



STRATHBOGIE SHIRE COUNCIL

**MINUTES OF A MEETING OF THE STRATHBOGIE SHIRE COUNCIL HELD ON
TUESDAY 19 APRIL 2022, AT THE EUROA COMMUNITY CONFERENCE CENTRE,
COMMENCING AT 6.00 P.M.**

Chair:	Laura Binks (Mayor)	(Mount Wombat Ward)
Councillors:	David Andrews	(Lake Nagambie Ward)
	Reg Dickinson	(Lake Nagambie Ward)
	Sally Hayes-Burke	(Seven Creeks Ward)
	Kristy Hourigan	(Seven Creeks Ward)
Officers:	Julie Salomon	Chief Executive Officer (CEO)
	David Roff	Director, Corporate Operations (DCO)
	Amanda Tingay	Director, Community and Planning (DCP)
	Dawn Bray	Director, People and Governance (DPG)

1. Welcome

2. Acknowledgement of Traditional Land Owners

We acknowledge the Traditional Custodians of the places we live, work and play.

We recognise and respect the enduring relationship they have with their lands and waters, and we pay respects to the Elders past, present and emerging.

Today we are meeting on the lands of the Taungurung peoples of the Eastern Kulin nation, whose sovereignty here has never been ceded.

3. Apologies / Leave of Absence

Councillor Paul Murray	(Hughes Creek Ward)
Councillor Chris Raeburn	(Honeysuckle Creek Ward)
Kristin Favaloro	Executive Manager, Communications and Engagement (EMCE)

VB

4. Disclosure of Conflicts of Interest

- Cr Hourigan declared a material conflict of interest under Clause 128 of the Local Government Act 2020 in Item 9.4.2 (Consideration of Nagambie and Euroa Caravan Park Line Items for the Draft 2022-23 Budget) due to being the Director of a company that has a leasehold of the Euroa Caravan Park.
- Cr Binks declared a general conflict of interest under Clause 127 of the Local Government Act 2020 in Item 9.1.2 (Planning Applications Received and Planning Applications Determined - 1 to 31 March 2022) due to being a Board Member of the Violet Town Bush Nursing Centre, which is the applicant for a planning permit listed in this item for noting.
- The Director, Community and Planning declared a material conflict of interest under Clause 128 of the Local Government Act 2020 in Item 9.3.2 (Tender for Contract No. CN 21/22-27: Provision of Weed and Pest Management Services (Panel of Suppliers) – including Annual Roadside Fire Risk Reduction Program – Lump Sum) due to direct family members being company directors of one of the businesses proposed on the Panel of Suppliers.

5. Confirmation of Minutes of Previous Meetings

MOVED: COUNCILLOR ANDREWS

SECONDED: COUNCILLOR HOURIGAN

That the Minutes of the Council meeting held on Tuesday 15 March 2022 be confirmed.

72-21/22

CARRIED

6. Petitions

Nil.

7. Reports of Mayor and Councillors and Delegates

Mayor

- Launch of Advocacy Ask to seek support from politicians in lead up to Federal and State elections. Top 5 priorities, including securing funding for, are –
 - Equitable digital and telecommunications infrastructure
 - Reliable power supply infrastructure
 - 2026 Commonwealth Games Bid – Rowing
 - Greening Euroa Pilot Project
 - Nature Based Play Space – Euroa
- Hosted Rowing Australia National Rowing Championships at Lake Nagambie, which needed to be relocated from Sydney due to water contamination, and only 8 days to arrange. Over 2,000 athletes, coaches and supports crews, together with spectators. Conveyed thanks to community members and Council officers who volunteered their time to assist.
- Presided over citizenship ceremonies, welcoming five new Australian citizens.
- Encouraged community members to visit the Strathbogie Shire engagement hub – Share Strathbogie. Webpage is constantly updated with project information, surveys and community engagement.

8. Public Question Time

Public Question Time will be conducted as per Rule 31 of Strathbogie Shire Council's Governance Rules. A copy of the required form for completion and lodgment, and associated Procedural Guidelines, are attached for information.

As the questions are a permanent public record and to meet the requirements of the Privacy and Data Protection Act 2014, only the initials of the person asking the question will be used together with a Council reference number.

Council Ref: AT: 02/2022

1. Will Council advise the process for the formation of the working group (in relation to the streetscape design for Strathbogie) whilst ensuring the process will be democratic and transparent.
2. Could Council please advise whether road and pedestrian access improvement works in Strathbogie township have been logged and when dates for this work will be advised?

Response provided by CEO

1. *In response to the first question, the creation of the Streetscape Working Groups will be undertaken through an Expression of Interest process. The expression of interest will ask a range of questions that relate to the Terms of Reference – membership criteria.
Expressions of Interest will open in the coming weeks, and following the closing date, applications will be assessed by an internal Council officer review panel.*
2. *In response to the second question, I have asked an officer to contact you to clarify the nature of the works in question, better understand the issues relating to this matter and arrange for an inspection of the site.
It may also be appropriate that these upgrades form part of the Streetscape works to be undertaken over a number of years.*

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

REPORTS INDEX

		Page No.
9.	OFFICER REPORTS	
9.1	Strategic and Statutory Planning	
9.1.1	Planning Permit Application No. P2021-108 - Use and Development of Land for a Dwelling and Removal of Native Vegetation ~ Lot 1 on Title Plan 393753, Reedy Lake Road, Bailieston VIC 3608	1
9.1.2	Planning Applications Received and Planning Applications Determined - 1 to 31 March 2022	3
9.2	Community	
9.2.1	Application for Sponsorship - Euroa Town Criterium Event	4
9.2.2	Terms of Reference - Streetscape Plan Working Groups in Strathbogie and Violet Town	5
9.2.3	Feasibility Study – Strathbogie Shire Council Resource Recovery Centre Resale Shop	6
9.2.4	Revised Community Grants Program Guidelines 2022	7
9.2.5	Climate Change Action Plan – Draft for Exhibition	8
9.3	Infrastructure	
9.3.1	Tender for Contract No. CN 21/22-31: Supply of Gravel Products – Panel of Suppliers Agreement	9
9.3.2	Tender for Contract No. CN 21/22-27: Provision of Weed and Pest Management Services (Panel of Suppliers) – including Annual Roadside Fire Risk Reduction Program – Lump Sum	11
9.3.3	Contract Variation - Contract No. 20/21-62: Euroa/Strathbogie Road and Creek Junction Road Intersection Re-alignment	13
9.3.4	Contract Variation - Contract No. 21/22-17: Roads Rehabilitation Program 2021-22	14
9.3.5	Contracts Awarded Under Delegation	15
9.3.6	Strathbogie Shire Council Asset Plan – 2022-2032	16
9.4	Corporate	
9.4.1	Strathbogie Shire Council Audit and Risk Committee - Appointment of Chair	17
9.4.2	Consideration of Nagambie and Euroa Caravan Park Line Items for the Draft 2022-23 Budget	18
9.4.3	Draft 2022/23 Strathbogie Shire Council Budget - Preparation of Budget, Financial Plan and Fees and Charges for Exhibition and Comment	20

9.5	Governance and Customer Service	
9.5.1	Reappointment of Municipal Monitor	22
9.5.2	Determination of Councillor Allowances	23
9.5.3	2021-25 Council Plan Update	25
9.5.4	Monthly Performance Report	26
9.6	Executive	
10.	NOTICES OF MOTION	27
10.1	Notice of Motion – Council Meeting Tuesday 19 April 2022 Commonwealth Games Advocacy Lodged by Councillor Laura Binks and Councillor David Andrews (Notice of Motion Ref. No: 02/2022)	27
11.	NOTICES OF RESCISSION	28
	Nil	
12.	URGENT BUSINESS	28
	Nil	
13.	CONFIDENTIAL BUSINESS	28
	Nil	

9. OFFICER REPORTS

9.1 STRATEGIC AND STATUTORY PLANNING

9.1.1 Planning Permit Application No. P2021-108 - Use and Development of Land for a Dwelling and Removal of Native Vegetation ~ Lot 1 on Title Plan 393753, Reedy Lake Road, Bailieston VIC 3608

Author: Town Planner

Responsible Director: Director Community and Planning

EXECUTIVE SUMMARY

- The proposal is to use and develop the land for a dwelling with associated outbuildings, along with the removal of native vegetation.
- The dwelling is proposed on a small lot measuring just over 4000 square metres, in a farming area of minimum lot size 40 hectares. This site is not identified within the Rural Residential Strategy 2004. The site is located approximately 5 kilometres north of Nagambie township and to the west of the lake environs. It is accessible only by dirt farm roads and set amongst large farming enterprises (61 hectares to 237 hectares) with open paddocks.
- This proposal was notified to surrounding owners and occupiers and no objections have been received.
- The application has not been assessed within the sixty-day timeframe due to the need for the item to be heard before Council.
- The proposal, having been assessed against the planning scheme, is not weighted in favour of support failing to meet the Purpose and Decision Guidelines of the Farming Zone and gain support from the planning policy.
- It is recommended that Council resolve to issue a Notice of Decision to Refuse to Grant a Permit in accordance with the Officer's recommendation.

MOVED: COUNCILLOR ANDREWS

SECONDED: COUNCILLOR HOURIGAN

That Council:

- 1. Having caused notice of Planning Application No. P2021-108 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 Refuse to Grant a Permit under the provisions of Strathbogrie Planning Scheme in respect of the land known as Lot 1 on TP393753 Bailieston Reedy Lake Road, Bailieston VIC 3608, for the Use and Development of Land for a Dwelling and Removal of Native Vegetation based on the following reasons:***
 - a. The proposal does not support the Purpose of the Farming Zone and does not weight in favour of support when assessed against the appropriate decision guidelines of the Farming Zone.***

9.1.1 Planning Permit Application No. P2021-108 - Use and Development of Land for a Dwelling and Removal of Native Vegetation ~ Lot 1 on Title Plan 393753, Reedy Lake Road, Bailieston VIC 3608 (cont.)

b. The proposal, when assessed against the policy throughout the Strathbogie Planning Scheme, is not weighted in favour of support. The relevant policy that provides direction, and which does not weight in favour of support are –

Clause 11 Settlement

Clause 11.01 Victoria

Clause 11.02 Managing Growth

Clause 14 Natural Resource Management

Clause 14.01-1S Protection of Agricultural Land

Clause 21.01 Municipal Profile

Clause 21.01 Sustainable Settlement

Clause 21.02-3 Rural Residential

Clause 21.02-4 Rural Zones

Clause 21.04 Sustainable Environment

Clause 21.06-2 Adapting and Diversifying Agriculture

Clause 22.01 Housing and House Lot Excision in the Farming Zone.

73-21/22 **CARRIED**

LB.

9.1.2 Planning Applications Received and Planning Applications Determined
- 1 to 31 March 2022

Author: Manager Planning & Investment

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 of 1st to 31st March 2022. The latest available Planning Permit Activity Performance Figures are also attached (Attachment 3). The contents of this report are provided for information purposes only.

It is noted that there were 17 new planning applications received and 15 planning permit applications decided upon during the reporting period.

MOVED: COUNCILLOR HOURIGAN
SECONDED: COUNCILLOR HAYES-BURKE

That Council:

- 1. Note that there were 17 new planning applications received, and 15 planning permit applications decided on during the period of 1st to 31st March 2022.***
- 2. Note the report.***

74-21/22 CARRIED

9.2 COMMUNITY

9.2.1 Application for Sponsorship - Euroa Town Criterium Event

Author: Manager Culture and Community

Responsible Director: Director Community and Planning

EXECUTIVE SUMMARY

Council has received a sponsorship application from the Shepparton Cycling Club Inc for \$5,000 for the Euroa Town Criterium event to be held on Saturday 23 April 2022. The funds would be used to help cover the cost of Traffic Management and Official Timing. In 2017, Council provided sponsorship of \$1,500 for the same event.

The event application was of a high standard, with all questions addressed and the application scoring 24/25 in the Sponsorship Program criteria assessment. Under the Guidelines, organisations from outside Strathbogie Shire can apply for sponsorship provided that the event takes place in the municipality.

The event will result in a number of significant social and economic benefits to the Strathbogie Community and will be delivered in line with Council's Events and Regulatory policies and procedures.

In Council's approved operating budget 2021/2022, Council allocated \$30,000 to the Sponsorship program to sponsor events held in the Strathbogie Shire that meet the Sponsorship program criteria submitted in line with the Guidelines.

The value of all Sponsorship requests approved this financial year to date total \$15,000, leaving a balance of \$15,000 remaining.

This report recommends the approval of the sponsorship application from the Shepparton Cycling Club Inc. for a financial contribution of \$5,000 for the Euroa Criterium 2022.

MOVED: COUNCILLOR DICKINSON
SECONDED: COUNCILLOR ANDREWS

That Council:

- 1. Approve sponsorship of \$5,000 to be funded from the 2021 – 22 budget allocations for sponsorship to the Shepparton Cycling Club Inc to assist with the delivery of the Euroa Criterium to be held on Saturday 23 April 2022;***
- 2. Work with the Shepparton Cycling Club Inc to reduce overall waste produced at the event through the implementation of the objectives of both the Waste Wise Events Guidelines and Sustainable Strathbogie 2030 in being "A Zero Waste Shire"; and***
- 3. Make it a condition of the sponsorship funding that the Shepparton Cycling Club Inc comply with COVID-19 directions issued by the Chief Health Officer/Department of Health at the time of the event.***

75-21/22 **CARRIED**

UB.

9.2.2 Terms of Reference – Streetscape Plan Working Groups in Strathbogie and Violet Town

Author: Executive Manager Communications and Engagement

Responsible Director: Director Community and Planning

EXECUTIVE SUMMARY

At the March 2022 Council Meeting, Council endorsed the progression of streetscape plans in Avenel, Euroa and Longwood.

At this meeting Council also endorsed the formation of working groups to develop further draft designs for Strathbogie and Violet Town with a Terms of Reference for these groups to be considered at the April 2022 Ordinary Council Meeting.

The working group will comprise of a maximum of 12 people who represent a range of community perspectives from different sectors or interest groups within the Strathbogie and Violet Town areas.

The purpose of the Streetscape Working Groups is to:

- ensure community input into the next Draft Streetscape Plan for Strathbogie and Violet Town
- capture local knowledge, issues and opportunities, and
- plan a draft streetscape design with the Council appointed designer.

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

That Council adopt the Terms of Reference for Streetscape Working Groups in Strathbogie and Violet Town.

76-21/22 CARRIED

9.2.3 **Feasibility Study – Strathbogie Shire Council Resource Recovery Centre Resale Shop**

Author: Waste Management Officer

Responsible Director: Director Corporate Operations

EXECUTIVE SUMMARY

Council provides a robust approach to waste management through its kerbside collection service and operation of eight Resource Recovery Centre's (RRC's). However, none of the RRCs currently offer the option of sorting and/or selling disposed materials and household goods to the community that could be reused, repaired or repurposed.

To address this service gap, Council received a \$10,000 grant from Sustainability Victoria, in July 2021, through the *Recycling Victoria Councils Fund* to conduct a Feasibility Study into the introduction of a Resale Shop at one or more of our RRC's.

Council engaged JustWaste Consulting to undertake an in depth, case-specific analysis of the challenges and opportunities toward installing a resale shop in our locale.

Key Results;

1. The social, economic and environmental conditions within the Strathbogie Shire are favourable for the initial introduction of one resale shop.
2. Based on community feedback, accessibility, site infrastructure, material throughput and operational costs, the Nagambie RRC is the recommended site for the introduction of Council's first Resale Shop.
3. The most fit-for-purpose management model of this site would be for it to be managed and staffed by Council.
4. Council could staff the Resale Shop with Nagambie's current Transfer Station Operator on Monday, Thursday & Friday, with an additional member hired for Saturday and Sunday operations.
5. An operational surplus of \$20,904 is anticipated to be generated from cost savings (waste diversion) and takings.

MOVED: COUNCILLOR DICKINSON
SECONDED: COUNCILLOR ANDREWS

That Council:

1. ***Notes the Feasibility Report and its recommendation;***
2. ***Supports the application to apply for Round 2 Stream 2 of the Recycling Victoria Councils Fund; and***
3. ***Commits to funding the introduction of a Resale Shop at the Nagambie Resource Recovery Centre.***

77-21/22

CARRIED

UB.

9.2.4 Revised Community Grants Program Guidelines 2022

Author: Coordinator Community Services and Inclusion

Responsible Director: Director Community and Planning

EXECUTIVE SUMMARY

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

A review of the grant guidelines has been undertaken taking into consideration community feedback from the 2021 program. A number of opportunities have been identified to improve the application and assessment process which Officers are continuing to work through prior to the grants program opening in June 2022. The following amendments have been identified for the guidelines for the 2022-23 program:

- All Community Grant Program dates updated for the 2022 program with application rounds opening 1 June and closing 30 June 2022. Small project grants opening on the 1 September 2022 in line with closing of round one and successful applicants notified.
- Inclusion of Round Two wording into the guidelines as follows:

In the event the Community Grants Program is under subscribed Council may announce a Second Round of Community Grants in August 2022.

Successful applicants from Round One can apply for grant funding in Round Two if funding is for a new project. Please note however if Round Two is oversubscribed applications from successful Round One organisations/ groups won't be considered.

Small projects remain open only to applicants that were unsuccessful or did not submit applications in the main community grant rounds.

This report seeks to adopt the above changes to the guidelines for 2022.

MOVED: COUNCILLOR HOURIGAN
SECONDED: COUNCILLOR HAYES-BURKE

That Council:

- 1. Adopt the revised 2022 Community Grants Program Guidelines;**
- 2. Release and promote the 2022 Community Grants and Guidelines on the Strathbogie Shire Council website, local media, publications and broadly through a range of engagement networks commencing 1 May 2022, in preparation for grants opening on 1 June 2022, and closing on 30 June 2022.**
- 3. Receive a further report in the August Council meeting cycle for consideration detailing the outcomes and proposed grant recipients for the 2022 Community Grants Program.**

78-21/22 **CARRIED**

9.2.5 Climate Change Action Plan – Draft for Exhibition

Author: Environment and Waste Coordinator

Responsible Director: Director Corporate Operations

EXECUTIVE SUMMARY

In April 2021 Strathbogie Shire Council declared a climate emergency. Since this time staff have been working with the community to develop a Climate Change Action Plan. This report presents the draft plan for endorsement for public exhibition for a period of 6 weeks.

With this Climate Change Action Plan, we intend to continue to be leaders in this area.

The overarching theme of this plan with ensure that Council:

- Embed climate emergency responses into all Shire business activities and decisions;
- Accelerate the Shire's climate change adaptation and mitigation actions to the speed and scale required to address the Climate Emergency;
- Direct the Shire's efforts to engage and empower the local community and business to foster cultural shifts, so that ongoing climate action becomes the new standard;
- Assist and support a just and fair transition to a prosperous decarbonised economy; and
- Create and enhance collaboration and partnership opportunities between the Shire, community and the broader Climate Emergency movement to amplify action and coordinate advocacy.

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

That Council:

- 1. Endorse the release of the draft Climate Change Action Plan for public exhibition and feedback for a period of six weeks to finalise the Climate Change Action Plan; and***
- 2. Receive a further report detailing the outcomes of the public exhibition of the draft Climate Change Action Plan at a future Council meeting.***

79-21/22 CARRIED

LB

9.3 INFRASTRUCTURE

9.3.1 Tender for Contract No. CN 21/22-31: Supply of Gravel Products – Panel of Suppliers Agreement

Authors: Procurement and Tenders Officer, and Team Leader Administration Operations

Responsible Director: Director Corporate Operations

EXECUTIVE SUMMARY

Council has undertaken a competitive tender process for the Supply of Gravel Products – Panel of Suppliers Agreement for a period of three (3) years.

The open public tender process for this Panel of Suppliers has been undertaken in accordance with Strathbogrie Shire Council (Council's) Procurement Policy. The Panel of Suppliers – Gravel Products will provide Council a panel of pre-approved preferred suppliers that meet the required skillset, demonstrated experience and quality management systems and supporting local content.

Officers will be required to seek quotes from Panel of Supplier members through a further competitive process as projects arise. This process will be in accordance with the purchasing provision detailed 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.

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

At the closure of the advertising process, four (4) submissions were received. These have now been independently assessed and evaluated by a panel of Council Officers. Following the tender evaluation process, officers propose that a Panel of Suppliers Arrangement be issued to all tenderers.

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

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

That Council –

1. ***Awards Panel of Supplier Arrangement for Supply of Gravel Products, Contract No. 21/22-31 for a schedule or rates-based contract for the contract term of three (3) years to:***
 - ***Sevens Creek Excavations Pty Ltd***
 - ***Euroa Quarries***
 - ***Violet Town Quarries Pty Ltd***
 - ***E.B Mawson & Sons Pty Ltd***

9.3.1 Tender for Contract No. CN 21/22-31: Supply of Gravel Products – Panel of Suppliers Agreement (cont.)

MOTION (cont.)

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***
2. ***Notes that the Contracts will commence on 1 May 2022 and conclude on 30 April 2025.***

80-21/22 **CARRIED**

UB

9.3.2 Tender for Contract No. CN 21/22-27: Provision of Weed and Pest Management Services (Panel of Suppliers) – including Annual Roadside Fire Risk Reduction Program – Lump Sum

6.35 pm - the Director Community and Planning left the meeting due to declaring a material conflict of interest

Author: Environment & Waste Coordinator, Procurement and Tender Officer, Emergency Management Officer

Responsible Director: Director Corporate Operations

EXECUTIVE SUMMARY

Council officers have undertaken a competitive tender process for the Provision of Weed and Pest Management Services for a period of 3 years.

The open public tender process for this Panel of Suppliers has been undertaken to meet Council's compliance requirements under Council's Procurement Policy. The Panel of Suppliers will provide Council a panel of pre-approved preferred suppliers that meet the required skillset, demonstrated experience and quality management systems, along with valuing local content.

Officers will be required to seek quotes from 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 demonstrates that this further competitive process often leads to a reduction in cost from the maximum rates schedule provided when the Panel of Suppliers Arrangement was created.

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

At the closure of the advertising process, six (6) 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 five (5) suppliers.

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

MOVED: COUNCILLOR ANDREWS
SECONDED: COUNCILLOR DICKINSON

1. **Awards Panel of Supplier Arrangement for Provision of Weeds and Pest Management Services, Contract No. 21/22-27 for a schedule or rates-based contract for the contract term of three (3) years to:**
 - **G&T Weed Management (Wangaratta)**
 - **Tingay's Landcare Services Pty Ltd (Avenel)**
 - **SMH Weed Control Services (Benalla)**
 - **G&K Weed and Vermin Control Pty Ltd (Whorouly)**
 - **TREC Land Services (Wallan)**

UB

9.3.2 Tender for Contract No. CN 21/22-27: Provision of Weed and Pest Management Services (Panel of Suppliers) – including Annual Roadside Fire Risk Reduction Program – Lump Sum (cont.)

MOTION (cont.)

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 on 30 April 2022 and conclude on 30 April 2025.***

81-21/22 **CARRIED**

6.37 pm – the Director Community and Planning returned to the meeting

UB

9.3.3 Contract Variation - Contract No. 20/21-62: Euroa/Strathbogie Road and Creek Junction Road Intersection Re-alignment

Author: Manager Projects Delivery, Senior Project Officer

Responsible Director: Director Community & Planning

EXECUTIVE SUMMARY

Euroa/Strathbogie Road and Creek Junction Road Intersection project forms part of Council's 2021/22 Capital Works Program. The project primarily is required to improve road safety at the intersection. The program was initially scheduled in the 2020/21 capital works program, however due to the need to obtain planning approval to remove the required vegetation to facilitate the works, this project incurred time delays.

At the April 2021 Council Meeting, Council approved to award Contract No 20/21-62 for Euroa Strathbogie Road and Creek Junction Road Intersection Realignment to Wrights Earthmoving Pty Ltd, after emerging as the preferred tenderer following a competitive tender process. The lumpsum contract was awarded for a total sum of \$203,147.49 excluding GST.

Due to delays arising from obtaining approval to remove fourteen (14) trees to undertake the works, the execution of the Contract was placed on hold until such time as the removal permit was acquired. The Contract Agreement was fully executed on 17 January 2022.

Wrights Earthmoving have commenced works, completing over 60% of the project by 30 March 2022. However, the abovementioned delay between tendering and construction, coupled with latent conditions at the site and omission of fill materials for batter protection in the tender specifications has resulted in a significant cost increase. Should this variation be approved, the total project cost would be \$294,088.24 excluding GST, an increase of \$90,940.75. The new contract value would still be within the \$450,000.00 budget allocated for this project. A variation of \$19,669.87 has already been approved under delegation (within 10% of the awarded contract price) due to delays in signing the contract. A further variation of \$71,270.88 is required to complete the program, taking the total variations on the contract to \$90,940.75.

***MOVED: COUNCILLOR HOURIGAN
SECONDED: COUNCILLOR ANDREWS***

That Council authorise the variation to Contract No 20/21-62 Euroa-Strathbogie Road and Creek Junction Road Intersection Realignment, from the original amount of \$203,147.49 excluding GST to \$294,088.24 excluding GST to complete the required works.

82-21/22 CARRIED



9.3.4 Contract Variation - Contract No. 21/22-17: Roads Rehabilitation Program 2021-22

Author: Manager Projects Delivery

Responsible Director: Director Community & Planning

EXECUTIVE SUMMARY

The Roads Rehabilitation Program forms part of Council's 2021/22 Capital Works Program. The project is required to maintain council road assets to ensure a safe and high-quality local road network.

At the 16 November 2021 Council Meeting, Council awarded Contract No 21/22-17 for Roads Rehabilitation Program to Bitu-mill (Civil) Pty Ltd, following a competitive procurement process. The lumpsum contract was awarded for a total sum of \$591,000.00 excluding GST.

Contract No 21/22-17 was fully executed on 7 March 2022 and Bitu-mill have already commenced work, having completed over 75% of the project as of 30 March 2022. However, unforeseen latent conditions at the roadwork locations have necessitated additional works which are considered essential to successfully complete the program. These include adjustments that have been discovered throughout the program to ensure a more thorough road rehabilitation program. A variation cost of \$95,808.25 is required taking the total lump sum of the overall contract to \$686,808.25 excluding GST if approved. The new contract value would still be within the \$1,109,159.00 budget allocated for Rehabilitation Program for the 2021/22 financial year. The total allocated budget figure is a sum of:

- Rehabilitation Program (\$615,000),
- Shoulders Pavement Program (\$400,000); and
- Tabilk - Monea Rd Upgrade to seal 190m (\$ 94,159), which all form part of Contract 21/22-17.

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

That Council approve the variation of \$95,808.25 to Contract No 21/22-17 Roads Rehabilitation Program 2021-22, from the original amount of \$591,000.00 excluding GST to \$686,808.25 excluding GST to cover additional works required to complete works.

83-21/22 CARRIED

UB

9.3.5 Contracts Awarded Under Delegation

Author: Manager Projects

Responsible Directors: Director Community & Planning / Director Corporate Operations

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 April 2022. This report specifically relates to works that form part of Council's 2021/22 budget.

***MOVED: COUNCILLOR DICKINSON
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 Director; and***
- 3. Contracts awarded under delegated authority by Manager.***

84-21/22 CARRIED

WB

9.3.6 Strathbogie Shire Council Asset Plan – 2022-2032

Author: Manager Asset Planning

Responsible Director: Director Corporate Operations

EXECUTIVE SUMMARY

Strathbogie Shire Council (Council) is responsible for managing more than \$283 million worth of assets for our community. This Asset Plan has been prepared to meet the requirements of section 92 of the Local Government Act 2020 with the requirement to be in place by 30 June 2022. The Asset Plan forms part of Councils integrated strategic planning and reporting framework. It links holistically to the Community Vision, Council Plan 2021 - 2025 and Long-Term Financial Management Plan. This approach ensures a holistic approach to planning, monitoring and performance reporting.

Providing effective and efficient management of assets is a key obligation of Council. As custodian of community assets, Council has the responsibility for managing these assets in the most cost-effective manner. This is achieved through managing our assets through their lifecycle from creation and acquisition to maintenance and operation, through to rehabilitation and disposal. These actions are undertaken with the goal of providing efficient, safe, and reliable services for current and future generations.

Council assets are predominantly used to provide services and amenity to our community. The standard to which they are maintained and the extent to which they are grown and improved are a key consideration in setting and delivering on our Community Vision and Council Plan. Without these assets we could not provide our diverse range of services to the quality that our community expects

This report proposes that Council endorse a Draft Asset Plan for public feedback in line with the requirement to prepare an Asset Plan in accordance with the Local Government Act 2020. The plan is required to outline a considered and sustainable approach to the management of Councils assets including sustainable renewal.

This report proposes that Council endorse the Draft Asset Plan for public exhibition and feedback. The final Asset Plan will be presented to Council for consideration in the June 2022 Council meeting cycle.

***MOVED: COUNCILLOR ANDREWS
SECONDED: COUNCILLOR HOURIGAN***

That Council endorse the Draft Asset Plan for public comment until 31 May 2022 with Council to consider feedback to allow for adoption of the Plan at the Council meeting of 21 June 2022.

85-21/22 CARRIED

UB

9.4 CORPORATE

9.4.1 Strathbogie Shire Council Audit and Risk Committee - Appointment of Chair

Author: Director Corporate Operations

Responsible Director: Director Corporate Operations

EXECUTIVE SUMMARY

The Chair of Council's Audit and Risk Committee, Mark Freudenstein, recently advised of his intention to step down as Chair of the Committee and to continue as a Committee member.

At the Audit and Risk Committee meeting held on Friday 25 March 2022, independent representative, Paul Ayton, was nominated to undertake the role of Chair for the remainder of the term of the appointment, which will be July 2022 in line with the current annual election of the Chair of the Committee.

This report recommends endorsement of the election of Paul Ayton as Chair of Council's Audit and Risk Committee until July 2022.

MOVED: COUNCILLOR DICKINSON
SECONDED: COUNCILLOR ANDREWS

That Council endorse the election of Paul Ayton as Chair of Council's Audit and Risk Committee for the period until July 2022.

86-21/22 ***CARRIED***

9.4.2 Consideration of Nagambie and Euroa Caravan Park Line Items for the Draft 2022-23 Budget

6.51 pm – Councillor Hourigan left the meeting due to declaring a material conflict of interest

Author: Director Corporate Operations

Responsible Director: Director Corporate Operations

EXECUTIVE SUMMARY

In accordance with the requirements of section 94 of the *Local Government Act 2020* (the 2020 Act), Council has prepared a budget for the financial year ending 30 June 2023.

The draft budget has been developed in accordance with the 2020 Act's financial management principles in accordance with section 96(1)(a). A Revenue and Rating Plan has been prepared under new requirements introduced by section 93 of the 2020 Act.

There are income and expense line items within the draft Budget that relate to Caravan Parks in accordance with the terms and conditions outlined in existing lease agreements.

A lease for the Euroa Caravan Park was transferred to the current lessee, Lilly Ann Pty Ltd by way of Council resolution on 21 February 2017. Councillor Hourigan is a Director of this company, as declared in her biannual personal interest declaration dated 28 March 2022.

As Councillor Hourigan has a material interest in these budget line items, it has been necessary to separate out this line item in the draft budget so that Cr Hourigan can participate in the broader draft budget consideration without breaching the conflict of interest provisions of the *Local Government Act 2020*.

Given that the terms of the lease contain terms and conditions that have been previously considered by Council in a confidential item, details as to how income is to be calculated is outlined in a confidential attachment.

This report seeks approval for the inclusion of the related line items in the draft Budget, which total \$90,000 in income, \$30,000 in operating expense and \$60,000 on capital works (projects to be confirmed), which will then be placed on public exhibition for a period of 28 days.

VB

9.4.2 Consideration of Nagambie and Euroa Caravan Park Line Items for the Draft 2022-23 Budget (cont.)

MOVED: COUNCILLOR ANDREWS
SECONDED: COUNCILLOR HAYES-BURKE

That Council endorse the line items relating to income of \$90,000, \$30,000 in operating expense and \$60,000 on capital works (projects to be confirmed) to the Caravan Parks in accordance with the terms and conditions of the existing leases for these properties and include these line items in the draft 2022-23 Budget documents for the community engagement process.

87-21/22 **CARRIED**

6.53 pm – Councillor Hourigan returned to the meeting

9.4.3 Draft 2022/23 Strathbogrie Shire Council Budget - Preparation of Budget, Financial Plan and Fees and Charges for Exhibition and Comment

Author: Director Corporate Operations

Responsible Director: Director Corporate Operations

EXECUTIVE SUMMARY

In accordance with the requirements of section 94 of the *Local Government Act 2020* (the 2020 Act), Council has prepared a budget for the financial year ending 30 June 2023.

The draft budget has been developed in accordance with the 2020 Act's financial management principles in accordance with section 96(1)(a). A Revenue and Rating Plan was prepared in 2021 under new requirements introduced by section 93 of the 2020 Act.

It should be noted that currently general rates, municipal charges service rates/charges and special charges/rates are to be declared under Part 8 of the *Local Government Act 1989* as these provisions have not been included in the 2020 Act.

Community engagement already been undertaken to inform the preparation of the draft budget during the development of the Council Plan and Pick My project submissions.

It is proposed that further consultation is undertaken through a 28-day consultation period in accordance with the Communications and Engagement Plan whereby written submissions will be received and submitters provided with an opportunity to make a verbal submission to Council at a dedicated meeting to hear and consider budget submissions.

Council will also use its online engagement hub to seek Budget feedback. It is proposed that written submissions will need to be received by 5.00 pm on Monday 23 May 2022 and be considered by Council at an extraordinary Council Meeting to be held on Tuesday 7 June 2022.

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

That:

- 1. The draft Budget, Financial Plan and draft Fees and Charges presented with this report be initialled by the Mayor (for identification) and be presented as the budget prepared by Council for the purposes of sections 94 and 96 of the Local Government Act 2020.***
- 2. The Chief Executive Officer be authorised to give public notice of the preparation of such budget for a period of 28 days in accordance with Council's Community Engagement Policy and section 96(1)(a) of the Local Government act 2020 through notices in locally circulating newspapers and newsletters, on Council's social media pages and on Council's website.***

VB

9.4.3 Draft 2022/23 Strathbogie Shire Council Budget - Preparation of Budget, Financial Plan and Fees and Charges for Exhibition and Comment (cont.)

MOTION (cont.)

3. *The closing time for the receipt of written submissions will be 5.00 p.m. on Monday 23 May 2022.*
4. *Council consider written and verbal submissions on any proposal (or proposals) contained in such budget at an extra ordinary Council meeting to be held on Tuesday 7 June 2022, commencing at 4.00 p.m. at the Euroa Community Conference Centre.*
5. *Council authorise the Chief Executive Officer to undertake minor editorial changes to the draft Budget, Financial Plan and Fees and Charges, if required; and*
6. *The 2022/23 Strathbogie Shire Council Budget be adopted at the Ordinary Meeting of Council to be held on Tuesday 21 June 2022, commencing at 6.00 p.m. at the Euroa Community Conference Centre.*

88-21/22 **CARRIED**

9.5 GOVERNANCE AND CUSTOMER SERVICE

9.5.1 Reappointment of Municipal Monitor

Author: Director People & Governance

Responsible Director: Chief Executive Officer

EXECUTIVE SUMMARY

The Minister for Local Government, the Hon Shaun Leane, has informed Mayor Binks on 16 March 2022 that the Municipal Monitor has been reappointed for a further six (6) months to continue work with Council and the Executive Leadership Team.

The Minister has provided for two days' support per month, a significant reduction from the initial term of the Monitor, which was 1 - 2 days per week.

The focus of the work to be undertaken in this further term will be around effective use of informal Council briefing sessions and individual support for Councillors around good governance and leadership development.

The Department of Jobs, Precincts and Regions has also informed the Mayor that the remuneration for municipal monitors has been increased by 1.5%, to be backdated to 1 July 2021.

This report recommends that Council note these two decisions by the Minister.

MOVED: COUNCILLOR ANDREWS
SECONDED: COUNCILLOR DICKINSON

That Council notes:

- 1. The extension of term for the Municipal Monitor by the Minister for Local Government for a further six months, two days a month.***
- 2. The increase in remuneration for the Municipal Monitor as per the direction from the Department of Jobs, Precincts and Regions in line with the recent decision of the Minister for Local Government to increase remuneration for municipal monitors by 1.5 percent, to be paid in a lump sum and backdated to 1 July 2021.***
- 3. The total cost of the Municipal Monitor for the previous six months, including the backpay of 1.5% to 1 July 2021 was \$25,061.***

89-21/22 **CARRIED**

VB

9.5.2 Determination of Councillor Allowances

Author: Director People & Governance

Responsible Director: Chief Executive Officer

EXECUTIVE SUMMARY

The Victorian Independent Remuneration Tribunal has released its review of the allowances payable to mayors, deputy mayors and councillors.

The Tribunal has, for the first time under the new Local Government Act 2020, reviewed the allowances payable to all councils across Victoria, which have not been reviewed or indexed since December 2019.

The Minister for Local Government requested the Tribunal to review allowances in December 2021 and since then, the Tribunal has been reviewing a number of factors including comparisons of allowances to other local government sectors across Australia, public boards and the Victorian Public Service. The Tribunal also took into consideration economic and financial sustainability factors for the local government sector.

Their recommendations were to retain the current three-tiered system of allowances, of which Strathbogie Shire Council remains in Category 1.

The Tribunal have also directed that the current separate payment of the equivalent to superannuation contribution be absorbed into the main allowance rather than paying two allowances.

The range of allowances for each category of councils has also been removed, to be replaced by a single 'base' allowance, which will be indexed by the Tribunal in December each year.

The ability for councillors in rural areas to claim remote travel allowance of up to \$5,500 per annum is highlighted, although it is noted that the majority of eligible councillors across the State do not currently claim this allowance.

Another key new direction to arise out of the Tribunal's determination is the payment of an allowance to incumbent of the office of deputy mayor, which has not been identified as receiving a different allowance rate to that of other councillors in Victoria.

Council must award councillors the allowance set by the Tribunal under the Local Government Act 2020. It is also noted that the indexed allowances must be applied retrospectively from 18 December 2021. The quantum of backdated payments is around \$7,700.

Allowance has been made within the draft 2022/23 budget to reflect the new allowances and the increase/back payment of allowances can be covered from within existing budget allowances in the 2021/22 budget.

The purpose of this report is to note the findings of the Tribunal and to align the allowances set by the Tribunal to those paid to our Mayor, Deputy Mayor and Councillors for the period between 18 December 2021 and 17 December 2022.

9.5.2 Determination of Councillor Allowances (cont.)

***MOVED: COUNCILLOR ANDREWS
SECONDED: COUNCILLOR HOURIGAN***

That Council:

- 1. Note the findings of the report by the Victorian Independent Remuneration Tribunal in relation to allowance payable to Mayors, Deputy Mayors and Councillors (Victoria) Determination No 01/2022.***
- 2. Set the base allowances for the period between 18 December 2021 and 17 December 2022 as follows:***
 - (a) Mayor - \$74,706***
 - (b) Deputy Mayor - \$37,353***
 - (c) Councillors - \$24,080***
- 3. Request the Chief Executive Officer to award the Mayor, Deputy Mayor and Councillors backpay at the higher allowance rates from 18 December 2021 as soon as practicable.***
- 4. Note that the base allowances will be indexed annually by the Victorian Independent Remuneration Tribunal.***
- 5. Note that a Council member that normally resides more than 50 kilometres from the location of Council meetings and other meetings they are required to attend by Council resolution is entitled to be paid a Remote Area Travel Allowance of \$44 for each day on which such meetings are held, up to a maximum allowance of \$5,500 per annum.***
- 6. Note that councillors can elect to receive:***
 - (a) all of the allowance to which they are entitled***
 - (b) a nominated portion of the allowance***
 - (c) receive no allowance.***

90-21/22

CARRIED

UB

9.5.3 2021-25 Council Plan Update

Author: Director People & Governance

Responsible Director: Chief Executive Officer

EXECUTIVE SUMMARY

The 2021-25 Council Plan was adopted in October 2021. It is normal practice to review and update the Council Plan in parallel with the preparation of a new budget and revisions to the ten year Long Term Financial Plan.

Although Council is only a few months into the delivery of the Council Plan, a review of the plan has found that a number of actions have been completed and that others are best reworded to reflect the work already undertaken to implement the range of actions.

The review and update ensures that the resources required to implement the Community Vision and the six Strategic Focus Areas outlined in the plan are allocated through the annual budget process.

It is recommended that the draft updated 2021-25 Council Plan be released for community comment in parallel with the draft 2022-23 Budget, with the ability to make a written submission for a period of 28 days.

MOVED: COUNCILLOR HAYES-BURKE

SECONDED: COUNCILLOR HOURIGAN

That Council:

- 1. Note the completion of a range of actions across the six Strategic Focus Areas of the 2021-22 Council Plan.***
- 2. Endorse the draft updated 2021-25 Council Plan for the purposes of seeking community input through written submissions, with the closure day for receipt of submissions being 5pm 23 May 2022.***
- 3. Hear any verbal submissions in relation to the 2021-25 Council Plan review at a Special Council meeting to be held from 4pm, 7 June 2022.***

91-21/22

CARRIED

9.5.4 Monthly Performance Report

The April 2022 Monthly Performance Report includes reports as follows:-

- Building Department – March 2022 Statistics
- Planning Department – Planning Application Approvals – Development Cost (Capital Improved Value) – March 2022
- Customer Enquiry Analysis Report – Report for March 2022
- Waste Management Reporting ~ Year to Date – March 2022
- Actioning of Council Reports Resolutions – Council Meeting 15 March 2022
- Outstanding Actions of Council Resolutions to 31 March 2022
- Review of Council Policies and Adoption of new Policies – March/April 2021/22
- Records of Informal Council Briefings / Meetings – 1 to 31 March 2022

By reporting on a monthly basis, Council can effectively manage any risks that may arise. The Business Management System will also incorporate Council's corporate goals and objectives.

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

That the report be noted.

92-21/22 CARRIED

UB

10. NOTICES OF MOTION

10.1 Notice of Motion – Council Meeting Tuesday 19 April 2022 Commonwealth Games Advocacy Lodged by Councillor Laura Binks and Councillor David Andrews (Notice of Motion Ref. No: 02/2022)

We, Councillor Laura Binks (Mayor)
Councillor David Andrews

Wish to lodge the following Notice of Motion under Governance Rule 35.

The motion we wish to put to Council is:

MOVED: COUNCILLOR ANDREWS
SECONDED: COUNCILLOR HOURIGAN

That Council:

- 1. Write to the The Hon Daniel Andrews Premier of Victoria; The Hon Martin Pakula MP Minister for Tourism, Sports and Major Events; The Hon Mary-Anne Thomas MP Minister Regional Development and the Commonwealth Games Federation President seeking their support to include flat water rowing as a Commonwealth Games sport and hosted at Lake Nagambie;***
- 2. Urgently seek a deputation with Minister Pakula and Minister Thomas to discuss Strathbogie Shire Council's proposal to be included in the Victoria 2026 Commonwealth Games locations;***
- 3. Authorise Council Officers to work with Greater Shepparton City Council to seek support to undertake joint advocacy to Government in support of recommendation one;***
- 4. Write to local Members of Victorian State Parliament, The Hon. Steph Ryan MP, Deputy Leader of the Nationals; The Hon. Wendy Lovell, Member for Northern Victoria Region, and The Hon. Tania Maxwell Member for Northern Victoria Region to advocate to the State Government calling on them for a more equitable distribution of events across regional Victoria for the Victoria 2026 Commonwealth Games; and***
- 5. Write to Members of Australian Federal Parliament; The Hon. Richard Colbeck, Minister for Senior Australians and Aged Care Services, Minister for Sport, The Hon. Dr Helen Haines MP, Member for Indi and The Hon. Damian Drum MP, Member for Nicholls to advocate to the Victorian State Government calling on them for a more equitable distribution of events across regional Victoria for the Victoria 2026 Commonwealth Games.***

93-21/22 **CARRIED**

LB

11. NOTICES OF RESCISSION

Nil.

12. URGENT BUSINESS

Nil.

13. CONFIDENTIAL BUSINESS

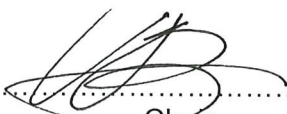
Nil.

NEXT MEETING

The next monthly Meeting of the Strathbogie Shire Council is scheduled to be held on Tuesday 17 May 2022, at the Euroa Community Conference Centre, commencing at 6.00 pm

THERE BEING NO FURTHER BUSINESS, THE MEETING CLOSED AT 7.32 P.M.

Confirmed as being a true and accurate record of the Meeting


.....
Chair

17.05.22
.....
Date

