

Strathbogie Shire Council

Council Meeting Minutes / Decisions

September 19, 2023

Minutes/Decisions

Council Meeting

Tuesday, September 19, 2023, at 6pm

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

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

Councillors:

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) (*attended the meeting virtually until losing internet connection at 7.02 pm*)

Cr Chris Raeburn (Honeysuckle Creek Ward)

Cr Robin Weatherald (Lake Nagambie Ward)

Officers:

Julie Salomon – Chief Executive Officer

Amanda Tingay – Director People and Governance (Acting)

Vlad Adamek – Director Sustainable Infrastructure

Rachael Frampton – Acting Director Community and Planning

Kristin Favaloro – Executive Manager Communications and Engagement

Phillip Carruthers – Specialist Governance Advisor

Meeting Procedure

1. Welcome

2. Acknowledgement of Country

We acknowledge the Traditional Custodians of the places we live, work and play. We recognise and respect the enduring relationship they have with their lands and waters, and we pay respects to the Elders past, present and emerging. Today we are meeting on the lands of the Taungurung peoples of the Eastern Kulin nation, whose sovereignty here has never been ceded.

Councillor Weatherald interjected, requesting a Point of Order. He then read the following statement:-

This statement to Council is a potential biased political propaganda statement, based on a Council motion of 19 October 2021 on page 13, Item 9.2.3, which authorised the Chief Executive Officer and the Mayor to enter into a Memorandum of Understanding (MoU) with the Taungurung Land and Waters Council (TLaWC). On 28 October 2021, the CEO and Mayor signed a legal agreement with the TLaWC. This signed document has no legal standing at law and is not supported with a Council motion passed and authorising the legal signing of the subject MoU with TLaWC. This failure of Council to authorise the legal signing of the MoU renders the document without foundation at law.

The Mayor advised that as per Section 62 of Council's Governance Rules, the Point of Order was not upheld.

3. Privacy Notice

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

4. Governance Principles

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

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

4. Governance Principles (cont.)

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**

Kristin Favalaro – Executive Manager Communications and Engagement

6. **Disclosure of Conflicts of Interest**

Councillor Raeburn declared a material conflict of interest under section 128 of the Local Government Act 2020 in Item 11.2.3: Community Strengthening Grants
 Director Tingay declared a general conflict of interest under section 127 of the Local Government Act 2020 in Item 11.2.4: School Crossing Supervision Program – Goulburn Street Nagambie

7. **Confirmation of Minutes/Decisions of Previous Meetings**

MOVED: COUNCILLOR MURRAY

SECONDED: COUNCILLOR RAEBURN

That the Minutes/Decisions of the Council Meeting held on Tuesday, August 15, 2023, be confirmed (Council Meetings and Minutes | Strathbogie Shire)

153-22/23 **CARRIED**

8. **Petitions**

Nil

9. **Reports of Mayor and Councillors and Delegates**

Cr Murray

- Mentioned Community Conversation in Avenel on 20 August 2023 about future of Australia Day
- Attended –
 - Friends of the Library 30 year celebration on 23 August 2023
 - Violet Town Recognise Group Long Walk barbeque 1 September 2023
 - Euroa Youth Growers Festival on 2 September
 - Euroa Historical Society Annual General Meeting on 4 September 2023
 - Queen Elizabeth Memorial Garden Dedication at Nagambie on 8 September 2023
 - Friends of the Library Annual General Meeting on 12 September 2023
 - Euroa Chamber of Business and Commerce meeting on 14 September 2023
 - Euroa Community Garden Launch on 17 September 2023

Cr Dickinson

Mentioned Nagambie Boardwalk 'unofficially' opened on 18 September 2023. Official opening to be on 10 October 2023

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

MayorNagambie Foreshore Walk Soft opening

Yesterday, CEO Julie Salomon, Project Manager Bruce Rowley and I celebrated the soft opening of the Nagambie Foreshore Walk Project.

Barriers have been removed, so everyone can now walk along the 1.6kilometer pathway from Elloura Beach to the Nagambie Lakes Regatta Centre.

Council are proud to deliver this project with thanks to the Victorian Government Regional Development Victoria Grant, the Australian Government Sports Infrastructure Fund and Strathbogie Shire Council's funding contributions.

Stay tuned for a community celebration via the Council website and social media pages on Tuesday 10 October.

Share Strathbogie projects

Currently Council is seeking community input on the:

- Goulburn Region Tourism Partnership
- The Euroa Magpie statue name and colouring competition
- The Euroa Community Cinema
- The Draft Municipal Fire Management Plan
- Flood Recovery projects,
- The Avenel Township Signage, and
- The Draft Euroa and Avenel Local Emergency Action Plan (LEAP) Projects

There is a lot happening at Council. You can find all of these projects, information and so much more at our online engagement hub: share.strathbogie.vic.gov.au

Youth Fest 2023

September has been the month of the Youth Festival and our Council Youth Development Officer and Community Directorate have been pleased to plan, support and deliver some great activities and initiatives across our townships including the North-East Skate Park Series, the Euroa Youth Growers Festival, free youth movies and more.

Next month, will be the North East Battle of the Bands as part of the Youth Here and Now Festival, a free event on Saturday 21st October, thanks to funding from the Victorian Government Freeza program and support from Council officers.

During school holidays, our Libraries are also doing free activities and workshops

Voice Referendum information

And finally, on Saturday 14 October 2023, Australians aged 18 years and over will have their say in a referendum about whether to change the Constitution to recognise the First Peoples of Australia by establishing a body called the Aboriginal and Torres Strait Islander Voice.

For accurate information on what the voice is and how to referendum works, and to access an impartial information booklet I encourage voters to visit the Australian Government website <https://voice.gov.au>

10. Public Question Time

Council Ref: TM: 36/2023

1. Landfill
The requirements to operate the Landfill at Violet Town are to be met that have been put in place by the EPA. Why is there still 'Leakage' discharging from the site to the adjoining landowners ?
2. Kirwans Bridge
As The Kirwans Bridge is Still Closed, what is the Costings to date that has been spent and then left to be spent to have this Bridge be open

10. Public Question Time (cont.)

Response

In response to your first question, I advise that due to the ongoing wet weather following the October 2022 floods, Council continues to monitor the surface water and leachate at the closed Violet Town Landfill. Please be assured that there is no indication that leachate is currently leaving the site and the EPA are kept fully informed of the measures that Council is undertaking to manage leachate on site. Additional measures have been put in place to manage some surface water on site and these have been completed to the EPA's satisfaction.

In relation to your second question, I want to start by saying that Council is committed to a long-term sustainable future for Kirwans Bridge.

This is why we established the Kirwans Bridge Community Panel and have been working hard to ensure the future solution for Kirwans Bridge is driven by the community.

Unfortunately, the major floods we experienced in October 2022 forced the closure of the bridge and we are now working with the panel to investigate all options to reopen the bridge.

Through this work we now have design and costings for several options and these are:

Option 1: Like-for-like Timber Bridge Replacement at a cost of about \$20M.

Option 2-1: Rehabilitation by Steel-Timber System at a cost of about \$5.5M

Option 2-2: Rehabilitation by Steel-Concrete System at a cost of about \$6.5M

Option 3: New Bridge Construction with Steel-Concrete System at a cost of about \$29M.

We are now advocating very strongly to the State and Federal Governments for funding to make this project a reality. This has included an Expression of Interest for \$7M to the Federal Government's Growing Better Regions fund.

We are also planning a community workshop to develop an advocacy plan - where we're going to ask the community to seriously think outside the box to make sure we get the attention for future potential funders.

In the meantime, we also have costings on the works required to reopen the bridge at 3 tonne and we know this will be \$1.5M.

Noting this would only be a short term fix while we advocate for funding for a long-term fix, we are now investigating options to fund this temporary measure.

Council Ref: MM: 37/2023

1. Rates

The Shire approved a 3% rate increase in the Budget 2023/2024, and on receiving Rates notices August 2023 it shows a 20.44% increase.

Why such a high jump in %?

2. Balmattum Reserve

Where is this Reserve on the Assets Register of the Shire?

Response

In response to your question in relation to rates, I advise that the rate increase is set by the State Government with the rate cap for the 2023/2024 financial year being 3.5%. However, as part of Council's adopted rate increase approved in the 2023/2024 Council budget, Council determined to apply a rate increase of 3% which is below the allowable cap.

The main function to calculate the rates paid on an individual property is driven by the Capital Improved Value (CIV). The valuation of the property to determine the CIV is undertaken independently from Council on an annual basis by the Valuer General of Victoria.

10. Public Question Time (cont.)

The rate in the dollar is then multiplied by the CIV value of the property which determines the rate component.

As part of the Fair Go Rate System, property owners may experience an increase or decrease in their rates depending on the distribution. If you wish to appeal this process and the valuation of your property, details about how this can be done via the Valuer General's office can be found on the back of your rates notice.

If you would like further guidance on this process, please do not hesitate to reach out to us.

In relation to your second question, Balmattum Reserve is owned by the Council and is on our Register of Land and Buildings.

The Recreation Reserve forms a part of our maintenance program, and we undertake slashing and grass cutting of the grounds on a 4-6 week interval, depending on the season.

11. **Officer Reports**

11.1 Strategic and Statutory

11.2 Community

11.3 Infrastructure

11.4 Corporate

11.5 Governance and Customer Service

11.6 Executive

12. **Notices of Motion**

13. **Notices of Rescission**

14. **Urgent Business**

15. **Confidential Business**

Next meeting

The next monthly meeting of the Strathbogie Shire Council is scheduled to be held on Tuesday, October 17, 2023, at the Nagambie Lakes Regatta Centre, at 6pm.

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11. OFFICER REPORTS

11.1 STRATEGIC AND STATUTORY PLANNING

11.1.1 Planning Applications Received and Planning Applications Determined - 1 to 31 August 2023

Author: Manager Planning and Investment

Responsible Director: Director Community and Planning

EXECUTIVE SUMMARY

This report provides listings of all Planning Applications Received (Attachment 1) and Planning Applications Determined (Attachment 2) for the period of 1 to 31 August 2023. The latest available Planning Permit Activity Performance (PPARS) Figures are also attached (Attachment 3). It should be noted that the latest PPARS Figures are for the month of July 2023. The August PPARS Figures were not available at the time of writing this report as the monthly figures are not updated until 15th of each month. The contents of this report are provided for information purposes only.

It is noted that there were twelve (12) new planning applications received and seventeen (17) planning applications decided upon during the reporting period.

**MOVED: COUNCILLOR WEATHERALD
SECONDED: COUNCILLOR RAEBURN**

That Council:

1. ***Note that there were twelve (12) new planning applications received, and seventeen (17) planning applications decided on during the period of 1 to 31 August 2023.***
2. ***Note the report.***

154-22/23 **CARRIED**

11.2 **COMMUNITY**

11.2.1 **Ruffy Community Action Group Incorporated - Community Action Plan 2023-2027**

Author: Manager Community and Culture

Responsible Director: Acting Director Community & Planning

EXECUTIVE SUMMARY

Council supports Community Action Groups to implement and drive projects that are important to them. Council supports action groups to facilitate a process whereby they undertake community consultation to come together and identify priorities for their community and create a four-year plan.

The Ruffy Community Action Plan was developed through consultation and engagement with the Ruffy community. They have identified four priority areas;

1. Support for local community groups and activities
2. Protect and enhance the natural & built environment.
3. Infrastructure
4. Community health and wellbeing

The Plan belongs to the Ruffy Community Action Group to deliver and implement.

This report presents the Ruffy Community Action Plan 2023-2027 for noting by Council and acknowledge the significant contribution of the Ruffy Community Action Group Incorporated in the development of the Plan.

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

That Council:

1. ***Note the Ruffy Community Action Plan 2023-2027 and publish on Council's website; and***
2. ***Acknowledge the significant contribution of Ruffy Community Action Group Incorporated in the development of the Ruffy Community Action Plan 2023-2027***

155-22/23 ***CARRIED***

11.2.2 Event Grants Applications Received

Author: Visitor Economy & Events Coordinator

Responsible Director: Acting Director Community and Planning

EXECUTIVE SUMMARY

Council adopted a community funding model at the June 2023 Council meeting. This model sets out the strategic direction and associated guidelines for the distribution of community funding for Strathbogie Shire Council. Event Grants provide grants of up to \$5,000 to eligible organisations and associations for events that align with the objectives of the Council Plan 2021-25, submitted in line with Council's Event Guidelines.

Council has received two (2) Event grant applications for Council's consideration.

One application was received from Nagambie Lakes Community House Incorporated to support the delivery of the Nagambie Community Carols on 3 December 2023. The community carols event is an annual event attracting 300 visitors and locals to the event. The application is for a total of \$5,000; \$4,881.20 in cash to help cover the cost of equipment hire and musicians and \$118.80 in kind for costs incurred by Council's third party contractor for rubbish removal.

An application has also been received from the Ruffy Tablelands Community Centre Inc. for funding to support the delivery of the Ruffy Tablelands Community Christmas Party on 2 December 2023. This is an annual event that can attract up to 300 attendees. The application is for \$1,618 in cash to help cover the cost of equipment hire and catering for the event.

Both events 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 Model in the 2023/2024 Budget. Applications have been submitted in-line with the Event Grant Guidelines 2023-24 adopted on 20 June 2023 and have been assessed using the relevant assessment process. The current applications are of an acceptable standard and officers are recommend them for funding.

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

That Council:

- 1. Approve the Event Grant application to support the delivery of the Nagambie Christmas Carols Event to be held Sunday 3 December 2023 to the value of \$5,000, comprising of a \$4,881.20 allocation to the Nagambie Lakes Community House Incorporated and \$118.80 towards Council costs for waste services;***

11.2.2 Event Grants Applications Received (cont.)

MOTION (cont.)

- 2. Approve the Event Grant application from Ruffy Tablelands Community Centre Incorporated to the value of \$1,618 in cash to support the delivery of the Ruffy Tablelands Christmas Event to be held on Saturday 2 December 2023; and**
- 3. Work with grant recipients to reduce overall waste produced at the event through the implementation of the objectives of both the Waste Wise Events Policy and Sustainable Strathbogie 2030 in being “A Zero Waste Shire”.**

156-22/23 **CARRIED**

11.2.3 Community Strengthening Grant 2023-2024 Allocations

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

Author: A/Manager Community and Culture

Responsible Director: A/Director Community and Planning

EXECUTIVE SUMMARY

Strathbogie Shire Council's Community Grants program provides an opportunity for groups to undertake projects that complement the community vision and strategic focus areas of the Strathbogie Shire Council Plan 2021-25. At the 20 June 2023 Council meeting, Council adopted a new Community Funding Model, incorporating a range of community funding opportunities for the community and adding consistency across Council's application, assessment, and determination process.

As per the adopted Community Funding Model 2023-24, the Community Grants program features three streams of funding:

- Community Strengthening up to the value of \$10,000
- Community Conversations Jan 26 up to the value of \$5,000
- Quick Response up to the value of \$1,000

This report relates to the Community Strengthening Stream. The Community Strengthening Grant opened on 26 June 2023 and closed on the 7 August 2023. Officers received 15 applications in total, officers deemed one application ineligible based on Council's eligibility criteria, and 14 applications proceeded through to the assessment stage.

Following the assessment process, officers recommended that Council approve the 14 applications to the total value of \$107,618.

Since the publishing of the Council meeting agenda on Friday 15 September at 5pm, Officers received advice from the Nagambie Rifle Club Incorporated that they wished to withdraw their Community Strengthening Grant application, as they believed the project was no longer viable for their club. Officers proposed an amendment to the recommendation that was printed on page 20 and 21 of the Agenda. The amended Motion now read as follows:

Amendment:

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

That Council:

1. ***Award funding to thirteen (13) applicants for the total sum of \$98,618 to the following organisations:***

<u>Applicant/Organisation</u>	<u>Proposed Funding</u>
<i>Avenel Active Inc.</i>	<i>\$9,974</i>
<i>Creightons Creek Recreation Reserve Inc.</i>	<i>\$10,000</i>
<i>Euroa Agricultural Society Inc.</i>	<i>\$10,000</i>

11.2.3 Community Strengthening Grant 2023-2024 Allocations (cont.)*MOTION (cont.)*

<i>Euroa Bridge Club</i>	<i>\$3,550</i>
<i>Friends of Violet Town Pool</i>	<i>\$10,000</i>
<i>Longwood Action Group Inc</i>	<i>\$10,000</i>
<i>Nagambie Golf Club Inc</i>	<i>\$10,000</i>
<i>Ruffy Recreation Reserve Inc.</i>	<i>\$3,347</i>
<i>Strathbogie Ranges Conservation Management Network Inc</i>	<i>\$7,850</i>
<i>Strathbogie Sports and Recreation Club Inc</i>	<i>\$9,893</i>
<i>Strathbogie Tableland Action Group Inc.</i>	<i>\$3,416</i>
<i>Tablelands Community Centre Inc</i>	<i>\$5,720</i>
<i>Violet Town Bowls Club Inc</i>	<i>\$4,868</i>

2. ***Reallocate an amount of \$63,246 from the Community Program 2023/24 to deliver minor infrastructure upgrades and maintenance works on Council owned facilities in line with Council’s maintenance and renewal program of works; and***
3. ***Reallocate an amount of \$7,000 from the Community Grants Program 2023/24 to deliver community capacity building activities to support the community to identify, develop and deliver community projects.***

157-22/23 **CARRIED**

6.43 pm: Councillor Raeburn returned to the meeting after the vote on the matter had been conducted.

11.2.4 School Crossing Supervision Program – Goulburn Street Nagambie

Author: Acting Director Community and Planning

Responsible Director: Acting Director Community and Planning

EXECUTIVE SUMMARY

School Crossings play a critical role in community safety when assisting children and families crossing the road before and after school. School crossings are key to making roads safer around schools and are highly valued by the community.

As per Council's resolution on 21 March 2023, Council exited the school crossing supervision program on 10 July 2023, making the relevant workforce redundant and handing the program back to the State Government - Department of Transport and Planning (DTP), the responsible authority, after several unsuccessful advocacy attempts.

DTP resumed the delivery of all crossings in the municipality with the exception of the crossing at Goulburn Street Nagambie. This exception was unexpected, as a precedent has been set in another municipality where DTP resumed supervision at all crossing sites regardless of road ownership.

Council has received feedback from the Nagambie Primary School community on the importance of children's safety and road safety at this site with a number of concerns being raised.

Council's decision to exit the service was based on several factors, primarily the inadequate funding received by Council to deliver a service on behalf of the State Government. Council was subsidising approximately 60% of the cost of the program. Council has been advocating to DTP for a fully funded program. This advocacy was unsuccessful.

Council has been communicating with DTP regularly to try and work towards a solution for the Goulburn Street Nagambie Crossing.

This report details four options for Council to consider including the associated limitations and opportunities/advantages associated with each option, along with the potential financial implications.

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

That Council:

- 1. Maintain its previous position, as endorsed at the 21 March 2023 Council meeting, of exiting the School Crossing Program; and***
- 2. Note that officers will undertake an independent Road Safety Audit, commencing on Monday 2 October 2023, to determine the most appropriate road safety infrastructure measures for the Goulburn Street, Nagambie, school crossing, and receive a further report at the October/November 2023 Council meeting.***

158-22/23 **CARRIED**

11.2.4 School Crossing Supervision Program – Goulburn Street Nagambie (cont.)

Councillor Weatherald called for a division

For the Motion

Cr Raeburn

Cr Hayes-Burke

Cr Binks

Cr Binks (casting vote)

Against the Motion

Cr Murray

Cr Dickinson

Cr Weatherald

11.2.5 Council's Role in Waterways Management (Goulburn River from Hughes Creek to Goulburn Weir including Lake Nagambie)

7.02 pm: The Chair advised that Cr Hayes-Burke had lost internet connection with the meeting

Author: Acting Director Community and Planning

Responsible Director: Acting Director Community and Planning

EXECUTIVE SUMMARY

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

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

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

In line with the recommendations passed by Council on 16 May, Council has ceased Contract 20/21-22 with the Boating Safety Operations provider, led an advocacy campaign and sent correspondence to various Minister and Shadow Ministers calling for a fully funded program. Council has met with various stakeholders and the Nagambie Waterways Advisory Committee regarding the matter. As at the time of writing this report, there is no confirmation from the State Government to provide a financial payment to Waterway Managers to cover the cost of performing the role. Officers continue to liaise with State Government.

The purpose of this report is to provide an update on the matter, give consideration to a range of options Council has for the future management of the respective Waterway, and recommend a position that is financially responsible and in the best interests of the municipal community.

Given that full funding was not achieved by 31 August 2023, officers are recommending that Council withdraw from the role of waterways manager effective 1 October 2023, and advise Safe Transport Victoria accordingly.

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

That Council defer debate on this matter until the October 2023 Council meeting to allow officers to gather more information.

159-22/23 ***CARRIED***

1.3 **INFRASTRUCTURE**

11.3.1 **Tender for Contract No. 23/24-02: Roads Reseal Program 2023/24**

Author: Senior Project Officer - Projects Delivery

Responsible Director: Director Sustainable Infrastructure

EXECUTIVE SUMMARY

As part of the Strathbogie Shire Council's approved 2023/24 Capital Budget, selected roads have been identified for resealing, this will improve safety, increase the life of the roads, lower ongoing maintenance costs and decrease the frequency of maintenance activities. To implement the reseal program, tender documentation was prepared for the public advertisement.

Under this contract for 2023/24, it is planned to reseal selected segments of 31 Council roads which were prioritised based on third party road conditions assessment. The total work package expands across 45km in length. The resealing work also includes reinstatement of line marking with long life thermoplastic markings, installation of Raised Reflective Pavement Markers (RRPMs) as required and where applicable on those road segments.

Through public advertisement in local and state newspapers, Council invited tenders for the work under Contract No. 23/24-02, Roads Reseal Program between 28/07/2023 and 23/08/2023. At the closing of Tender, five (5) tender submissions received. These tenders have been assessed and evaluated by Council Officers and a summary of results is detailed in this report.

It is recommended that the Council awards the lump sum contract to Boral Resources (VIC) Pty Ltd, for a total amount of \$1,425,804.06 (including GST) based on the tender evaluation outcomes.

The prioritisation of the rehabilitation and reseal programs hinges on the findings of a third-party road condition audit. These two programs are aligned in their pursuit of a shared objective: the extension of the lifespan of the current road network, thus delivering optimal returns on investment. In the 2023-2024 budget, a total amount of \$2,149,000.00 has been allocated for these initiatives. Council officers will take measures to ensure that both programs are executed within this allocation. This will be accomplished by giving precedence to road segments with the most critical needs as determined by the outcomes of the condition audit.

MOVED: COUNCILLOR MURRAY
SECONDED: COUNCILLOR RAEBURN

That Council:

- 1. Notes the outcome of the tender assessment process for Contract No 23/24-02 Roads Reseal Program;***
- 2. Awards the tender for Contract No 23/24-02 Roads Reseal Program - Lump Sum for a total amount of \$1,425,804.06 (including GST) to Boral Resources (VIC) Pty Ltd based in Port Melbourne, with project specific operations carried from Bendigo depot;***

11.3.1 Tender for Contract No. 23/24-02: Roads Reseal Program 2023/24 (cont.)

MOTION (cont.)

- 3. Authorises officers to advise the unsuccessful tenderers; and**
- 4. Authorises the Chief Executive Officer to execute the Contract by signing and affixing with the Common Seal of Strathbogie Shire Council.**

160-22/23 **CARRIED**

11.3.2 Extension of Contract Nos. 14/15-17,14/15-20,14/15-21,14/15-22 and Update on Contract No. 25/26-02 Landfill Tender

Author: Environment and Waste Coordinator

Responsible Director: Director Sustainable Infrastructure

EXECUTIVE SUMMARY

Council, at its meeting in February 2023 awarded contracts as part of the Hume Regional Collaborative Waste Tender for the below:

- CN 25/26-01 – Kerbside Collection
- CN 25/26-03 – Comingled Recycling Processing
- CN 25/26-04 – FOGO Organics Processing
- CN 25/26-05 – Glass Processing.

Contract CN 25/26-02 – Landfill Processing and Disposal was not awarded due to the presented options not being cost effective for Council and subsequently ratepayers. It was also determined at the February 2023 Council meeting that officers provide an update by 1 December 2023 on the reopened tender process.

This report provides an update on the tender process for CN 25/26-02 and the justification and endorsement of extension for an additional year to Council's existing waste contracts (CN 14/15-17, 14/15-20, 14/15-21 and 14/15-22) that were originally awarded in 2014 (as a 9 year + 1 year option extension) to ensure a smooth transition to Council's new contracts and to allow an adequate tool up period. It is recommended to exercise the 1 year option as an extension to the existing contracts, as Officers are satisfied with the contractors performance. In addition, to seek another contractor for a one year period, is not a cost effective solution or in the best interests of our community.

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

That Council:

- 1. Exercise the one-year option and extend CN 14/15-17 (Kerbside Collection) bringing the expiry date to 30 June 2025;***
- 2. Exercise the one-year option and extend CN 14/15-20 (FOGO Organics Processing) for an additional year to bring the expiry date to 30 June 2025;***
- 3. Exercise the one-year option and extend CN 14/1-21 (Recycling Processing) for an additional year to bring the expiry date to 30 June 2025;***
- 4. Exercise the one-year option and extend CN 14/15-22 for an additional year to bring the expiry date to 30 June 2025; and***
- 5. Note the update on the tender process for CN 25/26-02- Landfill Processing and Disposal.***

161-22/23 **CARRIED**

11.3.3 Contracts, Works and Grants Awarded Under Delegation

Author: Procurement and Tenders Officer

Responsible Directors: Acting Director Community & Planning / Director People and Governance

EXECUTIVE SUMMARY

The purpose of this report is to inform Council and the community of the status of request for the publicly advertised tenders, invitations for written quotations and quotations provided using collaborative and/or third party contracts which have been awarded under delegation for the period 1 August 2023 to 31 August 2023. This report specifically relates to works that form part of Council's 2023/24 budget.

This report also details any grants awarded under delegation as per Council's adopted Community Funding Model. Council adopted a Community Funding Model at the June 2023 Council Meeting authorising the Chief Executive Officer to award Quick Response Grants under delegation notifying Council in writing via this report.

***MOVED: COUNCILLOR RAEBURN
SECONDED: COUNCILLOR WEATHERALD***

That Council:

- 1. Note the Contracts awarded under delegated authority by the Chief Executive Officer, and/or Acting Chief Executive Officer;***
- 2. Note the Contracts awarded under delegated authority by a Director, and/or Acting Director; and***
- 3. Note the Grants awarded under delegated authority by the Chief Executive Officer and/or Acting Chief Executive Officer.***

162-22/23 ***CARRIED***

11.3.4 Contract No. 22-23-01: Weir Road and Reedy Lake Road

Author: Acting Chief Executive Officer

Responsible Director: Acting Chief Executive Officer

EXECUTIVE SUMMARY

At the August 2022 Council Meeting, Council resolved to award Contract No 22-23-01 for Weir Road and Reedy Lake Road Upgrade – Nagambie to Seven Creeks Excavations Pty Ltd, after emerging as the successful tenderer following a competitive tender process. The lumpsum contract was awarded to the contractor for a total sum of \$738,070. The project was scheduled to start in October 2022; however, was delayed due to ongoing rain and a major flood event which resulted in the isolation of the Kirwan's Bridge community. After informal discussions with Council, Officers took the opportunity to learn from this flood event and review the design of Weir Road and Reedy Lake Road to minimise the possibility of this road being impassable in any future flood. Furthermore, a Geotechnical/Pavement analysis was conducted to understand the pavement layers. As per the recommendations provided in the report, the design was revised to incorporate the suggested increase in pavement depth, as advised by the Geotechnical study.

At the April 2023 Council meeting, Council resolved to:

- 1. Endorse the course of action of Option 3 – to increase the design specifications to raise the road pavement height to above flood level, approve an exception to our Procurement Policy to vary the existing contract by more than 20%, and works to commence in September 2023 when weather conditions are more conducive to road construction;*
- 2. Approve the contract variation of \$1,084,800.08, increasing the overall value of Contract No 22-23-01 Weir Road and Reedy Lake Road Upgrade – Nagambie, to \$1,822,870.08 inclusive of GST;*
- 3. Approve the carry forward of the budget allocated to this project in the 2022-23 financial year to the 2023-24 financial year, while providing an additional budget allocation within the 2023-24 capital works program to cover this variation;*
- 4. Note that construction will commence September 2023 with an anticipated completion by December 2023 to minimise the risk of further project escalations;*
- 5. Note the exception to best practice in terms of variations under Council's Procurement Policy in the 2022-23 Annual Report; and*
- 6. Note that an additional operational expenditure allocation of \$105,709 inc GST is required to be made by Council as part of the project cost to hire a grader to be stationed at Weir Road to provide for fortnightly grading until the roadworks commence in the Spring in line with the request from local residents.*

Weir Road is an important road to the Kirwans Bridge community. It is the alternative route to Nagambie and is the only route when the historic bridge is closed.

The bridge's closure, and the Weir Road upgrade, have driven significant interest and concern from the local community. In response to this concern, Officers have meet with local landowners and the Kirwans Bridge Community Panel to better understand their concerns.

11.3.4 Contract No. 22-23-01: Weir Road and Reedy Lake Road (cont.)

Since the Council meeting in April 2023, officers have carried out traffic counts on Weir Road to ascertain traffic volume during Kirwan's Bridge closure. The counts have captured an increase in volume which now is 320 vehicles per day, in comparison with a significant lower vehicle per day count when the bridge is opened. Given this change and to ensure the road design and subsequent works are in line with standards, a new Road Safety Audit must be carried out to ensure the current design (4.0m sealing) meets road safety standard at the current traffic count. Should Council continue to proceed with the works, given the current vehicle count, the road would need to be widened to 6.2m seal and 1.5m shoulder both sides as per IDM standards.

As per designers' advice, the safest and the recommended option for this road is a 9.0m pavement, which would mean the removal of 126 trees and installation of guard rail at an estimated cost of \$620,000 plus required vegetation offsets. This number is the minimum number of trees to be removed. This number is the number of tree trunks that are in direct conflict with the road shoulder and earthwork batters. This number does not include the number of trees that have more than 10% of their TPZ (Tree Protection Zone) impacted and will be considered "technically lost". The number of "technically lost" trees should be determined by an arborist. Officers understand this would be a significant concern to the community, and therefore, do not believe this is an option at this time. As per IDM standards, the minimum standard for a rural road design with more than 150vpd (vehicles per day) is a 6.2m pavement with 1.5m shoulder both sides.

Proceeding with the tendered design (4.0m seal), does not meet the standards of the Infrastructure Design Manual due to the increased traffic volume, and therefore compromises the safety of the road. In both cases, sealing the road is not an option due to the vehicle count being higher than expected due to the closure of the bridge.

Given that the contract has been let, Officers are working to understand the financial implications of this situation. The contractor has been advised not to start works until further notice.

It is recommended that Council wait for the findings of the Road Safety Audit to determine what options are available and if there are any risks identified that these can be addressed prior to commencing works.

Officers would also like to acknowledge the members of the local community, who have continued to raise this issue. We appreciate their commitment and dedication to ensuring the safest and best solutions.

MOVED: COUNCILLOR WEATHERALD
SECONDED: COUNCILLOR MURRAY

Amendment:

That Council:

- 1. Note that Contract No. 22-23-01 will not commence until an independent Road Safety Audit is complete; and***

11.3.4 Contract No. 22-23-01: Weir Road and Reedy Lake Road (cont.)

MOTION (cont.)

2. ***Receive a further report at a future Council meeting on the outcome of the Road Safety Audit detailing available options, financial implications and risk mitigation strategies.***

163-22/23 **CARRIED**

11.4 **CORPORATE**

11.4.1 **Strathbogie Shire Council Audit and Risk Committee – Confirmed Minutes of the Ordinary Meeting held on 2 June 2023 and Strategic Planning Meeting held on 12 July 2023**

Author and Responsible Director: Acting Director People & Governance

EXECUTIVE SUMMARY

This report presents the confirmed minutes of the ordinary meeting held on 2 June 2023 and the confirmed minutes of the Strategic Planning meeting held on 12 July 2023 for Council's noting.

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

2 June 2023 – Ordinary Meeting

Business

- Internal Auditor Services Tender Update
- 2023-24 Budget and Fees and Charges Update
- Enterprise Agreement No 10 Update
- Audit and Risk Committee Bi-Annual Report January 2023 -June 2023
- Project CODI (Collaborative Digital Transformation Project) Update
- Appointment of Municipal Monitor
- Business Continuity Plan Sub Plan Template Feedback
- Set Dates for 2023-2024 Audit and Risk Committee Meetings
- Local Roads and Community Infrastructure Program (LRCIP) Annual Report Phase 1,2 and 3 Audit – Victorian Auditor General's Office

Standing Reports

- Audit Updates
- Policy Review Update
- Strategic Risk Register Management Update
- Audit and Risk Committee 2023 Workplan update
- Protective Data Security Plan (PDSP) update
- Human Resources – Key Strategic Indicators
- CEO Purchasing Card
- Item raised by Committee members
- Confidential briefing with the CEO

12 July 2023 – Strategic Planning Meeting Workshop

- Internal Auditor Services Tender Update
- Discussions regarding Training Requirements/Opportunities
- Discussions regarding Managing/prioritising risk profile and key risks
- Requirements of the Audit and Risk Committee Charter and Workplan
- Member feedback

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

11.4.1 Strathbogie Shire Council Audit and Risk Committee – Confirmed Minutes of the Ordinary Meeting held on 2 June 2023 and Strategic Planning Meeting held on 12 July 2023 (cont.)

MOVED: COUNCILLOR MURRAY
SECONDED: COUNCILLOR WEATHERALD

That Council receive and note the confirmed Minutes of the Strathbogie Shire Council Audit and Risk Committee meetings of 2 June 2023 and 12 July 2023.

164-22/23 **CARRIED**

11.4.2 Council Policy Review – Public Interest Disclosure Policy 2023

Author: Coordinator Governance and Records

Responsible Director: Acting Director People and Governance

EXECUTIVE SUMMARY

Council, at its Ordinary Meeting 13 December 2022, adopted the Public Interest Disclosure Policy in its current form. This policy outlines Council's role in the public interest disclosure process as a nominated agency that can receive disclosures, which is a requirement under the *Public Interest Disclosure Act 2012* (formerly the *Whistleblowers Protection Act*).

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

The updated policy is recommended for Council adoption.

MOVED: COUNCILLOR MURRAY

SECONDED: COUNCILLOR WEATHERALD

That Council:

- 1. Adopt the updated Public Interest Disclosure Policy 2023; and***
- 2. Authorise officers to place the updated policy on Council's website, along with the publication of a notice in Council's weekly newspaper column and social media pages informing the community about the adoption of the updated policy.***

165-22/23 ***CARRIED***

11.4.3 Council Policy Review – Privacy and Data Protection Policy 2023

Author: Coordinator Governance and Records

Responsible Director: Acting Director People and Governance

EXECUTIVE SUMMARY

Council, at its Ordinary Meeting on 20 February 2018, adopted the Privacy and Data Protection Policy. A complete review of the Council's outdated Privacy and Data Protection Policy has been completed aiming to ensure that Council complies with the provisions of the *Privacy and Data Protection Act 2014* in relation to the management, handling, and storage of personal information. As the last review was carried out in February 2018, a review of Council's existing policy intends to provide an update to any legislative and reporting requirements for Council, including formatting to Councils new policy template.

The policy is overdue for review, which has now been undertaken by officers. Update to Councils policy template, administrative changes to the policy, along with the updating of Officer titles, and some grammatical corrections have been made given that no concerns or issues have been raised since the policy's adoption.

The updated policy is recommended for Council adoption.

MOVED: COUNCILLOR RAEBURN
SECONDED: COUNCILLOR MURRAY

That Council:

- 1. Adopt the updated Privacy and Data Protection Policy 2023; and***
- 2. Authorise officers to place the updated policy on Council's website, along with the publication of a notice in Council's weekly newspaper column and social media pages informing the community about the adoption of the updated policy.***

166-22/23 **CARRIED**

11.4.4 Council Policy Review – Planning Permit Applications Referral to Council 2023

Author: Manager Planning and Investment

Responsible Director: Acting Director Community and Planning

EXECUTIVE SUMMARY

Council, at its Ordinary Meeting 20 September 2022, adopted the Planning Permit Applications - Referral to Council Policy in its current form. This policy outlines the triggers for planning permit applications to be referred to a Council Meeting for decision.

The policy is now due for review. The review has been undertaken by the Manager Planning & Investment. Since the Policy has been in operation there has been an improvement in decision making timeframes and a reduction in the backlog of active planning permit applications. No changes to the current application of the Policy are recommended.

The Policy has been updated solely with a revised next Scheduled Review Date of September 2025. The update Policy is recommended for Council adoption.

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

That Council:

- 1. Adopt the updated Planning Permit Applications - Referral to Council Policy 2023; and***
- 2. Place the updated policy on Council's website, along with the publication of a notice in Council's weekly newspaper column and social media pages informing the community about the adoption of the updated policy.***

167-22/23 CARRIED

11.4.5 Council Policy Review – Media Policy 2023

Responsible Director: Executive Manager Communications and Engagement

EXECUTIVE SUMMARY

The media plays an important role in Council's communication. Effective engagement with the media enables Council to:

- facilitate transparent, open and accountable government
- explain Council decisions and the impact of those decisions
- increase awareness of Council services, events, facilities and opportunities for involvement and participation
- advocate for the needs of the community
- encourage and support behaviour change for social and environmental benefit
- promote local tourism and the local economy.

This is why Council's Media Policy aims to maintain good working relationships with all media organisations including metropolitan and local print, radio, television and digital media. The Communications and Engagement Team achieves this through:

- Providing clear, consistent and reliable information to the media in a timely manner at all times
- Issuing regular media releases and statements
- Responding promptly to media questions and working to meet mutually agreed deadlines
- Initiating, developing and implementing positive media strategies that inform the community about Council activities and services, and enhance the reputation and image of the Strathbogie Shire Council.

The updated Media Policy has strengthened the accountability and responsibilities of the Mayor and/or Chief Executive Officer (or their delegates) as Council's official spokespersons. It also clearly outlines the role of the Communications and Engagement Team and responsibilities of Council staff.

***MOVED: COUNCILLOR WEATHERALD
SECONDED: COUNCILLOR RAEBURN***

That Council:

- 1. Adopt the updated Media Policy 2023;***
- 2. Place the updated policy on Council's website, along with the publication of a notice in Council's weekly newspaper column and social media pages informing the community about the adoption of the policy; and***
- 3. Note the policy will be reviewed biennially and may change at any time, subject to a Council resolution.***

168-22/23 ***CARRIED***

11.4.6 Instruments of Appointment and Authorisation Update

- S11A Instrument of Appointment and Authorisation (Planning and Environment Act 1987)**
- S11B Instrument of Appointment and Authorisation (Environment Protection Act (EPA) 2017)**
- S18 Instrument of Sub-delegation under the Environment Protection Act (EPA) 2017**

Author and Responsible Director: Director People and Governance (Acting)

EXECUTIVE SUMMARY

Following appointments to vacant positions, and officer position title changes, several changes are required to be made to the following instruments since the last adoption in September 2022:

- S11A Instrument of Appointment and Authorisation (Planning and Environment Act 1987)
- S11B Instrument of Appointment and Authorisation (Environment Protection Act (EPA) 2017)
- S18 Instrument of Sub-delegation under the Environment Protection Act (EPA) 2017

The amended authorisations, once approved by Council, will remain in force until the next Delegations and Authorisations update is prepared or following officer position title change/s, and/or staff changes.

The updated Instruments of Appointment and Authorisation S11A, S11B and Instrument of Sub-delegation S18 are recommended for Council adoption, signing and sealing.

MOVED: COUNCILLOR MURRAY

SECONDED: COUNCILLOR WEATHERALD

That:

1. ***Members of Council Staff referred to in the instruments be appointed and authorised as set out in the instruments:***
 - S11A Instrument of Appointment and Authorisation (Planning and Environment Act 1987)***
 - S11B Instrument of Appointment and Authorisation (Environment Protection Act (EPA) 2017)***
 - S18 Instrument of Sub-delegation under the Environment Protection Act (EPA) 2017.***
2. ***The instruments come 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.***
3. ***The instruments be signed and sealed by Council under the Strathbogie Shire Council Local Law No. 1 – Use of the Common Seal 2020.***

169-22/23 **CARRIED**

11.4.7 Instrument of Delegation **- S5 Instrument of Delegation to the Chief Executive Officer**

Author and Responsible Director: Director People & Governance

EXECUTIVE SUMMARY

One of the key instruments of delegation that facilitates efficient and effective Council operations and decision making is the S5 Instrument, through which Council delegates the bulk of its powers to the Chief Executive Officer (CEO).

This instrument identifies the decisions that cannot be made by the CEO, as prescribed by the Local Government Act 2020 (the Act), such as amending the Council Plan, expenditure of Council funds outside of certain parameters, amending local laws or the Governance Rules, approving the borrowing of money or amending/creating policies required to be adopted through a Council resolution.

The existing instrument of delegation from Council to the CEO was approved by Council on 19 July 2022. The current instrument introduced some minor changes, including marginal increases to the financial delegations given inflation and the ability to approve short term investment of Council funds (to be reported through the Audit and Risk Committee and Council. There have been no recommended changes to these current delegations as there have been no issues arise since the approval in July 2022 and therefore the current delegations have proved to be sufficient.

The authorisation of these delegations to the CEO will ensure for the ongoing efficiency of Council operations and a clear legal framework through which day to day decisions are made. The Instrument also enables the elected Council to focus on strategic matters rather than operational decisions in accordance with the Act.

MOVED: COUNCILLOR MURRAY
SECONDED: COUNCILLOR RAEBURN

That Council in the exercise of the power conferred by s 11(1)(b) of the Local Government Act 2020 (the Act), Strathbogie Shire Council (Council) resolves that:

- 1. There be delegated to the person holding the position, or acting in or performing the duties, of Chief Executive Officer the powers, duties and functions set out in the attached Instrument of Delegation to the Chief Executive Officer, subject to the conditions and limitations specified in that Instrument.***
- 2. The instrument comes into effect immediately upon the common seal of Council is affixed to the instrument.***
- 3. On the coming into force of the instrument all previous delegations to the Chief Executive Officer are revoked.***
- 4. The duties and functions set out in the instrument must be performed, and the powers set out in the instruments must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.***

170-22/23 **CARRIED**

11.4.8 Submission: Ministerial Guidelines relating to Payment of Rates and Charges

Author: Chief Financial Officer

Responsible Director: A/Director People and Governance

EXECUTIVE SUMMARY

Local Government Victoria has initiated a public consultation regarding Ministerial Guidelines relating to the payment of rates and charges (s.181AA of the *Local Government Act 1989*).

Draft Ministerial Guidelines have been prepared in consultation with the Essential Services Commission and are available for review and feedback.

The Ministerial Guidelines will focus on:

- Defining hardship for the purpose of section 170
- Defining financial hardship for the purpose of sections 171, 171A, and 172A
- Outlining the content of hardship policies and financial hardship policies
- Specifying the circumstances in which a Council may apply the hardship policies and financial hardship policies
- Establishing the process for applying for a payment plan
- Addressing the waiver of interest on unpaid rates or charges under sections 171, 171A, and 172
- Covering any other matters encompassed by sections 170, 171, 171A, 171B, 172, 180, and 181.

The Local Government Victoria will evaluate the feedback received during the consultation process, with the findings presented to the Minister for Local Government for final determination in the first quarter of 2024.

Officers have developed a submission covering three main areas; clarification on ratepayer categories, involvement of third parties in assessing financial hardship and broadening the scope of hardship and financial hardship policies.

Consultation closed on the 15 September 2023. It is recommended that Council note the submission to the Ministerial Guidelines Relating to Payment of Rates and Charges.

MOVED: COUNCILLOR RAEBURN
SECONDED: COUNCILLOR MURRAY

That Council note the submission to the Ministerial Guidelines Relating to Payment of Rates and Charges.

171-22/23 **CARRIED**

11.4.9 Adoption of 2022/23 Annual Financial Report

Author : Chief Financial Officer

Responsible Director: Director People & Governance

EXECUTIVE SUMMARY

The Local Government Act 2020 (the Act) states it is essential there is a legislative framework that provides for councils to be accountable to their local communities in the performance of functions and the exercise of powers and the use of resources. It is a statutory requirement under the Act that councils prepare and report on medium and short term plans to discharge their duties of accountability and transparency to their communities.

The Act specifically requires that Council pass a resolution giving its approval in principle to the Annual Financial Report prior to formally submitting to the Auditor-General Victoria. The Act further requires that Council must authorise two Councillors to approve the Report.

The approved and audited Report then forms part of the Council's Annual Report, as required by Sections 98 and 99 of the Act.

The Audit and Risk Committee considered the Report at its meeting on Friday 8 September 2023. The Committee having reviewed the Annual Financial Report consisting of the Financial Statements and Notes, recommends the 2022/23 Annual Financial Report be considered for approval by Council.

MOVED: COUNCILLOR MURRAY

SECONDED: COUNCILLOR WEATHERALD

That Council:

- 1. Approve in principle the 2022/23 Annual Financial Report;***
- 2. Authorise the Chief Executive Officer to make minor amendments to the 2022/23 Annual Financial Report, if required, and brief Council if amendments are made;***
- 3. Authorise Councillors Binks and Murray to sign the 2022/23 Annual Financial Report once finalised; and***
- 4. Authorise the Chief Executive Officer to:***
 - a) certify the 2022/23 Annual Financial Report; and***
 - b) include the Auditor's Certified Report in the Annual Report to be considered by Council at its October 2023 meeting.***

172-22/23 ***CARRIED***

11.4.10 Adoption of Draft Performance Statement 2022/23 and Draft Governance Management Checklist 2022/23

Author: Chief Financial Officer

Responsible Director: Director People & Governance

EXECUTIVE SUMMARY

The Local Government Performance Reporting Framework is a mandatory system of performance reporting for all Victorian councils. It ensures that councils are measuring and reporting on their performance in a consistent way to promote transparency and accountability in the local government sector.

The Framework uses a range of standardised indicators and metrics to ensure councils are measuring and reporting on their performance in a consistent way to promote transparency and accountability in the local government sector.

The Local Government Act 2020 (the Act) requires that Council pass a resolution giving its approval to the Draft Performance Statement 2022/23 and Draft Governance Management Checklist prior to formal submission to the Auditor-General Victoria for their audit opinion. The performance statement provides our community with audited results against the prescribed performance indicators and measures.

The Draft Performance Statement shows consistent performance with previous years, with some metrics such as 0% non-compliance on food safety, increased participation in libraries (22.8%), same level of participation in maternal and child health and 100% compliance with statutory planning decision making.

The financial metrics identify sound and stable working capital ratio (over 200%), lower percentage of loan and borrowing repayment compared to rates (0.5%) and over 100% asset renewal ratio that helps to keep a sound asset network.

The Draft Governance Management Checklists focuses on a range of policies, plans and other documents, with its aim to identify if a sound good governance framework is in place for council. Strathbogie has performed well against this Checklist, with a 'Yes' answer against all of the listed items of the good governance framework.

The Audit and Risk Committee considered the Performance Report and Checklist at its meeting on Friday 8 September 2023, in accordance with the Local Government Act 2020. The Committee requested to add a comment to the Workforce Turnover (percentage of staff turnover) and recommend for council approval.

The Local Government Act 2020 (the Act) requires that Council pass a resolution giving its approval to the Performance Statement 2021/22 and Governance and Management Checklist prior to formal submission to the Auditor-General Victoria. The Act also requires that Council must authorise two Councillors to certify the Performance Statement and Governance and Management Checklist.

Once adopted, the Performance Statement and Governance and Management Checklist will form part of Council's 2021-22 Annual Report which will be considered by Council at its October meeting.

11.4.10 Adoption of Draft Performance Statement 2022/23 and Draft Governance Management Checklist 2022/23 (cont.)

MOVED: COUNCILLOR MURRAY

SECONDED: RAEBURN

That:

1. ***In accordance with Section 99(2) of the Local Government Act 2020, Council adopt, in principle, the –***
 - a) ***Performance Statement 2022/23.***
 - b) ***Governance and Management Checklist 2022/23.***
2. ***In accordance with Section 99 (3) of the Local Government Act 2020, Council authorise the Chief Executive Officer, Mayor Binks and Councillor Murray to certify the 2022/23 Performance Statement and Governance and Management Checklist once reviewed by the Victorian Auditor General's Office subject to any minor corrections required by the Victorian Auditor General; and***
3. ***Once finalised, the Performance Statement and Governance and Management Checklist be included in Council's 2022/23 Annual Report.***

173-22/23 **CARRIED**

11.5 GOVERNANCE AND CUSTOMER SERVICE

11.5.1 Appointment of Councillor – Chief Executive Officer Employment and Remuneration Committee

Author: A/Director People & Governance

Responsible Director: A/Director People & Governance

EXECUTIVE SUMMARY

Council established a Chief Executive Officer Employment and Remuneration Committee, in accordance with section 45 of the Local Government Act 2020 (the Act), in February 2021. Under the Act, a Council Executive Officer Employment and Remuneration Policy must be adopted by Council, which was originally adopted by Council on 19 October 2021. This policy is used to set the remit of the Committee and provide guidance around how Council will seeking independent input from a human resource expert.

The membership of the Committee, to be appointed by Council, is:

- The Mayor, who is the Chair
- Two Councillors
- An independent member.

Councillor members (excluding the Mayor/Chair) are appointed every 12 months as part of the appointment to Committee's process. At its December 2022 meeting, Council appointed Mayor Laura Binks, Deputy Mayor Paul Murray and Cr Kristy Hourigan to the Committee for the 2022/2023 period. In addition, at the February 2023 Council meeting, following a recruitment process, Council appointed Wendy Jones as the independent member for the period 22 February 2023 to 21 February 2027.

In late July 2023, Cr Kristy Hourigan resigned from her role as Councillor for Strathbogie Shire. This report seeks to replace Cr Kristy Hourigan's vacancy on the Committee until such time as Committee appointments are considered at the December 2023 Council meeting.

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

That Council appoint Councillor Sally Hayes-Burke to the Chief Executive Officer Employment and Remuneration Committee until Committee appointments are considered at the December 2023 Council Meeting.

174-22/23 ***CARRIED***

11.5.2 Monthly Performance Report

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

- Building Department – August 2023 Statistics
- Planning Department – Planning Application Approvals – Development Cost (Capital Improved Value) – August 2023
- Customer Enquiry Analysis Report – Report for August 2023
- Waste Management Reporting ~ Year to Date – August 2023
- Transfer Station Date - August 2023
- Actioning of Council Reports Resolutions – Council Meeting Tuesday 15 August 2023
- Outstanding Actions of Council Resolutions to 31 August 2023
- Review of Council Policies and Adoption of new Policies – August 2023
- Records of Informal Council Briefings / Meetings – 1 to 31 August 2023

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

MOVED: COUNCILLOR MURRAY
SECONDED: COUNCILLOR RAEBURN

That the report be accepted.

175-22/23 **CARRIED**

11.6 EXECUTIVE**11.6.1 Acting Arrangements – Chief Executive Officer Annual Leave**

Author: Chief Executive Officer

EXECUTIVE SUMMARY

The Chief Executive Officer (CEO) requested and has had approved a period of annual leave effective 1 December 2023 to 1 January 2024 (inclusive). In accordance with the Local Government Act 2020, an application for annual leave, long service leave, personal leave or other absence is to be approved by the Mayor on behalf of Council.

Section 11(23) of the Local Government Act 2020 allows a Council to delegate to the CEO the power to appoint an Acting CEO for a period not exceeding 28 days. The appointment of Acting CEO for a period of leave exceeding 28 days will be made by Council resolution.

This recommendation seeks Council endorsement to appoint Amanda Tingay, Director People and Governance (Acting), to the Acting Chief Executive Officer role for the aforementioned period of approved annual leave in accordance with the requirements of the Local Government Act 2020.

**MOVED: COUNCILLOR WEATHERALD
SECONDED: COUNCILLOR MURRAY**

That Council:

- 1. Endorse the appointment of Amanda Tingay, Director People and Governance (Acting), to the acting role of Chief Executive officer effective from 1 December 2023 to 1 January 2024 (inclusive); and**
- 2. Note that a Higher Duties allowance will be paid for this period in accordance with Council's Higher Duties policy.**

176-22/23 **CARRIED**

12. NOTICES OF MOTION

Nil

13. NOTICES OF RESCISSION

Nil

14. URGENT BUSINESS

Nil

15. CONFIDENTIAL BUSINESS

Nil

The Mayor addressed Councillor Dickinson in relation to the Statement of Intent, 10 Point Plan and Strategic Guidelines endorsed and signed by Councillors at the 15 August 2023 Council meeting, which Cr Dickinson was an apology for, and requesting his signing of the documents.

Cr Dickinson indicated he wouldn't be signing at the meeting as he needed to read and review the documents prior to signing.

NEXT MEETING

The next monthly meeting of the Strathbogie Shire Council is scheduled to be held on Tuesday, October 17, 2023, at the Nagambie Lakes Regatta Centre, at 6pm.

THERE BEING NO FURTHER BUSINESS, THE MEETING CLOSED AT 8.30 P.M.

Confirmed as being a true and accurate record of the Meeting

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Chair

.....
Date