

Strathbogie Shire Council

Council Meeting Minutes / Decisions

Tuesday 16 April 2024

Minutes/Decisions

Council Meeting

Tuesday 16 April 2024, 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:

Peter Stephenson

Officers:

Julie Salomon – Chief Executive Officer

Amanda Tingay – Director People and Governance

John Harvey – Director Sustainable Infrastructure

Rachael Frampton – Acting Executive Manager Community, Communications and Engagement

Braydon Aitken – Acting Director Planning and Community Safety

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

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

5. Apologies / Leave of Absence

Nil

6. Disclosure of Conflicts of Interest

The Acting Director Planning and Community Safety declared a material conflict of interest under Clause 128 of the Local Government Act 2020 in Item 11.3.1 (Tender for Contract No. 22/23-68: Euroa Railway Precinct Masterplan).

7. Confirmation of Minutes/Decisions of Previous Meetings

The Administrator adopted the Motion

That the Minutes/Decisions of the Council Meeting held on Tuesday, 19 March 2024, be confirmed (*Council Meetings and Minutes | Strathbogie Shire*)

57-23/24 **CARRIED**

8. Petitions

A petition was received by Council on 19 March 2024 from Nola Caines of Euroa in relation to the end of season closure of Council's public pools on 11 March 2024.

The petition provided contains 82 signatories.

The petition reads:-

We wish to table a petition to Council. The 84 signatures were all provided in a 2-hour period on Monday 11 March (the last day pools were open in our Shire). We have not sought to gather more signatures. The exercise was purely to demonstrate the need for a re-think of pool opening dates and times. We understand, for some, the public pools are their only chance to cool off during heatwave conditions. It is also a critical facility for swimming education and practice. You only need to read this morning's Age newspaper to see how valuable these lessons are. As an experienced and long-term swim coach, I am heartened by the number of kids who are benefiting from tuition, and this must remain a priority.

Can I suggest that we open our public pools at the beginning of the summer school holidays, instead of on the 1 December, and close them on the 31 March - the official end of summer. This would better coincide with the hottest summer temperatures. An extension of pool hours during heatwaves must also be considered. It would also ensure greater use of these valuable public assets.

We, the undersigned, ask Strathbogie Shire Council to immediately renegotiate the end of season date for our public pools. Our request comes as heatwave conditions persist (11 March 2024).

- For many families the public pool is an essential service.*
- The pool pass states that access to the pool is available until 31 March, 2024*
- Without Councillor representation, we appeal to the Council Administrator to demonstrate greater flexibility with pool closures, to ensure pool access is available when most needed.*

The Administrator adopted the Motion

- 1. That Council accept the petition in relation to the request to change the season opening period for Council's public pools to commence from the beginning of the summer school holidays and close on 31 March; and***

8. Petitions (cont.)

MOTION (cont.)

2. ***That the petition be referred to the Acting Executive Manager Community, Communications and Engagement for discussion with the Friends of the Pools working group.***

58-23/24 **CARRIED**

9. **Reports of Administrator**

As Council's Administrator, March has been a very busy month for me and the staff as they undertake the actions around preparing our annual draft Budget, Council Plan and Pitch my Project. Each of these subjects will be addressed throughout tonight's meeting.

I am continuing my ***Talk to the Administrator*** meetings, and I have two more sessions to attend, one in Violet Town on 23 April and the other in Strathbogie on 7 May. This has been an excellent way for me to hear your concerns and to be able to address resident's questions about the upcoming October Council elections.

Very soon, this Council will launch its **Stand for Council – Your CommUNITY Your Voice** campaign, which will be taken on-road to Nagambie and Euroa and include sessions on-line for the Local Government Elections 2024.

I encourage residents to go to our website where you will find information for candidates as part of our planned '**Your CommUNITY Your Voice**' campaign. As well, on Council's website you will find information for voters and information as to who is eligible to vote.

The decisions of Council affect the lives of everyone living in this community. Becoming a Councillor is a great hands-on way to serve your community and positively influence future directions and outcomes for the municipal area. We need people from all backgrounds and experiences who reflect our communities to put themselves forward for election.

Over the coming months, as I said, Council will provide the opportunity to attend an online, in-person or one-on-one session to support the efforts of the Victorian Electoral Commission (VEC) to ensure a successful transition for this Council back to having elected officials.

Earlier this month I was advised by our CEO, Julie Salomon, of her intention to resign, with her resignation effective July 4. As I have said publicly, Ms Salomon has led the staff through a turbulent time when lesser people would have buckled under the pressure.

To her credit she stood tall, she got through that, and now she's decided it's time to smell the roses and I admire her for that. She has dealt with some major legacy issues, some newer issues coming from COVID-19 and the flood emergency which, as you know, affected many of our roads. She has introduced new initiatives, developed strategic plans, and reformed the way we engage with our community. These will all carry forward after her departure, and will leave her own positive legacy. Thank you, Julie.

Recently ARTBOX was located to Strathbogie. The exhibition on show is local watercolour artist Bruce Hargrave. ARTBOX has been a great success touring from Euroa to Avenel then onto Nagambie and now in Strathbogie highlighting the artistic talents of our residents - some of whom would not normally exhibit to a local audience.

9. Reports of Administrator (cont.)

Council is still actively advocating, on behalf of the community, to AusNet for a reliable power supply. We all know we need improved energy security. Council's advocacy for funding for Kirwans Bridge is continuing and we know we have the community behind us when we seek funding to restore the bridge for vehicle traffic.

I am pleased to see that Strathbogie Tableland are having a luncheon soon to gather information in the preparation of their Local Emergency Action Plans. (LEAP). The fact that already Violet Town, Avenel and Euroa have completed their plans using the valuable knowledge of 'locals' shows the importance of these plans should there be an emergency in one of these towns. I understand Nagambie is gathering their working group together now too.

Finally, I want to remind residents; if you have any questions about my appointment, please do not hesitate to contact me. My contact details can be found on the Council website on the 'Administrator' page or you can contact Customer Service who will kindly pass your request on.

10. Public Question Time

Council Ref: RW: 13/2024

1. For thirty years question time has been a valuable accountability tool for ratepayers to ask questions of Council, originally based on parliamentary rules Australia wide.
Questions without notice are normally accepted, but over time Council has eroded that and no longer takes questions
Can the Administrator justify the further cut back in question time availability to residents?
2. Has the administrator not seen the widely promoted plan for Binney St and rail passengers interchange?
Why can we justify spending a significant sum to employ another consultant to advise on Council's Plan for the same project?
Why is this ratepayer revenue wasted when the community already has a PLAN?

Responses

1. *I can confirm that public participation via Public Question Time at Council meetings has not been reduced, in fact this participation has been expanded.
I have reviewed the changes to the Strathbogie Shire Council meeting procedures for Public Question Time for the under the Local Government Act 1989 (as part of Local Law No 1) and under the Local Government Act 2020 (as part of the Governance Rules).
Council remains committed to transparency in decision making and, in accordance with the relevant Acts, Council Meetings are open to the public and the municipal community are able to attend either physically or electronically and 30 minutes has been allocated to Public Question Time over many years.
As you would recall, during a previous term as a Councillor, you moved the adoption of Local Law No 1 (and seconded by Cr Little) at the December 2014.*

10. Public Question Time (cont.)

Section 32, page 13 of this Local Law documents the procedures for Question Time and states inter alia:

- *At every ordinary meeting of the Council, a period of 30 minutes shall be allocated to enable any member of the community to direct questions to the Council.*
- *Questioners must state their name and may not submit more than two (2) questions at a meeting. Questions are to be written and received by 12.00 noon on the day of an ordinary meeting of Council.*
- *All questions and answers must be as brief as possible, and no discussion shall be allowed other than for the purpose of clarification.*
- *The Chairperson may nominate a Councillor or Council Officer to answer a question. A Councillor or a Council Officer may require a question to be taken on notice until the next Ordinary Council.*

In accordance with the Local Government Act 2020, Governance Rules replaced Local Law No 1. Council adopted its Governance Rules in August 2020 which provided for a similar approach for Public Question Time and further expanded these rules:

- *To require the submitter to include their name and address;*
- *Detailed a range of circumstances where questions would not be answered; and*
- *Enabled 'like questions' to be grouped.*

At the October 2023 Council meeting during your fourth term as a Councillor, our Public Question Time procedures were again expanded further. Our draft Governance Rules were placed on public exhibition, and these were amended prior to adoption to enable questions to be tabled for response at all Council meetings including both scheduled Council meetings and extraordinary meetings (except for the meeting called to elect a mayor).

These Governance Rules (if endorsed at tonight's meeting) will be placed on public exhibition for 28 days. You are most welcome to make a submission.

2. *In response to your second question, the Euroa Railway Precinct Masterplan, is a complementary plan to the Euroa Township Strategy which was endorsed by Council in July 2020.*

This Masterplan will conceptualise and itemise the potential redevelopment and improvement opportunities and outcomes of the Euroa rail precinct to improve the vistas, connectivity, accessibility, useability, and environmental outcomes of the precinct and the broader Euroa township. There is a strong need for this plan to be developed with reference to the redevelopment of the Anderson Street bridge and associated works that will be carried out by the ARTC.

The development of this Masterplan is made possible through funding from the Victorian State Government.

10. Public Question Time (cont.)

Council Ref: TM: 14/2024

1. 'Harrys Creek Road'
Why is this Road still in such a bad state and no works have been done to date as I noticed on Saturday 6th April 2024? (I did bring a question to this to Council 12/12/23)
2. 'Council owned Machinery'
What is the Detailed Assets Held by Council for the Machinery?
- When there (was) an amount of \$131,890 inc gst for 2 outfront mowers (wed nov 23rd 2023 in council tenders)

Responses

1. *In response to Harry Creek Road there are two concerns with this stretch of road – a sink hole and the slip.
The rectification works on the sink hole were detected as part of our routine inspections and investigated prior to Christmas commenced today, 16/4/2024. These works were delayed whilst we secured funding from the Federal government's Local Roads Community Improvement Program.
The slip that occurred as a consequence of the 2022 flooding has progressed such that the detailed design of the rectification works is almost complete. Once these documents and the certified estimate for its construction has been completed it will be submitted for consideration for funding from the Victoria's Natural Disaster Financial Assistance (NDFA) scheme.
We are not able to progress this project until we have secured the funding from the NDFA, as council has does not have budget allocated for this work. We are however confident of securing the funding in due course.
Please note that these works will not commence until the last quarter of 2024 to ensure we are not impacted by the wet weather over the winter period, and possibly later if the wet weather extends into the spring.*
2. *In regard to your question regarding Council owned machinery, Council has a significant list of both small and large plant items that are used to maintain our roads and parks and gardens network.
These plant items range in age and condition with their current values change continuously.
As previously advised, if would like to contact John Harvey, Director of Sustainable Infrastructure, and be specific in the information you require, John can will be in a position to provide the information you are seeking.*

Council Ref: MM: 15/2024

1. Tree Damages on Road Reserves
Who is the owner of the wood and the debris on the Road Reserves?
2. Rates
I have brought previous questions in relation to Rates and I am still awaiting on the meeting that was requested in 2023.
When will the person in this department organise this meeting?

10. Public Question Time (cont.)

Responses

1. *All trees, including fallen branches on any VicRoads declared road remain the property, and the responsibility, of the Department of Transport and Planning. Council has no authority to act on behalf of the Department of Transport and Planning.*
All trees on Council owned or managed roads, including fallen branches, are the responsibility of Council. When clearing trees, Council must first consider safety of road users, and then any further decisions are based on the conservation values as defined in the planning scheme. Council does not permit firewood collection permits due to the risks associated with these permits.
Further information on conservation values can be found in Council's Tree Management Plan, Council's online mapping system, Pozi, and Council's Road Management Plan.
2. *In response to your second question regarding the rates; to help us better understand the concerns you have expressed in your question, I am going to ask that we refer them to Amanda Tingay, Director People and Governance. Please email Amanda to make a time and she will be more than happy to meet with you to discuss the matter in more detail.*

11. Officer Reports

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- 11.3 Infrastructure
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- 11.5 Governance and Customer Service
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11. OFFICER REPORTS

11.1 STRATEGIC AND STATUTORY PLANNING

11.1.1 Planning Applications Received and Planning Applications Determined - 1 to 31 March 2024

Author: Manager Planning and Investment

Responsible Director: Director Community and Planning

EXECUTIVE SUMMARY

This report provides listings of all Planning Applications Received (Attachment 1) and Planning Applications Determined (Attachment 2) for the period of 1 to 31 March 2024. 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 February 2024. The March 2024 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 eight (8) new planning applications received and twelve (12) 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 eight (8) new planning applications received, and twelve (12) planning applications decided on during the period of 1 to 31 March 2024; and***
2. ***Note the report.***

59-23/24 **CARRIED**

11.2 COMMUNITY

11.2.1 Strathbogie Shire Power Supply

Author: Economic Development and Projects Coordinator

Responsible Director: Acting Executive Manager Community, Communication, Engagement and Advocacy

EXECUTIVE SUMMARY

Power supply in Strathbogie Shire towns and their surrounding districts has been unreliable for many years. The North eastern side of Strathbogie Shire's power is supplied from Benalla and the South western side of the municipality is supplied from Seymour. Both supply lines are operated by AusNet and are single lines of supply. Graytown sits outside this and is the responsibility of Powercor.

With the introduction of new fire prevention requirements, legislated following the devastating Black Saturday fires in 2009, Strathbogie Shire's power supply has become even more unreliable. Since the introduction of Rapid Earth Fault Current Limiters (REFCL) in Benalla and Violet Town, Euroa and Violet Town have experienced approximately 17 outages including nine sustained widespread outages, which has seen towns without supply for a sustained period.

The local community has been impacted significantly by these outages and have mobilised together calling on local politicians and AusNet to find solutions and a mechanism for a more reliable power supply. The outages have resulted in significant medical, social, economic and financial loss for individuals and businesses, along with being inconvenient. Public meetings have recently been held in localities across the Shire and a public awareness campaign by local the Local State member of Parliament has been initiated calling for the State Government and AusNet to identify a power solution for the municipality.

In recent years, Strathbogie Shire has also made applications under federal and state funding schemes for renewable energy projects and studies that may provide a greater level of resilience to local power supplies.

Due to population growth, a reliance on technology and the current climate, household and industrial demand has grown, and there is a pressing need to provide adequate and progressive infrastructure to meet the demands now and into the future.

Council's 'Advocacy Ask' of State Government outlines reliable power supply as our number 1 Ask of Government. This ask included the need to upgrade aging and inadequate infrastructure in the Shire of Strathbogie, with reference to the supply line between Benalla and Seymour (BN 11).

Joint advocacy is required from many stakeholders to demonstrate to the State Government and the Australian Energy Regulator that this is not an acceptable level of service, and that a solution must be identified, that is supported by funding to deliver what is required. The identified solution also should not compromise the safety of residents in the municipality from bushfire.

11.2.1 Strathbogie Shire Power Supply (cont.)

Reliable power supply underpins housing, industrial and business growth and investment and is critical to modern day life; from schooling, to work life to responding in times of an emergency. Every household and business relies on power and technology.

This report provides an overview of the issue and recommends a course of advocacy to important stakeholders building on the current political interest and significant community concern regarding the matter.

The Administrator adopted the Motion

That Council:

- 1. Write to relevant members of State and Federal Government urging them to find and fund a solution to Strathbogie Shire's unreliable power supply;***
- 2. Continue to work with AusNet and other key stakeholders to find potential solutions including renewable energy solutions;***
- 3. Continue to work with AusNet to support them to engage with the local community to better understand local impacts and keep them informed of the investment in medium and long term infrastructure solutions;***
- 4. Write to the Australian Energy Regulator to reiterate the need for investment in Strathbogie Shire for a more reliable electrical supply via line upgrades and/or renewable energy solutions;***
- 5. Continue to work with Telstra to initiate a review and/or upgrade of battery storage at the Telecommunications Towers within Strathbogie Municipality;***
- 6. In partnership with relevant stakeholders, continue to identify funding opportunities for feasibility studies and projects that may strengthen the municipality's energy security and resilience; and***
- 7. Continue to advocate on behalf of the municipality for a more reliable and adequate power supply (mains and renewable), where possible.***

60-23/24 **CARRIED**

11.2.2 Request to Waive Council Venue Hire Fees for the Rowing Victoria Victorian Masters Rowing Regatta

Author: Acting Executive Manager Communications and Engagement

Responsible Director: Chief Executive Officer

EXECUTIVE SUMMARY

Council has received a written request from Rowing Victoria to waive the venue hire fees associated with the Nagambie Lakes Regatta Centre and Peninsula to support the delivery of the Victorian Masters Rowing Regatta on Saturday 27 and Sunday 28 April 2024.

This Victorian Masters Rowing Regatta will attract club members and participants from across the State to visit Nagambie, not only for the weekend of competition but also prior to train on the course. Many participants will visit local food, hospitality and tourism outlets and stay in local accommodation, which will have a significant contribution to the local economy.

Staging of the Victorian Rowing Regatta in Nagambie will provide the opportunity to showcase the township and the rowing course facilities and will be delivered in line with Council's Events and Regulatory policies and procedures.

Officers have reviewed this request, and it is considered in this report.

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

- 1. Approve the request from Rowing Victoria Inc. to waive the venue hire fees associated with the Nagambie Lakes Regatta Centre and Peninsula to support the delivery of the Victorian Masters Rowing Regatta on Saturday 27 and Sunday 28 April 2024; and***
- 2. Subject to the adoption of the Community Funding Policy, work with Rowing Victoria to enter into a strategic funding agreement with Council to waive the fees associated with the Nagambie Lakes Regatta Centre and Peninsula for two-day events for the next four (4) years, recognising the significant economic and social benefit the two-day event brings to the Region.***

61-23/24 **CARRIED**

11.3 INFRASTRUCTURE

11.3.1 Tender for Contract No. 22/23-68: Euroa Railway Precinct Masterplan

6.38 pm: The Acting Director Planning and Community left the meeting due to declaring a material conflict of interest

Author: Strategic Planner

Responsible Director: Director Sustainable Infrastructure

EXECUTIVE SUMMARY

Council is seeking to appoint a consultant to assist Council in the preparation of the Euroa Railway Precinct Masterplan; a complementary Plan to the Australian Inland Rail Project.

The Commonwealth Government's Inland Rail Project, led by the Australian Rail Track Corporation (ARTC), has a clear aim of getting more freight on rail. Euroa is within the Tottenham to Albury scope of works. All work will be undertaken along the existing rail corridor throughout Northeast Victoria. More specifically in Euroa, there is not adequate clearance under the Anderson Street Bridge and new infrastructure will be required to safely allow for double-stacked carriage trains.

Strathbogie Shire Council has received funding from the Victorian State Government through the Flexible Local Transport Solutions Program for the Euroa Railway Precinct Masterplan.

The Euroa Railway Precinct Masterplan will conceptualise and itemise the potential redevelopment of the Euroa Railway precinct to improve the connectivity, accessibility, useability, and environmental outcomes for the Railway Precinct and its interface with the broader Euroa township.

Council has undertaken a competitive tender process to ensure the procurement process for the Euroa Railway Precinct Masterplan represents best value for the municipality and meets compliance requirements of the *Local Government Act 2020* and Strathbogie Shire Council's Procurement Policy.

Through public advertisement in local and national newspapers, Council invited tenders for the Euroa Railway Precinct Masterplan with the tender opening at 9am Friday 19 January 2024. At the close of the tender at 4pm Wednesday 28 February 2024, eight (8) tender submissions were received.

After initial independent assessment and evaluation, the result of the officer evaluations is summarised in the tables within this report. This report recommends the awarding of this tender, in line with this assessment, to the preferred tenderer, UrbanFold Pty Ltd.

Finbar Murphy addressed the meeting on behalf of DESIGNEuroa and EuroaConnect.

11.3.1 Tender for Contract No. 22/23-68: Euroa Railway Precinct Masterplan (cont.)

The Administrator adopted the Motion

That Council:

- 1. *Note the outcome of the Request for Tender assessment process for Contract No.22/23-68 Euroa Railway Precinct Masterplan;***
- 2. *Award Contract No. 22/23-68 Euroa Railway Precinct Masterplan to UrbanFold Pty Ltd based in Melbourne for a total amount of \$82,170.00 including GST;***
- 3. *Authorise Officers to advise the unsuccessful tenders; and***
- 4. *Authorise the Chief Executive Officer to award the Contract by signing a letter of award and approving a purchase order for the amount above.***

62-23/24 CARRIED

6.44 pm: The Acting Director Planning and Community returned to the meeting after the vote on this matter had been conducted

11.3.2 Tender for Contract 23/24-48: Nagambie-Locksley Intersection Rehabilitation

Author: Senior Project Officer

Responsible Director: Director Sustainable Infrastructure

EXECUTIVE SUMMARY

Strathbogie Shire Council is dedicated to the management of local transport infrastructure, with a focus on guaranteeing safe and efficient access to the road network for the broader community within the municipality by maintaining a consistent standard across all aspects of transportation infrastructure.

The Nagambie Locksley Road intersection at Avenel Longwood Road and Nagambie Locksley Road has significantly deteriorated, exhibiting numerous potholes on both sides of the railway tracks. Immediate intervention is imperative to mitigate maintenance costs and ensure a comfortable commuting experience for road users, as temporary pothole treatments have proven inadequate.

The proposed rehabilitation aims to establish a durable asphalt surface, thereby reducing the need for extensive and recurrent maintenance activities. In line with this, tender documentation for the rehabilitation work was prepared and publicly advertised in local and state newspapers by the Council. The competitive tender process, conducted from 01/03/2024 to 28/03/2024, resulted in the collection of tenders for Contract No. 23/24-48, pertaining to the Nagambie-Locksley Intersection Rehabilitation. By the close of tenders at 4.00pm on 28 March 2024, five (5) tender submissions had been received.

Following a thorough tender evaluation, this report recommends the award of the lump sum contract for CN 23/24-48 to Mawson Constructions Pty Ltd. Their proposal, totalling \$147,307.60 (including GST), has been deemed aligned with project objectives and selected based on comprehensive evaluation criteria.

The endorsement of this recommendation marks a significant step toward fostering a safer and more efficient road network within the Strathbogie Shire. It emphasises the municipality's commitment to upholding a consistent standard for local transport infrastructure.

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

- 1. *Note the outcome of the tender assessment process for Contract No 23/24-48 Nagambie Locksley Intersection Rehabilitation;***
- 2. *Award the tender for Contract No 23/24-48 Nagambie Locksley Intersection Rehabilitation - Lump Sum for a total amount of \$147,307.60 (including GST) to Mawson Constructions Pty Ltd based in Kialla;***
- 3. *Authorise officers to advise the unsuccessful tenderers; and***
- 4. *Authorise the Chief Executive Officer to execute the Contract by signing and affixing with the Common Seal of Strathbogie Shire Council.***

63-23/24 **CARRIED**

11.3.3 Tender for Contract No. 23/24-47: Strathbogie Streetscape - Construction

Author: Project Officer – Project Delivery

Responsible Director: Director of Sustainable Infrastructure

EXECUTIVE SUMMARY

Strathbogie Shire Council approved funding within the 2023/2024 budget for Streetscape works throughout the Shire.

Effective Streetscape design is an integral part of shaping a community's identity, increasing civic pride, and improving a sense of well-being and belonging.

As part of Council's Streetscape Program Stage 2, the Strathbogie Tablelands community was consulted with to develop a design for Main Street, Strathbogie. The community has collaborated with Council Officers on a design that will welcome visitors to the Strathbogie Tablelands.

The public tender was released on "Tendersearch" via the Council website on the 23 February 2024. 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 25 March 2024, two (2) tenders were received.

Following a Procurement process, it is proposed that Council award the Strathbogie Streetscape - Construction to Jarvis Delahey Contractors of Shepparton, for a total amount of \$382,954.55 inclusive of GST. Any budget overruns (latent conditions) will be accommodated by reducing the scope of Stage 1 works to align with the allocated budget.

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

- 1. Receive and note the outcome of the tender assessment process for Contract No 23/24-47 Strathbogie Streetscape – Construction;***
- 2. Award the tender for contract No 23/24-47 Strathbogie Streetscape - Construction - Lump Sum to Jarvis Delahey Contractors of Shepparton, for a total amount of \$382,954.55 inclusive of GST;***
- 3. Authorise officers to advise the unsuccessful tenderer; and***
- 4. Authorise the Chief Executive Officer to execute the Contract by signing and affixing the Common Seal of Strathbogie Shire Council.***

64-23/24 **CARRIED**

11.3.4 Tender for Contract No. 23/24-45: Consultant to provide the Municipal Stormwater Strategy

Author: Procurement and Tenders Officer, Manager Operations

Responsible Director: Sustainable Infrastructure

EXECUTIVE SUMMARY

Strathbogie Shire Council requires the development of a Municipal Stormwater Strategy to provide strategic direction on stormwater investment which is resourceful, targeted, concise, and aligned to relevant standards and best practice guidelines. Council was successful in securing a grant from the State Government (Emergency Management Victoria) to fund this work.

Council has undertaken a competitive tender process to ensure that the proposed appointment of a consultant to provide the Municipal Stormwater Strategy represents overall Best Value and meets compliance requirements of *the Local Government Act 2020* and Strathbogie Shire Council's Procurement Policy (last update November 2023).

Through public advertisement in local and national newspapers, Council invited tenders for the Consultant to provide the Municipal Stormwater Strategy with the initial tender opening on 9am Friday 2 February 2024. At close of the tender on Wednesday 28 February 2024, two (2) tender submissions were received.

After initial independent assessment and evaluation, Officers recommend that the tender is awarded to Afflux Consulting Pty Ltd for a lump sum value of \$140,360.40 including GST.

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 CN 23/24-45 - Request for Tender - Consultant to provide Municipal Stormwater Strategy to Afflux Consulting Pty Ltd from Upper Ferntree Gully Victoria for a lump sum value of \$140,360.40 including GST;***
- 2. Authorise the Chief Executive Officer to execute the Contract by signing and affixing with the Common Seal of Strathbogie Shire Council;***
- 3. Authorise officers to advise the unsuccessful tenderer; and***
- 4. Note that the Contract will commence on 1 May 2024 and draft Strategy completed 30 November 2024.***

65-23/24 **CARRIED**

11.3.5 Tender for Contract No. 23/24-46: Construction of Avenel Entry Signage

Author: Manager Project Delivery

Responsible Director: Director of Sustainable Infrastructure

EXECUTIVE SUMMARY

Within the 2023/2024 budget, the Strathbogie Shire Council approved funding for works to be undertaken to renew and improve the existing streetscapes within the Shire.

Effective Streetscape design is an integral part of shaping a community's identity, increasing civic pride, and improving a sense of well-being and belonging.

As Avenel continues to develop, streetscape renewal should reflect and celebrate its surroundings while respecting its historic village atmosphere.

Following three stages of community engagement, officers presented the Streetscape designs to Council at the 15 March 2022 Council Meeting. Stage 1 works in Avenel occurred in 2022 and works undertaken included new landscaping garden beds, advance trees planting, new seating and footpath corrections in Queen Street.

As part of Council's Streetscape Program Stage 2, further community engagement was undertaken with the Avenel to develop design concepts for new Town Entry Signs. The town entry signage was designated as the second priority project by the community in the roll out of the overall streetscape project for Avenel Township. Subsequently, the community in partnership with the Shire have collaborated on a design that will welcome visitors to Avenel and celebrate its rich history.

The public tender was released on "Tendersearch" via the Council website on the 16 February 2024. 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 27 March 2024, three (3) tenders were received.

The Entry signage will be delivered in accordance with Council's Town Entry Signage Protocols as part of Council Branding Strategy adopted by Council at the 17 May 2022 Council Meeting (refer Attachment 1: Strathbogie Shire Council Branding Strategy).

The Administrator adopted the Motion

That Council:

- 1. Note that the Town Entry Signage was designated as the second priority project by the Avenel community to deliver Stage 2 of the Avenel Streetscape design;***
- 2. Receive and note the outcome of the tender assessment process for Contract No 23/24-46 Construction of Avenel Entry Signage;***

11.3.5 Tender for Contract No. 23/24-46: Construction of Avenel Entry Signage (cont.)**MOTION (cont.)**

- 3. Award the tender for contract No 23/24-46 Construction of Avenel Entry Signage - Lump Sum to Challis Design Pty Ltd of Geelong, for a total amount of \$187,440.00 inclusive of GST;**
- 4. Authorise officers to advise unsuccessful tenderers; and**
- 5. Authorise the Chief Executive Officer to execute the Contract by signing and affixing the Common Seal of Strathbogie Shire Council.**

66-23/24 CARRIED

11.3.6 Capital Program Delivery Status as at 26 March 2024

Author: Director Sustainable Infrastructure

Responsible Director: Director Sustainable Infrastructure

EXECUTIVE SUMMARY

This report provides commentary on the delivery status of all approved capital projects for the 2023/24 financial year providing updates in terms of budget phasing comparison and completions timelines.

These key areas of the report are highlighted using a traffic light system with the following reporting condition:

- if the project actual expenses or the timeline for completion is within +/- 10% of the forecasted status the information is provided in yellow,
- if the current actual expenses are greater than the phased budget forecast or the timeline for completion is past the original planned date the information is reported in red, and
- if the current actual expenses are less than the phased budget forecast or the timeline for completion is before the original planned date the information is reported in red.

The preference is for all items to be reported in yellow.

The red and green results context is dependent on the item being reported; i.e. over budget, under budget, late or early delivery. Generally, both are seen to be not preferred and mitigation action is required.

This report provides the update on the financial aspects of the program's progress and the status of the forecast and original planned completion dates.

These metrics are reflecting most projects are on track to be delivered in this financial year; and the current assessment of the program's delivery status has not changed from last month in that the majority will be delivered this financial year.

All projects that are forecast to not be completed in the current financial year will be completed in the 2024/25 financial year. All these projects have funding streams that provide for these delivery timelines and do not place the receipt of funding from the external sources at risk. Further, their late delivery will not impact on the delivery of the 2024/25 financial years' Capital Program.

The Administrator adopted the Motion

That Council note the Capital Program Delivery status report effective 26 March 2024.

67-23/24

CARRIED

11.3.7 Contracts, Works and Grants Awarded Under Delegation **- 1 March 2024 to 31 March 2024**

Author: Procurement and Tenders Officer

Responsible Director: 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 to 31 March 2024. This report specifically relates to works that form part of Council's 2023/24 adopted Budget.

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

The Administrator adopted the Motion

That Council note the:

- 1. Contracts awarded under delegated authority by the Chief Executive Officer;***
- 2. Contracts awarded under delegated authority by Director/s; and***
- 3. One Grant awarded under delegated authority by the Acting Chief Executive Officer.***

68-23/24 **CARRIED**

11.4 CORPORATE

11.4.1 Victorian Auditor-General's Office - Results of 2022-2023 Audits: Local Government

Author: Director People and Governance

Responsible Director: Chief Executive Officer

EXECUTIVE SUMMARY

On 7 March 2024, the Victorian Auditor-General tabled in Parliament an audit titled *Results of 2022-23 Audits: Local Government*.

The Victorian Auditor-General's Office (VAGO) has reported clear audit opinions on both the financial and performance statements for 78 Victorian councils. As of 29 February 2024 three audits remained in progress, including one council.

The report, a general observation, finds that Strathbogie Shire Council's short term financial health is satisfactory. The report states that Councils face longer-term challenges that require sound financial planning and management to maintain this financial health.

The report includes recommendations addressed to Councils, finance teams, audit and risk committees and Local Government Victoria, and includes commentary around how Councils can improve their reporting processes.

The other recommendations directed to Local Government Victoria relate to enhancements to the model performance statement and the development of a governance training program with the Municipal Association of Victoria.

VAGO has reported that Strathbogie Shire Council met all its audited financial and performance obligations for 2022-23 (refer Appendix E included in Attachment 1). Both financial statements and performance statements were signed by the Council on 3 October 2023, with VAGO providing a clear audit opinion and signing on 11 October 2023. These signed reports were presented to the Council meeting on 17 October 2023.

The Administrator adopted the Motion

That Council note the Victorian Auditor-General Results of 2022-23 Audits: Local Government Report.

69-23/24 **CARRIED**

11.4.2 Council Policy Review: Draft Open Data Policy

Author: Manager Digital Innovation and Technology

Responsible Director: Director People and Governance

EXECUTIVE SUMMARY

The revised draft Open Data Policy has been developed to define Open Data Principles and associated governance, and to enable Council to proceed with publishing datasets online for public to access without having to call Customer Service staff.

This policy provides direction on the release, licensing and management of data so that it can be used and reused by the community and businesses. By enabling greater public access to information, the intent of the policy is:

- To enable public access to Council data to support research and education, promote innovation, support improvements in productivity, and stimulate growth in the local economy.
- To enhance sharing of, and access to, information-rich resources to support evidence-based decision making.

An internal review of the revised draft policy has now been completed. This Policy has been updated to Council's new policy template and only minor changes have been made to wording, grammar and the responsible officer, reflecting Council's current structure and positions. No changes of significance were made to this policy.

This report recommends Council adopt the revised draft Strathbogie Shire Council Open Data Policy.

The Administrator adopted the Motion

That Council:

- 1. Adopt the draft Open Data Policy; and***
- 2. Place the 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.***

70-23/24 CARRIED

11.4.3 New Council Policy – Draft Fair Access Policy

Author: Acting Manager Community and Culture

Responsible Director: Acting Executive Manager Communications and Engagement

EXECUTIVE SUMMARY

The draft Fair Access Policy (the Policy) and associated Fair Access Action Plan (Action Plan) seeks to address known barriers experienced by women and girls in accessing and using community sports infrastructure in Strathbogie Shire. The Policy aims to progressively build capacity and capabilities of Strathbogie Shire Council (Council) in the identification, and elimination of systemic causes of gender inequality in policy, programs, communications, and delivery of services in relation to Council's community sports infrastructure.

The scope of the Policy and Action Plan is to support Council to take positive action towards achieving gender equity in the access and usage of community sports infrastructure. The policy and Action Plan will strategically prioritise, improve, develop and manage Strathbogie Shire's recreational facilities and opportunities. Officers have worked closely with the Office for Women in Sport and Recreation throughout the development of this Policy and Action Plan.

An adopted Policy and Action Plan is also a future requirement from the Victorian Government for Local Government Authorities wishing to apply for funding through the Community Sports Infrastructure Fund. This is consistent with the Victorian Government's commitment to Gender Equality through the *Gender Equality Act 2020*.

The Administrator adopted the Motion

That Council:

- 1. Adopt the Draft Fair Access Policy and Fair Access Action Plan;***
- 2. Place the Fair Access Policy and Action Plan 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; and***
- 3. Engage with relevant State, Regional and Local Sporting Bodies, and Local Facility Managers and Committees to support the application of this Policy and the implementation of the Action Plan.***

71-23/24 **CARRIED**

11.4.4 Council Policy Review: Community Funding Policy

Author: Community Development Officer

Responsible Director: Acting Executive Manager Communications and Engagement

EXECUTIVE SUMMARY

Organisational policies provide the framework and structure for Council's business operations to ensure application of good governance, risk and compliance.

The purpose of this Policy is to establish clear principles and a framework to support and guide the implementation of the provision of Community Funding.

Community Funding enables Council to enter into partnership with community organisations and groups through the distribution of funds, to deliver activities, projects and initiatives for mutual benefit. This helps the Council and Community to deliver on Strathbogie Shire's Community Vision and Council Plan. It helps to address community needs, support local networks, encourage participation in community life, facilitate innovation and responsiveness in community service provision, and promote access, inclusion and acceptance of diversity.

This Policy outlines Council's commitment to providing the community with access to funding for activities, projects and initiatives that align with Council's strategic direction and the Council Plan and provides a governance framework that ensures the Community Funding program is delivered in a fair, equitable and transparent manner.

This re-named Policy replaces the previous Community Funding and Investment Policy, first adopted in 2019, as it better reflects Council's current approach to community funding, and is consistent with the recommendations from VAGO's *Fraud Control over Local Government Grants Review*.

This policy is scheduled for review two years from the date of adoption.

The Administrator adopted the Motion

That Council:

- 1. *Adopt the revised Community Funding Policy; and***
- 2. *Place the new 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.***

72-23/24 CARRIED

11.4.5 Revised Community Funding Model and Funding Guidelines for 2024/25

Author: Community Development Officer

Responsible Director: Acting Executive Manager Communications and Engagement

EXECUTIVE SUMMARY

Council's Community Funding Model provides an opportunity for groups to undertake projects that complement the Community Vision and strategic focus areas identified in the Strathbogie Shire Council Plan 2021-25. Council has a long history of providing community funding to groups in the Municipality to support the delivery of important community projects.

The purpose of this report is to provide a summary of the proposed changes and improvements to the Community funding Model and Grant Guidelines for 2024/25, following an annual review. The review takes the below into consideration:

- officer feedback,
- community feedback, and
- the Fraud Control Over Local Government Grants report from the Victorian Auditor Generals' Office

The proposed Community Funding Model includes a new stream of Grants; *Reducing Emissions* grants for up to \$20,000, for projects that deliver a positive environmental change through community infrastructure improvements on Council owned assets that reduce emissions. The model also references Pitch My Project 2024/25 recognising that is an avenue for the delivery of important community projects, determined by the community.

This report presents to Council the revised Community Funding Model and relevant Funding Guidelines for all Council Grant Programs in 2024/25.

The Administrator adopted the Motion

That Council:

- 1. Adopt the proposed Community Funding Model 2024/25 and associated guidelines for Community Grant Guidelines and Event Grant Guidelines for 2024/25; and***
- 2. Authorise Officers to implement the model through the promotion and release of grant guidelines and information on Council's Website, local media, publications and broadly through a range of networks, with:***
 - the Community Strengthening and Reducing Emissions 2024/25 grant programs opening on 17 April 2024 and closing on 28 May 2024,***
 - the Quick Response Grants program remaining open all year round, or until funds are expended, and***
 - the Event Grants remaining open all year round, or until funds are expended.***

73-23/24 **CARRIED**

11.4.6 Draft 2024/25 Strathbogie Shire Council Budget - Preparation of Draft Budget, and Draft Fees and Charges for Exhibition and Comment

Author: Acting Chief Financial Officer

Responsible Director: Director People and Governance

EXECUTIVE SUMMARY

In accordance with the requirements of section 94 of the *Local Government Act 2020* (the 2020 Act), Council has prepared a draft budget and fees and charges for the financial year ending 30 June 2025.

The draft budget and fees and charges have been developed in accordance with the 2020 Act's financial management principles in accordance with section 96(1)(a). A Revenue and Rating Plan was prepared in 2021 under new requirements introduced by section 93 of the 2020 Act.

It should be noted that currently general rates, municipal charges service rates/charges and special charges/rates are to be declared under Part 8 of the *Local Government Act 1989* as these provisions have not been included in the 2020 Act.

Community engagement has already been undertaken to inform the preparation of the draft budget during the development of the Council Plan and Pitch My Project submissions.

It is proposed that further consultation is undertaken through a 28-day consultation period in accordance with the Communications and Engagement Plan whereby written submissions will be received and submitters provided with an opportunity to make a verbal submission to Council at a dedicated meeting to hear and consider budget submissions.

To facilitate further engagement, eligible Pitch My Project submissions will be uploaded onto the Share Strathbogie platform concurrently with the 28-day consultation period to enable community members to vote on the most important projects to them. In addition to online voting, physical voting stations will also be placed throughout the municipality to enable hard copy voting.

Council will also use Share Strathbogie to seek Budget feedback. It is proposed that written submissions will need to be received by 5.00 pm on Friday 24 May 2024 and be considered by Council at an Extraordinary Council Meeting to be held on Tuesday 4 June 2024.

The Administrator adopted the Motion

That:

- 1. Council accept the draft 2024/25 Budget and draft Fees and Charges;**
- 2. The draft 2024/25 Budget and draft Fees and Charges be initialled by the Administrator (for identification) and presented as the Budget prepared by Council for the purposes of sections 94 and 96 of the Local Government Act 2020;**

11.4.6 Draft 2024/25 Strathbogie Shire Council Budget - Preparation of Draft Budget, and Draft Fees and Charges for Exhibition and Comment (cont.)

MOTION (cont.)

3. ***The Chief Executive Officer be authorised to give public notice of the preparation of such budget for a period of 28 days in accordance with Council's Community Engagement Policy and section 96(1)(a) of the Local Government Act 2020 through notices in locally circulating newspapers and newsletters, on Council's social media pages and on Council's website;***
4. ***The closing time for the receipt of written submissions will be 5.00 pm on Friday 24 May 2024;***
5. ***Council consider written and verbal submissions on any proposal (or proposals) contained in such budget at an Extraordinary Council meeting to be held on Tuesday 4 June 2024, commencing at 6.00 pm at the Euroa Community Conference Centre;***
6. ***Council authorise the Chief Executive Officer to undertake minor editorial changes to the draft Budget and Fees and Charges, if required;***
7. ***Council allocate up to \$300,000 towards Pitch My Project submissions informed by the community voting process and to be included in the final draft 2024/25 Budget; and***
8. ***The 2024/25 Strathbogie Shire Council Budget be considered at the Council meeting to be held on Tuesday 18 June 2024, commencing at 6.00 pm at the Euroa Community Conference Centre.***

74-23/24 **CARRIED**

11.4.7 2021-25 Council Plan Update – Draft Year 4 Actions 1 July 2024 – 30 June 2025

Author: Director People and Governance

Responsible Director: Chief Executive Officer

EXECUTIVE SUMMARY

The 2021-25 Council Plan was adopted in October 2021. It is considered prudent to align the time of review and update of the Council Plan with the budget cycle, as has been standard practice for many years, even though the new *Local Government Act 2020* is silent on the Council Plan review process.

The Council Plan ([Strathbogie Shire Council 2021-2025 Council Plan.pdf](#)) is currently in its third year of delivery, with the fourth year of delivery set to commence 1 July 2024. This will be the final review of the current plan, with a new Council Plan 2025-2029 to be developed once the elected Council forms in late 2024.

The review and update ensure that the resources required to implement the Community Vision and the six Strategic Focus Areas outlined in the plan are allocated, where possible, through the annual budget process.

A number of key initiatives have been included in the draft 2024/2025 Year 4 actions with some actions due for completion prior to 30 June 2025. These draft actions include:

- Adoption of the updated Rural Land Use and Rural Residential Strategies
- Adoption of the Urban Growth Strategy
- Creating a Significant Tree Register
- Undertaking a Waste Management and Transfer Station Rationalisation Study
- Undertaking the development of the Euroa Railway Precinct Master Plan
- Understanding the outcomes of the civic accommodation study and present findings and recommendations to Council
- Completing the Arts and Culture Strategy to support the community in driving diversity in activities and events
- Review and implementation of actions from the Domestic Wastewater Management Plan to support growth within existing townships and mitigate health risks from wastewater
- Reviewing the Euroa Saleyards Masterplan to enhance its viability and minimise environmental impacts
- Reviewing the Violet Town District Strategic Development Plan to guide future development and growth while maintaining local character; and
- Participating in the newly established Goulburn Regional Tourism Inc.

It is recommended that the draft updated 2021-25 Council Plan (Year 4 actions 1 July 2024 to 30 June 2025) be released for community comment in parallel with the draft 2024/2025 Budget, with the ability to make a written submission for a period of 28 days, with submissions closing on Friday 24 May 2024.

11.4.7 2021-25 Council Plan Update – Draft Year 4 Actions 1 July 2024 – 30 June 2025 (cont.)

The Administrator adopted the Motion

That Council:

1. ***Endorse the draft updated 2021-25 Council Plan (Year 4 actions 1 July 2024 to 30 June 2025) for the purposes of seeking community input through written submissions, with the closure day for receipt of submissions being 5pm Friday 24 May 2024; and***
2. ***Hear any verbal submissions in relation to the 2021-25 Council Plan review at an Extraordinary Council meeting to be held 6pm, Tuesday 4 June 2024.***

75-23/24 CARRIED

11.4.8 Strathbogie Shire Council Audit and Risk Committee – Confirmed Minutes of the Ordinary Meeting held on 1 March 2024

Author: Coordinator Governance and Records Management

Responsible Director: Director People & Governance

EXECUTIVE SUMMARY

This report presents the confirmed minutes of the ordinary meeting held on 1 March 2024 endorsed by the Audit and Risk Committee at its meeting held 5 April 2024.

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

Business:

- 2023/2024 Mid-Year Review for Period Ending 30 June 2024
- Update 2024/2025 Budget Preparation
- Reappointment of Two Independent Community Members under Exceptional Circumstances
- Appointment of Administrator
- Collaborative Digital Transformation Project (CODI) update
- Victorian Electoral Commission (VEC) and 2024 Local Government Election update
- Electoral Structure Review update
- Climate Change Action Plan update
- Proposed Audit & Risk Committee Meeting Dates 2024/2025
- Internal Audit Updates – RSD Audit
- External Audit Updates – Crowe Australasia
- Outstanding Internal Audit Items update
- Policy Review update
- Risk Management update
- 2023/2024 Audit & Risk Committee Work Plan update
- Human Resources update – Key Strategic Indicators Report
- Councillor Reimbursements quarterly report
- Chief Executive Officer Purchasing Card quarterly report
- Fraud Risk Management Report
- Investment and Borrowings Report quarterly report
- Items raised by the Committee

The confirmed minutes from the above meeting are presented for Council's 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 1 March 2024.

76-23/24 **CARRIED**

11.5 GOVERNANCE AND CUSTOMER SERVICE

11.5.1 Updated Strathbogie Shire Council Governance Rules

Author: Director People and Governance

Responsible Director: Chief Executive Officer

EXECUTIVE SUMMARY

A requirement of the *Local Government Act 2020* (the Act) is a Council must develop, adopt, and keep in force governance rules.

The Governance Rules outline the procedures for Council meetings and set the rules of behaviour for those participating and present at the meeting. The also outline the process or contain information relating to the following:

- The process for the appointment of the Mayor and Deputy Mayor,
- Meeting procedures and conduct directives for Council, Delegated Committees and Community Asset Committees meetings,
- Disclosures of conflict of interests, and
- Election Period Policy.

An extensive review (including community engagement and consultation) of Council's Governance Rules was undertaken in 2023 and the Governance Rules were endorsed by Council in October 2023.

A requirement of Section (69) of the *Local Government Act 2020* is that a Council must also include an Election Period Policy in its Governance Rules.

Since the review in 2023, further amendments have been identified to address anomalies to improve the implementation of the Governance Rules. In addition, the Election Period Policy has been updated in preparation for the Local Government elections in October 2024.

A period of community engagement will take place resulting from the amendments as required by Section 60 (4) of the *Local Government Act 2020*.

The Administrator adopted the Motion

That Council:

- 1. *Endorse the release of the draft Strathbogie Shire Council Governance Rules for broad community consultation for a period of 28 days commencing on 17 April 2024; and***
- 2. *Receive a further report at the June 2024 Council Meeting to consider the final Strathbogie Shire Council Governance Rules detailing the outcomes of the community consultation on the draft Strathbogie Shire Council Governance Rules.***

77-23/24 **CARRIED**

11.5.2 Monthly Performance Report

The April 2024 Monthly Performance Report includes reports as follows:-

- Building Department – March 2024 Statistics
- Planning Department – Planning Application Approvals – Development Cost (Capital Improved Value) – March 2024
- Customer Enquiry Analysis Report – Report for March 2024
- Waste Management Reporting ~ Year to Date – March 2024
- Transfer Station Data - March 2024
- Actioning of Council Reports Resolutions – Council Meeting Tuesday 19 March 2024
- Outstanding Actions of Council Resolutions to 31 March 2024
- Review of Council Policies and Adoption of new Policies – March/April 2024
- Records of Informal Council Briefings / Meetings – 1 to 31 March 2024

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.

78-23/24 CARRIED

11.6 EXECUTIVE

11.6.1 Appointment of Interim Chief Executive Officer

Author: Chief Executive Officer

EXECUTIVE SUMMARY

Strathbogie Shire Council Chief Executive Officer (CEO), Julie Salomon announced her resignation on 3 April 2024, effective 4 July 2024. Council will now need to fill that vacancy.

Council's Administrator, Mr Peter Stephenson, has determined that the appointment of a Chief Executive Officer should be one of the first tasks of the newly elected Councillors post the 26 October 2024 elections. As such, Mr Stephenson seeks to appoint an Interim Chief Executive Officer.

The recently adopted CEO Employment and Remuneration Policy is silent in regard to the appointment process of an Interim CEO under such extraordinary circumstances where Council is not governed by elected representatives and the role of the CEO becomes vacant.

As such, the CEO Employment and Remuneration Committee recently met to clarify a process. It was determined that an Interim CEO will be appointed for a period of up to 12 months via a selected invitation process targeting experienced former Local Government CEOs. The roles and responsibilities of the Interim CEO would include inter alia:

- to fulfill the role and responsibilities of the CEO in accordance with the Local Government Act 2020,
- ensure business continuity and stability for the organisation over a period of up to 12 months until a longer-term CEO is appointed,
- to lead the Councillor Induction Program, post the 26 October 2024 Council Elections, and
- assist the newly elected Councillor team with the recruitment, selection and decision making for the onboarding of the new CEO.

The appointment of the Interim Chief Executive officer is consistent with the principles as enunciated in Division 7, sections 44 and 45 of the *Local Government Act 2020*.

The Administrator adopted the Motion

That Council:

- 1. *Note the resignation of the Chief Executive Officer (CEO), Julie Salomon, effective 4 July 2024;***
- 2. *Note that the recently adopted Chief Executive Officer Employment and Remuneration Policy is silent in regard to the appointment process of an Interim CEO for a period of up to 12 months;***

11.6.1 Appointment of Interim Chief Executive Officer (cont.)

MOTION (cont.)

3. ***Following a meeting with the CEO Employment and Remuneration Committee, note that an Interim CEO will be appointed by way of selected invitation targeted to experienced former Local Government CEOs; and***
4. ***Following the appointment and signing of a Contract, announce the appointment of the Interim CEO at the next scheduled Council meeting.***

79-23/24 **CARRIED**

12. NOTICES OF MOTION

Nil

13. NOTICES OF RESCISSION

Nil

14. URGENT BUSINESS

Nil

15. CONFIDENTIAL BUSINESS

The Chief Executive Officer has declared the following item -

“The Hub” – Tenancy Options

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

- (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*

This ground has been applied to this matter as it relates to a review of the current lease arrangements and future occupancy of Shop 1, 46 Binney Street, Euroa, which is tenanted by Strathbogie Shire Council for the ‘The Hub’ / Visitor Information Centre (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

The Administrator adopted the 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:-

“The Hub” – Tenancy Options

80-23/24 **CARRIED**

7.53 pm

The public gallery closed and livestreaming of the meeting to the public ceased

7.56 pm

The public gallery reopened and livestreaming of the meeting to the public recommenced

Confirmation of Confidential Business Decision/s**C.B. 1 “The Hub” – Tenancy Options**

The Council resolved to release the following information publicly –

Executive Summary

Strathbogie Shire Council is the Tenant of Shop 1, 46-50 Binney St, Euroa for “The Hub” / Visitor Information Centre. “The Hub” has been in operation from this location since 2015 providing residents and visitors to Euroa information relating to places of interest, accommodation, and general new resident information.

A review of the current lease arrangements has been undertaken by Council Officers, and several issues have been identified, particularly in relation to its rating classification and the expenses incurred by Council associated with this tenancy.

Council has authorised officers to decline the Landlord’s offer as outlined in the Confidential Business Attachment 1 Comparison Matrix and to negotiate with the Landlord to continue on a month by month basis as per the terms of the Lease, which is in a period of overholding.

The Administrator adopted the Motion

That the decisions made in camera be ratified by Council.

82-23/34 **CARRIED**

NEXT MEETING

The next monthly meeting of the Strathbogie Shire Council is scheduled to be held on Tuesday 21 May 2024, at the Euroa Community Conference Centre, at 6pm

THERE BEING NO FURTHER BUSINESS, THE MEETING CLOSED AT 7.57 PM

Confirmed as being a true and accurate record of the Meeting

.....
Chair

.....
Date