

Strathbogie Shire Council

Extraordinary Council Meeting Agenda

June 27, 2023

Agenda

Extraordinary Council Meeting

Tuesday, June 27, 2023, at 6pm

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

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

Council:

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

Municipal Monitor:

Peter Stephenson

Officers:

Julie Salomon – Chief Executive Officer
Amanda Tingay – Acting Director People and Governance
Vlad Adamek – Director Sustainable Infrastructure
Kristin Favaloro – Executive Manager Communications and Engagement
Phillip Carruthers – Specialist Governance Advisor
Rachael Frampton – Acting Director Community and Planning

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 is being streamed live via our website ([Council Meetings and Minutes | Strathbogie Shire](#)) and made available for public access on our website along with the official Minutes 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 this Agenda 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

6. Disclosure of Conflicts of Interest

- 7. Officer Reports**
 - 7.1 Strategic and Statutory
 - 7.2 Community
 - 7.3 Infrastructure
 - 7.4 Corporate
 - 7.5 Governance and Customer Service
 - 7.6 Executive

Julie Salomon
CHIEF EXECUTIVE OFFICER

June 23, 2023

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7. OFFICER REPORTS

7.2 CORPORATE

7.2.1 Consideration of Nagambie and Euroa Caravan Park Line Items 2023-24 Strathbogie Shire Council Budget

Author: Chief Financial Officer

Responsible Director: Director People and Governance

EXECUTIVE SUMMARY

In accordance with the requirements of section 94 of the *Local Government Act 2020* (the 2020 Act), Council has prepared and exhibited a budget for the financial year ending 30 June 2024.

The budget was developed in accordance with the 2020 Act's financial management principles in accordance with section 96(1)(a) and placed on public exhibition for community review and comment in accordance with our Community Engagement Policy.

There are income and expense line items within the draft Budget that relate to Caravan Parks in Nagambie and Euroa, in accordance with the terms and conditions outlined in existing lease agreements.

A lease for the Euroa Caravan Park was transferred to the current lessee, Lilly Ann Pty Ltd by way of Council resolution on 21 February 2017. Councillor Hourigan is a Director of this company, as declared in her March 2023 personal interest declaration form.

As Councillor Hourigan has a material interest in these budget line items, it has been necessary to separate out this line item in the budget so that Cr Hourigan can participate in the broader budget consideration without breaching the conflict of interest provisions of the *Local Government Act 2020*.

Given that the terms of the lease contain terms and conditions that have been previously considered by Council in a confidential item, details as to how income for the caravan park is calculated is outlined in a confidential attachment.

None of the fifteen (15) public submissions received during the exhibition of the draft budget and fees and charges related to the caravan park line items. Therefore no changes are proposed to the figures exhibited in the draft documents.

This report seeks approval for the inclusion of the related line items in the 2023-24 Budget for \$93,600 in income, \$31,200 in operating expense and \$62,400 on capital works (projects to be confirmed).

7.2.1 Consideration of Nagambie and Euroa Caravan Park Line Items 2023-24 Strathbogie Shire Council Budget (cont.)

RECOMMENDATION

That Council:

- 1. Endorse the line items relating to income of \$93,600, \$31,200 in operating expense and \$62,400 on capital works (projects to be confirmed) to the Caravan Parks located in Euroa and Nagambie, in accordance with the terms and conditions of the existing leases.***
- 2. Include these line items in the adopted 2023-24 Budget.***

PURPOSE AND BACKGROUND

In accordance with the requirements of section 94 of the *Local Government Act 2020* (the Act), Council has prepared a budget for the financial year ending 30 June 2024.

In preparing the 2023/24 Budget, the Council has considered many factors in an effort to continue to balance community expectations and benefits with financial responsibilities.

The financial principles set out under section 101 of the Act have also been considered when preparing the suite of budget documents.

This report seeks to avoid the creation of a material conflict of interest for Councillor Hourigan as a director of the company leasing the Euroa Caravan Park under section 128 of the *Local Government Act 2020*.

ISSUES, OPTIONS AND DISCUSSION

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that Priority is to be given to achieving the best outcomes for the municipal community, including future generations.

Without separation of the line items relating to the caravan parks from the remainder of the budget, Councillor Hourigan would not be able to participate in the broader budget discussion and decisions on other items not related to the caravan park. This is not considered to be the best outcome for the municipal community Councillor Hourigan represents.

There were no written submissions received during the consultation period in relation to either of the caravan parks. No changes are therefore required to the budget documentation.

COMMUNITY ENGAGEMENT

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that the municipal community is to be engaged in strategic planning and strategic decision making.

7.2.1 Consideration of Nagambie and Euroa Caravan Park Line Items 2023-24 Strathbogie Shire Council Budget (cont.)

This year the opportunity for meaningful input from our community into our Budget was the most extensive undertaken by this Council. Council Officers created a three-stage engagement program that ensured input into every stage of the Budget's development.

In stage one (November 2022) we launched the innovative Pitch my Project initiative allowing the community several months to 'pitch' their ideas. The new Pitch My Project Guidelines include an increased level of community input through the community preference period.

Projects that passed through the assessment process progressed to Councillors to receive a score out of a possible 20 points. Ideas that received a score of 11 or over proceeded to the stage two of the engagement program – which was the community feedback stage.

Officers used the Share Strathbogie platform to create a participatory budgeting exercise that allowed the community to have input into how the \$300,000 allocated to Pitch My Project will be spent.

To ensure those who did not have access to the internet could have their say we established 'survey stations' in every township to gather hard copy surveys. We also continued to seek submissions to the 2023/24 Draft Budget and Draft 2022/23 Fees and Charges during a 28-day public exhibition period.

Submissions could be made online, in writing or via email.

Two face-to-face Draft Budget Workshops were held with the Share Strathbogie Community Panel – one online and one face-to-face.

Stage three of the engagement program will be closing the loop with the community to inform them how their feedback was used to inform the final 2023/24 Budget.

Throughout every stage we created simple, clear communication materials that provided our community with information about Pitch my Project and the development of the 2023/24 Budget to ensure they understand how they could have their say.

Submitters were also able to make a verbal presentation to an Extraordinary Council meeting on Tuesday 6 June 2023, or nominate a representative to make the presentation on their behalf. Six parties opted to take up this opportunity.

POLICY CONSIDERATIONS

Council Plans and Policies

The budget document provides financial resources to achieve the following 2021-25 Council Plan strategies and key initiatives:

7.2.1 Consideration of Nagambie and Euroa Caravan Park Line Items 2023-24 Strathbogie Shire Council Budget (cont.)

Strategic Focus Area 2: Live. Access. Connect

Action 2.1.1 Implement the Asset Plan to guide future investment in buildings, plant and infrastructure through the 10 Year Capital Budget.

Strategic Focus Area 6: Accountable. Transparent. Responsible.

- *Maximise public transparency and accountability around our performance and decision making processes*
- *Be financially responsible, achieving the greatest possible community benefit from the programs, initiatives and services we fund.*

LEGAL CONSIDERATIONS

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that Council decisions are to be made and actions taken in accordance with the relevant law.

Councillor Hourigan's current personal interest return, submitted under section 133 of the Act, identifies that she is a director of Lilly Ann Pty Ltd, the lessee of the Euroa Caravan Park.

Section 128 of the Act relates to material conflict of interest, which is defined as:

A relevant person (ie Councillor Hourigan in this instance) has a material conflict of interest in respect of a matter if an affected person would gain a benefit or suffer a loss depending on the outcome of the matter.

The benefit may arise or the loss incurred—

- (a) directly or indirectly; or*
- (b) in a pecuniary or non-pecuniary form.*

Any of the following is an affected person—

- (a) the relevant person.*

Councillor Hourigan has sought advice as to how to avoid breaching the Act but being able to participate in the broader budget development and decision making. This report is in response to Councillor Hourigan raising the conflict of interest.

The inclusion of the income and expenses related to the caravan parks ensure that Council meets its obligations under the leases for the two respective caravan parks.

The intricacies of how the income and expenditure is calculated for caravan parks in accordance with existing leases is classified as confidential information under section 3, Definitions, of the Act, which relates to:

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

7.2.1 Consideration of Nagambie and Euroa Caravan Park Line Items 2023-24 Strathbogie Shire Council Budget (cont.)

- 3 (g) private commercial information, being information provided by a business, commercial or financial undertaking that—
 - (ii) if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage.

The terms and conditions of the Euroa Caravan Park lease transferred to Lilly Ann Pty Ltd on 21 February 2017 and was considered in a confidential item during a closed portion of a Council meeting.

Given this information has already been classified as confidential under the former *Local Government Act 1989*, this information must be dealt with in a similar way.

Accordingly, there is a confidential attachment outlining lease terms and conditions in the Confidential Appendices to this Agenda.

Conflict of Interest Declaration

All officers, and/or contractors, involved in the preparation of this report have signed a written declaration that they do not have a conflict of interest in the subject matter of this report.

Transparency

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that the transparency of Council decisions, actions and information is to be ensured.

The summary of all Councillors' personal interest returns is required to be published on Council's website under section 133 and 135 of the Act and regulations 8 and 10 of the *Local Government (Governance and Integrity) Regulations 2020*.

The separation of the line items that initiate a material conflict of interest for a Councillor so that they can participate in the broader decision making process for the remainder of the budget is the most transparent and accountable approach to dealing with this conflict.

FINANCIAL VIABILITY CONSIDERATIONS

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that the ongoing financial viability of the Council is to be ensured.

The line items for expenditure and capital works funded by the rental received for the caravan parks leased by Council are in accordance with the terms and conditions of existing leases.

HUMAN RIGHTS CONSIDERATIONS

There are no impacts on the *Charter of Human Rights and Responsibilities Act 2006* arising out of this report.

7.2.1 Consideration of Nagambie and Euroa Caravan Park Line Items 2023-24 Strathbogie Shire Council Budget (cont.)

CONCLUSION

Line items in relation to income and capital expenditure for the Nagambie and Euroa Caravan Parks are required to be included in the 2023-24 Budget as a means of ensuring Council upholds the terms and conditions of the lease agreements currently in place.

The separation of these line items allows Councillor Hourigan, who has declared a material conflict of interest as the lessee of the Euroa Caravan Park, to participate in the broader budget discussion and decision making process without breaching the *Local Government Act 2020*.

ATTACHMENTS

Nil

APPENDICES

Appendix 1: Rental payments and capital works expenditure for the Euroa Caravan Park as per the terms of the lease transferred to Lilly Ann Pty Ltd on 21 February 2017 – CONFIDENTIAL

7.2.2 Pitch My Project Recommendations for Funding

Author and Responsible Director: Executive Manager Communications and Engagement

EXECUTIVE SUMMARY

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

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

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

Last year we launched early to ensure the pitched projects were included in the Draft Budget. This year we again launched early – allowing a 'pitch period' of three months.

We also created clear guidelines to assess projects and developed a participatory budgeting exercise to put the decision making in the hands of the community.

Council allocated \$300,000 for Pitch My Project as part of the 2023/24 Draft Budget.

Pitched ideas demonstrated how they aligned to one of the six Strategic Focus Areas within the 2021/25 Council Plan, with \$50,000 allocated to each area.

Project pitches were received in five of the six Strategic Focus Areas. No pitches were received in the Strategic Focus Area: Protect. Enhance. Adapt.

After the assessment period, 11 projects were placed on www.share.strathbogie.vic.gov.au for the community to prioritise.

Council received 572 community contributions to the project, 425 online and 147 through survey stations in Avenel, Euroa, Nagambie, Graytown, Violet Town, Longwood, Strathbogie and Ruffy.

The projects scoring the highest in each category are outlined in the table below.

Strategic Focus Area	Project	Value
Engage. Create. Unite.	Strathbogie Memorial Hall Stage Upgrade	\$50,000
Live. Access. Connect.	Longwood Nature Play Space	\$50,000
Inclusive. Productive. Balanced.	Euroa Branding Project – to enhance tourism and investment in Euroa	\$50,000
Strong. Healthy. Safe.	Shade Sail: Graytown Community Centre	\$15,000
Strong. Healthy. Safe.	Longwood Football and Netball Club. Shelters and seating.	\$35,000
Accountable Transparent. Responsible.	Euroa Memorial Oval septic tank decommissioning	\$50,000

7.2.2 Pitch My Project Recommendations for Funding (cont.)

RECOMMENDATION

That Council:

- 1. *Allocate \$250,000 to the Pitch My Project initiative in the 2023/24 Budget,***
- 2. *Fund six community projects, that align to the Strategic Focus Areas in the 2021/25 Council Plan. These being:***
 - a. \$50,000 for Strathbogie Memorial Hall stage upgrade,***
 - b. \$50,000 for Longwood Nature Play Space,***
 - c. \$50,000 for the Euroa Branding Project to enhance tourism and investment,***
 - d. \$15,000 for a shade sail at the Graytown Community Centre,***
 - e. \$35,000 for shelters and seating at the Longwood Football and Netball Club, and***
 - f. \$50,000 for the Euroa Memorial Oval septic tank decommissioning, and***
- 3. *Authorise Officers to write to all 11 Pitch My Project applicants to inform them of the outcome.***

PURPOSE AND BACKGROUND

The Pitch My Project initiative was established in 2021. The aim of the initiative is to ensure community input into the development of the Draft Budget. It means we're developing our Draft Budget in partnership with our community and ensures we're funding the projects and initiatives that matter to them.

Since the project was established, Council has funded more than 20 projects right across the municipality. This year we established clear guidelines, to guide the community through the application process.

Council allocated \$300,000 in the Draft Budget and the 11 projects that passed through the transparent assessment process were put to the community to understand its preferences.

ISSUES, OPTIONS AND DISCUSSION

This year Council took engagement around its Pitch My Project initiative a step further. We created a participatory budgeting exercise that put the decision making in the hands of the community.

We wanted to ensure meaningful community input. To show our commitment to genuine community engagement.

However, any voting or prioritisation exercise needs to be fair. To ensure people without access to the internet could participate we established survey stations in townships throughout the shire.

7.2.2 Pitch My Project Recommendations for Funding (cont.)

We did not create a registration process for participation. Officers believe community engagement should be simple and easy to access. We saw a positive narrative from the community as they explained their projects, the need, and the benefits.

In Strategic Focus Areas where there was more than one project (Engage. Create. Unite and Strong. Healthy. Focussed.) we looked at the score as a percentage of population.

This ensured towns with smaller populations were not disadvantaged.

The details of this data interrogation, and the results, as they were recorded can be found in Attachment 1: Engagement Report – 2023/24 Budget and Pitch My Project.

One of the overarching governance principles in section 9 of the Local Government Act 2020 is that priority is to be given to achieving the best outcomes for the municipal community, including future generations.

Each of the six (6) projects recommended for funding will help Council deliver its Community Vision. Each project has shown strong alignment with our Council Plan, the key strategic document that details how we will achieve the vision.

COMMUNITY ENGAGEMENT

One of the overarching governance principles in section 9 of the Local Government Act 2020 is that the municipal community is to be engaged in strategic planning and strategic decision making.

Council Officers created a three-stage engagement program that ensured input into every stage of the Draft Budget's development.

In stage one (November 2022) we launched the innovative Pitch my Project initiative allowing the community several months to 'pitch' their ideas.

The new Pitch My Project Guidelines include an increased level of community input through the community preference period.

Projects that passed through the assessment process progressed to Councillors to receive a score out of a possible 20 points. Ideas that received a score of 11 or over proceeded to the stage two of the engagement program – which was the community feedback stage.

Officers used the Share Strathbogie platform to create a participatory budgeting exercise that allowed the community to have input into how the \$300,000 allocated to Pitch My Project will be spent.

To ensure those who did not have access to the internet could have their say we established 'survey stations' in every township to gather hard copy surveys.

We also continued to seek submissions to the 2023/24 Draft Budget and Draft 2022/23 Fees and Charges during a 28-day public exhibition period. Submissions could be made online, in writing or via email.

7.2.2 Pitch My Project Recommendations for Funding (cont.)

Two face-to-face Draft Budget Workshops were held with the Share Strathbogie Community Panel – one online and one in person.

Throughout every stage we created simple, clear communication materials that provided our community with information about Pitch my Project and the development of the 2023/24 Budget to ensure they understand how they could have their say.

Fifteen submissions were received to the Draft Budget and 572 contributions were received for Pitch My Project (425 through www.share.strathbogie.vic.gov.au and 147 through township survey stations)

Below: Goals, tools and methods for each engagement stage.

Stage	Goal	Tools and methods
1	<p>To provide every person living in Strathbogie Shire with an opportunity to Pitch their project ideas with Council.</p> <p>To ensure meaningful community input into the 2023/24 Draft Budget.</p> <p>To inform our community about the developments of the 2023/24 Draft Budget and ensure they're clear on how to have their say.</p>	<ul style="list-style-type: none"> • Social media • Media release • Advertising • eNews • Share Strathbogie project page • Letters to key stakeholders • Website content • My Strathbogie Bulletin (delivered to homes throughout shire)
2	<p>To ensure community's feedback on the Draft Budget is captured.</p> <p>To create a participatory budgeting exercise that allows the community to decide how the \$300,000 allocated to Pitch My Project will be spent.</p> <p>To inform the community about the Draft Budget and how to share their feedback.</p>	<ul style="list-style-type: none"> • As stage 1 • Share Strathbogie participatory budgeting exercise • Draft Budget submission form • Letters to Pitch my Project submitters • Survey Stations throughout Shire with participatory budgeting exercise. • Two Budget workshops with Share Strathbogie Community Panel (face-to-face and online)
3	<p>Provide the community with the 2023/24 Budget – once adopted.</p> <p>Ensure the community understands how their input created change.</p>	<ul style="list-style-type: none"> • As Stage 1 • Letters to submitters • Letters to pitch my project submitters

7.2.2 Pitch My Project Recommendations for Funding (cont.)

Depth of engagement: Collaborate.

Public participation goal: To partner with the public in each aspect of the decision including the development of alternatives and the identification of the preferred solution.

Promise to the public: We will look to you for advice and innovation in formulating solutions and incorporate your advice and recommendations into the decisions to the maximum extent possible.

POLICY CONSIDERATIONS

Council Plans and Policies

Every one of the six (6) projects recommended for funding will help Council deliver its Community Vision. Each project has shown strong alignment with our Council Plan, the key strategic document that details how we will achieve the vision.

Funding has been recommended in five of the six Strategic Focus Areas, these being:

- Engage. Create. Unite
- Live. Access. Connect
- Inclusive. Productive. Balanced
- Strong. Healthy. Safe
- Accountable. Transparent. Responsible

No applications were received in the Protect. Enhance. Adapt category.

Regional, State and National Plans and Policies

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that regional, state and national plans and policies are to be taken into account in strategic planning and decision-making.

The *Local Government Act 2020* has at its core, the aim of ensuring all Victorians have the opportunity to engage with their council on local priorities and the future of their community. The Pitch My Project initiative achieves this principle as outlined in the act.

LEGAL CONSIDERATIONS

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that Council decisions are to be made and actions taken in accordance with the relevant law.

The Local Government Act 2020 has reformed community engagement on plans, policies and decision-making. The new legislation required all Councils to adopt and implement a Community Engagement Policy by 1 March 2021. Council's Community Engagement Policy outlines participatory engagement in the development of our budget, which is achieved through the Pitch My Project initiative.

7.2.2 Pitch My Project Recommendations for Funding (cont.)

Conflict of Interest Declaration

All officers, and/or contractors, involved in the preparation of this report have signed a written declaration that they do not have a conflict of interest in the subject matter of this report.

Transparency

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that the transparency of Council decisions, actions and information is to be ensured.

Attachment 1: Engagement Report – 2023/24 Budget and Pitch My Projects provides all the feedback received. It ensures full transparency around the data and how the officer's recommendation was determined by community feedback.

FINANCIAL VIABILITY CONSIDERATIONS

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that the ongoing financial viability of the Council is to be ensured.

\$300,000 was allocated to the Pitch My Project initiative in the 2023/24 Draft Budget. This report recommends expenditure of \$250,000 across six (6) projects throughout the municipality.

SUSTAINABILITY CONSIDERATIONS

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that the economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted.

Economic

Strategic Focus Area: Inclusive, Productive. Balanced included the following community goal:

In the future we... have a thriving economy for everyone. This means:

- We are a smart spenders, buying local wherever possible
- We target economic development to enhance our region
- We are capitalising on our region's strengths

The Euroa Branding Project, recommended to receive \$50,000 under this category aims to "revitalise local commerce and our community with an inspired and consistent brand (and communications platform) to engage, unite and drive tourism and investment in Euroa township and everywhere in between".

Social

The social benefits to the Pitch My Project are extensive. It creates meaningful input into the Council Budget. Strategic Focus Area: Engage. Create. Unite includes the following community goal:

7.2.2 Pitch My Project Recommendations for Funding (cont.)

In the future we.... foster and support creative responses in the community. This means:

- We are inspired by our creatives and celebrate art and culture.
- We create welcoming social spaces where people can connect.
- First Nations culture, knowledge and heritage enriches our Shire.

In this category, the project recommended to receive \$50,000 is the Strathbogie Memorial Hall Stage Upgrade. This project aims “ to get the hall back to its former glory to better service the community”. Its aim is to create a space where community can come together – a welcoming space where people can connect.

Environmental

Strategic Focus Area: Strong. Healthy. Safe includes the following community goal:

In the future... our communities are filled with happy, healthy people. This means:

- We have protected ‘the vibe’ we love
- We are working together to share knowledge and get things done
- We are encouraging health and wellbeing activities in sport and recreation.

In this category, two (2) projects are recommended to receive funding. \$15,000 for a shade sail at the Graytown Community Centre aims to extend the area for residents to be comfortably seated. “We could have people seated inside and outside the community centre so more people able to attend our events and functions. Graytown is a small remote community and needs a bigger space to socialise with our residents”.

The \$35,000 recommended to fund shelters at the Longwood Football and Netball Club aim to “create a safe and welcoming space for both home and away teams to come together and enjoy the experience of our community by being provided important facilities such as seating and shading”.

Climate change

One of Council’s significant engagement improvements in the past year is our online engagement platform www.share.strathbogie.vic.gov.au. The platform helps Council achieve best practice community engagement and also contributes to Council’s Climate Change Action Plan. In particular: Action 19. Monitor paper use and implement paper saving measures across the organisation.

During this engagement process, 572 contributions were received for Pitch My Project (425 through www.share.strathbogie.vic.gov.au and 147 through township survey stations).

INNOVATION AND CONTINUOUS IMPROVEMENT

One of the overarching governance principles in section 9 of the Local Government Act 2020 is the pursuit of innovation and continuous improvement. The creation of the Pitch My Project guidelines and community preference period continues to drive improvement in this initiative for Council and the community.

7.2.2 Pitch My Project Recommendations for Funding (cont.)

HUMAN RIGHTS CONSIDERATIONS

Community engagement programs are consistent with the Human Rights Charter, in particular, by promoting the rights of members of the community to take part in public life.

CONCLUSION

The Pitch My Project initiative and recommendation in this report supports the funding of six (6) projects that are strongly supported by the community.

The projects recommended for funding align to five of the six Strategic Focus Area in our Council Plan, which is helping Council achieve its Community Vision.

Pitch My Project is a community-driven initiative that ensures Council is funding the projects and programs that matter to our community.

Participation has been significant and positive and every one of the projects recommended for funding provide extensive community benefit.

ATTACHMENT

Attachment 1: Engagement Report – 2023/24 Budget and Pitch My Project

7.2.3 Adoption of Budget, Fees and Charges and Declaration of Rates and Charges for the 12 Months ending 30 June 2024

Author: Chief Financial Officer

Responsible Director: Acting Director People & Governance

EXECUTIVE SUMMARY

Following its resolution of 2 May 2023 to release the draft 2023/24 Budget and Fees and Charges for public review and comment for a period of 28 days, Council has now fulfilled the legislative requirements for preparing the budget.

The draft Budget and Fees and Charges were placed on public exhibition between 3 - 31 May 2023 as part of a broad public engagement process around the budget's development with the IAP2 engagement level set at 'involve' for the overall budget engagement and 'collaborate' for the Pitch My Project initiative.

In total, fifteen written submissions were received through Council's Share Strathbogie engagement portal and via email.

All submitters had the opportunity to make a verbal presentation to an Extraordinary meeting of Council on 6 June 2023; five parties elected to take up this opportunity.

In summary, the written submissions made the following requests:

Submission Details	Number of submissions
Reinstatement of \$55,000 for the planning and design of a public car park in Avenel (adjacent to the Avenel Railway Station, bounded by Bank Street and Saleyard Road) and development footpath connecting the railway pedestrian crossing and the west side of Bank Street.	5
Provision of \$25,000 to fund the installation of a concrete path on one side of Cowslip Street (from High Street to Primrose Street) instead of gravel paths on both sides - Violet Town.	1
Provision of funding (estimated to be around \$30,000) for the preparation of fully costed plans for the upgrade of the Euroa Friendlies Reserve to implement the reserve's Master Plan.	1
Funding for a school crossing supervisor at St John's Primary School, Euroa.	2
Provision of \$50,000 for the planning and contribution for a change facility at the Longwood Football Netball Club.	1
Funding for public toilets near Rockies Bridge along the Apex Walking Track, Euroa.	1
Provision of funding (approximately \$10,000) to remove and rectify chain mesh fencing to allow full operation of the Avenel Cricket Club's nets.	1
Funding for a road safety audit (RSA) from Railway Street along Kirkland Avenue all the way to the junction of White St, Kirkland Avenue, Creek Drive and Apex Walking Track in Euroa.	1

7.2.3 Adoption of Budget, Fees and Charges and Declaration of Rates and Charges for the 12 Months ending 30 June 2024 (cont.)

Provision of \$60,000 for the completion of the Southern Aurora memorial platform (which will enable the completion of the refurbishment of the carriage).	1
Provision of \$35-40,000 for the preparation of construction drawings for the Euroa Memorial Oval female change room facilities.	1
Total	15

There were no submissions received relating to the draft Fees and Charges document and no other general submissions about the content of the draft budget.

Throughout the budget submission period, the need to make minor modifications to the Draft Budget were identified to respond to newly acquired information, technical adjustments and shifts in assumptions. These can be summarised as follows:

Nature of Expense or Income	Positive or negative dollar impact	\$ change reflected in Budget
Updated income from supplementary valuations (stage 4)	+ Increase in income	8,263
Victorian Local Government Financial Assistance Grant	+ Increase in income	348,009
Increase in Insurance premiums following October 2022 flood	- Increase in expense	(64,000)
Updated Depreciation figures	- Increase in expense	(1,238)
Intensive Councillor training - Andrew Douglas - Engagement of Andrew Douglas as per Council resolution 16 May 2023	- Increase in expense	(26,000)
Municipal Monitor - Costs include daily fees set by Minister and other expenses	- Increase in expense	(65,000)
Extra Ordinary vacancy countback - VEC Lake Nagambie Ward - Costs based on the last countback in 2021 plus indexation	- Increase in expense	(15,000)
Governance Advisor- CT Management	- Increase in expense	(32,800)

Minor changes have been made to the Fees and Charges document given the statutory fees for building, environmental health and land information certificates have been indexed by the State Government. Roadside fire collection fees have been removed as collection permits are no longer available. New fees for the ArtBox hire and cleaning charges for the cinema and regatta centre have been added.

7.2.3 Adoption of Budget, Fees and Charges and Declaration of Rates and Charges for the 12 Months ending 30 June 2024 (cont.)

As per Section 94 of the *Local Government Act 2020*, the Council is required to officially approve the budget and fees and charges by June 30 and inform the community about the budget’s adoption.

For transparency and auditing purposes, a copy of the approved Strathbogie Shire Council 2023/24 Budget will be attached to the Minutes of this meeting.

RECOMMENDATION

That Council:

1. ***Having completed the community engagement process prescribed by Council’s Community Engagement Policy, adopt the Budget, Fees and Charges for the year ending 30 June 2024, subject to the \$50,000 unallocated from the Pitch My Project Initiative will be used to cover unexpected expenses made in the minor adjustments that have been made to the documents released for public review and comment.***
2. ***Declare the Rates and Charges for the year ending 30 June 2024 in accordance with the following recommendations:***

1. ***Amount Intended To Be Raised***

An amount of \$22,075,665 (or such other amount as is lawfully raised as a consequence of this resolution) be declared as the amount which Council intends to raise by general rates, annual service charges and environmental levy (described later in this Resolution), which amount is calculated as follows:

<i>General Rates</i>	<i>18,918,893</i>
<i>Annual Service Charges (Waste Management Charge)</i>	<i>2,923,811</i>
<i>Environmental Levy (Tree Management Service Charge)</i>	<i>232,961</i>
<i>Total</i>	<i>22,075,665</i>

2. ***General Rates***

- 2.1 ***A general rate be declared in respect of the 2023/24 Financial Year;***
- 2.2 ***It be further declared that the general rate be raised by the application of differential rates;***
- 2.3 ***A differential rate be respectively declared for rateable land having the respective characteristics specified below, which characteristics will form the criteria for each differential rate so declared:***

Residential Land

All land used primarily for residential purposes or obviously adapted to being used primarily for residential purposes but excluding farm land.

7.2.3 Adoption of Budget, Fees and Charges and Declaration of Rates and Charges for the 12 Months ending 30 June 2024 (cont.)

RECOMMENDATION (cont.)

Vacant Residential Land

All vacant land which may be used primarily for residential purposes or obviously adapted to being used primarily for residential purposes but excluding farm land.

Farm Land

Any land zoned Farming under the Strathbogie Planning Scheme which is not less than 40 hectares in area and is not classified as having a commercial or industrial use.

Land situated within the Farming zone of less than 40 hectares in area may be considered for the farm differential rate, subject to satisfying Council’s criteria for recognition as a bone fide farming activity.

Commercial / Industrial Land

All land used primarily for commercial or industrial purposes or obviously adapted to being used primarily for commercial/industrial purposes.

Vacant Commercial / Industrial Land

All vacant land which may be used primarily for commercial or industrial purposes or obviously adapted to being used primarily for commercial/industrial purposes.

2.4 Each differential rate will be determined by multiplying the Capital Improved Value of each rateable land (categorised by the characteristics described in 2.3) by the relevant percentages indicated in the following table:

<i>Category</i>	<i>Percentage</i>
<i>Residential Land</i>	<i>0.305808% (or 0.00305808 cents in the dollar of the Capital Improved Value)</i>
<i>Vacant Residential Land</i>	<i>0.642197% (or 0.00642197 cents in the dollar of the Capital Improved Value)</i>
<i>Farm Land</i>	<i>0.244646% (or 0.00244646cents in the dollar of the Capital Improved Value)</i>
<i>Commercial / Industrial Land</i>	<i>0.366970% (or 0.00366970 cents in the dollar of the Capital Improved Value)</i>

7.2.3 Adoption of Budget, Fees and Charges and Declaration of Rates and Charges for the 12 Months ending 30 June 2024 (cont.)

RECOMMENDATION (cont.)

Vacant Commercial / Industrial Land	0.642197% (or 0.00642197 cents in the dollar of the Capital Improved Value)
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2.5 It be recorded that Council considers that each differential rate will contribute to the equitable and efficient carrying of Council functions, and that:

2.5.1 the respective objectives of each differential rate be those specified in the Schedule to this Resolution;

2.5.2 the respective types or classes of land which are subject to each differential rate be those defined in the Schedule to this Resolution;

2.5.3 the respective uses and levels of each differential rate in relation to those respective types and classes of land be those described in the Schedule to this Resolution; and

2.5.4 the relevant:

(a) uses of;

(b) geographical locations of;

(c) planning scheme zoning of; and

(d) types of buildings on

the respective types or classes of land be those identified in the Schedule to this Resolution.

2.6 It be confirmed that no amount is fixed as the minimum amount payable by way of general rate in respect of each rateable land within the municipal district.

3. Municipal Charge - No Municipal charge be declared in respect of the 2023/24 Financial Year.

4. Annual Service Charge

4.1 An annual service charge be declared in respect of the 2023/24 Financial Year;

4.2 An annual service charge (Waste Management Charge) be declared for the collection and disposal of refuse from land;

7.2.3 Adoption of Budget, Fees and Charges and Declaration of Rates and Charges for the 12 Months ending 30 June 2024 (cont.)

RECOMMENDATION (cont.)

4.3 *The annual service charge (Waste Management Charge) be in the sum of, and be based on the criteria, set out below but dependent upon which option is chosen:*

4.3.1 *for the collection and disposal of recyclables, \$197 per annum (120 litre, 240 litre and 360 litre bins);*

4.3.2 *for the collection and disposal of waste and organics (80 litre and 120 litre bins), \$415 per annum; and*

4.3.3 *for the collection and disposal of waste and organics (240 litre bins), \$827 per annum.*

in respect of each rateable land (or part) to which the service of collection and disposal is made available;

4.4 *An annual service charge (Tree Management Service Charge) be declared to implement the Tree Management Plan of \$32 per annum in respect of each rateable land (or part).*

5. Rebates & Concessions

Pensioner Rebate

5.1 *It also be recorded that Council grants to each owner of rateable land who is an "eligible recipient" within the meaning of the State Concessions Act 1986, a rebate as determined by the Victorian State Government, in respect of each rateable land; and*

5.2 *The rebate described in paragraph 5.1 be granted to assist the proper development of the municipal district, and to provide a concession to ratepayers whose circumstances may limit their capacity to pay.*

6. Payment

6.1 *All rates and charges to be paid in four instalments, in accordance with Section 167 (1) and (2) of the Local Government Act 1989 due on:*

1st Installment 30th September 2023

2nd Installment 30th November 2023

3rd Installment 29th February 2024

4th Installment 31st May 2024

7.2.3 Adoption of Budget, Fees and Charges and Declaration of Rates and Charges for the 12 Months ending 30 June 2024 (cont.)

RECOMMENDATION (cont.)

7. Consequential and Further Actions

- 7.1** *It be confirmed that, subject to sections 171 and 172 of the Local Government Act 1989, Council will require a person to pay interest on any rates and charges which:*
- 7.1.1** *that person is liable to pay; and*
- 7.1.2** *have not been paid by the date specified for their payment.*
- 7.2** *The Acting Director People & Governance be authorised to levy and recover the general rates and annual service charge in accordance with the Local Government Act 1989.*
- 7.3** *The Chief Financial Officer be authorised to write to all those who have made a written submission thanking them for their input and advising them of Council's decision and the reason for its decision.*
- 7.4** *The adoption of the 2023/24 Budget and Fees and Charges be publicised through Council's website, notices in local newspapers and through Council's social media channels.*

PURPOSE AND BACKGROUND

At the Council meeting held on 2 May 2023, the draft Budget and Fees and Charges were reviewed and Council resolved to release for public inspection and comment.

Following the meeting, public notice of the Draft Budget and Fees and Charges documents was issued through local newspapers, social media pages. The proposed Budget and Fees & Charges were also made available for review at various locations within the Shire, as well as on the Council's website and the Share Strathbogie platform.

Fifteen (15) written submissions were received in by the closing of the engagement period on 31 May 2023. These submissions were received by Council at an Extraordinary Meeting of Council on 6 June 2023, including the presentation of five verbal submissions. All of these submissions sought additional funding for specific projects or programs.

No submissions were received concerning the Fees and Charges or any other aspects of the Draft Budget.

7.2.3 Adoption of Budget, Fees and Charges and Declaration of Rates and Charges for the 12 Months ending 30 June 2024 (cont.)

The purpose of this report is to provide an overview of the submissions received, the minor adjustments to be made to the Draft Budget following the receipt of additional information in relation to grants, insurance and unexpected expenses that have arisen since the development of the draft budget so that the 2023/24 Budget and Fees and Charges can be adopted and set prior to the 30 June deadline.

ISSUES, OPTIONS AND DISCUSSION

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that priority is to be given to achieving the best outcomes for the municipal community, including future generations.

In preparing the 2023/2024 Budget and Fees and Charges, Council has considered many factors to try and balance community expectations and benefits with financial responsibilities.

Council has attempted to minimise rate increases and have prepared the Budget based on a 3% increase in the average rate per property. This is below the rate cap increase of 3.5% permissible for the 2023/24 financial year under the State Government's 'Fair Go Rates' legislation.

The Valuer General has issued advice to the effect that the 2023 general valuation has a relevant date of 1 January 2023 and is based on market conditions at, and immediately before that date. Any market changes occurring now or in the future will be applicable to future valuation cycles.

Rate outcomes for individual properties will therefore vary, depending on how that property's valuation has changed when compared to the average increase.

The 3% average rate increase ensures the maintenance of current service levels and allocates adequate funding for the ongoing strategic renewal of Council's infrastructure. Waste charges have been indexed by 3% to support the ongoing commitments related to waste collection and disposal.

The 2023/24 Budget provides for a \$12.99 million new capital works program.

New Capital Works proposed include:

ACTIVITY	EXPENDITURE (m)
Roads - including resealing, resheeting and rehabilitation	7.171
Road Bridges and Culverts	1.550
Drainage	0.824
Footpaths and cycleways	0.194
Plant and Machinery	0.857
Buildings/Property	0.338
Information Technology	0.690
Recreation , Leisure and Community Facilities	1.220
Parks, Open Spaces, Streetscapes	0.150

7.2.3 Adoption of Budget, Fees and Charges and Declaration of Rates and Charges for the 12 Months ending 30 June 2024 (cont.)

The Budget and Council's Financial Plan include the following strategic financial indicators which assess Council's overall financial sustainability into the future:

	2022/23	2023/24	2024/25	2025/26
Adjusted Underlying Result	-2.7%	-2.4%	-1.7%	-3.7 %
Working Capital Ratio	2.77	1.80	1.75	1.47
Debt servicing/repayment as % of Rate Revenue	1.1%	1.5%	1.5%	1.4 %
Asset Renewal and upgrade expenditure/Depreciation	217%	225%	108%	116%
Capital Works Expenditure	\$17.6 m	\$12.99 m	\$7.35 m	\$13.13 m
Cash and Investments	\$16.79 m	\$8.82 m	\$7.15 m	\$6.73 m
Cash Flow from Operations	\$9.62 m	\$10.45 m	\$6.55m	\$10.01m

COMMUNITY ENGAGEMENT

Depth of Engagement

In our efforts to encourage meaningful community participation in the development of our Draft Budget, Council introduced a comprehensive, three staged engagement process this year. Our overall engagement approach is ranked on the International Association Public Participation (IAP2) Spectrum as Involve.

Depth of engagement: Involve

Public participation goal: To work directly with the public throughout the process to ensure that public concerns and aspirations are consistently understood and considered.

Promise to the public: We will work with you to ensure that your concerns and aspirations are directly reflected in the alternatives developed and provide feedback on how public input influenced the decision.

During stage one of the engagement process, Council launched the Pitch my Project initiative in November 2022. This initiative aimed to involve the community in every aspect of the Draft Budget's development, allowing them to provide valuable input.

Moving on to stage two, Council developed a series of informative materials designed to communicate the details of the Draft Budget and Fees and Charges to our community. These materials were carefully crafted to ensure that individuals understood how they could contribute their opinions and suggestions.

Written submissions could be lodged through Council's Share Strathbogie Engagement Page on our website. Recognising the importance of accommodating those without internet access, Council also continued to accept email and hard copy written submissions to provide an avenue for participation to all members of the community.

7.2.3 Adoption of Budget, Fees and Charges and Declaration of Rates and Charges for the 12 Months ending 30 June 2024 (cont.)

The community was also asked to complete a participatory budgeting exercise to help decide the successful Pitch My Project applications, for which Council had allocated \$300,000 to fund in the draft Budget. Survey Stations were also distributed in communities across the Shire to maximise community participation.

Two face-to-face Draft Budget Workshops were held with the Share Strathbogie Community Panel – one online and one face-to-face. Fifteen people participated in these workshops.

Stage three of the engagement program will be closing the loop with the community to inform them how their feedback was used to inform the final 2023/24 Budget.

Participation and reach

- Fifteen submissions were received to the Draft Budget
- 572 contributions were received for Pitch My Project (425 through www.share.strathbogie.vic.gov.au and 147 through township survey stations).
- 1290 people visited the Draft Budget and Pitch My Project page on www.share.strathbogie.vic.gov.au
- The top five downloaded projects on www.share.strathbogie.vic.gov.au were:
 - Euroa branding project (225 downloads)
 - Longwood Nature Play Space (175 downloads)
 - Longwood Football Netball Club shelters (107 downloads)
 - Euroa Memoria Oval septic tank decommissioning (102 downloads)
 - Violet Town Hall upgrades (97 downloads).

Submission Details	Council response
Reinstatement of \$55,000 for the planning and design of a public car park in Avenel (adjacent to the Avenel Railway Station, bounded by Bank Street and Saleyard Road) and development footpath connecting the railway pedestrian crossing and the west side of Bank Street.	Given the multiple stakeholders involved in this area, further advocacy and investigation is required before any budget allocation could be reconsidered.
Provision of \$25,000 to fund the installation of a concrete path on one side of Cowslip Street (from High Street to Primrose Street) instead of gravel paths on both sides - Violet Town.	The installation of a granitic path is consistent with other paths throughout the municipality.
Provision of funding (estimated to be around \$30,000) for the preparation of fully costed plans for the upgrade of the Euroa Friendlies Reserve to implement the reserve’s Master Plan.	Given the financial constraints faced by Council, there are no funds available for this project. Should unexpected revenue or grants become available this project may be considered.

7.2.3 Adoption of Budget, Fees and Charges and Declaration of Rates and Charges for the 12 Months ending 30 June 2024 (cont.)

Funding for a school crossing supervisor at St John's Primary School, Euroa.	Council resolved to withdraw from the School Crossing Program in March 2023. The program is the responsibility of the State Government.
Provision of \$50,000 for the planning and contribution for a change facility at the Longwood Football Netball Club.	Given the financial constraints faced by Council, there are no funds available for this project. Should unexpected revenue or grants become available this project may be considered.
Funding for public toilets near Rockies Bridge along the Apex Walking Track, Euroa.	It is considered that there are sufficient public conveniences along the walking track, so this request for funding is not supported.
Provision of funding (approximately \$10,000) to remove and rectify chain mesh fencing to allow full operation of the Avenel Cricket Club's nets.	Given the financial constraints faced by Council, there are no funds available for this project. Should unexpected revenue or grants become available this project may be considered.
Funding for a road safety audit (RSA) from Railway Street along Kirkland Avenue all the way to the junction of White St, Kirkland Avenue, Creek Drive and Apex Walking Track in Euroa.	This area has not been identified as having specific road safety hazards, however traffic counts are undertaken by Council as required and this request has been passed onto Council's Sustainable Infrastructure team for assessment. Any traffic counts will be funded from existing resources.
Provision of \$60,000 for the completion of the Southern Aurora memorial platform (which will enable the completion of the refurbishment of the carriage).	Given the financial constraints faced by Council, there are no funds available for this project. Should unexpected revenue or grants become available this project may be considered.
Provision of \$35-40,000 for the preparation of construction drawings for the Euroa Memorial Oval female change room facilities.	Given the financial constraints faced by Council, there are no funds available for this project. Should unexpected revenue or grants become available this project may be considered.

7.2.3 Adoption of Budget, Fees and Charges and Declaration of Rates and Charges for the 12 Months ending 30 June 2024 (cont.)

POLICY CONSIDERATIONS

Council Plans and Policies

The budget document provides financial resources to achieve the following 2021-25 Council Plan strategies and key initiatives:

Strategic Focus Area 2: Live. Access. Connect

Action 2.1.1 Implement the Asset Plan to guide future investment in buildings, plant and infrastructure through the 10 Year Capital Budget.

Strategic Focus Area 6: Accountable. Transparent. Responsible.

- *Maximise public transparency and accountability around our performance and decision making processes*
- *Be financially responsible, achieving the greatest possible community benefit from the programs, initiatives and services we fund.*

The 2023/24 budget has been informed by Council's ten-year Financial Plan and Revenue and Rating Plan.

Regional, State and National Plans and Policies

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that regional, state, and national plans and policies are to be taken into account in strategic planning and decision-making.

The budget has been informed by Federal and State government priorities, initiatives and funding streams.

LEGAL CONSIDERATIONS

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that Council decisions are to be made and actions taken in accordance with legislation.

The provisions of both the *Local Government Act 1989* (which provides for rating and special charge scheme provisions) and the *Local Government Act 2020* (which sets out requirements for financial management, budget preparation and community engagement) have been complied with through the process of preparing and adopting the budget.

The budget has also been prepared in accordance with the financial management principles outlined in section 101 of the *Local Government Act 2020* and the requirement to adopt the budget by 30 June 2023.

Conflict of Interest Declaration

All officers, and/or contractors, involved in the preparation of this report have signed a written declaration that they do not have a conflict of interest in the subject matter of this report.

7.2.3 Adoption of Budget, Fees and Charges and Declaration of Rates and Charges for the 12 Months ending 30 June 2024 (cont.)

Transparency

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that the transparency of Council decisions, actions and information is to be ensured.

The broad and extensive community engagement process, along with the review of the high level strategic indicators by Council's Audit and Risk Committee, seeks to achieve the highest levels of public transparency around the development and content of the budget and fees and charges documents.

FINANCIAL CONSIDERATIONS

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that the ongoing financial viability of the Council is to be ensured.

Fifteen submissions to the budget were received and have been carefully considered by Council in the preparation of the final Budget and Fees and Charges documents.

Minor amendments to the exhibited Budget document have been required as a result of changed circumstances and new information coming to light following the budget consultation process.

The strategic financial indicators show that targets are met in future years on the whole, however liquidity measures and renewal measures require further focus but this situation should improve once grant income from State and Federal governments become known for future years.

SUSTAINABILITY CONSIDERATIONS

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that the economic, social, and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted.

There are a number of funding allocations within the Budget for environmental and sustainability programs.

Social

The Budget provides funding for a range of programs which are designed to improve:

- (a) sense of community – e.g. arts and cultural activities, stakeholder participation, recognition of diversity, cultural heritage or social cohesion
- (b) community services – e.g. range and quality of services for different groups (children and families, young people, elderly people and people with disabilities), accessibility of services or cost of services
- (c) community health and well-being – e.g. recreation facilities, public safety, health services and facilities or public health implications

7.2.3 Adoption of Budget, Fees and Charges and Declaration of Rates and Charges for the 12 Months ending 30 June 2024 (cont.)

- (d) transport – e.g. safety, emissions and fuel consumption, public transport usage, walking and cycling or transportation needs of all people.

Climate change

Council is mindful of the requirement under section 9(2)(c) of the 2020 Act relating to overarching governance principles to mitigate and plan for climate change risks.

The Budget identifies increased resourcing to pursue actions in Council's Climate Change Action Plan.

INNOVATION AND CONTINUOUS IMPROVEMENT

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is the pursuit of innovation and continuous improvement.

The community engagement process undertaken for the Budget has seen new innovations and a higher level of participation by the community through the Pitch My Project initiative and two workshops with our Community Panel.

COLLABORATION

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that collaboration with other councils, levels of government and statutory bodies is to be sought.

The preparation of the Budget and Fees and Charges has been a collaboration across the entire organisation, along with Council's Internal Auditors, our Audit and Risk Committee, the Victorian Auditor General's Office and our community through various engagement processes.

HUMAN RIGHTS CONSIDERATIONS

The Budget and Fees and Charges support a range of human rights under the *Charter of Human Rights and Responsibilities Act 2006* in relation to supporting participation in community life and providing services for all sectors of our community.

CONCLUSION

The preparation of the Budget and Fees and Charges for the 2023/24 financial year has been an extensive process undertaken over the past eight months.

There has been significant community engagement and collaboration throughout this time.

The Budget seeks to find a balance between maintaining current service levels in a challenging fiscal environment with high inflation and the need to recognise the financial stresses being faced by many households.

7.2.3 Adoption of Budget, Fees and Charges and Declaration of Rates and Charges for the 12 Months ending 30 June 2024 (cont.)

ATTACHMENTS

Attachment 1: 2023/24 Strathbogie Shire Council Budget (*separate document*)

Attachment 2: 2023/24 Fees and Charges (*separate document*)

Attachment 3: Schedule 1 – Residential Land

Attachment 4: Schedule 2 – Vacant Residential Land

Attachment 5: Schedule 3 – Farm Land

Attachment 6: Schedule 4 – Commercial / Industrial Land

Attachment 7: Schedule 5 – Vacant Commercial / Industrial Land

The adopted Strathbogie Shire Council 2023/24 Budget and associated documents will be appended to the Minutes for identification purposes.

ATTACHMENT 3:

SCHEDULE 1

RESIDENTIAL LAND

Objective:

To ensure that all rateable land makes an equitable financial contribution to the cost of carrying out the functions of Council, including the:

1. Construction and maintenance of public infrastructure;
2. Development and provision of health and community services; and
3. Provision of general support services.

Types and Classes:

Rateable land having the relevant characteristics described in the Resolution.

Use and Level of Differential Rate:

The differential rate will be used to fund some of those items of expenditure described in the Budget adopted by Council.

The level of the differential rate is the level which Council considers is necessary to achieve the objectives specified above.

Geographic Location:

Wherever located within the municipal district.

Use of Land:

Any use permitted under the Strathbogie Planning Scheme.

Planning Scheme Zoning:

The zoning applicable to each rateable land within this category, as determined by consulting maps referred to in the Strathbogie Planning Scheme.

Types of Buildings:

All buildings which are now constructed on the land or which are constructed prior to the expiry of the 2023/24 Financial Year.

ATTACHMENT 4:

SCHEDULE 2

VACANT RESIDENTIAL LAND

Objective:

To ensure that all rateable land makes an equitable financial contribution to the cost of carrying out the functions of Council, including the:

1. Construction and maintenance of public infrastructure;
2. Development and provision of health and community services; and
3. Provision of general support services.

Types and Classes:

Rateable land having the relevant characteristics described in the Resolution.

Use and Level of Differential Rate:

The differential rate will be used to fund some of those items of expenditure described in the Budget adopted by Council.

The level of the differential rate is the level which Council considers is necessary to achieve the objectives specified above.

Geographic Location:

Wherever located within the municipal district.

Use of Land:

Any use permitted under the Strathbogie Planning Scheme.

Planning Scheme Zoning:

The zoning applicable to each rateable land within this category, as determined by consulting maps referred to in the Strathbogie Planning Scheme.

Types of Buildings:

All buildings and other improvements which are now constructed on the land or which are constructed prior to the expiry of the 2023/24 Financial Year and whose total value does not exceed \$20,000.

ATTACHMENT 5:

SCHEDULE 3

FARM LAND

Objective:

To ensure that all rateable land makes an equitable financial contribution to the cost of carrying out the functions of Council, including the:

1. Construction and maintenance of public infrastructure;
2. Development and provision of health and community services; and
3. Provision of general support services.

Types and Classes:

Rateable land having the relevant characteristics described in the Resolution.

Use and Level of Differential Rate:

The differential rate will be used to fund some of those items of expenditure described in the Budget adopted by Council.

The level of the differential rate is the level which Council considers is necessary to achieve the objectives specified above.

Geographic Location:

Wherever located within the municipal district.

Use of Land:

Any use permitted under the Strathbogie Planning Scheme.

Planning Scheme Zoning:

Rural Zone under the Strathbogie Planning Scheme.

Types of Buildings:

All buildings which are now constructed on the land or which are constructed prior to the expiry of the 2023/24 Financial Year.

ATTACHMENT 6:

SCHEDULE 4

COMMERCIAL / INDUSTRIAL LAND

Objective:

To ensure that all rateable land makes an equitable financial contribution to the cost of carrying out the functions of Council, including the:

1. Construction and maintenance of public infrastructure;
2. Development and provision of health and community services; and
3. Provision of general support services.

Types and Classes:

Rateable land having the relevant characteristics described in the Resolution.

Use and Level of Differential Rate:

The differential rate will be used to fund some of those items of expenditure described in the Budget adopted by Council.

The level of the differential rate is the level which Council considers is necessary to achieve the objectives specified above.

Geographic Location:

Wherever located within the municipal district.

Use of Land:

Any use permitted under the Strathbogie Planning Scheme.

Planning Scheme Zoning:

The zoning applicable to each rateable land within this category, as determined by consulting maps referred to in the Strathbogie Planning Scheme.

Types of Buildings:

All buildings and other improvements which are now constructed on the land or which are constructed prior to the expiry of the 2023/24 Financial Year.

ATTACHMENT 7:

SCHEDULE 5

VACANT COMMERCIAL / INDUSTRIAL LAND

Objective:

To ensure that all rateable land makes an equitable financial contribution to the cost of carrying out the functions of Council, including the:

1. Construction and maintenance of public infrastructure;
2. Development and provision of health and community services; and
3. Provision of general support services.

Types and Classes:

Rateable land having the relevant characteristics described in the Resolution.

Use and Level of Differential Rate:

The differential rate will be used to fund some of those items of expenditure described in the Budget adopted by Council.

The level of the differential rate is the level which Council considers is necessary to achieve the objectives specified above.

Geographic Location:

Wherever located within the municipal district.

Use of Land:

Any use permitted under the Strathbogie Planning Scheme.

Planning Scheme Zoning:

The zoning applicable to each rateable land within this category, as determined by consulting maps referred to in the Strathbogie Planning Scheme.

Types of Buildings:

All buildings and other improvements which are now constructed on the land or which are constructed prior to the expiry of the 2023/24 Financial Year and whose total value does not exceed \$20,000.

7.3 COMMUNITY

7.3.1 Application for Event funding – Euroa Show and Shine Incorporated ~ Australian National Show and Shine

Author: Manager Community and Culture

Responsible Director: Director Community and Planning

EXECUTIVE SUMMARY

Council has received an application from Euroa Show and Shine Incorporated (Inc) for Event Grant Funding through Council's Community Funding Program to support the delivery of the Australian National Show and Shine on 1 October 2023. The event is an annual car and bike display attracting thousands of visitors, and locals to the event and the region.

The application is for \$5,000 to help cover the cost of traffic management and event insurance. This event has been successfully run for 20 years in Euroa. Euroa Show and Shine Inc has applied for Council's Sponsorship Program previously and has been successful in obtaining funding amounts between \$2,000 and \$5,000, depending on the funds available.

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

Council has a budget of \$50,000 allocated to Event Grants under the Community Funding Program in the draft 2023/2024 Budget. This application has been submitted in line with the Event Grant Guidelines 2023-24 adopted on 20 June at the Council Meeting and has been assessed in line with the relevant assessment process.

This report recommends the approval of Euroa Show and Shine Inc application for an Event Grant for a financial contribution of \$5,000 to support the delivery of the 2023 Australian National Show and Shine.

RECOMMENDATION

That Council:

- 1. Subject to the adoption of Council's draft 2023/24 Budget, and allocation of \$50,000 to Event Grants, approve the Event Grant application from Euroa Show and Shine Inc for a financial contribution of \$5,000 to support the delivery of the Australian National Show and Shine in Euroa to be held 1 October 2023; and***
- 2. Work with Euroa Show and Shine Inc to reduce overall waste produced at the event through this implementation of the objectives of both the Waste Wise Events Guidelines and Sustainable Strathbogie 2030 in being "A Zero Waste Shire".***

7.3.1 Application for Event funding – Euroa Show and Shine Incorporated ~ Australian National Show and Shine (cont.)

PURPOSE AND BACKGROUND

The Strathbogie Shire Council recognises the importance of events and tourism to the economic growth of our region. Council has a strong history of supporting and delivering events across the Shire. As a part of this support Council has allocated sponsorship funds through a competitive grants process for many years. The funding program has been renamed 'Event Grant' under the newly adopted 2023 Community Funding Model.

The Australian National Show and Shine has been run annually for the past 20 years in Euroa. The event attracts over 1,000 cars and motorcycles and over 7,000 people to the town and potentially more to the region.

This one-day event involves the celebration and display of motorbikes, cars, stalls, entertainment and food, held at the Seven Creeks Parkland area.

This is a wonderful opportunity to showcase Euroa and surrounds to the automotive community and visitors.

ISSUES, OPTIONS AND DISCUSSION

One of the overarching governance principles in section 9 of the Local Government Act 2020 is that priority is to be given to achieving the best outcomes for the municipal community, including future generations.

The event organisers must obtain Event Approval from Strathbogie Shire Council. Funding conditions will include that all required documentation including, an event permit application, risk plans, and public liability insurance are provided. Due to the nature of the event, this is a high-risk event, so a detailed risk management plan is required as a part of the event permit application.

This event aligns well with the objectives of the Event Grant Guidelines as the event:

- Promotes community engagement and participation;
- Contributes to building healthy and vibrant communities; and
- Increases economic development, tourism, and the visitor economy.

COMMUNITY ENGAGEMENT

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that the municipal community is to be engaged in strategic planning and strategic decision making.

Key stakeholders in the community have been engaged with this project from its inception, with a dedicated community group formed and driving the event. Euroa Show and Shine Inc. provide regular event updates on Facebook and through the Euroa Gazette and have been working with Council to plan a successful event for many months. The event will be publicised broadly across the community through the distribution of flyers and posters, social media, Council's website and promoted directly through mailing lists to car and bike clubs throughout Victoria and beyond.

7.3.1 Application for Event funding – Euroa Show and Shine Incorporated ~ Australian National Show and Shine (cont.)

POLICY CONSIDERATIONS

Council Plans and Policies

This initiative addresses the key objectives of the Council Plan 2021 – 2025 as follows:

- Strategic focus area 4: Inclusive. Productive. Balanced.
Our Community's goals – We target economic development to enhance our region; we are capitalising on our region's strengths.

LEGAL CONSIDERATIONS

One of the overarching governance principles under section 9 of the *Local Government Act 2020* is that Council decisions are to be made and actions taken in accordance with the relevant law.

There are no significant legal considerations associated with this report.

Conflict of Interest Declaration

The author of this report and officers/contractors providing advice in relation to this report do not have a direct or indirect interest, as provided in accordance with the *Local Government Act 2020*.

Transparency

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that the transparency of Council decisions, actions and information is to be ensured.

In the interest of transparency and open and honest communication with community, it is recommended that this event grant application for the Australian National Show and Shine be acknowledged in a public forum providing full disclosure of how potential allocated sponsorship funding is being distributed within the community. This action is also consistent with the requirements of the adopted Community Funding Model, where only Council through a Council resolution, can determine the outcome of an Event grant application.

FINANCIAL VIABILITY CONSIDERATIONS

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that the ongoing financial viability of the Council is to be ensured.

The Sponsorship requests are allocated to the proposed sponsorship budget of \$50,000.

Council's draft budget 2023/24 allocates \$50,000 for Event Grant Funding. This is the first application to be considered for the 2023/24 financial year. This report recommends approving this grant application, subject to Council's adoption of the draft budget 2023/24, and the allocation of \$50,000 to the pool of funds available for Event Grants. This is an increase of \$20,000 when compared with the allocation of \$30,000 in 2022/23.

7.3.1 Application for Event funding – Euroa Show and Shine Incorporated ~ Australian National Show and Shine (cont.)

Proposed 2023/24 Event Funding allocation	\$50,000
Number of Event Grants approved 2023/24	0
Total value of Event Grants approved 2023/24	\$0
2023/24 Allocation available	\$50,000

AUSTRALIAN NATIONAL SHOW AND SHINE – Proposed Budget

INCOME		EXPENDITURE	
Strathbogie Shire	\$5,000.00	Assets - Storage, tables etc	\$7,000.00
Mothers Polishes	\$3,000.00	Printing & Signage	\$6,600.00
GMCU	\$2,000.00	Gate Attendants	\$5,500.00
Shepparton Land Rover	\$2,000.00	Traffic Management	\$4,400.00
Burtens	\$1,650.00	Entertainment & PA	\$4,100.00
Darbys Paint	\$1,000.00	Advertising	\$4,240.00
Nutrien	\$750.00	Toilets & Rubbish Bins	\$3,000.00
Shannons	\$750.00	Insurance	\$3,250.00
BD electrics	\$500.00	Catering	\$1,000.00
Vardman Threads	\$500.00	Admin/ General	\$1,760.00
Autobarn	\$500.00	First aid	\$1,200.00
6 Businesses @ \$250	\$1,500.00	Security	\$700.00
Gate Takings	\$21,000.00	Website/ Facebook	\$500.00
Stalls	\$1,000.00	Euroa cinema Hire	\$700.00
Cinema	\$2,800.00		
Total Income	\$ 43,950	Total Expenditure	\$43,950

SUSTAINABILITY CONSIDERATIONS

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that the economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted.

Economic

The event will result in several economic benefits to the Strathbogie Shire Community. All the items relating to the event will be sourced locally, where possible and it is anticipated that participants will stay extra days to explore and enjoy the region. It has also been proven that car clubs return to the area in great numbers after an event.

7.3.1 Application for Event funding – Euroa Show and Shine Incorporated ~ Australian National Show and Shine (cont.)

Social

The event will offer significant social benefits to the local community and those attending the event. The event provides an opportunity for participants, community, and visitors alike to connect, re-engage and explore the local area, share interests and hobbies and make lasting relationships.

Environmental

Council officers will work with the Euroa Show and Shine Committee to support the delivery of the Australian National Show and Shine and reduce the overall waste produced at the event through the implementation of the objectives of both the Waste Wise Events Guidelines and Sustainable Strathbogie 2030 in being “A Zero Waste Shire”. This includes the implementation of measures to enforce the State Governments ban on single use plastics.

Climate change

Officers will work with event organisers to implement initiatives in the Waste Wise Events Guidelines at this event, making it a showcase for how a waste wise event should be run and encouraging all to reduce their consumption of raw materials in a further effort to reduce the effects of climate change.

INNOVATION AND CONTINUOUS IMPROVEMENT

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is the pursuit of innovation and continuous improvement.

The organisers will ensure that all regulatory requirements are in place consistent with the approved event application and conditions.

COLLABORATION

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that collaboration with other councils, levels of government and statutory bodies is to be sought.

Council will provide the required assistance to the event as per Council’s role and responsibility in line with the *Local Government Act 2020* and any relevant policies and procedures.

HUMAN RIGHTS CONSIDERATIONS

The recommendation does not limit any human rights under the *Victorian Charter of Human Rights and Responsibilities Act 2006*.

CONCLUSION

It is recommended that Council approve financial sponsorship of \$5000, to Euroa Show and Shine Inc to support the delivery of the Australian National Show and Shine on 1 October 2023, subject to the successful adoption of the 2023/24 Council budget. The Australian National Show and Shine will bring a wide range of car enthusiasts from around Victoria in a showcase of the region. The event will result in significant economic and social benefits to the community and the broader region.

7.4 INFRASTRUCTURE

7.4.1 Tender for Contract No. 22/23-82: Nagambie Streetscape Detailed Design

Author: Manager Project Delivery/Senior Project Officer Project Delivery

Responsible Director: Director Sustainable Infrastructure

EXECUTIVE SUMMARY

Council developed the Nagambie Streetscape Masterplan in collaboration with Go Nagambie and the Nagambie Community. The Masterplan was adopted by the Council with an allocated of \$280,000 for stage 1 works from the 2022/23 Streetscape Budget.

The Nagambie Streetscape Master Plan has identified works to be undertaken in four (4) stages.

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

As High Street Nagambie is a declared arterial road on Department of Transport and Planning (DTP) network, it is mandatory to receive consent/approvals for the engineering plans prior to execution of any construction activity on this road. This tender is for preparing the detailed engineering designs which includes accurate engineering estimates for Stages 1, 2 and 3. It will ensure the constructability of the works specified in the Master Plan as per the engineering standards and the proper engineering estimates will allow Council to make future decisions on funding the staged construction.

Stage 4 is excluded from this tender to save the cost of redesigning, as the user requirements for amenities block will have the potential to vary subject to building and legislative requirements at time of construction.

Council invited tenders for the work under Contract 22/23-82 Detailed Design of Nagambie Streetscape, advertised between 12 May 2023 and 13 June 2023. At close of tender on 13 June 2023, nine (9) tenders were received. Of these nine (9) tenders, four (4) tenders were deemed non-compliant with the council requirements and not considered for evaluation. The remaining five (5) tenders were deemed conforming and were assessed and evaluated by Council Officers and a summary of results is detailed in this report.

This report seeks Council endorsement to award the tender to Chris Smith & Associates Pty Ltd of Shepparton.

7.4.1 Tender for Contract No. 22/23-82: Nagambie Streetscape Detailed Design (cont.)**RECOMMENDATION*****That Council:***

- 1. Receives and notes the outcome of the tender assessment process for Contract No 22/23-82 Detailed Design of Nagambie Streetscape;***
- 2. Awards the tender for contract No 22/23-82 Detailed Design of Nagambie Streetscape - Lump Sum to Chris Smith & Associates Pty Ltd of Shepparton, for a total amount of \$247,115.00 inclusive of GST;***
- 3. Authorises officers to advise the unsuccessful tenderer;***
- 4. Authorises the Chief Executive Officer to execute the Contract by signing and affixing the Common Seal of Strathbogie Shire Council; and***
- 5. Notes that the works will be completed within 16 weeks after full Contract execution subject to review and approvals from Department of Transportation and Planning.***

PURPOSE AND BACKGROUND

Council developed the Nagambie Streetscape Masterplan in collaboration with Go Nagambie and the Nagambie community. The Masterplan was adopted by the Council with an allocated of \$280,000 for stage 1 works from the 2022/23 Streetscape Budget.

The Nagambie Streetscape Master Plan has identified works to be undertaken in four (4) stages.

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

As High Street Nagambie is a declared arterial road on Department of Transport and Planning (DTP) network, it is mandatory to receive consent/approvals for the engineering plans prior to execution of any construction activity on this road. This tender is for preparing the detailed engineering designs which includes accurate engineering estimates for Stages 1, 2 and 3. It will ensure the constructability of the works specified in the Master Plan as per the engineering standards and the proper engineering estimates will allow Council to make future decisions on funding the staged construction.

This approval process will be managed by the Council officers liaising with appropriate DTP departments. It is important to note that there might be likely delays on completion of designs due to prolonged approval process by DTP.

7.4.1 Tender for Contract No. 22/23-82: Nagambie Streetscape Detailed Design (cont.)



Tender Process

The public tender was released on <https://www.eprocure.com.au/strathbogie/> website on the 12 May 2023. The tender was advertised in Saturday’s The Age newspaper (state-wide reach), and Shepparton News in the week following release. By the close of tenders at 4.00pm on 13 June 2023, nine (9) tender submissions had been received.

All tender submissions were accessed for their compliance including the contractual terms and conditions and the requirements of the response schedules. Four (4) tender submissions were assessed as non-compliant and as per the Council requirements excluded from further evaluation. The remaining five (5) submissions were deemed conforming and were assessed and evaluated by Council officers.

Table 1 below lists the tenders that were received at the close of the advertised tender period.

Table 1: Conforming Tender Submissions Received

Conforming Tender Submissions Received at the close of Tender Period (in Alphabetical Order)
Chris Smith & Associates Pty Ltd
GMR Engineering Pty Ltd
Group GSA Pty Ltd
MLEI Consulting Engineers Pty Ltd
Planright Australasia Pty Ltd

Table 2 below lists the tender offer at the close of the advertised tender period.

Table 2: Conforming Tender Offers Received

Conforming Tender Offers Received at Close of Tender Period in lowest to highest order
\$238,750.00
\$247,115.00
\$269,852.69
\$272,040.00
\$294,756.00

7.4.1 Tender for Contract No. 22/23-82: Nagambie Streetscape Detailed Design (cont.)

Panel Assessment Process

In accordance with Council's Procurement Policy, the evaluation panel and evaluation criteria weightings were determined prior to release of the Tender documentation. The evaluation panel members were nominated prior to release of the tender submissions for evaluation. The panel signed 'Conflict of Interest' statements prior to the evaluation panel viewing the submitted tenders.

The Tender Evaluation Panel members were made up of the following Strathbogie Shire Council staff members:

1. Manager Project Delivery, Sustainable Infrastructure
2. Manager Community and Culture, Community & Planning
3. Senior Project Officer, Sustainable Infrastructure and,
4. Procurement & Tender Officer, People and Governance (moderating).

The principle that underlies the awarding of all Council contracts is that a contract is awarded based on providing the overall Best Value, offering the most benefit to the community and the greatest advantage to Council.

The tenders were assessed and evaluated against the following criteria and weightings:

TABLE 3: Evaluation Criteria

Criteria	Weighting (%)
Price	50
Business and Management Requirements	Evaluator Review
Capability, Experience, Methodology, Timeline	30
Local Content/Regional Benefit	10
Sustainability	10
Compliance/exclusion from Contract	Evaluator Review
Total	100

ISSUES, OPTIONS AND DISCUSSION

Evaluation Moderation Process

The purpose of the moderation meeting is to discuss and moderate scoring discrepancies larger than three points and to raise any concerns and/or queries that may need to be put to the tenderers prior to recommending the preferred Tenderer.

The Tender Evaluation Panel individually reviewed all tender submissions in detail and assessed tenderers submitted schedules and attachments against the evaluation criteria.

The Moderator (Procurement & Tender Officer) averaged the scores and highlighted scoring discrepancies larger than three (3) points. On Wednesday 14 June 2023 the Panel members and the Moderator met to finalise the evaluation through moderation meeting.

7.4.1 Tender for Contract No. 22/23-82: Nagambie Streetscape Detailed Design (cont.)

Panel Assessment Summary

One of the Overarching governance principles in section 9 of the Local Government Act 2020 is that Priority is to be given to achieving the best outcomes for the municipal community, including future generations.

At the completion of the tender evaluation process, Chris Smith & Associates Pty Ltd attained the highest ranking with a total score of 81.26% composed of 32.95% on Qualitative and 48.31% on Quantitative. All Other tenderers scored below 80% on their total scoring.

The Tender Evaluation Panel was therefore satisfied that Chris Smith & Associates Pty Ltd represents the best value outcome for Council.

COMMUNITY ENGAGEMENT

One of the overarching governance principles in section 9 of the Local Government Act 2020 is that the municipal community is to be engaged in strategic planning and strategic decision making.

Council valued and considered community inputs related to the streetscape program thoroughly through a structured community consultation process led by Council officers.

POLICY CONSIDERATIONS

Council Plans and Policies

The author of this report considers that the report is consistent with Council Policies, key strategic documents, and the Council Plan.

This report is consistent with the Strathbogie Shire Council Procurement Policy.

The Council Plan 2021-2025 is relevant with the following:

- Strategic Focus Area 1: Engage. Create. Unite
One of the community's goals is to create welcoming social spaces where people can connect

LEGAL CONSIDERATIONS

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that Council decisions are to be made and actions taken in accordance with the relevant law.

There are no legal matters raised by this project and it is noted that community engagement is consistent with the principles outlined in the Local Government Act 2020.

Conflict of Interest Declaration

All officers, and/or contractors, involved in the preparation of this report have signed a written declaration that they do not have a conflict of interest in the subject matter of this report.

7.4.1 Tender for Contract No. 22/23-82: Nagambie Streetscape Detailed Design (cont.)

Transparency

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that the transparency of Council decisions, actions and information is to be ensured.

It is considered by the author of this report that all steps have been taken in line with Council's Procurement Policy which ensures transparency in the process.

Decisions made by Council will be: -

- undertaken in accordance with the Act and the Governance Rules.
- will be conducted in an open and transparent forum with information available via Council reports.

Council meetings will be open to the community or can be viewed on the livestream (and available as a recording) unless closed for reasons permitted by s.66(2) of the Act.

FINANCIAL VIABILITY CONSIDERATIONS

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that the ongoing financial viability of the Council is to be ensured.

The streetscape program is fully funded through LRCIP grants where Council input is to manage the design and construction process and maintain the infrastructure created through the program.

SUSTAINABILITY CONSIDERATIONS

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that the economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted.

Economic

- Create a distinctive sense of place for residents, visitors and businesses.
- Provide a high quality, attractive public space where people want to visit and shop, and
- Improve the attractiveness, comfort, accessibility, connectivity, and safety each of our main streets or main commercial areas.

Social

Effective streetscape design is an integral part of shaping a community's identity, increasing civic pride and improving a sense of wellbeing and belonging. In particular these designs aim to improve connection to place, by:

- Creating a local sense of place by reinforcing identity and telling local stories through the choice of materials and placemaking, and
- Reinforce visual and physical connections to the surrounding landscape and heritage.

7.4.1 Tender for Contract No. 22/23-82: Nagambie Streetscape Detailed Design (cont.)

Climate change

The streetscape plan aims to improve the environmental function of our townships by:

- Increasing areas of landscaping to improve passive cooling
- Embracing opportunities to utilise solar energy for lighting when feasible
- Increasing irrigation potential and stormwater drainage
- Replacing landscape treatments that are at the end of their lifecycle
- Increasing the capacity of existing green networks to enhance biodiversity and habitat corridors
- Ensuring the retention and renewal of the significant mature street trees where possible and the character of leafy streetscapes
- Increase the amount of permeable surfaces, soft landscape areas and shade trees

HUMAN RIGHTS CONSIDERATIONS

The author of this report considers that the recommendation does not limit any human rights under the Victorian Charter of Human Rights and Responsibilities Act 2006

CONCLUSION

Council invited tenders for Contract No 22/23-82 Detailed Design of Nagambie Streetscape. The submitted tenders were sought and evaluated strictly in accordance with Council's Procurement Policy and against the provided brief and specifications. It is proposed that Council endorses the recommended contract award for Detailed Design of Nagambie as detailed in this report.

ATTACHMENTS

Nil

APPENDICES

Appendix 2: Tender Evaluation 22/23-82 Detailed Design of Nagambie Streetscape, CONFIDENTIAL

7.5 GOVERNANCE AND CUSTOMER SERVICE

7.5.1 Request to attend Global Leadership Foundation Ikara-Ediacara: Past, Present and Future Leadership Experience in South Australia - Mayor, Councillor Laura Binks

Author: Executive Manager Communications and Engagement

Responsible Director: Chief Executive Officer

EXECUTIVE SUMMARY

The Global Leadership Foundation is hosting *Ikara – Ediacara: Past, Present and Future Leadership Experience* from July 6 to 10, 2023.

The experience aims to help leaders build levels self-awareness, emotional health and understanding of their leadership role. It encourages participants to come prepared to explore their leadership challenges and opportunities as well as provide your own insight and experience to what is presented and shared.

The Mayor of Strathbogie Shire Council, Councillor Laura Binks has expressed interest to attend this Leadership Experience (see Attachment 1).

Because it is an interstate conference that supports the Mayor's leadership learnings all costs associated with attendance (registration, accommodation, travel and meals) will be sourced from the Councillors' expenses budget allocation. The mayor has expanded \$324 of her 2023/24 \$1500 training allocation to attend the Regional Council Victoria annual forum of which she currently holds the position of Deputy Chair. This leaves a balance of \$1,176 for the 2023/24 financial year.

The registration fee for this course is \$1,000. This excludes accommodation and meals. The Mayor will provide receipts of additional expenses upon completion of the course to the balance of \$176.00.

Under the Council Expenses Policy, a Council resolution is required for the approval of any interstate travel and costs exceeding \$1501 for any one Councillor.

RECOMMENDATION

That Council:

- 1. Note and endorse the request from the Mayor, Councillor Laura Binks to travel interstate to attend the Ikara – Ediacara: Past, Present and Future Leadership Experience in South Australia,***
- 2. Provide a funding contribution of \$1,176, noting this is the balance of Mayor Binks 2023-24 Training Allocation and that all other costs above this amount such as accommodation and meal expenses incurred through attendance will be covered by the Mayor personally, and***
- 3. Receive an evaluation report outlining the learnings and municipal benefits received upon Mayor Laura Binks' return from the Leadership Experience in South Australia in accordance with the Council Expenses Policy.***

7.5.1 Request to attend Global Leadership Foundation Ikara-Ediacara: Past, Present and Future Leadership Experience in South Australia - Mayor, Councillor Laura Binks (cont.)

PURPOSE AND BACKGROUND

The Global Leadership Foundation was formed in 2003 with the intent of raising emotional health levels across the globe.

To achieve this, the foundation develops, strengthens, and transforms the leadership potential in people, organisations and communities.

The foundation aims to go beyond simply building leadership skills and providing processes and tools with practical and business applications. It supports and inspire leaders to:

- better understand themselves and their impact on others
- explore what drives and motivates them and appreciate the reaction this has in various situations
- realise their potential and uncover their gifts and strengths
- adapt and adjust the way in which they lead and engage others, and
- see the difference they make to themselves, the lives of others and the wellbeing of the planet as a result.

ISSUES, OPTIONS AND DISCUSSION

One of the overarching governance principles in section 9 of the Local Government Act 2020 is that priority is to be given to achieving the best outcomes for the municipal community, including future generations.

At the February 2023 Council Meeting, Councillors noted the final report from Municipal Monitor Janet Dore. Part of Ms Dore's report states:

To focus Councillors on their roles under the Local Government Act 2020 a 10-point Plan was produced by the monitor.

1. *Understand the role of a Councillor (LGAct & Code)*
2. *Understand the role of the CEO (LGAct)*
3. *Understand governance rules*
4. *Read agendas and briefing materials*
5. *Respect each other and staff*
6. *Avoid last minute input*
7. *Maintain strategic outlook*
8. *Understand Council policies*
9. *Keep out of operational issues*
10. *Work together.*

In response to this, and other learnings from the Municipal Monitor the Mayor has expressed an interest in attending *Ikara – Ediacara: Past, Present and Future Leadership Experience* in South Australia.

7.5.1 Request to attend Global Leadership Foundation Ikara-Ediacara: Past, Present and Future Leadership Experience in South Australia - Mayor, Councillor Laura Binks (cont.)

Global Leadership Foundation says its leadership experience is especially designed for leaders who:

- are exploring meaning and purpose for themselves as individuals and as leaders
- are rethinking the way in which they relate to others, their organisations and the communities in which they operate, and
- are prepared to have their current thinking and experience around leadership challenged.

Additionally, Global Leadership Foundation co-founders Gayle Hardie and Malcolm Lazenby, will be presenting at the Rural Councils' Victoria July Forum on July 14, 2023, in Echuca. Mayor Binks is a committee member of Rural Councils Victoria (RCV) and currently the Deputy Chair.

COMMUNITY ENGAGEMENT

One of the overarching governance principles in section 9 of the Local Government Act 2020 is that the municipal community is to be engaged in strategic planning and strategic decision making.

Community engagement is not required for the purpose of this report and its subject matter. It is the role of the Mayor and Councillors to attend industry related conferences that will deliver benefit to the ratepayers.

POLICY CONSIDERATIONS

Council Plans and Policies

Strategic Focus Area Four in the 2021/25 Council Plan is Inclusive. Productive. Balanced. The community goals to achieve this are:

In the future we... involve the community in decisions that affect them. This means:

- We have empowered locals to make decisions.
- We care, support and listen to each other.
- We partner with our community to achieve great things.

These goals, directly align with the Global Leadership Foundation's guiding principles of self-realisation, collaboration and stewardship.

LEGAL CONSIDERATIONS

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that Council decisions are to be made and actions taken in accordance with the relevant law.

7.5.1 Request to attend Global Leadership Foundation Ikara-Ediacara: Past, Present and Future Leadership Experience in South Australia - Mayor, Councillor Laura Binks (cont.)

The Council Expenses Policy outlines the parameters for reasonable expenditure to support advocacy, learning and development. Provision for Conferences and Training is outlined in section 17 of the policy and states conferences or seminars must be approved by way of Council resolution prior to any bookings being made if they are:

- held interstate or overseas; and/or
- exceeding \$1501 in total cost (defined as including registration, travel and
- accommodation)

Following attendance at a conference or training that was subject to a Council resolution to approve the Councillor must submit a written report to Council at the next Ordinary Meeting under the item 'Reports of Mayor and Councillors and Delegates'.

This report must identify the key issues discussed, issues of relevance to the Strathbogie Shire and the community benefit gained through the councillor's attendance.

Conflict of Interest Declaration

All officers, and/or contractors, involved in the preparation of this report have signed a written declaration that they do not have a conflict of interest in the subject matter of this report.

Transparency

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that the transparency of Council decisions, actions and information is to be ensured.

This report outlining Mayoral and Councillor expense requests relating to public funds achieves public transparency. Itemised details of individual councillor and mayoral expenses are presented quarterly to Councils Audit and Risk (A&R) Committee and are available in the minutes from these meeting which are tabled at a Council meeting in the month following the A&R meeting.

Furthermore, individual Councillor expenses are published in the Strathbogie Shire Council Annual Report, which is uploaded to the Council website annually, and made available to members of the public on request.

Expenses incurred as part of interstate, international travel and travel within Victoria for more than three days undertaken on behalf of Council will also be recorded in the travel register required under the Act, as per the template attached to this policy.

The travel register and councillor allowance and expense reports is published concurrently.

7.5.1 Request to attend Global Leadership Foundation Ikara-Ediacara: Past, Present and Future Leadership Experience in South Australia - Mayor, Councillor Laura Binks (cont.)

FINANCIAL VIABILITY CONSIDERATIONS

One of the overarching governance principles in section 9 of the Local Government Act 2020 is that the ongoing financial viability of the Council is to be ensured.

This report seeks Council endorsement for allocation of \$1,176 from Cr Binks' 2023-24 Training Allocation which is the remainder of her 2023/24 allocation. The registration fee for this course is \$1000.00. All other costs of accommodation and meal expenses above \$1,176 incurred through attendance will be covered by the Mayor personally. The Mayor will provide receipts of additional expenses upon completion of the course to the balance of \$1,176.00.

SUSTAINABILITY CONSIDERATIONS

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that the economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted.

Social

The Global Foundation supports and inspire leaders to:

- better understand themselves and their impact on others
- adapt and adjust the way in which they lead and engage others, and

Environmental

The leadership experience provides participants with the opportunity to visit and explore the environment of Ikara – Flinders Ranges as well as spending time at the site of one of the oldest and most intact fossil beds in the world (Ediacara) on Nilpena Station.

Participants will also meet with local traditional owners and pastoralists to better understand the past, present and future importance of the area for everyone.

Climate change

The Global Foundation supports and inspire leaders to:

- see the difference they make to themselves, the lives of others and the wellbeing of the planet as a result.

INNOVATION AND CONTINUOUS IMPROVEMENT

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is the pursuit of innovation and continuous improvement.

This Leadership Experience will help participants to build their levels self-awareness, emotional health and understanding of their leadership role.

7.5.1 Request to attend Global Leadership Foundation Ikara-Ediacara: Past, Present and Future Leadership Experience in South Australia - Mayor, Councillor Laura Binks (cont.)

COLLABORATION

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that collaboration with other councils, levels of government and statutory bodies is to be sought.

This leadership experience is a group activity, which provides participants with the opportunity to share experience and learn from each other.

HUMAN RIGHTS CONSIDERATIONS

The Charter of Human Rights and Responsibilities Act 2006 lists substantive rights. Those relevant to this leadership experience include:

- freedom of thought, conscience, religion and belief
- freedom of expression
- peaceful assembly and freedom of association, and
- taking part in public life.

CONCLUSION

The Global Leadership Foundation's *Ikara – Ediacara: Past, Present and Future Leadership Experience* is designed to help leaders build levels self-awareness, emotional health and understanding of their leadership role. These areas are included in the Terms of Reference for both of Strathbogie Shire Council's Municipal Monitors.

ATTACHMENTS

Attachment 1: Mayor Laura Binks Conference and Training Request Form

Attachment 2: A Global Leadership Foundation's Ikara – Ediacara: Past, Present and Future Leadership Experience Program

7.5.2 Instruments of Appointment and Authorisation Update – S11

Author & Responsible Director: Acting Director People & Governance

EXECUTIVE SUMMARY

Following recent appointments to vacant positions several changes are required to be made to the S11 Instrument of Appointment and Authorisation. The Local Government Act 1989 is still active in relation to the appointment of authorised officers, not the 2020 Act.

This instrument gives specified officers the ability to enforce legislation and is essential to ensuring any enforcement action is undertaken on behalf of Council in a legal and robust manner. This instrument also appoints officers to key roles and positions including the Municipal Building Surveyor, Municipal Emergency Management Officer and appointment of Councillor Conduct Officer.

The amended instrument, once approved by Council, will remain in force until the next update is prepared in response to legislative changes, changes in position titles or staff changes.

RECOMMENDATION

That in the exercise of the powers conferred by section 224 of the Local Government Act 1989 (the Act) and the other legislation referred to in the attached instrument of appointment and authorisation (S11), Strathbogie Shire Council (Council) resolves that:

- 1. The members of Council staff referred to in the instrument be appointed and authorised as set out in the instrument.***
- 2. The instrument endorsed by Council at its meeting of 21 June 2022 be revoked and replaced by the 27 June 2023 instrument.***
- 3. The instrument be signed and sealed by Council under the Strathbogie Shire Council Local Law No 1 Use of the Common Seal 2020.***
- 4. The instrument comes into force immediately the common seal of Council is affixed to the instruments and remains in force until Council determines to vary or revoke it.***

PURPOSE AND BACKGROUND

There is a basic distinction between a delegation and an appointment to authorise an officer. A delegate acts on behalf of the Council, exercising the Council's powers. In contrast, a person who is appointed to a position has the authority to exercise the powers of that position directly from the enabling legislation.

Appointments identify the office to which the person is being authorised to exercise the powers legislation provides to it.

7.5.2 Instruments of Appointment and Authorisation Update – S11 (cont.)

Although the new Local Government Act 2020 is largely in place (it has been phased in over for tranches during the past year), the power to authorise an officer still sits under the Local Government 1989 (the old Act).

Authorisations also allow the relevant officers of Council to generally institute proceedings for offences against Acts and regulations as Authorised Officers under the various Act/s.

ISSUES, OPTIONS AND DISCUSSION

One of the Overarching governance principles in section 9 of the *Local Government Act 2020* is that priority is to be given to achieving the best outcomes for the municipal community, including future generations.

The main reason this report is required is to

- Update position titles following a change of position names, and to
- Update the names of officers authorised under the instrument.

It is vital that the Instruments be updated to reflect the names and position titles of the officers that are to hold authority under a range of legislation.

COMMUNITY ENGAGEMENT

One of the Overarching governance principles in section 9 of the *Local Government Act 2020* is that the municipal community is to be engaged in strategic planning and strategic decision making.

Given that the instruments of authorisation are internal documents responding to a legislative requirement community engagement is not considered necessary.

POLICY CONSIDERATIONS

Council Plans and Policies

The report is consistent with Council Policies, key strategic documents, and the Council Plan 2021-25 in terms of ensuring officers can legally perform their roles under a variety of legislation.

Regional, State and National Plans and Policies

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that regional, state, and national plans and policies are to be taken into account in strategic planning and decision-making.

The authorisation of officers enables them to work with other agencies to ensure compliance with legislation, particularly in the local laws, environment protection and emergency management areas.

LEGAL CONSIDERATIONS

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that Council decisions are to be made and actions taken in accordance with the relevant law.

7.5.2 Instruments of Appointment and Authorisation Update – S11 (cont.)

By not maintaining currency of the authorisation instruments, this can potentially impact on the enforcement of legislation and jeopardises Council's compliance with its legal obligations. A copy of the instrument will be made available to the public in accordance with the Local Government Act and regulations.

Conflict of Interest Declaration

All officers, and/or contractors, involved in the preparation of this report have signed a written declaration that they do not have a conflict of interest in the subject matter of this report.

Transparency

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that the transparency of Council decisions, actions and information is to be ensured.

By considering this report the community becomes aware of some structures that Council has in place to administer various pieces of legislation.

A de-identified instrument will also be available on Council's website and members of the community can request an opportunity to inspect the full instrument with officer names during office hours.

COLLABORATION

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that collaboration with other councils, levels of government and statutory bodies is to be sought.

This is not a major consideration in this case, however ensuing officers have appropriate authorisations enables a coordinated approach to emergency management and domestic animal enforcement with State agencies.

HUMAN RIGHTS CONSIDERATIONS

The recommendation does not limit any human rights under the Victorian Charter of Human Rights and Responsibilities Act 2006.

CONCLUSION

The endorsement and sealing of instruments of authorisation enables Council to fulfil its obligations in relation to a number of public safety matters and the enforcement of various pieces of legislation.

ATTACHMENTS

Attachment 1: S11 – Instrument of Appointment and Authorisation

7.6 EXECUTIVE

7.6.1 Council Commitment to Good Governance

Responsible Director: Chief Executive Officer

EXECUTIVE SUMMARY

This report summarises Council's recommitment to good governance in response to letter received from the Minister for Local Government, the Hon Melissa Horne MP and the appointment of Mr Peter Stephenson as the Municipal Monitor.

Further, the report seeks Council endorsement of the Minister's letter prepared by the Mayor in light of the appointment of Mr Peter Stephenson, the second Municipal Monitor to the Strathbogie Shire. This letter details (amongst other considerations) what actions Councillors will collectively undertake in response to the first Monitors report to provide the highest standard of governance for their community as follows:

- Recommitting to the Municipal Monitors (Ms Janet Dore) 10-point plan developed during her term to focus Councillors on their roles under the Local Government Act 2020, the Strathbogie Shire Councillor Code of Conduct and the principles and behavioural expectations enunciated in Council's Mutual Charter of Respect,
- Working collaboratively to build a renewed culture based on respect, trust, and open communication,
- Respectfully call out poor and/or inappropriate behaviour to provide a safe workplace environment for Councillors and Officers,
- Working together to deliver the Council Plan and respond and represent the views of the whole community while making decisions in their interests.

The letter details the work currently underway with Mr Andrew Douglas from JWC Lawyers. Mr Douglas will work with Councillors to deliver a 'Statement of Intent' that will guide and direct behaviour between Councillors as a group, and Councillors and Council staff. Once signed by all Councillors and delivered to the Municipal Monitor Council will receive a further report to formally endorse the signed Statement of Intent, the culmination of the work with Andrew Douglas of FCW Lawyers at an extraordinary Council Meeting on July 25, 2023 at 2.00 pm.

Additionally, the Mayor is working with Councillors to develop their own set of KPIs and associated Professional Development Plan to ensure Councillors are meeting the requirements under the Local Government Act 2020 and fulfilling their duties.

RECOMMENDATION

That Council:

1. ***Collectively and individually recommit to the:***
 - a) ***The Municipal Monitor's (Ms Janet Dore) 10 Point Plan, formally noted and accepted at the February 21, 2023 Council Meeting:***
 - i. ***Understand the role of a Councillor (LGAct & Code),***
 - ii. ***Understand the role of the CEO (LGAct),***
 - iii. ***Understand governance rules,***

7.6.1 Council Commitment to Good Governance (cont.)**RECOMMENDATION (cont.)**

- iv. **Read agendas and briefing materials,**
 - v. **Respect each other and staff,**
 - vi. **Avoid last minute input,**
 - vii. **Maintain strategic outlook,**
 - viii. **Understand Council policies,**
 - ix. **Keep out of operational issues, and**
 - x. **Work together,**
- b) **Councillor Code of Conduct adopted at the Council Meeting held on February 16, 2021, and the**
 - c) **Strathbogie Shire Council Charter of Mutual Respect adopted at the Council Meeting held on September 21, 2021.**
2. **Work collaboratively to build a renewed culture based on respect, trust, and open communication,**
 3. **Respectfully call out poor and/or inappropriate behaviour to provide a safe workplace environment for Councillors and Officers,**
 4. **Work together to deliver the Council Plan and respond and represent the views of the whole community while making decisions in their interests,**
 5. **Receive a further report to the extraordinary Council meeting scheduled to formally endorse the signed Statement of Intent, the culmination of the work with Andrew Douglas of FCW Lawyers at the Council Meeting on July 25, 2023 at 2.00 pm, and**
 6. **Note and endorse the draft letter to be sent to the Minister for Local Government.**

PURPOSE AND BACKGROUND

The purpose of this report is to provide a formally endorsed response to the Minister for Local Government, the Hon Melissa Horne MP in light of the appointment of Mr Peter Stephenson, the second Municipal Monitor to the Strathbogie Shire. This letter prepared by the Mayor, details what actions Councillors will collectively undertake in response to the first Monitors report to provide the highest standard of governance for their community.

On September 14, 2021, the Acting Minister for Local Government, the Hon Mary Anne Thomas MP, appointed Ms Janet Dore as Municipal Monitor for a period of six months, working 1 – 2 days per week. The primary focus of the appointment was to:

- Monitor governance processes and practices around decision making, Council briefings and Council meetings,
- Councillors' understanding of their statutory roles and responsibilities,

7.6.1 Council Commitment to Good Governance (cont.)

- Internal policies and practices around Councillor interaction with the administration, and
- Council policies in relation to occupational health and safety of Councillors and officers.

Ms Dore submitted a report to the Minister towards the end of the initial six (6) month term, concluding that whilst encouraging progress had been made by Council over the last few months, in the context of so many virtual meetings there was a hesitancy to adopt a team-based approach to governing the whole Shire.

The Minister reappointed Ms Dore for a further six (6) months as reported to the April 19, 2022 Council meeting. At the conclusion of her second term with Strathbogie Shire, the Municipal Monitor submitted her final report to the Minister for Local Government in September 2022. On January 11 2023, the Minister for Local Government, the Hon Melissa Horne MP, informed the Mayor that the municipal monitor appointed to Strathbogie Shire Council, Ms Janet Dore had submitted her final report and provided Council with a copy (refer Attachment 1).

Following further representations to Minister Horne MP by the Mayor, members of the Audit and Risk Committee and officers in 2023 detailing concerns around governance and health and safety of councillors and staff, the Minister for Local Government, the Hon Melissa Horne MP, appointed a second Monitor, Mr Peter Stephenson, on May 15, 2023 for a three (3) month term. (refer Attachment 3). Mr. Stephenson has been appointed to continue the work from the former Municipal Monitor and 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.

ISSUES, OPTIONS AND DISCUSSION

One of the overarching governance principles in section 9 of the Local Government Act 2020 is that priority is to be given to achieving the best outcomes for the municipal community, including future generations.

With the appointment of Mr Stephenson, the Mayor advised executive officers of the Councillors' express desire to uphold the democratic process of their election by providing the highest level of governance possible and requested officers to prepare this report.

The Mayor has prepared a letter to the Minister for Local Government, the Hon Melissa Horne MP (refer Attachment 2) which details Councils commitment to addressing the issues raised in Ms Janet Dore's final report tabled at the February 21, 2023 Council Meeting. The letter details Councils commitment to:

- Recommitting to the Municipal Monitors (Ms Janet Dore) 10-point plan developed during her term (refer attachment 3) to focus Councillors on their roles under the Local Government Act 2020 as follows:
 11. *Understand the role of a Councillor (LGAct 2020 & Code),*
 12. *Understand the role of the CEO (LGAct 2020),*
 13. *Understand governance rules,*
 14. *Read agendas and briefing materials,*
 15. *Respect each other and staff,*

7.6.1 Council Commitment to Good Governance (cont.)

16. *Avoid last minute input,*
17. *Maintain strategic outlook,*
18. *Understand Council policies,*
19. *Keep out of operational issues, and*
20. *Work together.*

- Recommitting to the Strathbogie Shire Councillor Code of Conduct (refer Attachment 4) and the principles and behavioural expectations enunciated in Council's Mutual Charter of Respect (refer Attachment 5),
- Working collaboratively to build a renewed culture based on respect, trust, and open communication,
- Respectfully call out poor and/or inappropriate behaviour to provide a safe workplace environment for Councillors and Officers, and
- Working together to deliver the Council Plan and respond and represent the views of the whole community while making decisions in their interests,

At the May 16, 2023 Council Meeting Council endorsed the appointment of Andrew Douglas of FCW Lawyers to deliver a Councillor Training Program. Mr Douglas will work with Councillors to deliver a 'Statement of Intent' that will guide and direct behaviour between Councillors as a group, and Councillors and Council staff.

It is intended that this statement will be signed by all Councillors and delivered to the Municipal Monitor on July 20, 2023. Councillors have already held one-on-one discussions with Mr Douglas and upon completion of this work, Council will receive a further report to an extraordinary Council Meeting on July 25, 2023 at 2.00 pm to formally endorse the signed Statement of Intent to be enacted by Councillors.

Additionally, the Mayor is working with Councillors to develop their own set of KPIs and associated Professional Development Plan to ensure Councillors are meeting the requirements under the Local Government Act 2020 and fulfilling their duties.

COMMUNITY ENGAGEMENT

One of the overarching governance principles in section 9 of the Local Government Act 2020 is that the municipal community is to be engaged in strategic planning and strategic decision making.

Community engagement is not required for the purpose of this report and its subject matter.

POLICY CONSIDERATIONS

The appointment of a (second) Municipal Monitor is consistent with State policies and legislation around occupational health and safety and good governance practices across the State and Local government sectors. The appointment of a Monitor also ties in with the recent Local Government Culture Project Discussion Paper released by the Minister and in response to which Council made a written submission promoting the use of municipal monitors to support good governance practices across Councils in Victoria. This was endorsed by Council at the March 2022 Council Meeting.

7.6.1 Council Commitment to Good Governance (cont.)

Council Plans and Policies

The appointment of the Municipal Monitor is consistent with Strategic Focus Area 6 of the 2021-25 Council Plan – Accountable. Transparent. Responsible in that it assists Council to achieve the highest level of good governance across the organisation and elected Council.

Action 6.4 also relates to the provision of an ongoing good governance program for Councillors, of which the Monitor's discussion and advice and the work being undertaken by Mr Andrew Douglas forms part of.

Regional, State and National Plans and Policies

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that regional, state and national plans and policies are to be taken into account in strategic planning and decision-making.

The state government is committed to having effective Councils to represent and provide services to ratepayers and residents.

LEGAL CONSIDERATIONS

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that Council decisions are to be made and actions taken in accordance with the relevant law.

The Local Government Act 2020 Part 2, Division 1, 8 Role of a Council commences with

- (1) The role of a Council is to provide good governance in its municipal district for the benefit and wellbeing of the municipal community.

Conflict of Interest Declaration

All officers, and/or contractors, involved in the preparation of this report have signed a written declaration that they do not have a conflict of interest in the subject matter of this report.

Transparency

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that the transparency of Council decisions, actions and information is to be ensured.

This report is being specifically considered in an open Council meeting to display the importance which Councillors attribute to it.

FINANCIAL VIABILITY CONSIDERATIONS

One of the overarching governance principles in section 9 of the Local Government Act 2020 is that the ongoing financial viability of the Council is to be ensured.

A budget allocation of \$26,000 has been notionally allocated in the 2023/24 draft Council budget to fund the work currently being undertaken between Councillors and Mr Andrew Douglas from FCW Lawyers.

7.6.1 Council Commitment to Good Governance (cont.)

COLLABORATION

One of the overarching governance principles in section 9 of the Local Government Act 2020 is that collaboration with other councils, levels of government and statutory bodies is to be sought. The benefits and experiences of having a Municipal Monitor has been shared with Local Government Victoria and the local government sector in general.

Such feedback to the State government was also shared through our written response to the Local Government Culture Discussion Paper, released by the State government in December 21 around the issues and challenges around the operation of elected councils since the introduction of the new Local Government Act in 2020.

HUMAN RIGHTS CONSIDERATIONS

The matters discussed in this report do not adversely impact on the Charter of Human Rights and Responsibilities Act 2006 but it must be noted that the support and advice from the Municipal Monitor over the past six months has had a positive impact on:

- privacy and reputation,
- freedom of thought,
- conscience, religion and belief,
- freedom of expression,
- taking part in public life,
- cultural rights, ad
- fair hearing.

CONCLUSION

The consideration of this report provides an opportunity for Councillors collectively and individually to endorse the letter to the Minister and express their commitment to good governance.

ATTACHMENTS

Attachment 1: Municipal Monitors (Ms Janet Dore) Final Report

Attachment 2: Draft letter to the Minister for Local Government, the Hon Melissa Horne MP

Attachment 3: Municipal Monitor's (Ms Janet Dore) 10-point plan

Attachment 4: Strathbogie Shire Councillor Code of Conduct

Attachment 5: Strathbogie Shire Council Charter of Mutual Respect

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