

Strathbogie Shire Council

Council Meeting Agenda

October 17, 2023

Agenda

Council Meeting

Tuesday, October 17, 2023, at 6pm

Meeting to be held at the Nagambie Lakes Regatta Centre and livestreamed on Council's website:

<https://www.strathbogie.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)
Cr Chris Raeburn (Honeysuckle Creek Ward)
Cr Robin Weatherald (Lake Nagambie Ward)

Officers:

Julie Salomon – Chief Executive Officer
David Roff – Director Sustainable Infrastructure (Interim)
Rachael Frampton – Acting Director Community and Planning
Heike Manet – Acting Director People and Governance
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.

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

Amanda Tingay – Director People and Governance-Acting

6. Disclosure of Conflicts of Interest

7. Confirmation of Minutes/Decisions of Previous Meetings

RECOMMENDATION

That the Minutes/Decisions of the Council Meeting held on Tuesday, September 19, 2023, be confirmed (*Council Meetings and Minutes | Strathbogie Shire*)

8. Petitions

9. Reports of Mayor and Councillors and Delegates

10. Public Question Time

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

Julie Salomon
Chief Executive Officer
October 13, 2023

Next meeting

The next monthly meeting of the Strathbogie Shire Council is scheduled to be held on Tuesday, November 21, 2023, at the Euroa Community Conference Centre, at 6pm.

Public question time

Questions for the Ordinary Council Meeting can be submitted to be read, and responded to, by the Chair during the Public Question Time. Questions must be submitted before 12 noon on Tuesday, October 17, 2023, by emailing info@strathbogie.vic.gov.au.

Public Question Time will be conducted as per Rule 35 of Strathbogie Shire Council's Governance Rules. The required [form](#) for completion and lodgement, and associated [Procedural Guidelines](#), can be found on Council's website at www.strathbogie.vic.gov.au.

As the questions are a permanent public record and to meet the requirements of the Privacy and Data Protection Act 2014, only the initials of the person asking the question will be used in the Minutes of the meeting, together with a Council reference number.

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	(a) Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released	
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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 30 September 2023**

Author: Manager Planning and Investment (Acting)

Responsible Director: Director Community and Planning

EXECUTIVE SUMMARY

This report provides listings of all Planning Applications Received (Attachment 1) and Planning Applications Determined (Attachment 2) for the period of 1 to 30 September 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 August 2023. The September 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 nine (9) new planning applications received and eleven (11) planning applications decided upon during the reporting period.

RECOMMENDATION

That Council:

1. ***Note the report.***
2. ***Note that there were nine (9) new planning applications received, and eleven (11) planning applications decided on during the period 1 to 30 September 2023.***

PURPOSE AND BACKGROUND

To report to Council on the current planning application activity and matters considered under delegation.

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.

Council is a Responsible Authority under the Planning and Environment Act 1987 (the Act). In this role, Council administers the Strathbogie Planning Scheme (Planning Scheme) and, among other things, determines planning permit applications made for the use and development of the land in the municipality. Under delegated authority of Council, Council officers determine some matters.

11.1.1 Planning Applications Received and Planning Applications Determined - 1 to 30 September 2023 (cont.)

Many types of use and development do not require a planning permit and may take place without being recorded as part of the planning approvals data. The statistics presented do not represent all development activity in the municipality. In addition, some planning permits are not acted on, or there may be a delay between when the approval is granted and when works take place.

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.

Individual applications consider these requirements through assessment phase of each application as per the Planning and Environment Act 1987 and the provisions of the Strathbogie Planning Scheme.

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 continues to demonstrate that Council is being transparent in its position in relation to all applications received and determined by the Council.

CONCLUSION

This report is provided for Council to note the current planning permit application activity.

ATTACHMENTS

Attachments 1-3: Planning Applications Received / Planning Applications Determined / Planning Permit Activity Performance Figures

11.2 COMMUNITY

11.2.1 Advocacy Support – Unlocking Regional Housing Bill

Author: Acting Manager Community and Culture

Responsible Director: Acting Director Community & Planning

EXECUTIVE SUMMARY

Since the pandemic, there has been an influx of people moving out of major cities and relocating to towns in the regions creating a housing shortage. Dr Helen Hains MP, Independent Federal Member for Indi, has written to Council calling on our support to advocate to the Australian Federal Government in support of the *Unlocking Regional Housing Bill 2023* which looks to address the housing crisis in regional, rural and remote Australia.

Helen Haines has introduced the *Unlocking Regional Housing Bill 2023* to amend the rules that decide how the Government's housing funding is spent.

The *Unlocking Regional Housing Bill* would amend the rules to the National Housing Finance and Investment Corporation (NHFIC) Act to:

- Require the Minister to consider what action needs to be taken so that 30% of the National Housing Infrastructure Facility's annual funding goes towards regional, rural and remote Australia;
- Make the funding application process easier to access for local governments;
- Require NHFIC to be more proactive in helping community housing providers through the application process; and
- Require NHFIC to have at least one board member with regional housing expertise.

This report recommends Council send a letter of support to the Prime Minister, the Hon. Anthony Albanese, and Minister for Housing, Julie Collins, lending support for the *Unlocking Regional Housing Bill 2023* introduced to Parliament on 11 September 2023.

RECOMMENDATION

That Council:

- 1. *Note the request from Helen Haines MP calling for Council's support for the Unlocking Regional Housing Bill 2023; and***
- 2. *Write to the Prime Minister, the Hon. Anthony Albanese, and other relevant ministers to support the Unlocking Regional Housing Bill 2023, introduced by Independent Federal member for Indi, Helen Haines MP.***

11.2.1 Advocacy Support – Unlocking Regional Housing Bill (cont.)

PURPOSE AND BACKGROUND

Housing is one of the most important issues facing the Nation.

A stable, safe, comfortable place to call home should be available to everyone.

Across Australia, including in regional, rural and remote areas, there is a housing affordability and supply crisis. Despite one in three Australians living out of major cities, the unique needs of regional rural and remote Australia are frequently left out of the housing debate. There are multiple policy solutions on offer from the government but not one of them specifically targets the context of rural, regional or remote Australia.

The current housing situation in Indi demonstrates the extent of the crisis:

- National campaign Everybody's Home found that essential workers in North East Victoria spend, on average, 44% of their income on rent and are experiencing severe rental stress.
- According to the 2021 Census, homelessness in the Hume region has increased 19% since the 2016 census.
- According to Rural Councils Victoria, to address this crisis rural Victoria will need approximately 87,400 new dwellings over the next 15 years. Failure to provide the extra homes could mean annual Gross Regional Product losses across rural Victoria of between \$200 million and \$1 billion.

Helen Haines MP introduced the *Unlocking Regional Housing Bill* 2023 to Federal Parliament on 11 September 2023, to amend the rules that decide how the Government's housing funding is spent.

The Bill seeks to amend the NHFIC Act to specifically address the regional housing crisis as set out below:

1. **Objects of the Act to include housing outcomes in regional Australia:** it adds an object of NHFIC to 'provide finance, grants or investments that support the provision of housing-enabling infrastructure in regional, rural and remote Australia'.
2. **Equitable funding for regional Australia:** It requires the Minister to scrutinise what action needs to be taken so that the NHIF distributes at least 30% of its funds each year to projects in rural, regional and remote Australia. The Minister would also have to outline in reports how it has complied with this consideration.
3. **Clarify that local governments and utility providers can receive NHFIC funding:** The 2021 Statutory Review found that there is no precedent of local governments directly accessing NHIF funding, even though they are eligible. State or Territory government-owned utility providers, like water corporations, also struggle to fund these projects. The NHIF should be providing funding to local governments and utility providers.

11.2.1 Advocacy Support – Unlocking Regional Housing Bill (cont.)

4. **Require NHFIC to be more proactive in identifying housing projects** to support and accompany project proponents through the application process, notably for smaller actors such as Community Housing Providers and local governments. This addresses the findings of the 2021 Statutory Review of the Act, which found the NHIF has been difficult to access.
5. **Require regional housing expertise on the NHFIC Board:** Ensure at least one NHFIC Board Member has expertise, appropriate qualifications, skills or experience in housing needs in regional, rural and remote Australia. The NHIF is more likely to deliver for regional Australia if members on the NHFIC Board understand the unique housing circumstances in regional Australia.
6. **Require NHFIC to report on the workability of the Investment Mandate:** The Bill requires NHFIC annual reports to address whether the eligibility criteria in the NHFIC Investment Mandate (decided by Ministerial discretion), are appropriate or restrictive for delivering on NHFIC's functions. For example, under the current Investment Mandate the NHIF cannot fund projects that would provide community infrastructure such as parks, day-care centres or libraries. If the Minister is to put such restrictions on the NHIF, it is important to understand the impact of this on delivering housing outcomes.

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 regional Australia, local governments are one of the key providers for enabling infrastructure such as sewerage, drainage and roads. Strathbogie Shire Council's small rate payer base means that there are limited funds to build the infrastructure that attracts housing investments from developers.

In recent years Government investment in housing and enabling infrastructure has fallen significantly short. In 2018 the previous Government set up the \$1 billion National Housing Infrastructure Facility (NHIF) to provide loans, grants and equity to fund new or upgraded infrastructure like sewerage, water, electricity, transportation and roads. The NHIF is administered by the National Housing Finance and Investment Corporation (NHFIC), itself created by the National Housing Finance and Investment Corporation Act (the NHFIC Act).

But the NHIF has fallen short of achieving its purpose. A 2021 Statutory Review into the Act consistently heard that 'the NHIF has been difficult to access and was poorly understood. Stakeholders pointed to a range of reasons for this, ranging from: a general lack of understanding as to what projects and proponents qualify for NHIF financing; eligibility criteria that set a very high bar for approval and a complicated and lengthy application process'.

11.2.1 Advocacy Support – Unlocking Regional Housing Bill (cont.)

The NHIF has also not delivered an equitable distribution of funding for regional Australia. According to their most recent Annual Report, the majority of projects funded in 2021-2022 were in metropolitan areas. The Government is attempting to address the housing crisis by legislating its \$10 billion Housing Australia Future Fund for social and affordable housing. However, there is criticism this is not an adequate investment to meet the projected demand, and it does not address the unique housing supply challenges that regional people are facing.

This report recommends Council send a letter of support to the Prime Minister, the Hon. Anthony Albanese, and Minister for Housing, Julie Collins, lending support for the *Unlocking Regional Housing Bill 2023* introduced to parliament on 11 September 2023.

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.

This report aims to raise awareness of the housing crisis facing rural and regional shires. While no direct community engagement has been undertaken the community will be kept informed via Council's webpage, media and social media on our advocacy work.

POLICY CONSIDERATIONS

Council Plans and Policies

The report is consistent with Council Policies, key strategic documents and the 2021-2025 Council Plan, in particular, aligning with:

- Strategic focus area 2: Live. Access. Connect
- Strategic focus area 4: Inclusive. Productive. Balanced
- Strategic focus area 5: Strong. Healthy. Safe
- Strategic focus area 6: Accountable. Transparent. Responsible

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.

National Housing Finance and Investment Corporation Act 2018 – the National Housing Finance and Investment Corporation was established by the Australian Government under the National Housing Finance and Investment Corporation Act 2018 (*NHFIC Act*).

The NHFIC Act: Provides the Board with statutory responsibility for deciding NHFIC's strategies and policies, and ensuring the proper, efficient and effective performance of NHFIC's functions. The Board makes its investment decisions independently of Government.

Under the *Public Governance, Performance and Accountability Act 2013 (PGPA Act)*, NHFIC is classified as a corporate Commonwealth entity being a body corporate that is legally separate from the Commonwealth.

11.2.1 Advocacy Support – Unlocking Regional Housing Bill (cont.)

Hume Regional Growth Plan 2014 - The Hume Regional Growth Plan provides a regional approach to land use planning in the Hume Region. The plan identifies opportunities to encourage and accommodate growth and to manage change in the region over the next 30 years.

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 implications associated with this report.

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 recommendation for Council to advocate for the *Unlocking Regional Housing Bill* in this report ensures public transparency to Council's actions. A copy of the report will be made available on Council's website.

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.

There is no financial commitment associated with this report. The *Unlocking Regional Housing Bill 2023* seeks to amend the rules that decide how the Federal Government housing funding is spent, making it easier for regional councils to access funding to open up land and get more houses built and calls for 30% of the National Housing Infrastructure Facility's annual funding to go towards regional, rural and remote Australia.

The financial benefits to Council, should the bill be adopted by the Federal Government, could be significant and support future housing development and growth.

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.

11.2.1 Advocacy Support – Unlocking Regional Housing Bill (cont.)

Economic

The Unlocking Regional Housing Bill would amend the rules of the National Housing Finance and Investment Corporation (NHFIC) Act to make accessing of funds easier for regional councils and dedicated funding for regional, rural and remote Australia. This will provide access to funding to support Council in development of initial infrastructure to open new housing opportunities and income generating opportunities for local organisations.

Social

According to the 2021 Census, homelessness in the Hume region has increased 19% since the 2016 census. A stable, safe, comfortable place to call home should be available to everyone.

The Unlocking Regional Housing Bill specifically calls for changes to the NHFIC Act to improve access to funding to help address the housing crisis in regional, rural and remote Australia.

This report is advocating for improvements on behalf of all those affected by the unprecedented housing crisis in regional Victoria.

Environmental

There are no environmental considerations associated with this report.

Climate change

There are no climate change considerations associated with this report.

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.

Dr Helen Hains MP, Independent Federal Member for Indi has written to Council and Community calling on support to advocate to the Australian Federal Government on behalf of all those affected by the current housing crisis.

This is an opportunity to advocate on behalf of our community, for better housing outcomes, and a more equitable distribution of funds to support housing response.

HUMAN RIGHTS CONSIDERATIONS

There are no issues raised in the report that undermine the human rights under the Charter of Human Rights and Responsibilities Act 2006. Every person has the right to an adequate standard of living, which includes the right to adequate housing (International Covenant on Economic, Social and Cultural Rights (ICESCR) article 11).

11.2.1 Advocacy Support – Unlocking Regional Housing Bill (cont.)

The right to housing is more than simply a right to shelter. It is a right to have somewhere to live that is adequate. Whether housing is adequate depends on a range of factors including:

- legal security of tenure
- availability of services, materials, facilities and infrastructure
- affordability
- accessibility
- habitability
- location
- cultural adequacy.

The proposed Bill supports a more equitable distribution of public funds that should result in more affordable housing for those in need.

CONCLUSION

It is recommended that Council advocate to Prime Minister, the Hon. Anthony Albanese, and Minister for Housing, Julie Collins, lending support for the *Unlocking Regional Housing Bill 2023* introduced to parliament on 11 September 2023. The *Unlocking Regional Housing Bill 2023*, if passed, will deliver changes to the rules of the NHFIC Act making it easier for local governments to apply for funding for critical infrastructure like sewerage and drainage and to get more houses built and guarantee dedicated funding for regional, rural and remote Australia.

ATTACHMENTS

Attachment 1: Request from Helen Haines MP for support for the *Unlocking Regional Housing Bill 2023*

Attachment 2: Draft Letter for support to Prime Minister

11.2.2 Community Funding Model: Event Grant Applications Received

Responsible Director: A/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.

Council recognises the importance of events and tourism to the social and economic growth of our region. Furthermore, Council has a strong history of supporting and delivering events across the Shire, this is demonstrated by an investment in events through Council's Event Grant.

Event Grants provide funding 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 as follows:

- Nagambie Lakes Tourism & Commerce Incorporated trading as GoNagambie
To create a temporary campground at the Nagambie Regatta Centre to support accommodation for the Comedy in the Vines Event on 10 to 13 November 2023. The inaugural Comedy in the Vines event will be a major event for the region attracting 1,000 visitors to the region for the event.
The application is for Council to waive the cost of Regatta Centre Peninsula hire fees and electricity costs associated with this tourism activity valued at \$5,000.
- Euroa Citizens Band Incorporated
Funding to support the delivery of the Euroa Carols by Candlelight on 15 December 2023. This is an annual event that attracts up to 300 attendees. The application is for \$1,300 financial support to help cover the cost of printing, equipment hire & electronic candles 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.

RECOMMENDATION

That Council:

1. ***Approve the Event Grant application from Nagambie Lakes Tourism & Commerce Incorporated trading as GoNagambie to the value of \$5,000 through waiver of the fees associated with the Regatta Centre Peninsula hire and the cost of electricity for the Lakeside campsite to support the Comedy in the Vines event to be held on 10–13 November 2023. This funding is contingent upon Go Nagambie meeting the required regulatory thresholds for the establishment of a temporary campground;***

11.2.2 Community Funding Model: Event Grant Applications Received (cont.)*RECOMMENDATION (cont.)*

2. **Approve the Event Grant application from Euroa Citizens Band Inc to the value of \$1,300 in cash to support the delivery of the Euroa Carols by Candlelight Event to be held on Saturday 15 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”.**

PURPOSE AND BACKGROUND

Council adopted a community funding model at the June 20, 2023 Council Meeting. This model sets out the strategic direction and associated guidelines for the distribution of community funding for Strathbogie Shire Council.

Council recognises the importance of events and tourism to the social and economic growth of our region. Furthermore, Council has a strong history of supporting and delivering events across the Shire, this is demonstrated by an investment in events through Council's Event Grant.

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.

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.

Council values the role community plays in building a resilient, inclusive, vibrant Strathbogie Shire. The event grants support local community groups to implement accessible events that are deliver social connection, inclusion, health, wellbeing, safety, community arts, positive cultural or environmental outcomes, economic development, and increased visitor economy.

Council has received two (2) Event grant applications for Council's consideration, detailed below in Table 1.

Table 1 – Event Applications to be determined

Applicant	Event/Activity	Total Amount Requested	Cash Contribution requested from Council	In Kind Contribution Requested From Council
Nagambie Lakes Tourism & Commerce Inc trading as GoNagambie	GoNagambie Lakeside Campsite	\$5,000	\$0	\$5,000
Euroa Citizens Band Inc	Euroa Carols by Candlelight	\$1,300	\$1,300	0

11.2.2 Community Funding Model: Event Grant Applications Received (cont.)

The application from Nagambie Lakes Tourism & Commerce Inc trading as GoNagambie (GoNagambie) for the proposed campsite is a direct response to the limited availability of accommodation in Nagambie since the flood event of 2022 which forced the immediate closure of the Nagambie Lakes Discovery Park. The Nagambie Lakes Discovery Park remains closed, greatly impacting accommodation options for the expected 3,500 visitors to the region for the Comedy in the Vines festival. From October 2022 through to now, the loss of accommodation at the Discovery Park has culminated in an estimated loss of income to businesses in Nagambie and surrounding townships with most experiencing a reduction of up to 40% of foot traffic through their doors. The provision of accommodation as a part of the event offering is essential to the success of the event and encourages the event organisers to make this event in our municipality an annual feature.

With the Discovery Park unable to estimate a time of reopening and limited alternative accommodation available GoNagambie is concerned that there will be no economic benefit to Nagambie from the event. The organisers of the event have a history of holding events in regional areas and it is their goal to showcase the region in which they are enticing people too. The temporary campsite will allow an opportunity for guests to explore our region and provide an economic boost to our businesses rather than guests visiting the comedy festival and then returning to their primary place of residence without experiencing Nagambie township. The temporary campsite will only open to guests attending the comedy festival during the event dates. Whilst there are camping fees charged, these fees are to cover the costs associated with the establishment and operation of the temporary campground and require a financial contribution from GoNagambie. The request is for Council to waive the costs of Regatta Centre Peninsula hire fees of \$4,452 and the proposed levy for electricity of \$548.

The Euroa Citizens Band Incorporated host an annual Community Carols event where community, family and friends come together to celebrate the end of the year. The Citizens Band have been hosting this event for over 50 years. The funds requested will be used to help cover the costs of printing, equipment hire & electronic candles for the event.

The two (2) applications submitted have been deemed eligible and have been assessed in-line with the relevant assessment process.

Both funding requests 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.

The event organisers must obtain the required approvals from Strathbogie Shire Council and aim to deliver zero waste events. All required documentation including, risk plans, and public liability insurance have been provided.

Following assessment, officers recommend both applications for funding as requested by the respective applicants.

11.2.2 Community Funding Model: Event Grant Applications Received (cont.)

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.

Both organisers have been working with key stakeholders, Council and the Community to plan safe and successful events/activities. The events will be publicised broadly across the community through the distribution of flyers and posters, social media and Council's website where appropriate.

POLICY CONSIDERATIONS

Council Plans and Policies

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

- Strategic focus area 1: Engage. Create. Unite.
Our community's goals – We create welcoming social spaces where people can connect. We are inspired by our creatives and celebrate art and culture.
- Strategic focus area 2: Live. Access. Connect
Our community's goals - We are focused on activities that build economic, financial and social security.
- 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. We partner with our community to achieve great things.
- Strategic Focus Area 5: Strong. Healthy. Safe
Our community's goals – We have protected the 'vibe' we love

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 report be acknowledged in a public forum providing full disclosure of how potential allocated event grant funding is being distributed within the community.

11.2.2 Community Funding Model: Event Grant Applications Received (cont.)

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.

Council adopted an Event Grant budget allocation of \$50,000 in the 2023/24 operating budget. This allocation falls within the Community Funding Budget line item.

Table 2 – 2023/24 Event Budget overview

Adopted Budget 2023/24 Event Grants	\$50,000
Number of Event Grants approved 2023/24	5
Total value of Event Grants approved 2023/24	\$18,558
2023/24 Allocation Remaining	\$31,442

Table 3 – 2023/24 Event Grants Approved

Applicant	Event	Amount Requested	Amount approved by Council
Strathbogie Tablelands History Group (auspice: Strathbogie Tablelands Action Group Inc	Strathbogie Cup Weekend Festival	\$5,000	\$5,000
Cranksters Rod and Kustom Club Inc	Cranksters Cruise Nagambie	\$1,940	\$1,940
Euroa Show and Shine Inc	Australian National Show and Shine	\$5,000	\$5,000
Nagambie Community House Inc	Nagambie Christmas Carols Event	\$5,000	\$5,000
Ruffy Tablelands Community Centre Inc	Tablelands Community Christmas Party	\$1,618	\$1,618

Table 4: GoNagambie Lakeside Campsite – Proposed Budget

INCOME		EXPENDITURE	
Council Grant	\$5,000	Security/Site Manager	\$3,900
Campsite sales	\$9,000	Equipment Hire	\$6,800
GoNagambie contribution	\$1,700	Venue hire /Power	\$5,000
Total	\$ 15,700	Total	\$15,700

11.2.2 Community Funding Model: Event Grant Applications Received (cont.)**Table 5: Euroa Citizens Band Christmas Carols - Proposed Budget**

INCOME		EXPENDITURE	
Shire Grant	\$1,300	Raffle purchases	\$100
Raffle donation in kind	\$100	Electronic Candles	\$650
		Printing	\$100
		Sound system	\$300
		Misc	\$ 250
Total	\$ 1,400	Total	\$1,400

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 events will result in several economic benefits to the Strathbogie Shire Community and businesses. All the items relating to the events will be sourced locally, where possible.

Social

The events will offer significant social benefits to the local community and those attending the events. The events will provide an opportunity for participants, community, and visitors alike to connect, re-engage, make lasting relationships and celebrate their townships.

Environmental

Officers will work with the GoNagambie Committee to support the delivery of the Lakeside campsite to prevent any grey water contaminating the site and lake environs. Officers will work with both organisers to reduce the overall waste produced at the events through the implementation of the objectives of both the Waste Wise Events Policy and 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 these events, 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.

11.2.2 Community Funding Model: Event Grant Applications Received (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.

Council will provide the required assistance to the event as per Council's role and responsibility in line with the Local Government Act 2020, other relevant legislation, Council's Events Policy and any other 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 the event funding applications as requested by the two (2) respective applicants.

The events will bring together a range of people from around the region and the State which will result in significant social and economic benefits to the community, meeting the requirements of the Event Funding Guidelines, consistent with the Community Funding Model adopted by Council.

ATTACHMENTS

Nil

11.3 INFRASTRUCTURE

11.3.1 Tender for Contract No. 23/24-16: Drainage Reconstruction Works – Burns Avenue, Atkins Street, Anderson Street and White Street, Euroa

Author: Manager Project Delivery

Responsible Director: A/Director Sustainable Infrastructure

EXECUTIVE SUMMARY

Strathbogie Shire is responsible for managing drainage infrastructure and providing an appropriate level of drainage service for the residents of the municipality to a consistent standard. Council's Stormwater Management Plan sets out the broad strategy for drainage across the main townships within the municipality. This plan is updated from time to time to reflect current knowledge and project status.

In line with the drainage strategy, drainage infrastructure in the southeast area of Euroa, namely the area south of Kirkland Avenue and east of Atkins Street is proposed for upgrading.

Council has undertaken a competitive process for the Drainage Reconstruction Works – Burns Avenue, Atkins Street, Anderson Street and White Street, Euroa. The public tender process has been undertaken in accordance with Council's Procurement Policy. This report recommends that the tender for Contract No 23/24-16 is awarded to Jarvis Delahey Contractors of Shepparton, for a total amount of \$330,874.66 inclusive of GST.

RECOMMENDATION

That Council:

- 1. Receive and note the outcome of the tender assessment process for Contract No 23/24-16 Drainage Reconstruction Works – Burns Avenue, Atkins Street, Anderson Street and White Street, Euroa;***
- 2. Awards the tender for Contract No 23/24-16 Drainage Reconstruction Works – Burns Avenue, Atkins Street, Anderson Street and White Street, Euroa - Lump Sum to Jarvis Delahey Contractors of Shepparton, for a total amount of \$330,874.66 inclusive of GST;***
- 3. Authorise officers to advise unsuccessful tenderers and***
- 4. Authorise the Chief Executive Officer to execute the Contract by signing and affixing the Common Seal of Strathbogie Shire Council.***

11.3.1 Tender for Contract No. 23/24-16: Drainage Reconstruction Works – Burns Avenue, Atkins Street, Anderson Street and White Street, Euroa (cont.)

PURPOSE

Strathbogie Shire is responsible for managing drainage infrastructure and providing an appropriate level of drainage service for the residents of the municipality to a consistent standard. The Shire has a Stormwater Management Plan that sets out the broad strategy for drainage across the main townships within the municipality. This plan is updated from time to time to reflect current knowledge and project status.

In line with the drainage strategy, drainage infrastructure in the southeast area of Euroa, namely the area south of Kirkland Avenue and east of Atkins Street is proposed for upgrading.

This report seeks Council approval of the recommendations on the Tender Evaluation exercise on Contract No 23/24-16 Drainage Reconstruction Works – Burns Avenue, Atkins Street, Anderson Street & White Street, Euroa and to award the contract to the winning tenderer as provided in this report.

TENDER PROCESS

The public tender was released on “Tendersearch” via the Council website on the 23rd of August 2023. The tender was advertised in Saturday’s The Age newspaper (state-wide reach), Euroa Gazette, in the week following release. By the close of tenders at 4.00 pm on 20th September 2023, three (3) tenders were received.

All tender submissions were accessed for their compliance including the contractual terms and conditions and the requirements of the response schedules, one (1) out of the three (3) tenders received were deemed conforming.

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

Table 1: Tender Submissions Received

Tender Submissions Received at the close of the Tender Period (in Alphabetical Order)
Apex Earthworks
Jarvis Delahey Contractors
S & R Engineering and Construction Pty Ltd

Table 2 below lists the tender offer (excluding GST) at the close of the advertised tender period.

Table 2: Tender Offers Received (including GST)

Tender Offers Received at the Close of the Tender Period (including GST) in lowest to highest order
\$330,874.66
\$433,916.47
\$551,234.24

11.3.1 Tender for Contract No. 23/24-16: Drainage Reconstruction Works – Burns Avenue, Atkins Street, Anderson Street and White Street, Euroa (cont.)

Panel Assessment Process

In accordance with Council's Procurement Policy, the evaluation panel and evaluation criteria weightings were determined prior to the release of the Tender documentation. The evaluation panel members were nominated prior to the 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. Project Officer, Sustainable Infrastructure
2. Senior Project Officer, Sustainable Infrastructure
3. Manager Asset Planning, Sustainable Infrastructure, and
4. Procurement & Tender Officer, Finance (moderator, non-voting member).

The principle that underlies the awarding of all Council contracts is that a contract is awarded on the basis of 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:

- Tendered Price (60%)
This criterion measures the price only – either lump sum or unit rates – submitted by the tenderer. In accordance with Council's Procurement Guidelines, a price weighting of 60% is applied, unless a Council exemption is sought.
- Demonstrated Qualifications / Skills and Experience (10%)
Due to the high level of technical skills required to provide this service, a weighting of 10% was allocated to this criterion.
- Project Methodology (10%)
As the Work requires timely completion and elimination/mitigation of work-related risks, this criterion is considered important and therefore allocated a weighting of 10%.
- Management - Schedules (10%)
Quality Management Systems, Policies, Relevant Certifications, and Insurance are likewise considered vital and therefore included with an allocated weighting of 10%.
- Local Content (10%)
In accordance with Procurement Guidelines and being consistent with value-for-money principles, where different products are of comparable price, quality and equivalent value can be sourced either locally or regionally; preference will be given to local suppliers. A weighting of 10% was allocated to this tender.

11.3.1 Tender for Contract No. 23/24-16: Drainage Reconstruction Works – Burns Avenue, Atkins Street, Anderson Street and White Street, Euroa (cont.)

TABLE 3: Evaluation Criteria

Criteria	Weighting (%)
Price	60
Qualifications / Skills & Experience	10
Time Delivery, methodology and capacity to deliver	10
Management -Schedules	10
Local Content	10
Total	100

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.

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 the tenderer's 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 Tuesday 26th September 2023, the Panel members and the Moderator met to finalise the evaluation through a moderation meeting.

Panel Assessment Summary

At the completion of the tender evaluation process, Jarvis Delahey Contractors attained the top ranking with a total score of 82.23%. Jarvis Delahey Contractors offered the lowest tendered price and thereby received the highest score available on pricing (60%), they also received a good qualitative score of 32.23% out of 40%. The Tender Evaluation Panel was therefore satisfied that their tender represents the best value outcome for Council. The company is based in Shepparton, Victoria.

Jarvis Delahey Contractors has proven experience in design works and has completed similar work for other organisations in the past. They have demonstrated the capability to complete the Works outlined in the tender with minimal supervision based on their submitted documents. Their references are consistent with their declared project history.

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.

11.3.1 Tender for Contract No. 23/24-16: Drainage Reconstruction Works – Burns Avenue, Atkins Street, Anderson Street and White Street, Euroa (cont.)

Consultation and Communication

The surrounding community is aware of the project work as the work is listed under the Capital Works Budget in 23/24. If Council awards the tender in line with the recommendation, the community will be notified about the works via Local Newspapers and council social media channels prior to the commencement of construction works. The residents along Burns Avenue, Atkins Street, Anderson Street and White Street will also receive a letter explaining the works and the disruption to access to their properties whilst the work is completed

POLICY CONSIDERATIONS

Council Plans and Policies

The report is consistent with Council Policies, key strategic documents and the Council Plan including Council's Procurement Policy.

The *Council Plan* is relevant with the following:

- Key Initiative 2.1
Ensure that upgrades of Council facilities, as identified in the capital works program, are compliant with the Disability and Discrimination Act 1992 to improve access for people with all abilities

Asset Management Policy

- Asset renewal – is the upgrading or replacement of an existing Asset, or a component, that restores the service capability of the Asset to its original functional condition and performance.

Asset Management Strategy

- Ensures Councils infrastructure enhances efficiency for people and freight movement, service delivery and community amenities.

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.

There are no regional, state, or national plans or policies relevant to the report.

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 recommendation has no legal or statutory implications which require the consideration of Council.

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.

11.3.1 Tender for Contract No. 23/24-16: Drainage Reconstruction Works – Burns Avenue, Atkins Street, Anderson Street and White Street, Euroa (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.

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 live stream (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.

Council allocated \$346,500.00 (inclusive GST) for 'Burns Avenue Outfall Atkins Street (Stage 1, 2 & 3)' in the 2023-2024 Capital Works Program. The recommended tender price of \$330,874.66 (inclusive GST) is within the allocated budget.

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 and Social

The project will improve safety, provide environmental and economic outcomes and increase social participation.

Environmental

Awarded Contractor shall develop a site-specific Environmental Management Plan and implement it during the construction period in line with project specifications and legislation governing Environmental Protection. Council officers will monitor the proper implementation of the Environment Management Plan throughout the project cycle.

HUMAN RIGHTS CONSIDERATIONS

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 23/24-16 Drainage Reconstruction Works – Burns Avenue, Atkins Street, Anderson Street and White Street, Euroa. The submitted tenders were sought and evaluated in accordance with the Council's Procurement Policy and against the provided brief and specifications.

11.3.1 Tender for Contract No. 23/24-16: Drainage Reconstruction Works – Burns Avenue, Atkins Street, Anderson Street and White Street, Euroa (cont.)

It is proposed that Council awards the Drainage Reconstruction Works – Burns Avenue, Atkins Street, Anderson Street and White Street, Euroa to Jarvis Delahey Contractors of Shepparton, for a total amount of \$330,874.66 inclusive of GST.

ATTACHMENTS

Attachment 1: Drainage Reconstruction Works Locality Map

APPENDICES

Appendix 1: Tender Evaluation for Contract No. 23/24-16: Drainage Reconstruction Works – Burns Avenue, Atkins Street, Anderson Street and White Street, Euroa (CONFIDENTIAL)

11.3.2 Tender for Contract No. 23/24-11: Detailed Design of Arboretum Link (including a pedestrian bridge over Castle Creek, Euroa)

Author: Manager Project Delivery

Responsible Director: A/Director Sustainable Infrastructure

EXECUTIVE SUMMARY

The Strathbogie Shire Council Bicycle and Walking Path Strategy identified a gap connecting Euroa township and the Arboretum. Originally, the route outlined in the Strategy led down Clifton Street and Euroa Main Road to the Arboretum.

To examine the optimal location for the pedestrian bridge across Castle Creek, Council met with the Goulburn Broken Catchment Management Authority (GBCMA), and it was suggested that the bridge cross Castle Creek along Simpsons Lane on the northern side. Furthermore, a study on native vegetation found that the Euroa Guinea flower is growing in the road reserve along the Euroa Main Road. It is important to note that the Euroa Guinea flower is listed as *vulnerable* under the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* and is listed as *threatened* under the Victorian *Flora and Fauna Guarantee Act 1988*.

Due to these considerations, it has been determined to take Stewart Street, Simpsons Lane, and Golf Course Road in order to avoid the impacts to the native vegetation, namely the Euroa Guinea flower and follow the suggestions from GBCMA. This will then connect with the proposed new residential development, Euroa Eastern Gateway, that will connect the Euroa Arboretum with the Euroa Golf Club on Golf Course Road.

Following this initial consultation, Council has undertaken a competitive process for the design of the Arboretum Link. The public tender process has been undertaken to meet Council's compliance requirements under Council's Procurement Policy. This report recommends that Council awards the tender for Contract No 23/24-11 Detailed Design of Arboretum Link - Lump Sum to JJ Ryan Consulting Pty Ltd of Burwood, for a total amount of \$84,723.00 inclusive of GST.

RECOMMENDATION

That Council:

- 1. Receive and note the outcome of the tender assessment process for Contract No 23/24-11 Detailed Design of Arboretum Link;***
- 2. Awards the tender for Contract No 23/24-11 Detailed Design of Arboretum Link - Lump Sum to JJ Ryan Consulting Pty Ltd of Burwood, for a total amount of \$84,723.00 inclusive of GST;***
- 3. Authorise officers to advise unsuccessful tenderers, and;***
- 4. Authorise the Chief Executive Officer to execute the Contract by signing and affixing the Common Seal of Strathbogie Shire Council.***

11.3.2 Tender for Contract No. 23/24-11: Detailed Design of Arboretum Link (including a pedestrian bridge over Castle Creek, Euroa) (cont.)

PURPOSE AND BACKGROUND

The Strathbogie Shire Council Bicycle and Walking Path Strategy identified a gap connecting Euroa township and the Arboretum. Originally, the route outlined in the Strategy led down Clifton Street and Euroa Main Road to the Arboretum.

To examine the optimal location for the pedestrian bridge across Castle Creek, Council met with GBCMA, and it was suggested that the bridge cross Castle Creek along Simpsons Lane on the northern side. Furthermore, a study on native vegetation found that the Euroa Guinea flower (*Hibbertia humifusa* subspecies *erigens*) growing in the road reserve along the Euroa Main Road. It is important to note that the Euroa Guinea-flower is listed as *vulnerable* under the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* and is listed as *threatened* under the Victorian *Flora and Fauna Guarantee Act 1988*. The national Recovery Plan for the Euroa Guinea flower aims to minimise the probability of extinction of the flower in the wild and to increase the probability of important populations becoming self-sustaining in the long term. The plan details the species' distribution and biology, conservation status, threats, and recovery objectives and actions necessary to ensure its long-term survival.

Due to these considerations, it has been determined to take Stewart Street, Simpsons Lane, and Golf Course Road in order to avoid the impacts to the native vegetation, namely the Euroa Guinea Flower and follow the suggestions from GBCMA. This will then connect with the proposed new residential development, Euroa Eastern Gateway, that will connect the Euroa Arboretum with the Euroa Golf Club on Golf Course Road.

Following this initial consultation, Council has undertaken a competitive process for the design of the Arboretum Link. The public tender process has been undertaken to meet Council's compliance requirements under Council's Procurement Policy. This report recommends that Council awards the tender for contract No 23/24-11 Detailed Design of Arboretum Link - Lump Sum to JJ Ryan Consulting Pty Ltd of Burwood, for a total amount of \$84,723.00 inclusive of GST.

TENDER PROCESS

The public tender was released on "Tendersearch" via the Council website on the 18th of August 2023. The tender was advertised in Saturday's The Age newspaper (state-wide reach), Euroa Gazette, in the week following release. By the close of tenders at 4.00 pm on 9th September 2023, four (4) tenders were received.

All tender submissions were accessed for their compliance including the contractual terms and conditions and the requirements of the response schedules, three (3) out of the four (4) tenders received were deemed conforming.

11.3.2 Tender for Contract No. 23/24-11: Detailed Design of Arboretum Link (including a pedestrian bridge over Castle Creek, Euroa) (cont.)

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

Table 1: Tender Submissions Received

Tender Submissions Received at the close of Tender Period (in Alphabetical Order)
Chris Smith & Associates
GMR Engineering Services
Hatch Pty Ltd
JJ Ryan Consulting Pty Ltd

Table 2 below lists the tender offer (excluding GST) at the close of the advertised tender period.

Table 2: Tender Offers Received (including GST)

Tender Offers Received at Close of Tender Period (including GST) in lowest to highest order
\$84,723.00 (conforming)
\$114,700.00 (conforming)
\$149,645.40 (conforming)
\$479,540.00 (non-conforming)

Panel Assessment Process

In accordance with Council's Procurement Policy, the evaluation panel and evaluation criteria weightings were determined prior to the release of the Tender documentation. The evaluation panel members were nominated prior to the 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. Project Officer, Sustainable Infrastructure
2. Manager Operations, Sustainable Infrastructure
3. Manager Project Delivery, Sustainable Infrastructure, and
4. Procurement & Tender Officer, Finance (moderator, non-voting member).

The principle that underlies the awarding of all Council contracts is that a contract is awarded on the basis of 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:

- Tendered Price (60%)
This criterion measures the price only – either lump sum or unit rates – submitted by the tenderer. In accordance with Council's Procurement Guidelines, a price weighting of 60% is applied, unless a Council exemption is sought.

11.3.2 Tender for Contract No. 23/24-11: Detailed Design of Arboretum Link (including a pedestrian bridge over Castle Creek, Euroa) (cont.)

- Demonstrated Qualifications / Skills and Experience (10%)
Due to the high level of technical skills required to provide this service, a weighting of 10% was allocated to this criterium.
- Project Methodology (10%)
As the Work requires timely completion and elimination/mitigation of work-related risks, this criterium is considered important and therefore allocated a weighting of 10%.
- Management - Schedules (10%)
Quality Management Systems, Policies, Relevant Certifications, and Insurance are likewise considered vital and therefore included with an allocated weighting of 10%.
- Local Content (10%)
In accordance with Procurement Guidelines and being consistent with value-for-money principles, where different products are of comparable price, quality and equivalent value can be sourced either locally or regionally; preference will be given to local suppliers. A weighting of 10% was allocated to this tender.

TABLE 3: Evaluation Criteria

Criteria	Weighting (%)
Price	60
Qualifications / Skills & Experience	10
Time Delivery, methodology and capacity to deliver	10
Management -Schedules	10
Local Content	10
Total	100

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.

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 the tenderer's 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 Monday 25th September 2023, the Panel members and the Moderator met to finalise the evaluation through a moderation meeting.

11.3.2 Tender for Contract No. 23/24-11: Detailed Design of Arboretum Link (including a pedestrian bridge over Castle Creek, Euroa) (cont.)

Panel Assessment Summary

At the completion of the tender evaluation process, JJ Ryan Consulting Pty Ltd attained the highest ranking with a total score of 81.43%. JJ Ryan Consulting Pty Ltd offered the lowest tendered price and thereby received the highest score available on pricing (60%), they also received a good qualitative score of 31.43% out of 40%. The Tender Evaluation Panel was therefore satisfied that their tender represents the best value outcome for Council. The company is based in Burwood, Victoria.

JJ Ryan Consulting Pty Ltd has proven experience in design works and has completed similar work for other organisations in the past. They have demonstrated the capability to complete the Works outlined in the tender with minimal supervision based on their submitted documents. Their references are good and consistent with their declared project history.

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 stipulated in the scope for the Detailed Design of Arboretum Link that the successful tenderer will be required to provide Council with a draft design that will go out to community consultation before the final design is complete.

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 2: Live. Access. Connect
 - We are moving through our townships on connected walking and cycling tracks
 - Connectivity within and between townships is enhanced through a developing network of cycling routes, tracks, trails and community transport options (pg. 22).

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.

There are no regional, state, or national plans or policies relevant to the report.

11.3.2 Tender for Contract No. 23/24-11: Detailed Design of Arboretum Link (including a pedestrian bridge over Castle Creek, Euroa) (cont.)

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 recommendation has no legal or statutory implications which require the consideration of Council.

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.

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 live stream (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.

Council allocated \$165,000.00 (incl. GST) for 'Design – Arboretum Link' in the 2023-2024 Capital Works Program and as such is within the allocated budget.

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 and Social

The project will improve safety, provide environmental and economic outcomes and increase social participation.

Environmental

The project scope includes the incorporation of a Cultural Heritage Management Plan (CHMP), a Vegetation Management Plan and an Ecological and Biodiversity Impact Assessment that will ensure when Council move to the construction phase we can be as environmentally sensitive as possible.

11.3.2 Tender for Contract No. 23/24-11: Detailed Design of Arboretum Link (including a pedestrian bridge over Castle Creek, Euroa) (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.

Council will further collaborate with Goulburn Broken Catchment Management Authority (GBCMA) to ensure a Works on a Waterway permit can be obtained when Council move to the construction phase.

HUMAN RIGHTS CONSIDERATIONS

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 23/24-11 Detailed Design of Arboretum Link (including Pedestrian Bridge over Castle Creek, Euroa). The submitted tenders were sought and evaluated in accordance with the Council's Procurement Policy and against the provided brief and specifications.

It is proposed that Council awards the Detailed Design of Arboretum Link to JJ Ryan Consulting Pty Ltd.

ATTACHMENTS

Attachment 1: Arboretum Link Locality Map

APPENDICES:

Appendix 2: Tender Evaluation for Contract No 23/24-11: Detailed Design of Arboretum Link (CONFIDENTIAL)

11.3.3 Contracts, Works and Grants Awarded Under Delegation - 1 to 30 September 2023

Author: Procurement and Tenders Officer

Responsible Directors: A/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 September 2023 to 30 September 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 Council Meeting authorising the Chief Executive Officer to award Quick Response Grants.

RECOMMENDATION

That Council:

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

PURPOSE AND BACKGROUND

In line with Council's approach to transparency and good governance, the Contracts, Works and Grants Awarded Under Delegation report will be tabled for information purposes at each Council Meeting. The report details any contracts, works or grants that have been awarded under delegated authority by the Chief Executive Officer, a Director, or a Manager within their approved financial threshold. This report specifically relates to works and/or services that formed part of Council's approved 2023/24 budget.

ISSUES, OPTIONS AND DISCUSSION

Any contract awarded under delegation is undertaken in line with Council's Procurement Policy. Through the *Instrument of Delegation to the Chief Executive Officer* the Council has delegated authority to the following:

- Chief Executive Officer – award a contract up to the value of \$170,000 for Goods and Services and \$220,000 for Works
- A Director – award a contract up to the value of \$50,000 for Goods and Services and \$50,00 for Works
- A Manager – award a contract up to the value of \$15,000 for Goods and Services and \$15,000 for Works.

11.3.3 Contracts, Works and Grants Awarded Under Delegation - 1 to 30 September 2023 (cont.)

Council adopted a Community Funding Model at the 18 June 2023 Council Meeting authorising the Chief Executive Officer to award Quick Response Grants via this report. Officers received six (6) quick response grants in this period. These applications were assessed against the grant criteria as per Council's assessment process, five applications were recommended for funding, and one was not. Under delegation the Chief Executive Officer approved the five (5) applications recommended for funding, and one (1) application was deemed unsuccessful, consistent with the recommendation from officers.

Contracts Awarded Under Delegated Authority by Chief Executive Officer

Contract No.	CN 23/24-15
Contract Name	<i>Banking and Billing Services</i>
Contract Details	<i>Using State Purchasing Master Supply Agreement (Treasury Contract) and exempted from Public Tender Process under Procurement Policy under the Collaborative engagement clause- Contracts and arrangements established by another government entity, local authority or group purchasing scheme.</i>
Value Including GST	Lump Sum for 7 year contract - \$184,317 including GST
Awarded to	Commonwealth Bank Australia
Scheduled Commencement	28 September 2023
Scheduled Completion Date	27 September 2030

Contract No.	CN 23/24-24
Contract Name	<i>Telephone Services</i>
Contract Details	<i>Using State Purchasing Master Supply Agreement (Treasury Contract) and exempted from Public Tender Process under Procurement Policy under the Collaborative engagement clause- Contracts and arrangements established by another government entity, local authority or group purchasing scheme.</i>
Value Including GST	Currently \$16,754.16 per annum including GST - Total 3 year spend \$50,262.48 inc GST
Awarded to	Telstra Corporation
Scheduled Commencement	2 October 2023
Scheduled Completion Date	1 October 2026

11.3.3 Contracts, Works and Grants Awarded Under Delegation
- 1 to 30 September 2023 (cont.)

Contracts Awarded Under Delegated Authority by Director

Contract No.	CN 23/24-09
Contract Name	<i>Provision of (Used) 5 T Mass Minimum Excavator</i>
Contract Details	Lump sum tender
Value Including GST	\$74,995
Awarded to	Tom Hogan Automotive (Kialla)
Scheduled Commencement	20 September 2023
Scheduled Completion Date	20 September 2023

Grants Awarded Under CEO Delegation: Quick Response Grants

1.	Applicant	Avenel Community Market
	Project Overview	The project funds will be used to replace portable signage informing the community and visitors to the area of each upcoming monthly Avenel Community Market.
	Grant Amount approved	\$875
2.	Applicant	Euroa Basketball Association
	Project Overview	The project funds will be used to purchase and print a 3m x 3m pop-up marquee to be used by the club at tournaments to provide shade and shelter, a sense of pride, team spirit and inclusion for the teams.
	Grant Amount approved	\$1000
3.	Applicant	Little Athletics Nagambie
	Project Overview	The project funds will be used to purchase equipment to allow the addition of Scissor High Jump and Discus events to the program.
	Grant Amount approved	\$1000
4.	Applicant	Nagambie Cricket Club
	Project Overview	The project funds will be used to assist in the initial costs of establishing a women's cricket team in the Goulburn Murray Cricket Association.
	Grant Amount approved	\$1000

11.3.3 Contracts, Works and Grants Awarded Under Delegation
- 1 to 30 September 2023 (cont.)

5.	Applicant	Tabilk Junior Football Netball Club
	Project Overview	The project funds will be used to purchase new football and netball uniforms for the players, and new essential equipment ahead of the 2024 season.
	Grant Amount approved	\$1000
6.	Applicant	Violet Town Community Group for Tidy Towns
	Project Overview	<p>The project funds would be used to subsidise tickets to the Tidy Towns and Cities Sustainability Awards for 6 volunteers following Violet Town's submission being nominated for 6 finalist entries.</p> <p>This application was not recommended for funding as scored below 50%, it was deemed to benefit only the individuals attending, there was minimal social and community benefit associated with the use of the funds, and was considered similar to other <i>ineligible activities</i> like conferences and sporting events.</p> <p>The grant was deemed unsuccessful under delegation in line with the process endorsed as a part of Council's Community Funding Model at the 18 June 2023 Council Meeting.</p> <p>Officers have suggested they consider a new application for a grant for a community-based celebration event the whole community can participate in, promoting the success and the great projects they have been nominated for.</p>
	Grant Amount requested	<p>\$1000</p> <p>This grant was unsuccessful.</p>

Conflict of Interest Declaration

All offices, and/or contracts 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 demonstrates that Council is being transparent by providing information to the community regarding the awarding of any works projects.

11.3.3 Contracts, Works and Grants Awarded Under Delegation - 1 to 30 September 2023 (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. The contracts awarded under delegation are projects that have formed part of Council's adopted 2023/24 budget.

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

Works and grants awarded under delegation provide an opportunity to generate great economic benefit using local contractors and the purchasing of materials and supplies. In addition, the enhancement of infrastructure continues to make our municipality a place of destination, one where people choose to live, work and play.

Social

Each project and grant include several social benefits to our community. Some of these benefits include infrastructure that encourages health and wellbeing activities and amenity improvements.

Environmental

The works will be undertaken in line with an approved scope of works and ensure that the site is made good upon completion of the works.

HUMAN RIGHTS CONSIDERATIONS

This report considers that the recommendations do not limit any Human Rights under the Victorian Charter of Human Rights and Responsibilities Act 2006.

CONCLUSION

It is important that decisions and actions taken under delegation be properly documented and transparent in nature. The report details the publicly advertised tenders, invitations for written quotations and quotations provided using collaborative and/or third party contracts which have been awarded by the Chief Executive Officer, Directors and Managers under delegated authority of the Council during the period 1 September 2023 – 30 September 2023.

This report also advises Council of any grants awarded under CEO delegation as per Council's adopted Community Funding Model.

ATTACHMENTS

Nil.

11.4 CORPORATE

11.4.1 Council Policy Review: Draft Chief Executive Officer Employment and Remuneration Policy 2023

Author and Responsible Director: Director People and Governance

EXECUTIVE SUMMARY

Section 45 of the Local Government Act 2020 requires Council to develop, adopt and keep in force a Chief Executive Officer Employment and Remuneration Policy. The Policy must specifically provide for Council to obtain independent professional advice in relation to matters dealt with in the Policy and must provide for the following:

- i. The recruitment and appointment process;
- ii. Provisions to be included in the contract of employment;
- iii. Performance monitoring;
- iv. An annual review; and
- v. Include any other matters prescribed by the regulations.

This Policy was adopted by council on 19 October 2021. As prescribed in the policy and in accordance with the Local Government Act 2020, the Chief Executive Officer Employment and Remuneration Committee comprises the Mayor (Chair), two Councillors and an independent external committee member. The independent member must have (amongst other attributes) human resources related qualifications and/or experience, experience in senior executive performance reviews, an understanding of the Strathbogie Shire and its community, along with an understanding of good governance practices and previous experience working with governance bodies or boards.

The Audit and Risk Committee is required to undertake an annual review of the policy in accordance with its Charter, in accordance with section 54 (2) (a) of the *Local Government Act 2020*. The annual review was required in October 2022, however due to conflicting priorities this policy was not reviewed at that time.

The Audit and Risk Committee and relevant Officers have now reviewed the policy with minor changes made including:

- Policy transferred to the new policy template; and
- Updated references in the related Council Documents.

It is recommended that Council endorse the proposed changes suggested by the Audit and Risk Committee.

RECOMMENDATION

That Council:

- 1. *Adopt the updated Chief Executive Officer Employment and Remuneration 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.***

11.4.1 Council Policy Review: Draft Chief Executive Officer Employment and Remuneration Policy 2023 (cont.)

PURPOSE AND BACKGROUND

The adoption of a CEO Employment and Remuneration Policy (the Policy) is a requirement under the Local Government Act 2020 as part of its governance and integrity principles and sets out minimum standards for its content.

The Policy requires an annual review to be conducted by Council's Audit and Risk Committee with any recommendations in relation to changes being presented to Council for consideration. Due to conflicting priorities this policy was not reviewed in October 2022.

The Chief Executive Officer Employment and Remuneration Policy 2023 has subsequently been reviewed by the Audit and Risk Committee during an extraordinary meeting held on October 6, 2023 and is now presented to Council for consideration.

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.

Section 45 of the Local Government Act 2020 states the following:

- (1) A Council must 'develop, adopt and keep in force a Chief Executive Officer Employment and Remuneration Policy.
- (2) The Chief Executive Officer Employment and Remuneration Policy must -
 - (a) Provide for the Council to obtain independent professional advice in relation to the matters dealt with in the Chief Executive Officer Employment and Remuneration Policy; and
 - (b) Provide for the following:
 - i. The recruitment and appointment process;
 - ii. Provisions to be included in the contract of employment;
 - iii. Performance monitoring;
 - iv. An annual review; and
 - (c) Include any other matters prescribed by the regulations.
- (3) A Council must have regard to—
 - (a) any statement of policy issued by the Government of Victoria which is in force with respect to its wages policy (or equivalent); and
 - (b) any Determination that is currently in effect under section 21 of the Victorian Independent Remuneration Tribunal and Improving Parliamentary Standards Act 2019 in relation to remuneration bands for executives employed in public service bodies—in developing the Chief Executive Officer Employment and Remuneration Policy.

This Policy was originally adopted by Council on 19 October 2021. The annual review was required in November 2022, however due to conflicting priorities this policy was not reviewed.

11.4.1 Council Policy Review: Draft Chief Executive Officer Employment and Remuneration Policy 2023 (cont.)

The Audit and Risk Committee and relevant Officers have now reviewed the policy with minor changes to be made including:

- Policy transferred to the new policy template; and
- Updated references in the related Council Documents.

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.

Development of procedures around the recruitment and performance monitoring of the CEO is an internal matter. Community input has not been sought given its operational nature.

POLICY CONSIDERATIONS

Council Plans and Policies

The development of this policy is consistent with the values outlined in the Council Plan 2021-25 of being ethical, open and transparent. The new policy requires a gender equity lens to be applied by Council and the Committee and requires adherence to Council's Gender Equity Policy. Council and the Committee must also ensure any actions or decisions are in accordance with the Procurement Policy in relation to the engagement of independent recruitment or legal experts and the Staff Code of Conduct.

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 Act now requires CEO remuneration to be in line with decisions made by the Victorian Independent Remuneration Tribunal and therefore aligns local government CEO salaries with those of State government executives.

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.

While being a principles-based Act, the new Local Government Act 2020 sets out the following minimum requirements for the CEO remuneration and employment policy under section 45(2). The policy must include:

- provisions for how Council will seek independent professional input to assist with the implementation of the policy.
- procedures for the:
 - recruitment and appointment process;
 - provisions that should be included in the contract of employment;
 - how performance is to be monitored;
 - annual review of performance; and
 - other matters set out by the State through regulations (there are none at present).

11.4.1 Council Policy Review: Draft Chief Executive Officer Employment and Remuneration Policy 2023 (cont.)

Requirements for State government wages policy and the determinations of the Victorian Independent Remuneration Tribunal to be taken into account when reviewing remuneration.

The Act requires that a Council must adopt the first Chief Executive Officer Employment and Remuneration Policy by 31 December 2021 under section 45(4) of the Act.

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.

Setting out how the CEO will be recruited, how remuneration will be set and reviewed and how performance will be monitored in a policy available to the public via Council's website is in keeping with Council's Public Transparency Policy and the principles of the Act.

The input of independent advice through the use of an experienced member for the recruitment process, and through an expert sitting on the Committee, ensures professional advice is available to Council and the Committee when discharging their roles and responsibilities under the policy.

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.

Under the Policy and Act, CEO contract provisions and remuneration are required to be benchmarked against State policy and the determinations by an independent tribunal. Benchmarking with like councils across Victoria was undertaken for the existing CEO contract, however elements within the contract are somewhat inconsistent with broad practice.

The contract provisions will be funded through annual budget allocations.

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.

The setting of performance criteria and ongoing performance monitoring of the CEO by the Committee and Council is an important way through which Council ensures the administration implements the Council Plan, the annual budget and other key strategic plans.

11.4.1 Council Policy Review: Draft Chief Executive Officer Employment and Remuneration Policy 2023 (cont.)

This helps drive the execution of ongoing social, economic, environmental and climate change initiatives.

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 adoption of this policy is a continuation of the implementation of good governance and transparency principles under the new Act.

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 policy has been informed by information provided by Local Government Victoria and through reviewing a wide range of similar policies recently adopted by other Councils across Victoria.

HUMAN RIGHTS CONSIDERATIONS

The adoption of this policy is consistent with the substantive rights set out by the Charter of Human Rights and Responsibilities Act 2006, including:

- recognition and equality
- privacy and reputation
- fair hearing.

The policy requires the Committee and Council to adhere to the Gender Equity Policy and to apply a gender equity lens when recruiting a CEO.

CONCLUSION

The adoption of the CEO Employment and Remuneration Policy ensures Council is compliant with the Local Government Act 2020.

Overall, the policy provides a consistent, fair and transparent framework for employment matters to guide Council, the Committee and the CEO.

ATTACHMENTS

Attachment 1: Draft Chief Executive Officer Employment and Remuneration Policy 2023

Attachment 2: Chief Executive Officer Employment and Remuneration Policy 2023 Policy Impact Assessment Tool

11.4.2 Council Policy Review: Draft Rates Payment and Collection Policy 2023

Author: Chief Financial Officer

Responsible Director: Director People & Governance

EXECUTIVE SUMMARY

At its Ordinary Meeting on October 18, 2022, Council adopted the Rates and Charges Collection and Hardship Policy. In December 2022, Council conducted an in-depth assessment of its rates and collection processes in collaboration with internal auditors. The internal auditors recommended that a comprehensive review of the rates and collection policy be undertaken and to establish a clearly defined Council-approved policy for rate waivers and hardship. Their recommendation encompassed the following key elements:

- Criteria to evaluate requests for waivers,
- References to other related policies, such as the Rates and Charges Collection and Hardship Policy,
- Authority responsible for assessing and granting waivers,
- Duration for which waivers can be issued,
- Requirements for periodic review of previously granted waivers and the re-application process for ratepayers seeking waivers, and
- Additionally, the auditors advised a reassessment of the current waivers to determine whether they should be classified as non-ratable properties rather than as waivers.

During this period of policy development and revision, the Local Government Legislative Amendment (Rating and Other Matters) Act 2022 (the Act) came into effect on July 1, 2023. The new policy has been updated to include references to this new Act. It is important to note that Ministerial guidelines for implementing the new Act are currently under development, as such further amendments may need to be made to the policy in accordance with these guidelines.

Key changes introduced by the Act include:

- Granting the Minister authority, in consultation with the Essential Services Commission, to issue guidance to councils on how they should manage ratepayers experiencing financial hardship.
- Empowering the Minister, in collaboration with the Essential Services Commission, to set a maximum interest rate that can be applied to unpaid rates and charges, which was previously set at 10 percent.
- Imposing restrictions on councils' use of Magistrate's Court orders for the recovery of unpaid rates in cases where rates or charges have remained outstanding for two years or more.
- Formalising payment plans as an alternative to the existing four-installment system, allowing ratepayers to settle their outstanding rates and charges.

The Rates Payment and Collection Policy 2023 has subsequently been reviewed by the Audit and Risk Committee during an extraordinary meeting held on October 6, 2023 and is now presented to Council for consideration.

11.4.2 Council Policy Review: Draft Rates Payment and Collection Policy 2023 (cont.)

RECOMMENDATION

That Council:

- 1. Adopt the Rates Payment and Collection 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 policy.***

PURPOSE AND BACKGROUND

The purpose of the Rates Payment and Collection Policy 2023 (the Policy) is to establish a framework for Strathbogie Shire Council to manage and assist Ratepayers in:

- The payment of rates and charges, including the State Revenue Office's Fire Services Levy,
- Entering into special payment arrangements,
- Applications for financial hardship,
- Applications to defer payment of rates and charges,
- Applications to have rates and charges waived,
- Understanding the levying of penalty interest on outstanding rates and charges, and
- Recognising Council's debt recovery process.

At its Ordinary Meeting on October 18, 2022, Council adopted the Rates and Charges Collection and Hardship Policy. In December 2022, Council conducted an in-depth assessment of its rates and collection processes in collaboration with internal auditors. The internal auditors recommended that a comprehensive review of the rates and collection policy be undertaken and to establish a clearly defined Council-approved policy for rate waivers and hardship. Their recommendation encompassed the following key elements:

- Criteria to evaluate requests for waivers,
- References to other related policies, such as the Rates and Charges Collection and Hardship Policy,
- Authority responsible for assessing and granting waivers,
- Duration for which waivers can be issued,
- Requirements for periodic review of previously granted waivers and the re-application process for ratepayers seeking waivers, and
- Additionally, the auditors advised a reassessment of the current waivers to determine whether they should be classified as non-ratable properties rather than as waivers.

The Rates Payment and Collection Policy 2023 has been reviewed by the Audit and Risk Committee during an extraordinary meeting held on October 6, 2023 and is now presented to Council for consideration.

11.4.2 Council Policy Review: Draft Rates Payment and Collection Policy 2023 (cont.)

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.

This Policy applies to the collection of Rates and Charges levied by Council including the Fire Services Levy and to all ratepayers.

The Policy allows Council to ensure that monies owed are recovered in a manner acceptable to Council and the person/organisation experiencing financial hardship. Hardship can arise in numerous ways for our community. Having the means available to temporarily assist the community member to allow them time to overcome their hardship in a sensible and sensitive way is appropriate.

During this period of policy development and revision, the Local Government Legislative Amendment (Rating and Other Matters) Act 2022 (the Act) came into effect on July 1, 2023. The new policy has been updated to include references to this new Act. It is important to note that Ministerial guidelines for implementing the new Act are currently under development, as such further amendments may need to be made to the policy in accordance with these guidelines.

Key changes introduced by the Act include:

- Granting the Minister authority, in consultation with the Essential Services Commission, to issue guidance to councils on how they should manage ratepayers experiencing financial hardship.
- Empowering the Minister, in collaboration with the Essential Services Commission, to set a maximum interest rate that can be applied to unpaid rates and charges, which was previously set at 10 percent.
- Imposing restrictions on councils' use of Magistrate's Court orders for the recovery of unpaid rates in cases where rates or charges have remained outstanding for two years or more.
- Formalising payment plans as an alternative to the existing four-installment system, allowing ratepayers to settle their outstanding rates and charges.

The Policy does not apply to waivers which may be granted under Acts such as the Cultural and Recreational Lands Act 1963 which is the subject of a separate Policy.

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.

No further consultation has been undertaken as community consultation was conducted as part of budget process for levying of rates.

POLICY CONSIDERATIONS

Council Plans and Policies

The Rates Payment and Collection Policy is in accordance with Strategic focus area 6: Accountable. Transparent. Responsible of the 2021/25 Council Plan.

11.4.2 Council Policy Review: Draft Rates Payment and Collection Policy 2023 (cont.)

The policy ensures good governance and accountability in decision making and supports the achievement of the following strategies outline in this section of the Plan:

As a Council we will:

- Achieve the highest level of good governance across the organisation and as an elected Council,
- Be accountable for the decisions we make and the quality of service we deliver,
- Maximise public transparency and accountability around our performance and decision-making processes, and
- Be financially responsible, achieving the greatest possible community benefit from the programs, initiatives and services we fund.

The completion of the policy impact assessment tool also implements the following initiative:

- 6.1.5 Incorporate the gender impact assessment tool into decision making processes to assess the gendered impacts of policies, programs and services.

The referral of the reviewed policy to the Audit and Risk Committee also ensures the achievement of the following initiative:

- 6.1.6 Support the Audit and Risk Committee in completing its work plan for 2022–23.

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.

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.

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 (the Act) provides legislated payment options to facilitate the payment of rates and charges.

Under Section 170 of the Act, Council may defer, in whole or part, any payment due on the grounds of hardship. The Act goes on to say Council may waive a whole or part of any rate or charge or interest if a person is suffering financial hardship (Section 171).

11.4.2 Council Policy Review: Draft Rates Payment and Collection Policy 2023 (cont.)

The difference between a waiver and a deferral is that a deferral suspends payment for a period of time whereas a waiver permanently exempts payment of the fee or charge under discussion.

Applications for waiver and deferral will be individually assessed against the criteria stated in this Policy.

Section 170 of the Act enables Council to defer the payment for rates, charges and interest.

Section 171 of the Act enables Council to waive the whole or part of any rate, charge or interest for particular classes of ratepayers e.g. pensioners.

Sections 171 & 171A of the Act enable Council to waive rates and charges, based on financial hardship, upon application from the ratepayer

Section 171 (4) (b) of the Act states that: “A person may only apply for a waiver in respect of rateable land or a part of rateable land which is used exclusively for residential purposes by that person and is that person’s sole or principle place of residence.”

Section 172 of the Act enables Council to charge interest on unpaid rates and charges.

Section 181 of the Act enables Council to sell land or cause land to be transferred to the Council to recover unpaid rates and charges.

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.

Setting a fair and equitable policy framework to manage rates and assist ratepayers demonstrates that Council continues to be open and transparent with its community. This is further supported by having its policies available on the Council website.

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.

Only financial impact is from interest waiver/write off and some cashflow impact from deferred rates and payment plans. However net financial impact cannot be assessed at the time of this report written.

11.4.2 Council Policy Review: Draft Rates Payment and Collection Policy 2023 (cont.)

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 recommended changes to the new Rates Payment and Collection Policy will have no significant economic implications on the wider community however it does provide support to ratepayers with financial hardships within the municipal district.

Social

There will be some positive social implications to this report and changes to the new Rates Payment and Collection Policy. Policy identifies various measures for ratepayers with financial hardships. This will have positive social impact.

Environmental

The recommendation has no significant negative environmental or amenity implications for Council or the broader community.

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 Rates Payment and Collection Policy 2023 if adopted is a significant improvement in management of outstanding rates and significant benefits to ratepayers in financial hardship.

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.

Similar policies of other Councils have been considered when this policy was developed.

HUMAN RIGHTS CONSIDERATIONS

This policy is 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 Rates Payment and Collection Policy 2023 has been developed to accommodate recommendation from internal audit and legislative changes. It is recommended that the Rates Payment and Collection Policy 2023 be adopted, noting the input and comments from Council's Audit and Risk Committee.

ATTACHMENTS

Attachment 1: Draft Rates Payment and Collection Policy 2023

Attachment 2: Rates Payment and Collection Policy 2023 Policy Impact Assessment Tool

11.4.3 New Council Policy: Draft Rates Budgeting and Notice Issuing Policy 2023

Author: Chief Financial Officer

Responsible Director: Director People & Governance-Acting

EXECUTIVE SUMMARY

Council undertook a comprehensive evaluation of its rate structures and collection procedures in cooperation with its internal auditors. The internal auditors have recommended that Council prepare a new Policy to provide a clear framework for:

- the Annual rate setting process,
- the subsequent issuing of Notices, and
- internal controls in relation to that process.

The new Rates Budgeting and Notice Issuing Policy 2023 has been reviewed by the Audit and Risk Committee during an extraordinary meeting held on October 6, 2023 and is now presented to Council for consideration.

RECOMMENDATION***That Council:***

1. ***Adopt the new Rates Budgeting and Notice Issuing Policy 2023; and***
2. ***Place the 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.***

PURPOSE AND BACKGROUND

Council undertook a comprehensive evaluation of its rate structures and collection procedures in cooperation with its internal auditors. The internal auditors have recommended that Council prepare a new Policy to provide a clear framework for:

- the Annual rate setting process,
- the subsequent issuing of Notices, and
- internal controls in relation to that process.

The new Rates Budgeting and Notice Issuing Policy 2023 (the Policy) has been reviewed by the Audit and Risk Committee during an extraordinary meeting held on October 6, 2023 and is now presented to Council for consideration.

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.

11.4.3 New Council Policy: Draft Rates Budgeting and Notice Issuing Policy 2023 (cont.)

The Policy outlines the roles and responsibilities as well as internal control measures that are applicable to both rate setting and notice issuing processes. Specifically, the Policy aims to achieve the following objectives for setting up of rates and notice issuing procedures:

- Closing the policy gap for rate setting process,
- Clearly identifying and articulating the responsibilities of each party,
- Clearly defining officer roles involved in the process, and
- Identifying internal controls and approvals for rate notice issuing process.

The Policy is applicable to the formulation of rates imposed by the Council, encompassing the Fire Service Levy. Additionally, it extends to cover the procedure for issuing rate notices.

Establishing a well-defined policy framework will mitigate errors within these processes and offer precise guidance for their execution.

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.

No consultation has been undertaken given to the new policy relates to internal budget processes.

POLICY CONSIDERATIONS

Council Plans and Policies

The Rates Budgeting and Notice Issuing Policy 2023 is in accordance with Strategic focus area 6: Accountable. Transparent. Responsible of the 2021/25 Council Plan.

The policy ensures good governance and accountability in decision making and supports the achievement of the following strategies outlined in this section of the Council Plan:

As a Council we will:

- *Achieve the highest level of good governance across the organisation and as an elected Council*
- *Be accountable for the decisions we make and the quality of service we deliver*
- *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 completion of the policy impact assessment tool also implements the following initiative:

- 6.1.5 Incorporate the gender impact assessment tool into decision making processes to assess the gendered impacts of policies, programs and services.

11.4.3 New Council Policy: Draft Rates Budgeting and Notice Issuing Policy 2023 (cont.)

The referral of the reviewed policy to the Audit and Risk Committee also ensures the achievement of the following initiative:

- 6.1.6 Support the Audit and Risk Committee in completing its work plan for 2022–23.

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.

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 provide legislative instruments for levying of rates. Local Government Legislative Amendment Rating and other Matters Act 2022 also provide a level of legislative instruments for levying and collecting of rates.

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 policy ensures properly documented process and procedures are followed during levying of rates and are available to the community to access at any time.

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.

Council's main income source is rates and has significant financial impact into revenue generation of the Council.

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.

Similar policies of other Councils have been considered when this policy was developed.

11.4.3 New Council Policy: Draft Rates Budgeting and Notice Issuing Policy 2023 (cont.)***HUMAN RIGHTS CONSIDERATIONS***

This policy is 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 Rates Budgeting and Notice Issuing Policy 2023 has been developed to accommodate recommendations from internal audit. This also fill the policy gap in rate budgeting and notice issuing area.

It is recommended that the Rates Budgeting and Notice Issuing Policy 2023 be adopted, noting the input and comments from Council's Audit and Risk Committee.

ATTACHMENTS

Attachment 1: Draft Rates Budgeting and Notice Issuing Policy 2023

Attachment 2: Rates Budgeting and Notice Issuing Policy 2023 Policy Impact Assessment Tool

11.4.4 Council Policy Review: Draft Information Security Policy 2023

Author: Manager Digital Innovation & Technology

Responsible Director: Director People & Governance

EXECUTIVE SUMMARY

Council has previously adopted the Information Security Policy in its current form. This policy ensures that Council systems are kept secure, and all data access is securely controlled.

This policy is now due for review which has now been undertaken by officers. Where possible, this policy continues to align with the ISO 27001:2015 standard for information security management systems to ensure current best practice approaches and methodologies. Only minor administrative changes to the policy, along with updating of Officer titles, have been made given that no issues or required changes have been identified since the policy's initial adoption.

Following review by the Audit and Risk Committee at an extraordinary meeting held on October 6, 2023, this report seeks Council adoption of the *Information Security Policy 2023*.

RECOMMENDATION

That Council:

- 1. Adopt the updated Information Security Policy 2023; and***
- 2. Place the 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 updated policy.***

PURPOSE AND BACKGROUND

Strong Information Security processes are critical to the daily operations of Council to protect the data stored in Council's systems. Council adopted its current Information Security Policy in December 2019.

A review has recently been conducted with only minor changes to be made. Where possible, this policy continues to align with the ISO 27001:2015 standard for information security management systems.

The Information Security Policy 2023 has been reviewed by the Audit and Risk Committee during an extraordinary meeting held on October 6, 2023 and is now presented to Council for consideration.

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.

An Information Security Policy specifies the required controls to ensure data stored in Council's systems is only accessible by those authorised to do so.

11.4.4 Council Policy Review: Draft Information Security Policy 2023 (cont.)

Council's Information Security Policy has been operating effectively in its current form since December 2019. No issues of concern have been identified over this time.

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.

This is an internal policy, and no consultation has been undertaken given the lack of significant issues that have arisen during the past three years of the policy's application.

POLICY CONSIDERATIONS

Council Plans and Policies

No implications to Council Plan or Policies have been identified as being impacted by this policy.

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.

This policy development was undertaken with consideration to the following:

- Victorian Privacy and Data Protection Act 2014
- Public Record Office Victoria
- Victorian Protective Data Security Framework
- Victorian Protective Data Security Standards
- Australian Cyber Security Centre Information Security Manual

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.

Council is required to maintain data security as per the Privacy and Data Protection Act 2014 and this policy satisfies that requirement.

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.

11.4.4 Council Policy Review: Draft Information Security Policy 2023 (cont.)

This policy is being presented in a Council meeting open to the public, therefore satisfying transparency requirements.

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.

There are no significant financial implications arising out of the adoption of this policy and the additional work created by the implementation and review of the policy has been met by existing resource allocations.

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 no direct sustainability considerations arising out of the adoption of the policy.

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 regular review of the policy is one means through which continuous improvement is achieved. The analysis outlined by the Policy Impact Assessment Tool is a new process that ensures all legislative requirements are met, along with a deeper consideration of possible human rights and gender equity impacts of the policy's application.

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.

Collaboration was sought via the Lower North East Rural Councils Collaboration group with the intention of aligning Information Security Policies. It was discovered that two of the other councils are utilising a subscription-based policy service, one of which councils is moving away from this model, therefore collaboration was unsuccessful at this time. Strathbogie's policy will be utilised to provide input into the other council's future policy development, with the long-term goal being policy alignment.

HUMAN RIGHTS CONSIDERATIONS

The Information Security Policy is consistent with the Human Rights Charter, as identified via the Policy Impact Assessment tool. This policy ensures that personally identifiable data is kept safe from unauthorised access.

11.4.4 Council Policy Review: Draft Information Security Policy 2023 (cont.)

CONCLUSION

The adoption of the Information Security Policy 2023 ensures Council continues to be compliant with the Privacy and Data Protection Act 2014.

ATTACHMENTS

Attachment 1: Draft Information Security Policy 2023

Attachment 2: Information Security Policy 2023 Policy Impact Assessment Tool

11.4.5 Council Policy Review: Draft Councillor Expenses Policy 2023

Author: Specialist Governance Advisor

Responsible Director: Director People & Governance

EXECUTIVE SUMMARY

The Councillor Expenses Policy 2023 is presented to Council as a policy review.

Council has for some time had a policy around Councillor expenses. The introduction of a new Local Government Act in 2020 modified the requirements for the content of such a policy, resulting in the adoption of a new policy by Council in August 2020. That policy was subsequently reviewed and adopted in October 2022. This review has arisen out of documentation in the policy of Councillor entitlement to a Remote Travel Allowance.

There have been no legislative changes in relation to the requirements for a council expenses policy since the introduction of the new Act in 2020.

RECOMMENDATION

That Council:

- 1. Adopt the updated Councillor Expenses 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 updated policy.***

PURPOSE AND BACKGROUND

The Councillor Expenses Policy 2023 (the Policy) aims to:

- identify the reasonable levels of expenditure, resources and facilities to be provided to support councillors in fulfilling their duties on behalf of the community under the Local Government Act 2020 (the Act)
- clarify the circumstances under which Council will make payment for
 - professional development; and
 - reimbursement of expenses as specified by the Act.
- outline the procedures and internal controls for the review and consideration of councillor expense claims
- specify how expenditure under this policy will be closely and independently monitored
- explain how expenses and resources provided under this policy will be reported on a regular basis to Council, the Audit Committee and the community in accordance with the Planning and Reporting Regulations.

The Councillor Expenses Policy 2023 has been reviewed by the Audit and Risk Committee during an extraordinary meeting held on October 6, 2023 and is now presented to Council for consideration.

11.4.5 Council Policy Review: Draft Councillor Expenses Policy 2023 (cont.)

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 Policy contains, amongst other things:

- A policy statement
- Roles and accountabilities
- Councillor duties
- Resources for Councillors
- Travel allowances
- Remote Area Travel Allowances
- Car mileage allowance
- Technology expenses
- Conference and Training expenses
- Childcare
- Incidental expenditure
- Administrative support
- Stationery
- Protective clothing
- Indemnities
- Legal expenses
- Parking
- Professional memberships

The Remote Area Travel Allowance referred to above is a new section of the policy and compensates Councillors who live remotely from Council business for additional expenses they incur.

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.

There was no community consultation considered necessary for preparation of this report.

POLICY CONSIDERATIONS

Council Plans and Policies

The Strathbogie Shire Council 2021-2025 Council Plan includes under the heading of Accountable. Transparent. Responsible:

Achieve the highest level of good governance across the organisation and as an elected Council

A robust Councillor Expenses Policy clearly addresses this objective.

11.4.5 Council Policy Review: Draft Councillor Expenses Policy 2023 (cont.)

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.

There are no specific regional, state or national plans and policies in this regard.

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.

Section 8 of the Act states that the role of a council is to provide leadership and good governance for the municipal district for the benefit and wellbeing of the municipal community. It must adhere to, and implement, the Overarching Governance Principles and supporting principles outlined in section 9 of the Act in its day to day operations and decision making.

To successfully undertake their role as required under the Act, Councillors need the support of the organisation, along with access to resources and facilities.

Section 39 of the Act outlines provisions for allowances for the mayor, deputy mayor and councillors.

Section 40 of the Act states that council must reimburse a councillor or member of a delegated committee for out-of-pocket expenses if they:

- are bona fide expenses; and
- have been reasonably incurred in the performance of the role of Councillor or member of a delegated committee; and
- are reasonably necessary for the Councillor or member of a delegated committee to perform that role.

This section also requires the details of reimbursements to be provided to Council's Audit and Risk Committee (see clause 37 of this policy).

Section 41 of the Act requires all councils to prepare and adopt a council expense policy, which can also be applied to council committees. The policy must:

- specify procedures to be followed in applying for reimbursement and in reimbursing expenses
- comply with any requirements prescribed by the regulations in relation to the reimbursement of expenses
- provide for the reimbursement of childcare costs where the provision of childcare is reasonably required for a Councillor or member of a delegated committee to perform their role
- have particular regard to expenses incurred by a Councillor who is a carer in a care relationship within the meaning of section 4 of the Carers Recognition Act 2012.

11.4.5 Council Policy Review: Draft Councillor Expenses Policy 2023 (cont.)

Section 42 states that the resources and facilities reasonably required for Councillors to perform their duties must be made available to them, including considerations relating to:

- the support that may be required by a Mayor, Deputy Mayor or Councillor because of a disability
- the support that may be required by a Councillor who is a carer in a care relationship within the meaning of section 4 of the Carers Recognition Act 2012.

Section 57 requires Council to adopt a Public Transparency Policy to give effect to the public transparency principles outlined under section 58. As outlined in this policy, our website will include information about the mayor and councillors, along with their contact details. The reports submitted to the Audit and Risk Committee in relation to Councillor expenses will also be published on Council's website.

While no regulations have been made under the 2020 Act, guidance will be taken from section 14 (2)(d) of former Act's Planning and Reporting Regulations, which required details of the expenses, including any reimbursed expenses, for each councillor and member of a council delegated committee paid by the council, categorised separately as—

- (i) travel expenses
- (ii) car mileage expenses
- (iii) childcare expenses
- (iv) information and communication technology expenses
- (v) conference and training expenses.

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 policy will be considered at a public Council meeting.

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.

There are no financial viability considerations.

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.

There was no collaboration sought with other Councils on this policy.

11.4.5 Council Policy Review: Draft Councillor Expenses Policy 2023 (cont.)

HUMAN RIGHTS CONSIDERATIONS

There were no human rights considerations relevant to this policy.

CONCLUSION

The Councillor Expenses Policy 2023 outlines the policy and processes for Councillors to claim expenses incurred in the performance of their roles.

ATTACHMENTS

Attachment 1: Draft Councillor Expenses Policy 2023

Attachment 2: Councillor Expenses Policy 2023 Policy Impact Assessment Tool

11.4.6 Council Policy Review: Draft Fraud and Corruption Policy and Control System Procedures 2023

Author: Specialist Governance Advisor

Responsible Director: Director People & Governance

EXECUTIVE SUMMARY

The Fraud and Corruption Policy and Control System Procedures 2023 is presented to Council as a scheduled policy review.

The purpose of the *Fraud and Corruption Policy and Control System Procedures* (the Fraud Policy) is to clearly articulate Council's commitment to a comprehensive and systematic approach to preventing, detecting and responding to fraud or corruption.

Fraud and corruption are criminal offences and are not tolerated at Council. An essential part of this commitment is the maintenance and monitoring of this policy that sets out the Council's position on suspected, alleged or detected fraud and corruption and on any attempt to gain financial or other benefits by deceit or dishonest conduct.

The Fraud Policy leads and complements Council's Fraud and Corruption Control System which outlines the Council's activities, structures and reporting requirements to prevent, detect and respond to fraud and corruption, and was prepared in the context of AS 8001:2021.

Following review by the Audit and Risk Committee at an extraordinary meeting held on October 6, 2023, this report seeks Council adoption of the Fraud and Corruption Policy and Control System Procedures.

RECOMMENDATION

That Council:

- 1. Adopt the updated Fraud and Corruption Policy and Control System Procedures 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.***

PURPOSE AND BACKGROUND

The purpose of the Fraud and Corruption Policy & Control System (the Fraud Policy) is to clearly articulate Council's commitment to a comprehensive and systematic approach to preventing, detecting and responding to fraud or corruption.

The current policy was adopted in February 2018.

11.4.6 Council Policy Review: Draft Fraud and Corruption Policy and Control System Procedures 2023 (cont.)

The Fraud and Corruption Policy and Control System Procedures 2023 has been reviewed by the Audit and Risk Committee during an extraordinary meeting held on October 6, 2023 and is now presented to Council for consideration.

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 current key fraud and corruption documents separate the Policy from a Prevention Strategy. This proposed document incorporates the Policy with an intrinsic Control System which better integrates the approach.

The proposed policy restates Council's zero tolerance towards any form of fraud or corruption. It details the following:

- A policy statement
- Accountability and responsibilities
- The integrity framework
- Reporting obligations
- Procedures
- Detection and reporting
- Response
- Auditing

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.

There was no community consultation considered necessary for preparation of this report.

POLICY CONSIDERATIONS

Council Plans and Policies

The Strathbogie Shire Council 2021-2025 Council Plan includes under the heading of Accountable. Transparent. Responsible:

Achieve the highest level of good governance across the organisation and as an elected Council; and

Be financially responsible, achieving the greatest possible community benefit from the programs, initiatives and services we fund.

A robust Fraud and Corruption Policy and Control System clearly addresses these objectives.

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.

11.4.6 Council Policy Review: Draft Fraud and Corruption Policy and Control System Procedures 2023 (cont.)

This Fraud Policy addresses the requirements of:

- AS 8001:2021
- Various publications by the Victorian state integrity agencies.

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.

No applicable law.

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 Fraud Policy will be considered at a public Council meeting.

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.

There are no financial viability considerations. Prevention of fraud and/or corruption will have a positive impact on Council finances.

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.

There was no collaboration sought with other Councils on this policy.

HUMAN RIGHTS CONSIDERATIONS

There were no human rights considerations relevant to this policy.

CONCLUSION

The Fraud and Corruption Policy and Control System Procedures is presented to Council as a scheduled policy review.

The purpose of the Fraud and Corruption Policy and Control System Procedures is to clearly articulate Council's commitment to a comprehensive and systematic approach to preventing, detecting and responding to fraud or corruption.

11.4.6 Council Policy Review: Draft Fraud and Corruption Policy and Control System Procedures 2023 (cont.)

ATTACHMENTS

Attachment 1: Draft Fraud and Corruption Policy and Control System Procedures 2023

Attachment 2: Fraud and Corruption Policy and Control System Procedures 2023 Policy Impact Assessment Tool

11.4.7 Council Policy Review : Draft Child Safe Policy 2023

Author: Manager People & Culture

Responsible Director: Acting Director People and Governance

EXECUTIVE SUMMARY

Council, at its Ordinary Meeting on 19 January 2021, adopted the Child Safe Policy. A comprehensive review of the Council's Child Safe Policy was due and has now been completed, including significant updates.

The policy aims to ensure that Council complies with the new eleven (11) child safe standards when providing services to or engaging with children and young people.

The policy, in addressing the child safe standards, which have been set out to ensure that the rights of children and young people are recognised, respected and defended, sets Council's expectation about child safe practices for all councillors, employees, volunteers, contractors and other individuals involved in Council.

The updated policy is recommended for Council adoption.

RECOMMENDATION

That Council:

- 1. Adopt the updated Child Safe 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.***

PURPOSE AND BACKGROUND

The policy was developed in March 2017, last reviewed in December 2020 and subsequently adopted by Council on 10 January 2021.

As part of the review of the policy the new eleven (11) child safe standards that were introduced by the Victorian Government effectively 1 July 2022, now form part of the policy. The new eleven standards include requirements to:

- involve families and communities in organisations' efforts to keep children and young people safe
- provide greater focus on safety for Aboriginal children and young people
- manage the risk of child abuse in online environments.

The reviewed and amended policy addresses the new standards and provides greater clarity and practical steps for each standard and outlines what action Council need to take to keep children and young people safe. In doing so, Council creates the framework to a child safe environment where all children Council interacts with, feel and can be safe. We have a zero-tolerance approach to child abuse and harm.

11.4.7 Council Policy Review: Draft Child Safe Policy 2023 (cont.)

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.

Within the framework of the eleven (11) child safe standards as addressed in the policy Council will engage with Aboriginal families and community members to ensure opportunities to celebrate Aboriginal culture and give children the opportunity to share their cultural identity. Through its inclusive culture, Council embraces the municipal community in its diversity and supports the participation of all children, including children with disability, children from culturally and linguistically diverse backgrounds, LGBTIQ children and Aboriginal children and their families. This approach enables Council to achieve the best outcomes for its community.

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.

There has been no consultation undertaken given the lack of any significant issues that have arisen during previous years of the policy's application. All complaint and child safe concerns will be dealt with in line with the process set out in the Council's Complaints, Grievances and Dispute Resolution CEO Directive.

POLICY CONSIDERATIONS

Council Plans and Policies

In the 2022/25 Council Plan, this policy aligns to:

- Strategic Focus Area 5: Strong. Healthy. Safe.

Other relevant Council documents include:

- Staff Code of Conduct CEO Directive
- Councillor Code of Conduct
- Volunteers CEO Directive
- Security Checks CEO Directive
- Recruitment, Selection and Appointment CEO Directive
- Complaints, Grievances and Dispute Resolution CEO Directive
- Privacy and Data Protection Policy.

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 regional, state and national plans/policies that are relevant to the report/issue include:

- Victorian Child Safe Standards
- Victorian Regulatory Framework for the Child Safe Standards
- Victorian Reportable Conduct Scheme.

11.4.7 Council Policy Review: Draft Child Safe Policy 2023 (cont.)

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 Child Safe Policy is meeting all requirements and considers all legal implications as set out in:

- The Local Government Act 2020 (Vic)
- Privacy Act 2000 (Vic)
- Equal Opportunity Act 2010 (Vic)
- Charter of Human Rights and Responsibilities Act 2006 (Vic)
- Human Rights and Equal Opportunity Commission Act 1986 (Cth)
- The Child Wellbeing Act 2005 (Vic)
- Child Wellbeing and Safety Amendment Act 2015 (Vic)
- The Children, Youth and Families Act 2005 (Vic)
- Crimes Act 1958 (Vic)

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.

Council is transparent regarding its recruitment and screening process and the specific requirements in relation to engagement with children and young people. To ensure a child safe environment, Council undertakes a comprehensive recruitment and screening process for all potential employees/volunteers/contractors. Appointment of successful applicants for employment and volunteer roles are subject to a satisfactory pre-employment security check.

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.

There is no cost associated with providing safety to children and young people Council provides services to or engages with. Therefore, there are no financial implications for Council arising from the adoption of this policy or additional work created by its implementation.

11.4.7 Council Policy Review: Draft Child Safe Policy 2023 (cont.)

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 no direct sustainability considerations arising out of the adoption of the policy.

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 policy will be frequently reviewed to ensure any legislative and state, regional and national plans and policy changes in relation to child safety are reflected in the policy. Through the application of the Policy Impact Assessment Tool Council ensure and monitors that all legislative requirements are met, and potential possible human rights and gender equity impacts of the policy's application are taken into consideration.

HUMAN RIGHTS CONSIDERATIONS

The Child Safe Policy is consistent with the Human Rights Charter, in particular with the key values respect, equality and dignity.

CONCLUSION

The adoption of the reviewed Child Safe Policy provides clear direction for Councillors, officers and volunteers regarding the interaction with children and young people and providing a child safe environment.

ATTACHMENTS

Attachment 1: Draft Child Safe Policy 2023

Attachment 2: Child Safe Policy 2023 Policy Impact Assessment Tool

11.4.8 Council Policy Review: Draft Gifts, Benefits and Hospitality Policy 2023

Author: Specialist Governance Advisor

Responsible Director: Director People & Governance

EXECUTIVE SUMMARY

The Gifts, Benefits and Hospitality Policy 2023 is presented to Council as a scheduled policy review.

The policy provides for a high integrity and transparent approach by Councillors, members of Delegated Committees and officers for the acceptance, declaration and allocation of gifts, benefits and hospitality.

There are minimal changes of substance to the policy approved in 2020.

RECOMMENDATION***That Council:***

- 1. Adopt the updated Gifts, Benefits and Hospitality 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.***

PURPOSE AND BACKGROUND

This policy outlines the process for the acceptance, declaration and allocation of gifts, benefits and hospitality received by Strathbogie Shire Councillors, members of Council staff and members of delegated committees so that both the elected arm of Council and the administration abide by the same rules.

The previous version of this policy was adopted by Council in April 2021.

The Gifts, Benefits and Hospitality Policy 2023 has been reviewed by the Audit and Risk Committee during an extraordinary meeting held on October 6, 2023 and is now presented to Council for consideration.

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.

This policy has been developed to ensure that public transparency and the principles of good governance and accountability are practiced by Councillors, members of Council staff and contractors when being offered gifts, benefits or hospitality in the course of their duties.

The policy contains a guiding principle that Councillors, members of Council staff and members of delegated committees must not accept a gift, benefit or hospitality if it could be perceived as being intended to, or likely to, influence them in the fair, impartial and efficient discharge of their duties.

11.4.8 Council Policy Review: Draft Gifts, Benefits and Hospitality Policy 2023 (cont.)

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.

There was no community consultation considered necessary for preparation of this report.

POLICY CONSIDERATIONS

Council Plans and Policies

The Strathbogie Shire Council 2021-2025 Council Plan includes under the heading of Accountable. Transparent. Responsible:

Achieve the highest level of good governance across the organisation and as an elected Council

A robust Gifts, Benefits and Hospitality policy clearly addresses these objectives.

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.

There are no specific regional, state and national plans and policies that are applicable.

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 policy has been developed in accordance with sections 137 and 138 of the Local Government Act 2020 (the Act) in relation to the refusal or acceptance of gifts and the need for the adoption of a Councillor Gift Policy under the 2020 Act

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 policy will be considered at a public Council meeting.

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.

There are no financial viability considerations.

11.4.8 Council Policy Review: Draft Gifts, Benefits and Hospitality Policy 2023 (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.

There was no collaboration sought with other Councils on this policy.

HUMAN RIGHTS CONSIDERATIONS

There were no human rights considerations relevant to this policy.

CONCLUSION

This policy has been developed to ensure that public transparency and the principles of good governance and accountability are practiced by Councillors, members of Council staff and contractors when being offered gifts, benefits or hospitality in the course of their duties.

ATTACHMENTS

Attachment 1: Draft Gifts, Benefits and Hospitality Policy 2023

Attachment 2: Gifts, Benefits and Hospitality Policy 2023 Policy Impact Assessment Tool

11.4.9 Council Policy Review: Investment and Cash Management Policy 2023

Author: Chief Financial Officer

Responsible Director: A/Director People & Governance

EXECUTIVE SUMMARY

At its Ordinary Meeting on 14 December 2021, the Council officially endorsed the *Investment and Cash Management Policy*. This policy is due for renewal after two years.

Council's cash holdings fluctuate during the year depending on factors such as timing of rate receipts and other income including grants, capital works programming as well as operational expenses. Council manages its cash flow to fund expenditure needs but also to invest funds to the greatest advantage.

There is a need for a policy to guide the investment of Council funds and to govern such investments taking into account factors such as:

- Rate of return
- Risk profile
- Compliance with legislative and other obligations
- Other objectives of Council.

The Investment and Cash Management Policy was last reviewed in 2021 and since then there have been no major changes which affect its operation. The only minor change is to add "Treasury Corporation of Victoria (TCV)" as an investment body for short term investment.

The updated policy underwent a thorough evaluation by the Audit and Risk Committee during an extraordinary meeting held on October 6, 2023.

The committee's recommendation was for the Council to acknowledge and formally adopt the revised policy.

RECOMMENDATION

That Council:

- 1. Adopt the updated Investment and Cash Management Policy 2023; and***
- 2. Place the policy on Council's website, along with the publication of a notice in Council's weekly newspaper columns and social media pages informing the community about the adoption of the policy.***

PURPOSE AND BACKGROUND

The intent of *Investment and Cash Management Policy* (the Policy) is designed to provide guidance on various matters to be considered when investing surplus funds, with the objective to maximize earning within approved risk guidelines and to ensure security of funds.

11.4.9 Council Policy Review: Investment and Cash Management Policy 2023 (cont.)

The Policy was last reviewed in 2021 and since then there have been no major changes which affect its operation. The only minor change is to add “Treasury Corporation of Victoria (TCV)” as an investment body for short term investment.

The Investment and Cash Management Policy 2023 has been reviewed by the Audit and Risk Committee during an extraordinary meeting held on October 6, 2023 and is now presented to Council for consideration.

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.

Council’s cash holdings fluctuate during the year depending on factors such as timing of rate receipts and other income including grants, capital works programming as well as operational expenses.

Council manages its cash flow to fund expenditure needs but also to invest funds with consideration of risk and at the most favourable rate of interest available to it at the time, for that investment type, while ensuring that its liquidity requirements are being met.

While exercising the power to invest, priority is to be given to the preservation of capital; liquidity; and the return of investment. There is a need for a policy to govern such investments taking into account factors such as:

- Investments are to be performed in a manner that seeks to ensure security and safeguarding the investment portfolio. This includes managing credit and interest rate risk within identified thresholds and parameters;
- The investment portfolio will ensure there is sufficient liquidity to meet all reasonably anticipated cash flow requirements, as and when they fall due, without incurring costs due to the unanticipated early sale of an investment;
- The investment is expected to achieve a prudent rate of return that takes into account the Council’s risk tolerance. Any additional return target set by Council will also consider the risk limitation and prudent investment principles;
- Return on Investment. The expected return on investments will be monitored and compared to the Annual Budget and quarterly report; and
- Compliance with legislative and other obligations including other key objectives of Council as determined by Council resolution.

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.

There has not been any external consultation involved in the preparation of this report as community engagement is not considered necessary in respect of this internal policy control matter.

11.4.9 Council Policy Review: Investment and Cash Management Policy 2023 (cont.)

POLICY CONSIDERATIONS

Council Plans and Policies

Strategic Focus Area 6 - Accountable. Transparent. Responsible

Associated and relevant strategies are:

- Achieve the highest level of good governance across the organisation as an elected Council,
- Maximise public transparency and accountability around our performance and decision-making processes, and
- 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.

The Local Government Act 2020 has several provisions that are relevant as detailed below:

Section 102 Financial policies

- (1) A Council must prepare and adopt financial policies that give effect to the financial management principles.
- (2) A financial policy must include any matters prescribed by the regulations.

Section 103 Investments

A Council may invest any money;

- a) in Government securities of the Commonwealth; and
- b) in securities guaranteed by the Government of Victoria; and
- c) with an ADI; and
- d) with any financial institution guaranteed by the Government of Victoria; and
- e) on deposit with an eligible money market dealer within the meaning of the Corporations Act; and
- f) in any other manner approved by the Minister, either generally or specifically, to be an authorised manner of investment for the purposes of this section.

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.

To ensure transparency and accountability in decision making, the adoption of the Investment and Cash Management Policy will be considered in an open Council meeting.

11.4.9 Council Policy Review: Investment and Cash Management Policy 2023 (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.

Investment of Council funds is aimed at maximising returns whilst doing so in a way that ensures investments are secure.

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.

It is considered that revised Policy improves on the previous version and aligns with the Local Government Act 2020 and other relevant requirements.

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.

Similar policies of other councils have been considered when this policy is developed.

HUMAN RIGHTS CONSIDERATIONS

This policy is 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 report recommends adoption of the updated Investment and Cash Management Policy

ATTACHMENTS

Attachment 1: Draft Investment and Cash Management Policy 2023

Attachment 2: Investment and Cash Management Policy 2023 Policy Impact Assessment Tool

11.4.10 S11 Instrument of Appointment and Authorisation Update

Author: Governance Officer

Responsible Director: A/Director People and 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 just the *Local Government Act 2020*.

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 Council:

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 27 June 2023 be revoked and replaced by the 17 October 2023 Instrument,***
- 3. The instrument be signed and sealed by Council under Strathbogie Shire Council Local Law No 1 Use of the Common Seal 2020, and***
- 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.

11.4.10 S11 Instrument of Appointment and Authorisation Update (cont.)

Although the *Local Government Act 2020* (the Act) is largely in place, 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 2021-2025 Council Plan 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.

11.4.10 S11 Instrument of Appointment and Authorisation Update (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 Delegation October 2023

11.4.11 Strathbogie Shire Council Audit and Risk Committee – Confirmed Minutes of the Ordinary Meeting held on 8 September 2023

Author: Coordinator Governance and Records Management

Responsible Director: A/Director People & Governance

EXECUTIVE SUMMARY

This report presents the confirmed minutes of the ordinary meeting of the Audit and Risk Committee held on 8 September 2023, and endorsed by the Audit and Risk Committee at its meeting held 6 October 2023.

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

Business

- Draft 2022-23 Annual Financial Statement Report
- Draft 2022-23 Performance Statement and Governance Management Checklist
- Draft Financial Management Letter
- Draft Closing Report to Audit and Risk Committee
- Appointment of Internal Auditor and Internal Audit Program – RSD Audit
- Local Government Industry Update Q4 – RSD Audit
- Audit and Risk Committee Independent Member Appointments
- Update on Nagambie Library
- Project CODI (Collaborative Digital Transformation Project) Update
- Review of Draft Governance Rules
- Procurement Policy Breach
- Update on Operation Sandon

Standing Reports

- Internal Audit Updates AFS
- 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
- Councillor Expenses
- CEO Purchasing Card
- Fraud and Risk Management
- Investment and Borrowings
- Item raised by Committee members
- Confidential briefing with Acting Director People and Governance

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

RECOMMENDATION

That Council receive and note the Confirmed Minutes of the Strathbogie Shire Council Audit and Risk Committee meeting of 8 September 2023.

11.4.11 Strathbogie Shire Council Audit and Risk Committee – Confirmed Minutes of the Ordinary Meeting held on 8 September 2023 (cont.)

PURPOSE AND BACKGROUND

The Strathbogie Shire Council Audit and Risk Committee is a Committee appointed by Council and pursuant to section 53 of the *Local Government Act 2020*.

The primary objective of the Audit and Risk Committee is to assist Council in the effective conduct of its responsibilities for compliance with Council policies and legislation, sound financial reporting and financial management, oversight of risk management including the Strategic Risk Register, good corporate governance, maintaining a reliable system of internal controls and facilitating the organisation's ethical development.

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 independence of the Audit and Risk Committee ensures there is a 'watchdog' over Council operations at all times, which helps ensure the best interests of the municipal community are achieved through Council operations and decisions.

The advice received from the Committee influences strategic financial management, policy, risk management and good governance and decision-making frameworks.

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.

Consultation on this matter is not required under Council's Community Engagement Policy given the operational nature of the committee and its operation under the Audit and Risk Committee Charter.

The Committee is comprised of four independent Community representatives and two Councillors (with one Councillor substitute representatives).

POLICY CONSIDERATIONS

Council Plans and Policies

The work of the Committee is consistent with Strategic Focus Area 6: Accountable. Transparent. Responsible, which outlines several strategies:

As a Council we will:

- *Achieve the highest level of good governance across the organization and as an elected Council*
- *Be accountable for the decisions we make and the quality of services we deliver*
- *Maximize public transparency and accountability around our performance and decision-making processes*

11.4.11 Strathbogie Shire Council Audit and Risk Committee – Confirmed Minutes of the Ordinary Meeting held on 8 September 2023 (cont.)

- *Be financially responsible achieving the greatest possible community benefit from the programs, initiatives, and services we fund.*

The Audit and Risk Committee plays a key role in monitoring implementation of these strategies.

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 Audit and Risk Committee has been established under State government legislation, while its Workplan and Charter have been developed in accordance with State government guidelines.

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 Audit and Risk Committee has been constituted and established under sections 53 and 54 of the *Local Government Act 2020*, which requires all councils to appoint a Committee under a Charter.

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 appointment of an Audit and Risk Committee, along with noting the confirmed and unconfirmed minutes through this Council agenda at a public meeting, ensures transparency around the operation of the Committee and the issues that it is considering/monitoring.

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 independent overview of Council's financial management processes and performance is a key task undertaken by the Committee to ensure Council's ongoing financial sustainability.

The September meeting saw the presentation of the draft financial reports for 2022-23, along with the draft management letter presented by Crowe Australasia, the external auditors appointed by the Victorian Auditor General's Office (the VAGO).

11.4.11 Strathbogie Shire Council Audit and Risk Committee – Confirmed Minutes of the Ordinary Meeting held on 8 September 2023 (cont.)

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.

The Audit and Risk Committee assists Council in fulfilling its oversight responsibilities including financial management, occupational health and safety, risk, privacy and governance.

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 input of the Audit and Risk Committee into key governance and financial management tools such as the strategic risk register and policy reviews ensures continuous improvement is achieved across the organisation.

Service and value for money improvements are achieved through the internal and external audit process, the former of which is overseen by the Committee.

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 Committee endures collaboration with independent community members, internal auditors and external auditors appointed by the VAGO.

HUMAN RIGHTS CONSIDERATIONS

The Audit and Risk Committee's activities are consistent with the implementation of the Charter of Human Rights and Responsibilities Act 2006 in terms of its role in ensuring Council adheres to legislative requirements.

CONCLUSION

This report recommends the noting of the confirmed minutes of the recent Strathbogie Shire Council Audit and Risk Committee meeting.

ATTACHMENTS

Attachment 1: Confirmed Audit and Risk Committee Meeting Minutes 8 September 2023

11.4.12 Strathbogie Shire Council Audit and Risk Committee Charter

Author: Governance Officer

Responsible Director: A/Director People & Governance

EXECUTIVE SUMMARY

Under section 54 (1) of *the Local Government Act 2020* Council must prepare and approve an Audit and Risk Committee Charter. The Strathbogie Shire Council Audit and Risk Committee reviewed and endorsed the Charter at the meeting held on 2 December 2022, and the Charter was adopted by Council in March 2023.

Following on from the review of Council's Governance Rules in July 2023 and the Audit and Risk Committee Strategic Workshop held in July 2023, several amendments to the Charter have been identified and it is recommended that they are incorporated into the Audit and Risk Committee Charter.

In summary, the amendments/additions to the Charter endorsed at the Strathbogie Shire Council Audit and Risk Committee meeting held on 6 October 2023, are listed below:

- Section 3.1 – Other Committee Attendees – an insertion clarifying the role of attendees at an Audit and Risk Committee meeting
- Section 3.2 – Term of Membership - clarifying the appointment of Councillors to the Audit and Risk Committee. This addition is a recommendation from Council adopted at its meeting held on 21 March 2023
- Section 7.5 Minutes and Agendas – an addition noting changes to order of business and based on updates in the draft Governance Rules
- Section 7.6 – Voting – an addition as recommended by the Audit and Risk Committee at its meeting on 2 July 2023
- Section 13 – Members – the addition of current membership and appointment term ends

Councillor representatives are required to be appointed by Council for the next twelve month period in accordance with the Charter; namely the Mayor and another Councillor as a permanent representative, with another Councillor nominated as a substitute should either permanent member be an apology for the meeting. These appointments will be made at the Statutory meeting to be held in November 2023.

RECOMMENDATION

That Council:

1. ***Endorse changes to the Strathbogie Shire Council Audit and Risk Committee Charter as recommended by the Strathbogie Shire Council Audit and Risk Committee at its meeting held on 6 October 2023;***

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

RECOMMENDATION (cont.)

2. ***Makes the updated Charter available on the Audit and Risk Committee page on the Council's website, promoting its availability via its social media channels; and***
3. ***Notes the Councillor term ends and new Councillor appointments to be made at the Statutory meeting to be held in November 2023.***

PURPOSE AND BACKGROUND

The purpose of this report is to seek Council endorsement of amendments to the Strathbogie Shire Council Audit and Risk Committee Charter (the Charter) in accordance with the minutes approved by the Audit and Risk Committee at its meeting on 2 July 2023.

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.

Following on from the review of Council's Governance Rules in July 2023 and the Audit and Risk Committee Strategic Workshop held in July 2023, several amendments to the Charter have been identified and it is recommended that they are incorporated into the Audit and Risk Committee Charter.

The amendments/additions to the Charter adopted in October 2023 are highlighted in yellow, and the document is linked in the attachment below.

In summary, the changes are:

- Section 3.1 – Other Committee Attendees – an insertion clarifying the role of attendees at an Audit and Risk Committee meeting,
- Section 3.2 – Term of Membership - clarifying the appointment of Councillors to the Audit and Risk Committee. This addition is a recommendation from Council adopted at its meeting held on 21 March 2023,
- Section 7.5 Minutes and Agendas – an addition noting changes to order of business and based on updates in the draft Governance Rules,
- Section 7.6 – Voting – an addition as recommended by the Audit and Risk Committee at its meeting on 2 July 2023, and
- Section 13 – Members – the addition of current membership and appointment term ends.

Councillor representatives are required to be appointed by Council for the next twelve-month period in accordance with the Charter; namely the Mayor and another Councillor as a permanent representative, with another Councillor nominated as a substitute should either permanent member be an apology for the meeting. These appointments will be made at the Statutory meeting to be held in November 2023.

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

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 considered necessary in respect of this matter given it is an internal Charter required to be prepared under the *Local Government Act 2020*.

POLICY CONSIDERATIONS

The Audit and Risk Committee Charter addresses the key objectives in the Council Plan 2021-25 as follows:

Strategic Focus Area 6 - Accountable.Transparent.Responsible

- *Achieve the highest level of good governance across the organisation and as an elected Council*
- *Be accountable for the decisions we make and the quality of service we deliver*
- *Maximise public transparency and accountability around our performance and decision making processes*

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.

Amendments to the Charter have been made in light of the experiences in working as a Committee over the past 12 months and reflecting updates arising from a review of the Council Governance Rules in July 2023.

LEGAL CONSIDERATIONS

Under the *Local Government Act 2020* Council is required to maintain an Audit and Risk Committee under section 53 of the Act. Section 54 requires Council to prepare and approve a Charter, which must specify the functions and responsibilities of the Committee, including to:

- (a) *monitor the compliance of Council policies and procedures with—*
 - (i) *the overarching governance principles; and*
 - (ii) *this Act and the regulations and any Ministerial directions*
- (b) *monitor Council financial and performance reporting*
- (c) *monitor and provide advice on risk management and fraud prevention systems and controls*
- (d) *oversee internal and external audit functions.*

As part of its Charter, the Audit and Risk Committee is required to review the Charter annually.

11.4.12 Strathbogie Shire Council Audit and Risk Committee Charter (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.

The Audit and Risk Committee provides oversight over Council's activities ensuring a high level of transparency. The minutes of the meetings of the Audit and Risk Committee are endorsed by Council and are available to the public via the Strathbogie Shire Council website.

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 costs of operating the Audit and Risk Committee and the internal audit function are met from within existing budget allocations.

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.

An active Audit and Risk Committee assists in ensuring the sustainability of Council in a range of forms. One of the obligations of the Audit and Risk Committee is to oversee the progression of Council Climate 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.

By providing independent oversight of Council's operations, the Audit and Risk Committee assists in achieving continuous improvement to Council's processes.

An annual review of the Charter ensures that any learnings from the operation of the Committee are addressed in a timely manner so that the Committee operates as efficiently and effectively as possible.

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.

Collaboration with external bodies was not considered necessary on this occasion. The Audit and Risk Committee comprises Community and Councillor representatives therefore broad discussion is achieved in the context of reviewing the Charter.

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

HUMAN RIGHTS CONSIDERATIONS

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

CONCLUSION

As part of its Work Plan, Council's Audit and Risk Committee is required to review its Charter annually. The Charter was reviewed at the Committee's meeting held on 6 October 2023. As a result of the October review and robust discussion around its content at the workshop held in July 2023, it is considered that the proposed amendments strengthen the Strathbogie Shire Council Audit and Risk Committee Charter.

ATTACHMENTS

Attachment 1: October 2023 Strathbogie Shire Council Audit and Risk Committee Charter

11.5 GOVERNANCE AND CUSTOMER SERVICE

11.5.1 Updated Strathbogie Shire Council Governance Rules

Author: Specialist Governance Advisor

Responsible Director: Chief Executive Officer

EXECUTIVE SUMMARY

A requirement of the *Local Government Act 2020* (the Act) is the review of Council's Governance Rules one year before scheduled Victorian Council elections.

The Governance Rules contain:

- processes for Councillors, committee members and staff to declare conflicts of interest
- Council's Election (Caretaker) Period Policy
- processes for the election of Mayor and (if required) Deputy Mayor and Chairs of Delegated Committees or Community Asset Committees
- procedures for Council meetings, including the Audit and Risk Committee, any Delegated Committees and Community Asset Committees.

Councillors have participated in four internal workshops, with officers assisting, to review the Rules and public consultation has been undertaken.

Key proposed changes are:

- Revised conflict of interest Rules to reflect learnings from state-wide implementations and recommendations from the Independent Broad-based Anti-Corruption Agency (IBAC).
- Availability of Rules to address serious disruptions of Council Meetings
- Changes to standardise extraordinary meeting procedures
- Simplification of processes.

At the August Council Meeting, Council resolved to release the draft Strathbogie Shire Council Governance Rules for broad community consultation for a period of 28 days commencing on 16 August 2023. Two submissions were received during this period with a summary of the submissions detailed in the community engagement section of this report.

The Election (Caretaker) Period Policy is now incorporated in the Governance Rules and is no longer required as a separate policy.

RECOMMENDATION

That Council:

- 1. Adopt the updated Strathbogie Shire Council Governance Rules;***
- 2. Retire the Council Election (Caretaker) Period Policy; and***
- 3. Authorise officers to place the updated Governance Rules 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 Governance Rules.***

11.5.1 Updated Strathbogie Shire Council Governance Rules (cont.)

PURPOSE AND BACKGROUND

The current Strathbogie Shire Council Governance Rules were adopted by Council on 25 August 2020.

The development of the Governance Rules was one of the key new requirements under the Local Government Act 2020. After their initial period of adoption, they now must be reviewed one year prior to the next state-wide council elections.

The Governance Rules contain:

- processes for Councillors, committee members and staff to declare conflicts of interest
- Council's Election (Caretaker) Period Policy
- processes for the election of Mayor and (if required) Deputy Mayor and Chairs of Delegated Committees or Community Asset Committees
- procedures for Council meetings, including the Audit and Risk Committee, any Delegated Committees and Community Asset Committees.

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.

Good governance is clearly a contributor to achieving this objective, and the Governance Rules are aimed at producing good governance in the Shire.

The Governance Rules are based on an original draft template provided by Local Government Victoria and have been modified in the workshopping process to include enhancements and best practice, particularly in line with recommended changes arising from the IBAC Report into 'Operation Sandon', the investigation into behaviours at Casey Council.

Councillors have participated in four internal workshops, with officers assisting, to review the Rules.

Key proposed changes are:

- Revised conflict of interest Rules to reflect learnings from state-wide implementations and recommendations from the Independent Broad-based Anti-Corruption Agency (IBAC).
- Availability of Rules to address serious disruptions of Council Meetings
- Simplification of processes.

Several Governance Rules documents from other jurisdictions have also been considered in the review of the Rules, which are divided into four chapters:

Chapter	Name
Chapter 1	Meetings Procedures
Chapter 2	Disclosure of Conflicts of Interest
Chapter 3	Miscellaneous
Chapter 4	Election Period Policy

11.5.1 Updated Strathbogie Shire Council Governance Rules (cont.)

Overall, the draft Governance Rules underpin the fundamental decision-making processes of Council and provide the mechanism to implement the Overarching Governance and Supporting Principles of the Act on a day-to-day basis.

The Meetings Procedure Chapter outlines the role of Councillors, Officers and the community in the decision-making process. It ensures that decision making is orderly, inclusive and managed in a way that ensures maximum community participation.

Other key provisions of the Act are addressed, including the disclosure of interests by:

- Councillors
- members of Council appointed Committees
- officers making delegated decisions on a daily basis
- officers performing a statutory role such as the Municipal Emergency Response Officer.

The Miscellaneous chapter deals with more informal meetings of Councillors, which used to be called Assemblies of Council, and how records of those in attendance and a summary of the matters discussed at these meetings are to be made available to the public through the Council agenda and minutes. This chapter also deals with the classification of information as confidential by the Chief Executive Officer.

Chapter 4 deals with the Election Period Policy and replaces the current Election (Caretaker) Period Policy which is no longer required as a separate policy.

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.

There are also supporting principles relating to community engagement and public transparency that further promote community participation in Council decision making processes and Council meetings.

To meet these new obligations the Governance Rules contain a dedicated section of Chapter 1, Meetings Procedure, dedicated to Community Participation (Division 1.5). This includes Question Time, Petitions and Joint Letters, and Representations/Deputations to Council.

Section 60(4) of the Act requires the draft Governance Rules to be subject to public consultation, however the form of consultation is not prescribed. Our Community Engagement Strategy, and the community engagement principles of the Act, state the draft policy needs to be exhibited for public review and comment. This engagement has occurred and submissions were open for a period of 28 days commencing on the 16 August 2023.

There were two submissions received.

11.5.1 Updated Strathbogie Shire Council Governance Rules (cont.)

The first submission dealt with making provision for an event resulting in all Councillors being unable to continue (a disaster or a tattslooto win were quoted in the submission). This has been dealt with by including a rule referring a decision for interim governance in these circumstances to the state government.

The second submission highlighted a weakness in dealing with extraordinary (non-scheduled) meetings of Council and, in particular, with not allowing public questions at Extraordinary Meetings. The submission rightly questioned the transparency of such a Rule. The draft Rules now reflect that public questions can be asked at all Council Meetings except that the Chief Executive Officer may determine that Public Questions are not included on the agenda for the meeting to elect a Mayor following a declaration of the result of a Council election (a largely procedural meeting).

Council thanks the contributors for their submissions and both suggestions are included in the updated rules.

POLICY CONSIDERATIONS

Council Plans and Policies

This report addresses the Council Plan area of Accountable.Transparent.Responsible., and in particular the following goals:

- Achieve the highest level of good governance across the organisation and as an elected Council
- Maximise public transparency and accountability around our performance and decision-making processes

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.

This report addresses existing best practice from across the state and has considered potential government directions arising from a recent major IBAC investigation and report.

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 Governance Rules have been drafted and publicly exhibited in accordance with the requirements of section 60 the Act. The original Rules were developed under the guidance of an experienced governance lawyer and the department of Local Government Victoria, and the amendments have been drafted by a governance professional with legal qualifications.

The Rules provide a comprehensive and consistent framework to ensure Council, its Committees and its Officers comply with the provisions of the Local Government Act 2020 relating to decision making, consultation and conflicts of interest.

11.5.1 Updated Strathbogie Shire Council Governance Rules (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.

The public display of the draft Governance Rules and public nature of this report go to the transparency of the process of amending the Governance Rules.

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 costs of developing the revised Governance Rules were budgeted and relatively insignificant.

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 Governance Rules themselves promote best practice in Council operations and to ensure that decisions are made in the best interests of the municipality.

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.

No formal collaboration was undertaken in the production of this report.

HUMAN RIGHTS CONSIDERATIONS

There are no human rights implications for this report.

CONCLUSION

A requirement of the *Local Government Act 2020* (the Act) is the review of Council's Governance Rules one year before scheduled Victorian Council elections. The Act requires that a process of community engagement be followed in amending the Governance Rules. This report identifies that the draft Governance Rules have been developed incorporating a community consultation process.

ATTACHMENTS

Attachment 1: Updated Strathbogie Shire Council Governance Rules

11.5.2 Strathbogie Shire Council 2022/23 Annual Report

Author: Executive Manager Communications and Engagement

Responsible Director: Chief Executive Officer

EXECUTIVE SUMMARY

The Annual Report is a requirement under the Section 98 (1) of the Local Government Act 2020 (the Act).

The Annual Report must be presented to a Council meeting (open to the public) by 31 October 2023.

There is no longer a provision in the Act to submit the annual budget or annual report to the Minister for Local Government.

The Annual Report describes the organisation's performance over the 2022–23 financial year against the objectives of the Council Plan 2021-25 and Budget 2022–23. The report tells us where Council is doing well and where we can do better in helping the community realise its long-term goals.

RECOMMENDATION

That Council note the Strathbogie Shire Council Annual Report 2022-2023 for the year ended 30 June 2023, as attached to this report, including the Financial Statements and Performance Statement, as certified by the Auditor General.

PURPOSE AND BACKGROUND

The Annual Report is a requirement under the Section 98 (1) of the Local Government Act 2020. The annual report must be presented to a council meeting (open to the public) by 31 October 2023.

Importantly, the Annual Report provides an account of Council's performance to our community. It details Council achievements against the goals of the Council Plan and our performance against stipulated measures. It further provides an account of Council's financial management during the previous financial year.

The Annual Report is also an opportunity to acknowledge all the great activities that have happened across the municipality and notes the challenges of the October 2022 Flood Event which came at a time when our community was still recovering from the COVID-19 pandemic.

The Annual Report 2022-2023 contains:

- A report on the operations of the Council including highlights throughout the year,
- Audited Financial Statements and Performance Statement, and
- Other general information required by the Local Government (Finance and Reporting) Regulations 2004 and the Local Government Act 2020.

11.5.2 Strathbogie Shire Council 2022/23 Annual Report (cont.)

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.

A feature of this year's Annual Report is our year in review. It outlines a series of achievements by Council in the 2022-23 year. Some of these include:

- **Community grants review.** We updated our community grants program to better deliver outcomes for the community. There are now three funding opportunities for community groups and an events funding stream. The process was simplified, and the amount doubled to \$10,000. A Quick Response grant was also created which can be approved by the CEO to the value of \$1000. On top of this the funding pool for Council's sponsorship program also increased from \$30,000 annually to \$50,000, with event organiser able to apply for up to \$5000.
- **ARTBOX – a travelling art gallery.** We got super excited when our new travelling exhibition space ARTBOX was officially opened. The travelling exhibition space, promoting professional and emerging artists and makers, is an exciting and innovative way to connect community and visitors to our region through Arts and Culture.
- **Euroa's Seven Creeks Park to be home to a large Magpie.** We announced an Australian Magpie sculpture will adorn the banks of the Seven Creeks Park in Euroa. The sculpture was one of five artworks that were announced as finalists, after a public expression of interest process. The community was then asked to help choose the artwork and we heard overwhelming support for the Magpie sculpture. It will be the biggest magpie in Australia and we hope it'll draw visitors from near and far.
- **Euroa a Tidy Town winner.** Euroa won four of the eight categories at the Keep Australia Beautiful National Tidy Towns Sustainability Awards, held on King Island, Tasmania. At the national ceremony, Euroa was awarded winner of the Resource Recovery and Waste Management, Environmental Sustainability – Energy and Environmental Sustainability – Natural Environment Management categories, and joint winner with Gascoyne Junction, WA in the Environmental Communication and Engagement category.
- **Councillors vote to no longer formally support celebrations on January 26.** Council will no longer formally support celebrations on January 26, in recognition of First Nations People. However, local Australia Day committees can acknowledge their volunteers with their own township celebrations including awards. Council has received a formal Statement from Taungurung Land and Waters Council (TLaWC) regarding January 26 and agreed not to participate in any activities associated with this date.

11.5.2 Strathbogie Shire Council 2022/23 Annual Report (cont.)

- **Whroovale Estate open space ready for use.** Whroovale Estate in Nagambie now boasts an updated open space. The play area features green open space with seating and children's play equipment – which the community told us was their priority.
- **Historic tank erected in Longwood.** A Council grant enabled the Longwood community to restore a unique piece of its history. The 8m tank structure was located at a farm in Locksley for a long time when it was kindly donated by the owners to the Longwood Action Group. The tank is estimated to have been situated in Longwood during from 1880 to the mid-1960s where steam-trains would stop and refill with water.
- **LEAP project progressing.** Significant progress was made on the Local Emergency Action Plan (LEAP) project! LEAPing into Resilience is a three-year project funded by the Federal Government in collaboration with Mansfield and Murrindindi Shire Councils. Five communities are taking part in the project – Avenel, Violet Town, Euroa, Nagambie and Strathbogie to highlight their preparedness in the face of an emergency.
- **We kicked off the Goulburn Region Tourism Partnership Project.** The Victorian Government supported Greater Shepparton City, Mitchell Shire and Strathbogie Shire Councils to come together to deliver the Goulburn Region Tourism Partnership project. The collaborative project is aimed at strengthening and growing the visitor economy offering of the region. The project is an exciting step to unlocking the Goulburn region's potential as a resilient destination with the flourishing visitor economy.
- **We hosted a Nature Steward Program.** Budding young scientists, conservations volunteers and advocates participated in the Nature Steward Program. The program discussed all things relating to nature and conservation.
- **Zero-tolerance approach to off-leash and wandering dogs.** Council launched an education campaign, reminding dog owners there is a zero-tolerance policy for dogs being off-leash and unrestrained. We also spent many months reminding our community through local media, social media and our regular printed and online newsletters that Council was increasing its proactive patrols regarding responsible pet ownership.
- **Mayor appointed to advisory panel.** Our Mayor Cr Laura Binks was one of 13 mayors appointed to the Local Government Mayoral Advisory Panel (LGMAP). Cr Binks joined a mix of urban, regional and rural mayors and Minister for Local Government Melissa Horne throughout four meetings this year. The panel's role is to offer the Minister advice on legislative, regulatory, strategic and policy issues that affect councils across the state.
- **New accessible toilet completed at Friendlies Oval.** An accessible, inclusive toilet at the Friendlies Oval in Euroa was completed. The project was welcomed by the oval users, which is being utilised more and more by our community.

11.5.2 Strathbogie Shire Council 2022/23 Annual Report (cont.)

- **Council facilities upgraded for use in times of disaster.** Six of Council's facilities were upgraded with cabling to allow portable trailer-mounted generators to be connected to buildings during significant emergencies. Key sites at Avenel, Euroa, Longwood, Nagambie and Violet Town were fitted out with the cabling as a result of funding received from the Risk and Resilience Grant Program. The upgrades will ensure the facilities can be used as Emergency Relief Centres (ERCs) in a disaster situation with access to power, enabling essential relief services to operate.
- **Council's Cloth Nappy Reimbursement Program.** We again offered residents a one-off reimbursement to cover half the costs of cloth nappies and associated accessories. The Cloth Nappy Reimbursement Program was created to encourage local families to reduce waste produced by disposable nappies.
- **New play structure at Jubilee Park, Avenel.** A new play space in Avenel's Jubilee Park features six elements selected by the community following an extensive engagement process. The play structure also includes swings, including an all-abilities swing, net swing, flying fox and two new play.
- **Updates to Nagambie and Avenel Transfer Stations.** New bin bays were installed at the Nagambie and Avenel Transfer Stations after we received \$290,000 from the Victorian Government's Transfer Station Upgrade Fund.
- **Balmattum Hill Mountain Bike Trail a step closer.** Strathbogie Shire Council received state government funding to complete a feasibility study for a Mountain Bike Trail on Balmattum Hill at Euroa. The project was one of 38 to recently receive funding from the Victorian Government's Regional Jobs and Infrastructure Fund (RJIF).
- **Rehabilitation works to begin at former Violet Town Landfill site.** We announced rehabilitation works to the old Violet Town Landfill site would be completed at a \$2 million saving to ratepayers after Council successfully applied for approval to have the site classified as low risk. It is an incredible result given the Environment Protection Authority (EPA) rarely approves this classification for rural landfill sites. The works included in the 2022/23 Budget will now cost \$3 million, instead of the \$5 million original estimate.
- **Council push for greater sustainability requirements for new development.** Council joined forces with 23 other Victorian councils to push for more sustainable design within planning requirements. Council lodged a planning scheme amendment with the State Government, seeking to introduce planning policy that elevates sustainability requirements for new buildings and encourages a move towards net zero carbon development. The 24 councils represent about half the Victorian population and planning activity.

11.5.2 Strathbogie Shire Council 2022/23 Annual Report (cont.)

- **Splash Park opened.** The Nagambie Splash Park officially opened on the 4 February 2023. The \$1 million splash park – situated in Buckley Park – includes a variety of fun play equipment which was selected after an engagement process with the community.

The splash park provides a fantastic water play space for children, with something for children of all ages to enjoy.

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.

The Executive Leadership Team, Senior Leadership Group and Council officers were all consulted in the preparation of the 2022-2023 Annual Report. No external consultation is required.

POLICY CONSIDERATIONS

Council Plans and Policies

This recommendation is consistent with the Budget 2022-23 and the Council Plan 2021-25.

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 Annual Report is a requirement under the Section 98 (1) of the Local Government Act 2020. The annual report must be presented to a council meeting (open to the public) by 31 October 2023. There is no longer a provision in the Act to submit the annual budget or annual report to the Minister for Local Government.

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 2022-23 Annual Report is being discussed in a Council meeting open to the public. The document ensures full transparency on Council's achievements against the final year of 2021-25 Council Plan, along with Audited Financial Statements and Performance Statement.

11.5.2 Strathbogie Shire Council 2022/23 Annual Report (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.

The Annual Report includes the financial statements for 2022–23 and the Auditor General's audit.

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.

A full version of the Annual Report 2022-23 will be published on the Council website.

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 design of the Annual Report and Financial Report is an in-house cost as Council has a part-time graphic designer on staff.

CONCLUSION

The Strathbogie Shire Council Annual Report 2022-2023 for the year ended 30 June 2023, including the Financial Statements and Performance Statement, as certified by the Auditor-General, is presented to Council for noting and acknowledging the performance from the past 12 months.

ATTACHMENTS

Attachment 1: Strathbogie Shire Council Annual Report 2022-23

11.5.3 Monthly Performance Report

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

- Building Department – September 2023 Statistics
- Planning Department – Planning Application Approvals – Development Cost (Capital Improved Value) – September 2023
- Customer Enquiry Analysis Report – Report for September 2023
- Waste Management Reporting ~ Year to Date – September 2023
- Transfer Station Data - September 2023
- Actioning of Council Reports Resolutions – Council Meeting Tuesday 19 September 2023
- Outstanding Actions of Council Resolutions to September 30, 2023
- Review of Council Policies and Adoption of new Policies – September 2023
- Records of Informal Council Briefings / Meetings – 1 to 30 September 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.

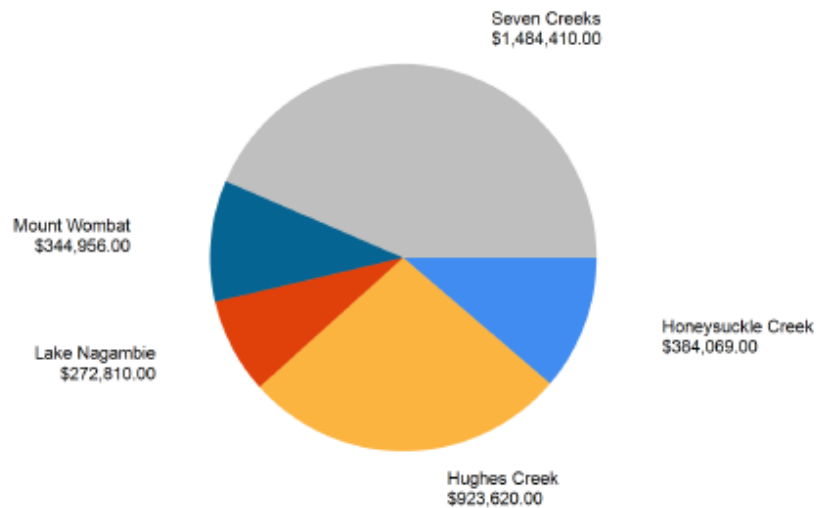
RECOMMENDATION

That the report be accepted.

BUILDING ACTIVITY**SEPTEMBER 2023****Building Activity**

A report on new building permits recorded in Council's building permit register in
September 2023

Ward	Number of Lodgements	Cost Of Works
Honeysuckle Creek	3	\$384,069.00
Hughes Creek	2	\$923,620.00
Lake Nagambie	4	\$272,810.00
Mount Wombat	3	\$344,956.00
Seven Creeks	3	\$1,484,410.00
	15	\$3,409,865.00

**Honeysuckle Creek**

Permit Number	Permit Date	Works	Building Use	Town	Cost Of Works
1183797470379	02/09/2023	Extension to	Dwelling	Marraweeney	\$279,045.00
6124338555901	13/09/2023	Construction of	Farm Shed	Boho South	\$73,024.00
8495930696594	19/09/2023	Construction of	Outbuilding	Miepoll	\$32,000.00
					\$384,069.00

Hughes Creek

Permit Number	Permit Date	Works	Building Use	Town	Cost Of Works
2430024246405	01/09/2023	Construction of	Dwelling & Garage	Avenel	\$457,705.00
2202468107951	11/09/2023	Construction of	Dwelling & Garage	Avenel	\$465,915.00
					\$923,620.00

Lake Nagambie

Permit Number	Permit Date	Works	Building Use	Town	Cost Of Works
3089509072874	05/09/2023	Construction of	Swimming Pool and Fence	Nagambie	\$39,000.00
1143726400614	12/09/2023	Construction of	Shed & Garage	Nagambie	\$135,000.00
4779399601235	20/09/2023	Restump of	Dwelling	Nagambie	\$14,000.00
6446786080730	27/09/2023	Installation of	Swimming Pool and Fence	Kirwans Bridge	\$84,810.00
					\$272,810.00

Mount Wombat

Permit Number	Permit Date	Works	Building Use	Town	Cost Of Works
9131926076402	10/09/2023	Re-erection of	Dwelling	Creightons Creek	\$15,000.00
3526383042558	14/09/2023	Construction of	Shed	Strathbogie	\$50,093.00
3720732086238	19/09/2023	Construction of	Dwelling	Strathbogie	\$279,863.00
					\$344,956.00

Seven Creeks

Permit Number	Permit Date	Works	Building Use	Town	Cost Of Works
6562488619005	02/09/2023	Construction of	Dwelling & Garage	Euroa	\$405,395.00
1304425218530	16/09/2023	Construction of	Shed	Euroa	\$79,015.00
1502119206205	19/09/2023	Construction of	Farm Building	Euroa	\$1,000,000.00
					\$1,484,410.00

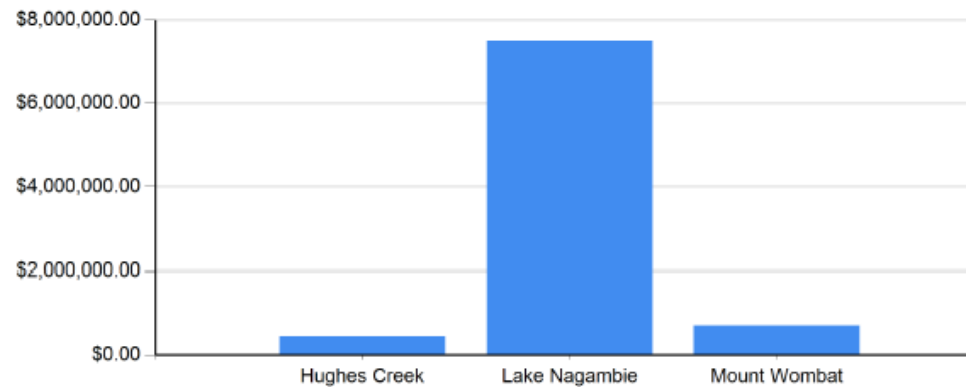
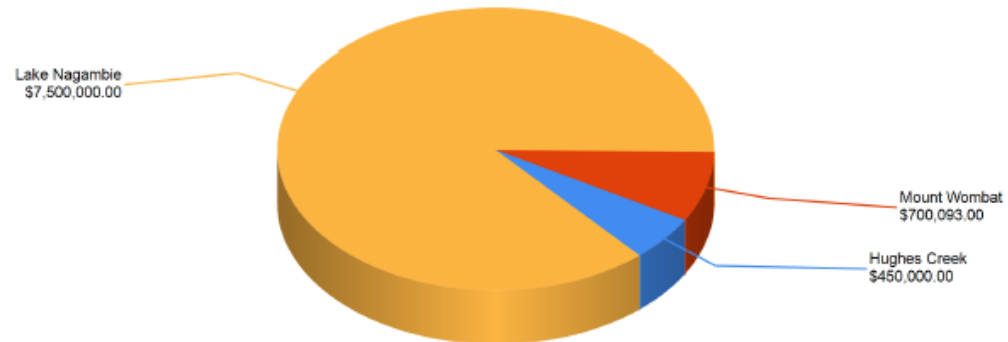
PLANNING APPLICATION APPROVALS – DEVELOPMENT COST (CAPITAL IMPROVED VALUE)
SEPTEMBER 2023



Planning Applications Determined

September 2023

Hughes Creek	\$450,000.00
Avenel	\$450,000.00
Lake Nagambie	\$7,500,000.00
Tabilk	\$7,500,000.00
Mount Wombat	\$700,093.00
Gooram	\$50,000.00
Kithbrook	\$150,000.00
Sheans Creek	\$450,000.00
Strathbogie	\$50,093.00
Total Value	\$8,650,093.00



CUSTOMER ENQUIRY ANALYSIS REPORT - REPORT FOR SEPTEMBER 2023



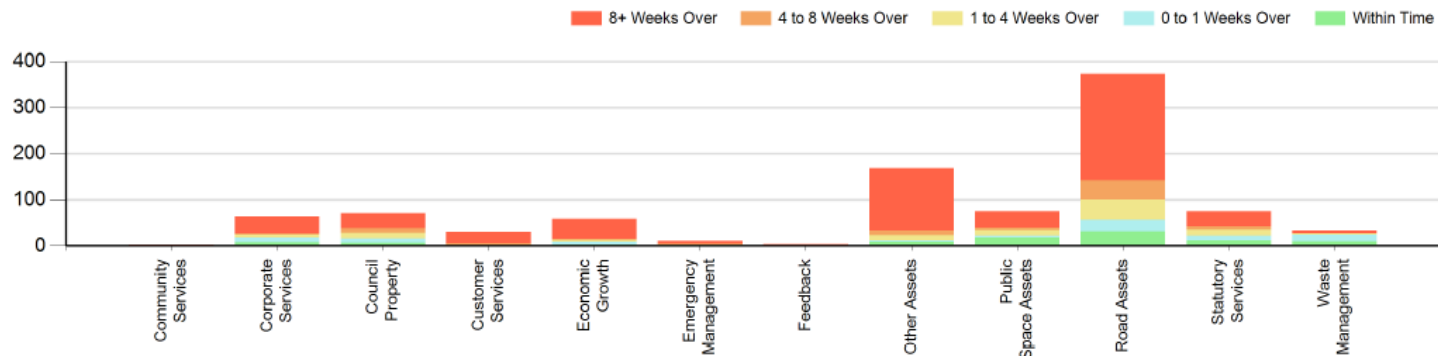
Request Throughput Analysis

01/09/2023 to 30/09/2023

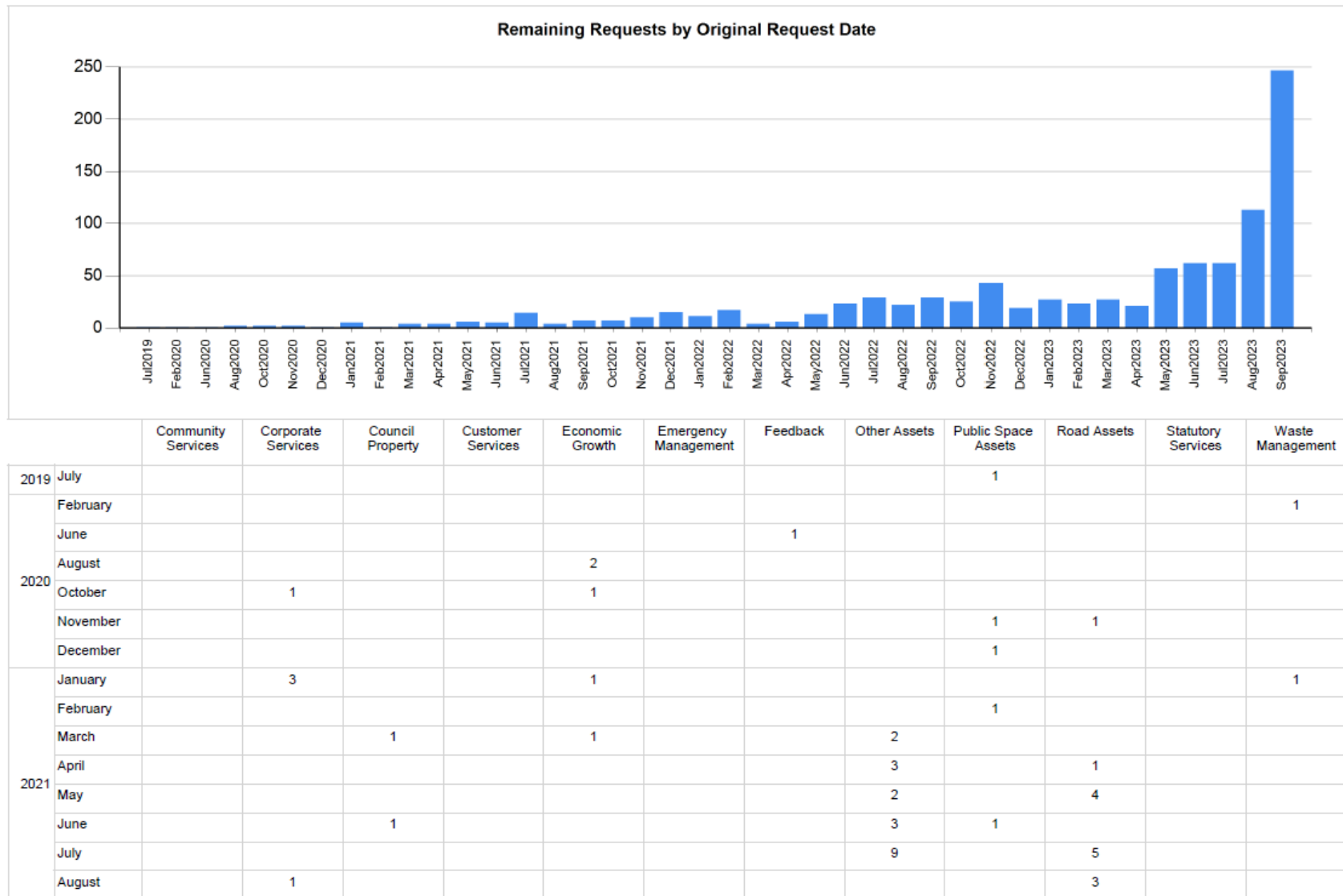
C N	Complete / New			
		> 80%	50-80%	< 50%
O R	Overdue / Remaining			
		< 33%	34-70%	> 70%

Service Area	Existing Requests	New Requests	Completed Requests	Remaining Requests	C N	Within Time	Over Time	O R	Pending Resources	Service Area Usage
Community Services	3	37	37	3		1	2		0	
Corporate Services	62	139	138	63		8	55		0	
Council Property	67	44	40	71		7	64		0	
Customer Services	37	19	27	29		0	29		0	
Economic Growth	48	130	120	58		3	55		0	
Emergency Management	11	20	20	11		2	9		0	
Feedback	5	3	4	4		1	3		0	
Other Assets	167	35	33	169		9	160		0	
Public Space Assets	71	42	30	75		18	57		8	
Road Assets	361	117	105	373		30	343		0	
Statutory Services	63	119	107	75		12	63		0	
Waste Management	12	50	29	33		10	23		0	
Total	907	755	690	964		101	863		8	

Request Ageing







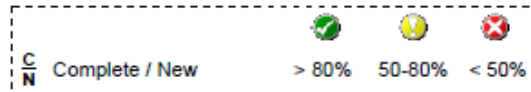
2021	September			1	1	1			1	1	2		
	October			2						2	3		
	November			1					1		8		
	December			1			1		4		9		
2022	January		5	1					1	2	2		
	February			1					4	3	9		
	March			1						1	2		
	April			1					2		3		
	May		1						3	1	6	1	1
	June		1	1					5		15	1	
	July	1		5	1	1			3		17	1	
	August			2	2	2			9	1	3	3	
	September		1		3	1		1	8	2	11	2	
	October				1	3			11		7	3	
	November				5	5			12	1	16	4	
	December		1			2			3	1	7	5	
2023	January		1		8	1	4		1	1	9	1	1
	February		1	2		5			2	3	7	3	
	March		4	1				1	3	1	14	1	2
	April		1			1			1	6	10	2	
	May		5	6	1	10			12	4	15	3	1
	June		3	2		3	1		22	3	27	1	
	July		8	5	1	4			13	4	23	4	
	August		3	15	5	2	3		13	12	50	10	
	September	2	23	21	1	12	2	1	16	29	84	30	26
Total		3	63	71	29	58	11	4	169	83	373	75	33

Definitions

Service Area	Grouping of services by area of responsibility
Existing	Requests open prior to reporting period
New	Requests made during reporting period
Within Time	Remaining Requests where defined deadline is after reporting period
Pending Resources	Requests where additional resources are required to continue. This includes labour, materials, and financial resources.

Complete
N
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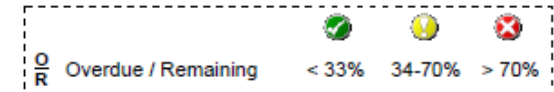
An indicator showing the ratio of Completed requests and New requests. Designed to represent how well we are keeping up with the demand for a service.



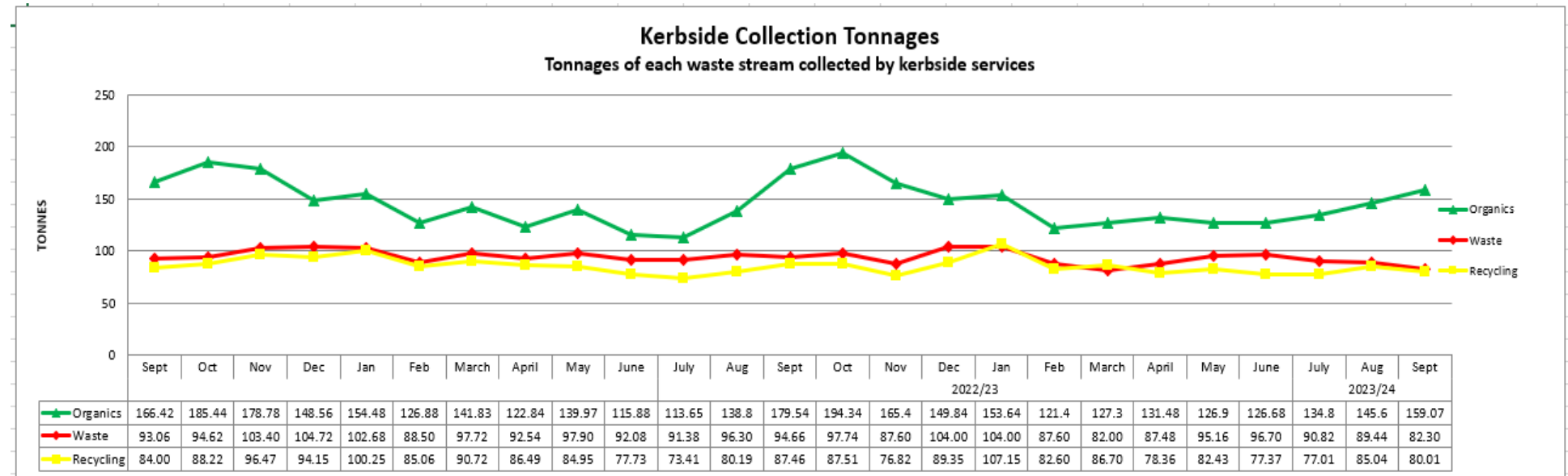
Service	Activities that provide value to the customer
Remaining	Requests incomplete at end of reporting period
Completed	Requests completed during reporting period
Over Time	Remaining Requests where defined deadline is before the end of the reporting period

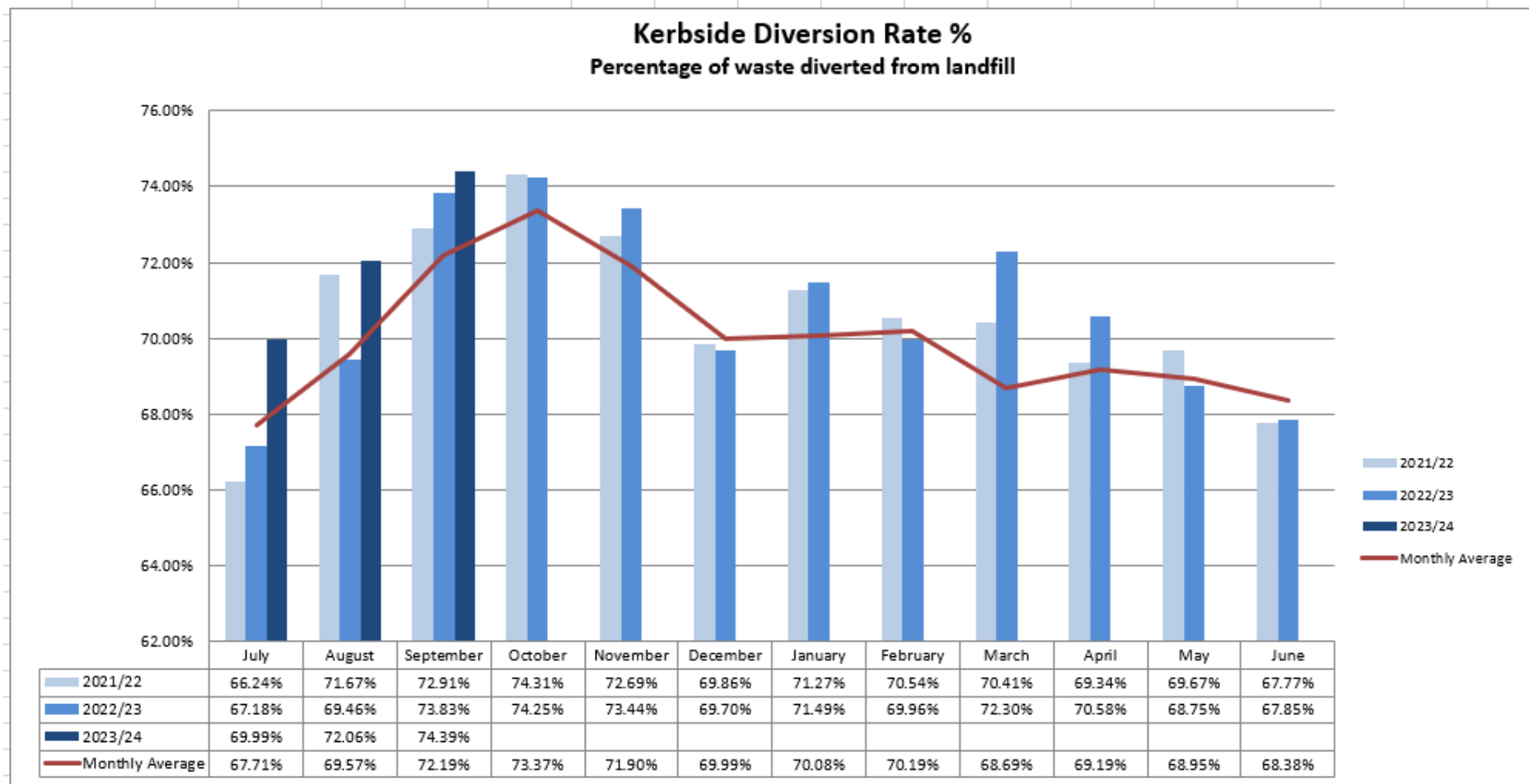
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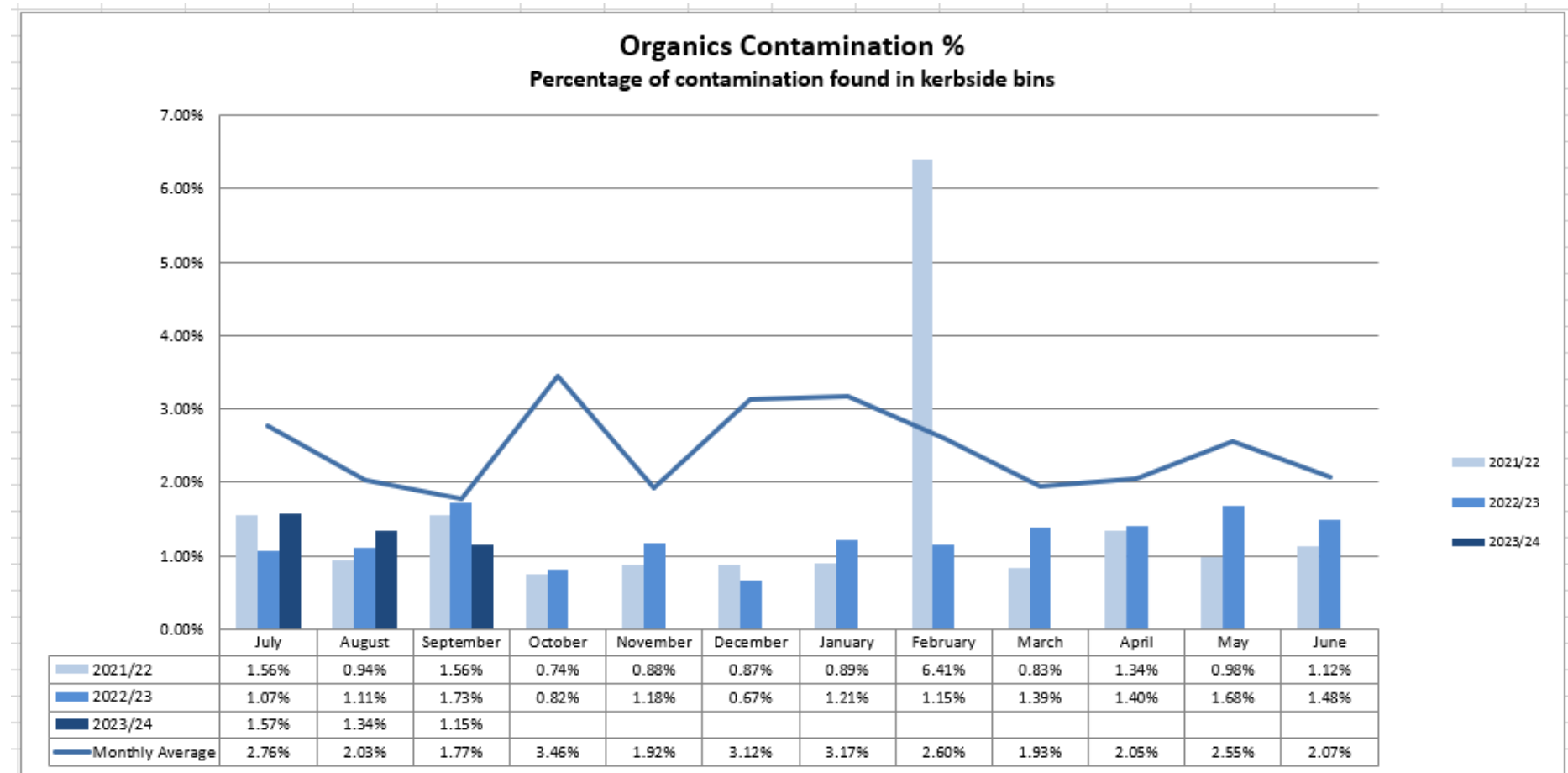
An indicator showing the ratio of Overdue requests and Remaining requests. Designed to represent how well we are keeping to the defined deadlines.



WASTE MANAGEMENT REPORTING **YEAR TO DATE - SEPTEMBER 2023**



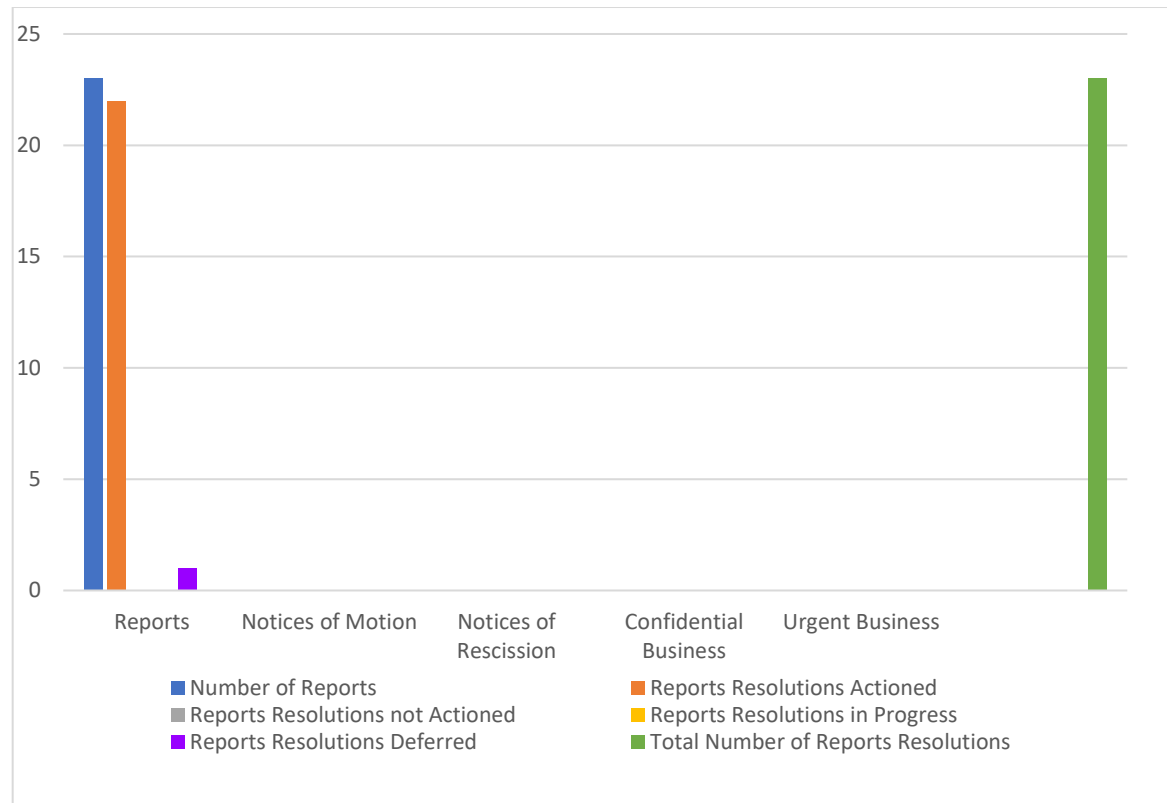




TRANSFER STATION DATA – SEPTEMBER 2023



ACTIONING OF COUNCIL REPORTS RESOLUTIONS
COUNCIL MEETING – TUESDAY 19 SEPTEMBER 2023



**OUTSTANDING ACTIONS OF COUNCIL RESOLUTIONS TO
30 SEPTEMBER 2023**

This Report is to advise the Councillors, Executive Leadership Team and the community of the status of previous Council resolutions which are in progress but are yet to be finalised.

Council Meeting Date	Item No.	Description
Nil		

**REVIEW OF EXISTING COUNCIL POLICIES
AND ADOPTION OF NEW POLICIES**

Review of Policy / New Policy	Policy Name	Details
Review	Council Policy Review: Draft Chief Executive Officer Employment and Remuneration Policy 2023	Refer to Item 11.4.1
Review	Council Policy Review: Draft Rates Payment and Collection Policy 2023	Refer to Item 11.4.2
New	New Council Policy: Draft Rates Budgeting and Notice Issuing Policy 2023	Refer to Item 11.4.3
Review	Draft Information Security Policy 2023	Refer to Item 11.4.4
Review	Draft Councillor Expenses Policy 2023	Refer to Item 11.4.5
Review	Draft Fraud and Corruption and Control System Procedures 2023	Refer to Item 11.4.6
Review	Draft Child Safe Policy 2023	Refer to Item 11.4.7
Review	Draft Gifts, Benefits & Hospitality Policy 2023	Refer to Item 11.4.8
Review	Draft Investment and Cash Management Policy 2023	Refer to Item 11.4.9

RECORDS OF INFORMAL COUNCIL BRIEFINGS / MEETINGS**FOR PERIOD 1 TO 30 SEPTEMBER 2023**

Record in accordance with Council's Public Transparency Policy 2020

Note: Details of matters discussed at the meeting that have been designated confidential under Rule 103 of the Governance Rules and sections 3 and 125 of the LG Act 2020 are described in a separate "confidential addendum" that will be reported to the next closed Council meeting

Name of Meeting: Informal Council Briefings / Meetings

Date of Meeting: Tuesday 5 September 2023

Location: Euroa Community Conference Centre

Time: 10.00 am to 3.30 pm

Attendees:

Councillors

Cr Laura Binks (Mayor)
Cr Paul Murray (Deputy Mayor)
Cr Sally Hayes-Burke
Cr Chris Raeburn
Cr Robin Weatherald

Officers

Amanda Tingay (Acting Chief Executive Officer / Acting Director, People and Governance)
Vlad Adamek (Director, Sustainable Infrastructure)
Rachael Frampton (Acting Director Community and Planning)
Kristin Favaloro (Executive Manager, Communications and Engagement)
Phillip Carruthers (Governance Advisor)

Apologies:

Cr Reg Dickinson
Julie Salomon (Chief Executive Officer)

1. Councillor discussions
2. Briefing: Waterways Management
3. Briefing: Weir Road
4. Briefing: Media Policy and Social Media Policy
5. Good Governance Workshop
6. Councillor discussion time

Declaration of Interest/s under Local Government Act 2020 (General Conflict of Interest - Section 127 / Material Conflict of Interest – Section 128)

Councillor/s – NIL

Officer/s - NIL

Record of Informal Council Briefings / Meetings

Record in accordance with Council's Public Transparency Policy 2020

Note: Details of matters discussed at the meeting that have been designated confidential under Rule 103 of the Governance Rules and sections 3 and 125 of the LG Act 2020 are described in a separate "confidential addendum" that will be reported to the next closed Council meeting

Name of Meeting: Informal Council Briefings / Meetings

Date of Meeting: Tuesday 12 September 2023

Location: Euroa Community Conference Centre

Time: 10.00 am to 2.30 pm

Attendees:

Councillors

Cr Laura Binks (Mayor)

Cr Paul Murray (Deputy Mayor)

Cr Chris Raeburn

Cr Robin Weatherald

Officers

Julie Salomon (Chief Executive Officer)

Amanda Tingay Director, People and Governance-Acting)

Rachael Frampton (Acting Director Community and Planning)

Kristin Favaloro (Executive Manager, Communications and Engagement)

Phillip Carruthers (Governance Advisor)

Apologies:

Cr Reg Dickinson

Cr Sally Hayes-Burke

Vlad Adamek (Director, Sustainable Infrastructure)

1. Presentation to Council: Honeysuckle Inn Solar Project/Environmental Upgrade Finance
2. Review of draft October 2023 Council Meeting Agenda/Confidential Appendices
3. Briefing: Mitigating Road Risks
4. Councillor discussion time

Declaration of Interest/s under Local Government Act 2020 (General Conflict of Interest - Section 127 / Material Conflict of Interest – Section 128)

Councillor/s – NIL

Officer/s - NIL

Record of Informal Council Briefings / Meetings

Record in accordance with Council's Public Transparency Policy 2020

Note: Details of matters discussed at the meeting that have been designated confidential under Rule 103 of the Governance Rules and sections 3 and 125 of the LG Act 2020 are described in a separate "confidential addendum" that will be reported to the next closed Council meeting

Name of Meeting: Informal Council Briefings / Meetings

Date of Meeting: Tuesday 19 September 2023

Location: Euroa Community Conference Centre

Time: 4.00 pm to 8.30 pm

Attendees:

Councillors

Cr Laura Binks (Mayor)

Cr Paul Murray (Deputy Mayor)

Cr Reg Dickinson

Cr Chris Raeburn

Cr Robin Weatherald

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 (Governance Advisor)

Apologies:

Cr Sally Hayes-Burke [attended Council meeting virtually until 7.02 pm]

1. Update on Waterways Management Funding
2. October 2023 Council Meeting

Declaration of Interest/s under Local Government Act 2020 (General Conflict of Interest - Section 127 / Material Conflict of Interest – Section 128)

Councillor/s -

Matter No.	LGA 2020 Interest Section	Names of Councillor/s who disclosed interest	Did the Councillor/s leave the meeting?
2 / 11.2.3	128	Cr Raeburn	Yes

Officer/s -

Matter No.	LGA 2020 Interest Section	Names of Officer/s who disclosed interest	Did the Officer/s leave the meeting?
2 / 11.2.4	127	Director People and Governance-Acting	No

12. NOTICES OF MOTION**13. NOTICES OF RESCISSION****14. URGENT BUSINESS****15. CONFIDENTIAL BUSINESS**

The Chief Executive Officer has declared the following item -

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

to be Confidential in accordance with Section 66(2)(A) and Part 1, Section 3 Definitions of the Local Government Act 2020 -

- (a) Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released

This ground has been applied to this matter as it relates to confidential negotiations (refer to the Confidential Business Certificate attached).

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

MOTION

That Council, in conformance with section 66(2)(a) and the definitions for confidential matters under Part 1, section 3 the Local Government Act 2020 (the Act), resolve to close the meeting to members of the public for the purpose of considering item/s relating to:-

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

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

MOTION

That Council reopen the meeting to the public

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

Confirmation of Confidential Business Decision/s

Confidential Business Decision/s

C.B. 1 Council's Role in Waterways Management (Goulburn River from Hughes Creek to Goulburn Weir including Lake Nagambie)

RECOMMENDATION

That the decisions made in camera be ratified by Council.

NEXT MEETING

The next monthly meeting of the Strathbogie Shire Council is scheduled to be held on Tuesday, November 21, 2023, at the Euroa Community Conference Centre, at 6pm.

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