Clause 35.07-4, of the Strathbogrie Planning Scheme in respect of the land known as Crown Allotment 32 Portion 3, Certificate of Title Volume 9713 Folio 622 24 Babbler Lane, Tabilk VIC 3607, for the Use and Development of land for a dwelling in accordance with endorsed plans, subject to the following conditions:

Endorsed Plans:

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

Amended Plans:

2. *Prior to the commencement of the dwelling, the following plans must be submitted to and approved by the responsible authority. When approved, the plans will be endorsed and will then form part of the permit*
 - a) *An updated Integrated Land Management Plan including a site plan demonstrating proposed fencing and shelters within the area identified for farm use.*

Section 173 Agreement:

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

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



9.1.1 Planning Permit Application No. P2021-072
Use and Development of land for a dwelling and associated outbuilding ~ 24
Babbler Lane, Tabilk (cont.)

Engineering Conditions:

Rural Vehicle Crossing Location

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

Internal Access Roads

6. *Prior to the commencement of the use/issue of the Certificate of Occupancy all internal access roads must be constructed, formed and drained to avoid erosion and to minimise disturbance to natural topography of the land to the satisfaction of the Responsible Authority. Internal access, including the turn-around areas for emergency vehicles, must be all weather construction with a minimum trafficable width of 4m.*

Rural Drainage - Works

7. *All stormwater and surface water discharging from the site, buildings and works must be conveyed to the legal point of discharge drains to the satisfaction of the Responsible Authority/Goulburn Murray Water or dissipated within the site boundaries. No effluent or polluted water of any type may be allowed to enter the stormwater drainage system.*
8. *Appropriate steps must be taken to retain all silt and sediment on site during the construction phase to the satisfaction of the Responsible Authority 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)*
9. *Prior to the commencement of any works, the design parameters for any defined watercourse crossing(s), both structural and hydraulic design, shall be approved by the Responsible Authority (GBCMA – Works on Waterways Permit).*

9.1.1 Planning Permit Application No. P2021-072
Use and Development of land for a dwelling and associated outbuilding ~ 24
Babbler Lane, Tabilk (cont.)

Council's Assets

- 10. Before the development starts, 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.**

Health Department Conditions:
Septic Tanks Code of Practice

- 11. All sewage and sullage waters shall be treated in accordance with the requirements of the Environment Protection Act 1970 and the Guidelines for Environmental Management: Code of Practice – Onsite Wastewater Management 891. 4 (2016) and the Responsible Authority.**
- 12. All wastewater shall be disposed of within the curtilage of the land and sufficient area shall be kept available for the purpose of wastewater disposal to the satisfaction of the Responsible Authority.**
- 13. No wastewater shall drain directly or indirectly onto an adjoining property, street or any watercourse or drain to the satisfaction of the Responsible Authority.**

Approval of wastewater disposal

- 14. The system must be at least 300 metres from potable water supply. The system must be at least 60 metres from any watercourse and/or dam (non-potable water supply) for primary sewage and 30 metres for secondary sewage, on the subject or neighbouring properties.**
- 15. Prior to installation/alterations work commencing on the septic tank system, a Permit to Install/Alter must be obtained from Council.**

Area of wastewater disposal

- 16. No buildings or works shall occur over any part of the approved waste disposal system including the septic tank in accordance with the requirements of the Environment Protection Act 1970, the Guidelines for Environmental Management: Code of Practice – Onsite Wastewater Management 891.4 (2016).**

Dwelling Conditions:

- 17. The dwelling must be connected to a reticulated potable water supply or have an alternative potable water supply with adequate storage for domestic use as well as for fire fighting purposes.**

9.1.1 Planning Permit Application No. P2021-072
Use and Development of land for a dwelling and associated outbuilding ~ 24
Babbler Lane, Tabilk (cont.)

- 18. The dwelling must be connected to a reticulated electricity supply or have an alternative energy source.***

Outbuildings

- 19. The use of the approved outbuildings must be restricted to that of incidental activities associated with the normal enjoyment of the new dwelling.***

- 20. All shedding and approved outbuildings must not be used at any time for the purposes of human habitation.***

General Conditions:

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

- 22. The amenity of the area must not be detrimentally affected by the use, through the:***

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

Bushfire Protection Measures:

Water Supply

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

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



9.1.1 Planning Permit Application No. P2021-072
Use and Development of land for a dwelling and associated outbuilding ~ 24
Babbler Lane, Tabilk (cont.)

Access

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

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

Permit Expiry:

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

- (a) The development is not started within two (2) years of the date of this Permit,**
- (b) The development is not completed within four (4) years of the date of this Permit.**

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

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

Planning Notes:

- **This Permit does not authorise the commencement of any building construction works. Before any such development may commence, the Applicant must apply for and obtain appropriate Building approval.**
- **This Permit does not authorise the removal of any native vegetation including for access. Before any such works may commence, the Applicant must apply for and obtain appropriate Planning approval.**
- **This Permit does not authorise the creation of a new access way/crossover. Before any such development may commence, the Applicant must apply for and obtain appropriate approval from Council.**

Environmental Health Notes

- **A High Risk Template - Land Capability Assessment must be provided for this proposal to determine if wastewater can be contained on site before any further comment can be made by the Environmental Health Department.**



9.1.2 Planning Applications Received and Planning Applications Determined
- 1 to 31 August 2021

Author: Director Community and Planning

Responsible Director: Director Community and 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 August 2021 are provided for information.

It is noted that there were 27 planning applications received, 17 planning applications issued, 2 planning applications lapsed, and 1 planning application was withdrawn during this period.

MOVED: COUNCILLOR HAYES-BURKE
SECONDED: COUNCILLOR MURRAY

That Council:

- 1. Note that there were 27 new planning applications received, 17 planning applications issued, 2 planning applications lapsed and 1 planning application withdrawn during the period 1st to 31st August 2021.***
- 2. Note the report.***

192-20/21 CARRIED



9.2 **COMMUNITY**

9.2.1 **Euroa Little Theatre Inc. – Application for Sponsorship**

Author: Manager Tourism and Community Services

Responsible Director: Director Community and Planning

EXECUTIVE SUMMARY

The Euroa Little Theatre (ELT) Inc. have submitted a request for sponsorship of \$3,000 from Council to be used towards their theatre production event being held in October 2021. These funds will assist to enable the purchase and hire of safety and access equipment for this production.

The funds will be utilised for the following purpose:

1. The purchase of ground operated, wind-up lighting towers to reduce the current OHS risk, undertaken by volunteers during the event.
2. The hire of a wheelchair lifter to address accessibility issues and barriers to inclusion for the performers at this event.

Their application was of a very high standard with all questions addressed and scored a 21/25 against the measured criteria of the Sponsorship Program. This sponsorship application is the first for the 2021 – 2022 financial year with a budget of \$30,000 of available funds remaining in the program.

This application for sponsorship aligns with the following priority focus areas of Council for the Sponsorship Program which are to:

1. Promote community engagement and participation
2. Support gender equality and social inclusion and improve accessibility
3. Contribute to building health and vibrant communities.

This report seeks approval for the provision of this sponsorship request. Should Covid-19 restrictions prevent this event from occurring in October, the event will be postponed until restrictions ease.

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

That Council endorse the request for \$3,000 in sponsorship, to be funded from the 2021 – 22 budget allocation for community sponsorship, for the Euroa Little Theatre Incorporated to assist with their event production being held in October 2021.

193-20/21 **CARRIED**

9.2.2 Tourism, Arts and Culture Advisory Group – Minutes of Meeting held on Monday 21 June 2021

Author: Manager Tourism, Arts and Culture

Responsible Director: Director Community and Planning

EXECUTIVE SUMMARY

This report presents the accepted minutes of the Tourism, Arts and Culture Advisory Group for the most recent meeting held to date in 2021/2022 – Monday 21 June 2021 for noting by Council.

No formal meeting took place in July 2021 as a quorum of members was unable to be achieved.

There are no required actions of Council relating to these minutes.

MOVED: COUNCILLOR HOURIGAN
SECONDED: COUNCILLOR BINKS

That Council note the minutes of the Tourism, Arts and Culture Advisory Group meeting held on Monday 21 June 2021.

194-20/21 CARRIED



9.2.3 Resource Recovery Centres – Refrigerant Management and Cost Recovery

Author: Waste Management Officer

Responsible Director: Director Corporate Operations

EXECUTIVE SUMMARY

Changes to the *Environment Protection Act 2017* (the Act) that came into effect on July 1 2021 require a renewed attention to the best waste management practices and obligations required of Council regarding materials received at our Resource Recovery Centres (RRC). The new Act emphasises the tenet of general environmental duty, which is understood as our duty as individuals and as a business to minimise the risk of harm to environmental and human health from the activities conducted within our Shire.

The Act has introduced a new waste classification system, with controls and obligations toward managing waste materials based on their level of hazard to environmental and human health.

Council receives materials at four (4) of its RRC's that are classified as reportable priority waste (RPW). Refrigerants, most commonly contained in refrigerators and air conditioning units, are classified as a RPW, given they contain ozone depleting substances (ODS) or synthetic greenhouse gases (SGG) that are potentially extremely hazardous if not handled correctly.

The management of refrigerant containing materials requires Council staff to engage a licensed contractor who obtains an Environmental Protection Agency (EPA) approved permission to safely either collect these items and transport off site, or, decommission the refrigerant on site, transport and safely dispose or rebirth the contained material.

The engagement of a licensed contractor will ensure Council meets their obligations under the new Act, whilst ensuring we correctly manage potentially hazardous materials that are directly correlated with enhancing climate change.

The cost to recover hazardous ODS's and SGG's contained in refrigerators and air conditioning units is substantially higher than what the members of our community are currently charged to dispose at our RRC's. Therefore, Council is provided with three (3) options to update the cost-recovery method that will reflect the best outcome for our Shire across economic, environmental and social pillars.

It is recommended that Council update the charges at our RRC's to reflect the true cost of recovery - Option 3.

MOVED: COUNCILLOR DICKINSON

SECONDED: COUNCILLOR BINKS

That Council increase the charges associated with the disposal of refrigerant containing materials at our Resource Recovery Centres to \$20 to reflect the true cost of handling ozone depleting substances and synthetic greenhouse gases under the new Environment Protection Act 2017.

195-20/21 ***CARRIED***

9.2.4 2021 – 2022 Community Grants Program Guidelines

Author: Coordinator Community Services and Inclusion

Responsible Director: Director Community and Planning

EXECUTIVE SUMMARY

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

A review of the grant program guidelines was undertaken in April 2021, with a number of opportunities identified and endorsed by Council to strengthen the guidelines for the 2021/22 program. This included the removal of emergency services, educational institutions and religious organisations eligibility for funding as these organisations have access to funding via their governing bodies.

During Round 1 of the 2021/22 Community Grants Program, Council Officers identified that while educational institutions are now not eligible, further clarification is required regarding the definition. Specifically, it is considered that non-privatised early education providers, who receive minimal funding and operate in Council facilities, should remain as eligible organisations for this grant program.

This report seeks to amend the Community Grant Program Guidelines to provide greater clarity around the eligibility intent of educational institutions.

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

That Council adopt the revised 2021-2022 Community Grant Program Guidelines to provide further clarification around the definition and eligibility of educational institutions.

196-20/21 CARRIED

9.2.5 Euroa Community Garden

Author: Coordinator Community Services and Inclusion

Responsible Director: Director Community and Planning

EXECUTIVE SUMMARY

The Euroa Action Group Committee (ECAG) were successful in securing a budget allocation of \$10,000 for a community garden in Council's 2021/22 Budget via a submission to the 'Pitch My Project' platform. The vision of ECAG is to revitalise an underutilised space in Euroa to create a communal gathering place where people can connect through food and companionship.

Following the adoption of the 2021/22 Council Budget, Council Officers have met with ECAG to identify potential sites to house the community garden. Key attributes of the required land that would suit a community garden include:

- At least 500 square metres in size
- Well lit, safe and accessible by roads and footpaths
- Access to water mains
- Close to main street and local community facilities.

A parcel of land has been identified for the proposed community garden at 16A Bury Street, Euroa and is owned by Council (refer to Figure 1). This parcel of land encompasses the Euroa swimming pool and runs through to Brock Street. Within the parcel of land, there is an underutilised vacant section within the land adjacent to Brock Street. The parcel of land has not been utilised since such time as the netball courts were decommissioned and does meet all of the above requirements.

Figure 1 Subject Site



9.2.5 Euroa Community Garden (cont.)

MOVED: COUNCILLOR MURRAY
SECONDED: COUNCILLOR HAYES-BURKE

That Council:

- 1. *Continue to work with the Euroa Community Action Group to progress the concept of a community garden at 16A Bury Street, Euroa by;***
 - a. undertaking consultation with surrounding residents and community members regarding a community garden on this site***
 - b. receiving a report from officers outlining a summary of the community engagement and recommended next steps in response to community feedback.***

197-20/21 CARRIED



9.2.6 Action Group Funding 2021/22

Author: Coordinator Community Services and Inclusion

Responsible Director: Director Community and Planning

EXECUTIVE SUMMARY

Funding allocation for Strathbogie Shire Council's eight Action Groups opened on 1 August 2021 and closed on the 27 August. Council Officers consulted with each of the Action Groups throughout June and July regarding the new structure for funding in the 2021/22 financial year.

The purpose of the Action Group Funding Allocation is to provide an opportunity for Action Groups to undertake projects that complement the focus areas of Council and encourage participation in community activity. Project submissions are to be based on the Action Groups strategic plans. This year there are a number of groups in the final year of their strategic plan, with some groups completing all actions highlighted in their respective plans. To continue to support these Action Groups, submissions were accepted for projects not listed in the strategic plan providing the Action Group could demonstrate community support for the suggested project.

The total budget allocation for the 2021-2022 Action Group Funding is \$70,000, with \$20,000 of this allocation attributed toward administration costs, festivities, and community engagement with each individual action group receiving \$2,500. The remaining \$50,000 is made available to support community projects.

This year total project submissions equate to \$17,864 leaving \$32,136 in the funding allocation. Council Officers will continue consultation with those Action Groups which have not submitted projects and support them in proceeding with an application prior to year end, with proposed funding applications to be heard at the December Council Meeting.

MOVED: COUNCILLOR MURRAY
SECONDED: COUNCILLOR DICKINSON

That Council:

1. ***Award funding to five (5) projects for the total sum of \$17,864 to the following Action Groups;***

<i>Application/Action Group</i>	<i>Proposed funding</i>
<i>Maintenance Community Centre /Graytown Action Group</i>	<i>\$1,000</i>
<i>Repair/Maintenance Police Building/Avenel Action Group</i>	<i>\$5,000</i>
<i>Monthly newsletter/printing/Violet Town Action Group</i>	<i>\$4,364</i>
<i>Fairy Lights – Binney Street/Euroa Action Group</i>	<i>\$5,000</i>
<i>Planting and signage/Euroa Action Group</i>	<i>\$2,500</i>

2. ***Authorise officers to continue consultation with Action Groups who did not submit projects and re-open funding commencing 22 September 2021, closing 19 November 2021 with recommendations of funding allocations to be put forward in the December 2021 Council Meeting.***

198-20/21 **CARRIED**

9.2.7 Tender for Contract CN21/22-01: Operation and Management of Pools

Author: Coordinator Community Services and Inclusion

Responsible Director: Director Community and Planning

EXECUTIVE SUMMARY

Council owns four outdoor swimming pools within Strathbogie Shire. These pools are located in Avenel, Euroa, Nagambie and Violet Town. Last financial year, the management of the outdoor pools was undertaken via a contractual arrangement with a third party following a competitive procurement process. The 2020/21 pool season was successful with facilities vastly improved through the management of a well-established pool management company.

At the June 2021 Council Meeting, Council decided in part to:

- *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.*

Council invited submissions through a public open tender process for Contract Number 21/22-01 Operation and Management of Pools on Friday 2 July 2021.

At tender closing on Friday 6 August 2021 one (1) tender submission was received. This was a conforming tender and following the evaluation of this tender it is recommended that Council award contract number 21/22-01 to Belgravia Leisure Services for a period of three years.

MOVED: COUNCILLOR HOURIGAN
SECONDED: COUNCILLOR HAYES-BURKE

That Council:

- 1. *Receives and notes the outcome of the tender assessment process for Contract Number 21/22-01 – Operation and Management of Pools;***
- 2. *Award Contract Number 21/22-01 Operation and Management of Pools to Belgravia Leisure Services for the value of \$1,018,223 excluding GST (\$1,120,045.30 incl GST) for the period of three years, inclusive of a 3% annual CPI increase;***
- 3. *Authorise the Chief Executive Officer to execute Contract Number 21/22-01 by signing and affixing with the Common Seal of Strathbogie Shire Council; and***
- 4. *Subject to satisfactory performance, authorise the Chief Executive Officer to approve two single year extensions only upon recommendation from the Director of Community and Planning, for seasons 2024/25 & 2025/26 for the amount of \$359,972.68 and \$370,771.86 both excluding GST per annum.***

199-20/21 **CARRIED**



9.2.8 Contracts Awarded Under Delegation (as approved in Council's 2021/22 Capital Works Budget)

Author: Manager Projects

Responsible Director: Director Community and Planning

EXECUTIVE SUMMARY

The purpose of this report is to inform Council and the community of the status of request for tenders that have been awarded under delegation and those that have been publicly advertised but are yet to be awarded as of 1 September 2021. This report specifically relates to works that form part of Council's 2021/22 capital works budget.

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

That Council note the:

- 1. Contracts awarded under delegated authority by the Chief Executive Officer.***
- 2. Contracts awarded under delegated authority by a Director.***

200-20/21 CARRIED



9.2.9 Designation of a Bushfire Place of Last Resort - Euroa

Author: Manager Operations/Municipal Fire Prevention Officer (MFPO)

Responsible Director: David Roff

EXECUTIVE SUMMARY

Councils in country Victoria are required to designate Neighbourhood Safer Places or Bushfire Places of Last Resort (BPLR) under the Country Fire Authority Act 1958 (CFA Act).

The CFA Act requires that a proposed BPLR be given the Municipal Fire Planning Sub-Committee approval, and endorsement by the Municipal Emergency Management Planning Committee. The Council are required to approve the site by Council resolution and can only do so once the proposed BPLR site has the approval of the CFA.

This report recommends that the Euroa BPLR be relocated from the current Kirkland Avenue site to the carpark area at the Euroa War Memorial Swimming Pool.

The proposed location has been assessed against eleven criteria, as set out in the Council's Neighbourhood Safer Places Plan adopted by the Council on 15 June 2010. The site has been assessed and certified by the Country Fire Authority as being suitable for a BPLR.

The report seeks Council's endorsement of this proposal.

MOVED: COUNCILLOR BINKS
SECONDED: COUNCILLOR MURRAY

That Council:

- 1. Designate the car park location at 16a Bury Street, Euroa (Euroa War Memorial Swimming Centre) as a Bushfire Place of Last Resort in accordance with section 50G of the Country Fire Authority Act 1958;***
- 2. Install directional signage to guide the public to the site;***
- 3. Decommission the current Bushfire Place of Last Resort on Kirkland Avenue, Euroa;***
- 4. Advise the Country Fire Authority of Council's decision; and***
- 5. Communicate to the public of the changes to the designated Bushfire Place of Last Resort for Euroa, once the Bury Street site is established, through Council's website, newspaper column and social media.***

201-20/21 **CARRIED**



9.2.10 Refugee Council of Australia - Afghanistan Advocacy

Author: Coordinator Community Services & Inclusion

Responsible Director: Director Community and Planning

EXECUTIVE SUMMARY

The Refugee Council of Australia have written to all Refugee Welcome Zone Councils calling on support to advocate to the Australian Federal Government on the unfolding crisis in Afghanistan. The Refugee Council of Australia are urging the Federal Government to implement the below seven practical steps to provide safety for people from Afghanistan:

1. Evacuate people who are at grave risk
2. Urge governments in the region to keep borders open
3. Offer additional refugee resettlement places for Afghan refugees
4. Increase Australian aid to the region
5. Support people whose asylum claims have been previously rejected to be able to submit new claims in the light of the changed circumstances in Afghanistan.
6. Extend permanent protection to 4300 Afghans on temporary protection visas
7. Assist Afghan Australians with urgent family reunion applications for relatives who are at particular risk.

In 2017, Strathbogie Shire become a Refugee Welcome zone. A Refugee Welcome Zone is a Local Government Area which has made a commitment in spirit to:

- Welcoming refugees into the community
- Upholding the human rights of refugees
- Demonstrating compassion for refugees, and
- Enhancing cultural and religious diversity in the community.

Over 300 organisations, businesses, and community groups have signed on to a joint letter to all Federal MPs and Senators calling on them to take urgent action on the devastating situation in Afghanistan. The Refugee Council are calling on our support to back their urgent advocacy on the unfolding crisis in Afghanistan, including support for Afghan refugees here in Australia and their separated families.

MOVED: COUNCILLOR BINKS
SECONDED: COUNCILLOR DICKINSON

That Council advocate to the Australian Federal Government by including Council's support to the Refugee Council of Australia's advocacy calling on the Federal Government to implement seven practical steps to support the people of Afghanistan and our local Afghan community.

202-20/21 CARRIED



9.3 INFRASTRUCTURE

9.3.1 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.

At the June 2021 Council Meeting, Council resolved to undertake a Section 223 process in accordance with the *Local Government Act 1989*, calling for submissions in relation to Council's periodical review of the Road Management Plan.

The purpose of the consultation was to provide an opportunity for the community to comment and provide feedback on the draft Road Management Plan, including how effective the previous version was. This feedback is collated in this report and is presented to Council as part of their consideration and deliberation before adopting the final Road Management Plan.

Following the submission period, 12 submissions regarding the draft Road Management Plan were received. Two (2) of the 12 submitters were heard in support of their written submission. This hearing took place on 10 August 2021. A summary of the submitters' objections can be found further in this report.

The changes to the Plan were based on community feedback and engagement with relevant stakeholder groups. The body of the Plan has been updated and reflects improvements to policies and maintenance and management practices.

The Plan seeks to balance the competing influences that impact Council's level of service - including economic, technical, social, safety and environmental influences.

In managing the local road system, Council seeks to establish a reasonable level of service to meet the expectations of road users and the local community.

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

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

That Council:

- 1. Endorse the Road Management Plan 2021 – 2025.***
- 2. Note that a notice of the decision will be published in the Victoria Gazette.***

203-20/21 CARRIED



9.4 CORPORATE

9.4.1 Adoption of 2020/21 Annual Financial Report

Author and Responsible Director: Director Corporate Operations

EXECUTIVE SUMMARY

The Local Government Act 2020 (the Act) states it is essential there is a legislative framework that provides for councils to be accountable to their local communities in the performance of functions and the exercise of powers and the use of resources. It is a statutory requirement under the Act that councils prepare and report on medium and short term plans to discharge their duties of accountability and transparency to their communities.

The Act specifically requires that Council pass a resolution giving its approval in principle to the Annual Financial Report prior to formally submitting to the Auditor-General Victoria and the Hon. Shaun Leane MP, Minister for Local Government. The Act further requires that Council must authorise two Councillors to approve the Report.

The Audit Committee, at its meeting on Friday 17 September 2021, in accordance with the Local Government Act 2020, having reviewed the Annual Financial Report consisting of the Financial Statements and Notes, recommends the 2020/21 Annual Financial Report be considered for approval by Council.

Section 99 of the Act also applies to this report.

Draft copies of the Annual Financial Report have been circulated to Councillors for their consideration and are attached to this report.

MOVED: COUNCILLOR MURRAY
SECONDED: COUNCILLOR BINKS

That Council:

- 1. Notes the recommendation of the Audit Committee to approve the Financial Statements;***
- 2. Approve in principle the 2020/21 Annual Financial Report;***
- 3. Authorise Councillors Raeburn and Murray to sign the 2020/21 Annual Financial Report;***
- 4. Authorise the Chief Executive Officer to make minor amendments to the 2020/21 Annual Financial Report, if required, and brief Council if amendments are made;***
- 5. Authorise the Chief Executive Officer to certify the 2020/21 Annual Financial Report; and***
- 6. Upon receipt of the Auditor's Certified Report, submit the Annual Report to the Hon. Shaun Leane MP, Minister for Local Government and make the Annual Report available for public inspection.***

204-20/21 **CARRIED**

9.4.2 Adoption of Performance Statement 2020/21 and Governance and Management Checklist 2020/21

Author: Director Corporate Operations

Responsible Director: Director Corporate Operations

EXECUTIVE SUMMARY

The Local Government Performance Reporting Framework is a mandatory system of performance reporting for all Victorian councils. It ensures that councils are measuring and reporting on their performance in a consistent way to promote transparency and accountability in the local government sector.

The Local Government Act 2020 (the Act) requires that Council pass a resolution giving its approval to the Performance Statement 2020/21 and Governance and Management Checklist prior to formal submission to the Auditor-General Victoria and the Minister. The performance statement provides our community with audited results against the prescribed performance indicators and measures.

The Act further requires that Council must authorise two Councillors to approve the Report.

Draft copies of the Performance Statement 2020/21 and Governance and Management Checklist have been circulated to Councillors for their consideration and are attached to this report.

Council's Audit and Risk Committee considered both documents at its meeting on 17 September 2021 and endorsed them for adoption by Council.

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

That:

- 1. Council adopt, in principle, the –
a) Performance Statement 2020/21.
b) Governance and Management Checklist 2020/21.***
- 2. Council authorise Councillors Raeburn and Murray to sign the 2020/21 Performance Statement.***
- 3. The above Statements be included in the Annual Report and submitted to the Hon. Shaun Leane MP, Minister for Local Government.***

205-20/21 CARRIED

9.5 GOVERNANCE AND CUSTOMER SERVICE

9.5.1 Adoption of Mutual Respect Charter

Author: Executive Manager, Governance & Customer Service

Responsible Director: Chief Executive Officer

EXECUTIVE SUMMARY

A draft Mutual Respect Charter has been developed to underline the commitment to inclusive and respectful interactions between Councillors, the community and Council staff.

Council is committed to interacting more with its community in relation to decision making, as set out in our Public Transparency Policy and Community Engagement Policy. In being more consultative, there have been a growing number of incidents where interactions between the Council, community and staff have not been respectful. This, in turn, has an adverse impact on maintaining a safe workplace.

In a recent survey auspiced by the Equal Opportunity Commission, and completed by 60% of Council staff in June 2021, 13% of respondents stated that they had been bullied in the past 12 months. Drilling down into this data, it was apparent that of those that had experienced bullying, 20% identified that the perpetrator was a member of the community.

While there is a Councillor Code of Conduct, Staff Code of Conduct and a Customer Service Charter that set out values and behaviours in our day-to-day interactions with others, it is felt that stronger and more concise statements around the expectations for the conduct of all interactions is required. Further, a greater focus on community interactions is required, particularly given the results of the People Matter survey.

State and Federal legislation require Council to identify risks to the health and safety of employees and the community and to take action to mitigate those risks. The draft Charter outlines the responsibilities and rights of all that are involved in Council business. Being treated with dignity, fairness and respect is at its very core. That is, Council has identified a risk to the health, wellbeing and welfare of staff, Councillors and the community, and the draft Charter is one way to mitigate this identified risk.

By adopting a clear statement around rights and behaviours, Council is enabling all parties to be able to call out inappropriate behaviour and to allow complaints around a breach of the Charter to be made to the Mayor or to the Chief Executive Officer.

Council also reserves the right to modify, curtail or decline service in response to ongoing unacceptable behaviour which because of its nature or frequency raises health, safety, or equity issues. This course of action will only be taken if absolutely necessary, however it is felt important that all parties be put on notice that repeated unacceptable behaviour will not be tolerated and will be acted upon.

9.5.1 Adoption of Mutual Respect Charter (cont.)

Challenging inappropriate behaviour is an integral part of the cultural change we are trying to drive across the organisation to drive the highest standards of good governance, ethical behaviour and integrity. It is also a demonstration of leadership in a broader social context by stating that there is zero tolerance to disrespectful behaviour of any form.

It is recommended that the draft Mutual Respect Charter be adopted by Council and that an education and awareness campaign be conducted to ensure all parties are aware of their rights and responsibilities. This includes the display of the Charter around Council offices, at Customer Service Centres and information being available on our website and social media pages. One key message that will form part of this campaign is that verbal abuse, harassment and disrespect of any kind is not acceptable and will not be tolerated.

MOVED: COUNCILLOR MURRAY
SECONDED: COUNCILLOR BINKS

That Council:

- 1. Adopt the Mutual Respect Charter.***
- 2. Endorse the display of the Mutual Respect Charter in all Shire of Strathbogie workplaces and Customer Service Centres.***
- 3. Endorse the implementation of an education and awareness campaign to ensure all parties involved in Council business are aware of their rights and responsibilities under the Mutual Respect Charter.***

206-20/21 CARRIED



9.5.2 Business Management System

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

- Building Department – August 2021 Statistics
- Planning Department – Planning Application Approvals – Development Cost (Capital Improved Value) - August 2021
- Customer Enquiry Analysis Report – Report for August 2021
- Waste Management Reporting ~ Year to Date – August 2021
- Actioning of Council Reports Resolutions – Council Meeting Tuesday 17 August 2021
- Outstanding Actions of Council Resolutions to 31 August 2021
- Review of Council Policies and Adoption of new Policies – August/September 2021
- Records of Informal Council Briefings / Meetings – 1 to 31 August

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

Building and planning permit activity continues to be strong, particularly in the Lake Nagambie Ward, where a significant amount of new subdivisions are being released to the market.

Customer requests lodged for the month focused on Council assets and roads, with many reports of potholes and drainage issues caused by high levels of rainfall and wind/storm events. The allocation of outdoor crews has shifted in response to these events and also to respond to strict Covid-19 pandemic controls in relation to the definition of authorised work. Outdoor crews are focusing on safety and hazard reduction work, such as drainage clearing/works as a result.

MOVED: COUNCILLOR HOURIGAN
SECONDED: COUNCILLOR HAYES-BURKE

That the report be noted.

207-20/21 CARRIED

10. NOTICES OF MOTION

Nil

11. NOTICES OF RESCISSION

Nil

13. CONFIDENTIAL BUSINESS

Nil

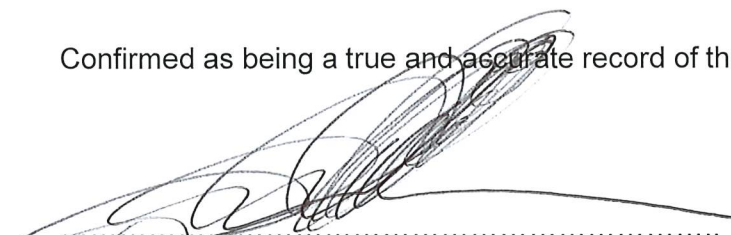
NEXT MEETING

The next monthly Meeting of the Strathbogie Shire Council is scheduled to be held on Tuesday 19 October 2021, commencing at 6.00 p.m.

It is intended that this meeting be held at the Euroa Community Conference Centre, however, it should be noted that if coronavirus restrictions are in force, the meeting will be held virtually.

THERE BEING NO FURTHER BUSINESS, THE MEETING CLOSED AT 8.05 P.M.

Confirmed as being a true and accurate record of the Meeting



Chair

19/10/21
Date

