

Strathbogie Shire Council

Council Meeting Minutes / Decisions

October 2022

Acknowledgement of Country

We acknowledge the traditional custodians of the lands on which we strive, the peoples of the rivers and the hills of the Strathbogie Shire region who walked these lands for generations.

We pay our respects to the elders of the past, and the speakers of the first words, who lived in harmony with this country.

We acknowledge the elders of the present, who seek to regain their culture, and to teach the elders of the future their law, their history and their language.

We pay our respects to them and extend that respect to all Aboriginal and Torres Strait Islander peoples today.

We honour their spirit – and the memory, culture, art and science of the world's oldest living culture through 60,000 years.

Minutes/Decisions

Council Meeting

Tuesday, October 18, 2022, at 6.01pm

Meeting held virtually and livestreamed on Council's website:

<https://www.strathbogje.vic.gov.au/council/our-council/council-meetings-and-minutes/>

Council:

Cr Laura Binks (Mt Wombat Ward) – Mayor
Cr Paul Murray (Hughes Creek Ward) – Deputy Mayor
Cr David Andrews (Lake Nagambie Ward)
Cr Reg Dickinson (Lake Nagambie Ward)
Cr Sally Hayes-Burke (Seven Creeks Ward)
Cr Kristy Hourigan (Seven Creeks Ward)
Cr Chris Raeburn (Honeysuckle Creek Ward)

Officers:

Julie Salomon – Chief Executive Officer
Amanda Tingay – Director Community and Planning
Dawn Bray – Director People and Governance

Index

1. Welcome
2. Acknowledgement of Country
3. Apologies / Leave of Absence
 - Vlad Adamek – Director Sustainable Infrastructure
 - Kristin Favalaro – Executive Manager Communications and Engagement
4. Disclosure of Conflicts of Interest
 - *Councillor Hourigan declared a general conflict of interest under Clause 127 of the Local Government Act 2020 in Item 9.1.4 (Planning Applications Received and Planning Applications Determined - 1 to 30 September 2022) due to there being a planning application she lodged, which was subsequently issued*
 - *Councillor Murray declared a material conflict of interest under Clause 128 of the Local Government Act 2020 in Item 9.2.1 (Application for Sponsorship – Shrine of Remembrance Exhibition (Longwood)) due to his wife being involved in the organising of the event, as detailed in his declaration of interest form submitted on 24 October 2022*
 - *Councillor Murray declared a general interest under Clause 127 of the Local Government Act 2020 in Item 9.2.4 (Euroa Health Funding Advocacy) due to his daughter being on the Board of Euroa Health*
 - *Councillor Hayes-Burke declared a material conflict of interest under Clause 128 of the Local Government Act 2020 in Item 9.2.2 (Application for Sponsorship – Euroa Music Festival) due to family members being on the committee*
 - *Councillor Hayes-Burke declared a general interest under Clause 127 of the Local Government Act 2020 in Item 9.2.4 (Euroa Health Funding Advocacy) due to her husband being on the Board of Euroa Health*
5. Confirmation of Minutes of Previous Meetings

MOVED: COUNCILLOR HAYES-BURKE
SECONDED: COUNCILLOR RAEBURN

That the minutes of the Council Meeting held on Tuesday, September 20, 2022, be confirmed.

193-21/22 **CARRIED**

6. Petitions

Council has received one online petition to table this evening, received yesterday from the Rainbow Local Government Team signed by 57 people in total, of which 79% had a postcode within the Shire's boundaries.

The petition calls for Strathbogie Shire Council to join with seventy-one other Victorian councils in flying the rainbow flag from council buildings or illuminating council buildings or trees in rainbow colours on 17 May to mark the International Day Against Homophobia, Biphobia, Intersex discrimination and Transphobia (IDAHOBIT).

Response from CEO

This issue was raised in a submission to our review of the Council Plan in June this year. In considering Council's response to this matter, Council resolved to reword Action 6.1.2 of the Council Plan to read:

'Implement the Actions for Year 1 of the Gender Equity Action Plan 2021- 25, along with celebrating the International Day Against Homophobia, Biphobia and Transphobia through our social media pages and website.'

Council wants to take a broader approach to celebrating this day to achieve the widest possible coverage across our community to raise awareness about the significance of this Day.

MOVED: COUNCILLOR RAEBURN

SECONDED: COUNCILLOR HOURIGAN

That the petition lay on the table, and a response as given by the Chief Executive Officer be provided to the Rainbow Local Government Team.

194-21/22 **CARRIED**

7. Reports of Mayor and Councillors and Delegates

Mayor

- Conveyed sincere thanks to SES, CFA, Victoria Police and all emergency responders who have worked tirelessly over the past week to keep our communities safe. Also to Council staff who have worked day and night answering hundreds of calls, opening relief centres for people impacted by flood, closing roads, opening roads, clearing trees in horrendous weather conditions and generally providing support and assistance.*
- Provided up update on services (e.g. transfer stations), availability of sandbags.*
- Urged community to maintain vigilance and be mindful of road conditions when driving due to impacts of flooding, and bearing in mind further predicted rainfall.*
- Council has commenced advocating to State and Federal Governments for funding.*
- Last week Council moved a motion at the Municipal Association of Victoria's conference to lead a state-wide advocacy campaign calling on the Victorian Government to increase funding for road maintenance. The motion was supported unanimously.*
- Requested community members be understanding of the impact of the floods and the work required to repair roads, infrastructure, etc., which will take time.*
- Referred to Council's website and social media channels which have regular updates.*

7. Reports of Mayor and Councillors and Delegates

Cr Hayes-Burke

- *Thanks to volunteers and Council officers for their efforts during floods, and also to community members for their support and assistance. Expressed thoughts are with affected community members, both during flooding events and the aftermath. Also for affected communities in neighbouring areas.*

Cr Hourigan

- *Concurred with comments by Mayor and Cr Hayes-Burke.*
- *Conveyed appreciation and thanks to emergency services, Council staff and community members, in general, who worked tirelessly during the flooding events, and continue to do so.*
- *Raised concern with the impacts on thoroughbred, wine and tourism industries in Nagambie area. Also for our farmers and agricultural industry – loss of crops.*
- *Need to call on Premier and State Government for financial assistance for rural communities. Urged State Government to declare a state of emergency.*

Cr Dickinson

- *Acknowledged and supported previous comments, particularly urging for financial assistance and support.*
- *Acknowledged input from Nagambie community. Public meeting held on Monday night attended by 67. Community banding together to assist clean-up efforts, clearing debris, etc.*

Cr Murray

- *Reiterate Cr Dickinson's comments*
- *Avenel community anxious and distressed – impacts of flooding which was unexpected in some areas. Community meeting held yesterday – well attended, and showed resilience of community in assisting each other with sandbagging, removal of rubbish, debris; very heartened with community spirit. Acknowledged efforts in Euroa with community starting clean-up process.*
- *Thanks to community members, volunteers and Council staff for putting in so much effort.*

8. Public Question Time

Council Ref: JM: 11/2022

Park Street Nagambie has inadequate drainage, especially with new development. What is Council's proposal for a permanent solution to a known issue.

Response

Our Director Sustainable Infrastructure has spoken with the residents and inspected the property, noting that floodwater was being pumped into the main road as a flood mitigation measure.

An investigation will need to be undertaken to design a long-term solution to address drainage issues. I assure you that your issue has been added to the list of matters that require further investigation by experts following the recent flood event, where many properties were impacted by water.

Council Ref: LC: 12/2022

1. *Would like the floodway on Leo's Road, Violet Town, be fixed as its becoming impassable to get to livestock and property. It's the Two Mile Creek.*
2. *It was advised last year by a Council member it needs a box culvert that was as high as the road.*

8. Public Question Time (cont.)

Council Ref: LC: 12/2022 (cont.)

Response

We have added this issue to our list of flood recovery infrastructure projects. Not only are we applying for State and Federal recovery funding as it becomes available, we are also reviewing our capital works budget for the 2022-23 year to re-prioritise capital projects to focus on flood recovery.

Council Ref: RK: 13/2022

1. Why can't residents have an access point for sand on the Benalla side of the Seven Creeks Bridge in case the bridge and surrounding areas are closed?
2. Why can't residents have messages sent via mobile as is done with medical appointments for explicit messages of serious concerns?

Response

In answer to your first question, we acknowledge your suggestion, however we feel the safest and easiest and most central location that is accessible to all is the saleyards.

We have been urging the community to prepare early for forecast rain events, which means people should be taking action now for the rain that is forecast for Thursday, Friday and through to Monday.

We again encourage Euroa residents, and also all residents across the Shire, to make their preparations before the rain hits.

Please be aware sandbags are very limited. We urge you to please access sandbags from your local hardware store wherever possible. We have also been advised that pillowcases could also be used for this purpose.

In relation to your second question, Council sent a message to all mobile phones on our data base before last week's flooding event urging people to prepare for that flood.

For those who did not receive a message we urge you to please update your details with Council and this will mean all future text messages are received. You can do this via our Customer Service officers.

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 meetings

The next meeting of the Strathbogie Shire Council will be the Annual Statutory Meeting, which is scheduled to be held on Tuesday, November 8, 2022, at the Euroa Community Conference Centre, at 6pm.

The next monthly meeting of the Strathbogie Shire Council is scheduled to be held on Tuesday, November 15, 2022, at the Euroa Community Conference Centre, at 6pm.

Reports Index

9.	OFFICER REPORTS	
9.1	Strategic and Statutory Planning	
9.1.1	Planning Permit Application No. P2022-071: Use and Development for a Dwelling on Crown Allotment 2a Section B Parish of Merton ~ Strathbogie Road Strathbogie Vic 3666	1
9.1.2	Planning Permit Application No. P2021-052: Use of Land for a Store (Earthmoving Equipment on Site and Cars within Existing Shedding), on Lot 29 on Plan of Subdivision 099517, Certificate of Title Volume 9100 Folio 253 ~ Taylor Drive, Miepoll Vic 3666	3
9.1.3	Planning Permit Application No. P2021-107: Multi lot subdivision and the creation of sewer and drainage easements and the removal of native vegetation ~ 12 Orchid Street, Violet Town VIC 3669	4
9.1.4	Planning Applications Received and Planning Applications Determined - 1 to 30 September 2022	24
9.2	Community	
9.2.1	Application for Sponsorship – Shrine of Remembrance Exhibition (Longwood)	25
9.2.2	Application for Sponsorship – Euroa Music Festival	27
9.2.3	Application for Sponsorship – Nagambie Lakes Community House Christmas Carols Event 2022	29
9.2.4	Euroa Health Funding Advocacy	30
9.2.5	School Crossing Supervision Program	32
9.3	Infrastructure	
9.3.1	Tree Management Plan: Urban and Rural Strategies and Tree Management Policy	34
9.3.2	Tender for Contract No. 22/23-11: Footpath and Kerb Works – Bury Street, Euroa	35
9.3.3	Tender for Contract No. 22/23-06 22/23: Roads Reseal Program	36
9.3.4	Tender for Contract No. 22/23-07: Pavement Rehabilitation Program 22/23	37
9.3.5	Municipal Association of Victoria October State Council Meeting Motion - Submission for increased essential road maintenance funding	38
9.4	Corporate	
9.4.1	Review - Purchasing Card Policy	39
9.4.2	Review - Rates and Charges Collection and Hardship Policy	40
9.4.3	Review - Disposal or Sale of Council Assets Policy and Procedure	41

9.5	Governance and Customer Service	
9.5.1	Review - Risk Management Policy 2022	42
9.5.2	Review - Council Expenses Policy 2022	43
9.5.3	Review - Public Transparency Policy 2022	44
9.5.4	Monthly Performance Report	45
9.6	Executive	
9.6.1	Acting Arrangements – Chief Executive Officer Annual Leave	46
9.6.2	2021/22 Annual Report	47
9.6.3	Cost Shifting Advocacy Campaign	48
10.	NOTICES OF MOTION	49
	Nil	
11.	NOTICES OF RESCISSION	49
	Nil	
12.	URGENT BUSINESS	49
	Nil	
13.	CONFIDENTIAL BUSINESS	49
	Nil	

9. OFFICER REPORTS

9.1 STRATEGIC AND STATUTORY PLANNING

9.1.1 Planning Permit Application No. P2022-071: Use and Development for a Dwelling on Crown Allotment 2a Section B Parish Of Merton ~ Strathbogie Road Strathbogie Vic 3666

Author: Principal Planner

Responsible Director: Director Community and Planning

EXECUTIVE SUMMARY

An application has been received for the use and development for a dwelling on a small lot in the Farming Zone. The lot is not identified in the Rural Residential Strategy 2004 for managed rural residential development.

The lot measures 0.8 hectares in an area where the minimum lot size is 40 hectares for an as of right use for a dwelling. The lot is adjacent to large farming enterprises – all greater than 40 hectares, and all carrying out grazing and animal production. The farms range in size from 67ha to 140 hectares.

It is known that where lifestyle dwellings are set amongst farming activities, there is conflict between the two uses. Introduced lifestyle lots can have adverse effects on farming activities due to complaints that maybe received due to noise, dust, chemical use, scare guns, firearms use and non-urban working hours etc. The dwelling may have expectations of road upgrades, increase in farming land prices due to lifestyle lots being allowed, introduction and exacerbation of pests and impact on biosecurity and the inability to expand and / or change the farming activities.

The proposal was advertised to adjacent and nearby owners and occupiers by way of letters and the application was displayed on Council's website. No objections have been received.

Given the proposal is not weighted in favour of support when assessed against the planning scheme, the assessing officer makes a recommendation of refusal.

This application is being heard before Council, as it was 'called in' by Councillor Kristy Hourigan prior to the new policy parameters and associated templates came into effect.

The property owner addressed the meeting to support their application.

9.1.1 Planning Permit Application No. P2022-071: Use and Development for a Dwelling on Crown Allotment 2a Section B Parish Of Merton ~ Strathbogie Road Strathbogie Vic 3666 (cont.)

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

That Council:

1. **Having caused notice of Planning Application No. P2022-071 to be given under Section 52 of the Planning and Environment Act 1987 and or the planning scheme; and having considered all the matters required under Section 60 of the Planning and Environment Act 1987 decides to issue a Notice of Decision to Refuse to Grant a Permit under the provisions of the Strathbogie Planning Scheme in respect of the land known as (V11456 F114 CA 2A SEC B Parish of Wondoomarook) Crown Allotment CA2A Section B Merton-Strathbogie Road, Strathbogie VIC 3666, for the Use and Development for a Dwelling for the following reasons:**
 - a) **The proposal does not support the Purpose of the Farming Zone and does not weight in favour of support when assessed against the appropriate decision guidelines of the Farming Zone:**
 - **The proposal for a dwelling has no connection to farming.**
 - **The proposal has the potential to limit operation and expansion of adjoining and nearby agricultural uses.**
 - **The proposal will lead to proliferation of dwellings in the area which are not connected to farming, with potential for adverse impacts.**
 - b) **The proposal, when assessed against the policy throughout the Strathbogie Planning Scheme, is not weighted in favour of support. The relevant policy that provides direction are:**
 - a. **Clause 02.03-4 – given the proximity to Melbourne and major regional centres, and the scenic nature of the area, there is a continual demand for rural lifestyle development not associated with farming. This leads to land use conflicts between residential uses and rural industries.**
 - b. **Clause 13 – the risk of the development for erosion and landslide has not been assessed and therefore is an unknown. The proposal cannot be supported without assessment of the risk.**
 - c. **Clause 14 – the proposal does not protect the state's agricultural base as it is an incompatible use with farming, in this location.**

195-21/22 **CARRIED**

9.1.2 Planning Permit Application No. P2021-052: Use of Land for a Store (Earthmoving Equipment on Site and Cars within Existing Shedding), on Lot 29 on Plan of Subdivision 099517, Certificate of Title Volume 9100 Folio 253 ~ Taylor Drive, Miepoll Vic 3666

Author: Senior Planning Officer

Responsible Director: Director Community and Planning

EXECUTIVE SUMMARY

An application has been received for the use of land for a Store in the Farming Zone. The application is seeking retrospective approval. The proposed store includes two different components. The first is the storage of personal car collection and memorabilia in the existing shedding. The second being the storage of earthmoving equipment externally on the site. The earthmoving activity has grown since the lodging of the initial application and is considered to be utilised in a similar manner to a work depot.

This site has an area 3.348 hectares and contains scattered shedding. The lot is identified as Area 5 in the Rural Residential Strategy 2004. The site is located approximately 9 kilometres northwest of the Euroa. It is accessible via an unsealed road and set amongst rural residential properties. These properties are mostly developed through precedent that has been established by Council over the years. The land is partially affected by the Land Subject to Inundation Overlay.

The application was advertised to surrounding landowners. Six (6) objections/submissions were received.

The proposal, having been assessed against the planning scheme, is not weighted in favour of support when assessed against the planning scheme, the assessing officer makes a recommendation of refusal.

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

That consideration of this planning permit application be deferred to the 15 November 2022 Council meeting due to several parties with an interest in this matter being unable to join a virtual meeting.

196-21/22 ***CARRIED***

9.1.3 Planning Permit Application No. P2021-107: Multi lot subdivision and the creation of sewer and drainage easements and the removal of native vegetation ~ 12 Orchid Street, Violet Town VIC 3669

Author: Senior Planner

Responsible Director: Director Community and Planning

EXECUTIVE SUMMARY

The proposal is for the use of land for a Multi Lot Subdivision at Lot 5 on Plan of Subdivision 748655B Certificate of Title Volume 12032 Folio 918 12 Orchid Street, Violet Town VIC 3669. This also includes the creation of sewer and drainage easements and the removal of native vegetation (which is deemed lost due to the creation of lots with an area less than 0.4hectares).

The original application was lodged on the 23 June 2021. An initial assessment of the application was undertaken, however it was deemed that the proposal did not meet the requirements of Clause 56 under the Strathbogie Planning Scheme. Consultation was undertaken with the applicant, and subsequently revised plans was submitted to Council.

The plan of subdivision received by Council on the 29 September 2021 was advertised in early November 2021. Following the advertising period, thirteen (13) Objections/Submissions were received. The majority of concerns raised by Objectors includes but not limited to:

- Protection of Avenue of Remembrance/Honour
- High density living
- Lot size
- Traffic
- Drainage
- Character of the area.

Following the completion of the advertising period, Officers undertook extensive consultation with the objectors and applicant including onsite meetings, correspondence (both verbal and written) and stakeholder specific meetings including qualified arborists. As part of this process, one (1) objection and one (1) submission were withdrawn subject to conditions being included on any planning permit issued.

A detailed planning assessment was undertaken on this revised application. Following this assessment, it was considered that Officers would not support the application in its current format due to the impact on the Avenue of Remembrance/Honour. The applicant was informed of this assessment and was advised that a further revised plan be submitted demonstrating the removal of crossovers within the Avenue of Remembrance/Honour. The final revised plan was submitted on the 9 September 2022. This final revised plan was advertised, and one (1) objection has since been withdrawn. There remain eleven (11) objections to this planning permit application.

Upon final assessment, it is considered the proposal meets the objectives of the Municipal Planning Strategy, Planning Policy Framework, the General Residential Zone.

It is recommended that Council resolve to issue a Notice of Decision to Grant a Permit in accordance with the Officer's recommendation.

9.1.3 Planning Permit Application No. P2021-107: Multi lot subdivision and the creation of sewer and drainage easements and the removal of native vegetation ~ 12 Orchid Street, Violet Town VIC 3669 (cont.)

Three objectors and the applicant addressed the meeting.

MOVED: COUNCILLOR MURRAY
SECONDED: COUNCILLOR HAYES-BURKE

Amendment to Condition 2 c):

That Council:

having considered all the matters required under Section 60 of the Planning and Environment Act 1987 decides to issue a Notice of Decision to Grant a Permit under the provisions of Clause 32.08, Clause 52.02, Clause 52.17, Clause 52.29, Clause 53.01 and Clause 56, Municipal Planning Strategy and Planning Policy Framework of the Strathbogie Planning Scheme in respect of the land known as Lot 5 on Plan of Subdivision 748655B, Certificate of Title Volume 12032 Folio 918 12 Orchid Street, Violet Town VIC 3669 for a Multi Lot subdivision and the creation of sewer and drainage easements and the removal of native vegetation, in accordance with endorsed plans, subject to the following conditions:

Endorsed Plan Subdivision:

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

Section 173 Agreement

2. ***Prior to the issue of Statement of Compliance, a Section 173 Agreement must be entered into that provides for the following requirements:***
 - a) ***Must not permit any dwelling without separate 10,000 litre rainwater storage tanks and any dwelling or associated buildings not plumbed to supply re-use water for toilets and garden.***
 - b) ***Native trees on Lots 10 and 11 must not be removed without prior consent from the Responsible Authority. (This does not include the trees marked for removal on the plan of subdivision).***
 - c) ***Any works undertaken on or around the Avenue of Remembrance/Honour must obtain prior consent from the Responsible Authority.***

This includes but not limited to:

 - ***Construction of crossovers***
 - ***Pruning***
 - ***Boundary fencing treatments along the Murchison Violet Town Road and Orchid Street frontages must be open in nature so as not to create a solid fencing treatment along these boundaries***
 - d) ***No secondary access will be permitted on lots 11,12,13,14,15,16,17,19.***
 - e) ***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.***

9.1.3 Planning Permit Application No. P2021-107: Multi lot subdivision and the creation of sewer and drainage easements and the removal of native vegetation ~ 12 Orchid Street, Violet Town VIC 3669 (cont.)

MOTION (cont.)

- f) ***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).***
- g) ***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***
- h) ***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.***
- i) ***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.***

The Owner will pay for all the costs associated with the preparation of the Section 173 Agreement. The Section 173 Agreement must be prepared by Council's solicitors, to the satisfaction of the Responsible Authority and must be recorded on the folio of the Register to the subject land pursuant to Section 181 of the Planning and Environment Act 1987.

Avenue of Remembrance/Honour

3. ***Works within an area of greater than 10% of the Tree Protection Zone of any tree require a tree root investigation to determine the actual location and extent of tree roots by a qualified person to the satisfaction of the Responsible Authority.***
4. ***Development plans should then be made to avoid significant root damage to the subject tree.***
5. ***Any required pruning is performed by qualified Arborists to comply with AS 4373 2007 - Australian Standard: Pruning of Amenity Trees.***

9.1.3 Planning Permit Application No. P2021-107: Multi lot subdivision and the creation of sewer and drainage easements and the removal of native vegetation ~ 12 Orchid Street, Violet Town VIC 3669 (cont.)

MOTION (cont.)

Tree Protection Specifications

6. The following tree protection specifications must be met:

- a) A “Tree Maintenance Program” shall be implemented before, during, and after construction to increase and maintain the health of the tree/s.**
- b) A “Tree Protection Zone” is to be established around the tree/s. Chain-mesh fencing (at least 1.6 meters high) should be installed no closer to the trunk of the tree/s than the “Tree Protection Zone” measurement for the relevant tree, as specified in this document, or by a qualified Arborist.**
- c) This fencing should be installed before construction works commence. The fencing shall contain signage with the words “KEEP OUT - TREE PROTECTION ZONE”.**
- d) The surface of the Tree Protection Zone shall be covered to a depth of approximately 150mm with course woodchips, mulch, or similar matter. This shall be replenished as required.**
- e) No such material should be applied within 50mm of the trunk of any tree to be retained.**
- f) The Tree Protection Zone shall be irrigated regularly where required, as directed by the Consulting Arborist.**
- g) The relevant tree/s shall be pruned to remove any deadwood and stumps greater than 25mm in diameter from the tree canopy prior to the commencement of construction. Some live branches may also need to be removed for clearance and/or access.**
- h) Connected roots greater than 25mm in diameter should not be torn from the ground by machinery. Any encountered root greater than 25mm in diameter shall be severed cleanly with sharp secateurs or a sharp hand saw. Any damaged areas of root should be removed.**
- i) A suitably qualified Arborist shall perform all pruning works to meet or exceed the Australian Standard for the Pruning of Amenity Trees (AS 4373-1996).**
- j) Grade changes are prohibited within the Tree Protection Zone. The existing soil levels within the Tree Protection Zone are to be maintained.**
- k) Any digging within the Tree Protection Zone is prohibited without the written consent of the Consulting Arborist. This includes hand-dug trenches.**
- l) Where the installation of utilities/services through the Tree Protection Zone is unavoidable, they shall be bored below the trees root system at a depth to be determined by the Consulting Arborist.**
- m) Multiple installations shall be organised to use a common route.**
- n) No equipment of any sort shall be attached to the tree/s in any way.**
- o) The Consulting Arborist shall be notified when the tree/s incur damage of any sort.**
- p) Storm water run-off paths and water table levels and their respective effects on tree health should be considered in the planning phase of the development.**
- q) No material, equipment, or waste should be deposited, stored, or parked within the Tree Protection Zone during the period of construction.**
- r) A suitably qualified Arborist should inspect and monitor the tree/s frequently during construction, and every 6-12 months thereafter.**

9.1.3 Planning Permit Application No. P2021-107: Multi lot subdivision and the creation of sewer and drainage easements and the removal of native vegetation ~ 12 Orchid Street, Violet Town VIC 3669 (cont.)

MOTION (cont.)

Engineering Conditions:

Street/Road Name Allocation

7. ***Before the plan of subdivision is certified under the Subdivision Act 1988, the applicant must lodge an application to the Council's Street Naming Committee for the approval of any street names and street numbers on the proposed plan of subdivision.***
8. ***Prior to the Certification under the Subdivision Act 1988, any easements for the purpose of draining lots to the legal point of discharge or ensuring continued vehicle access in maintained must be created.***

Construction Management Plan

9. ***Prior to the commencement of works, including any 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:***
 - 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.***

Site Environment Management Plan

10. ***Prior to the commencement of works, a Site Environment Management Plan (SEMP), must be submitted to and approved by the responsible authority and, where relevant, other authorities. When approved, the plan will be endorsed and form part of this planning permit.***
11. ***The approved SEMP must be implemented to the satisfaction of the Responsible Authority.***

9.1.3 Planning Permit Application No. P2021-107: Multi lot subdivision and the creation of sewer and drainage easements and the removal of native vegetation ~ 12 Orchid Street, Violet Town VIC 3669 (cont.)

MOTION (cont.)

Traffic Management Plan

12. **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

13. **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) **how all storm-water deposited upon, and transferred through, the developed site during a minor 20% AEP rainfall event is collected and conveyed by underground pipes to a legal point of discharge nominated by the Responsible Authority;**
 - b) **how all storm-water runoff originating from, or currently flowing through, the developed site in a major 1% AEP rainfall event is collected and conveyed by secure overland and/or underground flood pathways to a legal point of discharge identified by the Responsible Authority;**
 - c) **computations including total energy line and hydraulic grade line for the existing and proposed drainage as directed by Responsible Authority;**
 - d) **independent drainage for each lot (for subdivisions only);**
 - e) **location of the overland flow paths within the development;**
 - f) **each proposed lot having a stormwater property drain inlet point, constructed in underground pipes extending from the legal point of discharge to within its property boundary**
 - g) **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;**

9.1.3 Planning Permit Application No. P2021-107: Multi lot subdivision and the creation of sewer and drainage easements and the removal of native vegetation ~ 12 Orchid Street, Violet Town VIC 3669 (cont.)

MOTION (cont.)

- h) a maximum discharge rate from the site is to be determined by computation to the satisfaction of the Responsible Authority;*
- i) documentation demonstrating approval from the relevant authority for the legal point of discharge;*
- j) all roof water from buildings and surface water from hard paved areas will be collected and conveyed to a Legal Point of Discharge so as to prevent stormwater nuisance to adjoining land.*
- k) that the development makes provision for upstream stormwater inflows*

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.

- 14. 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) The protection and retention of all trees within the road reserve;*
 - g) All surface details;*
 - h) All relevant road signage and line marking*
 - i) Speed limit signs as appropriate and*
 - j) any CFA requirements including hydrants.*
- 15. 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.*

9.1.3 Planning Permit Application No. P2021-107: Multi lot subdivision and the creation of sewer and drainage easements and the removal of native vegetation ~ 12 Orchid Street, Violet Town VIC 3669 (cont.)

MOTION (cont.)

- c) ***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.***
 - d) ***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.***
 - e) ***Subsoil drainage installed for all kerb and channel.***
16. ***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.***
17. ***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.***
18. ***Prior to the issue of Statement of Compliance, the subdivider must construct/provide vehicle crossing to each and every lot and/or reserves within the subdivision development in accordance with Council's Infrastructure Design Manual. Alternatively, vehicle crossings are not required to be constructed where mountable (SM2-M) kerb and channel is used.***

Landscaping

19. ***Prior to the issue of Statement of Compliance, the subdivider must provide Street trees as shown on the Endorsed Plan(s) and must include the planting of one (1) MATURE (2 – 3 metres high) street tree per lot (of an approved species and location), or to such higher standards by agreement and must be selected and planted by a qualified Horticulturist / Arborist. Unless otherwise agreed in writing, the Authority will only approve plans and specifications complying with council's Infrastructure Design Manual standards and /or any approved landscaping management plans as appropriate.***
20. ***Prior to 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) ***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.***

9.1.3 Planning Permit Application No. P2021-107: Multi lot subdivision and the creation of sewer and drainage easements and the removal of native vegetation ~ 12 Orchid Street, Violet Town VIC 3669 (cont.)

MOTION (cont.)

- b) Soil quality and planting techniques in medium or verge tree planting zones along arterial roads (including service road nature strips) that will support full growth of medium to large trees.*
 - c) Details of boundary fencing and/or other treatments such as landscaping along the Murchison Violet Town Road and Orchid Street frontages the land that includes a range of fencing styles so as not to create a solid fencing treatment along these boundaries.*
 - d) Details of the removal of any approved street trees in the road reserves. \$660 including GST must be paid to Council for replacement. (Native trees may require additional approval and fees)*
- 21. 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.*
- 22. Prior to the issue of a Statement of Compliance all landscaping works (including street trees and fencing) 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.*
- 23. 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.*

Engineering Plans

- 24. 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.*
- 25. Prior to issuing the Statement of Compliance for 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.*

9.1.3 Planning Permit Application No. P2021-107: Multi lot subdivision and the creation of sewer and drainage easements and the removal of native vegetation ~ 12 Orchid Street, Violet Town VIC 3669 (cont.)

MOTION (cont.)

- d) **'As Constructed' drainage information provided in D Spec format to Council's satisfaction.**

Road Upgrading

26. **Prior to the issue of Statement of Compliance, the developer must construct the proposed roadway in accordance with plans and specifications submitted to and approved by the responsible authority. Specific details are as follows:**
- a) **underground drainage;**
 - b) **underground conduits for water, gas, electricity and telephone;**
 - c) **appropriate intersection and traffic measures;**
 - d) **appropriate street lighting and signage,**
 - e) **high stability permanent survey marks**
 - f) **any CFA requirements including hydrants.**

Street Lighting

27. **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

28. **Prior to the issue of a Statement of Compliance any street names and speed limit signs as agreed to with the Responsible Authority must be erected.**

Site Management During Construction

29. **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).**
30. **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.**

9.1.3 Planning Permit Application No. P2021-107: Multi lot subdivision and the creation of sewer and drainage easements and the removal of native vegetation ~ 12 Orchid Street, Violet Town VIC 3669 (cont.)

MOTION (cont.)

31. ***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.***
32. ***Soil erosion control measures must be employed throughout the construction stage of the development to the satisfaction of the Responsible Authority.***
33. ***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.***
34. ***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.***

Engineering fees for maintenance bond and supervision

35. ***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.***
36. ***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.***
37. ***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).***

9.1.3 Planning Permit Application No. P2021-107: Multi lot subdivision and the creation of sewer and drainage easements and the removal of native vegetation ~ 12 Orchid Street, Violet Town VIC 3669 (cont.)

MOTION (cont.)

Council's Assets

38. ***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.***

Fencing:

39. **Prior to Certification being consented to, a 1.8 metre Colourbond fence is to be erected along the full length and to ground level, of the common boundary with 4437 Murchison-Violet Town Road.**

Ausnet:

The applicant must –

40. **Enter in an agreement with AUSNET ELECTRICITY SERVICES PTY LTD for supply of electricity to each lot on the endorsed plan.**
41. **Enter into an agreement with AUSNET ELECTRICITY SERVICES PTY LTD for the rearrangement of the existing electricity supply system.**
42. **Enter into an agreement with AUSNET ELECTRICITY SERVICES PTY LTD 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 LTD.**
43. **Provide easements satisfactory to AUSNET ELECTRICITY SERVICES PTY LTD for the purpose of "Power Line" in the favour of "AUSNET ELECTRICITY SERVICES PTY LTD" pursuant to Section 88 of the Electricity Industry Act 2000, where easements have not been otherwise provided, for all existing AUSNET ELECTRICITY SERVICES PTY LTD electric power lines and for any new power lines required to service the lots on the endorsed plan and/or abutting land.**
44. **Obtain for the use of AUSNET ELECTRICITY SERVICES PTY LTD any other easement required to service the lots.**
45. ***Adjust the position of any existing AUSNET ELECTRICITY SERVICES PTY LTD easement to accord with the position of the electricity line(s) as determined by survey.***

9.1.3 Planning Permit Application No. P2021-107: Multi lot subdivision and the creation of sewer and drainage easements and the removal of native vegetation ~ 12 Orchid Street, Violet Town VIC 3669 (cont.)

MOTION (cont.)

46. ***Set aside on the plan of subdivision Reserves for the use of AUSNET ELECTRICITY SERVICES PTY LTD for electric substations.***
47. ***Provide survey plans for any electric substations required by AUSNET ELECTRICITY SERVICES PTY LTD 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 LTD 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.***
48. ***Provide to AUSNET ELECTRICITY SERVICES PTY LTD a copy of the plan of subdivision submitted for certification that shows any amendments that have been required.***
49. ***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 LTD. 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.***
50. ***Ensure that all necessary auditing is completed to the satisfaction of AUSNET ELECTRICITY SERVICES PTY LTD to allow the new network assets to be safely connected to the distribution network.***

Country Fire Authority:

Hydrants

51. ***Prior to the issue of a 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.***

Department of Environment Land Water and Planning:

Notification of permit conditions

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

9.1.3 Planning Permit Application No. P2021-107: Multi lot subdivision and the creation of sewer and drainage easements and the removal of native vegetation ~ 12 Orchid Street, Violet Town VIC 3669 (cont.)

MOTION (cont.)

Protection of native vegetation to be retained

53. ***Before works start, a native vegetation protection fence must be erected around all native vegetation to be retained within 15 metres of the works area. This fence must be erected at:***
- a) ***A radius of 12 times the diameter of the tree trunk at a height of 1.4 metres to a maximum of 15 metres but no less than 2 metres from the base of the trunk of the tree; and***
 - b) ***Around the patch(es) of native vegetation at a minimum distance of 2 metres from retained native vegetation.***

The fence must be constructed of star pickets and paraweb or similar to the satisfaction of the responsible authority.

54. ***Except with the written consent of the responsible authority, within the area of native vegetation to be retained and any tree protection zone associated with the permitted use and/or development, the following is prohibited:***
- a) ***vehicular or pedestrian access;***
 - b) ***trenching or soil excavation.***
 - c) ***storage or dumping of any soils, materials, equipment, vehicles, machinery or waste products;***
 - d) ***construction of entry and exit pits for underground services; or***
 - e) ***any other actions or activities that may result in adverse impacts to retained native vegetation.***

Native vegetation offsets

55. ***The total area of native vegetation permitted to be removed is 0.161 hectares, comprised of:***
- a) ***1 patch of native vegetation comprised of 5 small trees;***
 - b) ***One (1) large scattered tree; and***
 - c) ***One (1) small scattered tree.***
56. ***To offset the removal of 0.161 hectares of native vegetation the permit holder must secure a native vegetation offset(s) that meets all the following:***
- ***A general offset of 0.060 general habitat units located within the Goulburn Broken Catchment Management Authority boundary or Strathbogie Shire municipal district;***
 - ***have a Strategic Biodiversity Value score of at least 0.271;***
 - ***provide protection for at least One (1) large tree;***
 - ***must be in accordance with the Guidelines for the removal, destruction or lopping of native vegetation (DELWP, 2017).***

9.1.3 Planning Permit Application No. P2021-107: Multi lot subdivision and the creation of sewer and drainage easements and the removal of native vegetation ~ 12 Orchid Street, Violet Town VIC 3669 (cont.)

MOTION (cont.)

Offset evidence

57. ***Before any native vegetation is removed, evidence that the required offset for the project has been secured must be provided to the satisfaction of the responsible authority. This must include:***
- a) ***a security agreement signed by both parties, and***
 - b) ***a management plan detailing the 10-year management actions and ongoing management of the site***

Every year, for ten years, after the responsible authority has approved the offset management plan, the applicant must provide notification of the management actions undertaken towards implementing the offset management plan, to the department. An offset site condition statement, including photographs must be included in this notification.

and/or

58. ***credit extract(s) allocated to meet the requirements of the permit from the Native Vegetation Credit Register.***

A copy of the offset evidence must be endorsed by the responsible authority and form part of this permit.

59. ***Within 30 days of endorsement of the offset evidence by the responsible authority, the permit holder must provide a copy of the endorsed offset evidence to the Department of Environment, Land, Water and Planning at p&a.north@delwp.vic.gov.au.***

Department of Transport:

60. ***Only two accesses will be permitted from the subject land to the Murchison-Violet Town Road to the satisfaction of the Responsible Authority and Head, Transport Victoria.***
61. ***Prior to the release of statement of compliance, both the accesses must be constructed and sealed to the satisfaction of the Responsible Authority and at no cost to Head, Transport for Victoria.***
62. ***The driveways must be maintained in a fit and proper state so as not to compromise the ability of vehicles to enter and exit the site in a safe manner or compromise operational efficiency of the road or public safety (e.g. by spilling gravel onto the roadway).***

Goulburn Murray Water:

63. ***Any Plan of Subdivision lodged for certification must be referred to Goulburn-Murray Rural Water Corporation pursuant to Section 8(1)(a) of the Subdivision Act.***

9.1.3 Planning Permit Application No. P2021-107: Multi lot subdivision and the creation of sewer and drainage easements and the removal of native vegetation ~ 12 Orchid Street, Violet Town VIC 3669 (cont.)

MOTION (cont.)

64. ***Each lot must be provided with connection to the reticulated sewerage system in accordance with the requirements of the relevant urban water authority.***
65. ***All stormwater discharged from the site must meet the urban run-off objectives and Standard C25 as specified in Clause 56.07-4 of the Victorian Planning Provisions. All infrastructure and works to manage stormwater must be in accordance with the requirements of the Responsible Authority.***
66. ***All works within the subdivision must be done in accordance with EPA Publication 960 “Doing It Right on Subdivisions, Temporary Environmental Protection Measures for Subdivision Construction Sites”, September 2004.***

Goulburn Valley Water:

67. ***Payment of new customer contribution charges for water supply to the development, such amount being determined by the Corporation at the time of payment;***
68. ***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; downstream augmentation works may be required at the developer’s expense.***
69. ***Provision of one water tapping per lot at the developer’s expense, in accordance with standards of construction adopted by and to the satisfaction of the Goulburn Valley Region Water Corporation;***
70. ***Payment of new customer contributions charges for sewerage services to the development, such amount being determined by the Corporation at the time of payment;***
71. ***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;***
72. ***Provision of easements in favour of the Goulburn Valley Region Water Corporation over all existing and proposed sewer mains located within private property;***

9.1.3 Planning Permit Application No. P2021-107: Multi lot subdivision and the creation of sewer and drainage easements and the removal of native vegetation ~ 12 Orchid Street, Violet Town VIC 3669 (cont.)

MOTION (cont.)

73. ***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;***
74. ***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.***
75. ***The land to be included in an extension of the Sewer and Water Supply District and the owner agree to contribute to the actual cost to extend the District Boundary necessary to provide reticulated sewer and water to this development. Such amount being determined by the Authority at the time of payment;***

General Amenity:

76. ***The subdivision and building and works hereby permitted must be managed so that the amenity of the area 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.***
77. ***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.***

Telecommunications:

78. ***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.***

9.1.3 Planning Permit Application No. P2021-107: Multi lot subdivision and the creation of sewer and drainage easements and the removal of native vegetation ~ 12 Orchid Street, Violet Town VIC 3669 (cont.)

MOTION (cont.)

79. ***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.***

Subdivision Conditions:

80. ***The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage facilities, electricity, gas and telecommunication services to each lot shown on the endorsed plan in accordance with that authority's requirements and relevant legislation at the time.***

Easements:

81. ***All existing and proposed easements and sites for existing or required utility services and roads on the land must be set aside in the plan of subdivision submitted for certification in favour of the relevant authority for which the easement or site is to be created.***

Referral Under Section 8 of the Subdivision Act 1988:

82. ***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:

83. ***Before the Statement of Compliance is issued under the Subdivision Act 1988, the owner must pay to the responsible authority 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.

9.1.3 Planning Permit Application No. P2021-107: Multi lot subdivision and the creation of sewer and drainage easements and the removal of native vegetation ~ 12 Orchid Street, Violet Town VIC 3669 (cont.)

MOTION (cont.)

Permit Expiry:

Subdivision:

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

- a) **the subdivision is not started (Certification) within two (2) years of the date of this permit;**
- b) **the subdivision is not completed (Statement of Compliance) within five (5) years of the date of Certification under the Subdivision Act 1988.**

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

Expiry of Permit – Native Vegetation:

85. This permit will expire if the native vegetation is not removed within two years of the issue of the permit and evidence of the offset provided for council's records.

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 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 commencement of any building construction works. Before any such development may commence, the Applicant must apply for and obtain appropriate Building approval.**
- **This proposal has been assessed against Clause 32.08, Clause 52.02, Clause 52.17, Clause 52.29, Clause 53.01, Clause 56, Municipal Planning Strategy and Planning Policy Framework.**
- **Consent to Work within Road Reserve: Prior to works commencing on public land or roads, the applicant must obtain a permit from the relevant authority giving Consent to Work within a Road Reserve.**

Country Fire Authority Notes:

- **CFA's requirements for identification of hydrants are specified in 'Identification of Street Hydrants for Firefighting Purposes' available under publications on the CFA web site (www.cfa.vic.gov.au)**
- **CFA does NOT consent under Section 9 of the Subdivision Act to the Certification of the Plan of Subdivision. CFA does require the Plan of Subdivision for this planning permit application to be referred under Section 8 of the Subdivision Act.**

9.1.3 Planning Permit Application No. P2021-107: Multi lot subdivision and the creation of sewer and drainage easements and the removal of native vegetation ~ 12 Orchid Street, Violet Town VIC 3669 (cont.)

MOTION (cont.)

- ***CFA does NOT consent to the Statement of Compliance for Subdivision at this stage.***

Department of Transport Notes

- ***Separate consent for works within the road reserve and the specifications of these works may be required under the Road Management Act.***
- ***Please note that Amendment VC205 was gazetted on 20 January 2022. The amendment introduced the Transport Zone and deletes the Road Zone. The Head, Transport for Victoria recommends that the permit preamble be updated to reflect this change.***

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.***

Ausnet Notes:

- ***It is recommended that, at an early date the applicant commences negotiations with Ausnet Electricity Services Pty Ltd 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 the 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.***

Goulburn Valley Water Notes:

- ***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.***

197-21/22 **CARRIED**

9.1.4 Planning Applications Received and Planning Applications Determined - 1 to 30 September 2022

Author: Acting Manager Planning and 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 1 to 30 September 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 nine (9) new planning permit applications received and fourteen (14) planning permit applications decided upon during the reporting period.

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

That Council:

- 1. Note that there were nine (9) new planning permit applications received, and fourteen (14) planning permit applications decided on during the period of 1 to 30 September 2022.***
- 2. Note the report.***

198-21/22 **CARRIED**

**MOVED: COUNCILLOR RAEBURN
SECONDED: COUNCILLOR HOURIGAN**

That the meeting be adjourned for 5 minutes for a convenience break.

199-21/22 **CARRIED**

Meeting adjourned from 7.47 pm until 7.55 pm

Meeting resumed at 7.55 pm

9.2 COMMUNITY

9.2.1 Application for Sponsorship – Shrine of Remembrance Exhibition (Longwood)

7.56 pm: Councillor Murray left the meeting due to declaring a material conflict of interest

Author: Manager Community and Culture

Responsible Director: Director Community and Planning

EXECUTIVE SUMMARY

Council has received a sponsorship application from the Longwood Community Centre Inc to assist with the delivery of a Shrine of Remembrance Exhibition '*Changed Forever: Legacies of Conflict*' sharing stories of migrants from war-torn countries and veterans of overseas service. It explores the impacts of global and civil conflict in changing lives and shaping contemporary Australia.

The request is for a cash contribution of \$2,000 to assist with the cost of electricity, cleaning, advertising, marketing and printing, and catering on the opening night of the exhibition to be held on Friday 28 October.

The event application scored 18/25 in the Sponsorship Program criteria assessment.

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

Council allocated \$30,000 in the 2022/2023 Budget to the Event Sponsorship program to sponsor events held in the Strathbogie Shire that meet the Sponsorship Program criteria and are submitted in line with the Guidelines. Applications can be received any time throughout the financial year and are considered at a Council meeting. Three applications are being considered at the October Council meeting, demonstrating significant demand for the Program.

This report recommends the approval of the sponsorship application from the Longwood Community Centre for \$2,000 to support the delivery of the 2022 Shrine of Remembrance exhibition '*Changed Forever: Legacies of Conflict*'.

MOVED: COUNCILLOR HOURIGAN

SECONDED: COUNCILLOR DICKINSON

That Council:

- 1. Approve sponsorship of \$2,000 from the 2022/23 budget allocation for sponsorship to the Longwood Community Centre Incorporated to assist with the delivery of the Shrine of Remembrance Exhibition at the Longwood Community Centre to be held 28 October – 27 November 2022;***
- 2. Work with the Longwood Community Centre Incorporated to reduce overall waste produced at the event through the implementation of the Waste Wise Events Guidelines as outlined in the Climate Change Action Plan 2022-27; and***

9.2.1 Application for Sponsorship – Shrine of Remembrance Exhibition (Longwood)
(cont.)

MOTION (cont.)

3. ***Make it a condition of the sponsorship funding that the Longwood Community Centre Incorporated comply with COVID-19 directions issued by the Chief Health Officer/Department of Health at the time of the event.***

200-21/22 **CARRIED**

7.58 pm: Councillor Murray returned to the meeting after the vote had been conducted

9.2.2 Application for Sponsorship – Euroa Music Festival

7.59 pm: Councillor Hayes-Burke left the meeting due to declaring a material conflict of interest

Author: Manager Community and Culture

Responsible Director: Acting Director Community and Planning

EXECUTIVE SUMMARY

Council has received a sponsorship application from the Euroa Music Festival Incorporated for sponsorship of the Euroa Music Festival to be held on 5 November 2022 at Euroa Memorial Oval.

The request is for \$5,000 in cash to go towards the cost of event insurance, signage and marketing. This is the second time the event will be held in Strathbogie Shire. The Strathbogie Shire Council sponsored the inaugural festival with a \$5,000 grant in 2020.

The event application scored 13/25 against the Sponsorship Program criteria assessment.

The event will result in several significant social and economic benefits to Euroa and the wider municipal Community and will be delivered in line with Council's Events and Regulatory policies and procedures.

Council allocated \$30,000 in the 2022/2023 Budget to the Event Sponsorship program to sponsor events held in the Strathbogie Shire that meet the Sponsorship Program criteria and are submitted in line with the Guidelines. There is a significant demand for the Program demonstrated by the number of applications already approved in this financial year (3). Three applications are being considered at the October Council Meeting. Currently there is \$23,899 remaining in the Event Sponsorship Program budget.

Council has also sponsored the Euroa Chamber of Commerce and Business \$3,000 for the Euroa Music Festival prelude event. These funds were awarded and provided to the Euroa Chamber of Commerce and Business at the 19 October 2021 Council meeting as the event was scheduled to take place on 25 March 2022. The event was rescheduled due to the postponement of the Festival and will now take place on Friday 4 November 2022, in Binney Street Euroa.

This report recommends approval of the sponsorship application from Euroa Music Festival Incorporated for a financial contribution of \$3,000 to support the delivery of the 2022 Euroa Music Festival, rather than the \$5,000 requested. This partial funding is recommended due to the demonstrated demand of applications for the event sponsorship fund and is consistent with similar applications approved by Council this financial year.

9.2.2 Application for Sponsorship – Euroa Music Festival (cont.)

MOVED: COUNCILLOR MURRAY
SECONDED: COUNCILLOR DICKINSON

That Council:

- 1. Approve sponsorship of \$3,000 from the 2022/23 budget allocation for sponsorship to the Euroa Music Festival Incorporated to assist with the delivery of the Euroa Music Festival at the Euroa Memorial Oval to be held on 5 November 2022;***
- 2. Work with Euroa Music Festival Incorporated to reduce overall waste produced at the event through the implementation of the Waste Wise Events Guidelines as outlined in the Climate Change Action Plan 2022-27; and***
- 3. Make it a condition of the sponsorship funding that Euroa Music Festival Incorporated comply with COVID-19 directions issued by the Chief Health Officer/Department of Health at the time of the event.***

201-21/22 **CARRIED**

8.03 pm: Councillor Hayes-Burke returned to the meeting after the vote had been conducted

9.2.3 Application for Sponsorship – Nagambie Lakes Community House Christmas Carols Event 2022

Author: Manager Community and Culture

Responsible Director: Director Community and Planning

EXECUTIVE SUMMARY

Council has received a sponsorship application from the Nagambie Lakes Community House to support the delivery of the 2022 Christmas Carols event on Sunday 4 December.

The request is for a cash contribution of \$5,000 to assist with the cost of musicians, technical production, staging and food purchases at this free event.

The event application was of an excellent standard, with the application scoring 24/25 in the Sponsorship Program criteria assessment.

The event will result in significant social and economic benefits to the Nagambie Community and will be delivered in line with Council's Events and Regulatory Policies and procedures.

In Council's approved operating budget 2022/2023, Council allocated \$30,000 to the Sponsorship program to sponsor events held in the Strathbogie Shire that meet the Sponsorship program criteria, submitted in line with the application Guidelines.

This report recommends the approval of the sponsorship application from the Nagambie Lakes Community House to the value of \$3,000 to support the delivery of the 2022 Christmas Carols event. The reduced amount is in line with other approved sponsorship applications in the current financial year and is in response to the demand for this funding already observed in the first quarter of the financial year.

MOVED: COUNCILLOR ANDREWS
SECONDED: COUNCILLOR DICKINSON

That Council:

- 1. Approve sponsorship of \$3,000 to Nagambie Lakes Community House to support the delivery of the Nagambie Christmas Carols event to be held on 4 December 2022;***
- 2. Work with the Nagambie Lakes Community House to reduce overall waste produced at the event through the implementation of the Waste Wise Events Guidelines as outlined in the Climate Change Action Plan 2022-27; and***
- 3. Make it a condition of the sponsorship funding that the Nagambie Lakes Community House comply with COVID-19 directions issues by the Chief Health Officer/Department of Health at the time of the event.***

202-21/22 **CARRIED**

9.2.4 Euroa Health Funding Advocacy

Author: Economic Development and Projects Coordinator

Responsible Director: Director Community and Planning

EXECUTIVE SUMMARY

The Euroa Bush Nursing Hospital (now known as Euroa Health Incorporated) was established in 1927 by the local community and is located at 36 Kennedy Street Euroa.

Euroa Health Incorporated (Euroa Health) provides the following services:

- Acute Care
- Urgent Care
- GraniteHill
- Residential Aged Care
- Care at Home
- Community Gym

Given Euroa Heath's Bush Nursing Hospital status, it is recognised as a private facility and although it does receive some limited State Government funding in the form of grants, it does not receive recurrent funding to support its operations. This is primarily due to its private status despite it being a registered charity operating as a not-for-profit which returns all monies and benefits to the community. There are some options to apply for grant funding to support the operations of the acute ward however, these are "one-off" funding options that rely upon the support and assent of the Minister and do not provide certainty for future operations of the service.

Euroa Health offers a 22 bed Acute Services Ward (with three beds dedicated to emergency treatment services on a 24-hour seven day per week basis). Euroa Health does not receive adequate State government funding to provide acute services and it has only been since 2017 that approximately \$400,000 (or \$18,181.00 per acute bed) has been provided by the State with the majority funding for the acute services being provided by community fundraising, patients with private health cover and Veterans Affairs patients. Numbers in these sectors are declining creating a shortfall in revenue which is not sustainable for more than two further years.

Unless adequate ongoing funding is provided by the State government Euroa Health will be forced to close the acute services ward and community members will need to travel to larger regional areas for acute medical services and hospitalisation.

In response to this necessity, Euroa Health is currently undertaking a large advocacy campaign lobbying for recurrent State Government funding of the hospital's acute care services.

Euroa Health's funding advocacy is centred around the following ask:

- Seeking the support of Government to adequately fund the Acute Service moving forward, and provide a level of parity in income for Euroa Health, and
- The people of the Strathbogie Shire are the only Shire in Victoria without a publicly funded hospital, and the time has come for the Government to ensure the viability of the service moving forward.

9.2.4 Euroa Health Funding Advocacy (cont.)

Euroa Health are seeking the sum of \$1.6 million per year from the State government to assist in funding it's acute services. This amount is much lower than that provided to other comparable hospitals and represents very high value for money to both the State government and the community. Securing this modest State Government funding will ensure that Euroa Health provides an important local service to our community into the future.

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

That Council:

- 1. Support Euroa Health Incorporated in its advocacy for recurrent State Government funding for its acute care service to ensure its ongoing viability and service provision to our community, and***
- 2. Write to local state members of parliament and candidates for the forthcoming state election and promoting Euroa Health's campaign through Council's various communication platforms.***

203-21/22 CARRIED

9.2.5 School Crossing Supervision Program

Author: Manager Community Safety

Responsible Director: Director Community & Planning

EXECUTIVE SUMMARY

The School Crossing Supervision Program is led and funded by the Department of Transport. Historically there has been an informal partnership between State and Local Government, with local government delivering the service on behalf of the state. Children's school crossings are placed at locations to help children safely cross the road, especially on their way to and from school with formal crossings monitored by a crossing supervisor before and after the school day. Some of these crossings also feature pedestrian-operated signals, where required. Council currently manages five school crossing sites within the municipality, four of these are located on Department of Transport managed roads. The only school crossing located on a council managed road is situated in Goulburn Street, Nagambie.

While local governments have traditionally provided the School Crossing Supervision service on behalf of the State there is no legislative requirement for Council to perform this role. Over time, the financial allocation from the state government for the program has dwindled, resulting in local governments and as such rate payers, picking up the short fall in funding. As the years progress, this funding gap is continuing to increase with Council contributing approximately 62% (to program costs) to top up this state government service. This inequity of funding is something faced by all local government areas that deliver the School Crossing Supervisor Program on behalf of the State Government.

In addition to the increasing costs in maintaining the program, it is becoming increasingly difficult to find staff for the role given the limited working hours (one hour in the morning and one hour in the afternoon on school days). Consequently, other Council staff are often being taken away from their normal duties to perform the crossing supervisor role. There has also been no innovation or review of the school crossing supervisor program since its inception in 1975, noting that in 2016 the Government made a commitment to undertake broad strategic review into the movement and safety of school students. To date that commitment remains unfulfilled.

Given this is an issue facing the Victorian local government sector, the City of Monash is coordinating an advocacy campaign (with the support of the Municipal Association of Victoria and a representative committee made up of other Council representatives) to seek restoration of funding for this critical service. In summary, the campaign objectives are:

- The Victorian Government to commit to fully fund the delivery of the School Crossing Program.
- Requesting the Victorian Government conduct an urgent review and reform of the current School Crossing Supervisor model (noting that in 2016, the Government made a commitment to undertake a broad strategic review into the movement and safety of school students that to date has remain unfulfilled).
- Engage with community stakeholders to increase awareness and support of the reduced/lack of financial support for Councils to provide school crossing supervisor services.

9.2.5 School Crossing Supervision Program (cont.)

The City of Monash are requesting a financial contribution of \$1,500 for rural/peri-urban Councils towards the advocacy campaign. At the time of writing this report, 22 councils have joined the campaign and the advocacy has commenced.

It is becoming unsustainable for Council to continue to take on the burden of the financial cost shift from the State Government for this service. Joining the advocacy campaign will focus attention on the need for a sustainable program into the future.

In addition, officers propose that Council include in its advocacy that the funding, if successful, should also be fully indexed. Should the advocacy campaign be unsuccessful, it is recommended that Council consider options into the future, including (but not limited to), looking to the exit service by 10 July 2023 with the view for the service to be operated directly by the Department of Transport with no loss or reduction of service levels for parents and children utilising this important service.

MOVED: COUNCILLOR HAYES-BURKE

SECONDED: COUNCILLOR MURRAY

That Council:

1. ***Recognises that child safety is and remains the primary consideration associated with the School Crossing Supervision Program;***
2. ***Join the City of Monash advocacy campaign to commit to fully fund the delivery of the School Crossing Program at a cost of \$1,500;***
3. ***Endorse that as part of this campaign, Strathbogie will also advocate for a fully indexed program; and***
4. ***Receive a further report in the March 2023 Council Meeting cycle to consider a range of options for the program (including but not limited to):***
 - a. ***Continue to provide the fully funded and indexed service on behalf of the State Government Department of Transport; or***
 - b. ***If full funding is not achieved, consider exiting the service by 10 July 2023 with the view for the service to be operated directly by the Department of Transport, with no change in service levels for parents and children utilising this important service.***

204-21/22 **CARRIED**

9.3 INFRASTRUCTURE

9.3.1 Tree Management Plan: Urban and Rural Strategies and Tree Management Policy

Author: Environment and Waste Coordinator

Responsible Director: Director Sustainable Infrastructure

EXECUTIVE SUMMARY

At its August 2022 Meeting Council endorsed the draft Tree Management Plan: Urban and Rural Strategies (the Plan) for community consultation. This period of consultation has now been completed and this report presents the Tree Management Plan: Urban and Rural Strategies and Tree Management Policy for final adoption by Council.

Council's Tree Management Plan documents the management strategies Council has in place to ensure the longevity and quality of trees within our urban environments, as well as the risk management framework that will be applied to mitigate risk to the community as much as is reasonable and practicable.

One submitter addressed the meeting.

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

That Council:

- 1. Note the community engagement report as attached to this report;***
- 2. Adopt the Tree Management Policy;***
- 3. Endorse the Tree management Plan: Urban and Rural Strategies, and***
- 4. Establish an annual Tree Planting Program target of an additional 100 trees in urban areas across the Shire for the 2022/23, 2023/24 and 2024/25 financial years, excluding tree plantings as part of the Streetscape programs, and requirements for new developments.***

205-21/22 **CARRIED**

9.3.2 Tender for Contract No. 22/23-11: Footpath and Kerb Works – Bury Street, Euroa

Author: Manager Projects Delivery, Project Officer, Procurement and Tenders Officer

Responsible Director: Director Sustainable Infrastructure

EXECUTIVE SUMMARY

Council has undertaken a competitive process for the Footpath and Kerb works along Bury Street Euroa, between Campbell Street and Binney Street.

The public tender process for the Footpath and Kerb Works – Bury Street Euroa has been undertaken to meet Council's compliance requirements under Council's Procurement Policy.

This project is required to make the necessary widening and extension of footpath to the kerb along Bury Street, Euroa, ensuring that Strathbogie Shire region has safe, efficient and quality footpaths. This project forms part of Council's adopted Capital Works Program for the financial year 2022-23.

Through public advertisement in local and national newspapers, Council invited tenders for the work under Contract 22/23-11, initially advertised between 5th August 2022 and 31st August 2022. At close of tender on 31st August 2022, three (3) tenders were received.

These tenders have been assessed and evaluated by Council Officers and having considered the results of the evaluation, it is recommended that Council awards this contract to One Stop Civil for the lump sum of \$235,000, including GST.

MOVED: COUNCILLOR HOURIGAN
SECONDED: COUNCILLOR RAEBURN

That Council:

- 1. Receives and notes the outcome of the tender assessment process for Contract Number 22/23-11 – Footpath and Kerb Works – Bury Street, Euroa Lump Sum as set out in the confidential appendices attached to this report;***
- 2. Awards the tender for Contract No 22/23-11 Footpath and Kerb Works – Bury Street, Euroa - Lump Sum to One Stop Civil Tatura for a total amount of \$235,000.00 including GST;***
- 3. Authorises officers to advise the unsuccessful tenderer; and***
- 4. Authorises the Chief Executive Officer to execute the Contract by signing and affixing with the Common Seal of Strathbogie Shire Council.***

206-21/22 **CARRIED**

9.3.3 Tender for Contract No. 22/23-06 22/23: Roads Reseal Program

Author: Project Officer Projects Delivery

Responsible Director: Director Sustainable Infrastructure

EXECUTIVE SUMMARY

As part of the Strathbogie Shire Council's approved budget, selected municipal roads require resealing to improve safety, increase life of the roads, to lower ongoing maintenance costs and to decrease frequency of maintenance activities. To implement the reseal program, tender documentation was prepared for the public advertisement.

Under this contract for 2022/23, it is planned to reseal selected segments of 18 council roads which were prioritised based on third party road conditions assessment done in 2022. This resealing work also includes reinstate line marking, installation of Raised Reflective Pavement Markers (RRPMs) as required and where applicable.

Through public advertisement in local and state newspapers, Council invited tenders for the work under Contract No. 22/23-06, Roads Reseal Program between 12/08/2022 and 07/09/2022. At the closing of Tender, six (6) tender submissions received. These tenders have been assessed and evaluated by Council Officers and a summary of results is detailed in this report.

Having considered the tender evaluation outcomes, it is recommended that the Council awards the lump sum contract to Boral Resources (VIC) Pty Ltd, for a total amount of \$812,058.37, including GST.

MOVED: COUNCILLOR MURRAY

SECONDED: COUNCILLOR HOURIGAN

That Council:

- 1. Notes the outcome of the tender assessment process for Contract No 22/23-06 Roads Reseal Program - Lump Sum as set out in the confidential appendices attached to this report;***
- 2. Awards the tender for Contract No 22/23-06 Roads Reseal Program - Lump Sum to Boral Resources (VIC) Pty Ltd based in Port Melbourne for a total amount of \$812,058.37, including GST;***
- 3. Authorises officers to advise the unsuccessful tenderers; and***
- 4. Authorises the Chief Executive Officer to execute the Contract by signing and affixing with the Common Seal of Strathbogie Shire Council.***

207-21/22 **CARRIED**

9.3.4 Tender for Contract No. 22/23-07: Pavement Rehabilitation Program 22/23

Author: Manager Project Delivery

Responsible Director: Director Sustainable Infrastructure

EXECUTIVE SUMMARY

Pavement Rehabilitation Program is part of Strathbogie Shire Capital Work Program for the Financial Year 2022-23. The project is required to maintain Council Road assets to ensure that Strathbogie Shire region has safe and high-quality local roads.

Through public advertisement in local and national newspapers, Council invited tenders for the Work under Contract No. 22-23-07 between 29/07/2022 and 09/09/2022.

Five (5) tenderers submitted tenders for the Work. These tenders have been assessed and evaluated by Council Officers and a summary of results is shown in the attached table (Attachments 1 and 2). Having considered the results of the evaluation, it is recommended that Council awards the tender contract to GW & BR Crameri Pty Ltd based in Myrtleford Victoria.

MOVED: COUNCILLOR RAEBURN
SECONDED: COUNCILLOR HAYES-BURKE

That Council:

- 1. Receives and notes the outcome of the tender assessment process for Contract No 22-23-07 Pavement Rehabilitation Program;***
- 2. Awards the tender for contract No 22-23-07 Pavement Rehabilitation Program-Lump Sum to GW & BR Crameri Pty Ltd for a total amount of \$1,421,750.00, including GST;***
- 3. Authorises officers to advise the unsuccessful tenderer;***
- 4. Authorises the Chief Executive Officer to execute the Contract by signing and affixing the Common Seal of Strathbogie hire Council; and***
- 5. Notes that construction will commence early December 2022 with an anticipated completion by March 2023.***

208-21/22 **CARRIED**

9.3.5 Municipal Association of Victoria October State Council Meeting Motion - Submission for increased essential road maintenance funding

Author: Director Sustainable Infrastructure

Responsible Director: Chief Executive Officer

EXECUTIVE SUMMARY

Strathbogie Shire Council is committed to providing a safe environment for the residents and travelling public; however, our road infrastructure has sustained a significant increase of reactive road maintenance repairs over recent years

The last three years La Nina activity has seen increased rain fall which in turn created a higher volume of maintenance activity on our roads and drainage network. The current funding arrangements are not sustainable and require urgent and sustained State Government funding intervention.

Compared to their rate base and ability to generate revenue, small rural shires are an asset heavy level of government. With the majority of revenue coming from rates and charges, the ability to raise the rates has been significantly constrained by the rate capping since 2016 which has not kept pace with actual costs required to construct, maintain and upgrade road and other assets.

Strathbogie has managed its road maintenance responsibility prudently, considering the combined impacts of climatic conditions, rate capping and reduced government grants. Over time continued less than ideal investment in roads, maintenance and infrastructure renewal, will have long-term impacts on the quality and safety of local roads across Strathbogie Shire and rural/regional councils in Victoria more broadly.

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

That Council note the Notice of Motion which calls for urgent and sustained State Government funding intervention for road maintenance and infrastructure renewal submitted to Municipal Association of Victoria (MAV) for consideration at the MAV State Council Meeting scheduled for Friday 14 October 2022.

209-21/22 ***CARRIED***

9.4 CORPORATE

9.4.1 Review – Purchasing Card Policy

Author: Chief Financial Officer

Responsible Director: Director People and Governance

EXECUTIVE SUMMARY

Council, at its Ordinary Meeting 15 October 2019 adopted the Purchasing Card Policy in its current form.

The policy is now due for review given some three years have lapsed since its adoption. The review has been undertaken by officers and a number of minor changes to the wording and structure of the policy have been made.

There is no change to the overall intent of the policy, however some changes related new card provider are included.

The following changes have been updated on the Purchasing Card Policy:

- New clarification added to who this policy applies to. (section 3, page 6)
- Minor changes to roles and responsibilities (Section 4, Page 6)
- Minor changes to card recording and authorisation in ProMaster added (Section 4, Page 8)
- New contact details added (Section 6, Page 10)

The updated policy was considered by the Audit and Risk Committee at an extraordinary meeting on 7 October 2022, with the recommendation being that Council note and adopt the revised policy subject to the following changes:

- Deletion of the bullet point relating to emergency situations in the policy statement section
- Amendment to the timing of internal audits on purchasing card activities and controls to reflect the cyclical review in accordance with the internal audit calendar set by the Audit and Risk Committee.

Following the review by the Audit and Risk Committee, the policy requires review and adoption by Council.

MOVED: COUNCILLOR HOURIGAN
SECONDED: COUNCILLOR DICKINSON

That Council:

- 1. Note and adopt the updated Purchasing Card Policy 2022; and***
- 2. Place the updated policy on Council's website, along with the publication of a notice in Council's weekly newspaper columns and social media pages informing the community about the adoption of the updated policy.***

210-21/22 **CARRIED**

9.4.2 Review – Rates and Charges Collection and Hardship Policy

Author: Chief Financial Officer

Responsible Director: Director People and Governance

EXECUTIVE SUMMARY

Council, at its Ordinary Meeting 17 March 2020 adopted the Rates and Charges Collection and Hardship Policy in its current form.

The policy is now due for review given some two years have lapsed since its adoption. This review has been undertaken and only minor changes have been made to the policy to:

- Clarify the policy relates to the waiving of rates and charges applies to rateable land used for residential purposes in accordance with Section 171(4) (b) of the Local Government Act 2020
- Inclusion of an updated financial delegations table
- Include a new requirement for the reporting of interest write offs to Council

There is no change to the overall intent of the policy, however some changes to spend amount purchase processes.

The updated policy was considered by the Audit and Risk Committee at an extraordinary meeting on 7 October 2022, with the recommendation being that Council note and adopt the revised policy.

Accordingly, this report seeks Council adoption of the revised policy.

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

That Council:

- 1. Note and adopt the updated Rates and Charges Collection and Hardship Policy 2022; and***
- 2. Place the updated policy on Council's website, along with the publication of a notice in Council's weekly newspaper columns and social media pages informing the community about the adoption of the updated policy.***

211-21/22 ***CARRIED***

9.4.3 Review – Disposal or Sale of Council Assets Policy and Procedure

Author & Responsible Director: Director Sustainable Infrastructure

EXECUTIVE SUMMARY

Council owns a range of assets to support service provision to the community ranging from roads, bridges, land and machinery and to information technology equipment and office furniture. Whether large or small, the responsible management of Council's assets must be a whole of organisation commitment.

A key part of the effective management of Council's assets is the identification of, and process for, disposing of redundant assets.

Whether a piece of land, piece of machinery or a smart phone, asset disposal needs to be undertaken in an open and transparent way.

The policy is now due for review given some three years have lapsed since its adoption. The review has been undertaken by officers and a number of minor changes to the wording and structure of the policy have been made.

There is no change to the overall intent of the policy given it has been operating well over the past three years, however some of the changes include:

- Translation into the new Council policy template
- Updating of document and position title references.

The updated policy was considered by the Audit and Risk Committee at an extraordinary meeting on 7 October 2022, with the recommendation being that Council note and adopt the revised policy subject to the following changes:

- Additional text on page 3 to read "Whether a piece of land, piece of machinery or a smart phone, asset disposal needs to be undertaken in an open and transparent way *that ensures a best value for money outcome is achieved.*"
- Additional text under section 4, Accountability and Responsibilities to ensure that the Chief Finance Officer is notified that the asset is disposed of so the asset register can be updated, and that all associated items to the asset (such as insurance, registrations, maintenance/service agreements) are cancelled/transferred.

MOVED: COUNCILLOR DICKINSON

SECONDED: COUNCILLOR HOURIGAN

That Council:

- 1. Note and adopt the updated Disposal or Sale of Council Assets Policy and Procedures 2022; and***
- 2. Place the updated policy on Council's website, along with the publication of a notice in Council's weekly newspaper columns and social media pages informing the community about the adoption of the updated policy.***

212-21/22 **CARRIED**

9.5 GOVERNANCE AND CUSTOMER SERVICE

9.5.1 Review – Risk Management Policy 2022

Author and Responsible Director: Director People & Governance

EXECUTIVE SUMMARY

The current Risk Management Policy was adopted by Council in June 2019.

The policy is now due for review given some three years have lapsed since its adoption. This review has been undertaken and it was decided that a major rewrite of the policy was required to reflect recent work undertaken with the Audit and Risk Committee in preparing the Strategic Risk Register.

The main changes made through the review process include:

- Translation to the new Council Policy template
- Inclusion of a new section on accountability and responsibilities to provide clarity around the implementation of the policy and its procedures
- Provision of a summary of our risk management approach, including the system for analysing, rating and treating risks
- Our overall risk rating approach and risk tolerance/intervention levels.

The revised policy will help drive the cultural change required across the organisation in relation to risk management. Significant gains in this area have been made over the past twelve months in terms of ensuring risk management is considered in our day-to-day operations, however it is fair to say there is still more work to be done.

Oversight of Council's risk management framework is a key focus for our Audit and Risk Committee. As such, the updated policy was considered by the Audit and Risk Committee at an extraordinary meeting on 7 October 2022.

Following the review by the Audit and Risk Committee, with no changes to the policy requested, this report seeks Council adoption of the revised policy.

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

That Council:

- 1. Note and adopt the revised Risk Management Policy 2022; and***
- 2. Place the updated policy on Council's website, along with the publication of a notice in Council's weekly newspaper columns and social media pages informing the community about the adoption of the updated policy.***

213-21/22 ***CARRIED***

9.5.2 Review – Council Expenses Policy 2022

Author and Responsible Director: Director People & Governance

EXECUTIVE SUMMARY

The current Council Expenses Policy was adopted by Council in August 2020. Council must adopt and implement this type of policy under section 41 of the Local Government Act 2020.

The policy is now due for review given some two years have lapsed since its adoption. This review has been undertaken and only minor changes have been made to the policy to:

- Utilise the new Council Policy template
- Update policy and Council Plan references
- Insert a new section on accountability and responsibility to provide clarity around the implementation of the policy and its procedures
- Provide clarity around the reimbursement of childcare costs given questions that have arisen around the receipt of the childcare rebate.

There is no change to the overall intent of the policy.

The updated policy was considered by the Audit and Risk Committee at an extraordinary meeting on 7 October 2022, with the request to delete the reference to the Australian Tax Office tax rebate amount per kilometre given this amount changes each year.

Following the review of the updated policy by the Audit and Risk Committee this report seeks Council adoption of the revised policy.

MOVED: COUNCILLOR HOURIGAN

SECONDED: COUNCILLOR DICKINSON

That Council:

- 1. Note and adopt the updated Council Expenses Policy 2022; and***
- 2. Place the updated policy on Council's website, along with the publication of a notice in Council's weekly newspaper columns and social media pages informing the community about the adoption of the updated policy.***

214-21/22 ***CARRIED***

9.5.3 Review – Public Transparency Policy 2022

Author and Responsible Director: Director People & Governance

EXECUTIVE SUMMARY

The current Public Transparency Policy was adopted by Council in August 2020. Council must adopt and implement this type of policy under section 57 of the Local Government Act 2020.

The policy is now due for review given some two years have lapsed since its adoption. This review has been undertaken and only minor changes have been made to the policy to:

- Utilise the new Council Policy template
- Update policy and Council Plan references
- Insert a new section on accountability and responsibility to provide clarity around the implementation of the policy.

There is no change to the overall intent of the policy.

This report seeks Council adoption of the revised policy.

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

That Council:

- 1. Note and adopt the updated Public Transparency Policy 2022.***
- 2. Place the updated policy on Council's website, along with the publication of a notice in Council's weekly newspaper columns and social media pages informing the community about the adoption of the updated policy.***

215-21/22 CARRIED

9.5.4 Monthly Performance Report

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

- Building Department – September 2022 Statistics
- Planning Department – Planning Application Approvals – Development Cost (Capital Improved Value) – September 2022
- Customer Enquiry Analysis Report – Report for September 2022
- Waste Management Reporting ~ Year to Date – September 2022
- Transfer Station Data – September 2022
- Actioning of Council Reports Resolutions – Council Meeting Tuesday 20 September 2022
- Outstanding Actions of Council Resolutions to 30 September 2022
- Review of Council Policies and Adoption of new Policies – September/October 2022
- Records of Informal Council Briefings / Meetings – 1 to 30 September 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 MURRAY

SECONDED: COUNCILLOR HOURIGAN

That the report be noted.

216-21/22 **CARRIED**

9.6 EXECUTIVE

9.6.1 Acting Arrangements – Chief Executive Officer Annual Leave

Author: Chief Executive Officer

EXECUTIVE SUMMARY

The Chief Executive Officer (CEO) requested and has had approved a period of annual leave effective 25 November 2022 to 1 January 2023. In accordance with the Local Government Act 2020, an application for annual leave, long service leave, personal leave or other absence is to be approved by the Mayor on behalf of Council.

Section 11(23) of the Local Government Act 2020 allows a Council to delegate to the CEO the power to appoint an Acting CEO for a period not exceeding 28 days. The appointment of Acting CEO for a period of leave exceeding 28 days will be made by Council resolution.

This recommendation seeks Council endorsement to appoint Amanda Tingay, Director Community and Planning to the Acting Chief Executive Officer role for the aforementioned period of approved annual leave in accordance with the requirements of the Local Government Act 2020.

MOVED: COUNCILLOR RAEBURN
SECONDED: COUNCILLOR HAYES-BURKE

That Council:

- 1. Endorse the appointment of Amanda Tingay, Director Community and Planning, to the acting role of Chief Executive officer effective from 25 November 2022 to 1 January 2023; and***
- 2. Note that a Higher Duties allowance will be paid for this period in accordance with Councils Higher Duties policy.***

217-21/22 **CARRIED**

9.6.2 2021/22 Annual Report

Author: Executive Manager Communications and Engagement

Responsible Director: Chief Executive Officer

EXECUTIVE SUMMARY

The Annual Report is a requirement under the Section 98 (1) of the Local Government Act 2020.

The annual report must be presented to a council meeting (open to the public) by 31 October 2022.

There is no longer a provision in the Act to submit the annual budget or annual report to the Minister for Local Government.

The annual report describes the organisation's performance over the 2021–22 financial year against the objectives of the Council Plan 2021-25 and Budget 2021–22.

The report tells us where Council is doing well and where we can do better in helping the community realise its long-term goals.

MOVED: COUNCILLOR ANDREWS

SECONDED: COUNCILLOR RAEBURN

That Council note the Strathbogie Shire Council Annual Report 2021-2022 for the year ended 30 June 2022, as attached to this report, including the Financial Statements and Performance Statement, as certified by the Auditor General.

218-21/22 ***CARRIED***

9.6.3 Cost Shifting Advocacy Campaign

Responsible Director: Chief Executive Officer

EXECUTIVE SUMMARY

Rising expenses, the ongoing rate capping system and cost shifting pose an increasing challenge to the financial sustainability of councils. In turn, this negatively impacts the vital services and infrastructure delivered on behalf of the community.

Councils manage many of the services and infrastructure used by communities every day. Compared to their revenue, small rural shires such as Strathbogie are an asset-heavy level of government.

Increasingly the state government expects councils to shoulder additional costs on top of this. Arrangements for many co-funded services such as emergency management, maternal and child health and the school crossing supervisor program have shifted in favour of the state over time. New responsibilities are also put on councils, or transferred from existing state agencies, without sustainable resourcing. Furthermore, the Royal Commission into National Natural Disaster Arrangements aptly noted that where a state government delegates responsibilities to local government, councils must be resourced and supported to perform them.

On 12 September 2022 the Boroondara City Council Mayor, Cr Jane Addis, wrote to all Victorian Councils expressing concern about the extent of cost shifting from the state government to local government which is limiting Council's ability to meet the future operational and infrastructure needs of its community (refer Attachment 1). Boroondara was requesting support to participate in a campaign that seeks to address the funding inequity and shortfall. This report recommends that Council join the campaign led by Boroondara City Council to lobby State Government to renegotiate agreements for co-funded services that over time have shifted an increasing burden to councils. Ensuring appropriate funding for services delivered on behalf of State Government will ensure that Council will be better able to respond to the needs and priorities of their communities and improved quality of local services and infrastructure across Victoria.

MOVED: COUNCILLOR HAYES-BURKE
SECONDED: COUNCILLOR MURRAY

That Council:

- 1. Note the letter from the Mayor of Boroondara City Council expressing concern about the extent of cost shifting from the State Government to Local Government which is limiting Council's ability to meet the future operational and infrastructure needs of its community; and***
- 2. Support this cost shifting campaign by writing to Premier of Victoria, Daniel Andrews, and Local State Members of Parliament expressing concern about the extent of cost shifting from the State Government to Local Government, limiting Council's ability to meet the future operational and infrastructure needs of its community that will ensure long term financial sustainability of Strathbogie Shire and the sector more broadly.***

219-21/22 **CARRIED**

10. NOTICES OF MOTION

Nil.

11. NOTICES OF RESCISSION

Nil.

12. URGENT BUSINESS

Nil.

13. CONFIDENTIAL BUSINESS

Nil.

NEXT MEETING

The next meeting of the Strathbogie Shire Council will be the Annual Statutory Meeting, which is scheduled to be held on Tuesday, November 8, 2022, at the Euroa Community Conference Centre, at 6pm.

The next monthly meeting of the Strathbogie Shire Council is scheduled to be held on Tuesday, November 15, 2022, at the Euroa Community Conference Centre, at 6pm.

THERE BEING NO FURTHER BUSINESS, THE MEETING CLOSED AT 9.34 P.M.

Confirmed as being a true and accurate record of the Meeting

.....
Chair

.....
Date