

Strathbogie Shire Council

Council Meeting Minutes / Decisions

December 13, 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, December 13, 2022, at 6pm

Meeting held at the Euroa Community Conference Centre 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 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:

Amanda Tingay – Acting Chief Executive Officer
Dawn Bray – Director People and Governance
Vlad Adamek – Director Sustainable Infrastructure
Kristin Favaloro – Executive Manager Communications and Engagement
Rachael Frampton – Acting Director Community and Planning

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1. Welcome
2. Acknowledgement of Country
3. Apologies / Leave of Absence
 - Cr David Andrews (Lake Nagambie Ward)
 - Julie Salomon – Chief Executive Officer
4. Disclosure of Conflicts of Interest
 - The Acting Chief Executive Officer declared a general conflict of interest, under Clause 127 of the Local Government Act 2020, for Item 9.3.4 (Tender for Contract No. 22/23-27 Streetscape Design – Euroa Stage 2, and Strathbogie Township and Violet Town Stage 1 (Lump Sum Contract)) and Closed Business Item C.B. 1 (2023 Australia Day Awards – Determination of the Shire-wide award recipients)
 - Cr Dickinson declared a general conflict of interest, under Clause 127 of the Local Government Act 2020, in Item 9.2.1 (Community Grants Funding 2022-2023 Allocations Round 2).
5. Confirmation of Minutes of Previous Meetings

MOVED: COUNCILLOR MURRAY
SECONDED: COUNCILLOR RAEBURN

That the minutes of the Council Meeting held on Tuesday, November 15, 2022, be confirmed.

15-22/23 **CARRIED**

6. Petitions
 - Nil
7. Reports of Mayor and Councillors and Delegates
 - Cr Hayes-Burke
 - *Ran 16 Days of Activism*
 - *Opened Swimming Pools*
 - *Attended discussion on starting a ‘Yes’ campaign for the referendum on an Indigenous voice to Parliament. Noted that, in 2019, the previous Council supported First Nations representation in the form of a voice to Parliament through constitutional recognition. Event to be held in Euroa on 4 February 2023 in relation to ‘Yes’ campaign*
 - Cr Hourigan
 - *Congratulated Nationals member, Annabelle Cleeland, who won the seat of Euroa in Victorian State Government elections*
 - *Attended Euroa Show*
 - *Attended Twilight Market in Euroa*

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

- *Attended Twilight Market in Avenel*
- *Town visits with Councillors – Violet Town Mens Shed / Ruffy / Creighton's Creek*
- *Attended Euroa Pool opening*
- *Congratulated Euroa Lawn Tennis Club on being announced 'Most Outstanding Tournament: Euroa Lawn Tennis Club Labour Day (Vic)' at the Australian Tennis Awards*
- *Great to see Christmas decorations funded through a Council grant*
- *Acknowledged and supported 16 Days of Activism campaign*
- *Wished community a safe and Merry Christmas*

Cr Dickinson

- *Congratulations to Maureen Fowler on being awarded governorship of Nagambie Hospital*

Cr Murray

- *Attended MAV Mayors and Deputy Mayors Induction Workshop*
- *Attended Queen's Jubilee Tree Planting event at Avenel*
- *Attended opening of Euroa Swimming Pool*
- *Attended Euroa Community Garden for Christmas break-up*
- *Visited/attended luncheon at Currie Park, together with other Councillors*

Mayor

- *Noted Euroa Secondary College holding their presentation night in the Euroa Community Cinema tonight*
- *Congratulated Annabelle Cleeland on being elected as member for Euroa in the Legislative Assembly*
- *Congratulated the Hon. Wendy Lovell, the Hon. Jaclyn Symes, Gaelle Broad, Rikki-Lee Tyrell and Georgie Purcell on being elected to represent the five seats of Northern Victoria in the Legislative Council, and looks forward to working with them over the next four years to advocate for, and achieve, the needs of our region*
- *Approaching the end of the year, but Council is still working to engage with the community in person, online or via local print media*
- *Mobile Flood Recovery Hubs in Avenel tomorrow, 14 December 2022, Kirwans Bridge and Nagambie on 15 December*
- *Encouraged community members to visit Share Strathbogie website for more information on the formation of, and how to apply for membership on, Council's Community Panel (<https://share.strathbogie.vic.gov.au/community-panel>)*
- *Announced that annual Pitch My Project is now open for ideas for potential inclusion in Council's 2023/2024 Budget (<https://share.strathbogie.vic.gov.au/pitch-my-project-2324>)*

8. Public Question Time

- Nil

9. Officer Reports
 - 9.1 Strategic and Statutory
 - 9.2 Community
 - 9.3 Infrastructure
 - 9.4 Corporate
 - 9.5 Governance and Customer Service
 - 9.6 Executive
10. Notices of Motion
11. Notices of Rescission
12. Urgent Business
13. Confidential Business

Next meeting

The next monthly meeting of the Strathbogie Shire Council is scheduled to be held on Tuesday, February 21, 2023, at the Euroa Community Conference Centre, at 6pm. Please note: there is no meeting of Strathbogie Shire Council scheduled to be held in January 2023.

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	<i>(f) personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs</i>	
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9. OFFICER REPORTS

9.1 STRATEGIC AND STATUTORY PLANNING

9.1.1 Request for Waiver of Planning Permit Application Fee ~ Planning Permit Application P2022-144: Construction of Verandah Structures at the Euroa Men's Shed – 16 Frost Street, Euroa, and Future Fee Waiver Application Requests

Author: Manager Planning and Investment

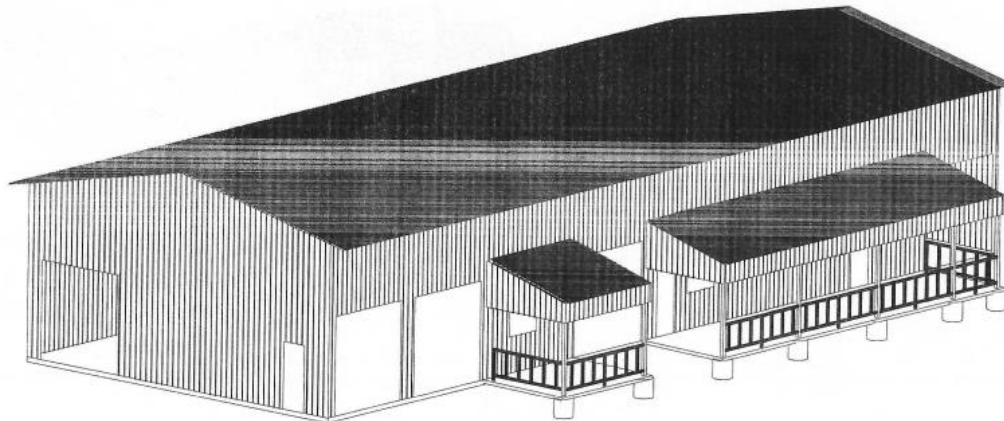
Responsible Director: Director Community and Planning

EXECUTIVE SUMMARY

This report seeks to consider a request for the waiver of the application fee for planning permit application number P2022-144. The fee for this application is \$1,185. The applicant is seeking a full fee waiver.

The request has been made due to the applicant being a not-for-profit community group, the Euroa Men's Shed.

The planning application proposes the construction of verandah structures at the existing Men's Shed Building at 16 Frost Street, Euroa (Euroa Showgrounds). Following the delegate assessment of the application, a planning permit has now been issued.



EUROA MEN'S SHED
PROPOSED VERANDA ADDITION

9.1.1 Request for Waiver of Planning Permit Application Fee ~ Planning Permit Application P2022-144: Construction of Verandah Structures at the Euroa Men's Shed – 16 Frost Street, Euroa, and Future Fee Waiver Application Requests (cont.)

In considering a request to waive fees for an application lodged under Section 47 of the Planning and Environment Act 1987, a fee can only be waived pursuant to section 20 of the Planning and Environment Regulations (Fees) 2016.

The request complies with section 20(d) of these Regulations as the Euroa Men's Shed is a not-for-profit organisation.

Historically requests for a waiver of planning permit application fees have been sent to Council for determination. This is despite the Director Community and Planning and Manager Planning and Investment being delegated to consider a fee waiver or reduction request under the *S6 Instrument of Delegation – Members of Staff*. To avoid the delays for planning permit applicants, it is recommended that future requests for planning permit application fee waivers or reduction be made by officers under delegation.

MOVED: COUNCILLOR DICKINSON
SECONDED: COUNCILLOR HAYES-BURKE

That Council:

1. ***Notes the request by the Euroa Men's Shed to waive the application fee for planning permit application P2022-144;***
2. ***Waives the \$1,185 planning permit application fee under Section 20(d) of the Planning and Environment Regulations (Fees) 2016 for application P2022-144 – construction of verandah structures at 16 Frost Street, Euroa; and***
3. ***Resolves to allow future requests for planning permit application fee waivers or reductions to be determined under delegation by officers in accordance with the S6 Instrument of Delegation – Members of Staff.***

16-22/23 **CARRIED**

9.1.2 Nagambie Streetscape Plan

Author: Strategic Planner

Responsible Director: Director Community and Planning

EXECUTIVE SUMMARY

Effective streetscape design is an integral part of shaping a community's identity, increasing civic pride and improving a sense of well-being and belonging. The purpose of a Streetscape Plan is to provide a visual guide for future streetscape development, rather than a literal or specific representation of works to be completed.

The Avenel, Euroa and Longwood Streetscape Plans have been previously adopted by Council. Work is underway to develop the Violet Town and Strathbogie Streetscape Plans. This report seeks the adoption of the Nagambie Streetscape Plan.

The Nagambie Streetscape Plan has identified works to be undertaken in 4 stages;

- Stage 1: Landscaping
- Stage 2: Landscaping, street furniture & pavement treatments
- Stage 3: High Street and Vale Street roundabout works
- Stage 4: Amenities block

To ensure community input into the development of the Nagambie Streetscape Plan, Council officers worked closely with GoNagambie on each step of the project. Council created a planned community engagement program and associated communications campaign that aimed to ensure our community was clear on how to have their say and felt confident in the process.

Our engagement approach was flexible and adapted as we moved through the stages and were impacted by coronavirus (COVID-19) restrictions. It ensured quantitative and qualitative engagement techniques were used to gather community feedback.

Stage 1 consists of landscaping works around Jacobsons Outlook and is identified for immediate action, while future stages will be subject to further community consultation (detailed design), external grant funding and subject to Council annual budgetary process.

The scope of work for the Nagambie Streetscape Plan also entailed the development of a signage audit to address and make recommendations to the visual bulk of signage along O'Dwyer Road and High Street through to the northern Nagambie interchange along Grimwade Road (the main commercial core of Nagambie).

A landscape plan for the beautification works to the southern Nagambie interchange connecting Mitchellstown Road, Tabilk-Monea Road, O'Dwyer Road and the Goulburn Valley Freeway has also been prepared as part of the project. This roundabout has been recommended for beautification works due to it being the main entry point to Nagambie for most visitors and tourists. Any future beautification works on the roundabout will need to be undertaken in conjunction with the Department of Transport, who are the asset owner.

9.1.2 Nagambie Streetscape Plan (cont.)

MOVED: COUNCILLOR DICKINSON
SECONDED: COUNCILLOR MURRAY

That Council:

- 1. Adopts the Nagambie Streetscape Plan, as amended in response to feedback received during the community engagement process;***
- 2. Allocates \$280,000 in funding to proceed with Stage 1 of the Nagambie Streetscape Plan from the 2022/23 Streetscapes budget;***
- 3. Notes the implementation of future stages of the Nagambie Streetscape Plan are subject to Council budget allocation and/or external funding opportunities;***
- 4. Notes the Nagambie Signage Audit, acknowledging that its implementation is subject to further discussions with key stakeholders, and future budget allocations and/or external funding opportunities; and***
- 5. Notes the Nagambie Roundabout Plan, and commences discussions with the Department of Transport regarding its implementation.***

17-22/23 **CARRIED**

9.1.3 Planning Applications Received and Planning Applications Determined - 1 to 30 November 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 30 November 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 seven (7) new planning permit applications received and eighteen (18) planning permit applications decided upon during the reporting period.

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

That Council:

- 1. Note that there were seven (7) new planning permit applications received, and eighteen (18) planning permit applications decided on during the period of 1 to 30 November 2022.***
- 2. Note the report.***

18-22/23 ***CARRIED***

9.2 **COMMUNITY**

9.2.1 **Community Grants Funding 2022-2023 Allocations Round 2**

6.29 pm: Councillor Dickinson left the meeting due to declaring a general conflict of interest.

Author: Community Development Officer

Responsible Director: Acting Director Community and Planning

EXECUTIVE SUMMARY

Round 2 of the Strathbogie Shire Council Community Grants funding program for 2022/2023 opened on 1 October 2022 and closed on 1 November 2022 with 12 applications received.

The intent of the Community Grants Program is to provide an opportunity for community groups to undertake projects that complement the focus areas of Council and encourage participation in a community activity at all stages of the project from planning to completion.

As specified in the guidelines, applications were invited under one of four below categories:

- Active and Healthy Communities
- Arts and Culture
- Environment and Sustainability
- Facilities and Infrastructure.

It is important to note that the fifth category Small Project Grants remains open all financial year, or until funds are expended.

The 2022/23 Community Grants program has a total budget allocation of \$115,000. A total of \$62,428.00 was distributed to grant recipients in round 1 with a further \$8,000 allocated to support the Small Projects Grants program and \$7,000 allocated to delivery of workshops and training to build the capacity of community.

The budget allocation for Round 2 of the 2022-2023 Community Grants Program is \$37,572.

Council received a total of 12 applications and used a community grant assessment panel to review and score the projects, based on the grant criteria.

This report recommends Council approve 10 community projects to the value of \$37,583.00.

MOVED: COUNCILLOR HAYES-BURKE
SECONDED: COUNCILLOR HOURIGAN

That Council award funding to ten (10) projects for the total sum of \$37,583.00 to the following organisations;

<u>Application/Organisation</u>	<u>Proposed Funding</u>
Avenel Market Committee	\$3,500.00
Euroa Friendlies Reserve COM	\$4,950.00

9.2.1 Community Grants Funding 2022-2023 Allocations Round 2 (cont.)**MOTION (cont.)**

<i>Friends of Nagambie Pool</i>	<i>\$5,000.00</i>
<i>Nagambie Lakes Sailing Club Inc.</i>	<i>\$5,000.00</i>
<i>Probus Club of Euroa</i>	<i>\$1,953.00</i>
<i>Nagambie Petanque Club</i>	<i>\$5,000.00</i>
<i>Euroa Agricultural Society</i>	<i>\$4,180.00</i>
<i>Euroa Historical & Genealogical Society</i>	<i>\$1,865.00</i>
<i>Avenel Jubilee Park COM</i>	<i>\$2,635.00</i>
<i>Friends of Euroa Off Leash Dog Park</i>	<i>\$3,500.00</i>

19-22/23 CARRIED

6.35 pm: Councillor Dickinson returned to the meeting after the vote on this matter had been conducted.

9.2.2 Days of Significance – Flying of Community Flags

Author: Acting Director Community and Planning

Responsible Director: Acting Chief Executive Officer

EXECUTIVE SUMMARY

Council often receives requests to fly flags in recognition of a local community event, group or day of symbolism or celebration (Community Flags). The most recent request Council has received is to fly the Rainbow Flag on International Day Against Homophobia, Biphobia, and Transphobia, held on 17 May annually.

Located at our municipal offices in Euroa, Council has four flag poles flying the Australian, Aboriginal, Torres Strait Islander and Taungurung Flags. The Australian Flag is flown in accordance with the Flags Act 1953 and the Australian Flag Booklet – Part 2: The Protocols, administered by the Department of Prime Minister and Cabinet.

To accommodate requests for Community Flags to be flown, it is proposed to utilise two existing flag poles in the municipality. One flagpole is located in the middle of the roundabout at Binney Street, Euroa and the other in front of the Nagambie Library at High Street, Nagambie. These flag poles owned by Council are currently utilised to fly the Shire Flag which consists of the Shire logo.

This report proposes Council Officers develop a Council protocol to guide the management and approval of requests to fly a community flag from members of Council staff and/or the Community. The draft protocol will be presented to Council for consideration at a future Council Meeting.

MOVED: COUNCILLOR DICKINSON
SECONDED: COUNCILLOR MURRAY

That Council:

- 1. Develop a draft protocol for the flying of Community Flags using existing Council owned flag poles in Binney Street Euroa and High Street Nagambie in recognition of days of significance and events of symbolism or celebration; and***
- 2. Present the draft protocol to Council for consideration at the March 2023 Council Meeting.***

20-22/23

CARRIED

9.3 INFRASTRUCTURE

9.3.1 Tender for Contract No. 22/23-18: Maintenance of Regatta Centre, Nagambie – Lump Sum

Author: Manager Community & Culture, Visitor Economy & Events Coordinator, Procurement and Tenders Officer

Responsible Director: Director Community & Planning

EXECUTIVE SUMMARY

Council has undertaken a competitive process for the Maintenance of Regatta Centre, Nagambie – Lump Sum tender.

The public tender process for the Regatta Centre Facilities Maintenance has been undertaken to meet Council's compliance requirements under Council's Procurement Policy.

This project is required for the maintenance and cleaning on-land and on-water of the Nagambie Lakes Regatta Centre precinct, including the Regatta Centre building.

Through public advertisement in local and national newspapers, Council invited tenders for the work under Contract 22/23-18, initially advertised between 4 October 2022 and 2 November 2022. At close of tenders on 2 November 2022, one (1) tender was received. The tender was issued for a Contract term of three years with 2 single year extensions available at sole discretion of Council (3 + 1 + 1).

The tender has been assessed and evaluated by Council Officers and, having considered the results of the evaluation, it is recommended that Council awards this contract to Bonza Repairs and Service for the lump sum of \$446,400 (including GST) for a three year period. The Contract is for a period of three years, plus two single year extensions at the discretion of Council.

MOVED: COUNCILLOR DICKINSON
SECONDED: COUNCILLOR HOURIGAN

That Council:

- 1. Receives and notes the outcome of the tender assessment process for Contract Number 22/23 18 – Maintenance of Regatta Centre, Nagambie – Lump Sum as set out in this report;***
- 2. Awards the tender for Contract No 22/23-18 Maintenance of Regatta Centre, Nagambie – Lump Sum to Bonza Repairs and Service Nagambie for a total amount of \$446,400, including GST, for a three year period with an option for two one-year extensions; and***
- 3. Authorises the Chief Executive Officer to execute the Contract by signing and affixing with the Common Seal of Strathbogie Shire Council.***

21-22/23 **CARRIED**

9.3.2 Tender for Contract No. 22/23-26: Design and Construct of 2 Play Spaces – Avenel and Creightons Creek

Author: Manager Project Delivery

Responsible Director: Director Sustainable Infrastructure

EXECUTIVE SUMMARY

Strathbogie Shire Council plans to replace the existing play equipment located at Creightons Creek Recreation Reserve and Jubilee Park in Avenel.

Council recently completed (September 2022) an audit of all its playgrounds and open spaces, and it has been identified that these two play spaces require updating. The construction of an updated play space will provide the community with a multi-functional and adaptable space that will encourage social interaction and promote health and wellbeing.

Council is currently developing a new Playground and Open Space Strategy, and a key component of the new strategy is to identify equipment that doesn't meet regulatory requirements and outline a replacement plan. The two play spaces proposed for replacement require immediate works to ensure safety and compliance and their replacement will also be consistent with best practice play provision.

Council invited tenders for the work under Contract 22/23-26, advertised between 14 October 2022 and 11 November 2022. At close of tender on 11 November 2022, five (5) tenders were received.

Upon Council approval, the successful tenderer will provide Council with options for the play equipment, and Council will conduct community consultation before construction.

MOVED: COUNCILLOR HOURIGAN
SECONDED: COUNCILLOR MURRAY

That Council:

- 1. Receive and note the outcome of the tender assessment process for Contract No. 22/23-26 Design & Construct of 2 Play Spaces – Avenel & Creightons Creek;***
- 2. Awards the tender for Contract No. 22/23-26 Design & Construct of 2 Play Spaces - Lump Sum to Adventure Playgrounds of Thomastown, for a total amount of \$179,267.00, inclusive of GST;***
- 3. Authorise officers to advise unsuccessful tenderers;***
- 4. Authorise the Chief Executive Officer to execute the Contract by signing and affixing the Common Seal of Strathbogie Shire Council; and***
- 5. Notes that construction will be completed by 30 June 2023.***

22-22/23 **CARRIED**

9.3.3 Contract Variation - Contract No. 19-20-44: Mullers Road ~ Road Reconstruction Stage 2

Author: Manager Projects Delivery

Responsible Director: Director Sustainable Infrastructure

EXECUTIVE SUMMARY

Re-construction of Mullers Stage 2 has been integrated into Strathbogie Shire Capital Work Program for the Financial Year 2022-23, being the second segment of Mullers Road scheduled for reconstruction having completed the reconstruction of a 4km segment of the road under the Stage-1 contract.

At the February 2021 Council Meeting, Council approved to award Contract No 19/20-44 for Mullers Road Reconstruction Stage-2 to Bitu-mill (Civil) Pty Ltd, after emerging as the preferred tenderer following a competitive procurement process. The lumpsum contract was awarded for a total sum of \$556,586.39 inclusive of GST.

Accordingly, the contract was awarded, and Contract Agreement fully executed on 26 July 2021. However, construction work could not commence due to delays arising from Cultural Heritage Management Plan (CHMP) and Planning Permits to remove the impacted trees. The time delay of more than 13 months was due to these delays and coupled with design changes which included new drainage components, additional fill materials and specification of higher grade of safety guard rails. At the September Council Meeting held on 20 September 2022, the Council approved the contract fee variation to accommodate the above delays and design changes which brought the new Contract value to \$758,214.31 inclusive of GST.

Contract work commenced on 14 November 2022 and a significant amount of soft ground treatment emerged as the works progressed which were unforeseen during the design stage. It is essential to perform the required treatment to bring the newly constructed road to its expected durability thus providing best value for the shire asset. This unforeseen condition has resulted in a cost increase of \$130,289.72 GST inclusive which is 17.18% increase on recently revised Contract value. The new Contract value of the project would be \$888,504.03 inclusive of GST, should this variation be approved.

MOVED: COUNCILLOR MURRAY

SECONDED: COUNCILLOR DICKINSON

That Council accept the variation of \$130,289.72 GST inclusive, increasing the value of Contract No 19/20-44 Mullers Road – Road Reconstruction Stage 2, to \$888,504.03 inclusive of GST to cover additional works required to complete this work.

23-22/23

CARRIED

9.3.4 Tender for Contract No. 22/23-27 Streetscape Design – Euroa Stage 2, and Strathbogie Township and Violet Town Stage 1 (Lump Sum Contract)

6.59 pm: The Acting Chief Executive Officer left the meeting due to declaring a general conflict of interest.

Author: Manager Project Delivery

Responsible Director: Director Sustainable Infrastructure

EXECUTIVE SUMMARY

Strathbogie Shire Streetscape Program commenced in the 21/22 financial year with Stage 1 works now completed in Euroa, Longwood and Avenel. External funding received through the Local Roads and Community Infrastructure Program has been assigned to further progress streetscape for Stage 2 at Euroa, Longwood and Avenel and Streetscape Plans developed Strathbogie and Violet Town incorporating Stage 1. The Nagambie Streetscape Plan is subject to a separate Council Report in this meeting agenda.

Contract 22/23-27 focuses on detailed design for Stage 2 at Euroa, Stage 1 at Strathbogie and Stage 1 at Violet Town. As the shire conducted the initial community consultation meetings with the relevant community groups for these three towns there are clear objectives identified.

Council invited tenders for the work under Contract 22/23-27, advertised between 26 October 2022 and 18 November 2022. At the close of tender on 18 November 2022, six compliant (6) tenders had been received. These tenders have been assessed and evaluated by the Tender Evaluation Panel and a summary of results is detailed in this report.

This report recommends Council awards the tender for the contract to Tomkinson Group Pty Ltd for the lump sum of \$113,476 (inc GST) and that the Director of Sustainable Infrastructure execute the contract on Council's behalf as the Acting CEO has declared a conflict of interest in this matter.

MOVED: COUNCILLOR HAYES-BURKE
SECONDED: COUNCILLOR RAEBURN

That Council:

- 1. *Receives and notes the outcome of the tender assessment process for Contract No 22/23-27 Streetscape Design – Euroa Stage 2, Strathbogie and Violet Town Stage 1 as set out in the confidential appendices to this report;***
- 2. *Awards the tender for contract No 22/23-27 Streetscape Design – Euroa Stage 2, Strathbogie and Violet Town Stage 1 - Lump Sum to Tomkinson Group Pty Ltd of Bendigo, for a total amount of \$113,476.00 inclusive of GST;***
- 3. *Authorises officers to advise the unsuccessful tenderers;***

9.3.4 Tender for Contract No. 22/23-27 Streetscape Design – Euroa Stage 2, and Strathbogie Township and Violet Town Stage 1 (Lump Sum Contract) (cont.)

MOTION (cont.)

- 4. Authorises the Director Sustainable Infrastructure to execute the Contract by signing and affixing the Common Seal of Strathbogie Shire Council; and**
- 5. Notes that the project will be completed by 31 March 2023.**

24-22/23 **CARRIED**

7.04 pm: The Acting Chief Executive Officer returned to the meeting after the vote on this matter had been conducted.

9.3.5 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 30 November 2022. This report specifically relates to works that form part of Council's 2022/23 budget.

***MOVED: COUNCILLOR HOURIGAN
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.***

25-22/23 CARRIED

9.4 CORPORATE

9.4.1 Strathbogie Shire Audit and Risk Committee – Confirmed Minutes of the Meetings held on 1 July, 16 September, 19 September and 7 October 2022

Author and Responsible Director: Director, People & Governance

EXECUTIVE SUMMARY

This report presents the confirmed minutes of meetings of the Audit and Risk Committee of 1 July 2022, 16 and 19 September 2022 and 7 October 2022 for Council's consideration.

The items considered by the Committee at these meetings were as follows:

1 July 2022

- Internal audit for Procurement and Accounts Payable
- Internal audit for the Tree Management Plan
- Internal audit for Past Issues
- Interim Audit and Management Letter for end of year financial reports
- Risk Management Update
- Budget preparation 2022-23 update
- Asset Plan update
- Audit and Risk Committee Workplan update
- Key Strategic Indicators – Human Resources
- Services provided to the community, Community Satisfaction 2022 results and other service indicators.

16 and 19 September 2022

The meeting of the 16 September did not achieve a quorum so the business was discussed further and confirmed at the meeting of the 19 September.

- 2021-22 Annual Financial Reports
- 2021-22 Performance Statement and Governance Management Checklist
- Closing report from the Victorian Auditor General's Office (provided by Crowe Australasia)
- Protective Data Security Plan
- Calendar of meetings for 2022-23 – additional dates for a Policy Review and Strategy meetings
- Audit and Risk Committee webpage and portal
- Annual Committee Performance Report and Biannual Audit and Risk Report
- Internal audit for Business Continuity and Disaster Recovery Planning
- Internal audit program status update and industry updates
- Outstanding Internal Audit Items update
- Policies update
- Strategic Risk Register update
- Audit and Risk Committee workplan
- Key Strategic Indicators – Human Resources.

9.4.1 Strathbogie Shire Audit and Risk Committee – Confirmed Minutes of the Meetings held on 1 July, 16 September, 19 September and 7 October 2022 (cont.)

7 October 2022 - Policy Review

- Procurement Policy review
- Disposal or Sale of Council Assets Policy review
- Purchasing Card Policy review
- Rates and Charges Collection and Hardship Policy review
- Council Expenses Policy review
- Risk Management Policy review.

The confirmed minutes from the above meetings are presented for Council's review and noting.

MOVED: COUNCILLOR RAEBURN
SECONDED: COUNCILLOR DICKINSON

That Council notes the Confirmed Minutes of the 1 July, 16 September, 19 September and 7 October 2022 Audit and Risk Committee meetings.

26-22/23 **CARRIED**

9.4.2 Council Policy Review – Complaints Policy 2022

Author and Responsible Director: Director People and Governance

EXECUTIVE SUMMARY

Council, at its Ordinary Meeting 14 December 2021, adopted the Complaints Policy in its current form.

The policy is now due for review, which has been undertaken by officers. Only minor changes to translate the policy into the new template and the updating of review date references have been made given that no concerns or issues have been raised since the policy's adoption twelve months ago.

The updated policy is recommended for Council adoption.

MOVED: COUNCILLOR MURRAY

SECONDED: COUNCILLOR RAEBURN

That Council:

- 1. Adopt the updated Complaints 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.***

27-22/23

CARRIED

9.4.3 Council Policy Review – Public Interest Disclosure Policy 2022

Author and Responsible Director: Director People and Governance

EXECUTIVE SUMMARY

Council, at its Ordinary Meeting 18 August 2020, adopted the Public Interest Disclosure Policy in its current form. This policy outlines Council's role in the public interest disclosure process as a nominated agency that can receive disclosures, which is a requirement under the *Public Interest Disclosure Act 2012* (formerly the *Whistleblowers Protection Act*).

The policy is now due for review, which has been undertaken by officers. Only minor changes to translate the policy into the new template, along with the updating of Officer titles, the insertion of a definition for a Public Interest Disclosure Officer and some grammatical corrections given that no concerns or issues have been raised since the policy's adoption.

The updated policy is recommended for Council adoption.

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

That Council:

- 1. Adopt the updated Public Interest Disclosure 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.***

28-22/23 CARRIED

9.4.4 Council Policy Review – Special Rate and Charge Scheme Policy 2022

Author: Director People and Governance

Responsible Director: Director Sustainable Infrastructure

EXECUTIVE SUMMARY

Council, at its Ordinary December 2021 meeting, adopted the Special Rate and Charge Scheme Policy in its current form. This policy outlines how special charge schemes are used to partially or completely fund new infrastructure projects where there is a clear and direct benefit to nearby properties that is beyond that enjoyed by the general municipal community.

The policy is now due for review, which has been undertaken by officers. Only minor changes to translate the policy into the new template, along with the updating of Officer titles have been made given that no concerns or issues have been raised since the policy's adoption.

The updated policy is recommended for Council adoption.

MOVED: COUNCILLOR RAEBURN

SECONDED: COUNCILLOR HAYES-BURKE

That Council:

- 1. Adopt the updated Special Rate and Charge Scheme 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.***

29-22/23

CARRIED

9.4.5 Council Policy Review - Procurement Policy 2022

Author: Chief Financial Officer and Procurement and Tenders Officer

Responsible Director: Director People and Governance

EXECUTIVE SUMMARY

Council, at its Ordinary Meeting 14 December 2021 adopted the Procurement Policy in its current form.

Sections 108 (1) of the Local Government Act 2020 (the Act) requires the Council to prepare, adopt and comply with a Procurement Policy. Section 108(5) of the Act also requires Council to review its Procurement Policy at least once during four year cycle. The current policy requires an annual review, which is to be supported by input from Council's Audit and Risk Committee.

While there is no change to the overall intent of the policy, additional sections have been added to reflect improvements in the governance structures that support procurement, including the introduction of project control groups and clarity around the budgeting and scoping of tenders.

A Sustainable Procurement section has been inserted to strengthen its relationship to Council's Climate Change Action Plan and the consideration of environmental benefits and impacts of procurement choices. This means the policy has a focus on circular procurement and also whole of life costs.

The updated revised policy was presented to the Audit and Risk Committee at its policy meeting in October 2022 and changes have been made in response to their recommendations to strengthen:

- Policy purposes relating to compliance with legislation, responding to the climate emergency and achievements of the objectives of the Memorandum of Understanding with the Taungurung Land and Waters Council (TLaWC)
- Inclusion of the CEO's delegated powers under the Accountabilities and Responsibilities section
- Identification of a weighting of a maximum 3.34% to assist the TLaWC in achieving its goals.

The updated policy is presented to Council for its adoption.

MOVED: COUNCILLOR MURRAY
SECONDED: COUNCILLOR RAEBURN

That Council:

- 1. Having received and considered the feedback from the Audit and Risk Committee, adopt the updated Procurement 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.***

30-22/23 **CARRIED**

9.5 GOVERNANCE AND CUSTOMER SERVICE

9.5.1 Ordinary Council Meetings Timetable for 2023

Author: Director People and Governance

EXECUTIVE SUMMARY

Rule 19 of the Governance Rules states that Council must annually fix the date, time and place of all Council meetings for the next 12 months. These dates and times can be altered under Rule 20 and additional meetings held under Rule 21.

Ordinary Council meetings are generally held on the third Tuesday of every month, except January (when no meeting is held), and December (when the meeting is held on the second Tuesday to enable the actioning of any Council resolutions prior to the Christmas/New Year office closure), starting at 6.00 pm in the Euroa Community Conference Centre.

Extraordinary Council meetings are convened as required, for example to hear submissions to the draft Budget and for the adoption of the Budget and Council Plan.

It is recommended that for continuity reasons meetings continue to be held on the third Tuesday of the month except for January and December, starting at 6.00 pm.

Council resolved two years ago to hold meetings in locations other than Euroa. The Covid 19 pandemic and uncertainty around the timing of lockdowns and social distancing provisions meant that this could not occur in 2021 or 2022.

It is considered appropriate to hold three (3) meetings at the Nagambie Regatta Centre during the year in an effort to achieve the wishes of Council to hold meetings in other locations.

The proposed schedule for Ordinary Council meetings in 2023 is -

- Tuesday 21 February 2023
- Tuesday 21 March 2023
- Tuesday 18 April 2023
- Tuesday 16 May 2023
- Tuesday 20 June 2023
- Tuesday 18 July 2023
- Tuesday 15 August 2023
- Tuesday 19 September 2023
- Tuesday 17 October 2023
- Tuesday 21 November
- Tuesday 12 December 2023.

9.5.1 Ordinary Council Meetings Timetable for 2023 (cont.)

MOVED: COUNCILLOR RAEBURN
SECONDED: COUNCILLOR MURRAY

That:

1. **Ordinary Council meetings be held on the third Tuesday of the month (except January, and December) commencing at 6.00 pm on the following dates:**
 - **Tuesday 21 February 2023 - Euroa Community Conference Centre**
 - **Tuesday 21 March 2023 - Euroa Community Conference Centre**
 - **Tuesday 18 April 2023 - Nagambie Regatta Centre**
 - **Tuesday 16 May 2023 - Euroa Community Conference Centre**
 - **Tuesday 20 June 2023 - Euroa Community Conference Centre**
 - **Tuesday 18 July 2023 - Nagambie Regatta Centre**
 - **Tuesday 15 August 2023 - Euroa Community Conference Centre**
 - **Tuesday 19 September 2023 - Euroa Community Conference Centre**
 - **Tuesday 17 October 2023 - Nagambie Regatta Centre**
 - **Tuesday 21 November - Euroa Community Conference Centre**
 - **Tuesday 12 December 2023 - Euroa Community Conference Centre**
2. **Notice of these meetings be publicised through Council's website, local newspapers and Council's social media pages.**

31-22/23 **CARRIED**

9.5.2 Councillor Committees / Boards Representation – 2022/2023

Author and Responsible Director: Director People and Governance

EXECUTIVE SUMMARY

In past years Council has nominated representatives for a number of internal committees as well as external committees and working groups.

The Councillor representative's role is to attend meetings on behalf of Council and to provide Council with briefings and updates on the matters/issues raised for further discussion by the Council as a whole.

Following the Council resolution at its September 2022 meeting, internal Advisory Committees have been replaced by the establishment of a Community Panel to provide input and advice from a broader and more representative cross section of the municipal community.

The purpose of this report is to firstly confirm that Councillor representation is approved and then to nominate the identified number of Councillor representatives on the various groups and bodies.

A summary of the role of each group, along with the representation from Council is being sought, as per the attachment to this report (Attachment 1).

MOVED: COUNCILLOR RAEBURN

SECONDED: COUNCILLOR HOURIGAN

That:

- 1. Council approve Council representation on the list of internal committees, external committees, bodies and working groups attached to this report.***
- 2. Council determine Councillor representatives for a variety of internal committees, external committees, bodies and working groups.***
- 3. The Chief Executive Officer notifies the relevant committees and working groups of the nominated Councillor representative(s).***

32-22/23

CARRIED

ATTACHMENT 1:**COUNCILLOR COMMITTEES / BOARDS REPRESENTATION – 2022/2023**

ADVISORY COMMITTEES	COUNCIL REPRESENTATIVE
Audit and Risk Committee	<i>To be determined at March 2023 Council meeting following endorsement of updated A&R committee charter</i>
Nagambie Waterways Advisory Committee	<i>Cr David Andrews (Chair) Cr Reg Dickinson</i>
Greening Euroa Project Steering Committee	<i>Cr Sally Hayes-Burke (Chair)</i>
Chief Executive Officer Performance and Remuneration Committee	<i>Mayor Laura Binks Deputy Mayor Paul Murray Cr Kristy Hourigan</i>

EXTERNAL COMMITTEES	COUNCIL REPRESENTATIVE
Municipal Association of Victoria	<i>Mayor Laura Binks</i> <i>Cr Chris Raeburn</i>
Hume Region Local Government Network	<i>Mayor Laura Binks</i>
Rural Councils Victoria	<i>Mayor Laura Binks</i> <i>Cr Kristy Hourigan</i>
Victorian Local Governance Association	<i>Cr Kristy Hourigan</i>
Australian Local Government Women's Association – Victorian Branch	<i>Mayor Laura Binks</i> <i>Cr Sally Hayes-Burke</i> <i>Cr Kristy Hourigan</i>
GV Libraries Board	<i>Deputy Mayor Paul Murray</i> <i>Cr Sally Hayes-Burke (Sub)</i>
Road Safe Goulburn Valley	<i>Cr Chris Raeburn</i> <i>Cr David Andrews (Sub)</i>
Goulburn Valley Highway Shepparton Bypass Action Group	<i>Mayor Laura Binks</i> <i>Cr Paul Murray (Sub)</i>
Goulburn Murray Climate Alliance	<i>Deputy Mayor Paul Murray</i> <i>Cr Sally Hayes-Burke (Sub)</i>
Calder Woodburn Memorial Avenue Advisory Committee	<i>Cr Reg Dickinson</i>

9.5.3 Ministerial Appointment of an Electoral Representation Advisory Panel

Author and Responsible Director: Director People and Governance

EXECUTIVE SUMMARY

Council has received a letter from the Victorian Electoral Commissioner, Warwick Gately AM, stating that the Minister for Local Government, Melissa Horne, has appointed an Electoral Representation Advisory Panel to review the municipality's electoral structure (Attachment 1).

The Victorian Electoral Commission (VEC) is required under the Act to provide the Panel with administrative support and will therefore be using their social media pages and website to publish notices, along with providing an online submission portal.

A copy of the terms of reference for the Panel was not provided by the Minister but was located on the Local Government Victoria website (Attachment 2).

The purpose of the Panel is to provide the Minister with advice prior to the issue of an Order in Council in relation to the new representation model to be applied to our municipality.

The review will commence on 1 February 2023 and is expected to conclude by 17 May 2023.

The Act states that the electoral structure must provide fair and equitable representation, while facilitating good governance. The default electoral model required by the Act is single councillor wards.

A Panel can, however, be appointed by the Minister to investigate the use of two other electoral models:

- An unsubdivided municipality; or
- Multi-councillor wards, with an equal number of councillors per ward.

The Panel must provide the Minister with advice on the following:

- The total number of councillors to be elected
- Whether the council should be subdivided or unsubdivided
- Ward boundaries (noting that each ward should have approximately the same number of voters, with a maximum variance of 10%)
- Ward names, having regard to the interests of the Taungurung Land and Waters Council.

Community engagement is required to be undertaken by the Panel under section 16 (10) of the Act. However, there is no prescription as to the form of engagement, but the Act does not prescribe deliberative engagement, such as that Council is required to undertake when making key strategic decisions.

Information was provided to Council on 6 December that the proposed consultation process is as follows (refer to Attachment 3):

- VEC Online public information session to be held with three other councils 30 January and 1 February 2023
- VEC Online public submission portal open for written submissions 1 February to 22 February (21 days only)

9.5.3 Ministerial Appointment of an Electoral Representation Advisory Panel (cont.)

- VEC Online public submission portal open for written submissions in response to the proposed final structure 22 March – 12 April 2023 (21 days).

The Act also requires councils to meet the cost of the review. Again, no details as to the quantum of the expected cost have been provided. Attempts have been made through the Municipal Association of Victoria to quantify potential costs, however given this is the first time this particular process has been undertaken, there is no benchmark available.

It is considered prudent, given the lack of information around the process, that Council writes to the Minister for Local Government to stress the importance of conducting a deliberative community engagement process.

Council should also raise concerns about the tight timelines for the Panel to undertake the review. The current timetable does not allow for meaningful community debate or deliberative consultation on a matter that has the potential to adversely affect the representation of smaller townships and outlying areas should an unsubdivided electoral model be implemented. Not only does the initial consultation phase commence just as school holidays end but the period to make submissions on the Panel's recommended option falls within the Easter school holidays (6 – 23 April). This is considered unacceptable and the recommendation requests that any consultation period is outside of Gazetted school holidays.

Lastly, given the impact of the October 2022 flood event and our focus on funding infrastructure and building repairs, it is recommended that Council request the Minister to defer the electoral representation review for Strathbogie Shire for a period of at least six months and also waive the requirement for Council to fund the review process.

The proposed electoral review was discussed at the 2 December 2022 Audit and Risk Committee meeting, with the Committee expressing strong concerns about the proposed timing of the review given we are still in full recovery mode after the flood and the organisation does not have spare capacity to participate in the electoral review in any meaningful way. The Committee recommended that Council request at least a six (6) month deferral of the review process. This is reflected in the recommendation.

A further report regarding the pros and cons of the different electoral structures and the identification of a Council position to advocate to the Panel will be prepared for the February 2023 Council meeting.

9.5.3 Ministerial Appointment of an Electoral Representation Advisory Panel (cont.)

MOVED: COUNCILLOR MURRAY
SECONDED: COUNCILLOR HAYES-BURKE

That Council:

- 1. Write to the Minister for Local Government, the Hon Melissa Horne, requesting the following:**
 - (a) the deferral of the electoral representation review by at least six (6) months due to Council's focus on flood recovery and the lack of sufficient resources to support a review this point in time;**
 - (b) a deliberative engagement process be undertaken by the Electoral Representation Advisory Panel across our municipal district to gain a broad cross section of views in forming its advice to the Minister on the future representation model for Strathbogie Shire Council;**
 - (c) an extension of the timelines for the review to allow for meaningful deliberative engagement to be undertaken and for public engagement processes to be held outside of Gazetted school holidays; and**
 - (c) the cost of the electoral representation review be met by Local Government Victoria given the averse, long term financial impacts of the October 2022 flood event.**
- 2. Receive a further report at its February 2023 meeting to identify a position to advocate to the Electoral Representation Review Panel.**

33-22/23 CARRIED

9.5.4 Monthly Performance Report

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

- Building Department – November 2022 Statistics
- Planning Department – Planning Application Approvals – Development Cost (Capital Improved Value) – November 2022
- Customer Enquiry Analysis Report – Report for November 2022
- Waste Management Reporting ~ Year to Date – November 2022
- Transfer Station Date - November 2022
- Actioning of Council Reports Resolutions – Council Meeting Tuesday November 15, 2022
- Outstanding Actions of Council Resolutions to November 30, 2022
- Review of Council Policies and Adoption of new Policies – November/December 2022
- Records of Informal Council Briefings / Meetings – 1 to 30 November 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.

34-22/23 CARRIED

10. NOTICES OF MOTION

Nil

11. NOTICES OF RESCISSION

Nil

12. URGENT BUSINESS

Nil

13. CONFIDENTIAL BUSINESS***CLOSURE OF THE MEETING TO CONSIDER MATTERS DEEMED CONFIDENTIAL IN ACCORDANCE WITH SECTION 66(2)(A) AND PART 1, SECTION 3 DEFINITIONS OF THE LOCAL GOVERNMENT ACT 2020***

(f) personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs

C.B. 1 2023 Australia Day Awards – Determination of the Shire-wide award recipients

This ground has been applied to this matter as it relates to personal information in relation to nominations for Australia Day 2023 Awards, which must remain confidential until the event.

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

That Council, in conformance with section 66(2)(a) and the definitions for confidential matters under Part 1, section 3 the Local Government Act 2020 (the Act), resolve to close the meeting to members of the public for the purpose of considering Item 13, as it relates to personal information under the definition of section 3(f) of the Act.

35-22/23 ***CARRIED***

The Mayor requested that the community member in the gallery please leave the room for the next few minutes, and that livestreaming of the meeting be suspended while the confidential matter was considered.

8.01 pm: The Acting Chief Executive Officer left the meeting due to declaring a general conflict of interest in the matter being considered in Confidential Business.

The public gallery was closed and livestreaming of the meeting to the public ceased at 8.02 p.m.

13.1 Confirmation of Confidential Business Decision/s

The livestreaming of the meeting to the public recommenced at 8.17 p.m.

The Acting Chief Executive Officer returned to the meeting on the re-opening of the meeting to the public.

Confidential Business Decision/s

C.B 1 2023 Australia Day Awards – Determination of the Shire-wide award recipients

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

That Council:

1. **Confirm the list of township Australia Day award recipients for the overall Shire-wide awards for each of the six (6) award categories as follows:**
 - a. **Community Organisation of the Year;**
 - b. **Junior Citizen of the Year (under 15 years at 26/01/2023);**
 - c. **Young Citizen of the Year (between 15-25 years at 26/01/2023);**
 - d. **Citizen of the Year (over 25 years at 26/01/2023);**
 - e. **Senior Citizen of the Year (over 65 years at 26/01/2023);**
 - f. **Event of the Year (Event occurred after 27/01/2022)**
2. **Adopt the protocol as set by the National Australia Day Council that the selected Shire-wide award recipients remain confidential until they are officially announced on Australia Day, 26 January 2023.**

38-22/23 **CARRIED**

It is noted that names of award recipients and/or organisations have not been included in Motion 1 to ensure adherence to Motion 2.

NEXT MEETING

The next monthly meeting of the Strathbogie Shire Council is scheduled to be held on Tuesday, February 21, 2022, at the Euroa Community Conference Centre, at 6pm. Please note: there is no meeting of Strathbogie Shire Council scheduled to be held in January 2023.

The Mayor concluded the meeting by wishing everyone a safe and happy summer and all the best for new year, from Councillors and staff.

THERE BEING NO FURTHER BUSINESS, THE MEETING CLOSED AT 8.20 P.M.

Confirmed as being a true and accurate record of the Meeting

.....
Chair

.....
Date