



STRATHBOGRIE SHIRE COUNCIL

MINUTES/DECISIONS OF A MEETING OF THE STRATHBOGRIE SHIRE COUNCIL HELD ON TUESDAY 17 MAY 2022, AT THE EUROA COMMUNITY CONFERENCE CENTRE, COMMENCING AT 6.00 PM

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)
	Paul Murray	(Hughes Creek Ward)
	Chris Raeburn	(Honeysuckle Creek 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)
	Kristin Favaloro	Executive Manager, Communications and Engagement (EMCE)
	Braydon Aitken	Manager, Planning and Investment (MPI)

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

Nil

4. Disclosure of Conflicts of Interest

- Cr Raeburn declared a material conflict of interest under Clause 128 of the Local Government Act 2020 in Item 9.5.2 (Mayor and Councillor expense request to attend the Australian Local Government Association National General Assembly of Local Government in Canberra, 19-22 June, 2022) as it relates to an expenses request to attend the Australian Local Government Association National General Assembly of Local Government
- Cr Hourigan declared a general conflict of interest under Clause 127 of the Local Government Act 2020 in Item 9.2.5 (Future Acknowledgement of January 26) due to a personal conflict of interest
- The Director, Community and Planning declared a general conflict of interest under Clause 127 of the Local Government Act 2020 in Item 9.2.1 (Application for Sponsorship – 2022 Victorian Agricultural Society State Convention) due to a close family member being on the Seymour Agricultural Society Committee
- Councillor Binks declared a material conflict of interest under Clause 128 of the Local Government Act 2020 in Item 9.5.2 (Mayor and Councillor expense request to attend the Australian Local Government Association National General Assembly of Local Government in Canberra, 19-22 June, 2022) as it relates to an expenses request to attend the Australian Local Government Association National General Assembly of Local Government

5. Confirmation of Minutes of Previous Meetings

MOVED: COUNCILLOR RAEBURN
SECONDED: COUNCILLOR HAYES-BURKE

That the Minutes of the Council meeting held on Tuesday 19 April 2022 be confirmed.

94-21/22 **CARRIED**

6. Petitions

Nil

7. Reports of Mayor and Councillors and Delegates

Cr Hayes-Burke

- Presentation to Councillors by Alister Purbrick on Tahbilk Winery's environmental journey to achieve Carbon Zero accreditation. Request community to review and provide comment on Council's Climate Change Action Plan.
- Discussions with Goulburn Broken Climate Alliance and Urban Forestry Group on Naturally Cooler Towns project. Great data and evidence of importance of tree canopies in our towns. Cited Council's community tree planning project undertaken to plant trees on nature strips.
- National Volunteer Week – thanked volunteers for their contributions

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

Cr Murray

- Attendances at ANZAC Day services at Longwood and Avenel.
- Attendance at Meet the Candidates Forum.
- Attendance at Euroa Community Outreach event.
- Attendance at Avenel energy meeting.
- Catch-up with Mitchell Shire Councillors
- Attendance at Volunteer event at Avenel

Mayor

- Reminder of Council's Mutual Respect Charter, in light of disrespectful comments on social media directed towards a Councillor
- Today International Day against Homophobia, Biphobia and Transphobia.
- Attendances over the past month have been at –
 - Southern Aurora 60th Anniversary Commemoration
 - Viewing of Tank and Tobin Sculptures at Longwood
 - Yarn Bark course to learn about Acknowledging Country Meaningfully
 - Euroa Community Outreach Event
 - Met with Mitchell Shire Councillors to discuss regional advocacy priorities
 - Meeting with fellow Councillors and Taungurung Land and Waters Council
 - Online workshop Decolonising our Thinking and Actions
 - Volunteer Week events at Violet Town and Avenel. Further events at Euroa, Longwood and Nagambie later this week
- Appointment to Rural Councils Victoria Committee as the Hume Local Government Region representative
- Advised of items on the Share Strathbogie platform for community comment

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: PS: 03/2022

1. I am not sure why you want to change the signage removing the historical references to our great VC winners. Please explain.

Response provided by CEO

Please be assured our corporate brand renewal has been created to reflect our community's vision for the future and to better represent the 'heat and soul' of our Shire.

Our aim is to instil pride in Strathbogie Shire and reflect a Council that is connected, natural and contemporary.

A municipality that offers it all. A place where good things grow – that's families, community, produce and business.

8. Public Question Time (cont.)

Council Ref: PS: 03/2022 (cont.)

2. The proposed new signage has no relevance or meaning. How is it better than the great VC winners and the history it represents.

Response provided by CEO

The Strathbogie Shire Brand Renewal ensures Council is completing action 1.1.5 of Council's 2021-25 Council Plan.

It will provide a more consistent, professional, and innovative approach to branding and marketing to strengthen our corporate identity.

We used our Community Vision as a brief and the renewed design achieves this.

The font and use of the 'S' represent the landscape of the Strathbogie Ranges, the meandering path of our rivers, creeks and streams.

The deep purple colour reflects the colour that can be seen across the Shire as the sun sets over the ranges.

In particular, the flexible elements will allow Council to promote the Shire and individual townships.

As I said previously this is our corporate brand. It does not attempt to replace any of the community inspired township signage.

Council Ref: GP: 04/2022

Rebranding Strategy - Please advise when the proposed rebranding strategy and associated artefacts were put on open public display for community engagement and feedback?

Response provided by CEO

The brand renewal was included as an action in the Council Plan after our biggest and most comprehensive community engagement plan to deliver the Community Vision and Council Plan.

The brand renewal was included as an action in our Draft Council Plan under strategic focus area 1 – Engage. Create. Unite. This plan was subject to a public consultation period, before the final Council Plan was adopted at the Special Council Meeting.

Council Officers have tested the brand strategy with Council's Tourism, Arts and Culture Advisory Group. This group provided support for the brand strategy and updated logos.

We have not put our corporate branding strategy out for broader consultation.

However, we are keen to work with our community to further develop their community inspired township signage.

This is separate to the corporate brand strategy we are talking about tonight.

Council Ref: KA: 05/2022

1. Changing the date for Australia Day celebrations – noting the special place accorded Aboriginal people in the Victorian Charter of Human Rights and Responsibilities (2006) and the obligations which that Act places on local government what steps are being taken to comply with the section 18 which describes participation of Aboriginal people and all community members in public affairs as a fundamental human right?
2. Changing the date for Australia Day celebrations – noting the special place accorded Aboriginal people in the Victorian Charter of Human Rights and Responsibilities (2006) what steps are being taken to comply with Section 19 which describes the recognition of cultural rights as a fundamental human right?

8. Public Question Time (cont.)

Council Ref: KA: 05/2022 (cont.)

Response provided by CEO

We have provided one response in relation to both of your questions.

The report on the agenda is intended to start a formal consultation process with the Strathbogie Shire community in regards to the way in which Council mark January 26 out of respect for First Nations people. As presented in the Council report, option 1 would support Council to meet its obligations under section 18, and 19 of the Victorian Charter of Human Rights (2006). This option is also consistent with the community vision and the inclusivity goals developed by the Strathbogie Shire community, with specific reference to respect, inclusion and First Nations people.

It is the role of the Council to provide governance and leadership for the local community through advocacy, decision making and action. Under the Victorian Local Government Act 2020 we have a responsibility to deliver a range of essential programs and services that are accessible, equitable and meet the needs of the Strathbogie community. In addition, s55 -58of the Act places a requirement on Council to engage with the community and make decisions in a transparent manner, consistent with Council's adopted Community Engagement Policy and Public Transparency Policy.

Further to this, Section 8 of the Act states that Council must act "for the benefit and wellbeing of the municipal community". As a Council, we have a legislative responsibility to ensure everyone's health and wellbeing (Victorian Public Health and Wellbeing Act 2008) and foster human rights (Victorian Charter of Human Rights and Responsibilities Act 2006), including Aboriginal and Torres Strait Islander cultural rights.

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

An Extraordinary Meeting of the Strathbogie Shire Council is scheduled to be held on Tuesday 7 June 2022, at the Euroa Community Conference Centre, commencing at 4.00 pm. This meeting will be to hear submissions to Council's draft 2022/23 Budget, draft 2022/23 Financial Plan and draft 2022/23 Fees and Charges, and the 2021-2025 Council Plan Draft Update April 2022.

The next monthly Meeting of the Strathbogie Shire Council is scheduled to be held on Tuesday 21 June 2022, at the Euroa Community Conference Centre, commencing at 6.00 pm.

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9. OFFICER REPORTS

9.1 STRATEGIC AND STATUTORY PLANNING

9.1.1 Planning Permit Application No. P2020-127 - Twenty-Seven Lot Subdivision ~ 1 Saleyard Road, Avenel VIC 3664

Author: Town Planner

Responsible Director: Director Community and Planning

EXECUTIVE SUMMARY

- The proposal is to subdivide the land into twenty-seven lots, providing a road network with main access from Saleyard Road, Avenel. Included on the plan is an area for commercial and / or community uses potentially. No native vegetation is proposed to be removed.
- The application was notified to adjacent and nearby property owners and occupiers and two objections have been received to council. These detailed concerns about construction of the road, stormwater management and the current character of the town. The road is to be constructed and stormwater will be required to be managed to council's satisfaction.
- The application has not been assessed within the sixty-day timeframe given the objections and timing of the Council Meeting.
- The proposal meets the objectives of the Planning Policy Framework, Local Planning Policy Framework and the Zone.
- It is recommended that Council resolve to issue a Notice of Decision to Grant a Permit in accordance with the Officer's recommendation.

**MOVED: COUNCILLOR DICKINSON
SECONDED: COUNCILLOR RAEBURN**

That Council

- 1. Having caused notice of Planning Application No. P2020-127 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 the Strathbogie Planning Scheme in respect of the land known as (Lot 1 & Lot 2 TP680727 V4001 F171 Parish of Avenel), 1 Saleyard Road, Avenel VIC 3664, for a Twenty Seven Lot Subdivision in accordance with endorsed plans and subject to the following conditions:***

Conditions:

Endorsed Plan Subdivision:

- 1. The subdivision must be carried out in accordance with the endorsed plans and permit. The endorsed plans or permit can only be altered or modified with the prior written consent of the Responsible Authority.***

9.1.1 Planning Permit Application No. P2020-127 - Twenty-Seven Lot Subdivision ~ 1 Saleyard Road, Avenel VIC 3664 (cont.)

General Amenity:

2. *The subdivision, during construction, must be managed so that the amenity of the area or locality, in the opinion of the Responsible Authority, is not detrimentally affected, through the:*
- a) *transport of materials, goods or commodities to or from the land;*
 - b) *appearance of any building, works or materials;*
 - c) *emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil;*
 - d) *presence of vermin; and*
 - e) *others as appropriate.*

Vegetation Retention:

Section 173 Agreement

3. *Prior to Statement of Compliance being issued, the applicant/owner/developer must enter into a Section 173 Agreement to -*
- *preserve the identified Eucalyptus melliodora Yellow Box tree to be retained and protected on Lot 22 on the plan of subdivision under this planning permit.*
 - *A 'Tree Preservation Plan' must be provided and attached to the Section 173 identifying the location of the protected tree. This plan must show an area around the tree being the 'Tree Protection Zone' measuring 15 metres (diameter).*
 - *The Agreement must specify that this TPZ is not to be encroached by any buildings, storage or parking of vehicles.*

The Section 173 Agreement is to be prepared by the Responsible Authority. The Responsible Authority will undertake to have the Agreement prepared upon receiving a written request from the owner. All costs associated with the preparation, execution and registration of the Agreement must be borne by the applicant / owner and paid prior to the execution and registration of the Agreement.

Telecommunications:

4. *The owner of the land must enter into an agreement with:*
- *A telecommunications network or service provider for the provision of telecommunications services to each lot shown on the endorsed plan in accordance with the provider's requirements and relevant legislation at the time; and*
 - *A suitably qualified person for the provision of fibre ready telecommunications facilities to each lot shown on the endorsed plan in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.*

9.1.1 Planning Permit Application No. P2020-127 - Twenty-Seven Lot Subdivision ~ 1 Saleyard Road, Avenel VIC 3664 (cont.)

5. Before the issue of a Statement of Compliance for any stage of the subdivision under the Subdivision Act 1988, the owner of the land must provide written confirmation from:

- **A telecommunications network or service provider that all lots are connected to or are ready for connection to telecommunications services in accordance with the provider's requirements and relevant legislation at the time; and**
- **A suitable qualified person that fibre ready telecommunication facilities have been provided in accordance with any industry specifications or any standards set by the Australian Telecommunications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.**

Referral Under Section 8 of the Subdivision Act 1988:

6. The plan of subdivision submitted for certification under the Subdivision Act 1988 must be referred to the relevant authority in accordance with Section 8 of that Act.

Public Open Space Contribution:

7. Before the statement of compliance is issued under the Subdivision Act 1988, the owner must pay to the responsible authority a sum, or land set aside, or a combination, equivalent to five per cent of the site value of all the land in the subdivision.

The owners must advise Council, in writing, to undertake the property valuation and must pay the Council's reasonable costs and expenses to provide such a valuation for payment in lieu of the public open space contribution.

Road Names:

8. Prior to Certification, road names for the proposed roads (and/or common property) must be submitted on a plan of subdivision to Council for approval. Road names must be in accordance with Naming Rules for Places in Victoria, Statutory Requirements for Naming Roads, Features and Localities 2016.

Street Addressing:

9. Prior to the Certification of the plan of subdivision, the owner must complete and duly sign a Statutory Declaration agreeing to the Allocation of Street numbers.

Engineering:

Construction Management Plan

10. Prior to the commencement of works, including demolition and excavation, and Certification being issued, a Construction Management Plan must be submitted to and approved by the Responsible Authority. No works are permitted to occur until the Plan has been approved by the Responsible Authority. The plan must be in accordance with the IDM and provide details of the following:

9.1.1 Planning Permit Application No. P2020-127 - Twenty-Seven Lot Subdivision ~ 1 Saleyard Road, Avenel VIC 3664 (cont.)

- a) *Hours for construction activity in accordance with any other condition of this Permit;*
- b) *Measures to control noise, dust, litter, water and sediment laden runoff;*
- c) *Measures to inform adjacent residents of work schedules;*
- d) *Measures relating to removal of hazardous or dangerous material from the site, where applicable;*
- e) *A plan showing the location of parking areas for construction and sub- contractors' vehicles on and surrounding the site, to ensure that vehicles associated with construction activity cause minimum disruption to surrounding premises. Any basement car park on the land must be made available for use by sub-constructors / tradespersons upon completion of such areas, without delay;*
- f) *Contact details of key construction site staff;*
- g) *A site plan showing the location of any site sheds, on-site amenities, building waste storage and the like, noting that Council does not support site sheds on Council road reserves;*
- h) *Any other relevant matters.*

Traffic Management Plan

11. Prior to the commencement of works, and Certification being issued, a Traffic Management Plan must be submitted to and approved by the Responsible Authority. No works are permitted to occur until the Plan has been approved by the Responsible Authority. The plan must be in accordance with the IDM and provide details of the following:

- a) *Swept path analysis demonstrating the ability for trucks to enter and exit the site in a safe manner for the largest anticipated truck associated with the construction;*
- b) *A plan showing the location and design of a vehicle wash-down bay for construction vehicles on the site;*
- c) *Measures to ensure that sub-contractors / tradespersons operating on the site are aware of the contents of the Construction Management Plan;*
- d) *Any other relevant matters.*

Stormwater Management Plan

12. Prior to works commencing and Certification being issued, a properly prepared Stormwater Management Plan with an Overland Flow Analysis, with computations to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The information submitted must show the details listed in the council's Infrastructure Design Manual (IDM) and be designed in accordance with the requirements of that manual. The information and plans must include:

- a) *details of how the works on the land are to be drained and/or retarded;*

9.1.1 Planning Permit Application No. P2020-127 - Twenty-Seven Lot Subdivision ~ 1 Saleyard Road, Avenel VIC 3664 (cont.)

- b) computations including total energy line and hydraulic grade line for the existing and proposed drainage as directed by Responsible Authority;**
- c) independent drainage for each lot (for subdivisions only);**
- d) location of the overland flow paths within the development;**
- e) underground pipe drains conveying stormwater to the legal point of discharge for each allotment;**
- f) measures to enhance stormwater discharge quality from the site and protect downstream waterways including the expected discharge quality emanating from the development (output from MUSIC or similar) and design calculation summaries of the treatment elements;**
- g) a maximum discharge rate from the site is to be determined by computation to the satisfaction of the Responsible Authority;**
- h) documentation demonstrating approval from the relevant authority for the legal point of discharge;**
- i) the details of the incorporation of water sensitive urban design in accordance with clause 20.3.1 of the Infrastructure Design Manual;**
- j) the contours of the land as shaped to cause drainage to the legal point of discharge;**
- k) the location, siting and design of any required retardation basin in accordance with the Infrastructure Design Manual and to the satisfaction of the Responsible Authority; and**
- l) maintenance schedules for treatment elements.**

Prior to the issue of statement of compliance for the plan of subdivision the drainage detailed in the approved Drainage Discharge Plan must be constructed to the satisfaction of the Responsible Authority. All works are subject to a twelve month liability period.

Roads, Pathways and Common Access

- 13. Prior to the commencement of works and Certification being issued, final construction plans for all proposed roadways and pathways must be submitted to and approved by the Responsible Authority. The plans must be drawn to scale with dimensions, be in accordance with the IDM and must show: -**
- a) All bearings, distances, levels, street names, lot numbers, lots sizes, reserves and easements;**
 - b) The road reserve, carriageway and verge widths;**
 - c) All infrastructure including drainage, concrete footpath, kerb and channel, public lighting and utility services;**
 - d) Vehicle crossing for each lot;**
 - e) Street tree locations;**
 - f) All surface details;**
 - g) Proposed court bowls;**
 - h) All relevant road signage and line marking; and**
 - i) Speed limit signs as appropriate.**

9.1.1 Planning Permit Application No. P2020-127 - Twenty-Seven Lot Subdivision ~ 1 Saleyard Road, Avenel VIC 3664 (cont.)

The final design parameters for the roadways and pathways must be based on Council's Infrastructure Design Manual (IDM) as modified from time to time, all to the satisfaction of the Responsible Authority. All works shall conform to plans and specifications prepared by a qualified engineer at Owner's expense and approved by the Responsible authority. A list of specific details and requirements are as follows: -

- a) Pram crossings must be provided at all intersections to the satisfaction of the responsible authority.***
- b) Include in the design plans recommendations resulting from any required Traffic Impact Assessment.***
- c) Provide temporary turnaround areas for roads terminated at stage boundaries. The size must be sufficient to turn service and emergency vehicles around without reversing. A minimum of 250mm depth of approved crushed rock material is required.***
- d) A pavement design must be submitted for the entire road network by a suitably qualified engineer in accordance with clause 12.7 of the IDM. Irrespective of such design a minimum pavement depth of 250mm must be provided in an approved material. Council requires that the pavement wearing course be in accordance with Clause 12.7.16.***
- e) Design of roads and footpath must be accessible to people with disabilities and include tactile ground surface indicators, and kerb ramps required for the safe movement of people with disabilities as per relevant Australian Standards.***
- f) The Vehicle crossings to the subject allotments from the road must be constructed at a location and of a size and standard satisfactory to the Responsible Authority.***
- g) Subsoil drainage installed for all kerb and channel.***

14. Prior to certification of the plan of subdivision the owner must complete and duly sign a Statutory Declaration agreeing to the allocation of street numbers.

15. Prior to the issue of statement of compliance of the plan of subdivision, the owner must display street numbers for each lot which clearly identifies the address of each lot to the satisfaction of the Responsible Authority.

16. Prior to the issue of statement of compliance for the subdivision, vehicular crossings for each lot must be constructed in accordance with the endorsed plans to the satisfaction of the Responsible Authority, and must comply with the following: -

9.1.1 Planning Permit Application No. P2020-127 - Twenty-Seven Lot Subdivision ~ 1 Saleyard Road, Avenel VIC 3664 (cont.)

- a. **Standard concrete residential vehicular crossings, as per standard drawing SD240 of the Infrastructure Design Manual, must be constructed at right angles to the common access road to suit the proposed driveways, and tie in with the new kerb and channel.**
- b. **Any proposed vehicular crossing shall have satisfactory clearance to any side-entry pit, power or Telecommunications pole, manhole cover or marker, or street tree. Any relocation, alteration or replacement required shall be in accordance with the requirements of the relevant Authority and shall be at the applicant's expense;**
- c. **Crossings shall be either combined or at least 9 metres apart.**
- d. **The entrance to the common access must be in accordance with Councils current standard for industrial vehicle crossings with reference made to standard drawing SD250.**
- e. **Standard vehicular crossings shall be constructed at right angles to the road to suit the proposed driveways, and any existing redundant crossing shall be removed.**
- f. **The vehicular crossing shall have satisfactory clearance to any side-entry pit, power or Telecommunications pole, manhole cover or marker, or street tree.**
- g. **Any new, relocation, alteration or replacement required shall be in accordance with the requirements of the relevant Authority and shall be at the applicant's expense. Final location of vehicle crossing must be approved by Responsible Authority via vehicle crossing permit. Refer to Clause 12.9.1 "Urban Vehicle Crossings" of the Infrastructure Design Manual. Where there is no existing kerb and channel in the street refer to standard drawing SD255.**
- h. **The developer must have obtained a vehicle crossing permit from the responsible authority for each lot and have constructed the vehicle crossing in accordance with the requirements.**

Landscaping

17. **Prior to the works commencing / Certification being issued, a detailed landscape plan, for the whole of the site, must be prepared and implemented. The detailed landscape plan must be to the satisfaction of the responsible authority and must be submitted and assessed against the construction plans by the responsible authority. The landscape plan must be drawn to scale with dimensions and must show:**
 - a. **A survey of all existing vegetation and natural features showing plants (greater than 1200mm diameter) to be removed.**
 - b. **Landscaping of any retardation basin and its surrounds and other proposed public land within the subdivision.**

9.1.1 Planning Permit Application No. P2020-127 - Twenty-Seven Lot Subdivision ~ 1 Saleyard Road, Avenel VIC 3664 (cont.)

- c. Additional planting within the road reserve frontage of the land.*
 - d. Details of the boundary fencing for the lots backing onto and abutting any proposed retardation basin and other reserves that includes a range of fencing styles so as not to create a solid fencing treatment along these boundaries.*
 - e. Details of fencing of any proposed retardation basin.*
 - f. Provision of a gravel path, avoiding the removal of native vegetation, along the road reserve frontage of the land.*
 - g. Vehicle access points for each lot in the subdivision.*
 - h. Details of all pathways linking parts of the development including the surface finishes.*
 - i. Detailed planting schedule of all proposed trees, shrubs and groundcovers, including botanical names, common names, pot sizes, sizes at maturity and quantities of each plant.*
 - j. The removal of all existing disused structures, foundations, pipelines or stockpiles and the eradication of weeds,*
 - k. All trees planted as part of the landscape works shall have a minimum height of 2.0 to 2.5m at the time of planting.*
 - l. The supply and spread of sufficient topsoil and sub soil if required on the proposed areas of open space to provide a stable, free draining surface and hydro-seeding of proposed grass areas (including within the drainage reserve),*
 - m. Soil quality and planting techniques in median or verge tree planting zones along arterial roads (including service road nature strips) that will support full growth of medium to large trees.*
 - n. Mechanisms for the exclusion of vehicles,*
 - o. All proposed open space, streetscape embellishments such as installation of pathways, garden beds, seating, shelters, picnic facilities, boardwalks, tree planting, signage, drinking fountains, irrigation systems, playgrounds, artwork, retaining walls, protective fencing (temporary and permanent), wetlands and ornamental water bodies (including within the drainage reserve).*
 - p. A planting schedule of all proposed trees, shrubs and ground cover, which will include the location, number of size at maturity of all plants, the botanical names of such plants and the location of all areas to be covered by grass, lawn or other surface materials as specified.*
- 18. Prior to the issue of a statement of compliance all nature strips and public open space must be seeded and fertilised and grass must be established.**
- 19. Prior to the issue of a statement of compliance all landscaping works (including street trees) shown on the endorsed plan must be carried out and completed to the satisfaction of the responsible authority. The time of planting can be coordinated with Council to increase the survival rate of the street trees.**

9.1.1 Planning Permit Application No. P2020-127 - Twenty-Seven Lot Subdivision ~ 1 Saleyard Road, Avenel VIC 3664 (cont.)

20. The landscaping shown on the endorsed plans including street trees must be maintained for a period of twenty four months from the date of practical completion of the works to the satisfaction of the responsible authority. Formative pruning must be undertaken to the satisfaction of the Responsible Authority after twelve months. Any dead, diseased or damaged plants are to be replaced as needed. Refer to Clause 24 of the Infrastructure Design Manual.

Fencing

21. Prior to issue of statement of compliance for the subdivision the developer or owner must fence at their own cost the boundary of the allotments abutting any areas to be reserved for public open space. Such fencing is to be constructed no higher than 1.5 metres without written consent from the Responsible Authority.

Engineering Plans

22. Before issuing the Statement of Compliance all works constructed or carried out must be in accordance with all approved plans and completed to the satisfaction of the Responsible Authority.

23. Prior to issuing the Statement of Compliance for the subdivision or for each stage of the subdivision, the owner or developer must submit the following –

- a) An assets statement for each street.**
- b) 'As Constructed' information for the entire work in each development and stage, detailing information as listed in the Infrastructure Design Manual.**
- c) A certified plan showing the extent and depth of fill in excess of 300mm placed on any of the allotments.**
- d) 'As Constructed' drainage information provided in D Spec format to Council's satisfaction.**

Road Upgrading

24. Prior to the issue of Statement of Compliance, the developer must upgrade Saleyard Road along the site frontage (to the intersection, and including, at Bank Street) in accordance with plans and specifications submitted to and approved by the responsible authority. Specific details are as follows:

- a) fully sealed pavement with kerb and channel and vehicular crossings(specify location);**
- b) footpaths and/or shared pedestrian/bicycle paths (specify location);**
- c) underground drainage;**
- d) street trees;**
- e) indented car parking and/or bus parking bays (specify location);**
- f) underground conduits for water, gas, electricity and telephone;**
- g) appropriate intersection and traffic measures;**
- h) appropriate street lighting and signage**
- i) high stability permanent survey marks.**

9.1.1 Planning Permit Application No. P2020-127 - Twenty-Seven Lot Subdivision ~ 1
Saleyard Road, Avenel VIC 3664 (cont.)

Street Lighting

25. Prior to the issue of a statement of compliance, public street lighting must be provided to streets, footpaths and public open spaces designed in accordance with relevant Australian Standards, relevant Council Policy, the IDM and to the satisfaction of the responsible Authority (category P4 unless otherwise directed).

Signage

26. Prior to the issue of a statement of compliance all internal street names and speed limit signs must be erected.

Site Management During Construction

27. 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).**

28. In the event of mud, crushed rock or other debris being carried onto public roads or footpaths from the subject land, appropriate measures must be implemented to minimise the problem to the satisfaction of the Responsible Authority.

29. The permit holder shall ensure that dust suppression is undertaken in the form of constant water spraying or other natural based proprietary dust suppressant to ensure that dust caused by vehicles moving along the access road and/or within the site does not cause a nuisance to surrounding properties to the satisfaction of the Responsible Authority. The development shall not have an adverse impact on existing or future air quality.

30. Soil erosion control measures must be employed throughout the construction stage of the development to the satisfaction of the Responsible Authority.

31. The earthworks and lot filling must be as per the guidelines specified in Council's Infrastructure Design Manual, to the satisfaction of the Responsible Authority.

32. The site shall at all times be kept in a neat and tidy condition to the satisfaction of the Responsible Authority. Any litter shall be immediately removed from the site and surrounding area at the direction of the Responsible Authority.

9.1.1 Planning Permit Application No. P2020-127 - Twenty-Seven Lot Subdivision ~ 1 Saleyard Road, Avenel VIC 3664 (cont.)

Engineering fees for maintenance bond and supervision

33. Prior to the issue of a statement of compliance payment must be made to the Responsible Authority of an engineering design checking fee of up to 0.75% of the value of documented works, the amount to be determined by the Responsible Authority.

34. Prior to the issue of statement of compliance for the subdivision, a maintenance bond to the value of 5% of the actual total construction cost for road and drainage works must be paid to the Responsible Authority.

35. Prior to the issue of a statement of compliance payment must be made to the Responsible Authority of a supervision fee up to 2.5% of the actual total construction cost for roads and drainage works, the amount to be determined by the Responsible Authority (the permit holder must submit a copy of the road and drainage Construction Contract Schedule, for verification of the amount by Council).

Council's Assets

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

On Site Stormwater Management for Future Development

Section 173 Agreement

37. Prior to the issue of Statement of Compliance, a Section 173 Agreement must be entered into that provides for the following requirements (a to f):

- a) The on-site detention for stormwater for the future dwellings will each be designed by a qualified drainage engineer and must be approved by the Council prior to construction. A copy of each of the approved plans will be held by Council for future reference.***

9.1.1 Planning Permit Application No. P2020-127 - Twenty-Seven Lot Subdivision ~ 1 Saleyard Road, Avenel VIC 3664 (cont.)

- b) The stormwater system must incorporate principles of Water Sensitive Urban design and be designed so that the rate of storm water runoff from the development must not be more than the rate of runoff from the site prior to the development, all to the satisfaction of the Responsible Authority. The drainage system must be designed in accordance with the requirements of Clause 19 of the IDM "On-site Detention Systems". The on-site storage size for the development must be in accordance with Table 13. The allowable discharge rate to Council drains shall be the lesser of; a) that which is outlined in Table 13 and b) the remaining capacity of the existing pipe (clause 19.3.1 of the IDM).**
- c) A default allowable discharge rate of 25 l/s/ha may be used in lieu of calculations to determine the remaining capacity of the existing drainage network. www.designmanual.com.au**
- d) Each on-site detention stormwater system must be constructed either prior to, or currently with, the construction of any dwelling on the specified lots. Each on-site detention stormwater system on the specified lots must be completed prior to connection to Council's drainage system and be constructed in accordance with the approved design plans.**
- e) The owner will maintain, and not modify without prior Council written approval, each on-site detention system and will allow each on-site stormwater detention system to be inspected by a duly appointed officer of the Council at mutually agreed times.**
- f) The Owner will pay for all the costs associated with the construction and maintenance of each on-site detention system.**

Country Fire Authority:

Hydrants

38. Prior to the issue of Statement of Compliance under the Subdivision Act 1988 the following requirements must be met to the satisfaction of the CFA:

- a) Above or below ground operable hydrants must be provided. The maximum distance between these hydrants and the rear of all building envelopes (or in the absence of building envelopes, the rear of the lots) must be 120 metres and the hydrants must be no more than 200 metres apart. These distances must be measured around lot boundaries.**
- b) The hydrants must be identified with marker posts and road reflectors as applicable to the satisfaction of the Country Fire Authority.**
- c) Note – CFA's requirements for identification of hydrants are specified in 'Identification of Street Hydrants for Firefighting Purposes' available under publications on the CFA website (www.cfa.vic.gov.au).**

9.1.1 Planning Permit Application No. P2020-127 - Twenty-Seven Lot Subdivision ~ 1 Saleyard Road, Avenel VIC 3664 (cont.)

Roads

- 39. Roads must be constructed to a standard so that they are accessible in all weather conditions and capable of accommodating a vehicle of 15 tonnes for the trafficable road width.**
- a) The average grade must be no more than 1 in 7 (14.4%) (8.1 degrees) with a maximum of no more than 1 in 5 (20%) (11.3 degrees) for no more than 50 metres. Dips must have no more than a 1 in 8 (12%) (7.1 degree) entry and exit angle.**
 - b) Curves must have a minimum inner radius of 10 metres.**
 - c) Have a minimum trafficable width of 3.5 metres and be clear of encroachments for at least 0.5 metres on each side and 4 metres above the access way.**
 - d) Roads more than 60 metres in length from the nearest intersection must have a turning circle with a minimum radius of 8 metres (including roll over kerbs if they are provided) T or Y heads of dimensions specified by the CFA may be used as alternatives.**

Department of Environment, Water, Land and Planning:

Notification of permit conditions

- 40. Before works start, the permit holder must advise all persons undertaking the works on site of all permit conditions pertaining to native vegetation protection.**

Protection of native vegetation to be retained

- 41. All works are to be completed in accordance with the Development Impact Report-Assessment of Trees on and adjoining pertaining to native vegetation protection.**

Goulburn Valley Water:

- 42. Payment of new customer contribution charges for water supply to the development, such amount being determined by the Corporation at the time of payment.**
- 43. Provision of a reticulated water supply and associated construction works to each allotment within the development, at the developer's expense, in accordance with standards of construction adopted by and to the satisfaction of the Goulburn Valley Region Water Corporation.**
- 44. Any existing water service that crosses any of the proposed allotment boundaries within the proposed development must be disconnected and re-located at the developer's expense, to be wholly within one allotment only, including notification of the proposed lot to be serviced by the existing water meter, to the satisfaction of the Goulburn Valley Region Water Corporation.**
- 45. Payment of new customer contributions charges for sewerage services to the development, such amount being determined by the Corporation at the time of payment.**

9.1.1 Planning Permit Application No. P2020-127 - Twenty-Seven Lot Subdivision ~ 1 Saleyard Road, Avenel VIC 3664 (cont.)

- 46. Provision of reticulated sewerage and associated construction works to each allotment within the development, at the developer's expense, in accordance with standards of construction adopted by and to the satisfaction of the Goulburn Valley Region Water Corporation; (The works may include, but not be limited to the construction of a sewerage pumping station, rising mains and gravity mains).**
- 47. Provision of easements in favour of the Goulburn Valley Region Water Corporation over all existing and proposed sewer mains located within private property.**
- 48. The operator under this permit shall be obliged to enter into an Agreement with Goulburn Valley Region Water Corporation relating to the design and construction of any sewerage or water works required. The form of such Agreement shall be to the satisfaction of Goulburn Valley Water. A copy of the format of the Agreement will be provided on request.**
- 49. The plan of subdivision lodged for certification is to be referred to the Goulburn Valley Region Water Corporation pursuant to Section 8(1) of the Subdivision Act, 1988.**

AusNet Electricity Services:

50. The applicant must –

- Enter into an agreement with AusNet Electricity Services Pty Ltd for supply of electricity to each lot on the endorsed plan.**
- Enter into agreement with AusNet Electricity Services Pty for the rearrangement of the existing electricity supply system.**
- Enter into an agreement with AusNet Electricity Services Pty for rearrangement of the points of supply to any existing installations affected by any private electric power line which would cross a boundary created by the subdivision, or by such means as may be agreed by AusNet Electricity Services Pty.**
- Provide easements satisfactory to AusNet Electricity Services Pty for the purpose of the Power Line in favour of AusNet Electricity Services Pty pursuant to Section 88 of the Electricity Industry Act 2000 where easements have not been otherwise provided, for all existing AusNet Electricity Services Pty electric power lines for any new power lines required to service the lots on the endorsed plan and/or abutting land.**
- Obtain for the use of AusNet Electricity Services Pty any other easement required to service the lots.**
- Adjust the position of any existing AusNet Electricity Services Pty easement to accord with the position of the electricity line/s as determined by survey.**
- Set aside on the plan of subdivision Reserves for the use of AusNet Electricity Services Pty for electric substations.**

9.1.1 Planning Permit Application No. P2020-127 - Twenty-Seven Lot Subdivision ~ 1 Saleyard Road, Avenel VIC 3664 (cont.)

- **Provide survey plans for any electric substations required by AusNet Electricity Services Pty and for associated power lines and cables and executes leases for a period of 30 years at a nominal rental with a right to extend the lease for a further 30 years. AusNet Electricity Services Pty requires that such leases are to be noted on the title by way of a caveat or a notification under Section 88 (2) of the Transfer of Land Act prior to the registration of the plan of subdivision.**
- **Provide to AusNet Electricity Services Pty a copy of the plan of subdivision submitted for certification that shows any amendments that have been required.**
- **Agree to provide alternative electricity supply to lot owners and / or each lot until such time as permanent supply is available to the development by AusNet Electricity Services Pty. Individual generators must be provided at each supply point. The generator for temporary supply must be installed in such a manner as to comply with the Electricity Safety Act 1998.**
- **Ensure that all necessary auditing is completed to the satisfaction of AusNet Electricity Services Pty to allow the new network assets to be safely connected to the distribution network.**

Expiry of Permit – Subdivision:

51. This permit will expire if:

- a) The plan of subdivision is not certified within two years from the date of this permit; or**
- b) The subdivision is not completed within five years from the date of certification of the plan of subdivision.**

The Responsible Authority may extend the time at part (a) if a request is made in writing before the permit expires or within six months afterwards

Planning Notes

Goulburn Valley Water

- **Where the land is to be developed in stages, the above conditions will, in general, apply to any subsequent stage of the estate development. However, as any future stages of the development will be connected to the Corporation's water supply and sewerage systems independently of this stage, the Corporation reserves the right to revise any conditions applicable to any subsequent stages lodged.**

9.1.1 Planning Permit Application No. P2020-127 - Twenty-Seven Lot Subdivision ~ 1 Saleyard Road, Avenel VIC 3664 (cont.)

AusNet Electricity Services Pty

- *It is recommended that, at an early date the applicant commences negotiations with AusNet Electricity Services Pty for a supply of electricity in order that supply arrangements can be worked out in detail, so prescribed information can be issued without delay (the release to the municipality enabling a statement of compliance with the conditions to be issued).*
- *Arrangements for supply will be subject to obtaining the agreement of other Authorities and any landowners affected by routes of the electric power lines required to supply the lots and for any tree clearing.*
- *Prospective purchasers of lots on this plan should contact this office to determine the availability of a supply of electricity. Financial contributions may be required.*

95-21/22 **CARRIED**

9.1.2 Planning Permit Application No. P2021-089 - Use and Development of land for a dwelling and access in an unnamed unmade road reserve (for Crown Allotment 1 and 2 Sec H) ~ 7 Hill Close, Ruffy VIC 3666

Author: Town Planner

Responsible Director: Director Community and Planning

EXECUTIVE SUMMARY

- The proposal is for the use and development of land for a dwelling at Crown Allotment 1 and 2 Section H ~ 7 Hill Close, Ruffy VIC 3666.
- The application was advertised, and two (2) objections were received. Further detail is contained within the attached Officer Planning Report.
- The application has not been assessed within the 60-day statutory timeframe due to time taken in working with objectors and a referral authority to try and resolve their concerns.
- The proposal meets the objectives of the Planning Policy Framework, and the Farming Zone.
- It is recommended that Council resolve to issue a Notice of Decision to Grant a Permit in accordance with the Officer's recommendation.

MOVED: COUNCILLOR DICKINSON

SECONDED: COUNCILLOR MURRAY

That Council:

1. *Having caused notice of Planning Application No. P2021-089 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 under the provisions of Clause 35.07-1 Use of land for a dwelling on a small lot in the Farming Zone, Clause 35.07-4 Buildings and works associated with a Section 2 Use and less than 20 metres from a road, and less than 100 metres from a neighbouring dwelling and waterway in the Farming Zone of the Strathbogrie Planning Scheme in respect of the land known as Certificate of Title Volume 05032 Folio 344 Crown allotment 1 Section H and Certificate of Title Volume 05032 Folio 345 Crown Allotment 2 Section H known as 7 Hill Close, Ruffy VIC 3666, for the Use and Development of land for a dwelling and access in accordance with endorsed plans, subject to the following conditions:*

Amended Plans:

1. *Prior to the commencement of any buildings or works a plan or plans must be submitted to and approved by, the Responsible Authority. When approved these plans shall be endorsed and form part of this permit. The plans must show –*
 - a) *A finalised set of floor plans and elevations for the dwelling.*

Endorsed Plans:

2. *The use and 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.*

- 9.1.2 Planning Permit Application No. P2021-089 - Use and Development of land for a dwelling and access in an unnamed unmade road reserve (for Crown Allotment 1 and 2 Sec H) ~ 7 Hill Close, Ruffy VIC 3666 (cont.)

Lot Consolidation:

3. *Prior to any works commencing, Crown Allotment 1 and 2 Section H on Certificate of Title Volume 05032 Folio 345 must be consolidated into one title, to the satisfaction of the Responsible Authority.*

Environmental Health Conditions:

Septic Tanks Code of Practice

4. *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.*
5. *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.*
6. *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

7. *Prior to installation/alterations works commencing on the septic tank system, a Permit to Install/Alter must be obtained from Council.*

Area of wastewater disposal

8. *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).*

Engineering Conditions:

Road Design Plan

9. *The final design parameters for the roadways must be based on Council's Infrastructure Design Manual (IDM) as modified from time to time, all to the satisfaction of the Responsible Authority. All works shall conform to plans and specifications prepared by a qualified engineer at Owner's expense and approved by the Responsible authority. A list of specific details and requirements are as follows: -.*
- (a) *A pavement design must be submitted for the entire road network by a suitably qualified engineer in accordance with clause 12.4 and Standard Drawing 610 of the IDM.*
- (b) *The Vehicle crossings to the individual lots from the road must be constructed at a location and of a size and standard satisfactory to the Responsible Authority.*

- 9.1.2 Planning Permit Application No. P2021-089 - Use and Development of land for a dwelling and access in an unnamed unmade road reserve (for Crown Allotment 1 and 2 Sec H) ~ 7 Hill Close, Ruffly VIC 3666 (cont.)

Road Upgrading

- 10. Prior to the occupation of the dwelling, the developer is to upgrade the unnamed road reserve accessed from Hobart Street to the satisfaction of Strathbogrie Shire Council.**

Specific details are as follows:

- (a) Four metre width of gravel road and vehicular crossings;**
- (b) underground conduits for water, gas, electricity and telephone;**
- (c) appropriate intersection and traffic control measures;**
- (d) appropriate street lighting and signage;**

Road reserve and road widths must be in accordance with the requirements of the Infrastructure Design Manual

Rural Vehicle Crossing Location

- 11. 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.**
- 12. 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

- 13. Prior to the occupation of the dwelling 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

- 14. Prior to the occupation of the dwelling, all stormwater and surface water discharging from the site, buildings and works must be conveyed to the legal point of discharge drains to the satisfaction of the Responsible Authority/Goulburn Murray Water or dissipated within the site boundaries. No effluent or polluted water of any type may be allowed to enter the stormwater drainage system.**

- 9.1.2 Planning Permit Application No. P2021-089 - Use and Development of land for a dwelling and access in an unnamed unmade road reserve (for Crown Allotment 1 and 2 Sec H) ~ 7 Hill Close, Ruffy VIC 3666 (cont.)

Drainage Discharge Plan

- 15. Before any of the development starts a properly prepared drainage discharge plan with computations to the satisfaction of the responsible authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and a minimum of three copies (or as specified) must be provided. The information submitted must show the details listed in the council's Infrastructure Design Manual and be designed in accordance with the requirements of that manual.**

The information and plan must include:

- a) Overall catchment plans showing the discharge location from four new lots and unmade road reserve**
- b) details of how the works on the land are to be drained and/or retarded.**
- c) computations including total energy line and hydraulic grade line for the existing and proposed drainage as directed by Responsible Authority**
- d) a maximum discharge rate from the site is to be determined by computation to the satisfaction of Council.**
- e) documentation demonstrating approval from the relevant authority for the legal point of discharge.**
- f) the details of the incorporation of water sensitive urban design designed in accordance either "Urban Stormwater Best Practice Environmental Management Guidelines" 1999.**
- g) maintenance schedules for treatment elements.**

Prior to the occupation of the dwelling all works constructed or carried out must be in accordance with those plans to the satisfaction of the Responsible Authority.

Rural Drainage - Works

- 16. 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.**
- 17. 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)**

9.1.2 Planning Permit Application No. P2021-089 - Use and Development of land for a dwelling and access in an unnamed unmade road reserve (for Crown Allotment 1 and 2 Sec H) ~ 7 Hill Close, Ruffy VIC 3666 (cont.)

18. 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).

Council's Assets

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

Ausnet Conditions:

20. The applicant must –

- **Enter into an agreement with AusNet Electricity Services Pty Ltd for the extension, upgrading or rearrangement of the electricity supply to the Lot being built upon. A payment to cover the cost of such work will be required.**

DELWP Conditions:

Access and Encroachment

21. No access is permitted to the subject land via the Crown land.

22. Adjoining Crown land must not be used for truck turning areas, entry points, parking areas or temporary stack sites during the construction of buildings or works.

23. No polluted and/or sediment laden run-off is to be discharged directly or indirectly into or watercourses on Crown land. Overland flows must be maintained at the same rate post development as on the undeveloped land.

24. No native vegetation is to be removed.

Goulburn Broken Catchment Management Authority

25. The finished floor level of the proposed dwelling must be constructed at least 300 millimetres above the highest existing ground level underneath the building footprint, or higher level deemed necessary by the responsible authority.

- 9.1.2 Planning Permit Application No. P2021-089 - Use and Development of land for a dwelling and access in an unnamed unmade road reserve (for Crown Allotment 1 and 2 Sec H) ~ 7 Hill Close, Ruffy VIC 3666 (cont.)

Goulburn Murray Water Conditions

- 26. All construction and ongoing activities must be in accordance with sediment control principles outlined in 'Construction Techniques for Sediment Pollution Control' (EPA, 1991).**
- 27. All wastewater from the dwelling must be treated to a standard of at least 20mg/L BOD and 30mg/L suspended solids using a package treatment plant or equivalent. The system must have a certificate of conformity issued by the Conformity Assessment Body (or equivalent approval) and be installed, operated and maintained in accordance with the relevant Australian Standard and EPA Code of Practice.**
- 28. All wastewater must be applied to land via pressure-compensating sub-surface irrigation installed along the contour.**
- 29. The wastewater disposal area must be located at least: 60m from any waterways, 40m from any drainage lines, 60m from any dams, and 20m from any bores.**
- Where wastewater is treated to at least a secondary standard, the distance may be reduced in accordance with the current EPA Code of Practice – Onsite Wastewater Management. However, where possible setback distances must be maximised.**
- 30. The wastewater management system must be appropriately designed to manage the potential volume of wastewater generated under full occupancy (based on a minimum 4 bedrooms), including an appropriately sized disposal area based on a full water balance specific to the proposal and subject land in accordance with the requirements of the current EPA Code of Practice – Onsite Wastewater Management.**
- 31. The wastewater disposal area must be kept free of stock, buildings, driveways and service trenching and must be planted with appropriate vegetation to maximise its performance. Stormwater must be diverted away.**
- 32. No buildings are to be constructed within 30 metres of any waterways or on any drainage lines.**
- 33. Prior to the commencement of any works, the two parcels described as Crown Allotment 1 Section H Parish Ruffy and Crown Allotment 2, Section H, Parish Ruffy must be consolidated to create one parcel of land.**

General Conditions:

- 34. The external cladding of the proposed buildings, including the roof, must be constructed of materials in good order and condition, be non-reflective and be of muted colours to enhance the aesthetic amenity of the area.**

9.1.2 Planning Permit Application No. P2021-089 - Use and Development of land for a dwelling and access in an unnamed unmade road reserve (for Crown Allotment 1 and 2 Sec H) ~ 7 Hill Close, Ruffy VIC 3666 (cont.)

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

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

Dwelling Conditions:

36. 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 firefighting purposes.

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

Permit Expiry:

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

- (a) The use and development has not started within two years of the date of this Permit.**
- (b) The development is not completed within four years of the date of this Permit.**
- (c) The use ceases for a period of two years or more.**

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

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

Planning Notes:

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

- 9.1.2 Planning Permit Application No. P2021-089 - Use and Development of land for a dwelling and access in an unnamed unmade road reserve (for Crown Allotment 1 and 2 Sec H) ~ 7 Hill Close, Ruffy VIC 3666 (cont.)

Environmental Health Notes:

- *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.*
- *A Medium Risk Template - Land Capability Assessment has been provided by Porta Environmental Pty Ltd and prepared in December 2020.*

Ausnet Notes

- *It is recommended that, at an early date the applicant commences negotiations with AusNet Services for a supply of electricity in order that supply arrangements can be worked out in detail. Arrangements for the supply may be subject to obtaining the agreement of other Authorities and any landowners that may be affected by routes of the electric power line required to supply the Lot and for any tree clearing.*

DELWP Notes:

- *The adjoining Crown land is not to be used for access, storage of materials or rubbish. Any private use of Crown land requires consent and/or licensing from the Department of Environment, Land, Water and Planning.*

Goulburn Broken Catchment Management Authority Notes:

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

Goulburn Murray Water Notes:

- *The subject property is located within an area of Cultural Heritage Sensitivity. Should the activity associated with proposed development require a Cultural Heritage Management Plan (CHMP), planning permits, licences and work authorities cannot be issued unless a CHMP has been approved for the activity.*

96-21/22 **CARRIED**

9.1.3 Planning Applications Received and Planning Applications Determined
- 1 to 30 April 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 30th April 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 11 new planning applications received and 11 planning permit applications decided upon during the reporting period.

MOVED: COUNCILLOR HOURIGAN
SECONDED: COUNCILLOR RAEburn

That Council:

- 1. Note that there were 11 new planning applications received, and 11 planning permit applications decided on during the period of 1st to 30th April 2022.***
- 2. Note the report.***

97-21/22 CARRIED

9.1.4 Elevating Environmentally Sustainable Development (ESD) Targets

Author: Strategic Planner

Responsible Director: Director Community & Planning

EXECUTIVE SUMMARY

Current land developments, including housing, industrial and commercial have the potential to impact the municipality's sustainability for years to come.

Council can improve the sustainability of private developments by incorporating Environmentally Sustainable Development (ESD) requirements into the Strathbogie Planning Scheme. ESD requirements can help to minimise energy use, water and waste, improve environmental outcomes and amenity and reduce ongoing running costs for our community.

Introducing ESD requirements through Planning Policy is an effective and low-cost way for Council to influence the built environment in a way that will result in lasting improvements to sustainability and residents' quality of life.

Strathbogie Shire is a member of the Council Alliance for a Sustainable Built Environment (CASBE). CASBE's Sustainable Subdivision Framework trial has resulted in improvements to sustainability outcomes from residential subdivision but is not sufficient to ensure all new development meets current ESD requirements.

Strathbogie Shire has been collaborating with CASBE, in partnerships with a group of 31 councils across Victoria in the Elevating ESD Targets Planning Project (the ESD Project).

Stage 1, which saw the preparation of new ESD standards for inclusion in the Planning Scheme, has now been completed and Stage 2 has commenced which seeks to introduce the new controls into the Planning Schemes of participating Council's.

Stage 2, will see the introduction of the new planning provision and policy recommendations of Stage 1 into the Strathbogie Planning Scheme. This will be achieved via an advisory committee, appointed by the Minister for Planning. An advisory committee provides timely advice to the Minister for Planning and the associated 31 Councils around the identified ESD Targets, planning provisions and policy recommendations. The objective of the Advisory Committee is to provide consistent advice in a transparent, simpler, more timely and cost-efficient process to introduce new planning provisions and controls for all affected and interested parties in line with the *Planning & Environment Act 1987*.

A Memorandum of Understanding will be entered in to between the participating council's in order to guide the planning scheme amendment process.

9.1.4 Elevating Environmentally Sustainable Development (ESD) Targets (cont.)

MOVED: COUNCILLOR RAEBURN
SECONDED: COUNCILLOR HAYES-BURKE

That Council:

- 1. Request that the Minister for Planning and Housing establish an advisory committee to advise on the Environmentally Sustainable Development project in accordance with section 151 of the Planning and Environment Act 1987;***
- 2. Endorse the Planning advice report, Economic Cost Benefit Report, Technical Environmentally Sustainable Development and Development Feasibility Report as provided in Attachments 2,3 & 4 to this report, as supporting documents to the proposed Amendment;***
- 3. Authorises the Manager Planning & Investment to make minor changes to the Amendment or provide guidance to any advisory committee established by the Minister for Planning on behalf of Strathbogie Shire Council;***
- 4. Enters into the Elevating Environmentally Sustainable Development Targets Planning Policy Amendment Memorandum of Understanding Stage 2 – Planning Scheme Amendment Process;***
- 5. Authorises officers to participate in an informal community awareness raising communications activities centrally led by CASBE on behalf of the partner councils and in accordance with Councils Community Engagement approach; and***
- 6. Writes to the State Government Minister for Planning and Housing, Minister for Energy, Environment and Climate Change, and Minister for Local Government and Suburban Development outlining the benefits to the community of introducing zero carbon focused and elevated Environmentally Sustainable Development planning policy into the Planning Scheme.***

98-21/22

CARRIED

9.2 COMMUNITY

9.2.1 Application for Sponsorship – 2022 Victorian Agricultural Society State Convention

6.38 pm: The Director, Community and Planning left the meeting due to declaring a general conflict of interest

Author: Manager Culture and Community

Responsible Director: Director Community and Planning

EXECUTIVE SUMMARY

Council has received a sponsorship application from the Seymour Agricultural & Pastoral Society for \$5,000 for the Victorian Agricultural Society State Convention to be held on 24,25 & 26 June 2022. The funds would be used to help cover the cost of regional tours, printing and promotion, Regatta Centre Hire and local produce promotions. This is the first time this event will be held in Strathbogrie Shire.

The event application was of an acceptable standard, with the application scoring 15/25 in the Sponsorship Program criteria assessment. Under the Guidelines, organisations from outside Strathbogrie 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 Strathbogrie Shire 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 Strathbogrie 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 \$20,000, leaving a balance of \$10,000 remaining.

This report recommends the partial approval of the sponsorship application from the Seymour & Pastoral Agricultural Society, providing a financial contribution of \$3,000 for the 2022 Victorian Agricultural State Convention plus in kind contribution to cover the fees associated with the hire of the Regatta Centre to the value of \$1,436 including GST.

9.2.1 Application for Sponsorship – 2022 Victorian Agricultural Society State Convention (cont.)

MOVED: COUNCILLOR ANDREWS
SECONDED: COUNCILLOR HOURIGAN

That Council:

1. ***Approve sponsorship of \$3,000 to be funded from the 2021 – 22 budget allocations for sponsorship.***
2. ***Waive the Regatta Centre Hire fees of \$1,436 for the Seymour Agricultural & Pastoral Society to support the delivery of the Victorian Agricultural Society State Convention to be held 24, 25 & 26 June 2022.***
3. ***Work with the Seymour Pastoral and Agricultural Society 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”.***
4. ***Make it a condition of the sponsorship funding that the Seymour Agricultural Society comply with COVID-19 directions issued by the Chief Health Officer/Department of Health at the time of the event.***

99-21/22 **CARRIED**

6.42 pm: The Director, Community and Planning returned to the meeting after the vote had been conducted

9.2.2 Kerbside Transition Planning – 4-Bin Configuration Community Engagement Outcomes

Author: Waste Management Officer

Responsible Director: Director Corporate Operations

EXECUTIVE SUMMARY

'*Recycling Victoria*' is the Victorian Government's 10-year policy and action plan, aimed at fundamentally transforming our recycling sector. Dismantling the current operational paradigm in waste generation and recovery, a shift to operating under the lens of a circular economy will pivot Victoria toward a more sustainable future. To drive this transformation, \$129 million will be made available to assist Councils in reforming household waste and recycling services, ensuring Victoria is well placed in transitioning to a circular economy.

To meet the new, standardised regulations, staff completed and submitted a Draft Transition Plan to DELWP (September 2020), outlining the proposed implementation of a service model to incorporate a 4-bin kerbside collection service.

Staff have recently completed Stage 1 of the previously endorsed *Communications and Engagement Plan*. Through Council's multichannel communication means, our community was tasked in selecting their preferred kerbside collection bin configuration for the beginning of the new contract on July 1, 2025, including the addition of a monthly glass service.

Through these proposed collection configurations, Scenario 1 (36.34%) and Scenario 2 (33.99%) were the top-two preferred amongst our community. Scenario 3 (29.67%) was the least preferred option.

Council is now required to decide on the preferred kerbside bin configuration that balances our community's needs whilst addressing best economic, social and environmental sustainability outcomes.

MOVED: COUNCILLOR MURRAY
SECONDED: COUNCILLOR HAYES-BURKE

That Council -

1. ***Notes the following results from the community survey -***
 - a. ***Scenario 1 (Waste and Recycling fortnightly, FOGO weekly and Glass monthly) – 36.34% (294 votes)***
 - b. ***Scenario 2 (Waste fortnightly, Recycling and Glass monthly and FOGO weekly) – 33.99% (275 votes)***
 - c. ***Scenario 3 (Waste weekly, Recycling fortnightly, GOGO weekly and Glass monthly - 29.67% (240 votes)***

9.2.2 Kerbside Transition Planning – 4-Bin Configuration Community Engagement Outcomes (cont.)

RECOMMENDATION (cont.)

2. Adopts the community preference of kerbside collection Scenario 1 which includes:

- **Residual Waste (Bin with the Red lid) - Fortnightly Collection**
- **Comingled Recyclables (Bin with the Yellow lid) - Fortnightly Collection**
- **Food Organics & Garden Organics (Bin with the Green lid) - Weekly Collection**
- **Glass (Bin with the Purple lid) - Monthly Collection**

100-21/22 **CARRIED**

9.2.3 Review of Rules for Waterways

Author: Director Corporate Operations

Responsible Director: Director Corporate Operations

EXECUTIVE SUMMARY

The Nagambie Waterways comprises parts of the Goulburn River, Lake Nagambie, the Backwaters and the Goulburn Weir pool. The waterway is one of Victoria's premier boating destinations offering good facilities, constant water levels and sheltered waters. The waterways are extremely popular with both locals and tourists for a variety of boating activities and pursuits such as fishing, swimming, cycling, walking, hunting, towed sports and camping. Several major sporting events are held annually on the waterways, including rowing regattas and water skiing.

Improved and diverse boating technologies, increased leisure time and proximity to Melbourne has increased the number of powered and non-powered vessels sharing the waterways.

This has triggered safety concerns from the community and the visiting public. A review of waterway rules was required to better meet the demand for water access, improve the safe sharing of the waterways and responsibly plan for sustainable growth.

The recreational values of the Nagambie Waterways need to be managed against its primary role of regulating the Goulburn River for consumptive (i.e. irrigation, urban, domestic and stock purposes) and environmental uses.

This report proposes that Council endorse preparation of necessary documentation to enable changes to Rules that apply to Lake Nagambie, and parts of the Goulburn River for which Council is responsible for as Waterway Manager

This follows an extensive process involving:

- Risk Review
- Preparation of Issues Paper
- Bathymetric Survey of the Waterway
- Consultation with Marine Safety Victoria
- Several phases of community consultation
- Oversight of the Review process by Council's Advisory Committee.

9.2.3 Review of Rules for Waterways (cont.)

MOVED: COUNCILLOR DICKINSON
SECONDED: COUNCILLOR HAYES-BURKE

That Council:

1. Endorse preparation of the necessary documentation to enable Rules changes as follows, and as outlined in Table 1: Overview of the proposed changes the document Final Report - Nagambie Waterways Rules Review 2021-22:

a. Reduce the speed limit on Lake Nagambie to 20 Knots:

- i. Allow towed sports.*
- ii. Minor realignments to the shoreline '5 Knot' 'No Boating' and 'No Boating-Swimming Only Zones' to make them easier to recognise.*
- iii. Create a 'Powerboating Only Zone' between Deliah Island and the Leisure Park to ensure a smooth traffic flow around the lake.*
- iv. Provide clearer direction for people doing lake laps located in the deeper sections of the lake.*
- v. Allow low speed PWC freestyling 50m inside the lake laps course at a maximum speed of 20 Knots.*

b. Utilize the following three speed zones across the whole waterway:

- i. NO WAKE – Maximum 5 Knots**
- ii. 20 Knots**
- iii. 30 Knots**
- iv. Where possible, rationalise and consolidate geographic speed zones to reduce the number of zones and improve traffic flow.*

c. A new rule will require NO WAKE- Maximum 5 Knots:

- i. Within 50m of a person in the water.**
- ii. Within 50m of another vessel (Vital for rowing and paddle craft safety).**
- iii. When a NO Wake-5 Knot Zone is signed.**
- iv. Within 50m of a fixed or floating structure.**
- v. Within 50m of a boat ramp.**
- vi. An exemption may be provided for vessels engaged in towed sports and approaching another powered vessel, to pass at speed however the other powered vessel would be required to slow to No Wake-Maximum 5 Knots if not engaged in towed sports.*

d. 20 Knot Zones in narrower sections with sharper bends to remain similar to what is in place (opportunity to include 'The S-Bends' north of Heath Island and west of Teddy Bear Island once a safe course is marked with pairs of red and green buoys).

9.2.3 Review of Rules for Waterways (cont.)

MOTION (cont.)

- e. Reduce maximum speed to 30 Knots Zones where there are extended sight lines deep water and minimal midstream hazards:**
 - i. 30 Knots north and downstream of Kirwans Bridge.**
 - ii. Lake Nagambie reduced to 20 Knots.**
 - iii. The existing water ski area associated with the Nagambie Water Ski Club reduced to 30 Knots. Event permits can request higher speeds if required.**

 - f. Provide Towed Sports Areas with speed limits. Establish these areas strategically along the waterway. Consistently name and sign these areas:**
 - i. Initial sections of the Goulburn Weir - 30 Knots (once buoys are in position).**
 - ii. The main straights between Goulburn Weir and Kirwans Bridge 30 Knots.**
 - iii. Lake Nagambie 20 Knots.**
 - iv. The existing Water Ski Area 30 Knots.**
 - v. Provide an exemption to the 30 Knot rule for Bare Foot Skiing enabling them to exceed 30 Knots.**

 - g. Define and prohibit Wake-Surfing on the waterway. Wake-Surfing can be defined as the rider primarily using the wake as propulsion rather than a tow rope from the vessel to exclude it from the definition of towed sports.**
- 2. That a further report be presented to Council with strategies for implementation.**

101-21/22 **CARRIED**

9.2.4 Proposed Christmas Decorations Grant – Funding Guidelines 2022

Author: Manager Community and Culture

Responsible Director: Director Community and Planning

EXECUTIVE SUMMARY

As a result of the Pitch My Project initiative introduced for community to 'pitch' ideas for consideration as part of the development of the draft 2022/23 Council Budget, a number of submissions were received around Christmas decorations. In response to this theme, it is proposed to introduce a new community grant program called the Christmas Decorations Grant.

The objective of the Christmas Decorations funding program is to provide financial support for our towns to decorate their main street and/or public space to celebrate the Christmas season. This grant would enable local community organisations to purchase, install and store Christmas decorations.

Townships eligible for the Christmas Decoration Grant are:

- Euroa
- Nagambie
- Violet Town
- Avenel
- Longwood
- Strathbogie

Funding of up to \$5,000 would be available per town, with eligible organisations required to apply for funding through a competitive funding round.

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

That Council:

- 1. Adopt 'in principle' the Christmas Decorations Grant Program – Funding Guidelines 2022 subject to feedback on the draft 2022/23 Budget and final adoption of the 2022/23 Council Budget in the June Council meeting cycle;***
- 2. Authorise Officers to make minor changes to the Christmas Decorations Grant Program Funding Guidelines 2022 resulting from the final adoption of the Council 2022/23 budget as require,;***
- 3. Subject to the approval of the budget at the June 2022 Council Meeting, release and promote the 2022 Christmas Decorations Grant Program on the Strathbogie Shire Council website, local media, publications and broadly through a range of engagement networks with grants opening on 1 July 2022 and closing on 1 August 2022; and***

9.2.4 Proposed Christmas Decorations Grant – Funding Guidelines 2022 (cont.)

MOTION (cont.)

- 4. Receive a further report in the September 2022 Council meeting for consideration detailing the outcomes and proposed grant recipients for the 2022 Christmas Decorations Grant.**

102-21/22 **CARRIED**

9.2.5 Future Acknowledgement of January 26

7.08 pm: Councillor Hourigan left the meeting due to declaring a general conflict of interest

Author: Coordinator Community Services & Inclusion

Responsible Director: Director Community & Planning

EXECUTIVE SUMMARY

At the 19 October 2021 Council meeting, Cr Sally Hayes-Burke sought a report from officers regarding Council's role in January 26 activities in recognition of First Nations people.

Council has partnered with community groups to deliver celebrations on January 26 for many years. These celebrations usually include a community gathering, barbeques, local performance and often community awards.

However, January 26 is a difficult day for Aboriginal and Torres Strait Islander people, the anniversary of this day is not one to celebrate as it marks the start of the dispossession and marginalisation of First Nations people. Calls to shift the date of Australia Day have gained significant momentum over past years with the wider community growing increasingly aware that it is a day that many First Nations people find difficult or even offensive.

Councils across Australia are reviewing the traditional Australia Day celebrations to be more respectful and to begin to recognise the significance of the day to our Aboriginal and Torres Strait Islander Australians.

This report explores the relevance of January 26 in Strathbogie Shire and Council's role in relation to the day. The report recommends Council undertake further consultation in regard to January 26 and proposes consultation with Australia Day Committees located in the Shire and the broader community on the two options outlined in this report.

Option 1 is consistent with the direction of the signed Memorandum of Understanding with Taungurung Land and Waters Council and the endorsed Strathbogie Community Vision within the adopted Council Plan 2021-25 '*We care deeply for Country and First Nations people*' and '*We are bold*'. It is important to note that within this option, each township can still continue to hold Australia Day events, accessing funding directly from the National Australia Day Council with no formal involvement from Council. Furthermore, this option recommends that Council formally acknowledges our volunteers on an annual basis in May in respect and acknowledgment of the important and significant role they play in community life.

Options 2 involves Council taking no action to change the celebration of Australia Day on January 26 and is consistent with the current arrangements.

Following the consultation, Council will Consider a report recommending Council's preferred position in regard to January 26 incorporating the feedback gathered at a special Council meeting to be held on June 28 2022 at 6pm in the Community Conference Centre, Binney Street, Euroa.

9.2.5 Future Acknowledgement of January 26 (cont.)

MOVED: COUNCILLOR HAYES-BURKE
SECONDED: COUNCILLOR MURRAY

That Council:

1. **Authorise Council Officers to consult directly with the Australia Day Committees operating within the municipality, and the broader community through the Share Strathbogie portal, on the following options for acknowledging January 26:**

i) **Option 1**

In accordance with the inclusivity objectives within the Community Vision and the Memorandum of Understanding with the Taungurung Land and Waters Council, Strathbogie Shire Council no longer formally supports celebrations on January 26 each year as follows:

- **Lower the Aboriginal Flag to half-mast on January 26 out of respect for the First Nations people and what the day represents for First Nations people;**
- **Continue Council's requirement to hold a Citizenship Ceremony on January 26 as required;**
- **Advocate to the State and Federal Governments where appropriate to change the date of 'Australia Day' to a date that can be celebrated by all;**
- **Funding from the National Australia Day Council to hold or host Australia Day awards or celebratory activities to be the responsibility of the individual township Australia Day Committees for events in 2023 and beyond;**
- **Amend Council's event sponsorship and community grant guidelines deeming activities celebrating Australia Day on January 26 (in kind or cash) as ineligible;**
- **Promotion of celebrations held on January 26 to be coordinated by the individual township Australia Day Committees for events in 2023 and beyond; and**
- **Formally support the celebration of community contribution with annual awards in May as part of Volunteer Week, recognising the outstanding community contribution of individuals and groups within Strathbogie Shire, commencing in 2023.**

AND

ii) **Option 2**

Council continues to celebrate January 26 as per current arrangements.

9.2.5 Future Acknowledgement of January 26 (cont.)

MOTION (cont.)

- 2. Note that Officers will continue their ongoing communication with Taungurung Land and Waters Council and Yorta Yorta Nations Aboriginal Corporation on any future acknowledgment of January 26; and**
- 3. Consider a report on Council's position in regard to January 26 incorporating the feedback from community feedback at an Extraordinary Council meeting to be held on June 28 2022 at 6pm in the Euroa Community Conference Centre, Bury Street, Euroa.**

103-21/22 **CARRIED**

7.38 pm: Councillor Hourigan returned to the meeting after the vote had been conducted

9.3 INFRASTRUCTURE

9.3.1 Contract Variation - No. 21-22-30: Upgrade Nagambie Solar Pump at McGregor Avenue

Manager Project Delivery

Responsible Director: Director Community & Planning

EXECUTIVE SUMMARY

Upgrade to the the existing Retard Basin at McGregor Avenue with a pump system forms part of Council's 2021/22 Capital Works Program. This project is being undertaken to reduce future flood damage to existing development in Nagambie township and its environs. To achieve this goal, Council provides funding for the reduction of flood hazards through improvements of existing drainage structure, or implementation of a new stormwater management system where there is none in existence.

The works were tendered and awarded under Contract CN 21/22-30 to S&R Engineering and Construction Pty Ltd under Council delegation on 12/01/2022. Contractor has progressed work to 65% completion. However, a build-up of silt and other unforeseen conditions at the ponds have necessitated additional works which are considered necessary to successfully complete the project. The variation to works is \$33,480.00 + GST bringing the total project cost to \$200,286.00 +GST if approved.

***MOVED: COUNCILLOR MURRAY
SECONDED: COUNCILLOR RAEBURN***

That Council approve the variation of \$33,480.00 (plus GST) to cover additional works required to complete work increasing the value of Contract No. 21-22-30 Upgrade Nagambie Solar Pump at McGregor Avenue, from the original amount of \$152,946.00 (plus GST) to \$200,286.00 (plus GST).

104-21/22 ***CARRIED***

9.3.2 Contract Variation – CN 21/22-06: 2021-22 Roads Reseal Program

Author: Manager Projects Delivery, Senior Project Officer

Responsible Director: Director Community & Planning

EXECUTIVE SUMMARY

Strathbogie Shire Municipal Roads Reseal Program for 2021-2022 Financial Year is underway. The annual reseal program is necessary to protect Council's Road Infrastructure, to increase roads life span, lower maintenance costs and generally improve safety of road users.

At the 19 October 2021 Council Meeting, Council approved to award Contract No 21/22-06 for 2021-22 Roads Reseal Program to Rich River Asphalt Pty Ltd, as the preferred tenderer following a competitive tender process. The lumpsum contract was awarded for a total sum of \$419,953.27 plus GST.

Rich River Asphalts have completed over 75% of Works at the time of submitting this Report. However, additional funds are required to cover one (1) extra road segment requiring urgent sealing at Upton Road, and two (2) spray variations between design and actual across all the road sections. The total project costs would be \$476,269.59 plus GST, an increase of \$56,316.32. The adopted 2021/22 Council budget had an allocation of \$794,000.00 for this program of works. As part of Council's budget mid-year review process, the amount allocated to this program was adjusted at the February 2021 Council Meeting in line with the approved contract amount of \$419,953.27 plus GST as ratified by Council at the October 2021 Council Meeting. This report seeks Council approval for a variation to Contract No 21/22-06 to increase the contract amount by \$56,316.32.

MOVED: COUNCILLOR ANDREWS
SECONDED: COUNCILLOR RAEBURN

That Council approve the variation to Contract No 21/22-06 – 2022-22 Roads Reseal Program, from the original amount of \$419,953.27 plus GST to \$476,269.59 plus GST to complete the required works.

105-21/22 **CARRIED**

9.3.3 Contract No. 21/22-23: Tender process for Construction of Violet Town Landfill Rehabilitation – reduction of mandatory Pricing and Regional Benefit evaluation weightings

Author: Procurement and Tenders Officer

Responsible Director: Director Corporate Operations

EXECUTIVE SUMMARY

In preparing the documentation for Contract Number 21/22-23 - Construction of Violet Town Landfill Rehabilitation (**the Tender**), Council Officers sought oversight from a senior Probity Advisor from Corporate Governance.

The Probity Advisor recommended that due to the size of the project, the significant budget, the environmental requirements and risks associated with the Project, that quality, and previous experience and commitment to delivery timeframes should be considered a higher evaluation value than normal as opposed to financial. Furthermore, it was recommended to reduce the local/regional benefit weighting in recognition that most experienced tenderers in this specialised market would likely be metropolitan based.

In accordance with Councils Procurement Policy (page 18), this report is to request Council to approve the reduction of pricing weighting from the mandatory 50% to 40% and from 10% to 5% for Local/Regional Benefit weighting for tender CN 21/22-23 - Construction of Violet Town Landfill Rehabilitation.

**MOVED: COUNCILLOR RAE BURN
SECONDED: HAYES-BURKE**

That Council:

- 1. Approve the tender evaluation weighting on Pricing to be reduced from the Mandatory 50% to 40% for the public open tender process for CN 21/22-23 Construction of Violet Town Landfill Rehabilitation;***
- 2. Approve the tender evaluation weighting on Local/Regional Benefit be reduced from the Mandatory 10% to 5% for the public Tender process for CN 21/22-23 Construction of Violet Town Landfill Rehabilitation; and***
- 3. Note that the residual 55% be allocated to the Quality, Previous Experience and Commitment to on-time delivery criteria of the Public Tender.***

106-21/22 **CARRIED**

9.3.4 Contracts and Purchases 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 MURRAY***

That Council note the:

- 1. Contracts awarded under delegated authority by the Chief Executive Officer;***
- 2. Contracts and purchases awarded under delegated authority by Director; and***
- 3. Contracts and purchases awarded under delegated authority by Manager***

107-21/22 CARRIED

9.4 CORPORATE

9.4.1 Strathbogie Shire Council Audit and Risk Committee - Unconfirmed Minutes of the Meetings held on Friday 11 March 2022, Friday 25 March 2022 and Thursday 7 April 2022

Author: Director Corporate Operations

Responsible Director: Director Corporate Operations

EXECUTIVE SUMMARY

This report presents the draft unconfirmed Minutes of the Strathbogie Shire Council Audit and Risk Committee meetings held on Friday 11 March 2022, Friday 25 March 2022 and Thursday 7 April.

Items considered by the Committee at the meeting were:

11 March 2022

- Review of Draft Strategic Risk Register

25 March 2022

- Election of Chair
- External Audit and Audit Strategy
- Internal Audit program
- Budget preparation 2022/23 update
- Audit Committee Work Plan
- Key Strategic Indicators – Human Resources
- Risk Management Update

7 April 2022

- Review of Draft of Draft Budget and Financial Plan

It is recommended that Council notes the unconfirmed minutes of the Audit and Risk Committee meetings held on Friday 11 March 2022, Friday 25 March 2022 and Thursday 7 April 2022.

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

That Council:

- 1. Notes the Unconfirmed Minutes of the Audit and Risk Committee meetings held on Friday 11 March 2022, Friday 25 March 2022 and Thursday 7 April 2022.***
- 2. Notes that the Unconfirmed Minutes will be signed by the Chair of the Committee, once accepted, at the next Committee meeting, and any substantive changes to the unconfirmed Minutes will be reported to the next Council meeting.***

108-21/22 ***CARRIED***

9.4.2 Financial Report to 31 March 2022

Responsible Director: Corporate Operations

EXECUTIVE SUMMARY

The appended March Financial Report compares year-to-date Mid-Year Budget to Actual March 2022.

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

In relation to the current year the operating surplus for the nine months period ending 31 March was \$7,037,023.

As at 31 March 2022, total capital works was \$3,282,320 not including committed works.

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

That Council note the Financial Report for the nine months ended 31 March 2022.

109-21/22 ***CARRIED***

9.5 GOVERNANCE AND CUSTOMER SERVICE

9.5.1 Draft Motion relating to Mandatory Candidate Training – Municipal Association of Victoria State Conference

Author: Director People & Governance

Responsible Director: Chief Executive Officer

EXECUTIVE SUMMARY

The Municipal Association of Victoria (MAV) is holding its annual State Council on 24 June 2022. The purpose of this annual gathering of council representatives across the state is to receive an update on the MAV's activities and to consider motions submitted by members.

Each council has two seats on the State Council – one for the Council nominated Councillor representative, which is Mayor Binks, and the other for the Chief Executive Officer but only one vote per Council.

An individual council or a group of councils can submit a motion for consideration at the meeting. A resolution must be passed by the council (s) putting the motion forward.

At its March meeting, Council noted its submission to Local Government Victoria in response to the Local Government Culture Project. In its submission, Council clearly expressed the need for vastly improved training prior to an election so that prospective candidates could develop a sound understanding of the roles and responsibilities of a councillor prior to nominating. It also outlined an initiative to provide centralised Councillor induction training after an election to ensure all newly elected councillors across the state received the same training, provided on a regional basis and paid for by the State government.

Given the strength of feeling within the Council around these proposed initiatives, it is thought prudent that they be the focus of a motion for the annual meeting.

Importantly, it they are matters that meet the pre-requisites for a MAV State Council motion in that it affects the entire local government sector and is consistent with the MAV Strategy 2021-25.

It is recommended that the motion be endorsed by Council for submission to the MAV State Council.

9.5.1 Draft Motion relating to Mandatory Candidate Training – Municipal Association of Victoria State Conference (cont.)

MOVED: COUNCILLOR RAEBURN
SECONDED: COUNCILLOR MURRAY

That Council endorse the following motion to be put to the Municipal Association of Victoria State Council Meeting on 24 June 2022:

- 1. *That the Municipal Association of Victoria work in partnership with the State Government to:***
 - a) *replace the candidate certification program used for the 2020 General Election with a mandatory comprehensive candidate training program for the 2024 general election cycle to ensure all prospective candidates have a deep and clear understanding of the role of a councillor and council to drive sector capability and good governance.***
 - b) *develop and deliver a statewide councillor induction program for the 2024 general election cycle that is driven by Local Government Victoria, delivered on a regional basis and funded by the State to ensure all councillors receive the same induction training in a way that is efficient and helps build relationships and support networks across the state.***

110-21/22 **CARRIED**

9.5.2 Mayor and Councillor expense request to attend the Australian Local Government Association National General Assembly of Local Government in Canberra, 19-22 June, 2022

8.08 pm: Councillor Raeburn left the meeting due to declaring a material conflict of interest

The Mayor advised that as she had declared a material conflict of interest in this matter, a procedural motion for the Deputy Mayor to take the Chair for this item was required.

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

That the Deputy Mayor take the Chair for this item.

111-21/22 CARRIED

8.09 pm: Councillor Binks left the meeting

Author: Policy Research and Councillor Support Officer

Responsible Director: Director People and Governance

EXECUTIVE SUMMARY

The Australian Local Government Association (ALGA) is hosting the 2022 National General Assembly at the National Convention Centre in Canberra from Sunday 19 June until Wednesday 22 June 2022. The event provides a unique opportunity for Local Government to engage directly with the Federal Government, to develop national policy, and to influence the future direction of our councils and our communities.

The 2022 NGA theme is *Partners in Progress* and reflects the important role local government plays in building a stronger, more inclusive, and more sustainable Australia and its role in working with other governments to support community outcomes and the nations recovery post COVID.

The Mayor, Councillor Laura Binks and Councillor Chris Raeburn have expressed interest to attend this national conference and represent interest of the Shire.

Given that this is an interstate conference that supports Councils advocacy as detailed in Councils recently released Advocacy Ask, all costs associated with attendance (registration, accommodation, travel and meals) will sourced from the Councillors' expenses budget allocation. Under the Council Expenses Policy, a Council resolution is required for the approval of interstate travel and costs exceeding \$1501 for any one Councillor.

9.5.2 Mayor and Councillor expense request to attend the Australian Local Government Association National General Assembly of Local Government in Canberra, 19-22 June, 2022 (cont.)

MOVED: COUNCILLOR HOURIGAN
SECONDED: COUNCILLOR HAYES-BURKE

That Council:

- 1. Endorse the request from the Mayor Councillor Laura Binks and Councillor Chris Raeburn to travel interstate to attend the 2022 National General Assembly (NGA22) in Canberra as part of Strathbogie Shire Council's advocacy strategy and campaign;***
- 2. Fund the cost of conference registration, transport, accommodation and meal expenses incurred through attendance to the NGA22 in Canberra, estimated at \$2,768.80 for Mayor Binks and \$2,732.80 for Cr Raeburn; and***
- 3. Receive a conference and advocacy evaluation report outlining the learnings and municipal benefits received upon Mayor Laura Binks' and Councillor Chris Raeburn's return from the NGA22 in Canberra in accordance with the Council Expenses Policy.***

112-21/22 **CARRIED**

8.15 pm: Crs Raeburn and Binks returned to the meeting after the vote had been conducted

9.5.3 Monthly Performance Report

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

- Building Department – April 2022 Statistics
- Planning Department – Planning Application Approvals – Development Cost (Capital Improved Value) - April 2022
- Customer Enquiry Analysis Report – Report for April 2022
- Waste Management Reporting ~ Year to Date – April 2022
- Actioning of Council Reports Resolutions – Council Meeting 19 April 2022
- Outstanding Actions of Council Resolutions to 30 April 2022
- Review of Council Policies and Adoption of new Policies – April/May 2022
- Records of Informal Council Briefings / Meetings – 1 to 30 April 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 MURRAY***

That the report be noted.

113-21/22 CARRIED

9.6 EXECUTIVE

9.6.1 Strathbogie Shire Brand Renewal

Author: Executive Manager Communications & Engagement

Responsible Director: Chief Executive Officer

EXECUTIVE SUMMARY

Action 1.1.5 of Council's 2021-25 Council Plan is to prepare and adopt a Strathbogie Shire Brand Strategy.

This action was included in the Council Plan after more than nine months of broad community engagement that provided Council with a clear understanding of our community's values and priorities.

Through hundreds of conversations, we heard people loved where they lived, they were proud of our region and felt lucky to live in Strathbogie Shire.

To better represent the 'heart and soul' of our Shire and townships and to effectively engage with residents, community, tourists and business, Council Officers have created a renewed brand strategy.

The aim through the creative strategy and design is to:

- Reflect our community's vision for the future
- Facilitate the promotion of Strathbogie Shire and our township's many unique offerings
- Instil pride and belonging with our local residents

MOVED: COUNCILLOR RAEBURN
SECONDED: COUNCILLOR HAYES-BURKE

That Council:

- 1. Adopts the renewed Strathbogie Shire Council Brand Strategy;***
- 2. Notes the expenditure of \$60,000 allocated in the 2021/22 Budget for updated town entry signage; and***
- 3. Notes the roll out of the new branding will start with our digital assets, at no cost, then through Council's ongoing maintenance and renewal program.***

114-21/22 **CARRIED**

Cr Hourigan called for a division

For the Motion

Cr Hayes-Burke
Cr Raeburn
Cr Murray
Cr Binks

Against the Motion

Cr Dickinson
Cr Andrews
Cr Hourigan

10. NOTICES OF MOTION

Nil

11. NOTICES OF RESCISSION

Nil

12. URGENT BUSINESS

Nil

13. CONFIDENTIAL BUSINESS

Nil

NEXT MEETING

An Extraordinary Meeting of the Strathbogie Shire Council is scheduled to be held on Tuesday 7 June 2022, at the Euroa Community Conference Centre, commencing at 4.00 pm. This meeting will be to hear submissions to Council's draft 2022/23 Budget, draft 2022/23 Financial Plan and draft 2022/23 Fees and Charges, and the 2021-2025 Council Plan Update.

The next monthly Meeting of the Strathbogie Shire Council is scheduled to be held on Tuesday 21 June 2022, at the Euroa Community Conference Centre, commencing at 6.00 pm

THERE BEING NO FURTHER BUSINESS, THE MEETING CLOSED AT 8.45 P.M.

Confirmed as being a true and accurate record of the Meeting

.....
Chair

.....
Date