

Strathbogie Shire Council

Council Meeting Minutes / Decisions

May 16, 2023

Minutes/Decisions

Council Meeting

Tuesday, May 16, 2023, at 6pm

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

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

Council:

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

Municipal Monitor:

Peter Stephenson

Officers:

Julie Salomon – Chief Executive Officer
Amanda Tingay – Director Community and Planning
Vlad Adamek – Director Sustainable Infrastructure
Kristin Favaloro – Executive Manager Communications and Engagement
Greg Underhill – Acting Director People and Governance

Meeting Procedure

1. Welcome

2. 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.

3. Privacy Notice

This public meeting was streamed live via our website ([Council Meetings and Minutes | Strathbogie Shire](#)) and is made available for public access on our website along with the official Minutes/Decisions of this meeting. All care is taken to maintain your privacy; however, as a visitor in the public gallery, it is assumed that your consent is given in the event that your image is broadcast to the public. It is also assumed that your consent is given to the use and disclosure of any information that you share at the meeting (including personal or sensitive information) to any person who accesses those recordings or Minutes.

4. Governance Principles

Council considers that the recommendations contained in these Minutes/Decisions gives effect to the overarching governance principles stated in Section 9(2) of the Local Government Act 2020. These principles are as follows:

- 1. Council decisions are to be made and actions taken in accordance with the relevant law;*
- 2. priority is to be given to achieving the best outcomes for the municipal community, including future generations;*
- 3. the economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted;*
- 4. the municipal community is to be engaged in strategic planning and strategic decision making;*
- 5. innovation and continuous improvement is to be pursued;*
- 6. collaboration with other Councils and Governments and statutory bodies is to be sought;*
- 7. the ongoing financial viability of the Council is to be ensured;*
- 8. regional, state and national plans and policies are to be taken into account in strategic planning and decision making;*
- 9. the transparency of Council decisions, actions and information is to be ensured.*

5. Apologies / Leave of Absence

- Dawn Bray – Director People and Governance

6. Disclosure of Conflicts of Interest

- Cr Raeburn declared a material conflict of interest under section 128 of the Local Government Act 2020 in Items 11.2.1, 11.2.3, 11.6.1 and 11.6.2
- Cr Dickinson declared a material conflict of interest under section 128 of the Local Government Act 2020 in Item 12.2

7. Confirmation of Minutes of Previous Meetings

MOVED: COUNCILLOR MURRAY
SECONDED: COUNCILLOR RAEBURN

1. ***That the minutes/decisions of the Extraordinary Council Meeting held on Tuesday April 11, 2023, be confirmed.***
2. ***That the minutes/decisions of the Council Meeting held on Tuesday April 18, 2023, be confirmed.***
3. ***That the minutes/decisions of the Extraordinary Council Meeting held on Tuesday May 2, 2023, be confirmed.***

91-22/23 **CARRIED**

8. Petitions

Nil

9. Reports of Mayor and Councillors and Delegates

Cr Dickinson

- *Nagambie nominated by RACV as one of top 9 best day trips from Melbourne*

Cr Hayes-Burke

- *Thanks to all our community volunteers, with event being held at Shepparton Art Museum tomorrow, hosted by Strathbogie Shire Council, as part of Volunteers Week (15-21 May)*
- *Heartened by positive conversations in the community about supporting Yes vote in upcoming referendum on First Nations Voice to Parliament*

Cr Murray

- *Spoke at unveiling of memorial to Sir Charles Ryan at Telegraph Park in Euroa on 20 April 2023*
- *Attended GV Libraries Board meeting on 20 April 2023. Encouraged communities to support our libraries.*
- *Attended ANZAC Day services in Longwood, Avenel and dawn service in Euroa.*
- *Attended Avenel Hub on 27 April 2023 for visit by Federal Shadow Minister for Communications, David Coleman, and Federal Member for Nicholls, Sam Birrell – re: telecommunications issues*
- *Attended installation of water tank at Longwood, after its relocation from Locksley*
- *Congratulations to Longwood Football Netball Club on its 135th year celebrations*
- *Continue to available at the Daily Dose in Avenel on Friday afternoons*

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

Cr Hourigan

- Attendance at dawn ANZAC Day service in Euroa
- Thank you to our dedicated volunteers, particularly as its Volunteers Week this week. Tour to Shepparton Art Museum tomorrow, together with free movie screenings at the Euroa Cinema for this weekend and next weekend.

Mayor

- Reminder that Council is seeking community input into the Draft Budget and Pitch My Project submissions. Submissions can be made via our website at www.share.strathbogie.vic.gov.au or by writing to Council (PO Box 177, Euroa) or sending an email to info@strathbogie.vic.gov.au. Pitch My Project details can also be found at www.share.strathbogie.vic.gov.au where you can prioritise the projects, or you can visit a survey station in townships right across the Shire. Submissions to the draft Budget and feedback on Pitch My Project close at 5pm on May 31.
- The Avenel 2030 Strategy is also under review, with residents being encouraged to provide input. Further information is available at www.share.strathbogie.vic.gov.au, or visit the survey station at the Avenel Library. Feedback closes at 5pm on 6 June 2023.
- International Day against Homophobia, Biphobia and Transphobia (IDAHOBIT) is 17 May 2023, and the rainbow flag will be flown in Euroa and Nagambie to show our support.
- At our March Council Meeting, Council resolved to exit the School Crossing Program. As part of the Council resolution, a further report was required in the May 2023 Council Meeting cycle to advise of arrangements for the School Crossing Supervision Program post 10 July 2023. The Department of Transport and Planning is currently considering next steps following Strathbogie Shire Council's decision. Council Officers will continue to liaise with affected Primary Schools and School Crossing Supervisors as soon as more information is available.
- Also, at our February Council Meeting, Council resolved to endorse the release of the draft Strathbogie Economic Development Strategy 2023-2027 for board community consultation and feedback. Furthermore, Council also resolved to receive a further report at the May 2023 Council Meeting to consider the final Economic Development Strategy detailing the outcomes of the community consultation on the draft Strathbogie Economic Development Strategy. Following the feedback period, Officers are continuing to work on the final Economic Development Strategy with the strategy to be presented to a Council Meeting in the near future.
- Welcomed Peter Stephenson to Strathbogie Shire following appointment as Council's Municipal Monitor.

10. Public Question Time

Council Ref: E&PS: 11/2023

Ruffy Recreation Reserve

1. Will the Water tank and generator and water bore be included in the building insurance?
2. Will the CFA have their own insurance if they access the infrastructure on the grounds?
3. We are a safer place for emergency management purposes, what does this mean in terms of insurance?
4. Is the committee covered until we get the new cover?

Response

1. *Assets on Council's asset register will be included in Council's building insurance.*
2. *Council advises that this continues to be a matter for the CFA.*
3. *In the event that the facility is activated for EM purposes, Council or the lead agency who are managing the facility are responsible for holding the appropriate insurance coverage.*
4. *Council's insurer indicates that groups will have some proportional cover from a public liability perspective. We are working as quickly as possible to provide action groups and committee of management with the funding to be able to take out their insurance and have these discussions with insurance experts.*

Council Ref: DP: 12/2023

Will the payment of up to \$1,200 to fund the three insurance policies be additional to annual Administration and Community Engagement funding to Action Groups?

Response

Yes, in line with this report it is proposed to be separate from any other payment received from Council.

Council Ref: ECAG: 13/2023

1. What records would need to be maintained from a Council perspective re Insurance matters
2. Many community groups are feeling the effects of much larger insurance costs than in the past and we note that part of this proposal would see us allocated funds to cover this cost – Will this funding be ongoing or will it be under a review process.
3. Will we require separate Insurance Policy specifically for the Yiiro Garden?

Response

1. *Council requires a copy of the insurance quote in order to release the funds for the insurance allocation. Council does not require any other records.*
2. *These funds will be proposed each year via Council's annual budgetary process. The recommendation is not year specific, so officers are recommending that this allocation is proposed ongoing.*
3. *This will need to be a discussion between ECAG and their insurer.*

10. Public Question Time (cont.)

Council Ref: TM: 14/2023

1. Kirwans Bridge - What is happening to this Bridge, considering of all the allocated monies that have been put towards this Bridge ?
2. Reserves in the Council. What has happened to the Balmattum School - Recreation Reserve ?

Response

1. *Through our work with the Kirwans Bridge Community Panel, the following two options have been identified for the future of the bridge, these being:*
 - *A new replica bridge (with pedestrian and cycling access), or*
 - *Extensive structural repairs and strengthening works to the current bridge.*
 - *The tender for the work to design and cost the options developed by the community panel has been awarded to JJ Ryan Engineering for the sum of \$107K in January 2023 for an options report. I am pleased to advise that work is well underway. We anticipate that the detailed design drawings for the options and cost estimates to be completed by end of July early August 2023.*

When we understand the costs, there will be further community consultation to determine the best option – to ensure the bridge remains open and is safe for the next 50 plus years. We will need to advocate strongly for Victorian and Federal government funding to complete the works.
2. *The Balmattum School – Recreation Reserve forms a part of our maintenance program in particular the slashing and grass cutting of the grounds. These works are carried out on a 4-6 week interval depending on the season.*

Council Ref: JB: 15/2023

Notes from Agenda for Council Meeting – May 16, 2023 Page 47
11.2.5 Waterways Management (Goulburn River from Hughes Creek to Goulburn Weir including Lake Nagambie) - Funding Advocacy to inform Council's Role.

The Nagambie Waterways Advisory Committee has recommended "that Council consult with all other stakeholders who use the waterways, including Goulburn-Murray Water, Goulburn Valley Water and Goulburn Broken Catchment Management Authority before any decision with regard to the ongoing management of the waterways is made."

Has Council consulted with ALL other stakeholders including ratepayers before considering any decision with regard to ongoing management of the waterways?
Is Council satisfied that all stakeholders have been provided with adequate time to consider and provide feedback on any Council proposals regarding the ongoing management of the waterways?

Response

1. *Pending tonight's decision on the matter, we will continue to engage with relevant stakeholders within the confines of their remit.*
2. *Please be assured that Council officers have engaged early with key stakeholders regarding this matter, including Department of Transport and Planning (formerly Safe Transport Victoria), Goulburn-Murray Water and the Waterways Advisory Committee.*

10. Public Question Time (cont.)

Council Ref: DW: 16/2023

On 19 February 2019 Council listened to the wishes of residents and supported the sentiments of the Uluru Statement, including supporting the process of constitutional recognition of First Nations Peoples. Six motions were carried at Agenda item 9.7.7.

Given the constitutional referendum campaign is now in full swing can Council update residents on the progress of these motions?

Council Ref: AD: 17/2023

As an active resident of AVENEL I have had discussions with a number of people on how we can promote on importance of the Uluru statement. In 2019 a Council motion was passed which continues to have strong community support, however the negativity and misinformation being promoted by some in the community does need to be refuted. Given this negativity possibly being caused by ill-informed social media posts, how does Council propose to show leadership on the matter of the Uluru Statement ?

Council Ref: TG: 18/2023

In 2019 I was one of many people present in the public gallery when a motion was passed in support of The Uluru Statement of The Heart. We recounted afterwards that there had been a spontaneous round of applause. We were most heartened by this.

As strong advocates of The Voice movement for a YES vote we are dismayed by the negativity and misinformation promoted in some parts of the community. In order to address some of the concerns on our local level The Violet Town and District Recognise Group has already convened a meeting of supporters of the YES vote for the Referendum with more to follow. How does Council propose to support and act on the motion previously passed?

Response

I would like to first read out the motion that was passed by Council at its meeting on February 19, 2019.

- 1. That Council support the sentiments contained in The Uluru Statement from the Heart.*
- 2. That Council support Aboriginal recognition and reform of the Constitution.*
- 3. That Council support a referendum campaign and process to enshrine a First Nations Voice to federal parliament.*
- 4. That Council put forward a resolution to the State Council of the Municipal Association of Victoria for State-wide local government formal support of this issue.*
- 5. That Council notify the Government Ministers (Federal and State) who are responsible for indigenous affairs, as well as the local State and Federal members, of Council's resolution, and*
- 6. That Council assist with creating broader awareness of the need for constitutional reform by using Council communication, marketing and promotional avenues and display of posters and postcards etc in Council owned buildings.*

This was before my appointment, but as a resolution of Council I am confident Officers have enacted every part of the resolution.

I can also confirm the Uluru Statement of the Heart is on the wall outside of the room we are currently in.

I would like to speak to the important projects that have been undertaken in the past three years to support Aboriginal recognition and reform.

In 2021 we officially signed and adopted a MoU with the Taungurung Land and Waters Council.

10. Public Question Time (cont.)

Response to Council Ref: DW: 16/2023 / Council Ref: AD: 17/2023 / Council Ref: TG: 18/2023 (cont.)

This was not just to ensure we comply with legislation it was to strengthen our relationship with first nations people.

Our MoU is underpinned by principles which establish the commitment and relationship between the two parties. These include the following principles I would like to read out to address your questions:

- The Council desires to address the past and embrace the process of reconciliation and truth telling.*
- That Council respect, and hold in strong regard the Aboriginal Cultural Heritage, traditions, customs and believes of the Taungurung people*
- That Council supports the recognition of Aboriginal sovereignty in the Australian constitution.*

In 2022 we adopted a new Community Vision that includes the words: We care deeply for Country and First National People.

Last year we also started the conversation about Council's role on Australia Day and this matter a recommendation on this will be considered by Council tonight. Council's support for the Indigenous Voice to Parliament referendum will be a matter for Councillors to discuss and Officers will act on their advice.

Council Ref: RW: 19/2023

- 1. A new Local Government office appointed Monitor to assist Councillors with governance issues.
 - i. Will the Council receive reports monthly?*
 - ii. Will the report be made public and if not public, please explain why.**
- 2. Will Council place the Australia Day question to public inform of referendum. As the voters – do you want to abandon Australia Day?*

Response

- 1. The Minister for Local Government, the Hon Melissa Horne has appointed Mr Peter Stephenson as the Municipal Monitor for Strathbogie Shire. The appointment has been made in response to concerns around governance and health and safety of councillors and staff. The monitor will examine why the Council has been unable to resolve issues identified by the previous monitor, Janet Dore, over a 12-month appointment made at the request of the Council.
*The terms of Mr Stephenson's appointment are specific and different to the previous Monitor. He will be reporting to the Minister on the relationships between Councillors and between Councillors and Council staff. The Minister will determine if a final report will be released.**
- 2. The Federal Government has stated its intention to hold the referendum between September and December 2023.
*The date will be formalised by the issuing of a writ by the Governor-General (the formal instruction to the Australian Electoral Commission to conduct a poll).
*The referendum is a Federal Government responsibility, and the process will be managed by the AEC.
*Council will be considering its role and involvement in January 26 activities in item 11.2.4 in tonight's agenda.****

10. Public Question Time (cont.)

Council Ref: DA: 20/2023

Are you aware that Indigenous have no Treaty with United Nations therefore their land cannot be taken from them but the rest of the people of Australia are subject to UN as they are our Trustee in Bankruptcy?

Response

The United Nations Declaration on the Rights of Indigenous People was adopted by the General Assembly on Thursday, September 13, 2007.

It establishes a universal framework of minimum standards for the survival, dignity and well-being of the Indigenous peoples of the world and it elaborates on existing human rights standards and fundamental freedoms as they apply to Indigenous peoples.

Article 10 states:

Indigenous peoples shall not be forcibly removed from their lands or territories. No relocation shall take place without the free, prior and informed consent of the Indigenous peoples concerned and after agreement on just and fair compensation and, where possible, with the option of return.

11. **Officer Reports**

11.1 Strategic and Statutory

11.2 Community

11.3 Infrastructure

11.4 Corporate

11.5 Governance and Customer Service

11.6 Executive

12. **Notices of Motion**

13. **Notices of Rescission**

14. **Urgent Business**

15. **Confidential Business**

Next meetings

An Extraordinary meeting of the Strathbogie Shire Council is scheduled to be held on Tuesday May 23, 2023, at the Euroa Community Conference Centre, at 2pm.

An Extraordinary meeting of the Strathbogie Shire Council is scheduled to be held on Tuesday June 6 2023, at the Euroa Community Conference Centre, at 6pm.

The next monthly meeting of the Strathbogie Shire Council is scheduled to be held on Tuesday, June 20, 2023, at the Euroa Community Conference Centre, at 6pm.

Reports Index

14.	URGENT BUSINESS	
14.5	Governance and Customer Service	
14.5.1	Appointment of Municipal Monitor	1
11.	OFFICER REPORTS	
11.1	Strategic and Statutory Planning	
11.1.1	Amended Planning Permit Applications and Amended Plans P2005/124 and P2016-109 at 317 High Street, Nagambie	3
11.1.2	Planning Applications Received and Planning Applications Determined - 1 to 30 April 2023	5
11.2	Community	
11.2.1	Grant Variation Request 2022/23: Community Grants Program Funding	6
11.2.2	Community Grants Program 2022/23 Small Projects – Application from Nagambie Lakes Men’s Shed	7
11.2.3	Insurance and Liability: Community Action Groups and Council Owned or Managed Facilities	8
11.2.4	Council’s Role in Acknowledging January 26 – 2024 and Beyond	11
11.2.5	Waterways Management (Goulburn River from Hughes Creek to Goulburn Weir including Lake Nagambie) - Funding Advocacy to inform Council’s role	13
11.2.6	Community Art Project – Pitch My Project	15
11.2.7	Rural Australians For Refugees - Shepparton and Northeast Victoria Afghan Community Sponsorship Proposal	16
11.3	Infrastructure	
11.3.1	Contracts and Works Awarded Under Delegation	17
11.4	Corporate	
11.4.1	Financial Report to 31 March 2023	18
11.5	Governance and Customer Service	
11.5.1	Monthly Performance Report	19
11.6	Executive	
11.6.1	Councillor expense request to attend the Municipal Association of Victoria (MAV) Rural and Regional Planning Conference in Marysville, Victoria from 1-2 June, 2023 – Cr Chris Raeburn	20

11.6.2	Councillor expense request to attend the Keeping Australia Beautiful (KAB) National Tidy Towns Sustainability Awards 2023, 18-20 May 2023 ~ King Island – Cr Chris Raeburn	22
11.6.3	Municipal Association of Victoria State Council Meeting – Friday 19 May 2023	24
12.	NOTICES OF MOTION	
12.1	Notice of Motion – Council Meeting Tuesday 16 May 2023 Request for Tailored Training and Development Program for Councillors - Lodged by Councillor Kristy Hourigan and Councillor Paul Murray (<i>Notice of Motion Ref. No: 04/2023</i>)	25
12.2	Notice of Motion – Council Meeting Tuesday 16 May 2023 Request for Reimbursement of Travel Expenses and Equipment Purchase Costs incurred for the period from 8 June 2022 to 4 May 2023 - Lodged by Councillor Reg Dickinson and Councillor David Andrews (<i>Notice of Motion Ref. No. 05/2023</i>)	26
13.	NOTICES OF RESCISSION	28
	Nil	
14.	URGENT BUSINESS	28
	Nil	
15.	CONFIDENTIAL BUSINESS	28
	Nil	

MOVED: COUNCILLOR HOURIGAN
SECONDED: COUNCILLOR RAEBURN

That the order of items on the Agenda be changed and Item 14.5.1 under Urgent Business be considered the first item of tonight's meeting agenda

92-22/23 **CARRIED**

14. URGENT BUSINESS OFFICER REPORTS

14.5 GOVERNANCE AND CUSTOMER SERVICE

14.5.1 Appointment of Municipal Monitor

Author: Chief Executive Officer

EXECUTIVE SUMMARY

The Minister for Local Government, the Hon Melissa Horne MP (the Minister), has informed the Mayor Councillor Laura Binks on 15 May 2023 that a Municipal Monitor, Peter Stephenson, has been appointed for three (3) months under the authority of the Local Government Act 2020 (the Act) (refer Attachment 1). Mr. Stephenson has been appointed to continue the work from the former Municipal Monitor, Janet Dore, and to address ongoing conduct and governance issues at Council.

The Minister has provided for two to three days' support per week on work directly related to acquitting the Terms of Reference (ToR), for the period of the appointment from 15 May 2023 to 15 August 2023.

The appointment has been made in response to concerns around governance and health and safety of councillors and staff. The monitor will examine why the Council has been unable to resolve issues identified by the previous monitor, Janet Dore, over a 12-month appointment made at the request of the Council.

The terms of Mr Stephenson's appointment are specific and different to the previous Monitor. He will be reporting to the Minister on the relationships between Councillors and between Councillors and Council staff. This includes Councillor behaviour with respect to the Councillor Code of Conduct and processes for resolving disputes between Councillors.

In accordance with the ToR as set by the Minister (refer Attachment 2), the focus of the work to be undertaken in this period are:

1. To monitor the Strathbogie Shire Council's (Council) governance functioning, with specific regard to key areas of concern identified in correspondence from the Mayor and other members of the Council dated February and March 2023;
2. To identify the underlying causes of any issues affecting the ability of the Council and / or individual Councillors to properly perform their statutory roles, with specific regard to the matters raised in clause 1, and
3. To report to the Minister, with respect to the matters in clause 1 and 2, on:
 - (a) any steps or actions taken by the Council to improve its governance and the effectiveness of those steps or actions,
 - (b) any recommendations for the Council to ensure the proper performance of its statutory role, including in relation to the conduct of councillors and responding to the advice of the former municipal monitor appointed to the Council, and
 - (c) any recommendations for the Minister, including in relation to the exercise of any Ministerial power under the Local Government Act 2020.

Mr Stephenson has held senior roles in a range of organisations including government, community services, higher education and health sectors. He is a former Councillor and Mayor Darebin City Council. As a Municipal Monitor he was worked with South Gippsland Shire Council and the Rural City of Wangaratta.

14.5.1 Appointment of Municipal Monitor (cont.)

MOVED: COUNCILLOR RAEBURN
SECONDED: COUNCILLOR HAYES-BURKE

That Council notes:

- 1. The appointment of the Municipal Monitor Peter Stephenson by the Minister for Local Government the Hon Melissa Horne MP, two to three days per week for the period 15 May 2023 – 15 August 2023 inclusive,***
- 2. The Terms of Reference as set by the Minister for Local Government for the period of Mr. Stephenson's appointment,***
- 3. That the remuneration set for the Municipal Monitor is \$1,259 per day plus expenses.***

93-22/23 **CARRIED**

11. OFFICER REPORTS

11.1 STRATEGIC AND STATUTORY PLANNING

11.1.1 Amended Planning Permit Applications and Amended Plans P2005/124 and P2016-109 at 317 High Street, Nagambie

Author: Manger Planning and Investment

Responsible Director: Director Community and Planning

The applicant addressed the meeting

EXECUTIVE SUMMARY

Amended planning permit applications have been made for the following planning permits:

- Amended Planning Permit P2005/124; and
- Planning Permit P2016-109.

These two planning permits regulate the use and development of the land at 317 High Street, Nagambie and need to be read together in order to gain an understanding of the car parking requirements for this land.

Amend Planning Permit P2005/124 gave permission for:

'Use & Development of land on the Northern Site for Ten (10) Fully Serviced Apartments, Three (3) Shop Fronts/Premises, Day Spa, Lakes Edge Boardwalk and On-site Parking. On the Southern Site – Four (4) Fully Serviced Apartments, Three (3) Shop Fronts and On-Site Parking, Subdivision and a Reduced On-Site Parking requirement'.

Planning Permit P2016-109 gave permission for:

'Use and Development of existing building for accommodation'.

Planning Permit P2016-109 effectively gave permission for a change of use for the buildings designated as a day spa under Amended Planning Permit P2005/124 to be used for motel units.

The amended planning permit applications seek approval for the following:

- An amended car parking layout plan to show one less car parking space along the northern boundary of the land.
- An amended site plan for the motel units to include a notation that people staying in the motel units have access to the car parking along the northern boundary of the land when available.

The applications were advertised together, and three objections were received.

Officers have undertaken an assessment of both applications and are recommending approval of the amended planning permit applications and the associated amended plans. Officers are satisfied the implementation of the amended plans will lead to an acceptable planning outcome.

11.1.1 Amended Planning Permit Applications and Amended Plans P2005/124 and P2016-109 at 317 High Street, Nagambie (cont.)

A detailed assessment for each amended planning permit application is provided in the Planning Reports attached to this Council Report.

MOVED: COUNCILLOR ANDREWS
SECONDED: COUNCILLOR DICKINSON

That Council:

1. ***Having caused notice of Planning Application No. P2005-124 -1 to be given under Section 52 of the Planning and Environment Act 1987 and or the planning scheme and having considered all the matters required under Section 60 of the Planning and Environment Act 1987 officers recommend that a Notice of Decision to Grant and Amended Planning Permit under the provisions of the Strathbogrie Planning Scheme in respect of the land known as, 317 High Street, Nagambie Victoria 3608, for the Use & Development of land on the Northern Site for Ten (10) Fully Serviced Apartments, Three (3) Shop Fronts/Premises, Day Spa, Lakes Edge Boardwalk and On-site Parking. On the Southern Site – Four (4) Fully Serviced Apartments, Three (3) Shop Fronts and On-Site Parking, Subdivision and a Reduced On-Site Parking requirement, is issued, including the endorsement of the submitted amended plans, subject to the existing conditions forming part of the permit.***
2. ***Having caused notice of Planning Application No. P2016-109 -2 to be given under Section 52 of the Planning and Environment Act 1987 and or the planning scheme and having considered all the matters required under Section 60 of the Planning and Environment Act 1987 officers recommend that a Notice of Decision to Grant and Amended Planning Permit under the provisions of the Strathbogrie Planning Scheme in respect of the land known as, 317 High Street, Nagambie Victoria 3608 – Lots 15 & 16 on PS546882Q, for the Use & Development of an existing building for accommodation, is issued, including the endorsement of the submitted amended plans, subject to the existing conditions forming part of the permit.***

94-22/23

CARRIED

**11.1.2 Planning Applications Received and Planning Applications Determined
- 1 to 30 April 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 1st to 30th April 2023. The latest available Planning Permit Activity Performance (PPARS) Figures are also attached (Attachment 3). It should be noted that the latest PPARS Figures are for the month of March 2023. The April PPARS Figures were not available at the time of writing this report as the monthly figures are not updated until 15th of each month. The contents of this report are provided for information purposes only.

It is noted that there were six (6) new planning applications received and eleven (11) planning applications decided upon during the reporting period.

MOVED: COUNCILLOR RAEBURN
SECONDED: COUNCILLOR HAYES-BURKE

That Council:

- 1. Note that there were six (6) new planning applications received, and eleven (11) planning applications decided on during the period of 1st to 30th April 2023.***
- 2. Note the report.***

95-22/23 ***CARRIED***

11.2 COMMUNITY

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

11.2.1 Grant Variation Request 2022/23: Community Grants Program Funding

Author: Manager Community and Culture

Responsible Director: Director Community and Planning

EXECUTIVE SUMMARY

Council delivers several community funding programs throughout the course of the year to support the community to deliver important community projects and initiatives.

Council has received a request from the Shadforth Nature Reserve Committee of Management (SNRCoM) for a variation to a project previously funded under the Community Grant Funding Program, Round 1, 2022/23. At the 16 August 2022 Council Meeting, Council approved the Round 1 Community Grant Funding 2022/23 allocations. The SNRCoM, under auspice of Violet Town Action Group, were allocated \$4,487 for a component of the 'Enhance Entrance Driveway and Park Area at Shadforth Reserve' project. Items funded included gravelling of the driveway, repairing potholes, creating parking bays and a safe loop where cars could turnaround. These works have been completed, and the project has an underspend of \$460.

The SNRCoM are requesting a variation to utilise the underspend of \$460 towards a weed management program as part of their 'Enhance Entrance Driveway and Parking Area at Shadforth Reserve' project.

This report seeks Council consideration and approval to support a variation to the above-mentioned community organisation for the delivery of the project, as detailed in this report.

MOVED: COUNCILLOR MURRAY
SECONDED: COUNCILLOR HAYES-BURKE

That Council:

- 1. *Approve the variation submitted by the Shadforth Nature Reserve Committee of Management, under the auspice of Violet Town Action Group Inc, to reallocate the unspent funds of \$460 from their 'Enhance Entrance Driveway and Parking Area at Shadforth Reserve' project to weed control works around the Reserve.***
- 2. *Authorise Officers to prepare an amended funding agreement incorporating the details of this variation and any specific terms and conditions relevant to the project including an extension to June 30, 2023, for the acquittal of the project.***

96-22/23 **CARRIED**

6.58 pm: Councillor Raeburn returned to the meeting after the vote on this matter had been conducted

11.2.2 Grants Program 2022/23 Small Projects – Application from Nagambie Lakes Men’s Shed

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 Nagambie Lakes Men’s Shed Incorporated to assist with the establishment of an Honour Board to recognise and celebrate the contribution of the inaugural President, Secretary and Treasurer, and all subsequent Office Bearers.

The request is for a cash funding of \$566.54 to contribute to the costs of purchasing and populating an Honour Board.

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

The proposed works will result in social benefits to Nagambie by recognising and celebrating volunteers and their contribution to community. The proposed Honour Board will contribute to a positive culture for members and prospective members by paying respect to the volunteers who have dedicated their time to make the Nagambie Lakes Men’s Shed a continuing success.

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. To date, one project has been successfully funded this financial year under the Small Projects Stream, with a remaining balance of \$7000 allocated to this stream.

This report recommends the approval of the Community Grants Program Small Project grant application from the Nagambie Lakes Men’s Shed for cash funding of \$566.54.

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

That Council approve grant funding of \$566.54 to the Nagambie Lakes Men’s Shed Inc to assist with the costs of establishing an Honour Board, under Council’s Community Grant Program Small Projects Stream 2022/23.

97-22/23 ***CARRIED***

11.2.3 Insurance and Liability: Community Action Groups and Council Owned or Managed Facilities

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

A representative from Violet Town Action Group addressed the meeting

Author: Manger Community and Culture

Responsible Director: Director Community and Planning

EXECUTIVE SUMMARY

Council has historically provided a range of groups and committees with insurance, where groups were operating under the guidance or direction of Council. Council's insurance provision is currently being reviewed due to the number of insurance-based queries Council receives from these groups and to reflect the requirements in the new Local Government Act 2020. The change has resulted in a number of Committees becoming Incorporated under the Victorian Associations Incorporation Act 1981 rather than authorised under Section 86 of the Local Government Act 1989 (now superseded). Council's community development model also encouraged the establishment of several Community Action Groups that have also moved to Incorporated Association status to enable them to be independent from Council.

As these committees/groups have their own legal status, they are no longer authorised by Council or Council controlled in any way. In effect, they simply hold a lease or license with Council to operate a facility, or they may have a funding agreement in place with Council for a specific purpose. They have their own model roles, membership process and are not accountable to Council as a legal entity, beyond the terms of their lease or agreement. They are also able to attract funding from a range of sources and manage those funds however they see fit, provided they meet their requirements under the Associations Incorporation Act 1981.

Advice from Council's insurer JLT indicates that holding insurance for the above groups/ committees is not advisable and that they do not believe the groups/committees are adequately covered through Council's existing policies. They recommend that the groups/committees themselves should take out the necessary cover and be the policy holder not Council. This ensures they have appropriate cover for the relevant group/committee, their volunteers and the activities they undertake. In addition, they will have a direct connection with their insurer and can seek insurance advice directly rather than through Council as a third party.

This advice specifically relates to Community Action Groups, Committees managing council assets including halls and recreation reserves. Council will continue to hold appropriate building insurance cover for all Council owned facilities and hold a certain level of public liability associated with the asset/ public land.

This report recommends officers inform the groups and committees of Council's insurers advice and request that they take out their own appropriate insurance. Further it is recommended that Council provide the funds of up to \$1,200 (annual payment, subject to annual market value) per group/committees detailed in this report to cover this specific insurance costs.

11.2.3 Insurance and Liability: Community Action Groups and Council Owned or Managed Facilities (cont.)

MOVED: COUNCILLOR HOURIGAN
SECONDED: COUNCILLOR HAYES-BURKE

That Council:

1. **Notify the following Incorporated Associations that Council can no longer provide Product and Public Liability Insurance, Association Liability Insurance and Volunteer Insurance on their behalf, effective 30 June 2023:**
 - **AVENEL MEMORIAL HALL MANAGEMENT COMMITTEE INC.**
 - **BOHO SOUTH HALL INC.**
 - **CREIGHTONS CREEK RECREATION RESERVE INC.**
 - **EUROA FRIENDLIES RESERVE COMMITTEE OF MANAGEMENT INC.**
 - **GOORAM COMMITTEE INC.**
 - **GRAYTOWN COMMUNITY INC. (This includes the Action Group)**
 - **LONGWOOD COMMUNITY CENTRE COM INC.**
 - **MOGLONEMBY HALL INC.**
 - **NAGAMBIE RECREATION RESERVE COM INC.**
 - **RUFFY RECREATION RESERVE INC.**
 - **TABLELANDS COMMUNITY CENTRE INC.**
 - **STRATHBOGIE MEMORIAL HALL INC.**
 - **AVENEL ACTIVE INC.**
 - **EUROA COMMUNITY ACTION GROUP INC.**
 - **LONGWOOD COMMUNITY ACTION GROUP INC.**
 - **RUFFY COMMUNITY ACTION GROUP INC.**
 - **STRATHBOGIE TABLELANDS ACTION GROUP INC.**
 - **VIOLET TOWN ACTION GROUP INC.**
 - **NAGAMBIE ACTION GROUP (At such a point that it is re-established)**

2. **Provide an annual payment of up to \$1,200 (subject to annual market value) to the following Incorporated Associations to cover the cost of these insurance policies, following the receipt of an estimate or quote from a recognised insurer:**
 - **AVENEL MEMORIAL HALL MANAGEMENT COMMITTEE INC.**
 - **BOHO SOUTH HALL INC.**
 - **CREIGHTONS CREEK RECREATION RESERVE INC.**
 - **EUROA FRIENDLIES RESERVE COMMITTEE OF MANAGEMENT INC.**
 - **GOORAM COMMITTEE INC.**
 - **GRAYTOWN COMMUNITY INC. (This includes the Action Group)**
 - **LONGWOOD COMMUNITY CENTRE COM INC.**
 - **MOGLONEMBY HALL INC.**
 - **NAGAMBIE RECREATION RESERVE COM INC.**
 - **RUFFY RECREATION RESERVE INC.**
 - **TABLELANDS COMMUNITY CENTRE INC.**
 - **STRATHBOGIE MEMORIAL HALL INC.**
 - **AVENEL ACTIVE INC.**
 - **EUROA COMMUNITY ACTION GROUP INC.**
 - **LONGWOOD COMMUNITY ACTION GROUP INC.**

11.2.3 Insurance and Liability: Community Action Groups and Council Owned or Managed Facilities (cont.)

MOTION (cont.)

- **RUFFY COMMUNITY ACTION GROUP INC.**
 - **STRATHBOGIE TABLELANDS ACTION GROUP INC.**
 - **VIOLET TOWN ACTION GROUP INC.**
 - **NAGAMBIE ACTION GROUP (At such a point that it is re-established)**
3. **Authorise Officers to prepare and execute temporary hire agreements with a fee waiver in place for the 23/24 financial year for users of Miepoll Hall, Violet Town Recreation Reserve and Strathbogie Recreation Reserve, until such time that the Lease and Licence Policy is in place.**

98-22/23 **CARRIED**

7.18 pm: Councillor Raeburn returned to the meeting after the vote on this matter had been conducted

11.2.4 Council's Role in Acknowledging January 26 – 2024 and Beyond

Author: Manager Community and Culture

Responsible Director: Director Community and Planning

A community member addressed the meeting

The Mayor read out a letter received from a community member, who requested it be read

EXECUTIVE SUMMARY

At the 19 October 2021 Council meeting, Cr Sally Hayes-Burke sought a report from officers regarding Council's role in January 26 activities in recognition of First Nations people. This report was considered at the 17 May 2022 Council meeting, authorising broader consultation on two options with the community and relevant stakeholders including local Australia Day Committees and First Nations representatives.

Broad consultation was then undertaken in line with the above recommendations from the 17 May 2022 meeting. The feedback from this engagement provided no clear mandate for change, nor a strong determination to retain existing arrangements. At the extraordinary Council meeting held on 28 June 2022, Council resolved the following.

That Council:

- 1. Note the community feedback as outlined in the Community Engagement Report; and*
- 2. Continue to celebrate January 26 in 2023 as per existing arrangements.*

As the direction only considered arrangements for 2023, further direction is required from Council regarding arrangements for 2024 onwards.

It should also be noted that Council has since received a formal Statement from Taungurung Land and Waters Council regarding January 26. This Statement received in January 2023 was authorised through the direction of the Taungurung people.

This Statement articulates an agreed position from Taungurung Land & Waters Council (TLaWC) '*not to participate in any activities associated with January 26 and request that our partners and stakeholders respect this position.*' The full formal position of TLaWC into January 26 forms Attachment 1 to this report.

It should be noted that in October 2021, Council entered into a Memorandum of Understanding (MOU) with the TLaWC. The MOU reflects the need to commit to ensure the consideration of local Taungurung issues as part of any review process for Council programs and services.

In line with Council's MOU with the TLaWC and its January 26 Statement, it is recommended that Council no longer formally supports celebrations on January 26, from 2024. Officers also propose that Council move the "Australia Day Awards" to National Volunteer Week, by introducing a shire wide Strathbogie Rocks Annual Community Awards Program/event (an inclusive awards program) recognising the outstanding community contribution of people within the Strathbogie Shire. National Volunteers Week is held in May.

11.2.4 Council's Role in Acknowledging January 26 – 2024 and Beyond (cont.)

This option does not exclude Australia Day Committees from continuing to host and deliver township celebrations including award celebrations including award celebrations on January 26 or applying for funding directly to the National Australia Day Council.

MOVED: COUNCILLOR HAYES-BURKE
SECONDED: COUNCILLOR MURRAY

That Council:

- 1. Note the Taungurung Land and Waters Council Statement on January 26.***
- 2. No longer formally supports celebrations on January 26, from 2024 and beyond.***
- 3. Amend Council's Event Sponsorship Guidelines and Community Grant Guidelines deeming activities celebrating Australia Day on 26 January (in kind or cash) as ineligible.***
- 4. Continue to fulfill Council's statutory obligations – event permit under Local Law 2.***
- 5. Empower the Share Strathbogie Community Panel to determine how we best recognise volunteers in our community who make outstanding contributions within existing resources.***
- 6. Note that Australia Day Committees may continue arrangements that they determine and seek funding directly from the National Australia Day Council.***

99-22/23 **CARRIED**

Councillor Hayes-Burke called for a division

For the Motion

Cr Raeburn
Cr Hayes-Burke
Cr Andrews
Cr Dickinson
Cr Murray
Cr Binks

Against the Motion

Cr Hourigan

11.2.5 Waterways Management (Goulburn River from Hughes Creek to Goulburn Weir including Lake Nagambie) - Funding Advocacy to inform Council's Role

Author: Manager Community Safety

Responsible Director: Director Community and Planning

A statement from a member of Council's Waterways Advisory Committee was read by the Mayor

EXECUTIVE SUMMARY

For many years, Strathbogrie Shire Council has been appointed as waterway manager under the *Marine Act 1988* for the following waterway:

- Goulburn River from Hughes Creek to Goulburn Weir including Lake Nagambie.

Safe Transport Victoria (now incorporating Maritime Safety Victoria) is the organisation responsible for appointing Waterway Managers and safety on waterways in Victoria. It is understood that Strathbogrie Shire Council was first gazetted in the late 1980's, with Council being re-gazetted in June 2012. The appointment continues until such time as the gazetted waterways manager advises Safe Transport Victoria (STV) that it no longer wishes to perform this role.

Council employs a third-party contractor to undertake patrols of the waterways. The patrolling is undertaken in addition to any patrols conducted by STV directly, Fisheries or Victoria Police. Whilst Council can also elect to exercise enforcement powers through the deployment of Transport Safety Officers authorised by the Safety Director, changes to the legislation have meant that Council (as the Waterway Manager) does not receive any financial income from any infringement notice that is given. Any revenue generated goes directly to the relevant State Government department.

STV also has some oversight for waterways in Victoria that do not have a waterway manager and where special rules have not been introduced to regulate vessel activity.

Over the years, the costs to deliver the waterways management function has continued to grow. Waterway Managers do not receive any income from the State Government for performing the role. The financial burden on ratepayers is becoming increasingly expensive to deliver this service (patrol contract and on water related remedial works is approx. \$100k, plus administration, event application management liaison, navigation aids, etc). It is estimated that the total cost of providing the function is approximately \$150 - \$200k annually taking into consideration officer time, on water activities (signage/navigation aids), administration of the Advisory Committee, advertising/communications with no ability to generate income.

This means approximately \$150 - \$200k of ratepayers' money is used each year to deliver a service that is not a Council responsibility.

While we understand water safety is essential to our community, we believe the cost of this service should be paid for by the responsible authority.

11.2.5 Waterways Management (Goulburn River from Hughes Creek to Goulburn Weir including Lake Nagambie) - Funding Advocacy to inform Council's Role (cont.)

Should Council exit from delivering the waterway management function, the waterway would continue to be regulated by the relevant authorities (STV, Victoria Police, Fisheries) and managed by directly by STV.

MOVED: COUNCILLOR DICKINSON

SECONDED: COUNCILLOR ANDREWS

That Council:

1. ***Authorise officers to notify 4site, current provider of the Provision of Boating Safety Operations (contract number 20/21-22), that the contract will cease as proposed on the 30 September 2023, with no option for extension to be applied.***
2. ***Authorise officers to write to Safe Transport Victoria (and relevant State Government Ministers and local members of Parliament) seeking annual and ongoing financial support to fully fund the cost of undertaking the Waterways Management role and notify relevant stakeholders and community of this advocacy ask.***
3. ***If full funding is not achieved by 31 August 2023, receive a report in the September 2023 Council meeting cycle to either withdraw the service effective 1 October 2023 or consider options to remain as a Waterways Manager which would require the allocation of funding to investigate and identify a sustainable model, including but not limited to, recouping/offsetting service costs.***

100-22/23 **CARRIED**

11.2.6 Community Art Project – Pitch My Project

Author: Manager Community and Culture

Responsible Director: Director Community and Planning

EXECUTIVE SUMMARY

Strathbogie Shire Council adopted a Public Art Policy in September 2022. The policy provides a clear and transparent process for assessing and making decisions about the design, placement, and preservation of art in public spaces in Strathbogie Shire.

The new policy followed significant calls from the community for more public art.

After the adoption of the policy, we sought community comment to understand preferences for the type and location of public art in our townships.

Overall, the feedback was positive. Make public art happen!

Specifically, there was significant support for bird sculptures but, we were also told to mix it up, surprise us – embrace our region, embrace Taungurung storytelling through art and pay tribute to our history and identity.

A \$20,000 commitment from Council was made in the 2022/23 Budget through a successful Pitch My Project initiative for a piece of public art in the form of a sculpture to be located in Euroa.

An Expression of Interest process was undertaken in March calling for artists to submit a concept for this project. Council Officers shortlisted the concepts that were in line with Council's Public Art Policy. Council asked the community to make the final decision from the five shortlisted concepts. Voting was open for a two-week period and closed on the 4 May 2023. Following the public voting process the sculpture of an Australian Magpie received the most votes. The Engagement Report attached to this report (Attachment 1) details the outcome of the voting process.

In line with the policy and procedure, Officers will now work with the successful artists to see this project through to fruition by 30 June 2023. The Magpie will be located in Seven Creeks Parkland area in Euroa.

MOVED: COUNCILLOR HAYES-BURKE

SECONDED: COUNCILLOR HOURIGAN

That Council:

- 1. Note the progress of the Public Art Project and acknowledge that following a community vote an Australian Magpie will be installed in Seven Creeks Parkland, Euroa; and***
- 2. Authorise officers to commission 'Tank and Tobin' to create and install the bird sculpture in the Seven Creeks Parkland using the \$20,000 funding allocated in the 2022/23 Council budget for this purpose.***

101-22/23 ***CARRIED***

11.2.7 Rural Australians For Refugees - Shepparton and Northeast Victoria Afghan Community Sponsorship Proposal

Author and Responsible Director: Director Community and Planning

EXECUTIVE SUMMARY

Rural Australians for Refugees (RAR)-Strathbogie Shire is currently represented on a regional RAR body – Indi Supports Refugees. Currently, local RAR groups and Indi Supports Refugees are collaboratively supporting an Indi-wide project to sponsor skilled Afghan refugees with humanitarian visas to settle in northeast Victoria. This project is titled the Shepparton and Northeast Victoria Afghan Community Sponsorship Proposal.

Strathbogie Shire Council has received a request from our local RAR-Strathbogie Shire to support the proposal for a Community Sponsorship Program for Afghan Refugees.

RAR-Strathbogie Shire are requesting a letter of support from Strathbogie Shire Council so that RAR can progress a request to the Federal Government, via the Federal Member for Indi Dr Helen Haines and Bruce MP Julian Hill, to establish a Community Sponsorship program which supports refugees coming to Shepparton and North East Victoria. Letters of support are being requested from other local government authorities within this catchment area.

In principle commitment to welcome refugees into the Strathbogie shire community is sought, and should the proposal be successful council may be asked to link RAR to services and employers in the shire so they in turn can facilitate appropriate support. By its endorsement, the Strathbogie Shire Council will strengthen the proposal in its presentation to government. RAR is not seeking any financial assistance from council.

In line with Council declaration to be a Refugee Welcome Zone in 2017, it is recommended that council provide a letter of support to RAR for the Shepparton and Northeast Victoria Community Sponsorship Program.

MOVED: COUNCILLOR HAYES-BURKE
SECONDED: COUNCILLOR RAEBURN

That Council authorise officers to provide a letter of support signed by the Mayor to Rural Australians for Refugees for the Community Sponsorship Program for Afghan Refugees proposal.

102-22/23 **CARRIED**

11.3 INFRASTRUCTURE

11.3.1 Contracts and Works Awarded Under Delegation

Author: Procurement and Tenders Officer

Responsible Directors: Director People and Governance

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 March 2023 to 31 March 2023. This report specifically relates to works that form part of Council's approved 2022/23 budget.

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

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.***

103-22/23 ***CARRIED***

11.4 CORPORATE

11.4.1 Finance Report to 31 March 2023

Author: Chief Financial Officer

Responsible Director: Director People & Governance

EXECUTIVE SUMMARY

The March Financial Report compares the year-to-date mid-year adopted budget to the actual financial position of March 2023.

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

The current year operating surplus for the nine months period ending 31 March was \$6,673,287.

As at 31 March 2023, the total expenditure on capital works was \$8,136,338, which excludes committed expenditure.

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

That Council receive and note the Financial Report and Financial Statements for the nine months ending 31 March 2023.

104-22/23 ***CARRIED***

11.5 GOVERNANCE AND CUSTOMER SERVICE

11.5.1 Monthly Performance Report

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

- Building Department – April 2023 Statistics
- Planning Department – Planning Application Approvals – Development Cost (Capital Improved Value) – April 2023
- Customer Enquiry Analysis Report – Report for April 2023
- Waste Management Reporting ~ Year to Date – April 2023
- Transfer Station Date - April 2023
- Actioning of Council Reports Resolutions – Extraordinary Council Meeting Tuesday April 11, 2023 and Council Meeting Tuesday April 18, 2023
- Outstanding Actions of Council Resolutions to April 30, 2023
- Review of Council Policies and Adoption of new Policies – April/May 2023
- Records of Informal Council Briefings / Meetings – 1 to 30 April 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 MURRAY

That the report be accepted.

105-22/23 **CARRIED**

11.6 EXECUTIVE**11.6.1 Councillor expense request to attend the Municipal Association of Victoria (MAV) Rural and Regional Planning Conference in Marysville, Victoria from 1-2 June, 2023 – Cr Chris Raeburn**

8.17 pm: Councillor Raeburn left the meeting due to declaring a material conflict of interest in Items 11.6.1 and 11.6.2

Author: Policy Research and Councillor Support Officer

Responsible Director: Executive Manager Communications and Engagement

EXECUTIVE SUMMARY

The Municipal Association of Victoria (MAV) is hosting the 2023 Rural and Regional Planning Conference in Marysville, Victoria from 1 to 2 June, 2023. The event provides a Councillor and Officer development and training opportunity that attracts planning practitioners and state and local government leaders from across Victoria. This conference is a highly valued knowledge-sharing and networking opportunity for those most invested in the future of rural and regional Victoria and is sponsored by the Department of Transport and Planning.

Councillor Chris Raeburn has expressed an interest to attend this state conference and represent interests of Strathbogie Shire (Attachment 1).

As per the Council Expenses Policy (Adopted October, 2022), each Strathbogie Shire Councillor has a training and conference allowance of up to \$1,500.00 per financial year, without approval from the Chief Executive Officer, while declaring and registering all expenses with Council Officers for public record and transparency.

To date, Councillor Chris Raeburn has utilised \$1,024.00 of the training and conference expense allowance, leaving only \$476.00 available, which is not enough to cover the cost of the MAV Rural and Regional Planning Conference registration, accommodation and travel, which has been researched and costed at \$869.82, an additional \$393.82 above Councillor Raeburn's allowance. As per the Council Expenses Section 17.2 Policy, a formal report is required for Council resolution in this instance.

MOVED: COUNCILLOR MURRAY

SECONDED: COUNCILLOR HAYES-BURKE

That Council:

- 1. Endorse the request from Councillor Chris Raeburn to travel and attend the MAV 2023 Rural and Regional Planning Conference in Marysville for the benefit of development and training and Councillor decision-making in planning matters;**
- 2. Fund the cost of conference registration, transport and accommodation incurred through attendance to the MAV 2023 Rural and Regional Planning Conference, estimated at \$869.82 for Councillor Chris Raeburn; and**

- 11.6.1 Councillor expense request to attend the Municipal Association of Victoria (MAV) Rural and Regional Planning Conference in Marysville, Victoria from 1-2 June, 2023 – Cr Chris Raeburn (cont.)

MOTION (cont.)

- 3. Receive a conference evaluation report outlining the learnings and municipal benefits received upon Councillor Chris Raeburn's return from the MAV 2023 Rural and Regional Planning Conference in accordance with the Council Expenses Policy.**

106-22/23 **CARRIED**

11.6.2 Councillor expense request to attend the Keeping Australia Beautiful (KAB) National Tidy Towns Sustainability Awards 2023, 18-20 May 2023 ~ King Island – Cr Chris Raeburn

Author: Policy Research and Councillor Support Officer

Responsible Director: Communications and Engagement

EXECUTIVE SUMMARY

Keeping Australia Beautiful (KAB) National Association is hosting the National Tidy Towns Sustainability Awards 2023 on the 19 May, 2023 in Currie, King Island.

Euroa was the state-winner of the Victorian 2022 Tidy Town of the Year Award through a Council submission of community-led sustainable initiatives aligning to nine award categories. This submission was collated and presented by Mayor Laura Binks in person on 1st March, 2023 with KAB Judge Gail Langley and online to a panel of KAB judges on 19th April, 2023.

As the 2022 Victorian State Winner, Euroa is a finalist for the National Tidy Town Sustainability Awards 2023 which will be presented in the location of 2022 National Tidy Towns winner, on King Island.

The Tidy Towns name is synonymous with community pride, cohesion and above all community action. The awards are designed to promote ecotourism to encourage, motivate and celebrate the sustainability achievements of grassroots rural and regional communities across Australia.

Due to conflicting commitments, Mayor Laura Binks is unavailable to attend this awards ceremony and therefore, Councillor Chris Raeburn has expressed an interest to attend King Island as a Council and community representative in this instance.

As per the Council Expenses Policy (adopted October 2022), each Strathbogie Shire Councillor has a training and conference allowance of up to \$1,500.00 per financial year, without approval from the Chief Executive Officer, while declaring and registering all expenses with Council Officers for public record and transparency.

Should the Council report, item 11.6.1 for MAV training be adopted in addition to the KAB report, the total expense amount will be \$3,677.08 or \$ 2,177.08 above Councillor Raeburn's 2023 financial year allocated threshold.

Due to the interstate requirements of this event, and the expenses costed for Councillor participation, a formal report is presented for consideration.

MOVED: COUNCILLOR ANDREWS

SECONDED: COUNCILLOR HAYES-BURKE

That Council:

- 1. Endorse the appointment of Councillor Chris Raeburn to travel to King Island for the Keeping Australia Beautiful (KAB) National Tidy Towns Sustainability Awards 2023 as a representative for National Finalist for Victoria: Euroa- Tidy Town of the Year 2022;***

11.6.2 Councillor expense request to attend the Keeping Australia Beautiful (KAB) National Tidy Towns Sustainability Awards 2023, 18-20 May 2023 ~ King Island – Cr Chris Raeburn (cont.)

MOTION (cont.)

- 2. Fund the travel expenses for award ceremony registration, flights, transport, accommodation and meals incurred through attendance, which have been costed at \$1,784.26 as of 11th May, 2023 for one person; and**
- 3. Receive an evaluation report highlighting the outcomes, learnings and municipal benefits received from attending the National Keeping Australia Beautiful Awards 2023 upon Councillor Chris Raeburn's return from King Island in accordance with the Council Expenses Policy.**

107-22/23 **CARRIED**

8.26 pm: Councillor Raeburn returned to the meeting after the votes on Items 11.6.1 and 11.6.2 had been conducted

11.6.3 Municipal Association of Victoria State Council Meeting – Friday 19 May 2023

Author: Chief Executive Officer

EXECUTIVE SUMMARY

The Municipal Association of Victoria (MAV) is a membership association and the legislated peak body for local government in Victoria. MAV offer diverse business services to its council members including specialist policy and advocacy, governance and legislative advice, sector development, insurance and procurement services.

State Council is MAV's governing body. It is made up of representatives from each member council and governed by the MAV's Rules of Association (Rules). State Council meetings twice per year (or more as required) where member consider and vote of matters before State Council.

Council's current MAV representative is the Mayor, Councillor Laura Binks, with the substitute representative being Councillor Chris Raeburn. On Friday 19 May 2023, Councillor Laura Binks is attending the Australian Local Government Women's Association National Conference and if Item 11.6.2 is supported, Councillor Chris Raeburn is representing Council at the 2023 National Tidy Towns Awards, to be held on King Island, at which the township of Euroa has been nominated for the 2023 awards, Given that all events are scheduled on the same day, Council needs to formally appoint a substitute representative to attend and vote at the May meeting of MAV State Council.

This report seeks Council's endorsement for Councillor Sally Hayes-Burke to attend and vote at the May 2023 meeting of the State Council.

MOVED: COUNCILLOR RAEBURN
SECONDED: COUNCILLOR DICKINSON

That Council endorse Councillor Sally Hayes-Burke to attend and vote at the Municipal Association of Victoria State Council Meeting on Friday 19 May 2023 as Strathbogie Shire Council's formal substitute representative.

108-22/23 **CARRIED**

12. NOTICES OF MOTION

12.1 Notice of Motion – Council Meeting Tuesday 16 May 2023 Request for Tailored Training and Development Program for Councillors - Lodged by Councillor Kristy Hourigan and Councillor Paul Murray (Notice of Motion Ref. No. 04/2023)

We, Councillor Kristy Hourigan
Councillor Paul Murray

Wish to lodge the following Notice of Motion under Governance Rule 35.

The motion I/we wish to put to Council is:

That Council:

1. Note that this Motion supports the recommendations from the Municipal Monitor final report tabled at the 21 February 2023 Council meeting,
2. Endorse this Motion to strengthen good governance practice through a tailored training and development program delivered by Andrew Douglas FCW Lawyers,
3. Authorise officers to arrange the training program for delivery within 3 to 6 months in consultation with Councillors, and
4. Note that the additional budget allocation can be accommodated within the Councillor Training and Budget line item as detailed in the draft 2023/24 budget.

MOVED: COUNCILLOR HOURIGAN
SECONDED: COUNCILLOR MURRAY

That Council:

1. ***Note that this Motion supports the recommendations from the Municipal Monitor final report tabled at the 21 February 2023 Council meeting,***
2. ***Endorse this Motion to strengthen good governance practice through a tailored training and development program delivered by Andrew Douglas FCW Lawyers,***
3. ***Authorise officers to arrange the training program for delivery within 3 to 6 months in consultation with Councillors, and***
4. ***Note that the additional budget allocation can be accommodated within the Councillor Training and Budget line item as detailed in the draft 2023/24 budget.***

109-22/23 **CARRIED**

12.2 Notice of Motion – Council Meeting Tuesday 16 May 2023
Request for Reimbursement of Travel Expenses and Equipment Purchase
Costs incurred for the period from 8 June 2022 to 4 May 2023
- Lodged by Councillor Reg Dickinson and Councillor David Andrews (Notice
of Motion Ref. No. 05/2023)

8.38 pm: Councillor Dickinson left the meeting due to declaring a material conflict of interest

We, Councillor Reg Dickinson
Councillor David Andrews

Wish to lodge the following Notice of Motion under Governance Rule 35.

The motion I/we wish to put to Council is:

That Council:

1. Reimburse travel costs from 8/6/22 to 4/5/23, amounting to \$2389.26, as detailed on “Private Car Mileage” Council application document.
2. Reimburse the purchase cost of a printer cartridge on 27/2/23, amounting to \$58.00, as detailed on the “Councillor Expenses Reimbursement” application document.
3. The total amount requested is \$2447.26.

MOVED: COUNCILLOR HOURIGAN
SECONDED: COUNCILLOR MURRAY

That the meeting be adjourned for five minutes to seek clarification on some matters raised.

110-22/23 ***CARRIED***

The meeting adjourned at 8.46 pm and recording of the meeting ceased.

The meeting recommenced at 8.49 pm and recording of the meeting resumed.

- 12.2 Notice of Motion – Council Meeting Tuesday 16 May 2023
Request for Reimbursement of Travel Expenses and Equipment Purchase Costs
incurred for the period from 8 June 2022 to 4 May 2023
- Lodged by Councillor Reg Dickinson and Councillor David Andrews (Notice of
Motion Ref. No. 05/2023) (cont.)

MOVED: COUNCILLOR HOURIGAN
SECONDED: COUNCILLOR ANDREWS

That Council:

1. **Reimburse travel costs from 8/6/22 to 4/5/23, amounting to \$2389.26, as detailed on “Private Car Mileage” Council application document.**
2. **Reimburse the purchase cost of a printer cartridge on 27/2/23, amounting to \$58.00, as detailed on the “Councillor Expenses Reimbursement” application document.**
3. **The total amount requested is \$2447.26.**

111-22/23 **ON BEING PUT, THE MOTION WAS LOST ON THE MAYOR’S CASTING VOTE**

Councillor Hourigan called for a division

For the Motion

Cr Murray
Cr Hourigan
Cr Andrews

Against the Motion

Cr Hayes-Burke
Cr Raeburn
Cr Binks (plus casting vote)

9.03 pm: Councillor Dickinson returned to the meeting after the vote on the matter had been conducted

13. NOTICES OF RESCISSION

Nil

14. URGENT BUSINESS

Nil

An initial Urgent Business item was brought forward and considered as the first item of business

15. CONFIDENTIAL BUSINESS

Nil

NEXT MEETINGS

An Extraordinary meeting of the Strathbogie Shire Council is scheduled to be held on Tuesday May 23, 2023, at the Euroa Community Conference Centre, at 2pm.

An Extraordinary meeting of the Strathbogie Shire Council is scheduled to be held on Tuesday June 6, 2023, at the Euroa Community Conference Centre, at 6pm.

The next monthly meeting of the Strathbogie Shire Council is scheduled to be held on Tuesday June 20, 2023, at the Euroa Community Conference Centre, at 6pm.

THERE BEING NO FURTHER BUSINESS, THE MEETING CLOSED AT 9.04 P.M.

Confirmed as being a true and accurate record of the Meeting

.....
Chair

.....
Date