

Strathbogie Shire Council

Council Meeting Minutes / Decisions

November 15, 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, November 15, 2022, at 6pm

Meeting held at the Euroa Community Conference Centre and livestreamed on Council's website:

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

Council:

Cr Laura Binks (Mt Wombat Ward) – 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
Vlad Adamek – Director Sustainable Infrastructure
Kristin Favaloro – Executive Manager Communications and Engagement

Index

1. Welcome
2. Acknowledgement of Country
3. Apologies / Leave of Absence
Cr Paul Murray (Hughes Creek Ward) – Deputy Mayor
4. Disclosure of Conflicts of Interest
Nil
5. Confirmation of Minutes of Previous Meetings

MOVED: COUNCILLOR HAYES-BURKE
SECONDED: COUNCILLOR RAEBURN

1. ***That the minutes of the Council Meeting held on Tuesday, October 18, 2022, be confirmed.***
2. ***That the Minutes of the Extraordinary Council Meeting, including the Annual Statutory Meeting, held on Tuesday, November 8, 2022, be confirmed.***

01-22/23 **CARRIED**

6. Petitions
Nil
7. Reports of Mayor and Councillors and Delegates

Cr Andrews

- *Mentioned flooding issues still impacting on communities, not only across the Shire, but across the country as well. Praised community for coming together to help each other – very heartening to see. Thanked those who have provided support and assistance.*

Cr Dickinson

- *Acknowledged the Nagambie Little Athletics Club on recently starting up.*
- *Remembrance Day – great to see community response and awareness and acknowledgement of the day. Opening of Avenue of Honour in Nagambie the day before was very fitting.*
- *November is Men's Health Awareness 'Movember' Month.*

Cr Hourigan

- *Euroa Music Festival prelude event held in Binney Street on Friday 4 November 2022. Thanks to Council officers for assistance in ensuring Euroa Music Festival went ahead on Saturday 5 November, particularly with relocating the venue at short notice.*
- *Attended Remembrance Day service at Euroa – well attended event.*
- *Mentioned Agricultural Flood Recovery Information session being held on Friday 18 November and encouraged anyone needing help with flood recovery support services to attend.*

7. Reports of Mayor and Councillors and Delegates

Cr Hourigan (cont'd)

- *Heard concerns from community about floods and river systems. Goulburn Broken Catchment Management Authority is responsible for our waterways, and is undertaking an assessment of the flood impacts.*

Mayor Binks

- *State Government funding commitment of \$241,000 secured for Balmattum Hill Mountain Bike Riding Feasibility Study. Euroa Rotary Club contributing \$10,000.*
- *Euroa named Keep Australia Beautiful Victorian Tidy Towns Award Winner for 2022 – Euroa Arboretum restoration works, pop-up spaces in Binney Street, Euroa energy initiative. Award presentation at Euroa Arboretum on Wednesday 23 November 2022 at 10.00 am.*
- *Letters to State and Federal Politicians requesting support for funding to repair roads affected by recent rainfall/flooding, and for adequate ongoing funding to maintain roads.*
- *Acknowledged community's efforts to support each other through recent challenging times created by rainfall/ flooding, and support and assistance from Federal and State Government, SES, Victoria Police and CFA*
- *Conveyed thanks and best wishes to outgoing Member for Euroa, Steph Ryan, for her service to the electorate for the past eight years*
- *Wished all candidates for Euroa and Northern Victoria all the best for their campaigns.*

8. Public Question Time

Council Ref: DW: 14/2022

72 out of 79 Victorian Councils will fly a flag to recognise IDAHOBIT Day in 2023. Why won't Strathbogie Shire Council fly a rainbow flag that day?

Response provided by CEO

We acknowledge that members of the community wish for Council to do more and so we will prepare a report for Council to consider in the near future regarding flying the Rainbow flag on IDAHOBIT day, 17 May.

9. Officer Reports

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

10. Notices of Motion

11. Notices of Rescission

12. Urgent Business

13. Confidential Business

Next meeting

The next monthly meeting of the Strathbogie Shire Council is scheduled to be held on Tuesday, December 13, 2022, at the Euroa Community Conference Centre, at 6pm. Please note: this meeting will be held a week earlier than the normal schedule for Council meetings.

Reports Index

| | | |
|------------|--|----|
| 9. | OFFICER REPORTS | |
| 9.1 | Strategic and Statutory Planning | |
| 9.1.1 | 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 | 1 |
| 9.1.2 | Part 1 C52strb Flood Mapping Amendment | 3 |
| 9.1.3 | Planning Applications Received and Determined - 1 to 30 October 2022 | 5 |
| 9.2 | Community | |
| 9.2.1 | Application for Sponsorship – Ruffy Tablelands Community Christmas Party 3 December 2022 | 6 |
| 9.2.2 | Christmas Decorations Grant 2022 – Additional Recipients | 7 |
| 9.2.3 | 2022/2023 Council Christmas / New Year Closures | 9 |
| 9.2.4 | Independent Review of Inland Rail – Strathbogie Shire Council Submission | 10 |
| 9.3 | Infrastructure | |
| 9.3.1 | Tender for Contract No. 22/23-20: Landscape of Whroovale Estate Open Space | 11 |
| 9.3.2 | Contracts and Works Awarded Under Delegation | 12 |
| 9.4 | Corporate | |
| 9.4.1 | Financial Report to 30 September 2022 | 13 |
| 9.4.2 | Audit and Risk Committee Charter - Use of Exceptional Circumstances Exemption Clause to Reappoint Two Independent Community Members | 14 |
| 9.5 | Governance and Customer Service | |
| 9.5.1 | Monthly Performance Report | 16 |
| 9.6 | Executive | |
| 9.6.1 | Pitch My Project | 17 |
| 10. | NOTICES OF MOTION | 20 |
| | Nil | |
| 11. | NOTICES OF RESCISSION | 20 |
| | Nil | |
| 12. | URGENT BUSINESS | 20 |
| | Nil | |
| 13. | CONFIDENTIAL BUSINESS | 20 |
| | Nil | |

9. OFFICER REPORTS

9.1 STRATEGIC AND STATUTORY PLANNING

9.1.1 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.

Two submitters and the applicant addressed the meeting. A further submitter requested their submission be read out by the Mayor at the meeting.

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

That Council

- 1. Having caused notice of Planning Application No. P2021-052 to be given under Section 52 of the Planning and Environment Act 1987 and having considered all the matters required under Section 60 of the Planning and Environment Act 1987 decides to issue a Notice of Decision to Refuse to Grant a Permit under the provisions of the Strathbogie Planning Scheme in respect of the land known as (Lot 29 on Lodged Plan 099517), Taylor Drive, Miepoll VIC 3666, for the Use and development of the land for a Store (earthmoving equipment on site, and cars within existing shedding), based on the following grounds:***

- 9.1.1 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 (cont.)

MOTION (cont.)

- a) ***The proposal does not weight in favour; when assessed against what are considered appropriate decision guidelines of the Farming Zone:***
- *it is incompatible with adjoining and nearby land uses*
 - *The area is used for rural residential living as identified in the 2004 Rural Residential Strategy.*
- 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 02.03-3 - Environmental Risk - the proposed activity may pose an environmental risk as it has the potential to pollute waterways and soils, particularly during flood events.***
 - b. ***Clause 12.03-1S - River Corridors, Waterways, Lakes and Wetlands - the proposal may lead to potential pollution of waterways.***
 - c. ***Clause 13 – Environmental Risks and Amenity - the siting of the proposed Use has the potential to harm the environment, human health and amenity through incompatible land use.***
 - d. ***Clause 13.02-1S- Bushfire - the proposed Use has elements which increase the fire risk within the existing residential settlement.***
 - e. ***Clause 13.03-1S - Floodplain Management - the proposed activity may lead to the contamination (oils, fuel, chemicals) of floodwaters.***
 - f. ***Clause 13.04-1S - Contaminated and potentially contaminated land*
*The application is retrospective, there are concerns appropriate measures have not been in place and contamination of soils and water may have already occurred. The proposed Use may not be able to be mitigated and lead to future contamination. The land is identified in a rural residential area which is a sensitive use.***
 - g. ***Clause 13.05-1S Noise Management - the proposed activity has the potential to impact on the health of the occupants of nearby rural dwellings from noise exposure.***
 - h. ***Clause 13.07-1S – Land Use Compatibility – the proposed Use is incompatible with adjoining and nearby residential land uses due to amenity and pollution concerns.***
 - i. ***Decision Guidelines of Clause 65 – the proposed store will result in a compatibility issue with the surrounding residential land uses. The level of the proposed activity is considered not in keeping with the existing neighbourhood character. The Use is not associated or in accordance with a Home-Based Business. The proposed activity will cause an impact on the amenity of the residents. Additionally, the proposal may also result in pollution to the surrounding environment.***

9.1.2 Part 1 C52strb Flood Mapping Amendment

Author: Strategic Planner

Responsible Director: Director Community & Planning

EXECUTIVE SUMMARY

The C52strb planning scheme flood amendment aims to implement the flood mapping changes within the Euroa Post Flood Mapping and Intelligence Project, May 2015 and Violet Town Flood Study, May 2007. In order to achieve this, it is important that Council notes these reports. These studies and reports have considered flood risks and seek to apply the appropriate planning controls, to enable and facilitate updated flood mapping within the Strathbogie Planning Scheme for Euroa and Violet Town. The flood controls to be updated are:

Urban Floodway Zone (UFZ)

Unlike the overlays, the UFZ controls land use as well as development, with land use being restricted to low intensity uses such as recreation and agriculture. Development is generally not encouraged in the UFZ.

Floodway Overlays (FO)

These apply to land that's identified as carrying active flood flows associated with waterways and open drainage systems. This overlay is categorised by depths in excess of one metre.

Land Subject to Inundation Overlay (LSIO)

The LSIO covers areas that in a 1 in 100-year event are likely to be covered by floodwaters which are shallower. Such areas are commonly known as floodplains. Council has received updated flood mapping from the Goulburn Broken Catchment Management Authority (GBCMA) that covers Euroa, Violet Town and Nagambie.

This flood mapping is based on the modelling undertaken within the Euroa Post Flood Mapping and Intelligence Project, May 2015, the Violet Town Flood Study, May 2007 and the Nagambie Flood Study 2017.

The Euroa Post Flood Mapping and Intelligence Project, May 2015 and Violet Town Flood Study, May 2007 are both based upon recommendations of previous reports that included consultative community groups made up of local residents in each township and specific matter experts to assist and support recommendations made by relevant committees and groups. The flood events of 2022 may be used to refine mapping changes in the future.

Significant time has passed since the finalisation of the reports (2015, Euroa and Violet Town 2007) to implement updated flood mapping into the Strathbogie Planning Scheme as the GBCMA and Department Environment Land Water and Planning (DELWP) has only recently supplied Council with the updated mapping line work.

Council is requesting the Minister for Planning to authorize the preparation for a planning scheme amendment under section 8A of the *Planning & Environment Act 1989*. To facilitate the updated flood controls for Euroa and Violet Town. This report does not seek to address any outstanding or identified flood mitigation works identified in the identified studies and reports.

9.1.2 Part 1 C52strb Flood Mapping Amendment (cont.)

The Nagambie Flood Study was commissioned by the GBCMA and completed in 2017. Nagambie requires a separate amendment process to implement the flood mapping identified by the GBCMA. The Nagambie Flood Study has not had any form of consultation within the Nagambie community, nor have any background studies had any community reference groups or consultative committees. The updated flood mapping for Nagambie identifies a significant change to the number of properties to be subject to flood controls. Community engagement will need to occur with the Nagambie community before any amendment process can progress. This consultation will be undertaken in 2023.

MOVED: COUNCILLOR HAYES-BURKE

SECONDED: COUNCILLOR HOURIGAN

That Council:

- 1. Note the Euroa Flood Mapping and Flood Intelligence Project Report, May 2015;***
- 2. Prepare and exhibit a planning scheme amendment to include the updated flood controls of the Euroa Flood Mapping and Flood Intelligence Project Report, May 2015;***
- 3. Note the Violet Town Flood Study, May 2007; and***
- 4. Prepare and exhibit a planning scheme amendment to include the updated flood controls of the Violet Town Flood Study, May 2007.***
- 5. Note the Nagambie Flood Study requires further community consultation prior to any planning scheme amendment process commencing to implement the relevant updated flood controls for the township.***

03-22/23

CARRIED

9.1.3 Planning Applications Received and Determined - 1 to 31 October 2022

Author: 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 31 October 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 fourteen (14) new planning permit applications received and fifteen (15) new planning permit applications decided upon during the reporting period.

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

That Council:

- 1. Note that there were fourteen (14) new planning permit applications received, and fifteen (15) planning permit applications decided on during the period of 1 to 31 October 2022.***
- 2. Note the report.***

04-22/23 CARRIED

9.2 **COMMUNITY**

9.2.1 **Application for Sponsorship – Ruffy Tablelands Community Christmas Party 3 December 2022**

Author: Manager Community and Culture

Responsible Director: Director Community and Planning

EXECUTIVE SUMMARY

Council has received a sponsorship application from Ruffy Community Centre Incorporated to assist with a Community Christmas Party to be held on Saturday 3 December 2022.

The request is for a cash contribution of \$1,014 to assist with the cost of printing, activities and games, advertising, and catering for the free community event.

The event application was of a high standard, with the application scoring 21/25 in the Sponsorship Program criteria assessment.

The event will result in several significant social and economic benefits to the Ruffy 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 (6). This is the only application being considered at the November Council Meeting. Currently there is \$15,899 remaining in the Event Sponsorship Program budget.

This report recommends the approval of the sponsorship application from Ruffy Community Centre Incorporated for a contribution of \$1,014 toward the 2022 Ruffy Tablelands Community Christmas Party.

MOVED: COUNCILLOR ANDREWS
SECONDED: COUNCILLOR HAYES-BURKE

That Council:

- 1. Approve sponsorship of \$1,014 from the 2022/23 budget allocation for sponsorship to Ruffy Community Centre Incorporated to assist with the delivery of the Ruffy Tablelands Community Christmas Party be held on 3 December 2022 at the Ruffy Community Centre.***
- 2. Work with Ruffy 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***
- 3. Make it a condition of the sponsorship funding that Ruffy Community Centre Incorporated comply with COVID-19 directions issued by the Chief Health Officer/Department of Health at the time of the event.***

05-22/23 **CARRIED**

9.2.2 **Christmas Decorations Grant 2022 – Additional Recipients**

Author: Community Development Officer

Responsible Director: Director Community and Planning

EXECUTIVE SUMMARY

Strathbogie Shire Council's Christmas Decorations Grant opened on 1 July 2022 and closed on 1 August 2022 for submissions. The objective of the Christmas Decorations funding program is to provide towns in Strathbogie Shire the opportunity to decorate their main street and/or public space to celebrate the Christmas season.

The total budget allocation for the 2022 Christmas Decorations Grant Program is \$30,000. Grants are available for up to \$5,000 per township, multiple submissions may be considered if within the \$5,000 township allocation and the submissions are complimentary, however groups in the same town are encouraged to work with one another.

At the September Council Meeting, Council resolved to approve funding for four Christmas decorations projects in Avenel, Euroa, Longwood, and Nagambie; and for officers to work with Violet Town and Euroa to refine their applications in line with the funding guidelines and resubmit to Council for consideration.

As part of the refinement process, two (2) applications were received:

- Euroa Chamber of Business and Commerce – Installation of solar Christmas lights around the Euroa Township (\$2,969)
- Violet Town Community House – Installation and decommission of decorations in the business precinct of Cowslip Street in Violet Town (\$5,000)

The two (2) submissions from Euroa and Violet Town are both recommended for approval totalling an amount of \$7,969.

An allocation of \$16,300 was approved at the September Council Meeting, with this report recommending \$7,969 for approval, totalling \$24,269. It is recommended the remaining budget allocation of \$5,731 be reallocated to the Sponsorship Program given the demand seen for this program.

MOVED: COUNCILLOR HOURIGAN

SECONDED: COUNCILLOR DICKINSON

That Council:

1. ***Approve funding from the Christmas Decorations Grant Program budget to two projects (with conditions as identified in Attachment 1) for the total sum of \$7,969 as per the below;***

| <u>Project/Applicant</u> | <u>Funding requested</u> |
|---|---|
| <i>Xmas installations/ Euroa Chamber of Business and Commerce Street Christmas Decorations / Violet Town Community House</i> | <i>\$2,969 \$5,000</i> |

9.2.2 Christmas Decorations Grant 2022 – Additional Recipients (cont.)

MOTION (cont.)

2. ***Reallocate the remaining Christmas Decoration Grant 2022 balance of \$5,731 to the Sponsorship Program 2022/23.***

06-22/23 **CARRIED**

9.2.3 2022/2023 Council Christmas / New Year Closures

Responsible Officer: Chief Executive Officer

EXECUTIVE SUMMARY

The Council Offices in Binney Street, Euroa, Nagambie Customer Service Centre, and Operations Centres at Euroa and Nagambie close over the Christmas and New Year period each year, with the length of closure varying slightly, depending on when each public holiday falls.

This year, Christmas Day falls on a Sunday and therefore it is proposed that the office closes from 12.00 noon Friday 23 December 2022 and reopens at 8.45 am, Tuesday 3 January 2023. Typically, the office will close at 3.00 pm on Christmas Eve. However, in recognition and appreciation of the flexibility, agility and commitment of staff in ensuring continuity of service provision to our community in what has been challenging times during recent flood events, it is proposed to close the offices at 12.00 noon. This length of closure remains consistent with previous years and has been widely accepted by the community.

It is important to note that this closure relates mainly to Council administration, and many of Council's services will remain available during this time. Directors and Executive Managers will make appropriate staffing arrangements to ensure that Ranger, water patrols for Lake Nagambie, after hours and emergency response services and essential services and programs required to operate during this period continue to do so without interruption.

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

That Council:

- 1. Endorse the proposed closure of Council offices at 12.00 noon on Friday 23 December 2022 and reopen at 8.45 am on Tuesday 3 January 2023; and***
- 2. Authorise officers to publicise the closure by way of notice in locally circulating publications, on the Council's website, social media and notices at the Euroa Office and Nagambie Customer Service Centre.***

07-22/23 CARRIED

9.2.4 Independent Review of Inland Rail – Strathbogie Shire Council Submission

Author: Director Community & Planning

Responsible Director: Chief Executive Officer

EXECUTIVE SUMMARY

The Commonwealth Government's Inland Rail Project lead by the Australian Rail Track Corporation (ARTC) has a clear aim of getting more freight on rail. To support this vision in Victoria as part of the Tottenham to Albury project, work will be undertaken along the existing rail corridor throughout North East Victoria. More specifically in Euroa, there is not adequate clearance under the Anderson Street Bridge and new infrastructure will be required to safely allow for double-stacked carriage trains.

Up to \$14.5billion in equity and \$300 million in grant funding has been committed by the Australian Government to support the ARTC to deliver Inland Rail.

On 7 October 2022, the Australian Government announced the appointment of Dr Kerry Schott AO to lead an independent review of the Inland Rail Program.

The independent review will investigate the management and delivery of the Inland Rail Program. The review will help inform the future delivery of Inland Rail and will include consideration of the scope, schedule and cost of the program. It will also assess options for the new Inland Rail intermodal terminals to be built in Melbourne and Brisbane, and improved links to the ports of these cities.

Submissions from interested parties closed on the 11 November 2022. The independent review is expected to be completed by early 2023, with the findings provided to the Australian Government for consideration.

A full copy of Council's submission is an attachment to this report (Attachment 1).

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

That Council note the submission to the Independent Review of the delivery of the Inland Rail Program.

08-22/23 ***CARRIED***

9.3 INFRASTRUCTURE

9.3.1 Tender for Contract No. 22/23-20: Landscape of Whroovale Estate Open Space

Author: Manager Project Delivery

Responsible Director: Director Sustainable Infrastructure

EXECUTIVE SUMMARY

Strathbogie Shire Council is constructing a new Open Space Play area at the Whroovale Estate, located between Kheminda Crescent and Jean Claude Avenue, Nagambie.

The site was set aside during the Whroovale Development in 2019 and the space was intended to be used for a playground and open space.

The construction of an open space will provide the community with a play space that will encourage social interaction and promote health and wellbeing.

Officers have recently conducted community consultation to seek feedback to determine what the community would like to see in the open space and are now moving to the next phase.

Landscape services were sought through a tender process to design and construct the area creating a fit-for-purpose community space.

Officers recommend that Council award the tender for contract 22/23-20 Landscape of Whroovale Estate Open Space to Kialla Lawn & Garden for a total amount of \$113,718.00 inclusive of GST. This will complete the construction of a playground at the Whroovale Open Space and the successful tenderer will take the design and construct element of the playground into consideration.

***MOVED: COUNCILLOR ANDREWS
SECONDED: COUNCILLOR DICKINSON***

That Council:

- 1. Receives and notes the outcome of the tender assessment process for Contract No 22/23-20 Landscape of Whroovale Estate Open Space***
- 2. Awards the tender for contract No 22/23-20 Landscape of Whroovale Estate Open Space - Lump Sum to Kialla Lawn & Garden for a total amount of \$113,718.00 inclusive of GST;***
- 3. Authorises officers to advise the unsuccessful tenderer; and***
- 4. Authorises the Chief Executive Officer to execute the Contract by signing and affixing the Common Seal of Strathbogie Shire Council.***

09-22/23 **CARRIED**

9.3.2 Contracts and Works Awarded Under Delegation

Author: Procurement and Tenders Officer

Responsible Directors: Director Community & Planning / Director Corporate Operations

EXECUTIVE SUMMARY

The purpose of this report is to inform Council and the community of the status of request for the publicly advertised tenders, invitations for written quotations and quotations provided using collaborative and/or third party contracts which have been awarded under delegation for the period 1 to 31 October 2022. This report specifically relates to works that form part of Council's 2022/23 budget.

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

That Council note the:

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

10-22/23 CARRIED

9.4 CORPORATE

9.4.1 Financial Report to 30 September 2022

Author: Chief Financial Officer

Responsible Director: Director People & Governance

EXECUTIVE SUMMARY

The appended September Financial Report compares year-to-date Budget to Actual September 2022.

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

In relation to the current year the operating surplus for the three months period ending 30 September was \$18,880,817.

As at 30 September 2022, total capital works was \$2,150,223 not including committed works.

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

That Council note the Financial Report for the three months ended 30 September 2022.

11-22/23 ***CARRIED***

9.4.2 Audit and Risk Committee Charter - Use of Exceptional Circumstances Exemption Clause to Reappoint Two Independent Community Members

Author and Responsible Director: Director People and Governance

EXECUTIVE SUMMARY

The terms for two existing Audit and Risk Committee independent community members has now expired; that of Alistair Purbrick and Mark Freudenstein.

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

Clause 3.2 of the Charter states that existing committee members may be appointed by Council if exceptional circumstances are considered to exist. The challenges arising from the Covid 19 pandemic, the recent flood event and the challenge of transitioning to the new extensive requirements of the Local Government Act 2020 and the new workplan of the Committee are considered to represent such exceptional circumstances.

Further, membership continuity and stability is considered to be of paramount importance given the potential for two new Councillor representatives to be appointed at the December 2022 Council meeting and the contract with the existing Internal Auditors ending in June 2023. Should Council wish to advertise for two new independent members it would mean that there is potential for four new Committee members and new Internal Auditors to be appointed prior to June 2023, representing a significant amount of turnover in membership.

The Charter also aims to stagger the end of the terms of independent committee members to avoid loss of continuity. To this end, Mark Freudenstein is seeking an additional one (1) year term and Alister Purbrick an additional three (3) year term.

The staggering of the reappointments means that a public advertising process for independent members would be undertaken in late 2023, mid 2024 (when the other two Committee members' terms end) and 2025.

MOVED: COUNCILLOR ANDREWS

SECONDED: COUNCILLOR RAEBURN

That Council:

- 1. Determines that under clause 3.2 of the Audit and Risk Committee Charter exceptional circumstances currently exist that require continuity in Committee membership given the continued recovery from the Covid 19 pandemic and the October 2022 flood event, along with the continuing challenge of transitioning to compliance with the extensive work plan and Committee requirements under the Local Government Act 2020;***
- 2. Reappoint Mark Freudenstein for an additional one (1) year (term ending 1 December 2023) and Alister Purbrick for an additional three (3) years (term ending 1 December 2025);***

9.4.2 Audit and Risk Committee Charter - Use of Exceptional Circumstances Exemption Clause to Reappoint Two Independent Community Members (cont.)

MOTION (cont.)

3. ***Note that public recruitment processes for independent community members will be undertaken in 2023, 2024 and 2025 should the reappointments under dot point 2 be approved; and***
4. ***Note that a report will be submitted to the February 2023 Council meeting outlining the proposed public tender process for Internal Auditors to support the work of the Audit and Risk Committee given that the current contract ends in June 2023.***

12-22/23 **CARRIED**

9.5 GOVERNANCE AND CUSTOMER SERVICE

9.5.1 Monthly Performance Report

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

- Building Department – October 2022 Statistics
- Planning Department – Planning Application Approvals – Development Cost (Capital Improved Value) – October 2022
- Customer Enquiry Analysis Report – Report for October. 2022
- Waste Management Reporting ~ Year to Date – October 2022
- Transfer Station Date - October 2022
- Actioning of Council Reports Resolutions – Council Meeting Tuesday October 28, 2022
- Outstanding Actions of Council Resolutions to October 31, 2022
- Review of Council Policies and Adoption of new Policies – October/November 2022
- Records of Informal Council Briefings / Meetings – 1 to 31 October 2022

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

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

That the report be noted.

13-22/23 CARRIED

9.6 EXECUTIVE

9.6.1 Pitch My Project

Author: Executive Manager Communications and Engagement

Responsible Director: Chief Executive Officer

EXECUTIVE SUMMARY

Now in its third year, Council's Pitch My Project initiative is ensuring our Budget includes the projects and plans that matter to our community.

Since its inception we have funded more than 20 community projects throughout our Shire.

As the initiative has progressed, we have made changes and improvements.

Last year we launched early to ensure the pitched projects were included in the Draft Budget.

This year we are again proposing launching early, but we are also proposing we take community input a step further.

Officers are recommending that Council endorse the proposed Pitch My Project Guidelines, to ensure good governance and strong community input.

The proposed guidelines outline several stages, these being:

1. Extended submission / pitch period
2. Clear assessment process
3. Councillor assessment against set criteria
4. Equitable community vote

Officers are also proposing a \$300,000 allocation for Pitch My Project as part of the 2023/24 Budget. With funding of up to \$50,000 available, aligning to each of the six Strategic Focus Areas within the Council Plan.

Submitters will be asked to demonstrate strong community need and also how the idea aligns to our Council Plan.

Officers believe the Pitch My Project initiative is an important part of the flood recovery process and provides the opportunity to generate positive, community led, initiatives in the recovery period.

9.6.1 Pitch My Project (cont.)

MOVED: COUNCILLOR DICKINSON
SECONDED: COUNCILLOR ANDREWS

1. ***That the project be postponed for the 2023/24 financial year; and***
2. ***That the allocated funding of \$300,000 be re-allocated to road repairs.***

ON BEING PUT, THE ALTERNATIVE MOTION WAS LOST

Cr Dickinson called for a division

For the Motion

Cr Andrews
Cr Dickinson

Against the Motion

Cr Hourigan
Cr Hayes-Burke
Cr Raeburn
Cr Binks

MOVED: COUNCILLOR HOURIGAN

That the Recommendation be adopted, subject to the removal of point d) equitable community vote from Recommendation 1.

THE AMENDMENT LAPSED FOR WANT OF A SECONDER

MOVED: COUNCILLOR HAYES-BURKE
SECONDED: COUNCILLOR RAEBURN

That Council:

1. ***Endorses the new Pitch My Project Guidelines and approach which includes:***
 - a) ***an extended submission period,***
 - b) ***clear assessment process,***
 - c) ***Councillor assessment process, and***
 - d) ***equitable community vote.***
2. ***Endorses the alignment of Pitch My Project submissions to the six Strategic Focus Areas within the Council Plan.***
3. ***Approves the allocation of \$300,000 for Pitch My Project initiatives in the 2023/24 Budget.***

14-22/23 **CARRIED**

9.6.1 Pitch My Project (cont.)

MOTION (cont.)

Cr Dickinson called for a division

For the Motion

Cr Hayes-Burke

Cr Raeburn

Cr Binks

Cr Binks used a casting vote under Governance Rule 70

Against the Motion

Cr Andrews

Cr Dickinson

Cr Hourigan

10. NOTICES OF MOTION

Nil

11. NOTICES OF RESCISSION

Nil

12. URGENT BUSINESS

Nil

13. CONFIDENTIAL BUSINESS

Nil

NEXT MEETING

The next monthly meeting of the Strathbogie Shire Council is scheduled to be held on Tuesday, December 13, 2022, at the Euroa Community Conference Centre, at 6pm. Please note: this meeting will be held a week earlier than the normal schedule for Council meetings.

THERE BEING NO FURTHER BUSINESS, THE MEETING CLOSED AT 7.30 P.M.

Confirmed as being a true and accurate record of the Meeting

.....
Chair

.....
Date