

Strathbogie Shire Council

Council Meeting Minutes / Decisions

March 21, 2023

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, March 21, 2023, 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 Paul Murray (Hughes Creek Ward) – Deputy Mayor
Cr David Andrews (Lake Nagambie Ward)
Cr Reg Dickinson (Lake Nagambie Ward)
Cr Sally Hayes-Burke (Seven Creeks Ward)
Cr Chris Raeburn (Honeysuckle Creek Ward)

Officers:

Julie Salomon – Chief Executive Officer
Amanda Tingay – Director Community and Planning
Dawn Bray – Director People and Governance
Kristin Favaloro – Executive Manager Communications and Engagement
Bruce Rowley – Acting Director Sustainable Infrastructure

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1. Welcome
2. Acknowledgement of Country
3. Apologies / Leave of Absence
 - Cr Laura Binks (Mt Wombat Ward) – Mayor
 - Cr Kristy Hourigan (Seven Creeks Ward)
 - Vlad Adamek – Director Sustainable Infrastructure
4. Disclosure of Conflicts of Interest
 - Cr Raeburn declared a general conflict of interest under section 127 of the Local Government Act 2020 in Item 9.2.6
 - Cr Hayes-Burke declared a general conflict of interest under section 127 of the Local Government Act 2020 in Item 9.2.4
 - Director Community and Planning declared a general conflict of interest under section 127 of the Local Government Act 2020 in Item 9.2.4
5. Confirmation of Minutes of Previous Meetings

MOVED: COUNCILLOR RAEBURN
SECONDED: COUNCILLOR HAYES-BURKE

1. ***That the minutes of the Council Meeting held on Tuesday, February 21, 2023, be confirmed.***
2. ***That the minutes of the Extraordinary Council meeting held on Tuesday, February 28, 2023, be confirmed, noting a minor administrative correction to Item No. 6.3, being the updating of the contract number in the resolution to Contract No. 22/23-33.***

64-22/23 **CARRIED**

6. Petitions
Nil
7. Reports of Mayor and Councillors and Delegates
Cr Hayes-Burke
 - *With the Mayor and Cr Raeburn, hosted the Keep Australia Beautiful national judge on her visit to Euroa on 1 March 2023. Euroa recently won Tidy Town competition for Victoria and will now be in contention to win the national championships, to be announced in May.*
 - *Acknowledged International Women’s Day event on 8 March 2023.*
 - *Acknowledged Euroa Labour Day Tennis Tournament – congratulations to event organisers and volunteers.*Cr Murray
 - *Acknowledged International Women’s Day event on 8 March 2023, hosted by Strathbogie Shire Council and held at “The Falls”, Longwood East.*
 - *Pet Registration Renewal notices – incorrect information on notices. Residents urged to check the information on their notices.*
 - *Economic Development Strategy is on public exhibition for community comment. Submissions close 5 April 2023.*
 - *Council calling for Expressions of Interest for Public Art Work in Euroa. EoI close on 31 March 2023*

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

Cr Murray (cont.)

- *Online Waste Wise workshop being held 22 March 2023*
- *Acknowledged Euroa Labour Day Tennis Tournament, with over 650 participants competing in a very successful event. Congratulations to all involved.*

8. Public Question Time

Council Ref: LC: 04/2023

Can they put a bridge on the flood way of Leo's Rd as it floods every year stopping access to our properties and stock.

Response by CEO

Thank you, Lee, for your enquiry.

This has been assessed and it is noted that the particular floodway contains only low-level flow capacity. Recent flooding has placed great strain on much of Council and the community's rural drainage and flow paths and the assets within them.

There are currently a number of low-level crossings across the Strathbogie Shire road network which ultimately could be upgraded to cater for high flow where budget allows.

Council is meeting its funding requirements for the bridge renewal program for its current asset register. Due to the extensive transport network requiring renewal, the current priority is to meet the renewal demand and carry out the project management in line with relevant standards.

At this stage maintenance allocations are available to service the existing culvert/s. Your proposal is however noted and Council will continue to monitor the existing network and flood issues so that future road upgrade strategies relating to access can reflect projects that are beneficial to the public which factor in cost, benefit and risk values.

This project is recognised as a capital works request and will be reviewed alongside the various others for its benefit on the above-mentioned values.

Council Ref: PC: 05/2023

1. My question is why wasn't due process followed from the outset in regards to Community Engagement?
2. And can we be assured that process will be followed in future for any Community Projects in the Violet Town area?

Response by CEO

Thank you for your questions, Paul.

Your question relates to item 9.2.6 on tonight's agenda relating to the Violet Town Recreational Vehicle Friendly site.

In response to your first question, members of the community that have championed this project have worked hard to provide information and gather input from the community. This is a community led and driven project and, as such, Council's policies do not apply to community groups. Members of Council's Communications and Engagement team are willing to provide guidance, if requested.

In response to your second question, Council has a Community Engagement Policy. This policy guides our community engagement with the aim to ensure absolute best practice. We also recently established a community panel which will provide input into our decision making with representation across the Shire, including members from the Violet Town community.

Once again, for community led projects, Council's policies do not apply to community groups, but please be assured that our Communications and Engagement team are willing to provide guidance.

8. Public Question Time

Council Ref: MC: 06/2023

1. Was an area near the Dump Point ever considered as an RV Site? If not, why not? Why was the Dump Point approved and installed prior to any Community Engagement in regards to an appropriate RV Friendly Trial Site?
2. Will we be informed in future if another group is being formed for the purpose of getting a trial off the ground at the Tulip St site?

Response by CEO

Thank you for your questions, Marg.

These questions also relate to item 9.2.6 on the Agenda.

In response to your questions regarding the dump point, I understand that there were several sites considered. These were then narrowed down to a small number of possible sites for further consideration. The dump point was required to be located close to a sewer line and we worked with community members to find the best site.

Should the Officer recommendation be supported this evening, and should a governance group be established, it will be up to that individual governance group to inform the community of any progress on the trial. As previously advised, Council's Communication and Engagement team are happy to assist with any guidance.

Council Ref: TM: 07/2023

1. Landfill at Violet Town
What are the requirements to maintain this landfill ?
2. Road reserves in the shire
Why is this Shire not keeping up with the future infrastructure for tomorrow?
As at present this shows there is no upkeep of the road reserves.

Response by CEO

Thank you for your questions, Tom.

In answer to your first question, the closed Violet Town landfill is currently being rehabilitated to the current EPA standards. Once this has been completed Council will update the Aftercare Management Plan (AMP) which outlines the monitoring requirements for the sites, inclusive of:

- Inspections of the cap for cracking
- Vermin and weed control.
- Ground water and leachate monitoring
- Dust, odour, and litter
- Landfill Gas

This will continue to be reviewed biannually to assess the ongoing environmental risk of the site to surrounding receptors and will make recommendations in the reduction or increase of the monitoring requirements. Once the site is determined to be no longer a risk to the surrounding environment (usually about 30 years from the date of rehabilitation) monitoring on site will stop. Council will continue to be responsible for the management of the land, now and ongoing.

In answer to your second question, Council currently implements its Road Management Plan to address the upkeep/maintenance of road reserves. Council also is directed by its Tree Management Plan for issues relating to vegetation including roadside vegetation.

8. Public Question Time (cont.)

Response to Council Ref: TM: 07/2023 (cont.)

In relation to the upkeep of road reserves relating to flooding and the various damage created, there has been an extensive process to make use of eligible funding (NDRF) relating to essential public assets. Flood damaged has been catalogued and rectification packages successfully tendered. Council are currently inducting contractors ahead of the commencement of works beyond those which were emergency works.

- 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, April 18, 2023, at the Euroa Community Conference Centre, at 6pm.

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9. OFFICER REPORTS

9.1 STRATEGIC AND STATUTORY PLANNING

9.1.1 Adoption of Strathbogie Planning Scheme Amendment C80strb

Author: Strategic Planner

Responsible Director: Director Community and Planning

EXECUTIVE SUMMARY

The purpose of this report is for Council to consider a request to be made to the Minister for Planning to approve amendment C80strb to the Strathbogie Planning Scheme. Planning Scheme C80strb (C80) is a combined planning permit application and planning scheme amendment under Section 96A of *the Planning and Environment Act 1987* (the Act).

At the Council meeting held 15 September 2020, Council unanimously resolved to seek Ministerial authorisation to prepare and exhibit a combined planning scheme amendment (C80) and permit application P2019-096 for land 401 High Street Nagambie and 19 Lobbs Lane, Nagambie.

The amendment includes rezoning of the subject land from Farming Zone (FZ) to General Residential Zone (GRZ), proposes changes to the Floodway Overlay (FO) and applies the Environmental Audit Overlay (EAO) to part of the land subject to the planning permit application. The EAO is being applied as an environmental audit is currently being undertaken within the subject site. This audit is yet to be finalised and signed off by an independent auditor. No sensitive uses or buildings and works to facilitate such uses can be undertaken until the audit has been completed. The EAO will ensure this audit process is completed in line with relevant legislation.

The application also seeks planning permit approval for the subdivision of the land for a multi-lot residential subdivision, the creation/alteration of access to the Transport Zone Category 2 (High Street), and the removal of native vegetation and associated earthworks. A draft planning permit and associated conditions form part of the planning scheme amendment documentation to be submitted to the Minister for approval.

Section 173 Agreements associated with the draft planning permit have been prepared and are in the process of being signed. These agreements secure the provision of public works by the developer on both Council and Goulburn-Murray Water land. In principle agreement has been obtained from all parties on the matters contained within these agreements.

Amendment C80 was on public exhibition for a period of four weeks. Three submissions were received following public exhibition, two of which were from agencies; Goulburn Broken Catchment Management Authority (GBCMA) and Goulburn Murray Water (GMW). The other submission was from a private landowner. All submissions received by Council have been addressed, resolved, and withdrawn without the need for a Planning Panel.

9.1.1 Adoption of Strathbogie Planning Scheme Amendment C80strb (cont.)

As all submissions have been reviewed and resolved, Council is now required to decide on amendment C080. Council officers recommend that Council adopt Amendment C80strb and submit the Amendment to the Minister for approval.

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

That Council:

- 1. Adopt Amendment C80strb to the Strathbogie Planning Scheme in accordance with section 29 of the Planning and Environment Act 1987; and***
- 2. Submit Amendment C80strb to the Strathbogie Planning Scheme to the Minister for Planning for approval in accordance with Section 31 of the Planning and Environment Act 1987.***

65-22/23 CARRIED

**9.1.2 Planning Applications Received and Planning Applications Determined
- 1 to 28 February 2023**

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 28 February 2023. 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 twenty (20) new planning applications received and twenty (20) new planning applications decided upon during the reporting period.

MOVED: COUNCILLOR DICKINSON
SECONDED: COUNCILLOR RAEBURN

That Council:

1. ***Note that there were twenty (20) new planning applications received, and twenty (20) planning applications decided on during the period of 1 to 28 February 2023.***
2. ***Note the report.***

66-22/23 ***CARRIED***

9.2 **COMMUNITY**

9.2.1 **Grants Program 2022/23 Small Projects – Application from Southern Aurora Memorial Committee**

Author: Manager Community and Culture

Responsible Director: Director Community and Planning

EXECUTIVE SUMMARY

Council has received a 2022/23 Small Projects application under the Community Grants Program from the Southern Aurora Memorial Committee, under the auspice of Violet Town Action Group to assist with restoration of the garden prior to a planned celebration in March of the 150th anniversary of the railway coming to Violet Town.

The request is for a cash funding of \$1,000 to contribute to the costs of a gardening contractor who will be engaged to carry out the works.

The grant application was of an acceptable standard scoring 29/45 in the 2022/23 Community Grant Program Small Projects assessment.

The proposed works will result in social and economic benefits to Violet Town restoring the Southern Aurora Memorial gardens back to its original state as a safe and welcoming destination in readiness for the 150th anniversary celebrations.

In Council's approved operating budget 2022/2023, Council allocated \$115,000 to the Community Grants Program of which \$62,428 was distributed in round 1 and \$37,583 in round 2 totalling \$100,000. A further \$8,000 was allocated to the Small Projects program for individual grants up to \$1,000, and \$7,000 for community training workshops.

This report recommends the approval of the Community Grants Program Small Project grant application from the Southern Aurora Memorial committee, under the auspice of Violet Town Action Group for cash funding of \$1,000. This is first application to the Small Projects grant for the 2022/23 financial year.

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

That Council approve grant funding of \$1,000 to the Southern Aurora Memorial Committee, under the auspice of Violet Town Action Group to assist with the costs of beautification works at the site, under Council's Community Grant Program Small Projects Stream.

67-22/23 ***CARRIED***

9.2.2 Application for Sponsorship – Euroa Town Criterium 2023

Author: Manager Community and Culture

Responsible Director: Director Community and Planning

EXECUTIVE SUMMARY

The Shepparton Cycling Club Inc have submitted a request for \$5,000 through Council's Sponsorship Program to support the delivery of the Euroa Town Criterium, to be held on 22 April 2023.

This will be the fourth time this event has been held in Euroa. The funds requested will be used to contribute towards the costs of traffic management and official timing. Council has provided sponsorship in previous years to this event, most recently providing sponsorship in 2022 to the value of \$5,000.

The event application was of an acceptable standard, with all questions addressed and the application scoring 15/25 in the Sponsorship Program criteria assessment. Under the Guidelines, organisations from outside Strathbogie Shire can apply for sponsorship provided that the event takes place in the municipality.

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

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

The Sponsorship requests approved this financial year total \$23,115.

This report recommends the approval of the sponsorship application from the Shepparton Cycling Club Inc to the value of \$3,000 to support the delivery of the 2023 Euroa Town Criterium event. This recommendation for partial funding is due to the demonstrated demand for Sponsorship funds to date and is consistent with other applications approved by Council this financial year.

**MOVED: COUNCILLOR ANDREWS
SECONDED: COUNCILLOR RAEBURN**

That Council:

- 1. Approve sponsorship to the value of \$3,000 to Shepparton Cycling Club Inc to assist with the delivery of the 2023 Euroa Town Criterium event held on 22 April 2023; and***
- 2. Work with the Shepparton Cycling Club Inc to reduce overall waste produced at the event through the implementation of the Waste Wise Events Guidelines and the State Government's ban on single use plastics as outlined in the Climate Change Action Plan 2022 – 27.***

68-22/23

CARRIED

9.2.3 Community Flag Flying Policy and Procedures

Author: Manager Community and Culture

Responsible Director: Director Community and Planning

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).

Council most recently received a request to fly the Rainbow Flag on International Day Against Homophobia, Biphobia, and Transphobia, held on 17 May annually. Council had no process in place to manage this request, or other community flag flying requests it may receive.

At the December 2022 Council meeting, in response to the above, Council resolved the following:

- 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.*

The Community Flag Flying Policy (the Policy) has now been developed and is presented to Council for its consideration.

This Policy provides a transparent, standardised process for the management of requests to fly community flags on the Council owned flag poles in Euroa and Nagambie; these flagpoles are in the roundabout at the intersection of Binney and Brock Street, Euroa and in front of the Nagambie Library at 352 High Street, Nagambie.

As a part of the development process, Officers have undertaken benchmarking against other Councils to provide insights into current practices and policies for community flag flying.

The policy enables community members, Councillors and Council employees to request the flying of community flags, enabling the celebration of identity, pride and symbolism, while outlining the process to manage and approve requests to fly community flags.

This Policy does not apply to the four flag poles located at Council's Municipal Office, in Binney Street, Euroa. The four flags flying permanently at this site are the Australian, Aboriginal, Torres Strait Islander and Taungurung Flags. These flags will continue to be flown, with no change.

The Australian Flag is flown in accordance with the Flags Act 1953 and the Australian Flag Booklet – Part 2: which is administered by the Department of Prime Minister and Cabinet. The other flags; Aboriginal, Torres Strait Islander and Taungurung are flown under the guidance of Taungurung Land and Waters Council as the Registered Aboriginal Party for Euroa, where the flags are flown.

9.2.3 Community Flag Flying Policy and Procedures (cont.)

MOVED: COUNCILLOR HAYES-BURKE
SECONDED: COUNCILLOR RAEBURN

That Council:

- 1. Adopt the Community Flag Flying Policy and Procedures; and***
- 2. Authorise Council officers to place the Policy and Procedures on Council's website, along with the publication of a notice in Council's weekly newspaper column and social media pages informing the community about the Policy.***

69-22/23 CARRIED

9.2.4 School Crossing Supervision Program

6.53 pm: Councillor Hayes-Burke left the meeting due to having declared a conflict of interest in this item

6.53 pm: Director Community and Planning left the meeting due to having declared a conflict of interest in this item

Author: Manager Community Safety

Responsible Director: Director Community & Planning

EXECUTIVE SUMMARY

The safety of our children walking to and from school is more than just a priority for Strathbogie Shire Council – it's non-negotiable.

This is why we deliver the School Crossing Supervision Program on behalf of the Department of Transport and Planning (DTP).

It's a program that has been keeping our children safe for many years.

We're proud of our school crossing supervisors and we know how valued they are by schools, parents and children.

However, there is part of the School Crossing Supervision Program that is not fair.

In Strathbogie Shire, Council and in turn ratepayers, pay about \$50,000 a year to deliver a service that is not ours. It is the responsibility of the Victorian Government.

Council manages five school crossing sites across the municipality, four of these on Victorian Government managed roads. The only school crossing located on a Council managed road is on Goulburn Street in Nagambie.

Over time, the financial allocation from the Victorian Government for the program has dwindled, resulting in local governments - and as such ratepayers - picking up the funding shortfall.

This funding gap is continuing to increase with Council contributing about 62 per cent (to program costs) to top up this Victorian Government service.

This inequity of funding is faced by all local government areas that deliver the School Crossing Supervisor Program on behalf of the Victorian Government.

On top of the increasing costs to maintain the program, it is increasingly difficult to find staff given the limited working hours (one hour in the morning and one hour in the afternoon on school days).

Council staff are often taken away from their normal duties to perform the crossing supervisor role.

In 2016 the Victorian Government committed to undertaking a broad strategic review of the program. This has not occurred.

9.2.4 School Crossing Supervision Program (cont.)

There has been no innovation or review since the program's inception in 1975.

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

At the October 2022 Council meeting, it was resolved that Council:

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

As part of the City of Monash advocacy campaign, meeting requests have been made to meet with the relevant Victorian Government Minister.

This has also been unsuccessful.

There have been widespread newspaper articles outlining the inequity in the School Crossing Supervision Program and the need for a fully funded service.

The Euroa Gazette reported on the Council resolution and information has been sent to schools with an active crossing to advise them of the situation.

In 2022/23 Council received a funding increase of 20 per cent taking the total funding amount to \$36,935 for the financial year.

This remains a significant short fall in the cost to deliver the program.

Because of the limited outcomes from the collective campaign and no commitment from the Victorian Government to a fully funded and fully indexed program, Officers believe more serious action is needed.

In accordance with the October 2022 Council resolution, it is recommended Council exit the School Crossing Supervision Program by 10 July 2023.

We now believe informing the department we plan to exit the service is our only way forward.

9.2.4 School Crossing Supervision Program (cont.)

The department must understand Council is serious about finding financial savings for our ratepayers and it must provide this essential service for parents and children.

Council will continue to manage its legislated responsibility to inspect, maintain and repair the school crossing infrastructure, which includes signage and road markings.

**MOVED: COUNCILLOR RAEBURN
SECONDED: COUNCILLOR ANDREWS**

That Council:

- 1. Recognises that child safety is and remains the primary consideration associated with the School Crossing Supervision Program;***
- 2. In accordance with the October 2022 Council resolution, exit the School Crossing Supervision Program by 10 July 2023;***
- 3. Authorise Council Officers to directly inform the Department of Transport and Planning of Council's decision to exit the program by 10 July 2023;***
- 4. Continue to advocate to the Department of Transport and Planning to commit to ensuring no reduction in service for the safety of parents, carers and children in Strathbogie Shire;***
- 5. Authorise Officers to formally notify the following primary schools of Council's decision:***
 - Avenel Primary School***
 - Euroa Primary School***
 - Nagambie Primary School***
 - St John's Primary School (Euroa)***
 - St Joseph's Primary School (Nagambie);***
- 6. Note that Council Officers will enact the relevant redundancies clauses for effected staff in line with the Strathbogie Enterprise Agreement, acknowledging that redundancy costs will be about \$26,000 excluding any individual leave entitlements payable; and***
- 7. Provide a further report in the May 2023 Council Meeting cycle to advise of arrangements for the School Crossing Supervision Program post 10 July 2023.***

70-22/23 **CARRIED**

7.05 pm: Councillor Hayes-Burke and the Director Community and Planning returned to the meeting after the vote on Item 9.2.4 had concluded.

9.2.5 William Pearson Bequest 2022/23

Author: Manager Community and Culture

Responsible Director: Director Community and Planning

EXECUTIVE SUMMARY

Strathbogie Shire Council has been administering the William Pearson Bequest (the bequest) since 1969. The intent of the Bequest is to benefit (in Euroa only), children's playgrounds, kindergartens, parks and gardens, the Euroa town band, and for the general beautification of the town.

From the records historically available, the bequest has been used to support the Euroa Citizens Band (the Band) excluding seven allocations to other projects over various years.

From records dating back to around 2003, the William Pearson Bequest was included as a part of Council Community Grants. In 2016, the Euroa Citizens Band were informed by Council Officers that they could not use the funds to pay wages as per the Community Grant Guidelines of the time. In 2017, the Band requested they be exempt from the Community Grant Guidelines, to enable them to apply and pay their musical directors' stipend. In 2017-18, the Community Grant Guidelines were adjusted to allow the Band to apply for the Bequest to support the stipend for musical directors.

A scheduled review of the Community Grants Program was presented to Council at the Ordinary Council Meeting on the 20 February 2018. At this meeting, a recommendation to remove the William Pearson Bequest from the Community Grants program and for funds be provided to the Band on an annual basis was carried. In part the resolution reads as follows:

That Council:

Remove the William Pearson Bequest from the Community Grants program; these funds to be provided to the Euroa Citizens Band on an annual basis for their operation by way of a submission and an acquittal report annually.

In its current format, there are no guidelines around the distribution of funds, however for the previous four financial years \$2,500 has been provided as a non-competitive annual grant allocation to the Band and these funds have been used to pay a stipend to the Musical Directors.

In 2022, the Band approached Strathbogie Shire Council for funds to upgrade the kitchen facilities at the William Pearson Hall where they are based.

Council officers reviewed the process by which funds are allocated through the bequest and have since investigated and reviewed the conditions in William Pearson's Will.

Council Officers then put a proposal to the Euroa Band, where Council would provide the funds for the kitchen upgrade (approximately \$15,000 to the Band Hall) ensuring that the William Pearson Band Hall was fit for purpose, providing a legacy for the Band and other Hall users to enjoy. The Euroa Band was not in support of this and instead want the annual allocation for the payment of the Musical Directors.

9.2.5 William Pearson Bequest 2022/23 (cont.)

Considering the intent of the bequest and the ongoing administrative burden of the bequest continuing for another seven years in its current format, it is proposed Council allocate the remaining Bequest funds of \$17,940, consistent with the Council resolution carried at the February 2018 Council Meeting, to the Euroa Citizens Band.

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

That Council:

- 1. In accordance with the Council resolution of 20 February 2018, authorise the allocation of \$17,940, being the balance of the William Pearson Bequest, to the Euroa Citizens Band to be used for their operations;***
- 2. The allocation of \$17,940 be payable in the 2022/23 financial year, subject to the receipt of a tax invoice from the Euroa Citizens Band; and***
- 3. Note that this is the final payment of the William Pearson Bequest and that no future payments will be made as all funds in the Bequest are exhausted.***

71-22/23 CARRIED

9.2.6 Violet Town Recreational Vehicle Friendly Site - Update

7.16 pm: Councillor Raeburn left the meeting due to having declared a conflict of interest in this item

Author: Manager Community and Culture

Responsible Director: Director Community and Planning

EXECUTIVE SUMMARY

The Recreational Vehicle (RV) market (caravan, campervan, motor home) has, and continues to have sizeable growth throughout the country. With this growth, local governments and communities are experiencing both positive and negative impacts as a result.

Council officers have been working with members of the Violet Town community regarding a potential RV Friendly site.

Council officers have investigated potential suitable sites in Violet Town, identifying the only partially suitable site being an area at the Violet Town Recreation Reserve along Tulip Street site.

The Violet Town Recreation Reserve currently does not have a Committee of Management in place, resulting in Council becoming the party responsible for management of the site, even though the land is owned by Department of Energy Environment and Climate Action (previously known as Department of Environment Land Water and Planning). This site has some significant limitations that need to be considered by Council and the potential manager of an RV Friendly Site.

Throughout this process, it has become evident that there is a combination of community support for, and opposition to, free or low-cost camping in Violet Town and at this site.

There is also no identified governance structure for the trial, as it is being led by a few interested community members rather than being driven by a formal governance structure, such as an incorporated group, or auspicing organisation.

Given these issues, Council Officers recommend to place project support on hold until such time that there is a formal community led RV Friendly site governance group. Further to this, once such a group is established, Council Officers recommence the provision of support and guidance to the project.

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

That Council:

- 1. Note the progress of the Violet Town Recreational Vehicle Friendly Site project;***
- 2. Place project support on hold until such time that there is a formal community led Recreational Vehicle Friendly Site governance group established; and***

9.2.6 Violet Town Recreational Vehicle Friendly Site – Update (cont.)

MOTION (cont.)

- 3. Once a community led governance group is established, authorise Officers to recommence the provision of support and guidance to the project.**

72-22/23 **CARRIED**

7.25 pm: Councillor Raeburn returned to the meeting after the vote on Item 9.2.6 had concluded.

9.3 INFRASTRUCTURE

9.3.1 Tender for Contract No. 22/23-65: Supply and Install Nagambie Recreation Reserve Lighting

Author: Manager Project Delivery

Responsible Director: Director Sustainable Infrastructure

EXECUTIVE SUMMARY

Strathbogie Shire aims to provide the community with a safe sport facility that will encourage social interaction and promote health and wellbeing.

Through public advertisement in local and national newspapers, Council invited tenders for the work under Contract No. 22/23-65 between 18/01/2023 and 10/02/2023.

Two (2) tenders were received for the work. These tenders have been assessed and evaluated by Council Officers and a summary of results is shown in the tables in the Confidential Appendices. Having considered the results of the evaluation, it is recommended to Council awards the tender contract to Watters Electrical Pty Ltd based in Shepparton Victoria.

MOVED: COUNCILLOR ANDREWS
SECONDED: COUNCILLOR DICKINSON

That Council:

- 1. Awards the tender for contract No 22/23-65 Supply and Install Nagambie Recreation Reserve Lighting - Lump Sum to Watters Electrical Pty Ltd for a total amount of \$490,501.00 inclusive of GST;***
- 2. Authorises officers to advise the unsuccessful tenderer;***
- 3. Authorises the Chief Executive Officer to execute the Contract by signing and affixing with the Common Seal of Strathbogie Shire Council; and***
- 4. Notes that construction will commence early April 2023 with an anticipated completion by May 2023.***

73-22/23 **CARRIED**

9.3.2 Tender for Contract No. 22/23-67: Provision of Tree Maintenance, Arboriculture, Professional Arborist - Schedules of Rates Contract

Author: Manager Operations

Responsible Director: Acting Director Sustainable Infrastructure

EXECUTIVE SUMMARY

Council has undertaken a competitive tender process for the services of a Professional Arborist to provide specialist tree maintenance advise, guidance and to oversee the implementation of Tree Management Plans in line with Council's Tree Management Policy. The life of the contract would be 3 years.

Through public advertisement in local and national newspapers, Council invited tenders for the work under Contract 22/23-67, with the initial tender opening on 9am Friday 13 January 2023.

At close of the initial tender on 9 February 2023, seven (7) tender submissions were received. These have now been independently assessed and evaluated by a panel of Council Officers, with the results summarised in the tables in the Confidential Appendices. All tender submissions were deemed to be conforming submissions, however only six (6) tenderers met the professional qualifications sought by the tender documentation.

The tender sought the provision of a tender of rates. Following the evaluation process, this report seeks Council's authorisation to constitute this contract with Geoffrey Riddock, Arborist of Baddaginnie and authorise the Chief Executive Officer to execute the Contract accordingly.

MOVED: COUNCILLOR HAYES-BURKE
SECONDED: COUNCILLOR RAEBURN

That Council:

- 1. *Awards the tender for Contract No 22/23-67 – Provision of Tree Maintenance, Arboriculture, Professional Arborist – Schedule of Rates to Geoffrey Riddock Arborist of Baddaginnie for a period of 3 years;***
- 2. *Authorises officers to advise the unsuccessful tenderers; and***
- 3. *Authorises the Chief Executive Officer to execute the Contract by signing and affixing with the Common Seal of Strathbogie Shire Council.***

74-22/23 **CARRIED**

9.3.3 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 February 2023 to 28 February 2023. This report specifically relates to works that form part of Council's 2022/23 budget.

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

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.***

75-22/23 CARRIED

9.4 **CORPORATE**

9.4.1 **Strathbogie Shire Audit and Risk Committee – Confirmed Minutes of the Meeting held on 2 December 2022**

Author and Responsible Director: Director, People & Governance

EXECUTIVE SUMMARY

This report presents the confirmed minutes of the 2 December 2022 for Council's consideration.

The items considered by the Committee at the meeting were as follows:

2 December 2022 -

- Audit and Risk Committee Appointments – Chair
- Audit and Risk Committee Annual Performance Report
- Appointment of Internal Auditor – Tender
- Goulburn Valley Regional Library Corporation Update and New Governance Model
- Councillors Expenses 2021-2022
- Audit and Risk Committee Charter Update
- Mid-Year Budget Review Update
- Electoral Representation Review
- Internal Audit Program Status Update and Industry Update
- Planning Department Audit
- Outstanding Internal Audit Items Update
- Policies Update
- Strategic Risk Register Management Update
- Audit Committee Work Plan
- Protective Data Security Plan (PDSP)
- Human Resources Key Strategic Indicators
- CEO Purchasing Card
- Item raised by Committee members.

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

MOVED: COUNCILLOR RAEBURN
SECONDED: COUNCILLOR DICKINSON

That Council receive and note the Confirmed Minutes of the Audit and Risk Committee meeting of 2 December 2022.

76-22/23 ***CARRIED***

9.4.2 Strathbogie Shire Council Audit and Risk Committee Charter

7.41 pm: The Deputy Mayor advised he wished to speak to this item and, therefore, needed to step down as Chair for the period of consideration and determination of this item.

Nominations were called for to Chair this item.

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

That Councillor Hayes-Burke be elected as Chair for this item.

77-22/23 CARRIED

7.43 pm: Councillor Hayes assumed the role of Chair.

Author and Responsible Director: Director People and Governance

EXECUTIVE SUMMARY

As part of its Work Plan, Council's Audit and Risk Committee is required to review its Charter annually. The Charter was last adopted by Council in December 2021.

After a lengthy discussion at the Committee meeting, several amendments to the Charter have been recommended, which form the new draft Charter referred to Council for review and adoption.

In summary, the changes are:

- Clause 3
 - Insertion of an aim to increase gender diversity in the Committee's membership
 - Appointment of a third Councillor to be a substitute representative should any other Councillor representative be unable to attend to ensure quorums for all meetings
 - Requirement that the Mayor is to be one of the two permanent Councillor representatives to reflect the importance of the Committee's work
 - Insertion of a maximum 2 year consecutive term for Councillor representatives to provide an opportunity for all Councillors to participate in the Committee
 - Exemption of the Mayor from the two consecutive one year term provision for Councillor representatives
 - Update of Officer titles
 - Clarification that Councillor representatives will be appointed annually
- More emphasis be placed on regular training and development for Audit and Risk Committee members in clause 3.3
- Insertion of reference under Clause 4 to meetings, held at least annually, between the Audit and Risk Committee and Councillors to allow for the presentation of the Committee's Performance Reports

9.4.2 Strathbogie Shire Council Audit and Risk Committee Charter (cont.)

- Highlight oversight of emergency planning and recovery responses and periodic testing of these frameworks in clause 4.3.7
- Merger of Clauses 6 and 7 relating to reporting to avoid duplication
- Reference to the annual policy meeting and strategic planning meeting approved at the September Committee meeting (Clause 7.1)
- Clarification that the Director People and Governance review the minutes as well as the Chair (Clause 7.4)
- Updating of references to the Governance Rules (Clause 7.4)

Councillor representatives are required to be appointed by Council for the next twelve month period in accordance with the updated Charter; namely the Mayor and another Councillor as a permanent representative, with another Councillor nominated as a substitute should either permanent member be an apology for the meeting.

MOVED: COUNCILLOR RAEBURN
SECONDED: COUNCILLOR ANDREWS

Motion by Cr Raeburn

That Council:

1. ***Endorse changes to the Strathbogie Shire Council Audit and Risk Committee Charter, as recommended by the Audit and Risk Committee as per the confirmed minutes of the 2 December 2022 Committee meeting.***
2. ***Makes the updated Charter available on a new Audit and Risk Committee page on the Shire's website, promoting its availability via its social media channels.***
3. ***Appoints Mayor Binks and Cr Raeburn as the permanent Councillor representatives.***

Amendment put forward by the seconder, Cr Andrews, and accepted by Cr Raeburn to become the motion:

1. ***Endorse changes to the Strathbogie Shire Council Audit and Risk Committee Charter, as recommended by the Audit and Risk Committee as per the confirmed minutes of the 2 December 2022 Committee meeting.***
2. ***Makes the updated Charter available on a new Audit and Risk Committee page on the Shire's website, promoting its availability via its social media channels.***
3. ***Appoints the Mayor and Cr Raeburn as the permanent Councillor representatives.***

9.4.2 Strathbogie Shire Council Audit and Risk Committee Charter (cont.)**Amendment put by Deputy Mayor Murray and accepted by the Mover and Seconder to become the motion:*****That Council:***

1. ***Endorse changes to the Strathbogie Shire Council Audit and Risk Committee Charter, as presented, subject to the partial deletion of the second sentence in the first paragraph of clause 3.2 “Term of Membership” on page 6 of the Charter which reads – “They may be reappointed but serve a maximum of two terms to ensure broad exposure to the Committee for Councillors, with the exception of the Mayor”, to now read “They may be reappointed.”***
2. ***Makes the updated Charter available on a new Audit and Risk Committee page on the Shire’s website, promoting its availability via its social media channels.***
3. ***Appoints the Mayor and Cr Raeburn as the permanent Councillor representatives, with Cr Murray as the substitute representative.***

78-22/23 CARRIED**8.04 pm: The Deputy Mayor assumed the role of Chair**

9.5 GOVERNANCE AND CUSTOMER SERVICE

9.5.1 2021-25 Council Plan Actions Update – Half Year Progress Report

Author and Responsible Director: Director People & Governance

EXECUTIVE SUMMARY

This report outlines the progress made with the implementation of the actions identified for delivery across the 2022-23 financial year.

The status of the actions has been assessed as at 31 December 2022 and therefore represents a six monthly update (Quarter 2) on the progress.

Of the 42 actions due for delivery this financial year, 32 are on track or ahead of where we expected to be mid year. Six (6) actions have been delayed and are under target, while a further four (4) actions are well behind schedule. These are:

- Completion of the Violet Town landfill rehabilitation, which was delayed by the October 2022 flood event
- Implementation of the Domestic Wastewater Management Plan, which has not commenced as only partial funding has been approved and the Plan expired in 2020
- The development of an Information Technology Strategy, which is behind target due to delays in the commencement of the Regional Digital Transformation Project, delays in the finalisation of a state strategy that we must align with and slower than expected progress in the alignment of the strategies of the four participating councils
- Delays in the completion of an audit of Council's property portfolio due to staff being focussed onto flood recovery and repairs.

Overall, progress against the Council Plan is tracking well over the first six months of the financial year, with about 80 per cent of actions on track or ahead of target.

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

That:

- 1. Council receive and note the December 2022 update on the progress of implementation of the actions identified for delivery during the 2022-23 financial year from the 2021-25 Council Plan.***
- 2. The summary of progress in implementing actions be made available to the public via the shire's website and social media platforms.***

79-22/23 **CARRIED**

9.5.2 Strathbogie Shire Council Councillor/Staff Interaction Policy

Responsible Director: Chief Executive Officer

EXECUTIVE SUMMARY

Interaction between the Councillors, Chief Executive Officer (CEO) and Council staff is critical to achieve a high performing and functioning Council. This ensures that the Councillors are provided with timely and accurate information to enable good decision making when representing the interests of the community.

To obtain the appropriate information in a timely manner, the Councillors are required to communicate with not only the CEO, but members of the Council Executive as well.

In communicating with Council staff, Councillors must maintain compliance with the provisions of the Local Government Act 2020 (the Act), particularly with regards to sections 123 and 124 of the Act. The draft Strathbogie Shire Council Councillor/Staff Interaction Policy (the policy) provides guidance to both Councillors and members of Council staff in appropriate communication and interaction to allow for performance of their duties as established by the Act.

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

That Council adopt the draft Strathbogie Shire Councillor/Staff Interaction Policy and note the policy review date of March 2025 (or earlier as required).

80-22/23 ***CARRIED***

9.5.3 Monthly Performance Report

The March 2023 Monthly Performance Report includes reports as follows:-

- Building Department – February 2023 Statistics
- Planning Department – Planning Application Approvals – Development Cost (Capital Improved Value) – February 2023
- Customer Enquiry Analysis Report – Report for February 2023
- Waste Management Reporting ~ Year to Date – February 2023
- Transfer Station Date - February 2023
- Actioning of Council Reports Resolutions – Council Meeting Tuesday 21 February, 2023, and Extraordinary Council Meeting Tuesday 28 February 2023
- Outstanding Actions of Council Resolutions to 28 February, 2023
- Review of Council Policies and Adoption of new Policies – February 2023
- Records of Informal Council Briefings / Meetings – 1 to 28 February 2023

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.

81-22/23 CARRIED

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, April 18, 2023, at the Euroa Community Conference Centre, at 6pm.

THERE BEING NO FURTHER BUSINESS, THE MEETING CLOSED AT 8.22 P.M.

Confirmed as being a true and accurate record of the Meeting

.....
Chair

.....
Date