

Strathbogie Shire Council

Council Meeting Minutes / Decisions

December 12, 2023

Minutes/Decisions

Council Meeting

Tuesday, December 12, 2023, at 6pm

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

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

Administrator (Chair):

Peter Stephenson

Officers:

Amanda Tingay – Acting Chief Executive Officer

John Harvey – Director Sustainable Infrastructure

Rachael Frampton – Acting Director Community and Planning

David Roff – Interim Chief Financial Officer

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

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

Julie Salomon – Chief Executive Officer

6. Disclosure of Conflicts of Interest

Nil

7. Confirmation of Minutes/Decisions of Previous Meetings

The Administrator adopted the Motion

That the Minutes/Decisions of the Council Meeting held on Tuesday, November 21, 2023, be confirmed.

01-23/24 **CARRIED**

8. Petitions

Nil

9. Report of Administrator

I would like to begin with introducing myself as Strathbogie Shire Council's interim administrator, and I look forward to my term as administrator.

I want to quickly explain to those in tonight's gallery, and people watching online, how my role works.

It is my role to perform all the functions, powers and duties of a Councillor as set out in the Local Government Act.

This means we will still have meetings like we are tonight, and you will be able to contact me directly to raise any concerns. It is my job to represent the interests of the Strathbogie Shire community.

Council services will continue to operate as normal. This means the CEO and Executive Leadership Team will continue to be responsible for the operations of the shire and staffing decisions.

I will not be delving into operational issues. It is not my job to.

If anyone would like to contact me please phone the office, or visit the website for my contact details.

I will set the strategic direction and allocate funding through Council's budget and I will do that in the best interests of the shire as a whole.

This Council Meeting is the final meeting for the year, and I would like to extend my best wishes to the community for a safe and happy festive season.

We've got lots happening in our community during the summer months and we encourage you to get along to support these local events.

This Sunday is the Kool Skools CD Launch event at the Euroa Community Cinema – it's an all ages event featuring heaps of local bands. The CD was created as part of the annual Kool Skools program and if you'd like to know more about that, there's lots of information available on Council's website.

9. Report of Administrator (cont.)

Another event for our youth this summer is the Violet Town Pool Party on Thursday December 21 from 3-7pm. There'll be live music, a free sausage sizzle, Santa's elves and Christmas art. It's sure to be a great time!

We're also launching a new exhibition in ARTBOX this week which has recently shifted to its new location in Jacobson's Outlook, Nagambie.

The exhibition by artist Philip Hickingbotham opens on December 14 and is called 'ChromaScape'. Each exhibition that has featured in the space has offered something new. It'll be great to see what this one will entail.

The annual Pitch My Project initiative will kick off this week – giving Strathbogie Shire residents the opportunity to pitch projects for inclusion in the 2024/25 Budget.

Since we launched the Pitch my Project initiative, we're proud to have funded more than 25 incredible ideas from our community.

Council has proposed an allocation of \$300,000 for Pitch My Project as part of the 2024/25 annual budget. Each of the six Strategic Focus Areas within the Council Plan will be allocated \$50,000.

And this year we've made a slight change to the categories to include an infrastructure section.

You can head to www.share.strathbogie.vic.gov.au to pitch your projects until 5pm February 23, 2024.

I hope everyone has a happy and safe festive season and I look forward to joining you for the first Council Meeting of 2024 in February.

In the meantime, if you have any questions about my appointment or if you would like to reach out, please do not hesitate to contact me.

Next year, I will run a series of pop-up sessions throughout the municipality, giving residents the opportunity to touch base and ask any questions. More information about times, dates and locations will be available in the new year. Stay tuned on Council's website and social media pages as well as local media for further information on this.

10. Public Question Time

Council Ref: WD: 46/2023

Salami seller at Avenel

Why is he allowed to do this?

Signs on the Vic roads fences - it has been reported many times to police Vic roads and council and nothing done.

WHY?

Response

Council has issued a roadside trading permit for a trader to sell food goods in Ash Street Avenel opposite the Avenel Roadhouse. This permit allows the trader to set up and sell on the grassed area between the Hume Freeway and the Ash Street carriageway. This area is land that is owned and managed by Council.

10. Public Question Time (cont.)

Council is aware that the trader is placing signs on the Hume Freeway but is unable to take any action regarding the signs as they are placed on land owned and managed by the Department of Transport and Planning. Council has no authority to act in matters on Department of Transport and Planning land.

Council officers have previously raised the matter with Department of Transport and Planning representatives. Please continue to refer your queries to the Department of Transport and Planning. Council officers will again advise the Department of Transport and Planning that the signs remain in place when the trader is operating.

Council Ref: TM: 47/2023

1. Harrys Creek Road
Could you please explain the damage to the 'Harrys Creek Road' (pictures provided). WHY so long in Repairing this road?
2. Tesla Car charging station
What is the Contract of this project with Tesla being the Terms years, Monies rental, and the maintenance of the site ?

Response

In relation to your first question, Council is continuing to work hard to manage the damage on its road network and has been advocating strongly for State and Federal government funding to complete works. The Operations Team is managing the sealed road network based on the following process:

- *Sign: When defects are identified that cannot be rectified straight away, warning signs are erected to ensure the public is aware of the hazard.*
- *Patch: The hazard is patched as quickly as possible and temporary repairs are managed as well as possible, until funding can be prioritised to permanently repair the defect. This can unfortunately result in the need to repair the defect several times.*
- *Repair: Repair the defects using a permanent solution, the procurement of which takes time to ensure we get a value for money response. The damaged pavement on Harry's Creek Road is being managed in the patching phase until Council can award the major patching contract to treat this road and many others. We anticipate this will occur in January with works to start in February. We have just recently awarded the quotation for the detailed design. Council is also negotiating with the Department of Transport and Planning for funding to complete the works as we know it will be a complex and expensive fix.*

Unfortunately, the works are dependent on funding, and therefore it may take another 12 months to complete. We realise this is an extraordinary length of time, and we understand the community will be disappointed, however we must balance the financial impacts and works needed across our Shire. The operation of the road under traffic signals is the safest treatment at this time.

With regard to your second question, in accordance with the agreement between Council and Tesla we are unable to provide any details surrounding the licence agreement due to the confidentiality and publicity clauses within.

10. Public Question Time (cont.)

Council Ref: NM: 48/2023

1. Why do the councillors still have “working mobiles” since they were stood down on 8/12/2023 and are they being paid still?
2. Now the administrator is appointed, what is the cost of his salary or remuneration?

Response

In response to your first question, I advise that several previous/suspended Councillors chose to utilise their own personal mobile phone numbers when they were elected to Council, therefore, the services will continue to work post-suspension as Council does not maintain these services.

In response to your second question, in accordance with the terms and conditions as set by the Minister for Local Government, Mr Stephenson will be remunerated \$160,000 per annum for the part time statutory role plus superannuation and reimbursement of reasonable out-of-pocket expenses incurred in exercising the functions, powers, duties of administrator. Item 11.5.2 of tonight's agenda provides further details of the Administrator's appointment

Council Ref: MM: 49/2023

1. Rates
Being still 28years and 4 weeks. The problems are still not resolved. Why is this so?
2. Signage on freeway at the area if Avenel
Why does the shire allow a trader to use the Hume to display his signs and this has been reported to many authorities and everyone passes the buck?

Response

In response to your first question regarding the rates, Maree - to help us better understand the concerns you have expressed in your question, I am going to ask that we refer them to Ms Amanda Tingay, Director People and Governance (myself). Amanda can be contacted at info@strathbogie.vic.gov.au or please make a time and will be more than happy to meet with you to discuss the matter in more detail.

Regarding your second question, Council has issued a road side trading permit for a trader to sell food goods in Ash Street Avenel opposite the Avenel Roadhouse. This permit allows the trader to set up and sell on the grassed area between the Hume Freeway and the Ash Street carriageway. This area is land that is owned and managed by Council.

Council is aware that the trader is placing signs on the Hume Freeway but is unable to take any action regarding the signs as they are placed on land owned and managed by the Department of Transport and Planning. Council has no authority to act in matters on Department of Transport and Planning land.

Council officers have previously raised the matter, with Department of Transport and Planning representatives. Please continue to refer your queries to the Department of Transport and Planning. Council offices will again advise the Department of Transport and Planning that the signs remain in place when the trader is operating.

- 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**
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	<p><i>APPENDICES DEEMED CONFIDENTIAL IN ACCORDANCE WITH SECTION 66(2)(A) AND PART 1, CLAUSE 3 OF THE LOCAL GOVERNMENT ACT 2020</i></p> <p><i>(g) private commercial information, being information provided by a business, commercial or financial undertaking that—</i></p> <p><i>(ii) if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage</i></p>	
	Appendix 1:	Evaluation Outcome for Project Collaborative Digital Innovation (CODI) Information Management Pricing Update
	Appendix 2:	Tender Evaluation for Contract No. 23/24-22: Design and Construct Play Space and Bike Education Track at Bicentennial Park

11. OFFICER REPORTS

11.1 STRATEGIC AND STATUTORY PLANNING

11.1.1 Planning Applications Received and Determined - 1 to 30 November 2023

Author: Manager Planning and Investment

Responsible Director: Director Community and Planning

EXECUTIVE SUMMARY

This report provides listings of all Planning Applications Received (Attachment 1) and Planning Applications Determined (Attachment 2) for the period of 1 to 30 November 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 October 2023. The November PPARS Figures were not available at the time of writing this report as the monthly figures are not updated until the fifteenth day of each month. The contents of this report are provided for information purposes only.

It is noted that there were fifteen (15) new planning applications received and nine (9) planning applications decided upon during the reporting period.

Attachment 4 to this report provides an update on current Victorian Civil and Administrative Tribunal (VCAT) appeals where no decision has been made.

The Administrator adopted the Motion

That Council:

1. ***Note that there were fifteen (15) new planning applications received, and nine (9) planning applications decided on during the period of 1 to 30 November 2023; and***
2. ***Note the report.***

02-23/24 **CARRIED**

11.2 COMMUNITY

11.2.1 In-Principle Funding Support: Longwood Recreation Reserve Female Friendly Changerooms

Author: Acting Manager Community and Culture

Responsible Director: Acting Director Community and Planning

EXECUTIVE SUMMARY

In July 2023 the Victorian Government announced the decision to pull out of hosting the 2026 Regional Victorian Commonwealth Games, citing high costs exceeding \$6 billion, more than twice the estimated economic benefit, as the reason for the decision. The cancelling of the Games was a lost opportunity for regional Councils to improve infrastructure and showcase communities to an international audience. As a result, the Victorian Government announced a \$2 billion package for regional Victoria.

The package includes \$60 million Regional Community Sport Development Fund to encourage families and children to keep physically active, including \$35 million for infrastructure and \$25 million for community sport programs.

The Regional Community Sport Development Fund may provide an opportunity for Council to apply for funding to deliver significant sports infrastructure projects. In consultation with Sport and Recreation Victoria Council have been advised that the funding guidelines and grant will be released in December.

Officers have reviewed the priority projects within the municipality and have identified the Longwood Recreation Reserve infrastructure project to deliver female friendly changerooms. The proposed project will deliver a prefabricated modular facility which meets the Disability Discrimination Act (DDA) requirements and Netball Victoria regulations. The project also includes a septic renewal to accommodate the additional infrastructure.

Due to the timing of the funding opportunity and the Council Meeting schedule, officers are seeking in-principle support for a Council contribution of \$150,000, if the grant application was to be successful. Officers anticipate a Council co-contribution will be required to be eligible, as per other similar funding rounds through Sport and Recreation Victoria in the past.

If approved, these funds would be allocated in the 2024/25 Capital budget to support this grant application to install female friendly changerooms and facilities at the Longwood Recreation Reserve. In addition, Council would support the project through in-kind project management to value of \$56,400. Council's total contribution to the project would be approximately \$206,000, however this is dependent on grant eligibility and funding ratios, which are unknown.

The design for this project also includes a DDA compliant toilet. This approval and Council's subsequent application will be subject to the project's eligibility pending the release of the grant guidelines.

If successful, this project would be delivered as a part of the 2024/25 Capital delivery program.

11.2.1 In-Principle Funding Support: Longwood Recreation Reserve Female Friendly Changerooms (cont.)

The Administrator adopted the Motion

That Council:

1. ***Approve in-principle, an allocation of \$150,000 in the 2024/25 capital budget to support an eligible grant application for the installation of female changerroom facilities at Longwood Recreation Reserve, subject to the projects' eligibility.***
2. ***Note the provision of in-kind Project Management, to the value of \$56,400 to oversee the delivery of the project in 2024/25.***

03-23/24 CARRIED

11.2.2 Goulburn Region Visitor Economy Partnership

Author: Acting Director Community and Planning

Responsible Director: Acting Director Community and Planning

EXECUTIVE SUMMARY

The Victorian Government have released the Visitor Economy Partnership Framework, a new approach to regional tourism in the state of Victoria. This Framework details that Visitor Economy Partnerships will become the peak bodies for all visitor economy (tourism) related matters within regions of Victoria. This report details the proposed establishment of a Visitor Economy Partnership, named Goulburn Region Tourism for the Local Government Areas of Greater Shepparton City Council, Strathbogie Shire Council and Mitchell Shire Council.

The report details the co-design process that the Victorian Government, partner Councils and industry have participated in to create the proposed entity and legal structure. It seeks Council's support to join Goulburn Region Tourism Incorporated and outlines the financial commitment required from Council. The formation of Goulburn Region Tourism Incorporated will strengthen and grow the visitor economy of the region, provide an increase in opportunities to funding and programs and lead to significant economic benefit across our municipality.

The Administrator adopted the Motion

That Council:

- 1. Authorise the Chief Executive Officer to join Goulburn Region Tourism Incorporated, the recognised Visitor Economy Partnership for the Region;***
- 2. Subject to Council's annual budgetary process;***
 - a) Allocate a contribution of \$39,000 for financial year 2024/2025 to the partnership; and***
 - b) Note that the annual contribution will be outlined in a Memorandum of Understanding, for a fixed term aligning with the State Government funding Agreement, with the future entity, once the entity is legalised; and***
- 3. Note the Goulburn Region Destination Management Plan as the key strategic document for the future entity to deliver.***

04-23/24 **CARRIED**

11.3 INFRASTRUCTURE

11.3.1 Project Collaborative Digital Innovation (CODI) Information Management Pricing Update

Author: Greg Underhill, Manager Digital Innovation and Technology

Responsible Director: Chief Executive Officer

EXECUTIVE SUMMARY

In July 2023 Logicalis, through an open tender process, was selected as the preferred supplier to deliver an Information Management solution to the four Lower North Eastern Regional Councils. OpenOffice was the only other vendor to submit a response to provide an Information Management solution.

In October 2023 and post contract signing, Logicalis advised that they had identified a material cost error in their original Request for Proposal (RFP) response and requested that the implementation costs be amended to the amount listed in the confidential attachment. It is considered that the costing error was a genuine mistake made when transcribing implementation costs. Logicalis have readily admitted the mistakes and have taken steps to minimise the actual cost to LNERCC by providing substantial discounts, as indicated in their letter.

An impact assessment has been undertaken, the results of which are detailed in this report, a summary being:

- The pricing only impacts the one-off implementation costs which are all contained within the Mansfield contract with Logicalis, as Mansfield is the lead implementation Council;
- The revised RFP price evaluation scoring results in Logicalis remaining the preferred supplier; and
- The cost increase can be absorbed within the existing program budget, no additional funding is required.

This report recommends that Logicalis remain the preferred supplier of the Information Management Solution and that the cost increase be accepted, and approvals sought from the Program Steering Committee and Councils for the increase of implementation costs.

The Administrator adopted the Motion

That Council:

- 1. Note the requested increased lump sum cost variation amount for the implementation of the Information Management module by Logicalis Pty Ltd of \$157,870 excluding GST (and inclusive of 10% contingency);***
- 2. Note that this change in pricing continues to meet best value in accordance with the procurement guidelines for the four (4) partner Councils;***
- 3. Note that the financial impact will be absorbed within the existing Project CODI implementation budget; and***

11.3.1 Project Collaborative Digital Innovation (CODI) Information Management Pricing Update (cont.)

MOTION (cont.)

4. ***Authorise the Chief Executive Officer to advise Mansfield Council of Strathbogie Shire Council's approval to execute the contract variation and confirm the award of the contract in accordance with the Memorandum of Understanding signed by all four (4) Councils, including payment of all agreed contributions.***

05-23/24 **CARRIED**

11.3.2 Tender for Contract No. 23/24-20: Land Slip Repair Treatments

Author: Manager Assets Planning and Procurement and Tender Officer

Responsible Director: Director Sustainable Infrastructure

EXECUTIVE SUMMARY

Council has undertaken a competitive tender process for the rectification of the flood damage to roadside infrastructure (batter slopes) in the form of erosion or land slip, caused by the October 2022 flood event (AGRN 1037).

Sections along the following roads have been identified for the rectification works:

- Harrys Creek Road
- Harrys Creek Road
- Harrys Creek Road
- Harrys Creek Road
- Horse Gully Road
- Avenel Longwood Road

This is a component of the Flood Recovery Program to be funded through the National Disaster Funding Assistance (NDFA). The Department of Transport and Planning assesses submitted flood defects for funding approval on behalf of Emergency Management Victoria (EMV). Since the event, Council have had regular update meetings with the assessor and received provisional approval to commence reconstruction works provisioned here in this report.

Through public advertisement in local and state-wide newspapers, Council invited tenders for the Land Slip Repair Treatments with the initial tender opening at 9am Friday 25 August 2023. At close of the initial tender on Wednesday 20 September 2023, one (1) tender submission was received.

This report seeks Council's authorisation to constitute this Contract and authorise the Chief Executive Officer to execute the Contract accordingly.

The Administrator adopted the Motion

That Council:

- 1. Award Contract No 23/24-20 - Land Slip Repair Treatments to Kialla Lawn and Garden Pty Ltd from Shepparton for the amount of \$269,635, including GST;**
- 2. Authorise the Chief Executive Officer to execute the Contract by signing and affixing with the Common Seal of Strathbogie Shire Council; and**
- 3. Note that the tender works will commence on 5 January 2024 and conclude on 5 January 2025.**

06-23/24 **CARRIED**

11.3.3 Tender for Contract No. 23/24-22: Design and Construct Play Space and Bike Education Track at Bicentennial Park

Author: Manager Project Delivery

Responsible Director: Director of Sustainable Infrastructure

EXECUTIVE SUMMARY

Strathbogie Shire Council plans to replace the existing play equipment located at the Bicentennial Park, Euroa.

In September 2023, Council completed an audit of all its playgrounds and open spaces, with Bicentennial Park being identified as requiring updating.

The construction of an updated play space will provide the community with a multi-functional and adaptable space that will encourage social interaction and promote health and wellbeing.

Council is currently developing a new Playground and Open Space Strategy, and a key component of the new strategy is to identify equipment that doesn't meet regulatory requirements and outline a replacement plan. The play space proposed for replacement requires immediate works to ensure safety and compliance and its replacement will also be consistent with best practice play provision.

Council invited tenders for the work under Contract 23/24-22, advertised between 25 October 2022 and 24 November 2023. At the close of tender on 24 November 2023, seven (7) tenders were received.

Upon Council approval, the successful tenderer will provide Council with options for the play equipment, and Council will conduct community consultation prior construction.

The Administrator adopted the Motion

That Council:

- 1. Receive and note the outcome of the tender assessment process for Contract No 23/24-22 Design and Construct Play Space and Bike Education Track at Bicentennial Park, Euroa;***
- 2. Award the tender for contract No 23/24-22 Design and Construct Play Space and Bike Education Track at Bicentennial Park, Euroa - Lump Sum to Kialla Lawn and Garden of Kialla, for a total amount of \$239,019.00 inclusive of GST;***
- 3. Authorise officers to advise unsuccessful tenderers;***
- 4. Authorise the Chief Executive Officer to execute the Contract by signing and affixing the Common Seal of Strathbogie Shire Council; and***
- 5. Note that construction will be completed by 30 June 2024.***

07-23/24 **CARRIED**

11.3.4 Contracts, Works and Grants Awarded under Delegation

Author: Procurement and Tenders Officer

Responsible Directors: Acting Director People and Governance

EXECUTIVE SUMMARY

The purpose of this report is to inform Council and the community of the status of requests for 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 to 30 November 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.

The Administrator adopted the Motion***That Council:***

- 1. Note the Contract awarded under delegated authority by the Chief Executive Officer; and***
- 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.***

08-23/24 **CARRIED**

11.4 CORPORATE

11.4.1 Strathbogie Shire Council Audit and Risk Committee – Confirmed Minutes of the Policy Review Meeting held on Friday 6 October 2023

Author: Coordinator Governance and Records Management

Responsible Director: Acting Director People and Governance

EXECUTIVE SUMMARY

This report presents the confirmed minutes of the Policy Review meeting held on Friday 6 October 2023, endorsed by the Audit and Risk Committee meeting held Monday 27 November 2023.

The items considered by the Committee at the 6 October 2023 meeting were as follows:

Business - Draft Updated Policies and Policy Impact Assessment Tools for Review included:

- Draft Procurement Policy and Procedure
- Draft Fraud and Corruption Policy and Control System Procedures
- Draft Gifts, Benefits and Hospitality Policy
- Draft Chief Executive Officer Employment and Remuneration Policy
- Draft Councillor Expenses Policy
- Draft Asset Management Policy
- Draft Rates Payment and Collection Policy and Procedure (New)
- Draft Rates Budgeting and Notice Issuing Policy and Procedure (New)
- Draft Information Security Policy
- Draft Investment and Cash Management Policy
- Review of the Audit and Risk Committee Charter
- For Information Only – Policy Audit Update
- Introduction of Cr Weatherald – The Audit and Risk Committee members were formally introduced to Cr Weatherald as part of his formal induction.

Seven of the above Draft Policies and the Audit and Risk Committee Charter were endorsed at the October 17 Council meeting, and an additional two policies were endorsed at the November 21 Council meeting.

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

The Administrator adopted the Motion

That Council receive and note the Confirmed Minutes of the Strathbogie Shire Council Audit and Risk Committee meeting of Friday 6 October 2023.

09-23/24

CARRIED

11.4.2 New Council Policy: Draft Related Party Disclosures Policy 2023

Author: Chief Financial Officer

Responsible Director: Acting Director People and Governance

EXECUTIVE SUMMARY

This policy aims to guide and ensure compliance with the Australian Accounting Standard AASB 124 Related Party Disclosures, emphasising transparency in related party transactions involving Key Management Personnel (KMP), including councillors and the executive leadership team.

The policy mandates detailed disclosures in annual financial statements, covering KMP compensation and related party transactions. KMP must submit disclosures at specific intervals, notifying of any relevant transactions, and are encouraged to consult the Chief Financial Officer if a related party transaction is suspected.

Aligning with the *Local Government Act 2020*, the policy upholds governance principles prioritising the best outcomes for the municipal community, providing a clear framework for optimal transparency in financial statements while adhering to privacy laws.

The Administrator adopted the Motion***That Council:***

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

10-23/24 **CARRIED**

11.4.3 Future Governance of Goulburn Valley Regional Library Corporation

Author: Acting Director People and Governance

Responsible Director: Chief Executive Officer

EXECUTIVE SUMMARY

The Goulburn Valley Regional Library Corporation (trading as Goulburn Valley Libraries) was formed in agreement between Moira Shire Council, Greater Shepparton City Council and Strathbogie Shire Council to deliver library services on behalf of the member councils.

The *Local Government Act 2020* (the Act) requires that regional library corporations move to alternative governance arrangements by 2030.

Goulburn Valley Regional Library Corporation (GVRLC) member councils are currently considering how they will deliver their library services and then transition to new governance and operating arrangements by 2030.

This paper sets out the possible models, the efficiency and effectiveness benefits of collaboration and proposes a future governance model – recommended by the Goulburn Valley Regional Library Corporation Board – for further development, planning and negotiation.

The Administrator adopted the Motion

That Council:

- 1. Provide in principle approval for the continued collaboration in the delivery of library services by Strathbogie Shire Council with the current member councils (Greater Shepparton City Council and Moira Shire Council) of the Goulburn Valley Regional Library Corporation;***
- 2. Provide in principle approval for the adoption of the ‘Not-for-profit, Company Limited by Guarantee’ model, registered under the Corporations Act 2001 and registered as a charity with the Australian Charities and Not-for-profits Commission, as the preferred future governance model for the Goulburn Valley Regional Library Corporation; and***
- 3. Note and encourage a review of member Council cost contributions as part of any future collaborative governance model agreement.***

11-23/24 **CARRIED**

11.4.4 Council Meetings Timetable for Forthcoming Year

Responsible Director: Chief Executive Officer

EXECUTIVE SUMMARY

Rule 22 of the Governance Rules state that Council must annually fix the date, time and place of all Council meetings for the next 12 months. These dates and times can be altered under Rule 23 and additional meetings held under Rule 24.

Ordinary Council meetings are generally held on the third Tuesday of every month, except January (when normally no meeting is held), and December (when the meeting is held on the second Tuesday to enable the actioning of any Council resolutions prior to the Christmas/New Year office closure), starting at 6.00 pm in the Euroa Community Conference Centre.

Council has previously determined to conduct some meetings at the Nagambie Lakes Regatta Centre. At the three meetings held at that location in 2023, very few community members took the opportunity to attend, and due to the cost of officer resources to attend, the provision of administration support, and the requirement for reliable all abilities access, it is not considered time or cost effective to continue this practice. Furthermore, those who did attend advised that the audio quality was poor and as such this would need to be upgraded.

In addition, all Council meetings are live streamed online through Council's website to provide greater access to the public.

It is recommended that meetings continue to be held on the third Tuesday of the month (except January and December, as detailed above) starting at 6.00 pm and be held at the Euroa Community Conference Centre.

Extraordinary Council meetings are convened, as required, where there are a number of submissions from the public to be heard or for more complex, strategic decisions such as the adoption of the Budget and Council Plan.

The proposed schedule for Council meetings in 2024 is:

- Tuesday 20 February 2024
- Tuesday 19 March 2024
- Tuesday 16 April 2024
- Tuesday 21 May 2024
- Tuesday 18 June 2024
- Tuesday 16 July 2024
- Tuesday 20 August 2024
- Tuesday 17 September 2024
- Tuesday 15 October 2024
- Tuesday 19 November 2024
- Tuesday 10 December 2024

11.4.4 Council Meetings Timetable for Forthcoming Year (cont.)

The Administrator adopted the Motion

That:

1. ***Ordinary Council meetings be held on the third Tuesday of the month (except January and December) commencing at 6.00 pm on the following dates:***
 - ***Tuesday 20 February 2024***
 - ***Tuesday 19 March 2024***
 - ***Tuesday 16 April 2024***
 - ***Tuesday 21 May 2024***
 - ***Tuesday 18 June 2024***
 - ***Tuesday 16 July 2024***
 - ***Tuesday 20 August 2024***
 - ***Tuesday 17 September 2024***
 - ***Tuesday 15 October 2024***
 - ***Tuesday 19 November 2024***
 - ***Tuesday 10 December 2024 (held on the second Tuesday of the month)***
2. ***Notice of these meetings be publicised through Council's website, local newspapers and Council's social media pages.***

12-23/24 **CARRIED**

11.4.5 Grattan Institute Report: Potholes and Pitfalls: How to fix local roads

Author: Chief Executive Officer

EXECUTIVE SUMMARY

On 13 November 2023, the Grattan Institute released their report on local roads funding - [Potholes and pitfalls: How to fix local roads \(grattan.edu.au\)](https://grattan.edu.au/potholes-and-pitfalls-how-to-fix-local-roads).

Council welcomes the Grattan Institute's independent analysis confirming there is a significant shortfall in local roads funding and that urgent action is required by other levels of government to address the deteriorating state of the local roads network. The *Grattan Institute Report: Potholes and Pitfalls: how to fix local roads* (the report) supports Council's ongoing roads funding shortfall advocacy undertaken over the past two years. The key findings in the report include:

- Demand for local roads and the cost of maintaining them have gone up, but untied grants to councils are not keeping pace with need or cost escalations,
- Spending on transport has decreased proportionally as the role of councils has expanded, and
- Councils (especially small rural Councils such as Strathbogie) cannot raise the required revenue on their own.

The report (refer Attachment 1) recommends an injection of \$1 billion to keep the local road network in its current state. To address the maintenance gap, it considers an annual (indexed) increase of \$1 billion in untied grant funding will be required. It recommends an annual increase of around \$600 million in Federal Assistance Grants and \$400 million through Roads to Recovery.

The report also recommends establishing a \$200 million per year fund to assess and upgrade local roads identified as priority freight routes. It outlines the problems with tied grants as well as the sector's asset management challenges.

It is worth noting that the report recommends a review of the Federal Assistance Grants distribution model so that funding is targeted towards less populous areas. It is proposed that Council joins the Australian Local Government Association's (ALGA) national campaign to advocate for increased funding for road maintenance in accordance with the Grattan Institute's recommendations.

The Administrator adopted the Motion

That Council:

- 1. Note the Grattan Institute Report: Potholes and Pitfalls: How to fix local roads;***
- 2. Participate in the national advocacy campaign coordinated by the Australian Local Government Association in accordance with their template media release; and***
- 3. Write to the Hon Catherine King MP, Dr Helen Haines MP and Mr Sam Birrell MP seeking their support to review the level of funding to local government in accordance with the recommendations of the Grattan Institute Report.***

13-23/24

CARRIED

11.4.6 Council Policy Review: Draft Asset Management Policy 2023

Author: Asset Officers and Asset Management steering Committee (AMSC)

Responsible Director: Acting Director Sustainable Infrastructure

EXECUTIVE SUMMARY

This policy outlines the framework for the management and development of all physical assets (Assets) within the Strathbogie Shire.

The current policy was adopted at its Ordinary Council Meeting on 21 November 2017 and is now due for review.

Since 2017, Council's Asset Management approach has continued to develop and mature. The revised Policy considers the recent community feedback on the development of Capital Projects and the request for additional transparency on the management of risks in the detailed design development process for Capital Projects.

It reflects a clear structured approach, is based on best practice standards, and recognises Council's commitment to the practices that will be adopted, to ensure our success in achieving Council's obligations in relation to Assets.

The updated policy is recommended to Council for adoption.

The Administrator adopted the Motion***That Council:***

- 1. *Adopt the updated Asset Management Policy 2023;***
- 2. *Note that whilst every effort will be made to ensure road safety compliance is achieved for road upgrade works in accordance with the Infrastructure Design Manual (IDM), in the event that works require deviations from the IDM or the complexity of the works introduce increased risk, an independent Road Safety Audit will be undertaken; and***
- 3. *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 information the community about the adoption of the policy.***

14-23/24 **CARRIED**

11.5 GOVERNANCE AND CUSTOMER SERVICE

11.5.1 Councillor (Administrator) Committees / Boards Representation – 2023/2024

Author and Responsible Director: Chief Executive Officer

EXECUTIVE SUMMARY

In past years, Council has nominated representatives for a number of internal committees and external committees and working groups.

The Councillor (Administrator) representative's role is to attend meetings on behalf of Council and to provide Council with briefings and updates on the matters/issues raised for further discussion by the Council as a whole.

Following the Council resolution at its September 2022 meeting, internal Advisory Committees have been replaced by the establishment of a Community Panel to provide input and advice from a broader and more representative cross section of the municipal community.

The purpose of this report is to firstly confirm that Councillor (Administrator) representation is approved and then to nominate the identified number of Councillor (Administrator) representatives on the various groups and bodies.

A summary of the role of each group, along with the representation from Council is being sought, as per the attachment to this report.

The Administrator adopted the Motion

That:

- 1. Councillor (Administrator) representation on the list of internal committees, external committees, bodies and working groups attached to this report, be approved;***
- 2. Councillor (Administrator) representatives for a variety of internal committees, external committees, bodies and working groups, be approved; and***
- 3. The Chief Executive Officer notifies the relevant committees and working groups of the nominated Councillor (Administrator) representative(s).***

15-23/24 CARRIED

11.5.2 Appointment of Administrator

Author: Chief Executive Officer

EXECUTIVE SUMMARY

On 5 December 2023, the Minister for Local Government, the Hon Melissa Horne MP (the Minister), announced that the Strathbogie Shire Council has been suspended for the remainder of its term and an administrator appointed (refer Attachment 1) in response to Municipal Monitor Peter Stephenson's final report (refer Attachment 2).

The suspension under section 257 of the Act applies to all elected members of Strathbogie Shire Council and took effect from Wednesday, 6 December until the next local council elections in October 2024.

The Council and Councillors were provided with the opportunity to consider the Monitor's report and provide a response to the Minister for Local Government. The Minister made the decision to suspend the Council after considering the responses received from the Council and individual Councillors.

Mr Peter Stephenson has been appointed Strathbogie Shire Administrator from 6 December 2023 until 6 March 2024 (both days inclusive) until an ongoing administrator is appointed for the Council. As administrator, Mr Stephenson will provide support and continuity to the Council's operations. Under section 230 of the *Local Government Act.2020*, Mr Stephenson will constitute the Council and will perform all its functions, powers and duties.

In accordance with the terms and conditions as set by the Minister for Local Government (refer Attachment 2), Mr Stephenson will be remunerated \$160,000 per annum for the part time statutory role plus superannuation and reimbursement of reasonable out-of-pocket expenses incurred in exercising the functions, powers, duties of administrator.

Mr Stephenson has held senior roles in a range of organisations including government, community services, higher education and health sectors. He is a former Councillor and Mayor of Darebin City Council. He was appointed in March 2023 as the second Municipal Monitor for Strathbogie Shire Council and was previously a Municipal Monitor for South Gippsland Shire Council and the Rural City of Wangaratta.

The Administrator adopted the Motion

That Council note:

- 1. The appointment of Mr Peter Stephenson announced by the Minister for Local Government the Hon Melissa Horne MP, as the Administrator (part time) for Strathbogie Shire Council effective 6 December 2023 – 6 March 2024 (both days inclusive);***
- 2. The Instrument Fixing Conditions, Remuneration and Allowances of Administrator (the Instrument) for Strathbogie Council under section 231 of the Local Government Act 2020 as set by the Minister for Local Government for the period of Mr. Stephenson's appointment; and***

11.5.2 Appointment of Administrator (cont.)

MOTION (cont.)

3. ***In accordance with the Instrument, the remuneration set for the Administrator (part time) is \$160,000 per annum plus superannuation and reasonable expenses incurred in exercising the functions, powers, or duties of the role.***

16-23/24 **CARRIED**

11.5.3 Monthly Performance Report

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

- Building Department – November 2023 Statistics
- Planning Department – Planning Application Approvals – Development Cost (Capital Improved Value) – November 2023
- Customer Enquiry Analysis Report – Report for November 2023
- Waste Management Reporting ~ Year to Date – November 2023 *(due to the earlier date for the December Council meeting, data was yet to be provided by the waste contractors. Details will be included in the next Council meeting Agenda)*
- Transfer Station Date - November 2023
- Actioning of Council Reports Resolutions – Council Meeting Tuesday 21 November 2023
- Outstanding Actions of Council Resolutions to 30 November 2023
- Review of Council Policies and Adoption of new Policies – November 2023
- Records of Informal Council Briefings / Meetings – 1 to 30 November 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.

The Administrator adopted the Motion

That the report be accepted.

17-23/24 **CARRIED**

12. NOTICES OF MOTION

Nil

13. NOTICES OF RESCISSION

Nil

14. URGENT BUSINESS

Nil

15. CONFIDENTIAL BUSINESS

Nil

Confidential Appendices

These appendices have been classified as being confidential in accordance with section 66(2)(a) and Part 1, section 3 of the *Local Government Act 2020* as they relate to:

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

- C.A. 1 (g) Evaluation Outcome for Project Collaborative Digital Innovation (CODI) Information Management Pricing Update
- C.A.2 (g) Tender Evaluation for Contract No. 23/24-22: Design and Construct Play Space and Bike Education Track at Bicentennial Park

NEXT MEETING

The next meeting of Strathbogie Shire Council is scheduled to be held on Tuesday February 20, 2024 at the Euroa Community Conference Centre commencing at 6.00 pm

THERE BEING NO FURTHER BUSINESS, THE MEETING CLOSED AT 7.04 P.M.

Confirmed as being a true and accurate record of the meeting

.....

Chair

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Date