

Strathbogie Shire Council

Council Meeting Minutes / Decisions

Tuesday 17 September 2024

Agenda

Council Meeting

Tuesday 17 September 2024, at 6:00 pm

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

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

Administrator

Peter Stephenson

Officers

Tim Tamlin – Interim Chief Executive Officer

Amanda Tingay – Director People and Governance

John Harvey – Director Sustainable Infrastructure

Rachael Frampton – Director Community and Planning

Rosemary Scott – Executive Manager Communications, Engagement and Advocacy

Kerry Lynch – Governance Officer (Minutes)

Order of Business

1	Welcome	4
2	Acknowledgement of Country	4
3	Privacy Notice	4
4	Governance Principles	4
5	Apologies/Leave of Absence	4
6	Disclosure of Conflicts of Interest	4
7	Confirmation of Minutes/Decisions of Previous Meetings	5
8	Petitions	5
9	Administrator's Report.....	5
10	Public Question Time	5
11	Officer Reports	6
11.1	Strategic and Statutory Planning	6
11.1.1	Planning Applications Received and Planning Applications Determined 1 to 31 August 2024	6
11.2	Corporate	7
11.2.1	Draft Annual Financial Report 2023-24	7
11.2.2	Adoption of Draft Performance Statement 2023-24 and Draft Governance Management Checklist 2023-24	8
11.2.3	Strathbogie Shire Council Audit and Risk Committee - Confirmed Minutes of the Ordinary Meeting held 21 June 2024	9
11.2.4	S11A, S11B and S18 - Instruments of Appointment and Authorisation and Instrument of Sub-Delegation to Members of Council Staff Update.....	10
12	Notice of Motion	11
13	Notice of Rescission.....	11
14	Urgent Business.....	11
15	Confidential Business.....	11
16	Next Meeting.....	11
17	Closure of Meeting	11

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 if 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 are 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

Nil

7 Confirmation of Minutes/Decisions of Previous Meetings

The Administrator adopted the Motion

That the Minutes/Decisions of the Council Meeting held on 20 August 2024 be confirmed (Council Meetings and Minutes | Strathbogie Shire) noting the change to the Steering Committee for the Kirwans Bridge Local Emergency Action Plan closing on 30 August 2024, not 23 August 2024 as reported.

23/24-174

CARRIED

8 Petitions

Nil

9 Administrator's Report

We have now officially entered the Election Period, as of 12noon today. In accordance with Councils Election Period Policy, the ordinary day to day business of local government must continue throughout the election period.

Business will be conducted by Council (and in particular its staff) in a responsible and transparent manner and in accordance with statutory requirements. This is to ensure fairness and ethicality. Councils are not allowed to take certain types of actions and make decisions that could influence voters or have a major impact on the new Council.

Our normal monthly report agenda item has not been included in this month's agenda as Officers are currently reviewing the information and format in which this information is presented.

Finally, congratulations to the winners in various categories at the Strathbogie Shire Business Awards on 23rd August showcasing the fabulous offerings in our municipality.

10 Public Question Time

In accordance with the Election Period Policy Clause 6.2 and Strathbogie Shire Council Governance Rules clause 35.2.2 Public Question Time will not occur during the period 17 September 2024 to 26 October 2024.

11 Officer Reports

11.1 Strategic and Statutory Planning

11.1.1 Planning Applications Received and Planning Applications Determined 1 to 31 August 2024

AUTHOR Manager Planning and Investment

RESPONSIBLE DIRECTOR Director Community and Planning

"The recommended decision is not a prohibited decision as defined under section 69(2) of the Local Government Act 2020."

EXECUTIVE SUMMARY

This report lists all Planning Applications Received (Attachment 1) and Planning Applications Determined (Attachment 2) from 1 August to 31 August 2024.

The latest available Planning Permit Activity Performance (PPARS) Figures are also attached (Attachment 3). The PPARS figures attached are for the month of July 2024. The August 2024 PPARS figures were not available at the time of authoring this report as the monthly figures are not updated until the 15th of each month. The contents of this report are provided for information purposes only, the listing of current planning applications on public display can be found on Council's website.

It is noted that there were fourteen (14) new planning applications received and fifteen (15) planning applications decided on during the reporting period.

Attachment four 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. Receive the report

2. Note that there were fourteen (14) new planning applications received, and fifteen (15) planning applications decided on from 1 August to 31 August 2024.

23/24-175

CARRIED

11.2 Corporate

11.2.1 Draft Annual Financial Report 2023-24

AUTHOR Chief Financial Officer

RESPONSIBLE DIRECTOR Director People and Governance

"The recommended decision is not a prohibited decision under section 69(2) of the Local Government Act 2020."

EXECUTIVE SUMMARY

The Local Government Act 2020 (the Act) states it is essential there is a legislative framework that provides for councils to be accountable to their local communities in the performance of functions and the exercise of powers and the use of resources.

Accordingly, it is a statutory requirement under the Act that councils prepare and report on medium and short-term financial plans to discharge their duties of accountability and transparency to their communities. The Annual Financial Statements for 2023-24 have been prepared and submitted to Crowe Australasia, the appointed auditors for the Victorian Auditor General's Office, for an independent audit opinion.

Use has been made of the Local Government Model Financial Report 2023-24 released by Local Government Victoria to assist councils across the state in providing uniform financial reports that meet the requirements of the Act and accounting standards.

Overall, the Financial Statements underline that Council's financial position remains sound.

The Act specifically requires that Council pass a resolution giving its approval in principle to the Annual Financial Report prior to formally submitting it to the Auditor-General Victoria. The approved and audited Report then forms part of the Council's Annual Report, as required by Sections 98 and 99 of the Act.

The Audit and Risk Committee considered the Report at its meeting on Friday 6 September 2024. The Committee, having reviewed the Annual Financial Report consisting of the Financial Statements and Notes, recommends the 2023-24 Annual Financial Report be considered for approval by Council. Since this meeting, minor changes have been made in response to feedback received by Auditors.

The Administrator adopted the Motion

That Council:

1. Approve in principle the 2023-24 Annual Financial Report
2. Authorise the Chief Executive Officer to make minor amendments to the 2023-24 Annual Financial Report, if required, and brief Council if amendments are made
3. Authorise the Chief Executive Officer to:
 - a. Certify the 2023-24 Annual Financial Report
 - b. include the Auditor's Certified Report in the Annual Report to be considered by Council at its October 2024 meeting.

11.2.2 Adoption of Draft Performance Statement 2023-24 and Draft Governance Management Checklist 2023-24

AUTHOR Coordinator Governance and Records Management

RESPONSIBLE DIRECTOR Director People and Governance

"The recommended decision is not a prohibited decision under section 69(2) of the Local Government Act 2020."

EXECUTIVE SUMMARY

The Local Government Performance Reporting Framework is a mandatory system of performance reporting for all Victorian councils. It ensures that councils are measuring and reporting on their performance in a consistent way to promote transparency and accountability in the local government sector. The *Local Government Act 2020* (the Act) requires that Council pass a resolution giving its approval to the Draft 2023-24 Performance Statement and 2023-24 Draft Governance Management Checklist prior to formal submission to the Auditor General Victoria for their audit opinion.

The Draft Governance Management Checklists focuses on a range of policies, plans, and other documents, and Strathbogie has performed well against this Checklist, with a 'Yes' answer against all the listed items of the good governance framework.

The Audit and Risk Committee considered the Performance Report and Checklist at its meeting on Friday 6 September 2024, in accordance with the *Local Government Act 2020*. Since this meeting, minor changes have been made in response to feedback received by Auditors.

Once adopted, the Performance Statement and Governance and Management Checklist will form part of Council's 2023-24 Annual Report to be considered by Council in October meeting.

The Administrator adopted the Motion

That Council:

1. Adopt, in principle, the:

- a) 2023-24 Performance Statement**
- b) 2023-24 Governance and Management Checklist**

2. Authorise the Chief Executive Officer, and Administrator to certify the 2023-24 Performance Statement and Governance and Management Checklist once reviewed by the Victorian Auditor General's Office subject to any minor corrections required by the Victorian Auditor General

3. Once finalised, the Performance Statement and Governance and Management Checklist be included in Council's 2023-24 Annual Report.

23/24-177

CARRIED

11.2.3 Strathbogie Shire Council Audit and Risk Committee - Confirmed Minutes of the Ordinary Meeting held 21 June 2024

AUTHOR Coordinator Governance & Records Management

RESPONSIBLE DIRECTOR Director People and Governance

"The recommended decision is not a prohibited decision under section 69(2) of the Local Government Act 2020."

EXECUTIVE SUMMARY

This report presents the confirmed minutes of the Strategic Workshop meeting held on 21 June 2024 endorsed by the Audit and Risk Committee at its meeting held 6 September 2024.

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

Business:

- Payroll Strategy
- Impact of Climate Change or Global Warming Events on Council Operations
- Affordable and Social Housing
- Policies
- Business Continuity Plan – Testing and Training
- Recruitment of Independent Community Member to Audit and Risk Committee.

The purpose of this report is for Council to receive and note the confirmed minutes of the Strathbogie Shire Council Audit and Risk Committee meeting of 21 June 2024.

The Administrator adopted the Motion

That Council receive and note the Confirmed Minutes of the Strathbogie Shire Council Audit and Risk Committee meeting of 21 June 2024.

23/24-178

CARRIED

11.2.4 S11A, S11B and S18 - Instruments of Appointment and Authorisation and Instrument of Sub-Delegation to Members of Council Staff Update

AUTHOR Coordinator Governance and Records Management

RESPONSIBLE DIRECTOR Director People and Governance

"The recommended decision is not a prohibited decision under section 69(2) of the Local Government Act 2020."

EXECUTIVE SUMMARY

The purpose of this report is to update the instruments of delegation to ensure they reflect the current organisation structure. The organisation structure has changed following the appointment of the Manager, Community Safety and Coordinator Waste and Environment.

The following instruments of delegation have been updated and are now presented to Council for consideration:

- S11A Instrument of Appointment and Authorisation *Planning and Environment Act 1987*
- S11B Instrument of Appointment and Authorisation *Environment Protection Act 2017*
- S18 Instrument of Sub-Delegation to Members of Council Staff *Environment Protection Act 2017*.

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

The Administrator adopted the Motion

That Council:

Exercise the powers conferred by section 224 of the *Local Government Act 1989* (the Act) and the other legislation referred to in the attached instruments of appointment and authorisation and Instrument of Sub-Delegation (S11A, S11B and S18), Strathbogie Shire Council (Council) resolves that:

1. The members of Council staff referred to in the instruments be appointed and authorised as set out in the instruments
2. The S11A Instrument of Appointment and Authorisation endorsed by Council as its meeting of 16 July 2024 be revoked and replaced by the 17 September 2024 instrument
3. The S11B Instrument of Appointment and Authorisation endorsed by Council as its meeting of 16 July 2024 be revoked and replaced by the 17 September 2024 instrument
4. The S18 Instrument of Sub-Delegation to Members of Council Staff endorsed by Council as its meeting of 16 July 2024 be revoked and replaced by the 17 September 2024 instrument
5. The instruments be signed and sealed by Council under the Strathbogie Shire Council Local Law No 1 Use of the Common Seal 2020

- 6. The instruments come into force immediately when the common seal of Council is affixed to the instruments and remains in force until Council determines to vary or revoke it/them.**

23/24-179

CARRIED

12 Notice of Motion

Nil

13 Notice of Rescission

Nil

14 Urgent Business

Nil

15 Confidential Business

Nil

16 Next Meeting

The next monthly meeting of the Strathbogie Shire Council is to be held on 15 October 2024 at Euroa Community Conference Centre at 6:00 pm.

17 Closure of Meeting

There being no further business, the meeting closed at 6:19 pm.

Confirmed as being a true and accurate record of the Meeting.



Chair



Date

