

**Strathbogie Shire Council**

# **Council Meeting Agenda**

**Tuesday 10 December 2024**

# Agenda

## Council Meeting

**Tuesday 10 December 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/>

### **Councillors**

Cr Mayor Claire Ewart-Kennedy  
Cr Deputy Mayor Scott Jeffery  
Cr Laura Binks  
Cr Gregory Carlson  
Cr Vicki Halsall  
Cr Clark Holloway  
Cr Fiona Stevens

### **Municipal Monitor**

Marg Allan

### **Officers**

Tim Tamlin	Interim Chief Executive Officer
Amanda Tingay	Director People and Governance
Rachael Frampton	Director Community and Planning
Michelle Harris	Interim Media and Communications Manager
Kerry Lynch	Governance Officer

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# 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 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

## 6 Disclosure of Conflicts of Interest

## 7 Confirmation of Minutes/Decisions of Previous Meetings

### RECOMMENDATION

1. That the Minutes/Decisions of the Council meeting held on 15 October 2024, be confirmed (Council Meetings and Minutes - 15 October 2024)
2. That the Minutes/Decisions of the Statutory Council Meeting held on 19 November 2024, be confirmed (Council Meetings and Minutes | Strathbogie Shire)
3. That the Minutes/Decisions of the Ordinary Council Meeting held on 20 August 2024 be amended to include the full recommendation carried from Item 11.1.3 Process for Implementing Updated Flood Controls into Strathbogie Planning Scheme to include items 1 – 4 as below:

#### General

1. Adopts the:
  - a. Nagambie Flood Study – Final Report, 2017
  - b. Violet Town Flood Study, May 2007; and
  - c. Euroa Flood Mapping and Flood Intelligence Project Report, May 2015
2. If a peer review of these studies is commissioned by, or on behalf of, Council, a further report must be prepared for Council to consider that peer review.
3. Continues to work with the Goulburn Broken Catchment Management Authority and the Department of Transport and Planning to progress planning scheme amendments to introduce interim and permanent flood controls for Euroa, Nagambie and Violet Town.

#### Interim controls

4. Requests the Minister for Planning to prepare an amendment under section 8 of the *Planning and Environment Act 1987* (PE Act), and to rely on section 20(4) of the PE Act to exempt herself from the notice requirements of sections 17, 18, and 19 of the PE Act, to apply the Land Subject to Inundation Overlay, on an interim basis, to the land identified in the following reports as being subject to flooding which is not presently identified under the Strathbogie Planning Scheme as being subject to flooding:
  - a. Nagambie Flood Study – Final Report, 2017
  - b. Violet Town Flood Study, May 2007; and
  - c. Euroa Flood Mapping and Flood Intelligence Project Report, May 2015.

## 8 Petitions

Nil

## **9 Mayor and Councillor Reports**

### **9.1 Mayor's Report**

### **9.2 Councillor Reports**

## **10 Public Question Time**

### **Public Question Time**

Questions for the Ordinary Council Meeting can be submitted to be read, and responded to, by the Chair, or a member of Council staff nominated by the Chair, during the Public Question Time. Questions must be submitted 30 hours prior to the Council meeting, by emailing [info@strathbogie.vic.gov.au](mailto:info@strathbogie.vic.gov.au).

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

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

## **11 Officer Reports**

### **11.1 Strategic and Statutory Planning**

#### **11.1.1 Rural Residential and Land Use Strategy and Urban Growth Strategy**

**AUTHOR** Manager Planning and Investment

**RESPONSIBLE DIRECTOR** Director Community and Planning

#### **EXECUTIVE SUMMARY**

This report seeks to inform Council of the purpose of the requirement for and the progress of development of the Rural Residential and Land Use Strategy and Urban Growth Strategy. In addition, it seeks Councils' endorsement of the community panel deliberative engagement process to be undertaken to inform these key strategic documents.

Council's previous Rural Residential Strategy (2004), and the Rural Land Use Strategy (2008) are over 15 years old. In addition to this, Council had not previously had a municipal wide strategy to manage growth and development.

The Strathbogie Shire Community expressed the need for an overarching direction for growth within the municipality, both within and around the townships as well as in rural areas. This need was identified as part of the community consultation process for Council's most recent Planning Scheme review which was adopted by Council in February 2023. The development of these two key strategic documents was also identified in the Council Plan 2021-2025.

As a result, Council is part way through the process of developing these two key strategic documents; a Rural Residential and Land Use Strategy (RRLUS) and Urban Growth Strategy (UGS).

A four-stage community engagement approach to inform the development of both strategies was endorsed by Council at its ordinary Council Meeting on 16 July 2024. Council officers have commenced stage 2 of this endorsed process: broad consultation on the issues and opportunities reports.

This engagement is underway until the 13 December 2024. Council officers are now seeking endorsement for the next stage in the process, being the community panel as it is an important step in the development of these Strategies. Due to the complex nature of these long-term Strategies, deliberative engagement is recommended in line with Council's Community Engagement Policy, and the community engagement principles outlined in the *Local Government Act 2020*.

The Community Panel will enable a deliberative engagement process that will run in mid-late February 2025. The Community Panel will be formed by a random selection of individuals, who have expressed an interest in participation, that aims to generally represent the diversity of the Strathbogie Shire community. Panel members will deliberate and consider the current evidence, presented by subject matter experts, relevant reports and Strategies and the findings from the initial engagement. Following this consideration, the Community Panel will develop recommendations to inform the development of the RRLUS and UGS. The recommendations of the Panel will be presented back to Council at a workshop in early 2025.

This report provides an update on the process for and development of these key Strategies, and requests Council's consideration of the recommended community panel and deliberative engagement process.

## RECOMMENDATION

### That Council:

1. **Note this report**
2. **Endorse the community panel deliberative engagement process of “involve” as outlined in this report.**

## PURPOSE AND BACKGROUND

A review of the Strathbogie Planning Scheme was adopted by Council on 21 February 2023. The review recommended two priority actions including the need to develop a RRLUS and an UGS. These two actions also form part of the Council Plan 2021-2025.

Previously, Council adopted a Rural Residential Strategy in 2004 and a Rural Land Use Strategy in 2008. The information in these two strategies requires significant review and will be combined into one document forming the Rural Residential and Land Use Strategy.

The overarching aim of the RRLUS is to ensure Council has formal and strategic justification to direct and allow rural residential development in areas that minimise impacts and provides protection to productive agricultural land and other associated non-residential uses.

Council has not previously had an overarching UGS. The UGS will provide a framework to assist decision making on areas of potential future residential expansion and any potential rezoning in a coordinated municipal wide approach.

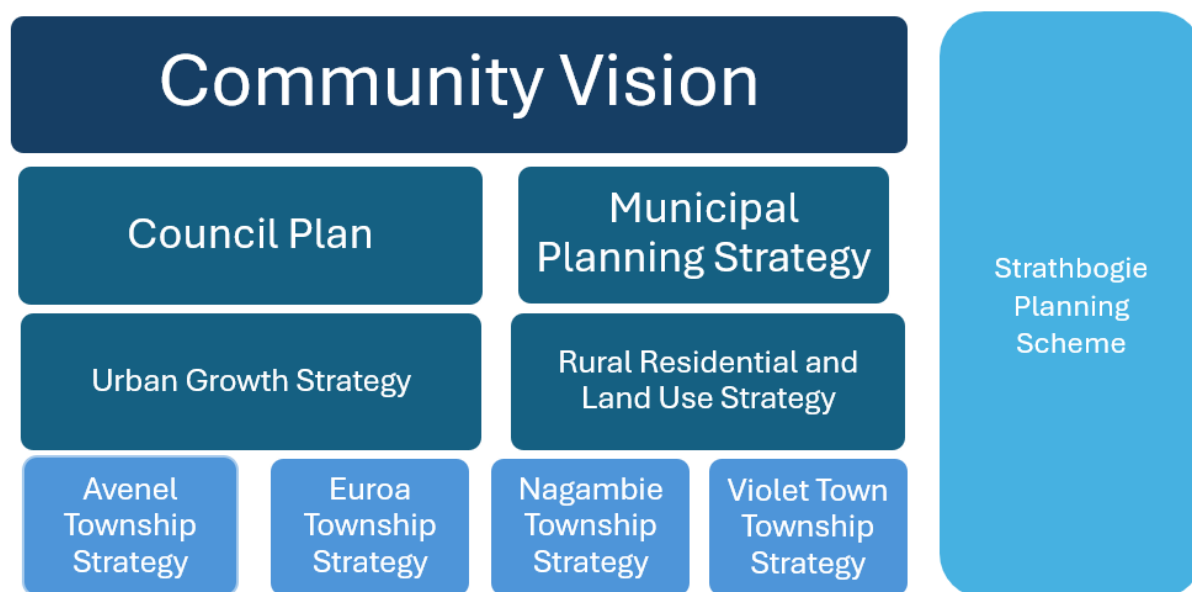
The Victorian Planning Policy Framework (PPF) requires Council to:

- Ensure that sufficient residential land is available to meet forecast demand.
- Plan to accommodate projected population growth over at least a 15-year period and provide clear direction on locations where growth should occur. Residential land supply will be considered on a municipal basis, rather than a town-by-town basis.

In addition to the previous Rural Residential Strategy (2004), and the Rural Land Use Strategy (2008), Council has previously adopted township strategies for:

- Avenel (2008)
- Euroa (2020)
- Nagambie (2008)
- Violet Town (2010)

The township strategies sit below the RRLUS and the UGS in the hierarchy of council strategic land use documents, see Figure 1. The township strategies will be updated to reflect the findings and direction of the RRLUS and UGS strategies on a town by town and site by site basis. The directions will include more specific guidance in terms of where growth will be directed to and specific instruction on the timings of future development such as rezonings or other changes to the Strathbogie Shire Planning Scheme.



**Figure 1. Local Planning Documents hierarchy**

Council has undertaken consultation on four township strategies to refresh their direction from their original endorsement by Council in 2008, 2010, and 2020. As a part of the development of the RRLUS and the UGS, the realignment and update of these township strategies will continue to ensure they are reflective of the agreed overarching municipal-wide Strategies.

The four updated Township Strategies will be provided for broad public consultation concurrently with the draft RRLUS and UGS.

## **ISSUES, OPTIONS AND DISCUSSION**

The development of the RRLUS and UGS is being proposed in five stages:

1. Preparation of background documents and existing conditions reports
2. Consultation on the issues and opportunities identified in the above. (Currently Council is at this stage)
3. A Community Panel Process to develop recommendations for the draft RRLUS and UGS.
4. Preparation and consultation on the draft RRLUS, UGS and updated Township Strategies
5. Adoption of the final RRLUS and UGS.

At a subsequent Council Meeting the draft Township Strategies will be presented to Council for their consideration.

This five-stage approach to development is complemented by the adopted community engagement approach outlined below in Figure 2.

Stage	Engagement purpose	Engagement goals	Tools and methods **	Success criteria
<b>One</b>	To inform the community of the relevant evidence.	To inform the community of growth data, constraints and identified opportunities.	<ul style="list-style-type: none"> <li>Planning specialists to undertake Background Assessment and Existing Conditions Report</li> <li>Desktop review of previous and existing engagement with stakeholders</li> </ul>	<ul style="list-style-type: none"> <li>Increased community understanding of growth data, constraints and identified opportunities.</li> </ul>
<b>Two</b>	Community insights improve evidence-based assessment.	To seek community input into the draft issues and opportunities report for the RRLUS and UGS.	<ul style="list-style-type: none"> <li>Project information on Share Strathbogie</li> <li>Online survey on Share Strathbogie</li> <li>Survey stations</li> <li>Drop in/ pop-up sessions</li> </ul>	<ul style="list-style-type: none"> <li>Community participation to refine issues and opportunities.</li> </ul>
<b>Three</b>	Community Panel formulate recommendations for RRLUS and UGS development.	To facilitate the development of directions and recommendations to guide the development and content of the Draft RRLUS and UGS	<ul style="list-style-type: none"> <li>Expert presentations</li> <li>Fact files</li> <li>Feedback during the presentations, through Q&amp;A sessions with subject matter experts</li> <li>Group discussions and brainstorming recommendations</li> <li>Level of comfort for drafted and final recommendations and draft RRLUS and UGS</li> <li>Interactive tools.</li> </ul>	<ul style="list-style-type: none"> <li>Participation is representative of the Strathbogie community.</li> <li>Increase understanding of growth data, constraints, issues and opportunities</li> <li>High level of agreement on key elements of the RRLUS and UGS</li> <li>Stakeholders and communities say they are confident in the process</li> </ul>
<b>Four</b>	To seek community feedback on Draft RRLUS and UGS	To seek community feedback on the Draft RRLUS and UGS	<ul style="list-style-type: none"> <li>Project information on Share Strathbogie</li> <li>Online survey on Share Strathbogie</li> <li>Survey stations</li> <li>Drop in sessions</li> <li>Written communication to all residents</li> </ul>	<ul style="list-style-type: none"> <li>Wider community satisfaction with the draft strategies</li> <li>Stakeholders and communities say they are confident in the process</li> </ul>

Figure 2: RRLUS and UGS Community Engagement Approach.

Council officers have commenced stage two of the community engagement approach above, with engagement on the issues and opportunities reports open until 13 December 2024.

Engagement on the issues and opportunities reports includes project information on Share Strathbogie, Council's online engagement platform, an online survey, frequently asked questions, interactive mapping, social media and media releases along with in person community drop-in sessions in Euroa, Nagambie, Violet Town, Avenel, Strathbogie and Longwood.

Due to the complex nature of these long-term Strategies, deliberative engagement is recommended in line with Council's Community Engagement Policy, and the community engagement principles outlined in the *Local Government Act 2020*.

Deliberative engagement is a method of community engagement that aims to provide the community with sufficient time and information to enable the community to work together to develop recommendations as part of a decision-making process.

As a part of the engagement process for the issues and opportunities reports, Council is seeking expressions of interest to join the Community Panel.

The Community Panel will enable a deliberative engagement process that will run in mid-late February 2025. The Community Panel will be comprised of a random selection of individuals, who have expressed an interest in participation, that aims to generally represent the diversity of the Strathbogie Shire community.

Panel members, over two online and one extended in person session will deliberate and consider the current evidence, presented by subject matter experts, relevant reports and Strategies and the findings from the initial engagement. Following this consideration, the Community Panel will develop recommendations to inform the development of the RRLUS and UGS. Panel members will deliberate and consider the current evidence, presented by subject matter experts, relevant reports and Strategies and the findings from the initial engagement.

The objectives of the Panel are to:

- Recruit a panel of community members reflective of the diversity of the Strathbogie Shire community
- Design with the panel, core elements of the RRLUS and UGS that is understood and supported
- Understand community aspirations and concerns regarding the RRLUS and UGS and future developments
- Ensure an open, transparent engagement process that the Panel, community members and stakeholders are confident is informing the RRLUS and UGS
- Increase the Panel and community understanding of the planning process and how the RRLUS and UGS will facilitate sustainable development through dialogue and deliberation.

### **Scope/Remit**

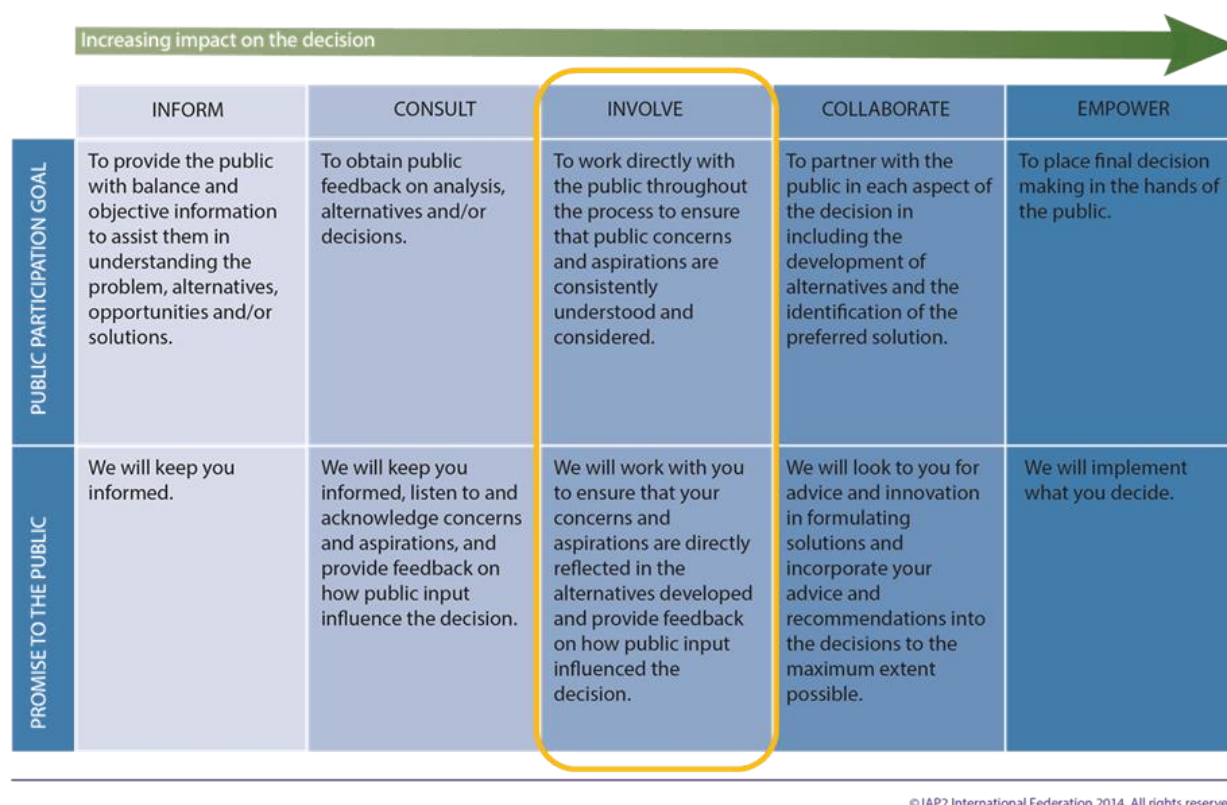
The scope/remit of the Panel articulates what can be influenced by the panel through the deliberative engagement process. The Panel will work together to deliberate over several key themes, for example, locations for residential development and areas to protect. The overarching scope of the engagement is:

*'How can Council guide the increase in urban development and rural living while continuing to protect rural values important to the economy and livability of Strathbogie Shire?'*



## Council's promise and 'level of influence'

The 'promise' refers to Council's commitment to the Community Panel process and what it will do with the outcomes. The International Association of Public Participation Spectrum (IAP2) is an industry recognised tool to help identify the public participation goal and the decision-makers promise to the public. Figure 3 illustrates the Spectrum and where this project sits. The Panel is proposed to sit at the Involve level.



**Figure 3: IAP2 spectrum of engagement**

Following this consideration, the Community Panel will develop recommendations to inform the development of the RRLUS and UGS. The recommendations of the Panel will be presented back to Council at a workshop in early 2025.

The recommendations of the Panel will be presented back to Council at a workshop in early 2025. Following that, the draft Strategies will be drafted and presented back to Council for endorsement to go out for further public consultation and then come back to Council for final consideration which is proposed at the August 2025. The adoption of the Township Strategies is proposed for October and November 2024.

Adoption of the strategies will then inform an amendment to the Strathbogie Planning Scheme, to implement any recommended zoning and policy changes that will guide future planning permit decisions, if required.

## COMMUNITY ENGAGEMENT

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that the municipal community is to be engaged in strategic planning and strategic decision making.

An endorsed community panel deliberative engagement process for the development of the RRLUS and UGS forms part of a comprehensive community engagement approach to inform

the direction of these Strategies and ensure they reflect the current and future aspirations of the community regarding urban growth, rural residential and land use across the municipality.

## **POLICY CONSIDERATIONS**

### **Council Plan**

This report is consistent with the following key strategic focus areas and or actions in the 2021-25 Council Plan:

#### **Strategic Focus Area 3: Protect. Enhance. Adapt.**

We are minimising harmful impacts on our natural environment.

#### **Strategic Focus Area 4: Inclusive. Productive. Balanced.**

We partner with our community to achieve great things.

We are managing growth carefully to protect the environment and meet our social infrastructure needs.

#### **Strategic Focus Area 5: Strong. Healthy. Safe.**

We are working together to share knowledge and get things done.

#### **Strategic Focus Area 6: Accountable. Transparent. Responsible.**

Maximise public transparency and accountability around our performance and decision-making processes.

### **Regional, State and National Plans, Policies and Legislation**

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that regional, state and national plans and policies are to be taken into account in strategic planning and decision-making.

The Hume Regional Growth Plan provides a regional approach to land use planning in the Hume Region, identifying opportunities to accommodate population growth over the next 30 years. The plan aligns with the RRLUS and UGS which provide a further attenuated focus to the management of growth within the Strathbogie Shire municipality over the next 15-30 years.

Victoria's Housing Statement (2023) was released by the Victorian Government in September 2023 in response to the growing urgency for greater housing supply to support projected population growth. Through it the Victorian Government has set a target of 80,000 dwellings per year for the first decade, and in total an additional 1.6 million homes in Victoria by 2051.

## **RISK CONSIDERATIONS**

This report has identified the following risk(s):

<b>Risk(s)</b>	<b>Likelihood</b>	<b>Consequence</b>	<b>Rating</b>	<b>Mitigation Action</b>
Project timelines not being met	Probable	Moderate	Medium	Regular Project Control and Working Group Meetings have been scheduled. Project Management training and mentoring has been undertaken by officers.
Community concern about lack of engagement	Probable	Moderate	Medium	Endorsement of detailed engagement strategy and support from deliberative engagement experts.
Exceeding allocated Budget	Probable	Moderate	Medium	Regular Project Control and Working Group Meetings have been scheduled.

## **LEGAL CONSIDERATIONS**

One of the overarching governance principles under section 9 of the *Local Government Act 2020* is that Council decisions are to be made and actions taken in accordance with the relevant law. There are no significant legal considerations associated with this report.

### **Conflict of Interest Declaration**

No Council officers and/or contractors who have provided advice in relation to this report have declared a general or material conflict of interest regarding the matter under consideration.

### **Transparency**

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that the transparency of Council decisions, actions and information is to be ensured.

This report will be presented to Council in a Council meeting, open to the public and live streamed to the public. This is consistent with Council's Transparency Policy, enabling the community to have oversight regarding the matters being discussed by Council and the decisions being made.

## **FINANCIAL VIABILITY CONSIDERATIONS**

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that the ongoing financial viability of the Council is to be ensured.

The RRLUS and UGS are being prepared within current Council Budget allocations.

## **SUSTAINABILITY CONSIDERATIONS**

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that the economic, social and environmental sustainability of the municipal district,

including mitigation and planning for climate change risks, is to be promoted.

## **Economic**

Economic benefits of a RRLUS:

- **Sustainable Agriculture:** By protecting agricultural land and promoting sustainable farming practices, rural areas can ensure long-term productivity and economic stability in the agricultural sector; and
- **Tourism and Recreation:** Protecting natural landscapes and promoting eco-tourism can attract visitors, generating income and employment opportunities in rural communities.

Economic benefits of the UGS:

- **Efficient Infrastructure Use:** Concentrating growth in urban areas can lead to more efficient use of existing infrastructure, reducing the costs of extending services and utilities to new areas
- **Economic Clustering:** Encouraging urban density can promote economic clustering, where businesses benefit from being close to each other, leading to increased productivity and innovation
- **Attracting Investment:** Well-planned urban growth can create vibrant, attractive cities that draw investment from businesses and developers, boosting the local economy; and
- **Job Creation:** Concentrated urban development can create numerous construction jobs in the short term and a variety of service and professional jobs in the long term as new businesses and residents move in.

## **Social**

The Strategies will improve amenity by ensuring rural residential development is directed away from productive agriculture will ensure amenity for rural residential areas and ensure productive agricultural businesses can expand into the future.

The Strategies will also explore opportunities to reduce housing costs and making urban areas more affordable in areas of the Strathbogie municipality.

Housing is considered a basic need and a key contributor to the social fabric of creating communities, where people can and can't live and the conditions that they live in has a major impact on their health and wellbeing and the creation of community. These Strategies will guide where people can and can't live within the municipality, thereby having a significant social impact.

## **Environmental**

These Strategies will work to reduce urban sprawl and greenhouse gas emissions, and protect natural areas, leading to long-term environmental benefits associated with a healthier environment and fewer negative climate change impacts.

## **Climate Change**

The RRLUS and UGS will provide strategic support for the work Strathbogie Shire Council is undertaking through the Council Alliance for a Sustainable Built Environment (CASBE) and the Goulburn Murray Climate Alliance. These projects include Sustainable Subdivisions Framework (SSF) and Elevating Sustainable Development (Planning Scheme Amendment).

## **INNOVATION AND CONTINUOUS IMPROVEMENT**

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is the pursuit of innovation and continuous improvement.

## **COLLABORATION**

One of the overarching governance principles in section 9 of the Local Government Act 2020 is that collaboration with other councils, levels of government and statutory bodies is to be sought.

Council Officers have met with referral authorities and applicable government departments to ensure views of water, agriculture, fire authorities (among others) have been considered and will be implemented into the Issues and Opportunities Reports for both the RRLUS and UGS.

Further referral with relevant authorities will be undertaken throughout the development of these Strategies.

## **HUMAN RIGHTS CONSIDERATIONS**

There are no significant implications for human rights arising from this report.

## **CONCLUSION**

The RRLUS and UGS will be the key strategic documents that will inform land use planning decisions within the Municipality for the next 15-30 years.

These strategies will work together to guide development across the municipality with the aim of protecting amenity for residential uses while not compromising the ongoing viability of agricultural, industrial, commercial businesses or future opportunities. The RRLUS and UGS will provide much needed strategic support to assist Council Officers in making planning permit application and planning scheme amendment decisions and meeting the needs of our current and future community.

Officers have commenced engagement on the RRLUS and UGS with our community in line with the endorsed four stage community engagement process.

Broad consultation is underway on the Issues and Opportunities reports.

The endorsed four stage community engagement approach identifies the next stage as the deliberative engagement, and the community panel deliberative engagement process is outlined in detail in this report.

Council endorsement of this process will ensure a comprehensive engagement approach is undertaken in the forming of these key Strategies to reflect the current and future aspirations of the community and provide the strategic justification for future planning decisions.

This report provides an update on the process for and development of these key long-term Strategies, and requests Council's consideration of the recommended community panel and deliberative engagement process.

## **ATTACHMENTS**

Nil

### **11.1.2 Planning Applications Received and Planning Applications Determined 1 October to 31 October 2024**

**AUTHOR** Manager Planning and Investment

**RESPONSIBLE DIRECTOR** Director Community and Planning

#### **EXECUTIVE SUMMARY**

This report lists all Planning Applications Received (Attachment 1) and Planning Applications Determined (Attachment 2) from 1 October to 31 October 2024. Due to the timing of this Council Meeting, the November Planning Application data was not available and will be presented at the next available ordinary Council Meeting.

It is noted that there were ten (10) new planning applications received, and eighteen (18) planning applications decided on during the reporting period.

The latest available Planning Permit Activity Performance (PPARS) Figures are also attached for the months of September and October 2024 (Attachment 3). Attachment four to this report provides an update on current Victorian Civil and Administrative Tribunal (VCAT) appeals.

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.

The provision of this standard monthly report is consistent with Council's adopted Planning Applications Referral to Council Policy (September 2023).

#### **RECOMMENDATION**

**That Council:**

**1. Receive the report**

**2. Note that there were ten (10) new planning applications received, and eighteen (18) planning applications decided on from 1 October to 31 October 2024.**

#### **PURPOSE AND BACKGROUND**

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

#### **ISSUES, OPTIONS AND DISCUSSION**

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

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

## COMMUNITY ENGAGEMENT

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

## RISK CONSIDERATIONS

This report has identified the following risk(s):

Risk(s)	Likelihood	Consequence	Rating	Mitigation Action
Failure to notify Council of a planning permit application of significant public interest or that is controversial in nature.	Possible	Moderate	Low	Regular reporting on planning permit applications received and decided.

## Conflict of Interest Declaration

All officers and/or contractors involved in the preparation of this report have signed a written declaration that they do not have a conflict of interest in the subject matter of this report.

## Transparency

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

## CONCLUSION

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

## ATTACHMENTS

**Attachment 1:** Planning Applications Received

**Attachment 2:** Planning Applications Determined

**Attachment 3:** Planning Permit Activity Performance Figures

**Attachment 4:** Current VCAT Appeals

**Planning Applications Received October 2024**

Site Address	Application Number Display	Application Description	Applicant Name	Cost Of Works
22 Frost Street, Euroa VIC 3666	P2024-104	Subdivision into 6 lots; use and development for a warehouse on lot 2; storage units on lot 3	Planography Pty Ltd	\$950,000.00
201 Odwyer Road, Tabilk VIC 3607	P2024-067 - PC1	Native vegetation removal	Spiire Australia	\$0.00
Avenel-Longwood Road, Avenel VIC 3664	P2024-105	Use and development of land for a dwelling	Planography Pty Ltd	\$450,000.00
96 Jackas Lane, Creek Junction VIC 3669	P2024-106	Development of land for the construction of a class 10a shed	Sandro & Anna Cardinali	\$70,000.00
36 Kennedy Street, Euroa VIC 3666	P2024-107	Two (2) lot subdivision	Goulburn Valley Health	\$0.00
149 Verges Lane, Whroo VIC 3612	P2024-051 - PC1	Use and development of land for a dwelling	Spiire Australia	\$0.00
201 Odwyer Road, Tabilk VIC 3607	P2023-053 - PC1	Extension to an Existing Warehouse; Reduction in Car Parking; and Alteration to Access to the Principal Road Network	Spiire Australia	\$0.00
470 Mitchellstown Road, Mitchellstown VIC 3608	P2024-096 - PC1	Plans to Comply for - Use and Development for a Place of Assembly (Comedy in the Vines Festival)	Grapes of Mirth Pty Ltd	\$0.00
Oconnors Road, Mangalore VIC 3663	P2023-032 - 1	Use and Development of Land for a Dwelling and Construction of a Farm Shed	Adrian Finnigan	\$0.00
46 Cowslip Street, Violet Town VIC 3669	P2024-110	Development of land for additions to a residential care facility	Betnale Pty Ltd	\$199,800.00



**Planning Applications Determined October 2024**

Site Address	Applicati on Number Display	Application Description	Applicant Name	Cost Of Works	Decision
114 Oneils Road, Tabilk VIC 3607	P2024-084	Removal of native vegetation (1 tree)	April Zhang	\$200.00	Issued
17 Armstrong Avenue, Strathbogie VIC 3666	P2024-091	Development of land for the extension of a storage shed	Strathbogie Golf Club	\$6,000.00	Issued
9 Lewis Street, Euroa VIC 3666	P2024-092	Development of land for a small second dwelling	Housemart Design	\$140,000.00	Issued
470 Mitchellstown Road, Mitchellstown VIC 3608	P2024-096	Use and Development for a Place of Assembly (Comedy in the Vines Festival)	Grapes of Mirth Pty Ltd	\$0.00	Issued
6 Baxters Road, Goulburn Weir VIC 3608	P2024-069 - PC1	Development of land for a replacement dwelling	Bruce Mactier Building Designers	\$0.00	Issued
10 Jean Street, Longwood VIC 3665	P2020-147 - PC1	Plans to Comply with Condition 1 for Development of land for a dwelling and shed (Five (5) existing units on site)	Michael Barry	\$0.00	Issued
2 Millards Lane, Euroa VIC 3666	P2024-099	Development of land for the construction of two farm sheds, two storage sheds (shipping containers) and associated earthworks	Vanessa Hawkins c/o Bell Legal and Planning	\$80,000.00	Issued
165 High Street, Nagambie VIC 3608	P2022-052 - 1	Request to amend permit condition 58	T W Projects	\$1,647,000.00	Issued
83 Moglonemby Road, Euroa VIC 3666	P2024-086	Use and development of land for the construction of a dwelling and domestic shed	Fiona Fox	\$650,000.00	Issued
149 Verges Lane, Whroo VIC 3612	P2024-051	Use and development of land for a dwelling	S & K Casey c/o Spiire Australia	\$350,000.00	Issued
Site Address	Application Number Display	Application Description	Applicant Name	Cost Of Works	Decision

62 Spring Creek Road, Strathbogie VIC 3666	P2023-099 - 1	Amendment to the hours of Liquor License	Strathbogie Sports & Recreation Club Inc	\$0.00	Issued
Lot 8 Moormbool Road, Moormbool West VIC 3523	P2024-089	Use and development of land for a dwelling	Douglas Menassa	\$300,000.00	Application Withdrawn
175 Balmattum Road, Violet Town VIC 3669	P2024-093	Use and development of land for a dwelling	Zoe Mansfield	\$400,000.00	Application Withdrawn
201 Odwyer Road, Tabilk VIC 3607	P2024-067 - PC1	Native vegetation removal	Spiire Australia	\$0.00	Issued
96 Jackas Lane, Creek Junction VIC 3669	P2024-106	Development of land for the construction of a class 10a shed	Sandro & Anna Cardinali	\$70,000.00	Issued
201 Odwyer Road, Tabilk VIC 3607	P2023-053 - PC1	Extension to an Existing Warehouse; Reduction in Car Parking; and Alteration to Access to the Principal Road Network	Spiire Australia	\$0.00	Issued
72 Golf Course Road, Euroa VIC 3666	P2022-134	Staged Multi Lot Subdivision with Creation of Easements and Reserves; Native Vegetation Removal; and Creation of Access to, and Subdivision Adjacent to, a Road in a Transport Zone 2	Enclave Living Pty Ltd	\$0.00	Issued
470 Mitchellstown Road, Mitchellstown VIC 3608	P2024-096 - PC1	Plans to Comply for - Use and Development for a Place of Assembly (Comedy in the Vines Festival)	Grapes of Mirth Pty Ltd	\$0.00	Issued

**Latest Available Planning Permit Activity Performance Figures (September 2024)****Applications received**

The number of applications received. This gives an indication of the pipeline of Planning applications and workload for responsible authorities (RA) along with supporting a comparison to the number determined or approved. This has been broken down into application type to demonstrate the proportion of new applications compared to amendments.

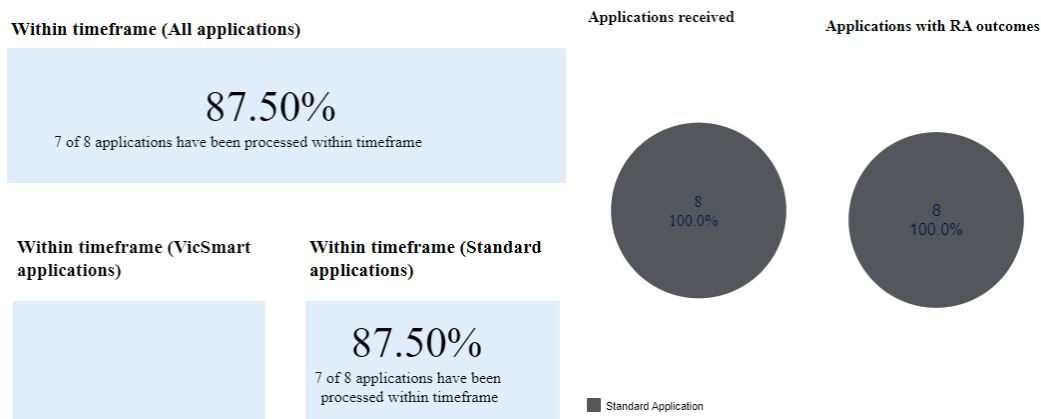
8**Responsible authority (RA) outcome**

The number of applications with an outcome from the responsible authority, this includes any outcome which removes it from RA processing. This supports insight into the workload and delivery from RAs.

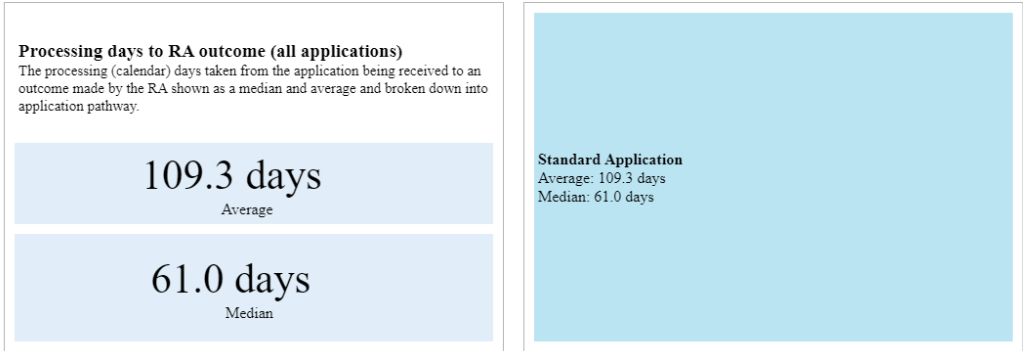
This has been broken down into application type to demonstrate the proportion of new applications compared to amendments.

8

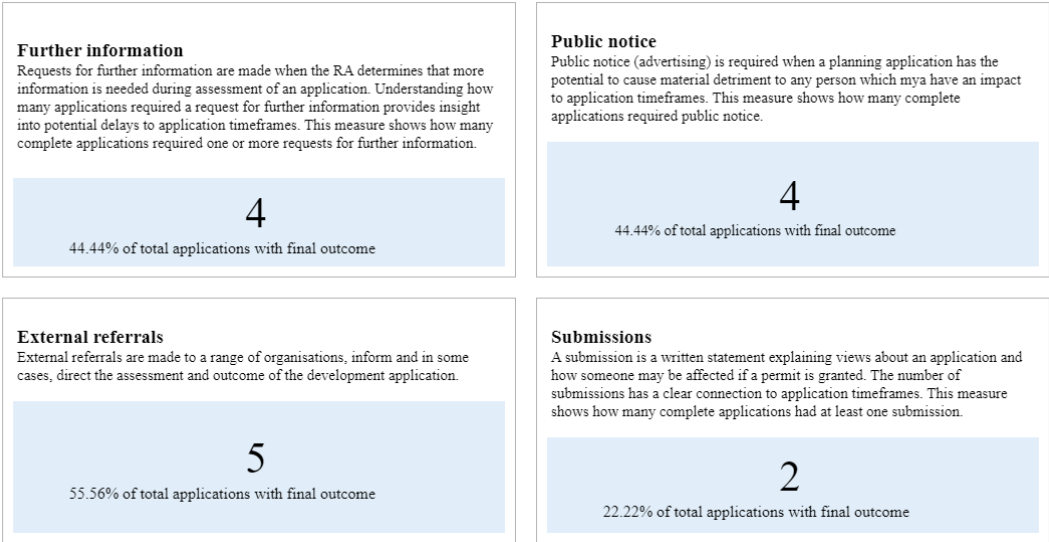
*This shows the number of planning permit applications received for the month of September 2024 being 8, with 8 OUTCOMES being issued over the same month. It does not include other categories of planning applications such as secondary consent applications or plans to comply that are shown in attachment 1.*



■ Standard Application



The statutory timeframes are 60 days for standard applications and 10 business days for VicSmart applications. The above figures show a cumulative average and median for the YTD for standard and VicSmart applications.



Latest Available Planning Permit Activity Performance Figures (October 2024)

Applications received

The number of applications received. This gives an indication of the pipeline of Planning applications and workload for responsible authorities (RA) along with supporting a comparison to the number determined or approved. This has been broken down into application type to demonstrate the proportion of new applications compared to amendments.



Applications received	Amount
New application	5
Amended permit application	1

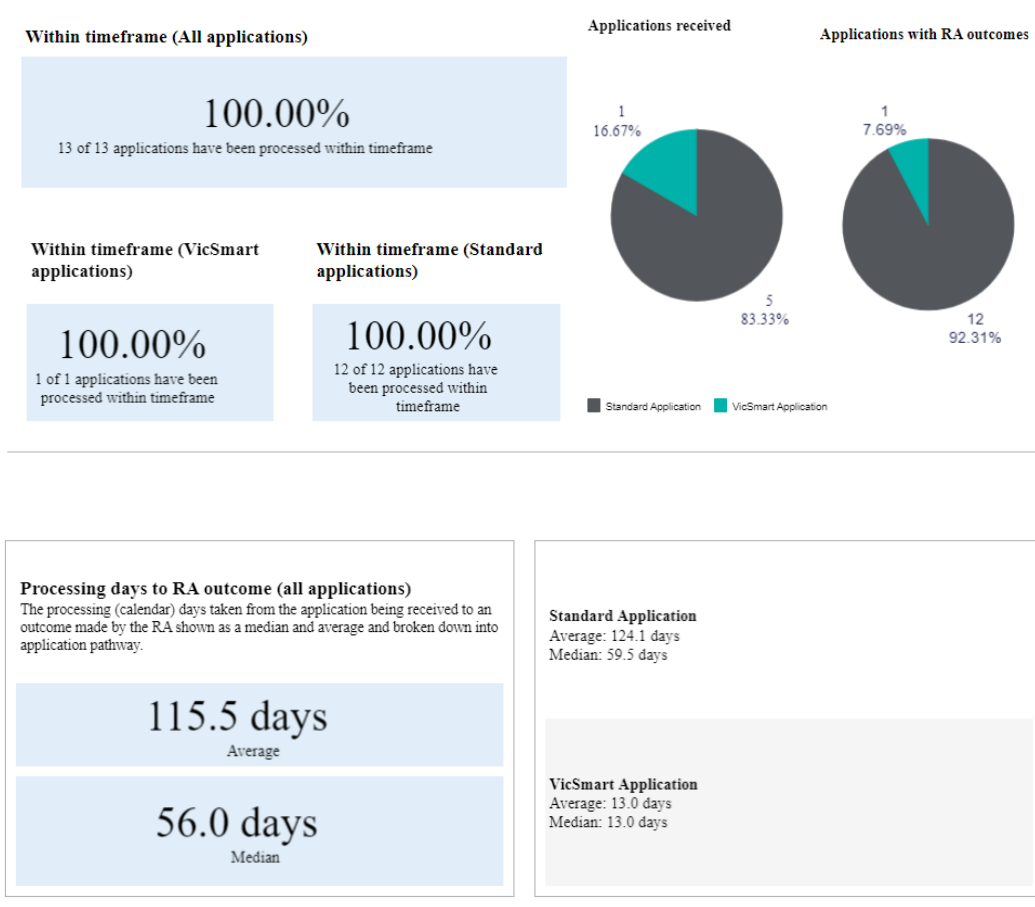
Responsible authority (RA) outcome

The number of applications with an outcome from the responsible authority, this includes any outcome which removes it from RA processing. This supports insight into the workload and delivery from RAs. This has been broken down into application type to demonstrate the proportion of new applications compared to amendments.

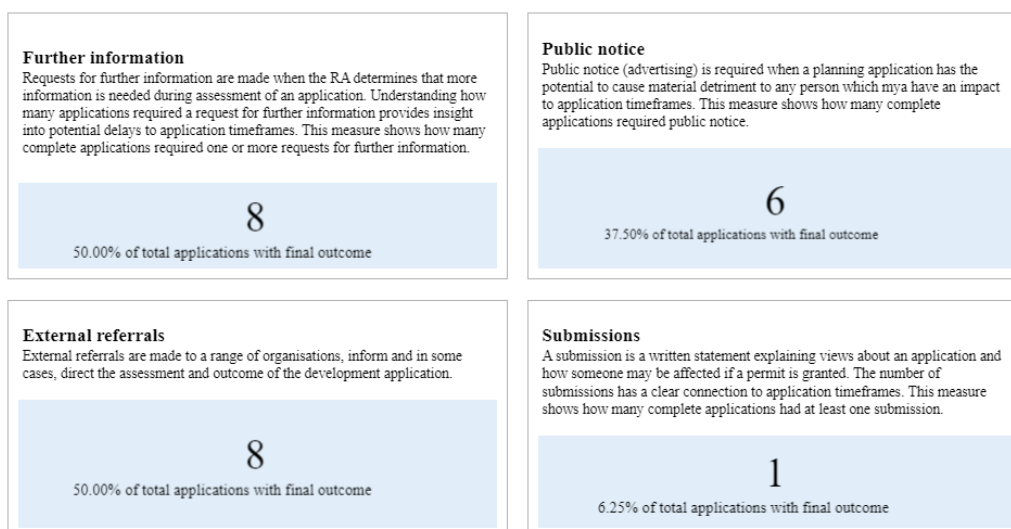


RA outcome	Amount	
Permit issued	11	
Withdrawn/Lapsed/Not required	2	

*This shows the number of planning permit applications received for the month of October 2024 being 6, with 13 OUTCOMES being issued over the same month. It does not include other categories of planning applications such as secondary consent applications or plans to comply that are shown in attachment 1.*



The statutory timeframes are 60 days for standard applications and 10 business days for VicSmart applications. The above figures show a cumulative average and median for the YTD for standard and VicSmart applications.



**Current VCAT Appeals**

Hearing Date	Ref No	Address	Proposal	Appeal
Preliminary Hearing 21/1/2025	P2023-128 P1022/2023	82 Kirwans Bridge Road Kirwans Bridge	Camping and Caravan Park	S82 objector
Compulsory conference held. Final hearing scheduled for 4/4/2025	P2023-121 P787/2024	222 Faithfull Road Longwood East	Use and Development for a Dwelling	S80 applicant
Hearing 25/10/2024 awaiting outcome.	P2023-109 P245/2024	1823 Euroa Strathbogie Road Kithbrook	Use and Development for a Dwelling on a small lot in the FZ	S79 failure to determine
Matter has been withdrawn.	P2020-152-1 P1538/2023	42 Marie Street Locksley	Amendment to permit for events	S82 objector

## 11.2 Community

### 11.2.1 Letter received from Euroa Australia Day Committee

**AUTHOR** Director Community and Planning

**RESPONSIBLE DIRECTOR** Director Community and Planning

#### EXECUTIVE SUMMARY

Australia Day is celebrated on January 26 by a proportion of the Strathbogie Shire community.

Several Australia Day events are organised and delivered across the municipality by the Community, or local community groups.

Prior to 2024, Council previously provided support for Australia Day events both directly and indirectly through in-kind contributions.

Following a Council resolution at the 16 May 2023 Council Meeting, Council withdrew its formal support of events that celebrate January 26, in recognition that the day is not one of celebration for all, in particular some of Australia's First Nations peoples.

Council has received a letter from the Euroa Australia Day Committee 2025, dated 16 November 2024 (Attachment 1), requesting Council immediately reinstate Council's official support of Australia Day on January 26.

This report presents the letter to Council for their consideration, recommends Council maintain the position resolved at the Council Meeting on 16 May 2023, and authorise officers to prepare a further report to bring the matter back to Council in 2025 to re-consider its position for 2026 and beyond.

#### RECOMMENDATION

##### That Council:

1. **Receive and note the letter dated 16 November 2024, from the Euroa Australia Day Committee 2025, requesting Council immediately reinstate Council's official support of Australia Day on January 26**
2. **Maintain the policy position relating to January 26 celebrations resolved at the Council Meeting on 16 May 2023 for 26 January 2025**
3. **Authorise officers to prepare and present a report at the April 2025 Council Meeting on options for Council to undertake a review of Council's policy position relating to January 26 celebrations.**

#### PURPOSE AND BACKGROUND

January 26 holds diverse and complex meanings for Australians. While it remains a public holiday and a date upon which some awards and citizenships can be conferred, it is not a day of celebration for all, particularly for Aboriginal and Torres Strait Islander People.



Australia day is celebrated on January 26 by a proportion of the Strathbogie Shire community.

Australia Day is the official national day of Australia. Observed annually on 26 January, it marks the 1788 landing of the First Fleet and raising of the Union Flag of Great Britain by Arthur Phillip at Sydney Cove, proclaiming a colonial outpost on the sovereign lands of the Gadigal Peoples.

Locally, several Australia Day events are organised and delivered across the municipality by the Community, or local community groups, and can be used to recognise contribution to the community through Australia Day Awards or honours, as deemed by the community. To support events in 2025, these groups have had access to funding through the Community grants stream of the National Australia Day Council.

Prior to 2024, Council provided support for events that celebrated Australia Day both directly through the provision of funds and indirectly through in-kind contributions. This support included shire wide Australia Day events, grant funding support, some event coordination and other in-kind contributions like promotion, marketing and equipment.

Following a Council resolution at the 16 May 2023 Council Meeting, Council withdrew its formal support of events that celebrate January 26, in recognition that the day is not one of celebration for all, in particular some of Australia's First Nations peoples. This position was informed by the *Taungurung Statement on January 26* and recognises Council's commitment to the Community Vision 2021-2025.

The resolution on the 16 May 2023 was as follows:

That Council:

1. Note the Taungurung Land and Waters Council Statement on January 26.
2. No longer formally supports celebrations on January 26, from 2024 and beyond.
3. Amend Council's Event Sponsorship Guidelines and Community Grant Guidelines deeming activities celebrating Australia Day on 26 January (in kind or cash) as ineligible.
4. Continue to fulfill Council's statutory obligations – event permit under Local Law 2.
5. Empower the Share Strathbogie Community Panel to determine how we best recognise volunteers in our community who make outstanding contributions within existing resources.
6. Note that Australia Day Committees may continue arrangements that they determine and seek funding directly from the National Australia Day Council.

Council's resolution on 16 May 2023 (above) was informed by two years of consideration, including targeted key stakeholder consultation, which included local consultation Australia Day committees and First Nations representatives and broader consultation through Share Strathbogie.

The Taungurung Statement, which was provided to Council in 2022, is attached in Attachment 2, and reads:

*"The Taungurung Land & Waters Council, through the direction of the Taungurung people have chosen not to participate in any activities associated with January 26 and request that our partners and stakeholders respect this position. It is important to note the Taungurung people respect our partners/stakeholders' responsibilities and commitments to January 26, however, also request they frequently consider deeply the views of the Taungurung Nation and the actual need to continue celebrating a day which would continue to isolate and segregate the Taungurung people on their own Country"*

Following this resolution from Council, all parts of the resolution were actioned.

The Event Grant Guidelines and Community Grant Guidelines were changed as per the resolution.

In 2024, six towns within the municipality celebrated January 26 through locally run events, some groups received funding through the National Australia Day Council.

## **ISSUES, OPTIONS AND DISCUSSION**

Council has received a letter from the Euroa Australia Day Committee 2025, dated 16 November 2024 (Attachment 1), requesting Council immediately reinstate Council's official support of Australia Day on January 26. The letter specifically requests Council's official support and a funding contribution.

Officers have reviewed the request and considered the below factors in regard to this report:

- **Council's current position**  
Council has a policy position that was informed over the course of two years. Due to the sensitive nature of this subject, a quick decision to change Council's current policy position without first engaging with the community may not achieve the best overall outcome for the broader community.
- **Partnerships**  
The existing Taungurung Statement on January 2026 and the Memorandum of Understanding between Taungurung Land and Waters Council and Strathbogie Shire Council, would need to be considered deeply before any decision.
- **Considerable community interest**  
Given the likely significant interest in this matter, and the diversity of views that exist across the municipal community. Any change to Council's current policy position should be well considered and allow for the diversity of voices within the community to be heard, in accordance with relevant policy and / or legislation and through a comprehensive engagement process.
- **Funding availability**  
Event organisers have had access to funding to support community events of this nature through the National Australia Day Committee Community Grants Program.
- **Participation**  
The community and individuals can choose to acknowledge January 26 in their own way. The participation of individual Councillors, in their capacity as community members is not limited by Council's resolved position, nor is the ability to hold events on Council owned or managed land. Council is still required to fulfill its statutory obligations under Local Law 2, regarding the granting of event permits.

## **COMMUNITY ENGAGEMENT**

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that the municipal community is to be engaged in strategic planning and strategic decision making.

Adequate community consultation was not possible to inform this report due to the timing of presenting this report to Council.

This letter of request was received on 16 November 2024. Due to the sensitive nature of this matter, officers would recommend a considered community engagement approach to inform any future change to Council's policy position, in line with Council's Community Engagement Policy.

Council previously engaged on and considered this matter over the course of two years, across various stages.

## **POLICY CONSIDERATIONS**

### **Community Vision**

This report is consistent with the direction of the endorsed Strathbogie Community Vision within the adopted Council Plan 2021-25 'We care deeply for Country and First Nations people' and 'We are bold' and the inclusivity objectives within.

### **Council Plan**

This report is consistent with the following key strategic focus areas and or actions in the 2021-25 Council Plan:

#### **Strategic Focus Area 1: Engage. Create. Unite.**

We create welcoming social spaces where people can connect.  
First Nations culture, knowledge and heritage enriches our Shire.

#### **Strategic Focus Area 4: Inclusive. Productive. Balanced.**

We care, support and listen to each other.  
We partner with our community to achieve great things.

#### **Strategic Focus Area 6: Accountable. Transparent. Responsible.**

Maximise public transparency and accountability around our performance and decision-making processes.

### **Regional, State and National Plans, Policies and Legislation**

This report is aligned with the following legislation, Council Policies and key strategic documents:

- Council's Adopted Event Grant Guideline 2024-2025

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that regional, state and national plans and policies are to be taken into account in strategic planning and decision-making.

This report considers a range of state plans, including the Aboriginal Local Government Strategy 2021-26 provides a platform for facilitating, supporting, and implementing Victoria's self-determination policy reforms. In addition, the Strategy values and emphasises shared roles and responsibilities, and the need for partnerships between local government and First nations Victorians based on sharing, listening, care, trust, truth-telling, and understanding.

## **RISK CONSIDERATIONS**

This report has identified the following risk(s):

Risk(s)	Likelihood	Consequence	Rating	Mitigation Action
Making a decision without due consideration	Possible	Moderate	Medium	This report recommends Council maintain its existing position.
Reputational risk to Council's brand	Possible	Moderate	Medium	There is reputational risk for Council regardless of this decision as division exists within the community on this matter.
Disengagement of First Nations partners and damage to existing relationships	Possible	Moderate	Medium	This report recommends Council maintain its existing position.
The Euroa Event may not go ahead	Unlikely	Moderate	Medium	This event was a successful event in 2024, without Council's formal support. Funding for the event was available through the National Australia Day Council.

## LEGAL CONSIDERATIONS

One of the overarching governance principles under section 9 of the *Local Government Act 2020* is that Council decisions are to be made and actions taken in accordance with the relevant law.

The *Local Government Act 2020* has, as its core, the aim of ensuring all Victorians have the opportunity to engage with their council on local priorities and the future of their community.

There is no statutory or legal requirement for Councils to hold ancillary Australia Day celebrations on January 26.

- *Local Government Act 2020* – outlines Council's responsibility to deliver a range of essential programs and services that are accessible, equitable and meet the needs of the Strathbogie community.
- *Victorian Charter of Human Rights and Responsibilities Act 2006* - including Aboriginal and Torres Strait Islander cultural rights.

## Conflict of Interest Declaration

No Council officers and/or contractors who have provided advice in relation to this report have declared a general or material conflict of interest regarding the matter under consideration.

## **Transparency**

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that the transparency of Council decisions, actions and information is to be ensured. In the interests of transparency and open and honest communication with our community this report is presented to a public Council meeting.

## **FINANCIAL VIABILITY CONSIDERATIONS**

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that the ongoing financial viability of the Council is to be ensured.

Council currently has no funding specifically allocated to events that celebrate January 26. The current event grant guidelines deem these grants as ineligible.

## **SUSTAINABILITY CONSIDERATIONS**

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that the economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted.

### **Economic**

There are no significant economic impacts associated with this report.

### **Social**

The decision to be made by Council is one that is layered with socially and historically complex considerations. It is important the sensitivity and emotion of the report be considered carefully during this process.

This report recognises the rights of all people to have choice about how they live and the means to make those choices including the ability for First Nations people to participate in Australian society as equals with a distinct status and culture that can be celebrated within the diversity of the nation.

Equally, this report does not inhibit an individuals' right to determine how, or if they acknowledge or celebrate January 26. Events and celebrations of January 26 are important to a proportion of the Strathbogie Shire Community.

### **Environmental**

There are no environmental impacts associated with this report.

### **Climate Change**

There are no climate change impacts associated with this report.

## **INNOVATION AND CONTINUOUS IMPROVEMENT**

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is the pursuit of innovation and continuous improvement.

## COLLABORATION

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that collaboration with other Councils, levels of government and statutory bodies is to be sought. No formal collaboration was undertaken in the production of this report.

## HUMAN RIGHTS CONSIDERATIONS

The proposed recommendations in this report are consistent with *Victorian Charter of Human Rights and Responsibilities Act 2006* most notably in the areas of recognition, equality and cultural rights, in particular section 19.

Section 19 Cultural rights –

- (1) All persons with a particular cultural, religious, racial or linguistic background must not be denied the right, in community with other persons of that background, to enjoy his or her culture, to declare and practise his or her religion and to use his or her language.
- (2) Aboriginal persons hold distinct cultural rights and must not be denied the right, with other members of their community—
  - a. to enjoy their identity and culture; and
  - b. to maintain and use their language; and
  - c. to maintain their kinship ties; and
  - d. to maintain their distinctive spiritual, material and economic relationship with the land and waters and other resources with which they have a connection under traditional laws and customs.

## CONCLUSION

Council has received a letter from the Euroa Australia Day Committee 2025, dated 16 November 2024, requesting Council immediately reinstate Council's official support of Australia Day on January 26.

This report presents the letter to Council for their consideration, recommends Council maintain the position resolved at the Council Meeting on 16 May 2023, and authorise officers to prepare a further report to bring the matter back to Council in 2025 to re-consider its position for 2026 and beyond.

## ATTACHMENTS

1. Letter Euroa Australia Day Committee
2. Taungurung's January 26 Statement

## OFFICIAL

16<sup>th</sup> November 2024

**An open letter to the Strathbogrie Shire Councillors**

From: The Euroa Australia Day Committee 2025

Dear Strathbogrie Shire Councillors,



On behalf of the Euroa Australia Day Committee, we offer our congratulations to you all upon your successful election to office. We know that this election provided the community with the opportunity for a significant 're-set' and a fresh start, as together, we have high expectations for the future growth of our Shire.

You now have an opportunity to quickly make an incredibly positive statement to the community without requiring too much effort. I ask that the Councillors should immediately reinstate the Shire's official recognition and support of our nationally gazetted day, 26<sup>th</sup> January, Australia Day.

Australia Day is the day that all Australians come together as one to reflect on and celebrate our great fortune to be Australians. Division should be put aside, and this is the opportunity for the new Council to demonstrate that they are listening, responding, and encouraging the community to come together as one in celebration of our great nation.

We know that residents of the Shire were hugely disappointed when the previous councillors cancelled the day. One only needs to recall the thunderous applause that Australia Day received at the candidate forums, especially at Nagambie where the room erupted in applause for support of recognition of Australia Day.

Our small committee has hosted and funded the community celebrations since the council withdrew its recognition and support of the day. In 2024 over three hundred people attended our Euroa community event. Planning for 2025 is well underway, and a council permit has already been paid for and issued. Going forward, we would naturally be most appreciative of council support and a funding contribution for the 2025 community event and beyond.

So, we ask the new Councillors to announce in your first week in office that the Australia Day policy has been revised and Strathbogrie Shire will officially recognise Australia Day and support the community events that take place across the shire. It is a simple "statement" that the council can make that will also generate significant voter approval and confirm the "fresh start" this new group is taking.

Let us work together, to lift the spirits of the community and celebrate everything that is great about being an Australian. We look forward to your consideration and positive response.

Yours sincerely,

Frank York  
Euroa Australia Day Committee 2025  
PO Box 20  
EUROA Vic 3666

June 25, 2022

## Taungurung Statement on January 26

While many Australian's believe January 26 (Australia Day) is a celebration of all the things we love about Australia: land, sense of fair go, lifestyle, democracy, the freedoms we enjoy but particularly the celebration of people and culture, the Taungurung people don't share this view.

For the Taungurung people, January 26 celebrates the colonisation/invasion of our lands and the lands of Traditional owner Nations across this continent. It celebrates the suppression of Taungurung language and culture, the incarceration and genocide of our people, and is an annual reminder of the dispossession of our people and the ensuing systemic and institutional racism which continues to this day.

In the 2018 Taungurung Recognition and Settlement Agreement (RSA), the State Government of Victoria (the State) formerly recognised the devastating impact of colonisation upon Taungurung people, and the role that the State played in dispossessing Taungurung people of our Country. The State also acknowledged the continued suffering of the Taungurung people through the implementation of laws and policies that discriminated against us in the nineteenth and twentieth centuries.

These far-reaching laws and policies fragmented both our families and community. Beginning in the nineteenth century, Taungurung children were forcibly taken from parents, in one of the most traumatic examples of State policy and practice. Depending on how the State defined Aboriginality over time, Taungurung people could either be forced to live on a reserve or, under what came to be known as the Half Caste Act of 1886, forcibly evicted from a reserve, and prevented from living with our families. Other laws regulated Aboriginal marriages and employment. These laws and policies, including under the State's assimilationist efforts in the twentieth century, ensured that Taungurung people were excluded from the life of the nation, the intrinsic value of our culture and our identity denied.

The State formerly acknowledged that the actions of early colonists on Taungurung country including the deliberate killing of Taungurung people. The State also recognises the deadly and widespread impact of foreign diseases upon the Taungurung population, and the hunger experienced by our people who were no longer able to sustain themselves on Taungurung lands.

The Taungurung people continue to experience the ongoing effects and the impact of colonisation near on 190 years later. This is seen through the continued dispossession of lands, denial of inherent rights, intergenerational trauma and institutional structures designed to negate and restrict.

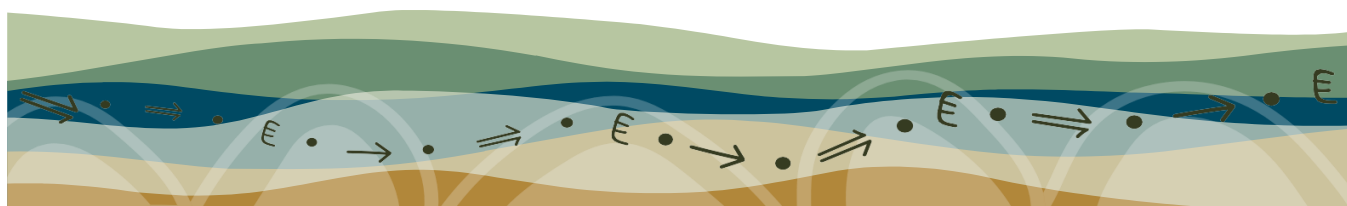


**Taungurung Land & Waters Council**  
[www.taungurung.com.au](http://www.taungurung.com.au)

**Broadford Head Office**  
 37 High St  
 PO Box 505  
 Broadford. VIC. 3658  
 T: (03) 5784 1433

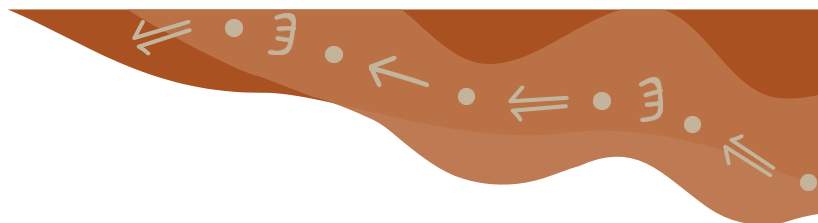
**Alexandra Office**  
 42-46 Aitken St  
 Alexandra. VIC. 3714  
 T: (03) 5784 1433

**Alexandra Operations Depot**  
 23 Nihil St  
 Alexandra. VIC. 3714





June 25, 2022



From the very beginning, however, our people fought to survive. In the early days of colonisation, when sheep and cattle destroyed our traditional food sources, the Taungurung people took livestock and destroyed crops to push pastoralists from our lands. The Taungurung people never accepted that the colonists owned our country. The Taungurung people signed no treaties, nor took any action to relinquish our sovereignty.

Though Taungurung people were forced to find sanctuary at stations and missions such as Mitchelstown and Murchison, the Taungurung also fought to maintain connection to our Country. In 1859, a group of Taungurung men – Bear-ring, Mur-rum-Mur-rum, Parn-gaan, Bur-rip-pin and Koo-yarn – petitioned the colonial government for land in their own country where they could grow crops, but where they could also continue to maintain their traditional ways of obtaining food. This stands as one of the earliest examples in Australia of Aboriginal people taking direct political action for the return of their land. Their appeal resulted in the Central Board appointed to watch over the interests of Aboriginies (Aboriginal Protectorate) approving the Taungurung people's selection of and then surveying of land at a place they called 'Nakkrom' on the Acheron River near Alexandra. At the time Guardian of Aborigines William Thomas described location as the 'Promised Land' of the Taungurung people.

Despite the land being approved by the Aboriginal Protectorate and the Board of Land & Works, there was strong resistance by pastoralists. Our people were later driven off our 'Promised Land' by the local pastoralists. Denied a realistic alternative, most Taungurung survivors later joined other Kulin peoples at Coranderrk Station, on Woiwurrung country. Over time, our people moved to mission stations and reserves elsewhere in Victoria – to Lake Tyers, Lake Condah, Franklinford, and Ebenezer – or to Cummeragunga in New South Wales. A number of Taungurung people, however, refused to leave our own Country, and remained there for the rest of their lives. Some found work within the colonial economy, including on local pastoral stations such as Molka, Wappan and Doogalook, as a way of staying on Taungurung land. One Taungurung man even took up a selection on his own country in 1879, when it was rare for Aboriginal people to gain leaseholds. The Taungurung's push to retain, and reclaim, their country continued.

Through much of the nineteenth and twentieth centuries, the State actively discouraged the practice of Taungurung culture. Despite this, our people continued to pass down knowledge via family and community gatherings, out of view of the wider community. In 1967, Camp Jungai was established near Alexandra, just south of Lake Eildon, in the heart of Taungurung Country. Named using the Taungurung word for meeting place, Camp Jungai became a place where culture would thrive, and continues to this day.

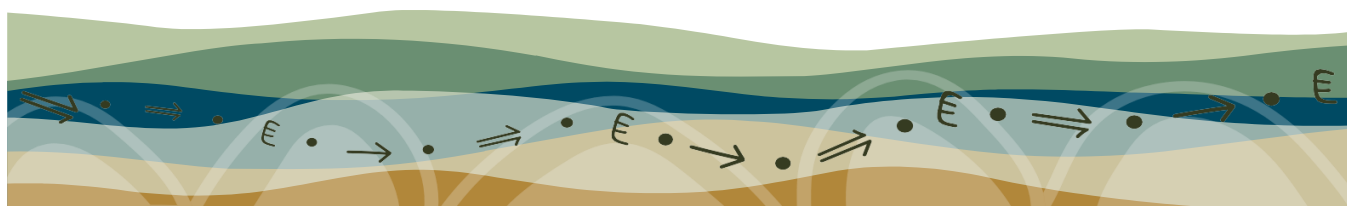


**Taungurung Land & Waters Council**  
[www.taungurung.com.au](http://www.taungurung.com.au)

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**Alexandra Operations Depot**  
 23 Nihil St  
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June 25, 2022

In the eyes of the Taungurung peoples, Australia Day ignores our history, our struggle, and the fact that our ancestors have lived on, cared for, and maintained cultural obligations to and for Taungurung Country for over 65,000 years.

It is for this reason that many Taungurung people call Australia Day, Invasion Day, as a reflection on the effects invasion had and still has on our community and Country. Taungurung people also refer to Australia Day as Survival Day, a day to reflect on our resilience and survival, and our continued determination and drive to exercise our cultural and inherent rights, and our continued fight for and assertion of rights on Taungurung land.

Moreover, January 26 has a long history of protest within the Aboriginal Community. On 26 January 1888, on the centenary of British colonisation, Aboriginal leaders boycotted the 100-year anniversary celebrations.

On 26 January 1938, on the 150th anniversary of Arthur Phillip's arrival, Yorta Yorta man William Cooper and other members of the Aboriginal Progressive Association held the Day of Mourning and Protest. The protest took place in Sydney after an event to celebrate Arthur Phillip's landing, which included a parade and a re-enactment of the First Fleet's arrival. Afterwards, over 1000 First Nations people and their supporters formed a silent march through the streets of Sydney.

All this history of Aboriginal resilience, mourning and protest on January 26 and yet January 26 only became a national celebration in 1988.

Taungurung people therefore continue to see January 26 as a day of mourning and reflection, and not a day of celebration.

It is Taungurung peoples wish that all people living on our Country take time to truly acknowledge and respect that 26 January does not bring a sense of unity and pride and implores people to educate themselves about the true history of this Country and to consider what you can do to become an ally of the Taungurung people.

The easiest way to be an ally of Taungurung people is to engage in the Yoorrook truth telling process (<https://yoorrookjusticecommission.org.au/>), share these resources with others and start conversations with friends and family on what you have learnt through the process.

The Taungurung Land & Waters Council, through the direction of the Taungurung people have chosen not to participate in any activities associated with January 26 and request that our partners and stakeholders respect this position.

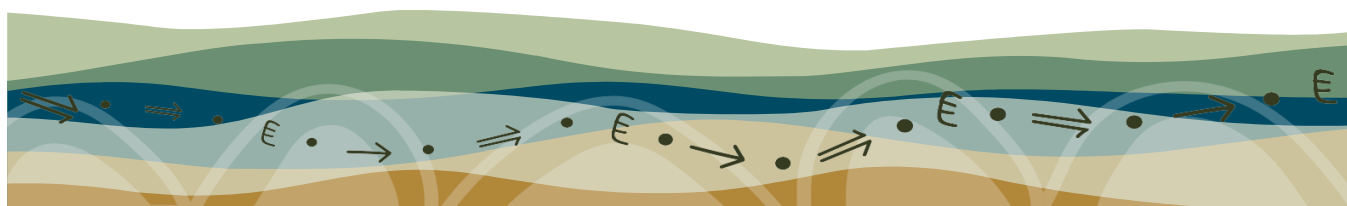


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June 25, 2022

It is important to note the Taungurung people respect our partners/stakeholders' responsibilities and commitments to January 26, however, also request they frequently consider deeply the views of the Taungurung Nation and the actual need to continue celebrating a day which would continue to isolate and segregate the Taungurung people on their own Country.

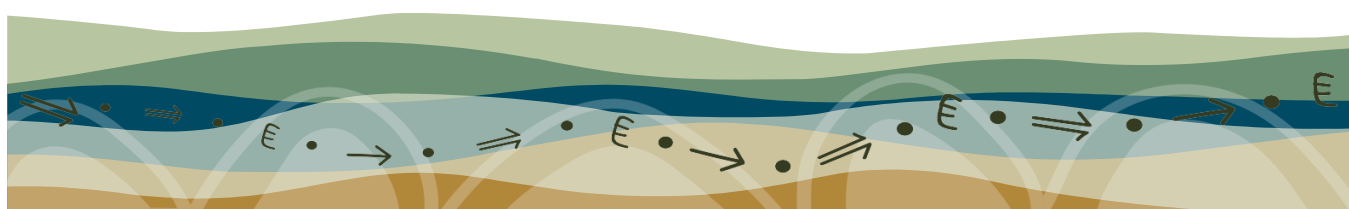


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### **11.2.2 Correspondence received regarding school crossing supervision at Goulburn Street Nagambie**

**AUTHOR** Director Community and Planning

**RESPONSIBLE DIRECTOR** Director Community and Planning

#### **EXECUTIVE SUMMARY**

Council received correspondence from the Principal of Nagambie Primary School regarding reinstating the school crossing supervision at Goulburn Street Nagambie.

The newly elected Council have expressed a desire to investigate Council's involvement in the management and provision of crossing supervision at this site and gain a greater understanding of options for the future management of school crossings within the Strathbogie Shire.

This report considers the Council's reinstatement of supervision at the Goulburn Street Nagambie crossing in the immediate future, for decision, and authorises officers to prepare a report on the future management of the Goulburn Street Nagambie School crossing beyond 4 July 2025, to be tabled no later than the May 2024 Ordinary Council Meeting.

#### **RECOMMENDATION**

**That Council:**

- 1. Receive and note the correspondence dated 4 September 2024 from the Principal of Nagambie Primary School regarding the reinstatement of a school crossing supervisor at Goulburn Street Nagambie**
- 2. Manage and provide School Crossing supervision at Goulburn Street Nagambie starting from the start of term one 29 January 2025 until the end of term two 2025, 4 July 2025**
- 3. Authorise officers to:**
  - a. make the necessary arrangements to reinstate supervision at the Goulburn Street Nagambie School Crossing, as this is the only crossing that is not currently supervised in Strathbogie Shire, that is a municipal road, as outlined in item 2 above**
  - b. prepare a report for Council no later than the May 2025 Ordinary Council meeting, that provides options for the future management of the Goulburn Street School Crossing detailing current and future service levels, risks and associated costs.**
- 4. Refer the costs associated with Item 2 to the mid-year budget review process.**

#### **PURPOSE AND BACKGROUND**

Council resolved the below at its Ordinary Council Meeting held on 21 March 2023

“That Council:

1. Recognises that child safety is and remains the primary consideration associated with the School Crossing Supervision Program
2. In accordance with the October 2022 Council resolution, exit the School Crossing Supervision Program by 10 July 2023
3. Authorise Council Officers to directly inform the Department of Transport and Planning of Council's decision to exit the program by 10 July 2023
4. Continue to advocate to the Department of Transport and Planning to commit to ensuring no reduction in service for the safety of parents, carers and children in Strathbogie Shire
5. Authorise Officers to formally notify the following primary schools of Council's decision:
  - Avenel Primary School
  - Euroa Primary School
  - Nagambie Primary School
  - St John's Primary School (Euroa)
  - St Joseph's Primary School (Nagambie)
6. Note that Council Officers will enact the relevant redundancies clauses for effected staff in line with the Strathbogie Enterprise Agreement, acknowledging that redundancy costs will be about \$26,000 excluding any individual leave entitlements payable; and
7. Provide a further report in the May 2023 Council Meeting cycle to advise of arrangements for the School Crossing Supervision Program post 10 July 2023.”

Following Council's exit from the service, Department of Transport and Planning (the Department) resumed the service at four out of the five crossings in the Shire, maintaining the previous service level at these sites.

The Department did not resume the service at the Goulburn Street Nagambie crossing site, on the basis that it was a Council owned road so therefore a Council responsibility to provide a service.

There is no statutory requirement for Council to deliver a supervision service at school crossings on Council roads.

Following strong feedback from the community, the previous Council received a further Council report on 19 September 2023, at the Ordinary Council meeting and resolved:

“That Council:

1. Maintain its previous position, as endorsed at the 21 March 2023 Council meeting, of exiting the School Crossing Program; and
2. Note that officers will undertake an independent Road Safety Audit....”

Following this, the independent Road Safety Audit was completed, and a number of upgrades to crossing infrastructure have been completed at the Goulburn Street Nagambie site to improve pedestrian safety and safe traffic movement.

Council maintained its position and did not resume the supervision service at Goulburn Street Nagambie.

## **ISSUES, OPTIONS AND DISCUSSION**

Council received correspondence from the Principal of Nagambie Primary School regarding reinstating the school crossing supervision at Goulburn Street Nagambie via Council question, received on 4 September 2024.

The newly elected Council have expressed a desire to investigate Council's involvement in the management and provision of crossing supervision at this site and gain a greater understanding of options for the future management of school crossing/s within the Strathbogie Shire.

This report considers the Council's reinstatement of supervision at the Goulburn Street Nagambie crossing in the immediate future, for decision, and authorises officers to prepare a report for Council no later than the May 2025 Ordinary Council Meeting, that provides options for the future management of the Goulburn Street School Crossing detailing current and future service levels, risks and associated costs.

## **COMMUNITY ENGAGEMENT**

There has been no formal community engagement on this matter. Previously, Officers and Council have received multiple Council questions and correspondence regarding this matter since Council's withdrawal from the service and the unexpected change to service level.

## **POLICY CONSIDERATIONS**

### **Council Plan**

This report is consistent with the following key strategic focus areas and or actions in the 2021-25 Council Plan:

### **Strategic Focus Area 2: Live. Access. Connect.**

We all have access to important services.

### **Strategic Focus Area 6: Accountable. Transparent. Responsible.**

Be accountable for the decisions we make and the quality of service we deliver.

### **Regional, State and National Plans, Policies and Legislation**

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that regional, state and national plans and policies are to be taken into account in strategic planning and decision-making.

There are no Regional, State and National, Plans relevant to this report.

## **RISK CONSIDERATIONS**

This report has identified the following risk(s):

Risk(s)	Likelihood	Consequence	Rating	Mitigation Action
Inadequate supervision for children and users of the Goulburn Street Nagambie crossing	Probable	Major	High	Infrastructure upgrades to the crossing Provision of supervision, this is the reason for this report.
Reputational risk to Council not to be seen as prioritising children's safety	Probable	Moderate	Medium	Council to consider delivering this service through this report.

## LEGAL CONSIDERATIONS

One of the overarching governance principles under section 9 of the *Local Government Act 2020* is that Council decisions are to be made and actions taken in accordance with the relevant law.

The following legislation was considered in the preparation of this report:

- *Local Government Act 2020, and 1989*
- *Road Management Act 2004* and the Road Management (Works and Infrastructure) Regulations 2015 made under the Road Management Act
- Road Safety Road Rules 2017

## Conflict of Interest Declaration

No Council officers and/or contractors who have provided advice in relation to this report have declared a general or material conflict of interest regarding the matter under consideration.

## Transparency

The subject of this report is to be considered in an open Council meeting which the public may attend and is publicly streamed for all to view. This report provides transparency on Council's role and decisions in relation to the future the Goulburn Street Nagambie School Crossing.

## FINANCIAL VIABILITY CONSIDERATIONS

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that the ongoing financial viability of the Council is to be ensured.

The estimated direct cost to provide the supervision at Goulburn Street Nagambie, for term one and term two is approximately \$18,000. There is currently no budget allocated for this service which is why the recommendation also references a reallocation through the Council's mid-year budget review process.

## SUSTAINABILITY CONSIDERATIONS

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that the economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted.

## **Economic**

Council continues to deliver a range of services that are the responsibility of the State Government. The School Crossing Supervision Program has been a program of the State Government, with local government being delivery partners.

## **Social**

Children's school crossings are placed at locations to help children safely cross the road, especially on their way to and from school with formal crossings monitored by a crossing supervisor before and after the school day. The service is one that is highly valued by the community.

## **Environmental**

Allowing children to ride and walk to school in a safe manner provides a healthy option that has minimal impact on the environment.

## **Climate Change**

Riding and walking to school provide a way for students to minimise their environmental footprint.

## **INNOVATION AND CONTINUOUS IMPROVEMENT**

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is the pursuit of innovation and continuous improvement.

Council continuously reviews the services it provides to the community and how Council funds are allocated against program areas. Council was heavily subsidising the delivery of the School Crossing Supervision Program. Council recognises the importance of the school crossing service and undertook advocacy for adequate funding. This program has not been reviewed since its inception in 1975.

## **COLLABORATION**

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that collaboration with other Councils, levels of government and statutory bodies is to be sought. No formal collaboration was undertaken in the production of this report.

## **HUMAN RIGHTS CONSIDERATIONS**

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

## **CONCLUSION**

This report considers the Council's reinstatement of supervision at the Goulburn Street Nagambie crossing in the immediate future, for decision, and authorises officers to prepare a report for Council no later than the May 2025 Ordinary Council Meeting, that provides options for the future management of the Goulburn Street School Crossing detailing current and future service levels, risks and associated costs.

## **ATTACHMENTS**

Nil



## **11.3 Infrastructure**

### **11.3.1 CN 24/25-10 Nagambie Foreshore Walk (Old Section) – Deck Replacement**

**AUTHOR** Senior Project Officer

**RESPONSIBLE DIRECTOR** Director Sustainable Infrastructure

#### **EXECUTIVE SUMMARY**

The Nagambie foreshore walk is a valued community amenity, providing residents and visitors with a scenic and accessible route along the waterfront. The boardwalk condition was significantly impacted by the 2022 flood event and safety assessments performed after this event identified significant risks to users of the boardwalk due to these impacts.

With the growth of Nagambie Township and the influx of visitors drawn to the area's recent developments, enhancing recreation infrastructure has become essential. The refurbishment of the foreshore walk will ensure a safe and enjoyable experience for all, supporting visitor satisfaction and encouraging longer and return visits. This, in turn, can contribute to increased tourism revenue and provide economic benefits to local businesses.

Council received a grant of \$726,000 (incl. GST) from the State Government, Council Flood Support Fund to refurbish the boardwalk infrastructure, committing to replace the existing decking with modern, sustainable materials that meet current safety and compliance standards.

Council officers developed the necessary tender documentation early in the financial year, and the tender for Contract No. 24/25-10 Nagambie Foreshore Walk (Old Section) – Deck Replacement was advertised in local and state newspapers from 6 September to 3 October 2024. Five submissions were received by the tender closing date, each of which has been thoroughly reviewed and evaluated by Council officers. A detailed summary of these evaluations is provided in this report. The preferred tender amount is \$631,974.38 inclusive of GST.

To date, \$111,415.37 (incl. GST) has been used for boardwalk repair works opposite the splash park, leaving a budget of \$614,584.63 (incl. GST) available for this contract. This creates a shortfall of \$17,389.75 (incl. GST), which will be referred to Council as part of its midyear budget review process.

#### **RECOMMENDATION**

##### **That Council:**

- 1. Receive and note the outcome of the tender assessment process for Contract No 24/25-10 Nagambie Foreshore Walk (Old Section) – Deck Replacement**
- 2. Awards the tender for contract No 24/25-10 Nagambie Foreshore Walk (Old Section) – Deck Replacement - Lump Sum to Bild Greenfields Pty Ltd, for a total amount of \$631,974.38 inclusive of GST**
- 3. Refers the additional cost of \$17,389.75 (incl. GST) to Council as part of the midyear budget review process**
- 4. Authorises officers to advise the unsuccessful tenderers**
- 5. Authorises the Interim Chief Executive Officer to execute the Contract by signing and affixing the Common Seal of Strathbogie Shire Council.**

**PURPOSE AND BACKGROUND**

The Old Nagambie foreshore walk has served as a key recreational and social hub for the community, providing a tranquil setting for walking, jogging, and enjoying the natural beauty of the area. The original timber board decking, installed several years ago, has reached the end of its functional lifespan.

The effects of the flood event in 2022, weathering and general wear and tear have compromised its structural integrity, necessitating a comprehensive upgrade. In response, Council received a Grant from the Victorian Government to replace the existing decking with durable and sustainable materials designed to withstand environmental conditions and meet current safety standards, thereby ensuring the continued safe use of this important public amenity.

**Tender Process**

The public tender was released on <https://www.eprocure.com.au/strathbogie/> website on the 6 September 2024. The tender was advertised in Saturday’s The Age newspaper (state-wide reach), and Shepparton News in the week following release. By the close of tenders at 4.00pm on 3 October 2024, five (5) tender submissions had been received.

All tender submissions were assessed for compliance with contractual terms, conditions, and response schedule requirements. Each submission was deemed conforming.

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

*Table 1: Tender Submissions Received*

Tender Submissions Received at the Close of Tender Period (in alphabetical order)	
Bild Greenfields Pty Ltd	
Gradian Projects Pty Ltd	
The Trustee for Stillitano Concrete Unit Trust	
Urbania Group Pty Ltd	
Waratah Constructions	

Table 2 below lists the tender offer at the close of the advertised tender period.

*Table 2: Tender Offers Received*

<b>Tender Offers Received (including GST) at Close of Tender Period in (lowest to highest order)</b>
\$ 631,974.38
\$ 786,379.25
\$ 871,802.80
\$ 872,434.42
\$ 1,010,747.02

### **Panel Assessment Process**

In accordance with Council's Procurement Policy, the evaluation panel and evaluation criteria weightings were determined prior to release of the Tender documentation. The evaluation panel members were nominated prior to release of the tender submissions for evaluation. The panel signed 'Conflict of Interest' statements prior to the evaluation panel viewing the submitted tenders.

The Tender Evaluation Panel members were made up of the following Strathbogie Shire Council officers as follows:

1. Manager Operations - Sustainable Infrastructure
2. Senior Project Officer, Project Delivery - Sustainable Infrastructure
3. Project Officer - Sustainable Infrastructure
4. Procurement and Tender Officer, People and Governance (moderating).

The principle that underlies the awarding of all Council contracts is that a contract is awarded based on providing the overall Best Value, offering the most benefit to the community and the greatest advantage to Council. All members of tender evaluation panel have declared no Conflict of Interest in assessing this tender.

The tenders were assessed and evaluated against the following criteria and weightings in line with the Council Procurement Policy:

*Table 3: Evaluation Criteria*

<b>Criteria</b>	<b>Weighting (%)</b>
Price	60
Business and Management Requirements	Evaluator Review
Capacity - Subcontractors, Equipment & Resources, Current Contracts	10
Methodology, Experience, Personnel CVs, Methodology, Traffic Management Plan	10

Local Content/Regional Benefit	10
Sustainability	10
Tender conformance - Compliance/exclusion from Contract	Evaluator Review
<b>Total</b>	<b>100</b>

### Evaluation Moderation Process

The purpose of the moderation meeting is to discuss and moderate scoring discrepancies larger than three points and to raise any concerns and/or queries that may need to be put to the tenderers prior to recommending the preferred Tenderer.

The Tender Evaluation Panel individually reviewed tender submissions in detail and assessed tenderers submitted schedules and attachments against the evaluation criteria.

The Moderator (Procurement and Tender Officer) averaged the scores and highlighted scoring discrepancies larger than three (3) points. On Friday 8 November 2024, the Panel members and the Moderator met to finalise the evaluation through moderation meeting.

### Panel Assessment Summary

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that priority is to be given to achieving the best outcomes for the municipal community, including future generations.

At the completion of the tender evaluation process, Bild Greenfields Pty Ltd attained the highest ranking with a total score of 87.70%. Bild Greenfields scored the second highest on qualitative component scoring 27.70% and highest on Quantitative component with 60%.

The Tender Evaluation Panel was therefore satisfied that Bild Greenfields Pty Ltd represents the best value outcome for Council.

Bild Greenfields Pty Ltd is based in Campbellfield Victoria. They have ample experience in boardwalk construction and have completed similar open space landscape works for other Councils and private entities in the recent past throughout Victoria as per their tender submission. They have demonstrated capability to complete Works in the tender with minimal supervision based on their submitted documents.

### COMMUNITY ENGAGEMENT

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that the municipal community is to be engaged in strategic planning and strategic decision making.

The author of this report considers that no external community consultation was necessary as part of the tender process.

## POLICY CONSIDERATIONS

### Council Plan

This report is consistent with the following key strategic focus areas and or actions in the 2021-25 Council Plan:

#### **Strategic Focus Area 1: Engage. Create. Unite.**

We create welcoming social spaces where people can connect.

#### **Strategic Focus Area 2: Live. Access. Connect.**

We are moving through our townships on connected walking and cycling tracks.

#### **Strategic Focus Area 3: Protect. Enhance. Adapt.**

We are minimising harmful impacts on our natural environment.

#### **Strategic Focus Area 4: Inclusive. Productive. Balanced.**

We target economic development to enhance our region.

#### **Strategic Focus Area 5: Strong. Healthy. Safe.**

We are encouraging health and wellbeing activities in sport and recreation.

### **Regional, State and National Plans, Policies and Legislation**

This report is aligned with the following legislation, council policies and key strategic documents:

- One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that regional, state and national plans and policies are to be taken into account in strategic planning and decision-making.

Strathbogie Shire Asset Management Policy and Strathbogie Shire Council Plan 2021-2025.

## RISK CONSIDERATIONS

This report has identified the following risk(s):

Risk(s)	Likelihood	Consequence(s)	Rating	Mitigation Action
Cost Overruns	Possible	Increased budget, financial strain	Medium	Conduct thorough cost estimation, regular financial reviews
Project Delays	Likely	Extended project timeline, increased costs	High	Establish clear timeline, regular progress meetings, and include buffer periods

Poor Quality Workmanship	Possible	Substandard products, increased maintenance	Low	Select reputable contractors, regular quality inspections, enforce contract standards
Safety Incidents	Possible	Injuries, project halts, legal issues	Low	Implement safety protocols (SWMS etc.), safety inductions
Non-compliance with Specifications	Possible	Redo work, increased costs, delays	Low	Detailed specification review, thorough contractor vetting, regular inspections
Community Disruption	Likely	Negative public perception, complaints	Medium	Effective communication, provide temporary facilities to ease
Unforeseen Structural Issues	Possible	Increased scope, additional costs	Medium	Conduct thorough site surveys, dilapidation report etc.
Supply Chain Disruptions	Possible	Material shortages, delays	Medium	order materials early, maintain good relationships with suppliers
Environmental Impact	Possible	Legal issues, reputational damage	Medium	Ensure compliance with environmental regulations, use sustainable materials where applicable
Temporary Facility Failures	Medium	Public inconvenience, complaints	Medium	Regular maintenance of temporary facilities

## LEGAL CONSIDERATIONS

One of the overarching governance principles under section 9 of the *Local Government Act 2020* is that Council decisions are to be made and actions taken in accordance with the relevant law. There are no significant legal considerations associated with this report.

## Conflict of Interest Declaration

No Council officers and/or contractors who have provided advice in relation to this report have declared a general or material conflict of interest regarding the matter under consideration.

## Transparency

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that the transparency of Council decisions, actions and information is to be ensured. In the interests of transparency and open and honest communication with our community this report is presented to a public Council meeting.

## **FINANCIAL VIABILITY CONSIDERATIONS**

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that the ongoing financial viability of the Council is to be ensured.

The Victorian Government provided a grant as part of funding received from the Council Flood Support Fund of \$726,000.00 (incl. GST), which is included in the 2024-25 adopted budget to perform this work. By undertaking the works included in contract No 24/25-10 Nagambie Foreshore Walk (Old Section) – Deck Replacement, the grant will be fully expended.

## **SUSTAINABILITY CONSIDERATIONS**

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that the economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted.

### **Economic**

The refurbishment of the Nagambie foreshore walk supports economic sustainability by enhancing an important public asset that attracts both residents and tourists. This improvement is anticipated to contribute to the local economy by increasing visitor satisfaction, encouraging extended stays, and fostering repeat visits, which can lead to increased spending in local businesses.

By investing in durable, low-maintenance materials, the project also supports long-term cost-effectiveness, reducing the need for frequent repairs and minimizing financial strain on the Council's maintenance budget.

### **Social**

The foreshore walk serves as a significant recreational space for the Nagambie community, offering residents and visitors a safe, accessible, and enjoyable environment for exercise, relaxation, and social interaction.

Refurbishing the pathway with modern, compliant materials reinforces the Council's commitment to providing inclusive infrastructure that supports community well-being and quality of life. An improved foreshore walk strengthens social cohesion by creating a shared space for gatherings, events, and everyday interactions that benefit the entire community.

### **Environmental**

This project aligns with environmental sustainability principles by incorporating responsibly sourced and sustainable materials that reduce ecological impact. The Council has nominated the use of recycled and reclaimed materials for this refurbishment, diverting approximately 70 tons of plastic waste from landfill.

This approach not only conserves natural resources but also promotes a circular economy, contributing to reduced overall waste. Replacing the aging timber decking with durable, eco-friendly alternatives minimizes the need for future resource-intensive maintenance, further supporting the Council's commitment to environmental stewardship and responsible resource management.

## **Climate Change**

The refurbishment project includes planning and mitigation measures to address climate change risks, ensuring the foreshore walk is resilient to future environmental challenges. By selecting materials that are resistant to climate-related wear, such as increased temperatures, heavy rainfall, and potential flooding, the Council is proactively preparing the asset for climate variability.

Additionally, the chosen recycled and reclaimed materials support Council's climate action goals by reducing landfill contributions and the demand for virgin resources. This sustainable choice not only supports immediate climate resilience but also reinforces the Council's long-term strategy for developing infrastructure that can withstand evolving environmental conditions, fostering a more sustainable and adaptive community.

## **INNOVATION AND CONTINUOUS IMPROVEMENT**

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is the pursuit of innovation and continuous improvement.

Strathbogie Shire Council is committed to innovation and continuous improvement in delivering public infrastructure projects. For the foreshore walk refurbishment, the Council has adopted a forward-thinking approach by integrating recycled and reclaimed materials that offer both durability and environmental benefits. This choice reflects a shift toward sustainable innovation, reducing landfill waste and promoting the reuse of resources, setting a new standard for future projects.

Additionally, the project planning process included rigorous assessments of material longevity, maintenance efficiencies, and cost-effectiveness, ensuring that the Council delivers a high-quality, sustainable asset that serves the community's needs now and into the future.

This project exemplifies the Council's commitment to continually refining its practices, embracing modern technologies, and prioritizing materials and methods that deliver long-term value and environmental stewardship for the municipality.

## **COLLABORATION**

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that collaboration with other Councils, levels of government and statutory bodies is to be sought. No formal collaboration was undertaken in the production of this report.

## **HUMAN RIGHTS CONSIDERATIONS**

There are no significant human rights implications arising from this report.

## **CONCLUSION**

Council invited tenders for Contract No 24/25-10 Nagambie Foreshore Walk (Old Section) – Deck Replacement. The submitted tenders were sought and evaluated strictly in accordance with the Council's Procurement Policy and against the provided brief and specifications.

It is proposed that Council endorses the recommended contract award for the Contract No 24/25-10 Nagambie Foreshore Walk (Old Section) – Deck Replacement to Bild Greenfields Pty Ltd as detailed on this report.



**CONFIDENTIAL ATTACHMENT****Tender Details for Contract No 24/25-10 Nagambie Foreshore Walk (Old Section)**

The attached recommendation and evaluation matrix has been provided to Councillors under separate cover as it is confidential under section 3 of the *Local Government Act 2020* as it contains:

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

This section applies because the matter concerns contracts around which negotiations have not been finalised, and it would prejudice the Council's position in the negotiations.

- g. private commercial information, being information provided by a business, commercial or financial undertaking that—
  - i. relates to trade secrets; or
  - ii. if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage

This section applies because the information contains confidential commercial information submitted by the business through the tender process and it would unreasonably expose the business through providing an unfair advantage to their competitors

### 11.3.2 Kerbside Collection Services Policy

**AUTHOR** Acting Coordinator Waste & Environment

**RESPONSIBLE DIRECTOR** Director Sustainable Infrastructure

#### EXECUTIVE SUMMARY

The Kerbside Collection Services Policy outlines Council's objectives regarding the waste management services it offers to residents, businesses and other groups within the Shire. The current policy was adopted by Council at its November 2019 Ordinary Meeting and is now due for review.

The Policy ensures that our kerbside waste services are delivered equitably across the Shire and is driven by the below principles:

- Minimising the amount of landfill waste generated within the municipality
- Increasing the recovery of resources
- Providing alternatives to landfill disposal
- Minimising the contamination of recycling and organic waste streams and
- Equitable and accessible access for all residents.

Officers engaged with internal departments to ensure that the proposed draft Policy is consistent across relevant business operations. There have been no significant changes to the draft Policy (see attachment).

At the July 2024 Ordinary Council Meeting, the draft policy was endorsed to be placed on public exhibition in accordance with the Communications and Engagement Plan.

Consequently, this policy was placed on Share Strathbogie on Wednesday 17 July 2024 for a period of four weeks. At the conclusion of the public exhibition process, there had been two submissions received, both of which suggested changing the collection schedule of the red-lidded refuse bin from fortnightly to weekly.

#### RECOMMENDATION

**That Council:**

- 1. Note the two submissions received**
- 2. Adopt this policy with the minor change to include a missed bin escalation process.**

#### PURPOSE AND BACKGROUND

In November 2019 Council adopted the current Kerbside Collection Services Policy which is now due to be reviewed. Waste Officers have undertaken internal engagement with the Community and Culture, Rates and Projects Departments to ensure that the policy is consistent and now presents the final draft Policy, following a public exhibition process, for Council endorsement.

The Policy covers:

- Residential kerbside collection services in urban and rural areas
- Extensions to the collection routes

- Special considerations kerbside collection services
- Collections services from commercial premises and educational organisations
- Special events
- Contamination management of kerbside bins
- Public place recycling.

As waste management impacts all residents within the municipality, it is important that the community is provided with the opportunity to provide input into the final draft Policy. This opportunity occurred through Share Strathbogie following the July 2024 Ordinary Council meeting for a period of four weeks.

## ISSUES, OPTIONS AND DISCUSSION

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that priority is to be given to achieving the best outcomes for the municipal community, including future generations.

The Policy allows Council officers to apply a consistent approach to resident requests around waste management services and enable a base line expectation with our residents.

Minor changes and updates to the draft Policy include:

- Referencing the introduction of a new glass bin in July 2025
- Update of Officers titles and responsibilities
- A new section around how to manage Multi Unit Dwellings
- Minor changes to the “Special Consideration” Kerbside Collection Service
- Removal of Section 8.1 – “Kerbside collection services are mandatory for all habitable dwellings located on existing collection routes in rural areas of the Shire”.

## COMMUNITY ENGAGEMENT

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that the municipal community is to be engaged in strategic planning and strategic decision making

Community consultation occurred after Council endorsed the draft policy at its July 2024 Ordinary Council Meeting. The draft policy was placed on Share Strathbogie for a period of four weeks. Two submissions were received as a result of this consultation period, results of which are summarised in the table below.

No.	Feedback	Response
1.	I think the red rubbish bin needs to be emptied each week not every fortnight	Not included in policy – this goes against best practice for waste collection services. Weekly garbage collection promotes more landfill and less FOGO recycling and is therefore not recommended. Our waste services contract allows for fortnightly collection of red (garbage) bins. Increasing the frequency of this to a weekly service will double the yearly kerbside collection charge and offsetting this with fortnightly FOGO will lead to an increase in landfill and associated disposal costs.
2.	Red bin waste collection needs to be weekly, especially through summer. The bins stink, especially ones with	Not included in policy – this goes against best practice for waste collection services. Weekly garbage collection promotes more landfill and less FOGO recycling and is therefore not recommended. Our waste services contract allows for fortnightly collection of red (garbage)

	nappies. Smaller bins would be manageable if it was weekly collection.	bins. Increasing the frequency of this to a weekly service will double the yearly kerbside collection charge and offsetting this with fortnightly FOGO will lead to an increase in landfill and associated disposal costs.
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## POLICY CONSIDERATIONS

### Council Plan

This report is consistent with the following key strategic focus areas and or actions in the 2021-25 Council Plan:

#### Strategic Focus Area 2: Live. Access. Connect.

We all have access to important services.

#### Strategic Focus Area 3: Protect. Enhance. Adapt.

We are minimising harmful impacts on our natural environment.  
We are championing best practice environmental strategies.

### Regional, State and National Plans, Policies and Legislation

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that regional, state and national plans and policies are to be taken into account in strategic planning and decision-making.

### Council Plans and Policies

The key strategic focus that links with the delivery of waste management services is:

- Strategic Focus Area 3: Protect. Enhance. Adapt.

### Regional, State and National Plans and Policies

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that regional, state and national plans and policies are to be taken into account in strategic planning and decision-making.

Key regulatory and current plans and policies that were considered in the preparation of this report include:

- National Waste Policy
- *Environment Protection Act 2017*
- *Circular Economy Act 2021*
- *Climate Change Act 2017*
- Recycling Victoria: a new economy
- Waste to Energy Framework

## RISK CONSIDERATIONS

This report has identified the following risk(s):

Risk(s)	Likelihood	Consequence	Rating	Mitigation Action
Non-compliance with this policy	Possible	Minimal	Medium	Waste Management Team will be available to answer any queries and advise of corrective action.
Good governance and legislative obligations may be jeopardised if robust policies are not in place	Unlikely	Minimal	Low	The application of this policy by council officers provides a framework for how our waste services are delivered to the community.

## LEGAL CONSIDERATIONS

One of the overarching governance principles under section 9 of the *Local Government Act 2020* is that Council decisions are to be made, and actions taken in accordance with the relevant law. There are no significant legal considerations associated with this report.

Council provides waste management services to its community, and these are seen as one of the fundamental core functions of Council. This updated Policy will ensure that we are providing a consistent and fair waste service for our community.

## Conflict of Interest Declaration

No Council officers and/or contractors who have provided advice in relation to this report have declared a general or material conflict of interest regarding the matter under consideration.

## Transparency

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that the transparency of Council decisions, actions and information is to be ensured.

This report will be presented to the Council in a Council meeting, open to the public and live streamed to the public. This is consistent with Council's Transparency Policy, enabling the community to have oversight regarding the matters being discussed by Council and the decisions being made.

## FINANCIAL VIABILITY CONSIDERATIONS

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that the ongoing financial viability of the Council is to be ensured. There are no financial implications associated with this report.

## SUSTAINABILITY CONSIDERATIONS

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that the economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted.

## **Economic**

There are no economic considerations as part of this policy update.

## **Social**

Waste management is a key service that Council delivers to its community and undertaking the review of the key policy will mean our residents continue to have access to high quality, consistent, best practice waste management services.

## **Environmental**

Council currently delivers a best practice waste management service to its community that will soon promote a four-bin service to maximise the amount of waste diverted away from landfill.

## **Climate Change**

This Policy will assist Council in diverting waste away from landfill and promoting waste education to our community.

## **INNOVATION AND CONTINUOUS IMPROVEMENT**

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is the pursuit of innovation and continuous improvement.

Waste management is an evolving science, and hence the relevant policies need to be updated regularly as best practices and state/federal legislation change.

## **COLLABORATION**

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that collaboration with other Councils, levels of government and statutory bodies is to be sought. No formal collaboration was undertaken in the production of this report

## **HUMAN RIGHTS CONSIDERATIONS**

There are no significant implications for human rights arising from this report. The recommendation does not limit any human rights under the Victoria *Charter of Human Rights and Responsibilities Act 2006*.

## **CONCLUSION**

With the conclusion of the community consultation of the Kerbside Collection Services Policy, it is recommended that Council adopts the policy as attached which will replace the current policy dated November 2019.

The two submissions suggest changing the frequency of the refuse (red) bin to weekly which goes against best practice and would increase the overall fees for the service, therefore no changes have been recommended to the policy.

## **ATTACHMENTS**

1. DRAFT Kerbside Collection Services Policy

OFFICIAL

# Strathbogie Shire Council Kerbside Collection Services Policy

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December 2024

*Strathbogie*  
SHIRE COUNCIL

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**Kerbside Collection Services Policy**

Document ID:	448064
Effective Date:	21 November 2017
Last Review:	October 2019
Current Review:	December 2024
Date Adopted by Council:	
Next Scheduled Review Date:	December 2026
Responsible Officer:	Director Sustainable Infrastructure



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## PART 1 POLICY

### 1. PURPOSE

The purpose of this Policy is to state Council's objectives regarding the waste management services it offers to residents, businesses, and other groups within the Shire.

### 2. POLICY STATEMENT

This Policy is essential in ensuring that our kerbside waste services are delivered equitably across the Shire. The delivery of efficient and effective waste management services is captured in Strategic Focus Area 3 – *Protect. Enhance. Adapt*. The Strathbogie Shire Council is committed to facilitating effective, economical and sustainable waste management practices that assist in achieving the following goals

- Minimising the amount of landfill waste generated within the municipality
- Increasing the recovery of resources
- Providing alternatives to landfill disposal
- Minimising the contamination of recycling and organic waste streams
- Equitable and accessible access for all residents

### 3. APPLICATION OF THIS POLICY

This Policy applies to the waste management services provided by Council and their associated service charges.

The Council is able to establish this policy in accordance with its powers under the *Local Government Act 2020*.

### 4. ACCOUNTABILITY AND RESPONSIBILITIES

Role	Responsibilities
Environment and Waste Coordinator	<ul style="list-style-type: none"> <li>• Ensure adherence to the policy</li> <li>• Apply to the policy to interactions with the community</li> <li>• Ensure communication regarding the policy is clear and understandable to the community so they are aware of their obligations</li> </ul>
Waste Management Officer	<ul style="list-style-type: none"> <li>• Apply the policy as required to the community to ensure a fair distribution of waste services</li> </ul>
Officers	<ul style="list-style-type: none"> <li>• Apply the policy as required to interactions with the community</li> </ul>
Community	<ul style="list-style-type: none"> <li>• Be familiar with the policy to ensure that all process and requirements are met</li> </ul>

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### 5. KERBSIDE COLLECTION CHARGES

- 5.1 Council is entitled to charge Service Rates and Charges for the collection and disposal of waste under the *Local Government Act 2020*.
- 5.2 Council will consider declaring kerbside collection service charges and their quantum during the budget process each financial year.
- 5.3 A kerbside collection service charge is an annual charge on a property
- 5.4 Each annual kerbside collection service charge will be per kerbside collection service (one Mobile Waste Bin (MWB), one Mobile Organics Bin (MOB) one Mobile Recycling Bin (MRB) and when applicable one Mobile Glass Bin (MGB)).
- 5.5 Kerbside collection service charges are structured to reflect the service cost to Council and are geared toward encouraging residents to reduce waste to landfill.

### 6. ABOUT THE KERBSIDE COLLECTION SERVICES

- 6.1 The Standard Kerbside Collection Service provided by Council will be delivered as follows:
  - Organics - One x 120 litre MOB collected weekly
  - Recycling - One x 240 litre MRB collected fortnightly
  - Waste - One x 120 litre MWB collected on the alternate fortnight to Recycling
  - And from 1 July 2025 – Glass - One x 120lt MGB collected every 4 weeks
- 6.2 The following alternative kerbside collection services are available to allow customers to meet their particular needs:

Organics – Weekly Collection	Recycling – Fortnightly Collection	Waste – Alternate Fortnight to Recycling	From 1 July 2025 – Glass - Four Weekly Collection
240 litre MOB	120 litre MRB	240 litre MWB	240 litre MGB
	360 litre MRB		

- 6.3 All residential properties receiving kerbside collection services MUST also receive at least one kerbside organics collection service and one kerbside recycling collection service and from 1 July 2025, one kerbside glass collection service.
- 6.4 All residential properties receiving a Kerbside Organics Collection Service will be provided with the following items from Council to assist with the effective collection of organic food waste:

Kerbside Collection Services Document 448064

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- I. An eight (8) litre Organics Kitchen Caddy (delivered with each Mobile Organics Bin)
  - II. A roll of compostable Organics Kitchen Caddy liners (delivered to the property every year).
- 6.5 All Mobile Waste Bins, Mobile Organic Bins, Mobile Recycling Bins, Mobile Glass Bins and Organics Kitchen Caddies and liners provided by Council to residents remain the property of Council and must be kept at the address they have been issued to.
  - 6.6 Council will undertake repairs on damaged bins or caddies and replace any bins that are stolen or damaged whilst left out for collection. However, if a bin or caddy is damaged or lost because of misuse or other action on a resident's part, the cost of replacement or repair of the damaged or stolen bin or caddy may be sought from the ratepayer of the property that it was allocated to.
  - 6.7 Should your scheduled bin collection be missed, contact Council's Customer Service to report missed collection who will arrange for collection with the Contractor. If there is no collection within 48 hours, please contact Customer Service who will escalate to the appropriate senior officer.
  - 6.8 Bin contents, once the bin has been placed in its usual collection location becomes Council's property. Bin audits may be undertaken by Council at any time to contribute to its understanding of user's waste and resource recovery practices
  - 6.9 Bins should be placed on the kerbside the night before collection and removed from the kerbside and into the property as soon as practical after collection.
  - 6.10 Bins will only be delivered to properties where Council has received a final Occupancy Permit. Bins will not be delivered to empty blocks, sheds or other infrastructure except if there is a need as determined by Council Officers
  - 6.11 Given the large geographic size of the municipality, it is not economically feasible to support kerbside collection services to all areas of low-density settlement. Collection routes are mainly limited to:
    - Urban areas
    - Rural areas where the ratio of homes to the distance travelled makes provision of services economically feasible; and
    - Roads travelled that link collection routes together.

## 7. RESIDENTIAL KERBSIDE COLLECTION SERVICES IN URBAN AREAS

- 7.1 Council's Standard Service Charge will be levied on all habitable properties within urban areas and on designated densely populated areas of the municipality. These charges will apply regardless of whether:
  - the dwelling is permanently occupied or
  - the service is required or utilised.

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- 7.2 Charges for the standard kerbside collection services on new dwellings in urban areas shall apply as of the date that Council's Rates Department receive the application for a new bin service.
- 7.3 Additional kerbside collection services or changes to the Standard Kerbside Collection Services bin sizes can be provided upon application. Additional or reduced fees may apply depending on the bin size and service chosen.
- 7.4 Once a Kerbside Collection Service (which must include a MOB, MWB, MGB and MRB) is present at the property any number of additional bins in any combination may be delivered and utilised by the property. A minimum of one MOB, MWB and MRB must be at the property. From 1 July 2025 this will also include a MGB.
- 7.5 Kerbside collection services and their associated charges can only be cancelled if the property becomes uninhabitable.
- 7.6 Any amendments to service allocations that have a cost implication can only be made by the property owner, ratepayer or a person legally authorised to act on the owner's behalf.
- 7.7 The Urban Areas have been mapped in Council's GIS system. If a property falls into this boundary, then they MUST have as a minimum a Standard Kerbside Collection Service. Maps as of February 2024 are attached at the back of this Policy – up to date maps can be found on Council's Website and include Violet Town, Euroa, Strathbogie, Nagambie, Longwood, Old Longwood, Mangalore, Avenel and Locksley.
- 7.8 There is no option for properties within this collection area to opt out of this service as it would not be financially viable and impossible to maintain.
- 7.9 Once Council has received an Occupancy Permit for a habitable dwelling within a defined Urban Area, the ratepayer(s) will be issued a 'New Occupancy Permit – Required Kerbside Collection Service' letter explaining this policy, with an attached new bin service application form.
- 7.10 Ratepayer(s) who do not respond within two (2) weeks after a secondary 'New Occupancy Permit – Required Kerbside Collection Service' letter has been issued, bins comprising the Standard Kerbside Collection Service will be delivered and levies applied as per the next available date of delivery.
- 7.11 The collection route is based a minimum number of properties to maintain its viability and if properties opted in and out it becomes a logistical issue to keep rolling bins in and out.
- 7.12 The onus is on the resident or owner of a property to notify Council when a bin has been stolen or is missing. Council will not refund of non-service due to bins been stolen or missing.

**OFFICIAL****8. RESIDENTIAL KERBSIDE COLLECTION SERVICES IN RURAL AREAS**

- 8.1 Kerbside collection services may be available for properties adjacent to existing collection routes, provided the bins are delivered to and from an agreed location on the route for collection and any other criteria stipulated by Council and / or its service provider is met. Standard collection charges will apply.
- 8.2 Additional kerbside collection services or changes to the Standard Kerbside Collection Services bin sizes can be provided upon application. Additional or reduced fees may apply depending on the bin size and service chosen.
- 8.3 Once a Kerbside Collection Service (which must include a MOB, MGB and MRB) is present at the property any number of additional bins in any combination may be delivered and utilised by the property. A minimum of one MOB, MGB and MRB must be at the property. From 1 July 2025 the above services will also include an MGB.
- 8.4 Any amendments to service allocations with costs implications can only be made by the property owner or person legally responsible for payment of rates.
- 8.5 The onus is on the resident or owner of a property to notify Council when a bin has been stolen or is missing. Council will not refund any service charge for the period any bin has been missing.

**9. MULTI UNIT DWELLINGS**

- 9.1 The Standard Kerbside Collection Service will be provided to all properties except as outlined below:
  - i) Vacant allotments
  - ii) Commercial and Industrial properties and facilities
  - iii) Multi-Unit Developments may share bins or change bin sizes subject to a waste management agreement being developed, and regulated by the owner's corporation or building manager, and approved by Council.
  - iv) Residential aged care facilities and lifestyle/retirement villages will be able to apply for a reduced number of food and garden organics bins to meet the volume of organic material generated. If they can demonstrate alternative management of all their food and garden waste, complying with environmental standards, waste diversion from landfill and satisfying Council policy, they may be exempt from the organic bin service. These facilities may be located on or accessed via private roads, so access for collection vehicles will be determined prior to commencement of service and in line with Council's contractual agreement.
  - v) Where Council has approved the use of additional bins
- 9.2 It is recognised that some residents may require a different combination of bin sizes. Variations to the Standard Kerbside Collection Service, additional services or commercial and industrial requirements will be subject to approval of Council Officers. Additional or reduced fees and charges may apply.

**OFFICIAL****10. EXTENSIONS TO KERBSIDE COLLECTION ROUTES**

10.1 The following shall be given consideration before adopting any extensions to existing collection routes:

- All roads on the proposed extended route are listed on Council's Register of Public Roads
- Economic feasibility of additional service (cost v benefit)
- Existing contractual arrangements
- Physical constraints of extended route (i.e. pavement strength of road to take heavy vehicles, width and alignment of road, bridge load limits, slope of road, turning area if required)
- Possibility of damage to Council assets by heavy vehicles (i.e. damage to bridges, road surface, road furniture)
- Number and proximity of dwellings serviced (additional distance travelled does not exceed two kilometres per service)
- Impact of additional routes on the existing collection day program
- Proximity to existing collection routes.

10.2 In addition, Council could, at its discretion, choose to extend collection routes based on, but not limited to, the following:

- Township growth
- Contractor's collection schedules

10.3 Access using private roads to provide collection services can be approved where a specific access agreement has been negotiated between Council, the collection contractor and the landowner.

10.4 Requests to provide collection services to properties located within adjoining municipalities and in close proximity to the border with Strathbogie Shire will be investigated on a case-by-case basis. For this service to take place, agreement must be reached with the particular Council that the property is located in, to either:

- bill the relevant Council separately for the collection,
- come to a mutual understanding regarding the costs on "quid pro quo" basis, or
- bill the ratepayer as a sundry debtor.

**OFFICIAL****11. SPECIAL CONSIDERATION KERBSIDE COLLECTION SERVICE**

- 11.1 For residential properties meeting any of the following criteria, the standard fortnightly 120 litre MWB service may be replaced with a larger 240 litre MWB service (or have an additional 120 litre MWB service added) at no extra cost at the request of the resident:
- i. Six or more people permanently residing at the property,
  - ii. Residents with medical conditions that result in larger than usual waste generation. The waste generated must be able to be disposed of through the kerbside collection bins and CANNOT include sharps or other hazardous medical waste.
  - iii. Households having to dispose of nappies or incontinence products.
- 11.2 Council will request suitable documentation from residents in order to support the request for Special Consideration Collections
- 11.3 Special considerations bins are not available for Family Day Care Services or other businesses that are run out of a residential properties.
- 11.4 If this evidence is not supplied when requested Council will assume the Special Consideration MWB is no longer required and will charge the Rate Payer, the 240lt MWB rate or replace the 240lt MWB with a 120lt MWB whichever is deemed by Council Officers to be the most appropriate solution
- 11.5 A list of the properties receiving Special Consideration Collections will be maintained and the continued need for the service reviewed at the end of each financial year.

**12. KERBSIDE COLLECTION SERVICES FROM COMMERCIAL PREMISES**

- 12.1 Kerbside collection services are available on application for all commercial premises located on existing collection routes of the Shire. Application must be made by the property owner or person legally responsible for payment of rates.
- 12.2 Commercial premises can apply for any combination and number of kerbside collection services (i.e. organics, garbage, glass or recycling). Each service will attract the applicable annual service charge.
- 12.3 Organics bins (MOBs) will only be provided with a Waste (MWB) service to minimise contamination.
- 12.4 Any commercial premise that is found to be using Councils public place bins to dispose of their rubbish will be required to have a Council service or provide evidence of a commercial arrangement.

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- 12.5 Any amendments to service allocations can only be made by the property owner or person legally responsible for payment of rates.
- 12.6 For premises in urban areas that are combined residential / commercial, one Kerbside Waste Service Charge, one Kerbside Organics Service Charge and one Kerbside Recycling Service Charge will be levied on any residential part of the premise. From 1 July 2025 this will include one Kerbside Glass Service Charge
- 12.7 Kerbside collection services from commercial properties housing Opportunity Shops managed by charitable organisations, will be charged for services as per other commercial properties. However, Council will give consideration, on a case-by-case basis, to any written requests to waive the disposal fees at Council's Resource Recovery Centres, for any unsaleable items left at these premises outside of the premise's operating hours.
- 12.8 Any written requests received by Council must state the requested amount of waiver, the reason why Council should approve a waiver (good done for the community etc). Requests must also outline how shops are attempting to minimise the amount of "dumped" material at their premises.
- 12.9 All waivers will only be for a maximum 12-month period. At expiration of this, businesses can reapply.

### **13. KERBSIDE COLLECTION SERVICES FROM EDUCATIONAL ORGANISATIONS**

Council is committed to encouraging the use of recycling and organics collection services at educational organisations to assist with educating students in the benefits of diverting waste from landfill.

For the purposes of this policy, the following are considered to be educational organisations:

- Schools
  - Kindergartens / Pre-schools
  - School Camps
  - Outdoor Education Facilities
- a) All educational organisations will receive recycling and organics service allocations based proportionally on the number of students enrolled, at a rate of one service per 100 students. These allocations will be provided free of charge by Council.
- 0 - 100 Students = 1 x 240 litre mobile recycling bin and 1 x 240 litre mobile organics bin.
  - Increments of 100 increase in student numbers will receive one extra bin per increment.

Educational organisations requesting additional waste, recycling, organics or glass (when available) services shall apply to Council in writing. Each additional service shall be subject to the standard Service Charge.



**OFFICIAL****14. KERBSIDE COLLECTION SERVICES FOR COMMUNITY FACILITIES AND COMMUNITY GROUPS**

- 14.1 Community groups will receive collection service allocations based proportionally on the Township's population and / or membership, based on the user group type.

Additional collection services required over and above a group's prescribed allocation will be subject to the appropriate service charges. This includes additional 'one off' services required for 'Special Events'. If bins are required for Special Events, then Council's 'Waste Wise Policy' will be used to determine any allocations

- 14.2 Bins will be placed out for collection by user groups on the roadside adjacent to the user group's facility / venue on appropriate days, as per normal household collections.

This will be the standard arrangement unless an alternative, suitable collection arrangement is agreed to by Council's waste services contract supervisor.

- 14.3 This policy does not apply to those user groups / events whose needs do not justify a collection service. Justification will be determined by Council's waste services contract supervisor, taking into consideration:

- waste volumes
- site access and
- bin security.

- 14.4 This policy does not apply to those user groups that are located in an area remote from existing collection routes.

- 14.5 Groups that can transport their waste and recycling in an appropriate manner, i.e., via a trailer or other manner, may be able to apply for a fee waiver at one of Councils Resource Recovery Centres.

**User Group Definitions and Bin Allocations****I. 'A' Groups; Recreational Reserves with multi-use facilities**

Recreation reserves which include joint user groups (such as Football, Cricket, Netball and Tennis Clubs) will receive collection service allocations based proportionally on the Township's population, at a rate of one 240 litre garbage bin, one 240 litre recycling bin and one 240 litre organics bin per 500 head of population.

These services will be provided free of charge.

0 - 500 Population = 1 x 240 litre mobile waste bin\* (MWB)

1 x 240 litre mobile recycling bin (MRB) and

1 x 240 litre mobile organics bin\* (MOB)

*\*(or alternatively 2 x 120 litre MWBs and / or MOB)*

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For special once off events clubs can apply for special events bins as per this policy and the events guidelines

### II. **'B' Groups; Sporting Clubs (including Bowls, Tennis, Golf), Emergency Services (CFA, SES)**

Groups such as, individual Bowls, Golf and Tennis Clubs and Emergency Services facilities will receive collection service allocations based proportionally on their membership.

These will be provided free of charge provided an undertaking in writing is made and acted upon by the group to initiate, promote, and action appropriate disposal procedures for recyclables and organic waste.

0 - 120 Members = 1 x 120 litre MWB, 1 x 240 litre MRB and 1 x 240 litre MOB.

120+ Members = 1 x 240 litre MWB\*\*, 2 x 240 litre MRBs and 1 x 240 litre MOB\*\*.

*\*\* (or alternatively 2 x 120 litre MWBs and / or MOBs)*

For special once off events clubs can apply for special events bins as per this policy and the events guidelines

### III. **'C' Groups; Senior Citizens and RSL Clubs**

Senior Citizens and RSL Clubs will receive collection service allocations based proportionally on the Township's population.

These will be provided free of charge provided an undertaking in writing is made and acted upon by the group to initiate, promote, and action appropriate disposal procedures for recyclables and organic waste.

0 -1000 Population = 1 x 120 litre MWB, 1 x 120 litre MRB and 1 x 120 litre MOB

1000+ Population = 1 x 120 litre MWB, 1 x 240litre MRB\*\*\* and 1 x 120 litre MOB

*\*\*\* (or alternatively 2 x 120 MRBs)*

For special once off events clubs can apply for special events bins as per this policy and the events guidelines

### IV. **'D' Groups; Community Halls**

Community Halls will receive one 120 litre MWB, one 240 litre MRB and one 120 litre MOB.

These will be provided free of charge provided an undertaking in writing is made and acted upon by the group to initiate, promote, and action appropriate disposal procedures for recyclables and organic waste.

For special once off events clubs can apply for special events bins as per this policy and the events guidelines.

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### V. 'E' Groups; Cemeteries and Churches

Cemeteries and Churches will receive collection service allocations based proportionally on the Township's population.

These will be provided free of charge provided an undertaking in writing is made and acted upon by the group to initiate, promote, and action appropriate disposal procedures for recyclables and organic waste.

0 - 1500 Population = 1 x 120 litre MWB, 1 x 120 litre MRB and 1 x 240 litre MOB

1500+ Population = 1 x 240 litre MWB, 1 x 240 litre MRB and 1 x 240 litre MOB\*\*\*\*

\*\*\*\*(or alternatively 2 x 120 litre MWBs, 2 x 120 litre MRBs and / or 2 x 120 litre MOBs).

For special once off events clubs can apply for special events bins as per this policy and the events guidelines

### 15. APPROVED PUBLIC CAMPING SITES

Approved public camping sites are required to be maintained by the site managers in a neat and tidy manner. Campers that use approved public camping locations will be required to carry in/carry out their rubbish.

Due to the infancy of using public land for camping, Officers will monitor the ongoing impacts on locations and associated litter bins in the vicinity. If there are ongoing issues at approved locations Council staff will investigate an appropriate solution to minimise impacts on the community.

### 16. SPECIAL EVENTS

- 16.1 Organisers of special events within the Shire can apply to Council for the provision of waste, organics, glass and recycling services for their event.
- 16.2 Application must be made to Council via Council's event application process at least 28 days in advance of the event date.
- 16.3 To promote diversion from landfill at the event each MWB must be paired with at least one MRB and MOB.
- 16.4 Council staff will work with organisers of large events around the correct placement of bins and appropriate numbers of bins for the potential visitors and shall reference Council.'
- 16.5 Provision and emptying of 240 litre MBs for special events will be subject to the appropriate garbage service rate for special events, as specified in Council's waste services contract of the time.
- 16.6 Council will provide and empty up to two (2) 240 litre MWBs, or two (2) 240 litre MRBs and two (2) 240 litre MOB, free of charge for special events, in accordance with the waste services contract, provided an undertaking in writing is made and acted upon by the event organiser to initiate, promote, and action appropriate disposal procedures for recyclables and organic waste.

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- 16.7 Bins will be placed out for collection by user groups / event organisers on the roadside adjacent to the event venue on appropriate days, as per normal household collections. This will be the standard arrangement unless an alternative, suitable collection arrangement is agreed to by Council's waste services contract supervisor.

Events must also agree to abide by Council's Waste Wise Events Policy.

**17. CONTAMINATION OF KERBSIDE BINS**

If a bin is found to hold contaminated or inappropriate material, an education / enforcement process will commence, escalating as follows:

- In the first instance, the bin will be stickered to inform the resident that the incorrect material was placed in the bin.
- In the second instance, the bin will not be emptied, and Council will send a letter to the property owner informing them that the bin was again presented for collection with contamination evident.
- In the third instance, all bins will be removed from the property for one collection cycle\* and
- In the fourth instance all bins will be removed from the property and not replaced until the user commits to abide by the requirements to use the bin effectively\*.

\* Please note that should the bin be removed the waste management charges will continue to accrue on the property until the user commits to use the service as intended.

Whilst Council does not wish to take such drastic steps as outlined in the third and fourth instance, the contamination of each of the collection services brings financial penalties to the Council and thus the broader community. Council staff will support the household to change behaviours to use the bins correctly as far as practical to avoid escalation of the problem.

**18. PUBLIC PLACE RECYCLING**

Council encourages residents and visitors to practice their home recycling habits when out in the community. To support them, Council provides public place commingled recycling bins in high traffic areas such as shopping precincts and parks / reserves. These bins are serviced as part of the waste services contract.

Council will continue to take opportunities to establish recycling and organics bins in public places where effective.

**19. WASTE EDUCATION**

Businesses, schools or other groups that would like further information and materials on waste education can contact Council.

**20. PRIVACY**

Council will share residents' personal information only for purposed of fulfilling the service contract and the Waste Collection Contractor will not share their details. Information shared with the contractor include name, address and contact number.

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**21. DEFINITIONS**

Term	Meaning
Kerbside Collection Service	means a Council offered bin service
Mobile Waste Bin - MWB	can be ordered in 120lt or 240lt sizes. Bins have black bodies and red lids.
Mobile Organics Bins - MOB	can be ordered in 120lt or 240lt sizes. Bins have black bodies and lime green lids
Mobile Recycling Bin - MRB	can be ordered in 240lt or 360lt sizes. Bins have black bodies with yellow lids
Mobile Glass Bins - MGB	can be ordered in 120lt or 240lt sizes. Bins have black bodies and purple lids
Multi-Unit Development	is when two or more dwellings are constructed on the same parcel of land
Rural Area	any area outside the defined “urban” area
Standard Kerbside Collection Service	a Standard Kerbside Collection Service consists of a 120lt MOB and MWB and a 240lt MRB. From 1 July 2025 this will include a 120lt MGB as well
Urban Area	the built-up areas of Violet Town, Euroa, Strathbogie, Nagambie, Longwood, Old Longwood, Mangalore, Avenel and Locksley. Up-to-date maps of these boundaries are located in Council's GIS mapping system

**22. RELATED POLICIES AND LEGISLATION**

- *Environment Protection Act 2017*
- *Local Government Act 2020*
- *Circular Economy Act 2021*
- Council Plan 2021 – 2025
- Waste Wise Events Policy
- Licensing and Leasing Policy

**23. POLICY REVIEW**

Council may review this policy at any time and at least two years from the date of adoption.

Minor amendments to the policy may be authorised by the CEO at any time where such changes do not alter the substance of the policy (e.g. a change to the name of a related document, or a change in legislation).

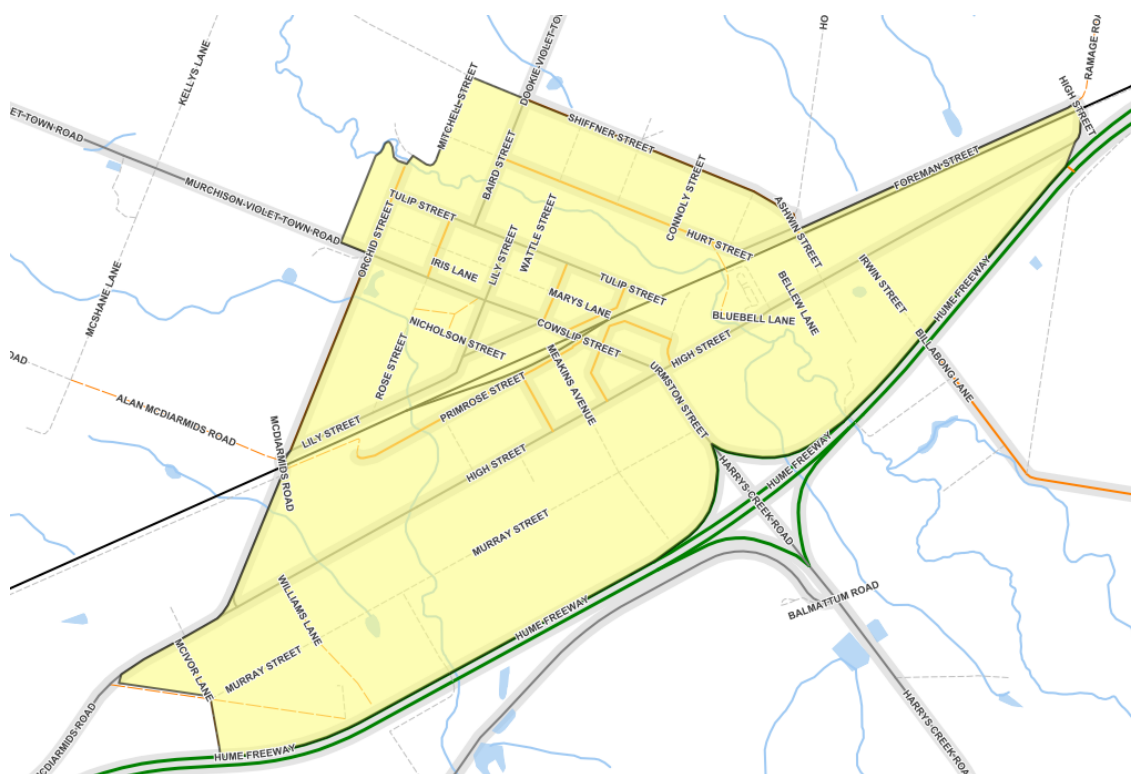
**OFFICIAL****24. CHARTER OF HUMAN RIGHTS AND RESPONSIBILITIES ACT 2006 AND THE EQUAL OPPORTUNITY ACT 2010**

The Council acknowledges the legal responsibility to comply with the *Charter of Human Rights and Responsibilities Act 2006* and the *Equal Opportunity Act 2010*. The *Charter of Human Rights and Responsibilities Act 2006* is designed to protect the fundamental rights and freedoms of citizens. The Charter gives legal protection to 20 fundamental human rights under four key values that include freedom, respect, equality and dignity.

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## PART 2 ATTACHMENTS – TOWN MAPS

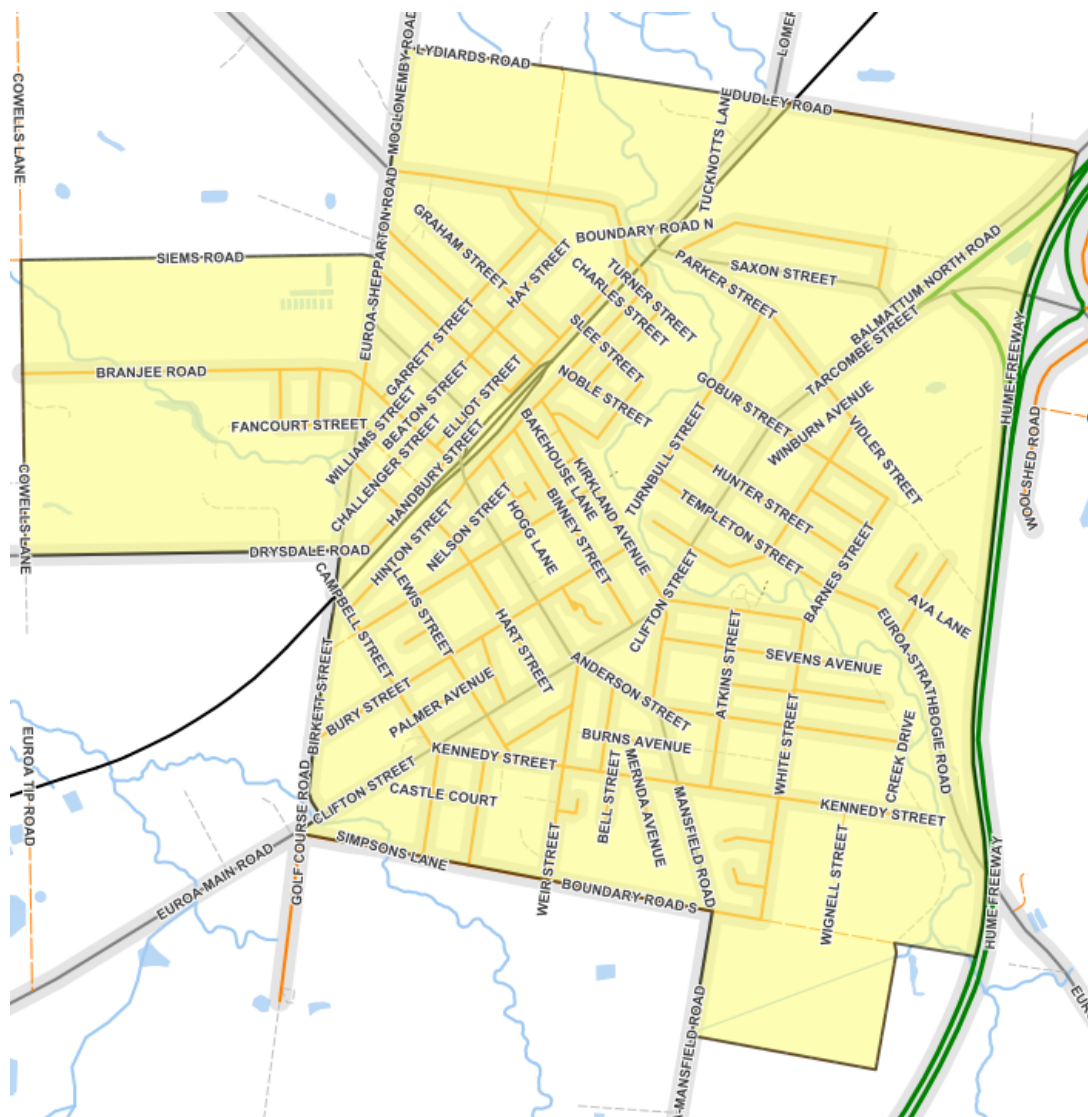
### Violet Town



"Urban Area" as defined in section 7 of this policy. This is a compulsory service area.

OFFICIAL

## Euroa

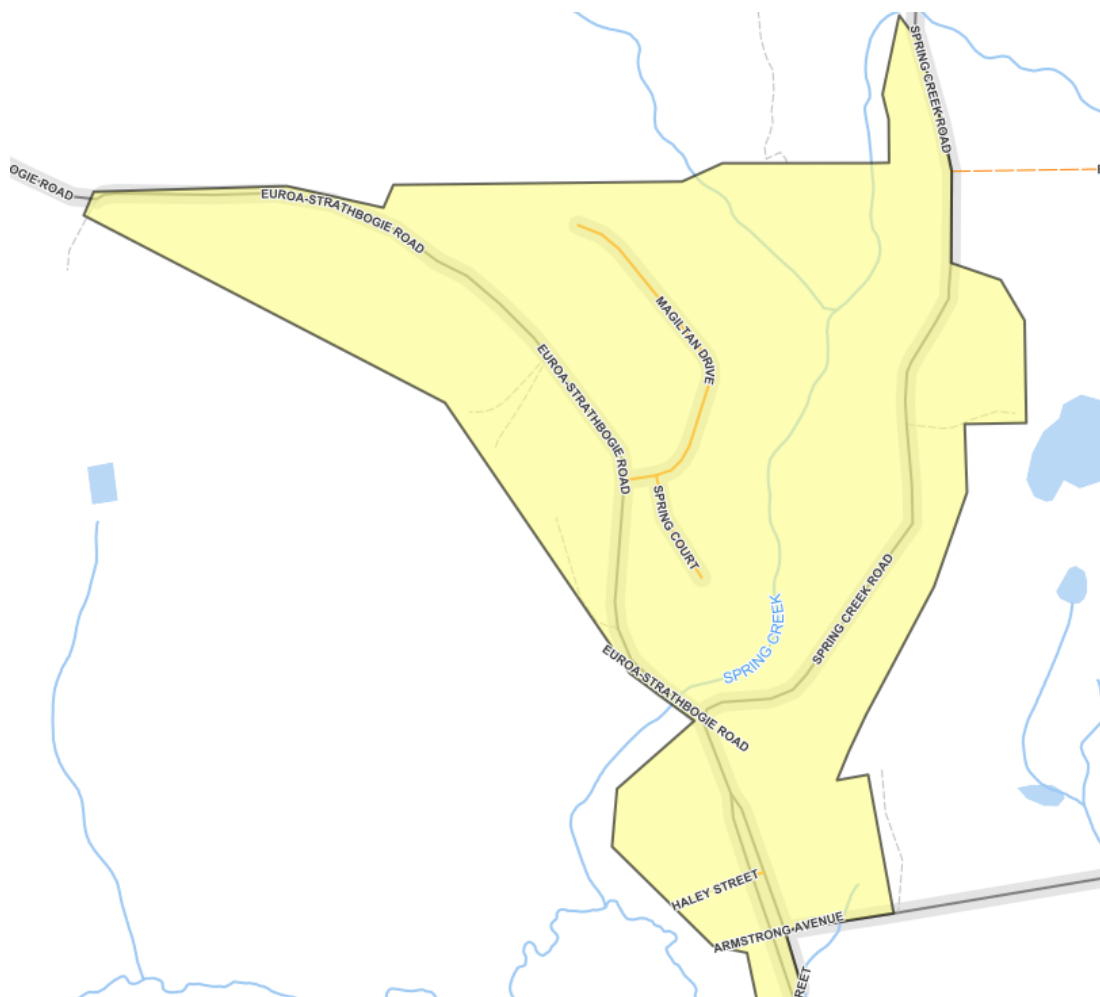


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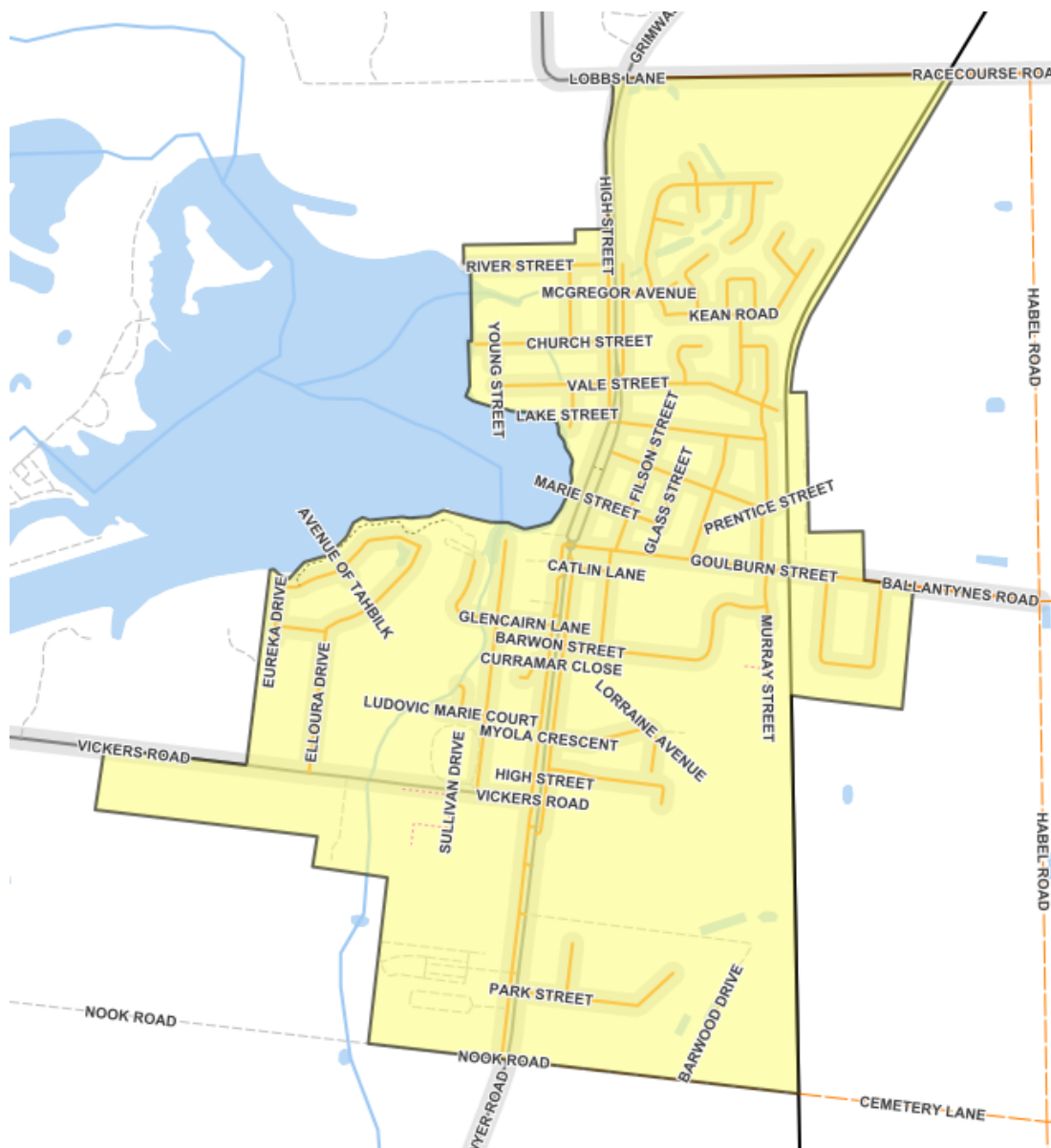
## Strathbogie



"Urban Area" as defined in section 7 of this policy. This is a compulsory service area.

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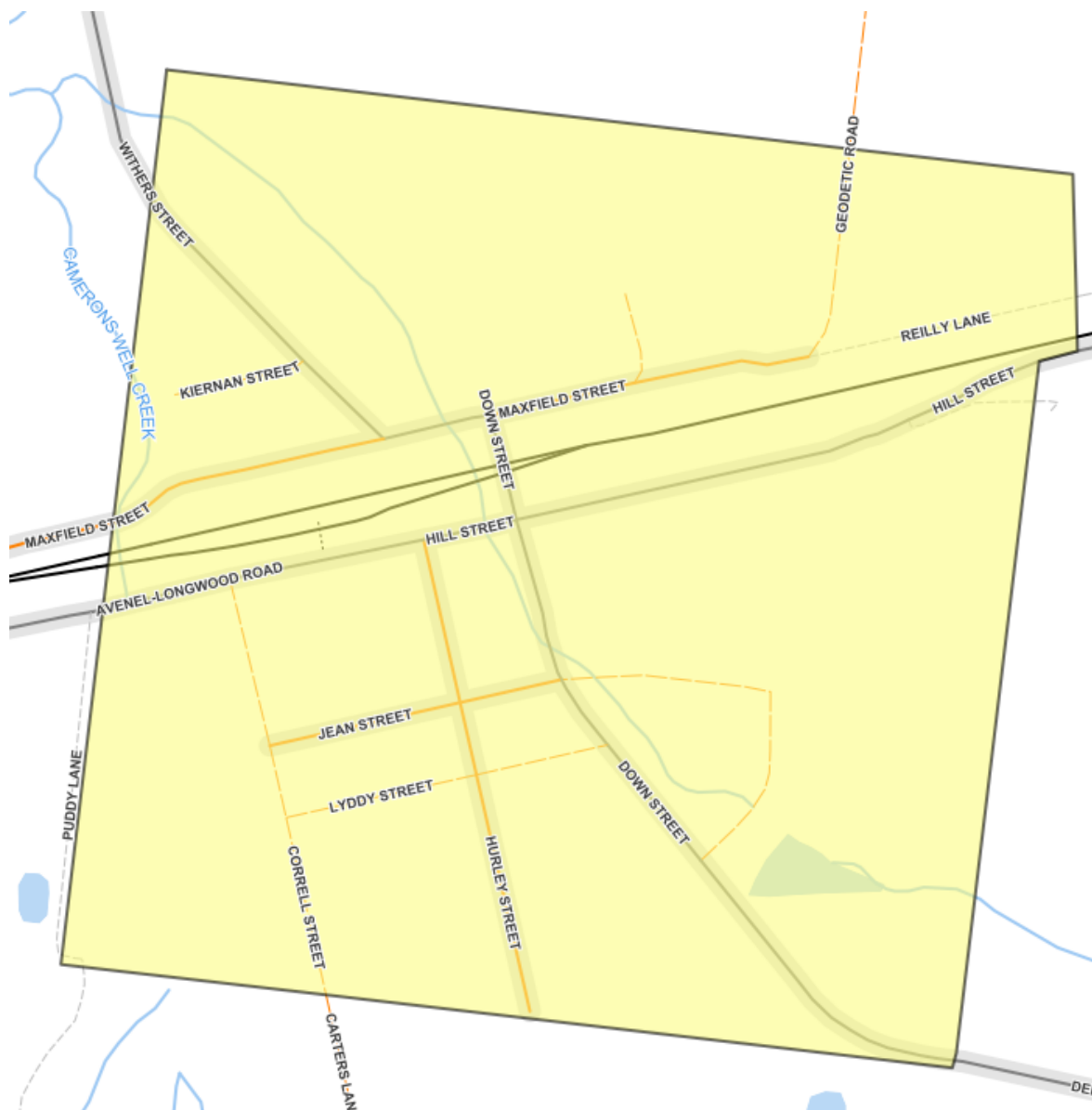
Nagambie



"Urban Area" as defined in section 7 of this policy. This is a compulsory service area.

OFFICIAL

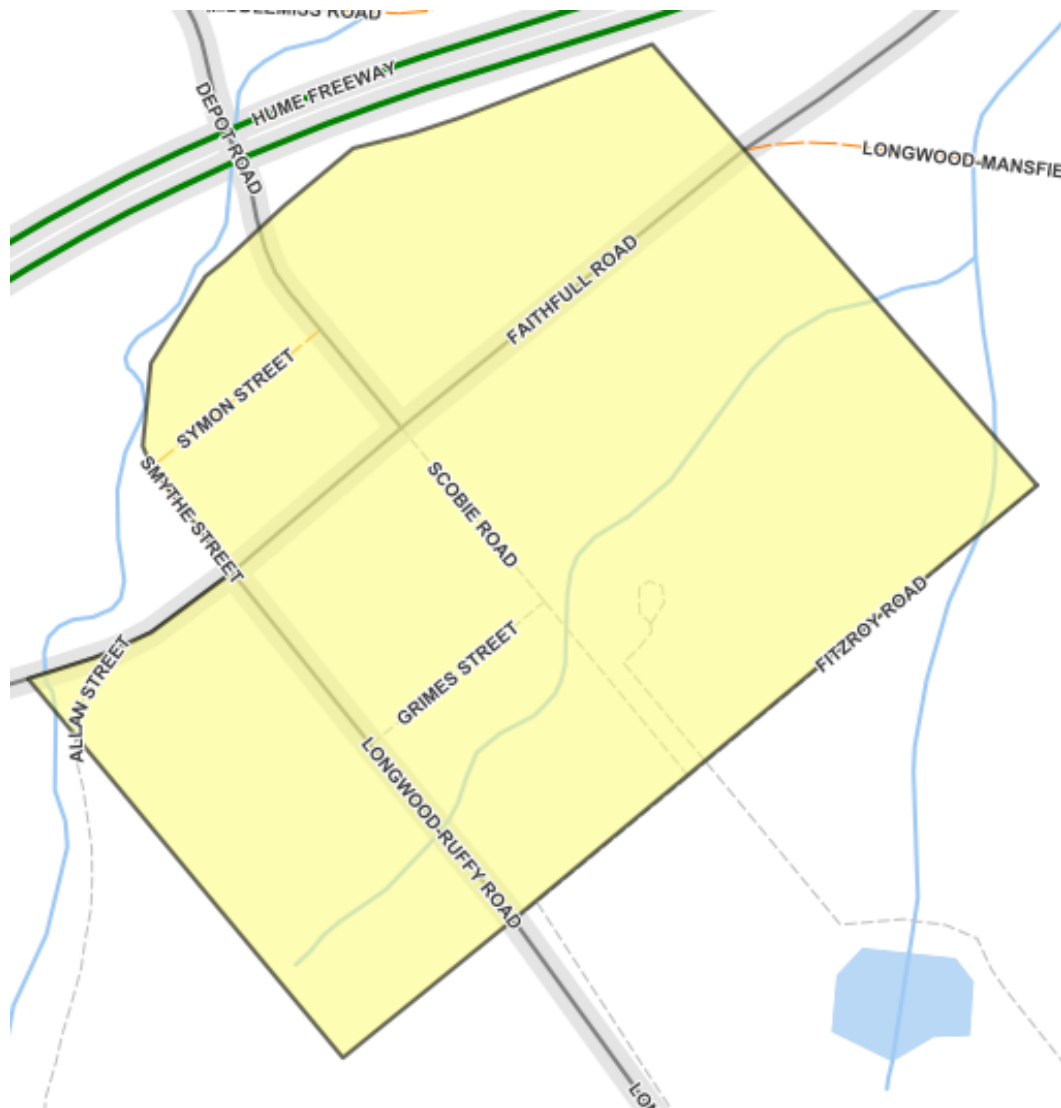
Longwood




"Urban Area" as defined in section 7 of this policy. This is a compulsory service area.

OFFICIAL

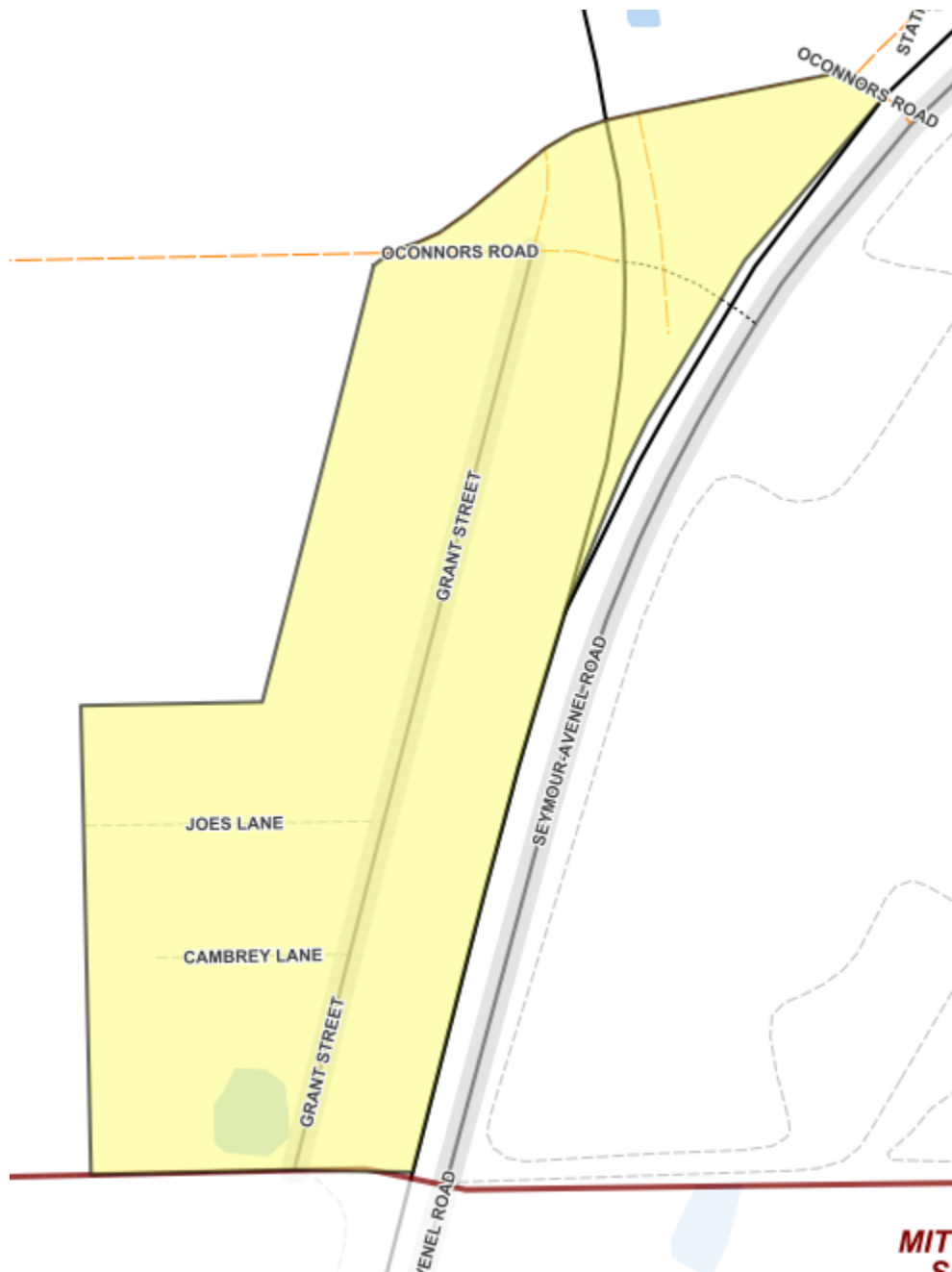
Old Longwood




 "Urban Area" as defined in section 7 of this policy. This is a compulsory service area.

OFFICIAL

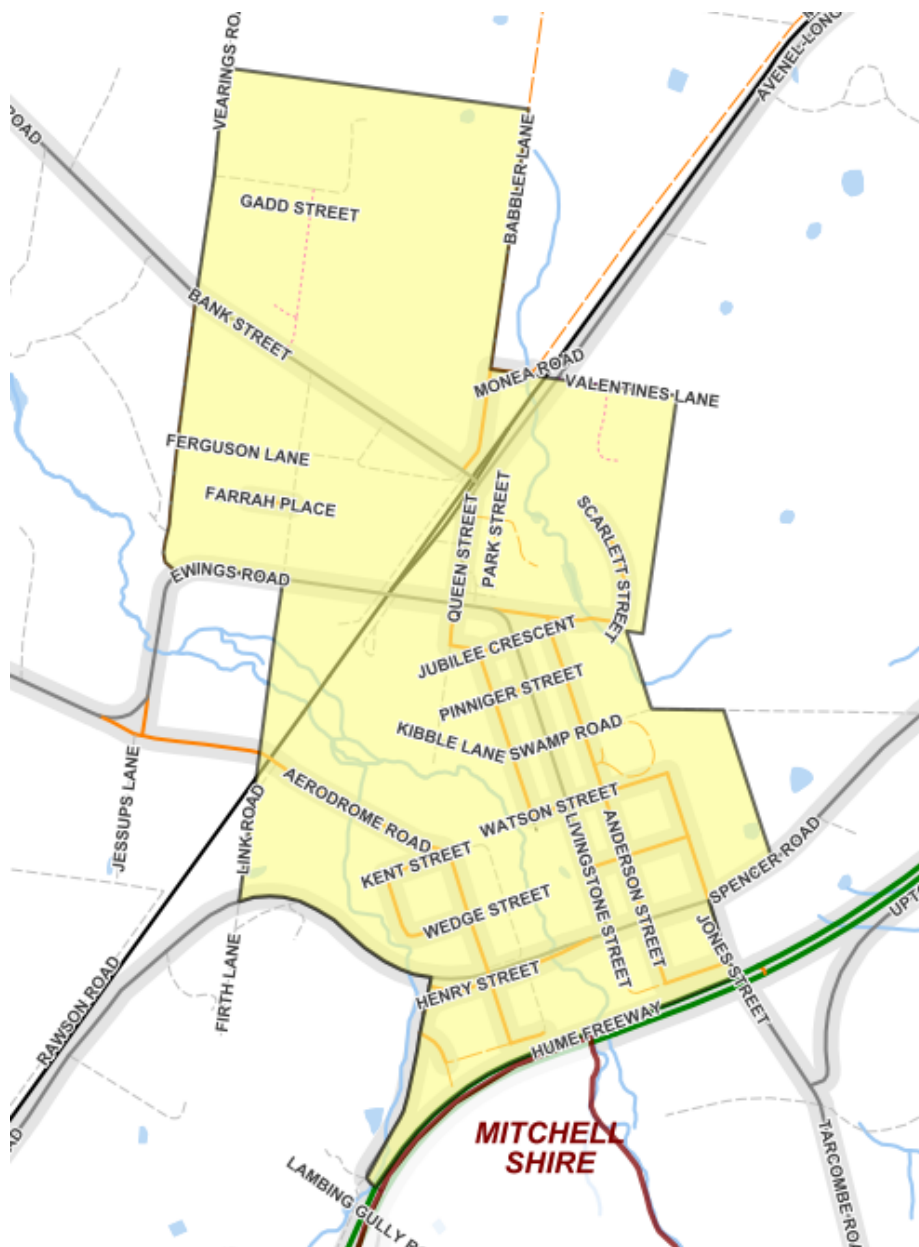
Mangalore



 "Urban Area" as defined in section 7 of this policy. This is a compulsory service area.

OFFICIAL

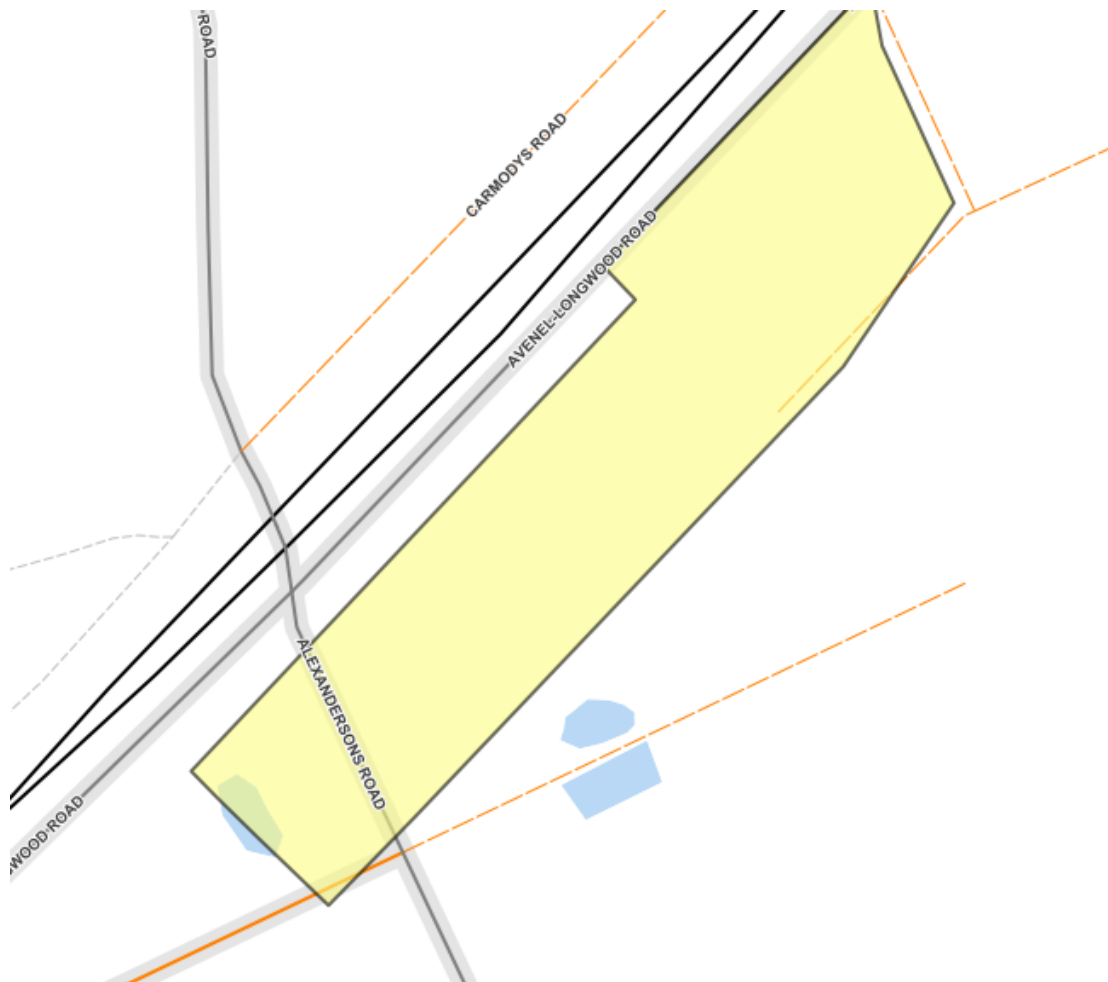
**Avenel**



"Urban Area" as defined in section 7 of this policy. This is a compulsory service area.

OFFICIAL

## Locksley



"Urban Area" as defined in section 7 of this policy. This is a compulsory service area.

### **11.3.3 Variation to Contract No. 20/21-12: Environmental Monitoring at Violet Town Landfill**

**AUTHOR** Acting Coordinator Waste and Environment

**RESPONSIBLE DIRECTOR** Director Sustainable Infrastructure

#### **EXECUTIVE SUMMARY**

The purpose of this report is to request approval to vary contract CN020/21-12 with SMEC by \$50,000 (incl GST) for the environmental monitoring at Violet Town Landfill, an amount greater than the internal delegations for the approval of this variation. This report advises of a contract variation where the variation is more than 15% of original Contract value. This is the first variation to this contract, and no more variations are anticipated.

This variation will provide the monitoring required and agreed with the Environmental Protection Authority (EPA), for the ground water, surface water and methane Gas treatment effectiveness of the land fill rehabilitation to demonstrate compliance with the requirements of the works to the EPA auditor and the EPA.

This monitoring addresses auditor recommendations from the 2022 Environmental Audit (GHD), the 2023 Environmental Audit (GHD), and the 2023 Violet Town Annual Monitoring Report (SMEC). These outstanding audit and annual report recommendations can be found in the Scope of Works (attached).

#### **RECOMMENDATION**

**That Council:**

- 1. Authorises the Chief Executive Officer to approve further variations up to the value of \$50,000 for CN 20/21-12 Environmental Monitoring Violet Town Landfill**
- 2. The additional expense will be referred to Council as part of its mid-year budget review process.**

#### **PURPOSE AND BACKGROUND**

As part of EPA requirements, Council is required to undertake quarterly environmental monitoring at the Violet Town Landfill in February, May, August and November of each year. This includes the monitoring of groundwater, surface water, leachate and landfill gas and the generation of a report summarising the works completed in the monitoring rounds. After the May round each year the consultant is also required to provide an annual report outlining all results and any other pertinent information.

In 2020, Council released a tender for a suitable environmental consultant to undertake the monitoring for the next three years with a possible extension of two years at the discretion of Council.

Council went to public tender for Contract CN20/21-12 Environmental Monitoring Violet Town Landfill on 5 June 2020 and awarded this contract to SMEC. Council then chose to take up the two-year extension option, which extended the contract out until November 2025.



The original, three-year term of this contract had a contracted amount of \$86,100 (excl GST). The first year of the two-year extension had a contract value of \$30,709 (excl GST), whilst the second year of the two-year extension had a contract value of \$32,859 for a total amount of \$149,668 (excl GST) over five years.

Year	Contracted Amount (ex GST)	Cumulative Total (ex GST)	Terms
1 - 3	\$86,100	\$86,100	Original contract
4	\$30,709	\$116,809	First year of extension
5	\$32,859	\$149,668	Second year of extension

The consultant has recently recommended this variation so that the Violet Town monitoring is aligned more closely with EPA expectations.

## ISSUES, OPTIONS AND DISCUSSION

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that priority is to be given to achieving the best outcomes for the municipal community, including future generations.

The variations are summarised below:

### Variation due to changes in recommendations

As this contract has progressed, there have been certain recommendations made by environmental auditors and expert contractors. The landfill itself has had major changes occur during the rehabilitation process and thus new recommendations have been made. The recommendations have resulted in additional monitoring work to meet EPA requirements.

### Variation due to changes in EPA expectations

An update of the Environmental Management Plan (EMP) and Risk Assessment (RA) is required to align with current EPA expectations. The EMP and RA will be replaced with Risk Management and Monitoring Plan (RMMP) which will incorporate the EMP and RA in a single document.

## COMMUNITY ENGAGEMENT

Where required, external stakeholders have been engaged providing input on relevant projects. Community consultation is not required in this instance as the variations have been triggered at the request of the Environmental Auditor and the EPA.

## POLICY CONSIDERATIONS

### Council Plan

This report is consistent with the following key strategic focus areas and or actions in the 2021-25 Council Plan:

### Strategic Focus Area 3: Protect. Enhance. Adapt.

We are minimising harmful impacts on our natural environment.

### Regional, State and National Plans, Policies and Legislation

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that regional, state and national plans and policies are to be taken into account in strategic planning and decision-making. The onus to rehabilitate a landfill after it closes is an EPA requirement and mandated by the State Government.

### RISK CONSIDERATIONS

This report has identified the following risk(s):

Risk(s)	Likelihood	Consequence	Rating	Mitigation Action
Lack of transparency with community.	Unlikely	Moderate	Low	Regular reporting to Council and the community on contracts.
Without projects being awarded under delegation, delays to progressing approved and budgeted projects and not meeting annual Council plan targets are possible.	Possible	Moderate	Low	Delegations in place and regular reporting to Council and the community on contracts and grants awarded under delegation.
Non approval of this variation would not meet legislative requirements.	Possible	Major	Medium	Ensure Council have all the required information contained in this report to make an informed decision.

### LEGAL CONSIDERATIONS

#### Conflict of Interest Declaration

No Council officers and/or contractors who have provided advice in relation to this report have declared a general or material conflict of interest regarding the matter under consideration.

#### Transparency

This report demonstrates that Council is being transparent by providing information to the community regarding the awarding of any works projects and grants issued under delegation.

### FINANCIAL VIABILITY CONSIDERATIONS

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that the ongoing financial viability of the Council is to be ensured.

The contracts, works and grants awarded under delegation are projects that have formed part of Council's adopted 2024-25 budget and were within the budget allocation.

## **SUSTAINABILITY CONSIDERATIONS**

### **Economic**

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

### **Social**

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

### **Environmental**

The finalisation of this rehabilitation project will ensure that the environment is protected from this legacy landfill moving forward.

### **Climate Change**

Bringing the monitoring program up to specification will help to reduce the impacts of landfill on the environment and will help Council to achieve its goal of being net zero by 2025.

## **HUMAN RIGHTS CONSIDERATIONS**

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

## **CONCLUSION**

This report advises of a contract variation where the variation is in excess of 15% of original Contract value. This is the first variation to this contract, and no more variations are expected on this contract. To facilitate project progress, this report recommends delegating authority to the Chief Executive Officer to approve variations.

## **ATTACHMENTS**

1. PRP - 1049420 - Violet Town Landfill Variation Rev 1 - 20241025

Proposal

# Violet Town Landfill – Audit Recommendation Works – Revision 1

Prepared for: Strathbogie Shire Council  
25 October 2024  
Client Reference No. 1049420



SMEC INTERNAL REF. 1049420

 **smec**  
an  company





**SMEC simplifies the complex. We unlock the potential of our people to look at infrastructure differently, creating better outcomes for the future.**



**engineering  
positive  
change**

**Document Control**

<b>Document Type</b>	Proposal
<b>Opportunity Title</b>	Violet Town Landfill – Audit Recommendation Works – Revision 1
<b>Opportunity Number</b>	1049420
<b>File Location</b>	\\filer.nasuni.local\SMECANZ\Opportunities\10494\1049420 - SCC_Violet Town Landfill Variation\4 Proposal\4.5 Submission
<b>Revision Number</b>	01

**Revision History**

Revision No.	Date	Prepared By	Reviewed By	Approved for Issue By
00	20 September 2024	Jorja Pendlebury Isabella Oliver	Matt Feehan	Carly Gregg
01	25 October 2024	Matt Feehan	Carly Gregg	Carly Gregg

**Issued to:**

Distribution List	Client Contact	Date Issued	Issued By
Strathbogie Shire Council	Shaun Langlands	25 October 2024	Matt Feehan

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# 1. Introduction

SMEC Australia Pty Ltd (SMEC) is pleased to provide Strathbogie Shire Council (Council) with this variation proposal to provide environmental reporting services at the Violet Town Landfill to address auditor recommendations in Table 27 of Environmental Audit 2023 (GHD). SMEC understands that the landfill is located within the Strathbogie Shire region at 190 McDiarmids Road, Violet Town, VIC 3669 (Site).

## 1.1 Why SMEC

SMEC is currently engaged to undertake the environmental monitoring at the Violet Town Landfill and have been undertaking works at the Site for several events. As a result of this, SMEC team members have a depth of knowledge and understanding about the Site and require no additional time to familiarise themselves with the Site. With direct access to the most recent monitoring datasets the process for analysing data and conducting the proposed scope of works can be streamlined.

SMEC is committed to providing Council with a project team that delivers:

- A collaborative approach with an in depth understanding of the Site and the associated environmental values.
- Extensive industry experience of similar projects.
- A team comprised of experienced professionals with a wealth of experience in aftercare management and environmental compliance of landfills that brings together a broad range of skills and knowledge.

# 2. Project Team

Table 4–1 provides details of the roles and experience of SMEC’s nominated team members. Additional details of each team member’s qualifications and experience can be provided upon request.

Table 2–1: Project Team Detailed Experience

Nominated Personnel	Summary of Experience
<b>Rohan Ash</b> Technical Principal – Waste Technical Support	<p>Principal environmental engineer providing multidisciplinary consulting services across a wide range of private and government sector clients including water, wastewater, landfills, resource recovery, manufacturing, energy, infrastructure, construction, ports, food industry, irrigation, catchment management and natural resources.</p> <p>Through extensive private and public-sector work history and as an EPA appointed auditor, Rohan is well known to the Victorian water industry, and mutually recognised in other Australian states and regularly sought after to provide specialised environmental and project management services including the expert areas below:</p> <ul style="list-style-type: none"><li>• Environmental impact and risk assessments</li><li>• Environmental audits – wastewater, recycled water, industry, landfills, EMS</li><li>• Health and Environmental Management and Improvement Plans (HEMP, EIP)</li><li>• Environmental monitoring programs – water and wastewater quality, soil, groundwater, air quality, odour, dust and noise</li><li>• Land Capability Assessments, catchment, nutrients, salinity, sodicity, pH, soil erosion and sustainable land management.</li></ul>



## Project Team

Nominated Personnel	Summary of Experience
	<ul style="list-style-type: none"> <li>Landfill design, construction, operation, rehabilitation, risk management and monitoring, auditing</li> <li>Resource recovery, organic waste, biosolids and solid waste recycling</li> <li>Environmental monitoring data management, compliance and assessment</li> <li>Environmental performance and compliance reporting, PIPS statements</li> <li>Environmental approvals, licensing, permissions applications, compliance</li> </ul>
<b>Alex Williams</b> Associate Environmental Engineer Technical Support	Alex has worked in the environmental and contaminated site industry for 12 years servicing clients in state and local government, defence, construction, and petroleum sector. His professional roles have included project management and senior technical inputs to environmental studies, with specialist skills in contamination, acid sulfate soils, stormwater erosion and sediment control, groundwater, and landfill gas risk assessment and management. Alex has a proactive approach to safety during fieldwork and provides senior level experience to junior colleagues prior to undertaking field investigations. Alex values regular and open communication to understand client investigation outcomes, set clear objectives and deliver effective solutions.
<b>Carly Gregg</b> Senior Environmental Engineer & Manager – Waste & Resource Recovery Project Director	Carly is an environmental engineer and has been working in the waste management sector since 2014. Carly has a broad range of experience in the waste sector, having worked as an Auditor's assistant on a number of operational, post-closure, design, and construction audits, as well as a number of other audit functions. Carly also has experience with environmental management and monitoring projects for landfills including preparing environmental monitoring plans, environmental risk assessments, landfill construction works, waste strategy and approvals.
<b>Matt Feehan</b> Senior Environmental Scientist Project Manager	Matt is an environmental scientist with over 5 years of industry experience. His key strengths include environmental monitoring, project management, compliance reporting, data supervision, contamination and waste classification assessments and contractor management within the environmental and resource recovery sector. Matt has extensive experience in environmental monitoring at a diverse range of sites, he has operated in both a project manager and field technician capacity.
<b>Emily McAsey</b> Experienced Environmental Scientist Data Analysis and Reporting	Emily is an Environmental Scientist with over 4 years of consultancy experience within the contaminated land and waste industry. Emily has managed an array of projects including landfill monitoring and compliance, site contamination investigations, soil remediation and waste classification projects. Emily has assisted with landfill operational audits and recycled wastewater management, involving A14 applications, development licence exemptions and the preparation of health and environmental monitoring programs. Emily has experience in the environmental management sector, assisting clients with meeting key environmental and sustainability performance goals and managing potential risks and hazards to the environment arising from associated site works.
<b>Isabella Oliver</b> Experienced Environmental Engineer Data Analysis and Reporting	Isabella is an experienced environmental engineer with 3+ years of experience within the Waste and Resource Recovery Industry. She is highly motivated and interested in all areas of environment, resource recovery and contamination land with a keen interest in sustainability and the hydrogeological environment. Isabella has been developing her skills across environmental compliance reporting, managing a variety of projects across environmental compliance monitoring, landfill gas assessment,

Scope of Works

Nominated Personnel	Summary of Experience
	groundwater investigations and aftercare management. Her experience within both project management and assisting on projects has led her to become an asset across all sized projects
<b>Phillip Panagiotaros</b> Environmental Engineer Reporting	<p>Phillip is an environmental engineer with a strong focus on sustainability and pursuing circular economy principles. Phillip is a dedicated and diligent worker with a team-oriented personality who is passionate about applying his engineering skills to resolve real-world environmental issues.</p> <p>Phillip has experience in both the consulting and industry-based sectors, with a background in environmental compliance, including managing operating licences against the Environment Protection Act 2017 and other relevant state environmental legislation.</p>
<b>Eve Gowan</b> Graduate Environmental Scientist Reporting	<p>Eve is a recently graduated environmental scientist. She is concerned with all areas of environmental sustainability and monitoring with a particular interest in circular economy. Eve is a dedicated team player with a passion for expanding her industry experience in many areas of the environment sector.</p> <p>Eve has been developing her consultancy skills across risk assessment, desktop and monitoring reports, environmental landfill monitoring and supervision of monitoring bore installation.</p>

3. Scope of Works

The scope of works is to address outstanding recommendations from the 2022 Environmental Audit (GHD, 2022), the 2023 Environmental Audit (GHD, 2023) and 2023 Violet Town Landfill Annual Monitoring Report (SMEC,2023). The outstanding Audit and Annual Monitoring Report recommendations are presented below.

3.1 Outstanding Audit Recommendations

Outstanding audit recommendations as outlined in the most recent Environmental Site Audit (GHD, 2023) are outlined in the below in Table 3-1

Table 3-1 – Auditor Recommendations Summary

Item	Recommendation	Timing for Implementation	Progress
2022 Audit Recommendations (GHD, 2022)			
5-2022	The EMP in its next revision should be updated to include the subsurface services locations for methane, as shown in Drawing 4 of the 2020/2021 annual report.	Next iteration of the EMP	To be complete
9-2022	It is recommended to reference the PFAS NEMP in the next revision of the EMP and to identify suitable PFAS assessment criteria in the EMP in relation to ANZG DoH and NHMRC.	Next iteration of the EMP	To be complete
2023 Audit Recommendations			
1	There are two standpipes located in close proximity to BH5R. Confirmation should be provided that the bore in the middle of the three and the one at the southern-most location have been appropriately decommissioned.	As soon as practicable	To be complete
4	It is recommended that in future annual reports the assessor includes a summary table of all LFG boundary bore data	Next annual report	To be complete

Proposed Methodology

Item	Recommendation	Timing for Implementation	Progress
	including all parameters monitored, specifically including CO, H2S and balance gas together with methane, carbon dioxide and oxygen. Table 5-17 and 5-18 of the assessors reports only currently presents data for CH4 and CO2. A separate summary table of all historical LFG boundary bore data would also support the review of LFG data and potential changes over time in risks related to LFG		
5	It is recommended that the Aftercare Management Plan, including the EMP and RA [Risk Assessment], be updated once cap construction is completed and in line with current EPA guidance.	Upon completion of rehabilitation works and capping	To be complete

When updating the EMP and risk assessment (RA), SMEC proposes to prepare a risk management and monitoring program (RMMP) instead of a separate EMP and RA to align with current EPA expectations.

3.2 Annual Report Recommendations

The following outstanding actions were also recommended by SMEC in the previous Annual Monitoring Report (SMEC,2023):

- It is recommended that the biofilters should be monitored for methane flux due to noted elevated levels during the surface emissions monitoring in May 2024. SMEC note however, this recommendation should be addressed following auditor approval of the Biofilter design.
- It is recommended that the leachate bores be re-surveyed and maximum allowable leachate levels revised based on updated survey data.
- In order to align PFAS monitoring program with the reporting period, it is recommended that in the next update of the EMP, PFAS analysis program begins in leachate the first monitoring event of the reporting year, being August. If PFAS is detected in leachate PFAS monitoring in groundwater would then occurring in the following monitoring event, being November.
- Undertake a background carbon dioxide assessment for the Violet Town former landfill Site in accordance with the EPA Publication 788.3 - *Siting, Operation, Management and Rehabilitation of Landfills* (BPEM, 2015) and Appendix C of EPA Publication 1684 – *Landfill gas fugitive emissions monitoring guideline* (EPA 2018).

4. Proposed Methodology

Based off the outstanding Audit and Annual report recommendations, SMEC propose to undertake the following tasks:

4.1 Optional – Kick-Off Meeting

To begin the scope of works, SMEC proposes an optional kick-off meeting with Council within one (1) week of project award. The meeting will be a forum for SMEC and Council to confirm the proposed timeline of works, expectations and identify any necessary inputs required from Council before works commence.

4.2 Compile Historical Landfill Gas Data

SMEC proposes to create a consolidated historical landfill gas datasheet for the Site which summarises monitoring data from all previous monitoring events. SMEC will identify and compile historical landfill gas

#### Proposed Methodology

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monitoring data from previous monitoring reports, audits and assessments provided by Council, focusing on the collection of all parameters monitored (i.e. CO, H<sub>2</sub>S, balance gas, methane, carbon dioxide and oxygen concentrations). The data will be compiled in an excel spreadsheet and provided to Council in a PDF and excel format.

The compiled data will be utilised within the Background Carbon Dioxide Assessment and RMMP proposed below.

### 4.3 Resurvey Monitoring Bores

SMEC proposes to engage our in-house licensed surveyors to survey the two leachate bores at the Site for the Australian Height Datum (AHD) measurement at the Top of Casing (TOC) and ground level.

The survey results will be summarised within an email to Council.

This survey information will be incorporated into the RMMP/AMP reports and utilised to revise the maximum allowable leachate levels at the Site.

### 4.4 Background Carbon Dioxide Assessment

SMEC proposes to undertake a background carbon dioxide assessment to assess background carbon dioxide concentrations in offsite areas and confirm whether carbon dioxide concentrations recorded at the Site are at naturally occurring levels or a result of landfill gas generation from the Former Landfill. The data assessment will be completed in accordance with relevant guidance within Appendix C of the EPA (2018) Publication 1684 – Landfill gas fugitive emissions monitoring guideline and EPA (2015) Publication 788.3 - Siting, Operation, Management and Rehabilitation of Landfills.

The background carbon dioxide assessment will include:

- A review of the existing landfill gas bore network to confirm the adequacy of the bore network and its ability to represent the background carbon dioxide conditions at the Site. This may include proposing additional landfill gas bores if the current network is deemed unsuitable.
- A review of monitoring data to be used in determining background ground gas concentrations, to ensure use of stable datasets with a normal (Gaussian) distribution. The purpose of using stable data is to allow for natural variability in the ground gas to be accounted for so that unnecessary investigation is not undertaken. It is important the spatial and temporal variability of the data used in the stable dataset is considered, given that the purpose is to represent natural ground gas conditions.
  - If it is determined that the existing dataset may not be sufficient to determine background concentrations, SMEC will discuss with Council the options for obtaining more data prior to proceeding with the assessment. This may include continuous monitoring at proposed background bore/s.
- A review of the current site setting, landfill gas management and the conceptual site model to understand the potential landfill gas generation at the Site.
- Investigate potential alternative ground gas generation sources which may be influencing the background concentrations at the Site.
- A statistical analysis of the stabilised carbon dioxide concentration data from the will be conducted, including:
  - Minimum and maximum.
  - Mean (average) and median.
  - Standard Deviation (StDev).
  - 95% Upper Confidence Limit (UCL95%; the mean + 2 x StDev).
  - Any ground gas (particularly methane and carbon dioxide) data that is considered an outlier (e.g. greater than the UCL95%) will be removed from the dataset for calculation of an average ground gas concentration for each bore.

#### Proposed Methodology

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- Presentation of ternary plots.
- A review of the average ground gas concentration for each bore should be conducted to assess whether a single combined average value for the entire Site is appropriate, or whether different background concentrations should be used for various parts/segments or certain geological layers of the Site. Assessment of naturally occurring and alternative sources of background gases (if present) will be considered when conducting the risk assessment and background ground gas assessment.
- Following the background assessment, the established background concentrations of carbon dioxide will be incorporated into the RMMP being prepared for the Site.

A report will be prepared that details the methodology, findings and conclusion of the assessment. The proposed site-specific action level will need to be endorsed by the Auditor and EPA prior to being referenced in future assessments. SMEC assumes Council will engage with each party as required. SMEC has not allowed for any updates to the assessment following review by the site Auditor or EPA.

Note: SMEC has not allowed for the undertaking of any continuous landfill gas monitoring within this proposal under the assumption that the available discrete landfill gas monitoring data will be sufficient to conduct the background carbon dioxide assessment. In the event that SMEC identifies the need for continuous monitoring data, a variation will be prepared and issued for Council consideration.

## 4.5 Unknown Standpipes Investigation

SMEC will undertake a downhole camera inspection of the two unknown standpipes located in close proximity to BH5R to determine if they have been appropriately decommissioned. SMEC will prepare a summary email detailing the results of the downhole camera inspection.

SMEC assumes this inspection can be completed during the next landfill monitoring event, of which SMEC is currently engaged to conduct.

In the event the standpipe is identified as not having been decommissioned, SMEC will prepare a variation to supervise licensed drillers to complete the standpipe decommissioning.

## 4.6 Risk Management and Monitoring Program (RMMP)

SMEC proposes to prepare a risk-based monitoring program and will assess the monitoring requirements based on the potential risk posed by the former landfill. If the risk assessment outcomes indicate the monitoring requirements may be able to be reduced, SMEC can discuss this with Council and provide justification for the proposed change to the Auditor if required.

### 4.6.1 Conceptual Site Model

The RMMP will be created in three major stages, development of a conceptual site model, undertake a qualitative risk assessment for the site, and finally developing the monitoring and management plan for the identified risks. The detailed methodology of each of these phases is outlined below.

SMEC will prepare a Conceptual Site Model (CSM) to inform the qualitative risk assessment to identify potential human health and environmental impacts associated with the Site. The CSM is a written and visual representation of the complex relationship between sources, pathways, and receptors for potential contaminants of concern to land, water, groundwater, air and noise, and humans. The CSM can assist with identifying the potential human health and environmental (H&E) risks associated with the Site. A risk is only present when the three components that constitute a risk are present; a contaminant source, a receptor, and a pathway to link the source to the receptor.

The CSM will include the following elements:

- Identify potential sources of contamination.
- Identify common associated contaminant types.

#### Proposed Methodology

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- Identify potential contamination pathways.
- Identify potential contaminant receptors.

### 4.6.2 Qualitative Risk Assessment

To inform the monitoring program SMEC will undertake a Qualitative Risk Assessment (QRA) consistent with EPA guidelines. The QRA is used to identify and assess the risks for each of the main activities associated with the site. SMEC's QRA method will be consistent with EPA guidelines (Publications 1321.2 and 1695.1) and Australian Standard AS31000:2018 Risk management Guidelines. The QRA will be conducted by SMEC in the following steps:

- Risk Assessment workshop – An internal workshop held to enable SMEC to identify the key risks associated with the former operations and current condition of the Site.
- Risk Characterisation – The risk characterisation will consider the level of risk associated with any given event and will consider:
  - The likelihood of a particular event occurring.
  - The severity of the particular event's impact, should it occur.
- The Risk Rating - Outcomes will be measured and presented in the form of a Risk Scoring Matrix.
- The Risk Assessment – will address the key activities and events at the Site, the likelihood and outcome of that event occurring, and the risk associated with that event. The risk assessment will consider current monitoring and maintenance at the Site and will inform the monitoring program.
- Risk Register – this will present the findings of the risk assessment as a tool to establish risk management and monitoring programs, and communication and reporting mechanisms to ensure documentation of all risk data.

### 4.6.3 Monitoring Program

The RMMP will describe monitoring services to be undertaken by Council to investigate environmental conditions, that allow for assessment of the impacts of the landfill on all areas of the environment that may be at risk of pollution.

SMEC will prepare the RMMP and will include the current practices, risks, monitoring bores and locations and infrastructure at the premises and relevant information from the Auditor recommendations.

Following EPA guidance, the RMMP will (where relevant):

- Describe site activities including inputs, outputs, energy sources and stores, hazardous materials, environment.
- Contain a conceptual site model for the premises that depicts the relationship between site activities, hazards and the environment; risk pathways; and potential impacts on environmental receptors - and their environmental values.
- Clearly define environmental performance objectives.
- Clearly define risk control objectives (e.g. for preventive vs reactive controls).
- Describe how the environmental and risk control performance objectives are being achieved.
- Identify and describe how the risks identified in the RMMP will be eliminated or minimised, so far as reasonably practicable.
- Include all compliance obligations.
- Outline the roles and responsibilities of each staff to abide by the controls identified by the QRA.
- Outline any required training and reporting, with the responsible parties identified. The RMMP will also link to the Site's incident and emergency management plans to help manage risks at the Site.

The updated monitoring program will incorporate findings from the 2023 Audit Report (GHD, 2023).

## 4.7 Aftercare Management Plan (AMP)

The AMP will include requirements for regular inspections of the landfill cap, associated management systems and infrastructure. The inspections are to identify and report on the operations and maintenance requirements of the landfill infrastructure and identify any regions of cap erosion and cracking. Cap erosion and cracking can lead to increased rates of surface water infiltration into groundwater, increasing the risk of groundwater contamination and pollution migration to local receptors. Erosion and cracks can also lead to increased release of surface emissions from landfills.

The AMP will describe the inspection, maintenance, and operation of infrastructure, which is likely to include leachate bores, landfill gas bores, groundwater bores, and surface water collection at the Site. SMEC will include the inspection and maintenance of the following parameters (including EPA recommended changes):

- Up to date organisation structure and responsibilities.
- Landfill cap details:
  - Prevention/control of cap erosion.
  - Restoration of depression.
  - Sealing cracks.
  - Maintaining planted and remnant vegetation and weed control.
  - Weed control program.
- Updated Site inspection checklists.
- Landfill gas management details.
- Groundwater, leachate, and landfill gas bores:
  - Inspection of current bore conditions.
  - Maintaining bore conditions and operations.
- Requirements of stormwater monitoring.
- Site access and paths:
  - Inspection of access gates and pathways.
  - Maintaining pathways across the Site.
- Updated Site plan.
- LFG action levels for buildings/structures and biofilter.

The AMP and RMMP will be prepared to align with one another.

## 5. Program

SMEC proposes the following sequencing of events to undertake the works in the most efficient manner, with the aim of reducing any downtime and/or rework.

Table 5–1: Proposed Timeline of Works

Sequencing	Scope Item	Comment on sequencing	Timing
1	Resurvey Monitoring Bores	-	November 2024
2	Compile Historical Landfill Gas Data	This can be commenced once Council provides required documents and data to SMEC.	November 2024

## Proposed Fees

Sequencing	Scope Item	Comment on sequencing	Timing
3	Background Carbon Dioxide Assessment	This can be commenced once the historical landfill gas data has been compiled.	November 2024
4	RMMP and AMP	This can be completed simultaneously to the Background Carbon Dioxide Assessment.	November 2024 – February 2025
5	Unknown Standpipe investigation	This will occur during the next monitoring event (November 2024)	November 2024
6	Biofilter Flux Box Construction and Monitoring	To be complete following auditor approval. Fee to undertake removed from this proposal.	TBD

## 6. Proposed Fees

SMEC will undertake the proposed scope of works for a fee of **\$ 33,604** (excl. GST). Please refer to Table 6–1 or a breakdown of the proposed costs.

Table 6–1: Proposed Fees

Scope Item	SMEC Fees	SMEC Disbursements	Fee (Excl. GST)
Project Management	\$ 3,444.42	\$ -	\$ 3,445
Historical Landfill Gas Data Compilation	\$ 1,156	\$ -	\$ 1,157
Resurvey of Monitoring Bores	\$ 3,930	\$ 220	\$ 4,150
Background Carbon Dioxide Assessment	\$ 7,295	\$ -	\$ 7,295
Unknown Standpipes Investigation	\$ 589	\$ 204	\$ 793
RMMP (draft)	\$ 10,432	\$ -	\$ 10,432
AMP (draft)	\$ 4,848	\$ -	\$ 4,848
RMMP and AMP (final)	\$ 1,484	\$ -	\$ 1,484
<b>Total (Excl. GST)</b>			<b>\$ 33,604</b>

### 6.1.1 Optional Fees

Table 6–2 Proposed Optional Scope Fees

Scope Item	Fee (Excl. GST)
<b>Project Inception Meeting (1 hour)</b>	<b>\$499</b>



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## 6.2 Schedule of Rates

SMEC's schedule of rates are also presented below (Table 6-3), these rates will be applied for any additional works outside the agreed scope. It is proposed works can be conducted under the existing contract agreement between Council and SMEC.

Table 6-3: Schedule of Rates

Resource	Hourly Rate (Excl. GST)
Principal	\$ 330
Senior Professional / Associate Scientist / Engineer	\$ 272
Experienced Professional Scientist / Engineer	\$ 169
Scientist / Engineer	\$ 120

Assumptions and Limitations

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## 8. Assumptions and Limitations

SMEC has made every effort to identify all costs Council could expect to pay for this project. Our fee proposal is based on the following assumptions and exclusions:

- SMEC has allowed for one, one-hour teleconference meeting with Council to kick-off the works. If any additional meetings are required, they will be charged as per the rates provided in Table 6–3.
- SMEC assumes that historical monitoring data will be made available in CSV file format. Our fee only includes the data entry of landfill gas monitoring data and not any other monitoring data.
- No allowance has been made for continuous landfill gas bore monitoring or isotopic analysis of bores to inform the background carbon dioxide assessment.
- We have allowed for one lot of minor revisions required to the RMMP and AMP following receipt of minor consolidated comments from Council equivalent to 5 hours of a Scientist/Engineer and 3 hours of a Senior Professional Scientist/Engineer. Additional or significant revisions beyond that may incur additional fees.
- No allowances have been made for Auditor communications or verification.
- This proposal has been prepared to general industry standards and tailored to meet Council's requirements at the time of writing.
- Works are proposed to be completed between standard business hours (i.e. weekdays 7am – 5pm), unless otherwise stated and agreed.
- No allowance has been made for delays to the work program outside of SMEC's control (e.g. Site deliveries, industrial action or inclement weather).
- SMEC may nominate alternative, appropriately experienced project team members depending on timing and resourcing.
- All rates exclude GST.
- SMEC will take no responsibility for the accuracy of the information within third-party reports.
- SMEC's fees exclude any work required post submission of the final reports to Council.
- No allowances have been made for LFG generation modelling.

Please do not hesitate to reach out at the below contact if you have any questions regarding our proposal.

Yours sincerely,

**Matt Feehan**



Senior Environmental Scientist – Waste and Resource Recovery

**Mobile:** 0401 903 610

**Email:** Matt.Feehan@smec.com



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## 11.4 Corporate

### 11.4.1 Municipal Monitors Appointment

**AUTHOR** Governance Officer

**RESPONSIBLE DIRECTOR** Director People and Governance

#### EXECUTIVE SUMMARY

Pursuant to section 179(2) of the *Local Government Act 2020* (the Act), the Minister for Local Government provided notice of the appointment of Ms Marg Allan as Municipal Monitor to Strathbogie Shire Council.

The period of the appointment is from 6 November 2024 to 6 November 2025 (both dates inclusive). It is anticipated that the appointment will require an average commitment of at least 2-3 days of work per week for the duration.

Ms Allan has considerable experience and expertise in both local and state government and is highly regarded.

Details of the Instrument of Appointment and Terms of Reference are provided in the attachments below.

#### RECOMMENDATION

##### That Council:

- 1. Note the appointment of the Municipal Monitor Ms Marg Allan by the Minister for Local Government, for two to three days per week for the period 6 November 2024 to 6 November 2025 (both dates inclusive) and**
- 2. Note the Instrument of Appointment and Terms of Reference as set by the Minister for Local Government for the period of Ms Allan's appointment.**

#### PURPOSE AND BACKGROUND

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

The suspension under section 257 of the Act applied 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.

The Minister, announced on Monday 2 September 2024, that Municipal Monitors would be appointed to the City of Casey, the City of Whittlesea and Strathbogie Shire Council to support the transition back to elected Councillors and ensure good governance practices. All three councils had been under administration for varying lengths of time.

## **ISSUES, OPTIONS AND DISCUSSION**

On Wednesday 6 November 2024, the Minister announced that Ms Marg Allan has been appointed as Municipal Monitor for Strathbogie Shire Council for a 12-month period, 6 November 2024 to 6 November 2025 (both dates inclusive).

Ms Allan has considerable experience in both State and Local Government. Marg is a member of the Victorian Local Government Grants Commission and was a Municipal Monitor at Moira Shire Council.

The Monitor's Terms of Reference are as follows (as set by the Minister):

Without limiting the Municipal Monitor's functions and powers under sections 180 and 181, respectively, of the Act, the Municipal Monitor is:

1. To monitor the governance processes and practices of the Council, with specific regard to the following matters –
  - a. the Councillors' understanding and performance of their statutory roles and responsibilities, including the adequacy of the Council's Councillor induction training program and professional development training
  - b. the Council's meeting procedures and decision-making processes, including attendance at briefings and Council meetings, and the adequacy of the Governance Rules
  - c. the relationships between councillors, including councillor behaviour with respect to the Model Councillor Code of Conduct and processes for resolving disputes between councillors
  - d. the Council's policies, processes and practices related to the recruitment, appointment, and proposed employment conditions of an ongoing Chief Executive Officer, including the establishment of an effective working relationship between the interim and the ongoing Chief Executive Officer and the councillors
  - e. the Council's policies and practices that manage the interactions between Councillors and Council staff and contractors, and compliance with those policies and practices
  - f. the Council's asset management practices, including its ability to meet current and future infrastructure and asset needs of the community
  - g. any other matters that may affect the Council's ability to effectively perform its functions, including councillor behaviour that is creating a serious risk to health and safety or preventing the Council from performing its functions.
2. To advise and provide any relevant assistance and support to the Council to ensure good governance, with specific regard to the matters raised in clause 1.
3. To assist the Council to develop an Action Plan and progress updates for any necessary governance improvements, with specific regard to the matters raised in clause 1.

4. To report to the Minister for Local Government, with respect to the matters in clause 1, on:
  - a. any steps or actions taken by the Council to improve its governance and the effectiveness of those steps or actions
  - b. any recommendations in relation to the exercise of any Ministerial power under the Act.

## **COMMUNITY ENGAGEMENT**

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that the municipal community is to be engaged in strategic planning and strategic decision making. The Minister is not required to undertake consultation with either Council or the community in relation to the appointment of a Municipal Monitor.

## **POLICY CONSIDERATIONS**

### **Council Plan**

This report is consistent with the following key strategic focus areas and or actions in the 2021-25 Council Plan:

### **Strategic Focus Area 6: Accountable. Transparent. Responsible.**

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

Maximise public transparency and accountability around our performance and decision-making processes.

### **Regional, State and National Plans, Policies and Legislation**

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that regional, state and national plans and policies are to be taken into account in strategic planning and decision-making.

The appointment of a Municipal Monitor is consistent with State policies and legislation around occupational health and safety and good governance practices across the State and Local government sectors.

The appointment of a Monitor also ties in with the recent Local Government Culture Project Discussion Paper released by the Minister and in response to which Council made a written submission, promoting the use of Municipal Monitors to support good governance practices across Councils in Victoria. This was endorsed by Council at the March 2022 Council Meeting.

## **RISK CONSIDERATIONS**

This report has identified the following risk(s):

Risk(s)	Likelihood	Consequence	Rating	Mitigation Action
Poor governance practice and behaviour amongst elected members	Low	Major	Medium	Appointment of a Municipal Monitor for a 12 month period to guide good governance

## LEGAL CONSIDERATIONS

One of the overarching governance principles in section 9 of the Local Government Act 2020 is that Council decisions are to be made and actions taken in accordance with the relevant law.

The Municipal Monitor is appointed by the Minister under section 179 of the *Local Government Act 2020* and the terms of reference for the Monitor must be set out under 180 and 181 of the Act. Under section 179(3), the Monitor must be remunerated by Council as set out by the terms and conditions of employment specified by the Minister.

## Conflict of Interest Declaration

No Council officers and/or contractors who have provided advice in relation to this report have declared a general or material conflict of interest regarding the matter under consideration.

## Transparency

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that the transparency of Council decisions, actions and information is to be ensured.

This report will be presented to Council in a Council meeting, open to the public and live streamed to the public. This is consistent with Council's Transparency Policy, enabling the community to have oversight regarding the matters being discussed by Council and the decisions being made.

## FINANCIAL VIABILITY CONSIDERATIONS

One of the overarching governance principles in section 9 of the Local Government Act 2020 is that the ongoing financial viability of the Council is to be ensured.

The remuneration costs for the Municipal Monitor will need to be met from within existing budget allocations for the 2024-25 financial year and accounted for in the 2025-26 financial year budget.

In accordance with the terms, the payment to the Municipal Monitor will be \$1,335 per day plus expenses. It is anticipated that the appointment will require approximately two to three days of work per week for the duration of the period of appointment, on work directly related to acquitting the terms of reference. A day of work is 7.6 hours.

The Municipal Monitor is eligible to be reimbursed by the Council for reasonable out of pocket expenses such as travelling, accommodation, meals and other incidental expenses in connection with performing the functions and exercising the powers of Municipal Monitor. Such reimbursement is not to exceed the reasonable allowance expense amounts determined by the Commissioner of Taxation for the income year in which the expense is claimed.

## **SUSTAINABILITY CONSIDERATIONS**

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that the economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted.

### **Economic**

Whilst there is a financial impact to the budget for the appointment of a municipal monitor, the most effective use of the monitors time will be utilised to ensure efficiency for the council and ratepayers.

### **Social**

There are no negative social matters associated with this report.

### **Environmental**

There are no negative environment matters associated with this report.

### **Climate Change**

There are no negative climate change matters associated with this report.

## **INNOVATION AND CONTINUOUS IMPROVEMENT**

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is the pursuit of innovation and continuous improvement. The benefits and experiences of having a Municipal Monitor has been shared with Local Government Victoria and the local government sector in general. Such feedback to the State government was also shared through our written response to the Local Government Culture Discussion Paper, released by the State government in December 2021 around the issues and challenges around the operation of elected councils since the introduction of the *Local Government Act 2020*.

## **COLLABORATION**

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that collaboration with other Councils, levels of government and statutory bodies is to be sought. No formal collaboration was undertaken in the production of this report.

## **HUMAN RIGHTS CONSIDERATIONS**

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

## **CONCLUSION**

The Municipal Monitor will help support good governance practices for the newly elected Council.

## **ATTACHMENTS**

1. Instrument of Appointment Terms of Appointment Terms of Reference Municipal Monitor  
Hon Minister Horn



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**Local Government Act 2020**

**Section 179**

**APPOINTMENT OF MUNICIPAL MONITOR**

I, **Melissa Horne**, Minister for Local Government—

- (a) under section 179(1) of the *Local Government Act 2020* (the Act), APPOINT Ms Marg Allan to be the Municipal Monitor to Strathbogie Shire Council (Council); and
- (b) determine that a Municipal Monitor ceases to hold office if the Municipal Monitor receives a notice of termination of appointment from the Minister for Local Government, on the basis that the Minister is not satisfied of the suitability of the Municipal Monitor's appointment based on the result of a probity check required by the Minister; and
- (c) under section 179(2) of the Act—
  - (i) FIX the amount Ms Marg Allan the Municipal Monitor to the Council is entitled to be paid at \$1,335 per day each; and
  - (ii) DETERMINE that the terms of appointment on which Ms Marg Allan the Municipal Monitor to the Council holds office to be the terms specified in Schedule 1 and Schedule 2 to this instrument of appointment.

Dated: 04/11/2024



**The Hon Melissa Horne MP**  
**Minister for Local Government**

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## SCHEDULE 1

**TERMS OF APPOINTMENT OF THE MUNICIPAL MONITOR TO STRATHBOGIE SHIRE COUNCIL  
APPOINTED UNDER SECTION 179 OF THE LOCAL GOVERNMENT ACT 2020****Period of appointment**

1. This appointment is effective for the period commencing 6 November 2024 and ending on 6 November 2025 (both dates inclusive).

**Powers of the Municipal Monitor**

2. The powers of the Municipal Monitor are set out in section 181 of the Act.

**Functions and powers of the Municipal Monitor**

3. The functions of the Municipal Monitor are set out in section 180 of the Act.
4. The Municipal Monitor must perform the functions and powers under sections 180 and 181 of the Act in accordance with the Terms of Reference contained in Schedule 2 to this instrument of appointment.
5. The Municipal Monitor must provide a final report, in accordance with clause 1 of the Terms of Reference contained in Schedule 2 to this instrument of appointment, to the Minister within 14 days after the end of the period of appointment.
6. The Municipal Monitor's final report must, with respect to the matters in clause 1 of the Terms of Reference contained in Schedule 2 to this instrument of appointment, outline the following:
  - a. any steps or actions taken by the Council to improve its governance and the effectiveness of those steps or actions; and
  - b. any recommendations in relation to the exercise of any Ministerial power under the Act.
7. In the making of any report to the Minister, the Municipal Monitor must comply with the requirements of natural justice, including in the making of reports which may adversely affect the reputation of a person.
8. If the Municipal Monitor intends to include in a report a finding that is adverse to a person (other than a report under section 226 of the Act), the Municipal Monitor must comply with the requirements of natural justice set out in section 181C of the Act and notify the Principal Councillor Conduct Registrar in accordance with section 181D of the Act.

**Termination and cessation of appointment**

9. The Minister, without cause or notice, may terminate the appointment of the Municipal Monitor at any time and for any reason or no reason at all.
10. The appointment of the Municipal Monitor ceases if -
  - (a) the Municipal Monitor resigns in writing addressed to the Minister;
  - (b) the appointment is terminated in accordance with clause 9;
  - (c) the Municipal Monitor, in the opinion of the Minister, becomes incapable of performing their duties; or
  - (d) the Municipal Monitor becomes bankrupt or a person disqualified from managing corporations under Part 2D.6 of the *Corporations Act 2001* (Cth).

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**Assistance from the council**

11. The Council must provide the Municipal Monitor with any assistance reasonably necessary to enable the Municipal Monitor to perform their functions in accordance with section 179(4) of the Act.

**Payment provisions**

12. The Council must pay the Municipal Monitor the amount specified in the instrument of appointment in accordance with section 179(3) of the Act.
13. It is anticipated that the appointment will require approximately 2 to 3 days of work per week for the duration of the period of appointment, on work directly related to acquitting the terms of reference. A day of work is 7.6 hours.
14. The amount specified in the instrument of appointment does not include any superannuation obligations that may be payable under the *Superannuation Guarantee (Administration) Act 1992* (Cth).

**Reimbursements: travel and personal expenses**

15. The Municipal Monitor is eligible to be reimbursed by the Council for reasonable out-of-pocket expenses such as travelling, accommodation, meals and other incidental expenses in connection with performing the functions and exercising the powers of Municipal Monitor. Such reimbursement is not to exceed the reasonable allowance expense amounts determined by the Commissioner of Taxation for the income year in which the expense is claimed.

**Leave arrangements**

16. There are no leave arrangements for this statutory appointment.

**Application of the Public Administration Act 2004**

17. The Municipal Monitor must, at all times, act -
- (a) in accordance with the Codes of Conduct issued under section 61 the *Public Administration Act 2004*; and
  - (b) in a manner that is consistent with the public sector values in section 7(1) of the *Public Administration Act 2004*.

**Confidential Information**

18. The Municipal Monitor must hold all confidential information of the Council in confidence other than for the purpose of informing or reporting to the Minister, an integrity body (within the meaning of the *Independent Broad-based Anti-corruption Commission Act 2011*) or officers of the Department of Government Services or otherwise agreed with the Council.

**Misuse of position**

19. The Municipal Monitor must not misuse the position of Municipal Monitor to—
- a. gain or attempt to gain, directly or indirectly, an advantage for themselves or any other person; or
  - b. cause, or attempt to cause, detriment to the Council or another person.

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**Compliance with Council policies**

20. The Municipal Monitor must comply with any policies and procedures of the Council when performing the functions of Municipal Monitor including occupational health and safety policies, unless it is not reasonable to do so.

**Immunity**

21. A Municipal Monitor is not personally liable for anything done or omitted to be done in good faith in the exercise of a power or the discharge of a duty under the Act or in the reasonable belief that the act or omission was in the exercise of a power or duty.
22. Any liability resulting from an act or omission that would otherwise have attached to a Municipal Monitor attaches instead to the Council under section 181E of the Act.

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## SCHEDULE 2

**TERMS OF REFERENCE OF APPOINTMENT OF THE MUNICIPAL MONITOR TO STRATHBOGIE SHIRE COUNCIL APPOINTED UNDER SECTION 179 OF THE LOCAL GOVERNMENT ACT 2020**

Without limiting the Municipal Monitor's functions and powers under sections 180 and 181, respectively, of the Act, the Municipal Monitor is:

1. To monitor the governance processes and practices of the Council, with specific regard to the following matters –
  - a. the Councillors' understanding and performance of their statutory roles and responsibilities, including the adequacy of the Council's Councillor induction training program and professional development training;
  - b. the Council's meeting procedures and decision-making processes, including attendance at briefings and Council meetings, and the adequacy of the Governance Rules;
  - c. the relationships between councillors, including councillor behaviour with respect to the Model Councillor Code of Conduct and processes for resolving disputes between councillors;
  - d. the Council's policies, processes and practices related to the recruitment, appointment, and proposed employment conditions of an ongoing Chief Executive Officer, including the establishment of an effective working relationship between the interim and the ongoing Chief Executive Officer and the councillors;
  - e. the Council's policies and practices that manage the interactions between Councillors and Council staff and contractors, and compliance with those policies and practices;
  - f. the Council's asset management practices, including its ability to meet current and future infrastructure and asset needs of the community;
  - g. any other matters that may affect the Council's ability to effectively perform its functions, including councillor behaviour that is creating a serious risk to health and safety or preventing the Council from performing its functions.
2. To advise, and provide any relevant assistance and support to the Council to ensure good governance, with specific regard to the matters raised in clause 1.
3. To assist the Council to develop an Action Plan and progress updates for any necessary governance improvements, with specific regard to the matters raised in clause 1.
4. To report to the Minister for Local Government, with respect to the matters in clause 1, on:
  - a. any steps or actions taken by the Council to improve its governance and the effectiveness of those steps or actions;
  - b. any recommendations in relation to the exercise of any Ministerial power under the Act.

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### 11.4.2 Determination of 2025 Council Meeting Schedule

**AUTHOR** Governance Officer

**RESPONSIBLE DIRECTOR** Director People and Governance

#### EXECUTIVE SUMMARY

Strathbogie Shire Council Governance Rule (22) states that the Council must annually fix the date, time and place of all Council meetings for the next twelve months. These dates and times can be altered under Rule (23) and additional meetings held under Rule (24).

Ordinary meetings of Strathbogie Shire Council have historically been held on the third Tuesday of every month, commencing at 6:00 pm. It is proposed to make a variation to this commencement time to 4:00pm for the scheduled Council Meetings to be held in January, February and March 2025.

#### RECOMMENDATION

**That Council:**

- 1. Adopt the schedule of Council meetings for 2025 for January, February and March 2025 as per the current meeting schedule, and change the commencement time from 6:00pm to 4:00pm as a trial**
- 2. Undertakes community consultation regarding a permanent change to the early commencement time of 4:00pm for the period April to December 2025**
- 3. Reviews the current process of how the Council interacts with the community during its Ordinary Council meetings and undertakes community consultation on any proposed changes**
- 4. Provide a summary of consultation undertaken at the March Ordinary Council meeting, and**
  - a. considers the consultation and determines any changes to how the Council interacts with the community at its Ordinary Council meetings and,**
  - b. Determines the time and locations for the Council meetings for the months of April to December 2025.**
- 5. Publish the details of the Council meeting schedule on Council's website.**

#### PURPOSE AND BACKGROUND

Council is to determine the date and time of Council meetings to be held January 2025 to December 2025.

The Council Meeting schedule enables the administration to plan and ensure, as far as is practicable, that business papers are available to Councillors and the community sufficiently in advance of the relevant meeting, to be adequately informed of all relevant issues prior to a decision being taken.

## ISSUES, OPTIONS AND DISCUSSION

Ordinary meetings of Strathbogie Shire Council have historically been held on the third Tuesday of every month, commencing at 6:00 pm, the exception being December. The December meeting is proposed to be held on the second Tuesday of the month to enable Officers to action any council resolutions prior to the Christmas/New Year business closure period.

Council has previously determined not to conduct meetings at the Nagambie Lakes Regatta Centre due to ICT challenges and administration resourcing issues. However, Nagambie Lakes Regatta Centre is now more functional and can be considered an excellent “back-up” venue as required.

Additionally, all Council meetings are live streamed online through Council’s website to provide greater access to the public.

Extraordinary Council meetings are a type of meeting that is scheduled to consider specific matters. Extraordinary Council meetings fall outside the usual meeting cycle. Once adopted, the schedule of Council meetings is communicated to the community by Council’s website. The proposed meeting schedule for 2025 is as follows:

Date	Time	Location
21 January 2025	4:00pm	Euroa Community Conference Centre
18 February 2025	4:00pm	Euroa Community Conference Centre
18 March 2025	4:00pm	Euroa Community Conference Centre
15 April 2025	To Be Determined	To Be Determined
20 May 2025	To Be Determined	To Be Determined
17 June 2025	To Be Determined	To Be Determined
15 July 2025	To Be Determined	To Be Determined
19 August 2025	To Be Determined	To Be Determined
16 September 2025	To Be Determined	To Be Determined
21 October 2025	To Be Determined	To Be Determined
18 November 2025	To Be Determined	To Be Determined
9 December 2025	To Be Determined	To Be Determined

## ATTACHMENTS

Nil

### **11.4.3 Procurement Delegation for Recruiting Agency Chief Executive Officer Recruitment**

**AUTHOR** Director People and Governance

**RESPONSIBLE DIRECTOR** Director People and Governance

#### **EXECUTIVE SUMMARY**

At the 16 April 2024 Council meeting, a report detailed the process for the appointment of an Interim Chief Executive Officer (CEO) for a period of up to twelve months.

In accordance with the process enunciated in the resolution from the 16 April 2024 Council meeting item on this matter, it was determined that an Interim CEO will be appointed via a selected invitation process targeting experienced former Local Government CEOs.

Following this process, the CEO Employment and Remuneration Committee appointed Mr Tim Tamlin as Interim CEO for Strathbogie Shire Council. This appointment was endorsed by Council, at the 21 May 2024 Council meeting, appointing an Interim CEO for a period of up to 12 months effective 15 July 2024.

In accordance with Strathbogie Shire Council's current Chief Executive Officer Employment and Remuneration Policy, work on the recruitment process for a permanent Chief Executive Officer has commenced. It is a requirement of the policy that the Committee engage a recruitment consultant to oversee the CEO recruitment.

To ensure that the recruitment process is not delayed and in particular the appointment of an external recruitment agency to assist with the recruitment process, this report seeks Council authorisation for the Director People and Governance to award the successful quotation upon direction from the Chief Executive Officer Employment and Remuneration Committee in accordance with Council's procurement process to the successful recruitment agency.

#### **RECOMMENDATION**

##### **That Council:**

- 1. Authorise the Director People and Governance following a competitive request for quotation process undertaken by the Chief Executive Officer Employment and Remuneration Committee, to award the quotation to the successful external recruitment agency up to the value of \$40,000 (inclusive of GST) and refers any unbudgeted amount to Council as part of the midyear budget review process**
- 2. Provide details of the quotation awarded under Director People and Governance delegation at the next available Ordinary Meeting of Council.**

#### **PURPOSE AND BACKGROUND**

Following the resignation of the permanent Chief Executive Officer, effective July 2024, an Interim Chief Executive Officer was appointed by Council for a period of up to 12 months effective 15 July 2024.



The appointment of a permanent Chief Executive Officer is one of the first tasks of the newly elected Council following the 26 October 2024 Council elections.

## **ISSUES, OPTIONS AND DISCUSSION**

In accordance with Strathbogie Shire Council's current Chief Executive Officer Employment and Remuneration Policy, work on the recruitment process for a permanent Chief Executive Officer has commenced.

To ensure that the recruitment process is not delayed and in particular the appointment of an external recruitment agency to assist with the recruitment process, this report seeks Council authorisation for the Director People and Governance to award the successful quotation upon direction from the Chief Executive Employment and Remuneration Committee in accordance with Council's procurement process to the successful recruitment agency.

## **COMMUNITY ENGAGEMENT**

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that the municipal community is to be engaged in strategic planning and strategic decision making. Council is not required to undertake community consultation in relation to the appointment of a Chief Executive Officer.

## **POLICY CONSIDERATIONS**

### **Council Plan**

This report is consistent with the following key strategic focus areas and or actions in the 2021-25 Council Plan:

#### **Strategic Focus Area 6: Accountable. Transparent. Responsible.**

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

Maximise public transparency and accountability around our performance and decision-making processes.

Ensure our organisation's structure and resource allocation are regularly reviewed so they align with the goals and deliverables of the Community Vision and this Council Plan.

### **Regional, State and National Plans, Policies and Legislation**

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that regional, state and national plans and policies are to be taken into account in strategic planning and decision-making.

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

## **RISK CONSIDERATIONS**

This report has identified the following risk(s):

Risk(s)	Likelihood	Consequence	Rating	Mitigation Action
Delay in recruitment process to appoint a permanent CEO	Possible	Moderate	Medium	Award successful quotation under delegation from Council

## LEGAL CONSIDERATIONS

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that Council decisions are to be made and actions taken in accordance with the relevant law.

The *Local Government Act 2020* requires that Councils appoint a CEO to manage the day-to-day operations of the Council and its employees in accordance with the plans and policies set by the Councillors. Furthermore, the CEO provides advice to Council and ensures that Council decisions are implemented.

## Conflict of Interest Declaration

No Council officers and/or contractors who have provided advice in relation to this report have declared a general or material conflict of interest regarding the matter under consideration.

The Interim Chief Executive Officer has declared an informal conflict of interest in relation to this item. The Interim Chief Executive Officer has not provided any advice into the development of this report.

## Transparency

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that the transparency of Council decisions, actions and information is to be ensured.

This report will be presented to Council in a Council meeting, open to the public and live streamed to the public. This is consistent with Council's Transparency Policy, enabling the community to have oversight regarding the matters being discussed by Council and the decisions being made.

## FINANCIAL VIABILITY CONSIDERATIONS

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that the ongoing financial viability of the Council is to be ensured.

The remuneration costs of the appointment of an external recruitment agency may be met from within existing budget allocation in 2024-25 financial year, however should there be any unbudgeted amount, this will be referred to mid-year budget cost.

## SUSTAINABILITY CONSIDERATIONS

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that the economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted.

**Economic**

An allowance for the appointment of an external recruitment agency to assist with the permanent recruitment for CEO has been made in the 2024-25 budget.

**Social**

There are no negative social matters arising from this report.

**Environmental**

There are no negative environmental matters arising from this report.

**Climate Change**

There are no negative climate change matters arising from this report.

**INNOVATION AND CONTINUOUS IMPROVEMENT**

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is the pursuit of innovation and continuous improvement.

The recommendation within this report is demonstrative of Council's innovation to continue to progress the recruitment as efficiently as possible.

**COLLABORATION**

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that collaboration with other councils, levels of government and statutory bodies is to be sought.

The appointment of an external recruitment agency, as outlined in the CEO Employment and Remuneration Policy will collaborate and support the Council in appointing a permanent CEO.

**HUMAN RIGHTS CONSIDERATIONS**

The *Charter of Human Rights and Responsibilities Act 2006* was considered in the preparation of this report with particular consideration given to the aspects of respect, equality and dignity.

**CONCLUSION**

To ensure that the recruitment process is not delayed and in particular the appointment of an external recruitment agency to assist with the recruitment process, this report seeks Council authorisation for the Director People and Governance to award the successful quotation upon direction from the Chief Executive Officer Employment and Remuneration Committee in accordance with Council's procurement process to the successful recruitment agency.

**ATTACHMENTS**

Nil

#### 11.4.4 Confirmation of Minutes - Audit and Risk Committee Meeting 6 September 2024

**AUTHOR** Governance Officer

**RESPONSIBLE DIRECTOR** Director People and Governance

##### EXECUTIVE SUMMARY

This report presents the confirmed minutes of the Audit and Risk Committee meeting held on 6 September 2024 and endorsed by the Audit and Risk Committee at its meeting held 29 November 2024.

The items considered by the Audit and Risk Committee at its meeting on 6 September 2024 were:

- Appointment of Community Independent Member to Audit and Risk Committee
- Draft 2023-24 Annual Financial Statement Report
- Draft 2023-24 Performance Statement and Governance Management Checklist
- Draft Final Management Letter
- Draft Closing Report to Audit and Risk Committee
- Fair Value Assessment as of 30 June 2024
- Business Continuity Plan Test
- 2024 Local Government Election Update
- Project CODI Update
- Changes to *Local Government Amendment (Governance and Integrity) Act 2024*
- Internal and External Audit Updates and Reports
- Update Outstanding Internal Audit Action Items
- Policy Review
- Risk Management
- Audit and Risk Committee 2024-25 Work Plan
- Human Resources Update
- Administrator Expenses and Reimbursements
- Interim CEO Purchasing Card
- Fraud and Risk Management
- Investment and Borrowings

##### RECOMMENDATION

**That Council receive and note the confirmed minutes of the Strathbogie Shire Council Audit and Risk Committee Meeting held on 6 September 2024.**

##### PURPOSE AND BACKGROUND

To confirm the minutes of the Audit and Risk Committee meeting held on 6 September 2024.

##### ISSUES, OPTIONS AND DISCUSSION

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

The Audit and Risk Committee is established to achieve the overarching governance principles of the *Local Government Act 2020* with particular focus on strengthening Council's governance

and risk management frameworks, monitoring the organisation's financial management and to help drive continuous improvement.

## COMMUNITY ENGAGEMENT

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that the municipal community is to be engaged in strategic planning and strategic decision making. No community engagement is required to produce this report.

## POLICY CONSIDERATIONS

### Council Plan

This report is consistent with the following key strategic focus areas and or actions in the 2021-25 Council Plan:

### Strategic Focus Area 6: Accountable. Transparent. Responsible.

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

Maximise public transparency and accountability around our performance and decision-making processes.

### Regional, State and National Plans, Policies and Legislation

This report is aligned with the following legislation, council policies and key strategic documents:

- *Local Government Act 2020*
- Strathbogie Shire Council Audit and Risk Committee Charter
- Strathbogie Shire Council Audit and Risk Committee Annual Performance Report

## RISK CONSIDERATIONS

This report has identified the following risk(s):

Risk(s)	Likelihood	Consequence	Rating	Mitigation Action
Failure to meet the requirements of the <i>Local Government Act 2020</i> Division 8 – Audit and Risk Committee	Unlikely	Major	Medium	Internal systems in place to support requirements for the <i>Local Government Act 2020</i> and the requirements of the Audit and Risk Committee

## LEGAL CONSIDERATIONS

One of the overarching governance principles under section 9 of the *Local Government Act 2020* is that Council decisions are to be made and actions taken in accordance with the relevant law.

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

### **Conflict of Interest Declaration**

No Council officers and/or contractors who have provided advice in relation to this report have declared a general or material conflict of interest regarding the matter under consideration.

### **Transparency**

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that the transparency of Council decisions, actions and information is to be ensured.

This report will be presented to Council in a Council meeting, open to the public and live streamed to the public. This is consistent with Council's Transparency Policy, enabling the community to have oversight regarding the matters being discussed by Council and the decisions being made.

### **INNOVATION AND CONTINUOUS IMPROVEMENT**

The Audit and Risk Committee operates to advise the Council on how best to fulfil its responsibilities and facilitate decision making by providing a forum for improving communication between Councillors and senior management, finance, risk and compliance managers and internal and external auditors.

### **COLLABORATION**

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that collaboration with other Councils, levels of government and statutory bodies is to be sought. No formal collaboration was undertaken in the production of this report.

### **HUMAN RIGHTS CONSIDERATIONS**

There are no significant human rights implications arising from this report.

### **CONCLUSION**

This report recommends the receipt and noting of the confirmed minutes of the Strathbogie Shire Council Audit and Risk Committee meeting held on 6 September 2024.

### **ATTACHMENTS**

1. Draft Minutes Audit and Risk 6 September 2024

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Strathbogie Shire Council  
Audit and Risk Committee Meeting

6 September 2024

# Strathbogie Shire Council

## **Audit and Risk Committee Meeting Minutes**

6 September 2024  
Euroa Conference Room at 9.30 am

**OFFICIAL: Sensitive**

Strathbogie Shire Council  
Audit and Risk Committee Meeting

6 September 2024

Minutes of the meeting of the Strathbogie Shire Council Audit and Risk Committee held on Friday 6 September 2024 commencing at 9:30 am.

**Present**

Paul Ayton (Chair)	Community Member
Sophie Lukeis	Community Member
Alister Purbrick	Community Member
John Tanner AM	Community Member
Peter Stephenson	Council Administrator

**Officers**

Tim Tamlin	Interim Chief Executive Officer
Amanda Tingay	Director People and Governance
John Harvey	Director Sustainable Infrastructure
Sarah Williams	Chief Financial Officer
Sagara Gunasekara	Finance Coordinator
Michelle Bromley	Coordinator Governance and Record Management
Kerry Lynch	Governance Officer (Minutes)

**Auditors**

Paul Harrison	Internal Auditors - RSD Audit
Danielle McKenzie	External Auditors – Crowe Australasia

**9:30 am to 9:45 – Confidential Briefing**  
**Audit and Risk Committee and Internal Auditors RSD Audit**

1. **Welcome**
2. **Acknowledgement of Traditional Landowners**

*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. **Apologies**

Kathie Teasdale, Internal Auditor, RSD Audit.

4. **Disclosure of Interests**

Nil

5. **Confirmation of Minutes of the Audit and Risk Committee held on [21 June 2024](#)**

**Motion**

**That the Minutes of the Audit and Risk Committee meeting held on 21 June 2024 be confirmed as an accurate record of the meeting.**

**Moved: Paul Ayton**

**Seconded: Alister Purbrick**

**Carried**



**OFFICIAL: Sensitive**

Strathbogie Shire Council  
Audit and Risk Committee Meeting

6 September 2024

6. **Business**
7. **Standing Items**
8. **Items raised by Committee Members**
9. **Confidential Briefing with Chief Executive Officer**
10. **Next Meeting**

## **6. BUSINESS**

### **6.1 Appointment of Community Independent Member to Audit and Risk Committee**

Following the sudden death of Alistair Thomson a vacancy existed on Council's Audit and Risk Committee for an independent community representative

The Audit and Risk Committee Charter requires the appointment of four (4) independent community representatives to help drive the work undertaken by the Committee to provide independent oversight over Council finances, risk management and governance.

Following an extensive advertising and recruitment process, the interview panel recommended to Council that Mr John Tanner AM be appointed to the Audit and Risk Committee for a term of three (3) years commencing 6 September 2024 and ending 5 December 2027.

Council endorsed the recommendation at its meeting held on 20 August 2024.

#### **Motion**

**That the Audit and Risk Committee note the report.**

### **6.2 Draft 2023-24 Annual Financial Statement Report**

*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 draft 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. The audit is in its final stage prior to endorsement by Council at the meeting to be held on 17 September 2024. The approved and audited Report then forms part of the Council's Annual Report, as required by Sections 98 and 99 of the Act.

Overall, the Financial Statements underline that Council's financial position remains sound and the following observations were noted:

- Council reported an operating loss of \$3.6M. This is an unfavourable variance of \$7.2M compared to the adopted budget surplus of \$3.5M. The loss is mainly due to the timing of a Commonwealth Financial Assistance Grant of \$6.7M and unbudgeted and carry forward natural disaster recovery expenditure of \$2.1M.
- Total revenue is \$34.9M, down 24% compared to the previous year
- Operating expenses are \$38.5M down 2% compared to the previous year

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Audit and Risk Committee Meeting

6 September 2024

- Total assets are \$406M of which \$388M relates to fixed assets
- Total liabilities are \$13M down 29% compared to the previous year
- Council received less grant income compared to the previous year - \$9.2M in 2024 compared to \$19.6M in 2023 which affected the net operating result for the year
- Council spent \$2.1M on flood recovery and emergency management expenses compared to \$4M the previous year
- During the asset revaluation Council reported \$8.8M worth of found assets and derecognised \$8.5M of assets
- Cash and other financial asset balance was \$9.6M and is a drop of \$15.5M compared to the previous year. The variance is due to lower grant income, timing of the Financial Assistance Grant, completion of carry forward capital projects and payment of prior creditors in 2024
- Council has \$10M in cash and term deposits, compared to \$20M during the pandemic. Council has elected for shorter term investments ensuring Council can maintain sufficient cash for operational and capital expenditure
- Total liabilities were \$13.2M in 2024 compared to \$18.7M in 2023. This is due to the reduced landfill provision for the Violet Town landfill rehabilitation work and a reduced creditor balance.
- Council completed \$11.9M worth of projects during 2023-24

The Audit and Risk Committee noted the complexities around Council's asset management processes and the imperative for improved systems which will give better asset data and predictor models.

In order that the Audit and Risk Committee and Councillors have a better understanding of any asset gaps, the following recommendation was made:

- Include notes in the budget which reflects the pressure points around the budget. When the data is confirmed, include the data in the accounting figures.

Management took on notice a question regarding how Council's investment criteria is determined and provides the following response:

"The Investment and Cash Management Policy was adopted by Council on 17 October 2023. Council staff follow this policy and Section 103 of the *Local Government Act 2020* when making investment decisions. The policy objectives are preservation of capital, ensuring liquidity and maximising investment returns.

Accordingly, Council funds have been invested in either term deposits or on-call accounts. Interest rates quotes are obtained from the following institutions when making investment decisions:

- Commonwealth Bank
- National Australia Bank
- Westpac
- Treasury Corporation of Victoria (TCV)
- Goulburn Murray Credit Union (GMCU)

Time, terms and the amount of the investment is decided by council staff after considering the current cash position and future cash flow forecasts. Investments are distributed across several financial institutions to maintain investment diversification as per the policy".

It became apparent to the Committee, throughout the draft budget discussion, that there was a looming shortfall of funding for some major infrastructure repairs or replacement, for example the

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Audit and Risk Committee Meeting

6 September 2024

Shire building in Euroa is estimated to need an \$18 million upgrade. It was recommended that a report be created, for the newly elected Council, that will identify all Council owned assets and their current uses. The newly elected Council can then review the service levels Council provides and decide whether it wishes to sell some of these assets to fund major infrastructure projects repairs or replacement.

**Actions:**

1. **Set up an out of session meeting to discuss asset management**
2. **Management to seek Council's input on how Council would like to proceed with undertaking a service level and asset utilisation review.**

**Motion**

**That the 2023-24 draft Annual Financial Report be endorsed by the Audit and Risk Committee for presentation to Council for adoption.**

**Moved:** Paul Ayton  
**Seconded:** Sophie Lukeis

**Carried**

**6.3 Draft 2023-24 Performance Statement and Governance Management Checklist**

The Local Government Performance Reporting Framework (LGPRF) is a mandatory system of performance reporting that must be completed by all Victorian councils. The results of the reporting are made available to the public and provides comparative data between councils.

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

The LGPRF system produces two documents: a Performance Statement and a Governance and Management Checklist. Both documents have been prepared and submitted to Council's external auditor Crowe Australasia who has completed the 2023-24 audit process.

The draft 2023-24 Performance Statement and Management checklist were reported and noted, prior to endorsement at the Council meeting to be held on 17 September 2024.

**Action:**

**Circulate the draft 2023-24 Management Checklist which reflects the updated commentary added after the papers were distributed on 30 August 2024.**

**Motion**

**That the Audit and Risk Committee endorse the following reports for presentation to Council for adoption:**

1. **Draft Performance Statement 2023-24**
2. **Draft Governance and Management Checklist 2023-24**

**Moved:** Paul Ayton  
**Seconded:** Alister Purbrick

**Carried**

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Strathbogie Shire Council  
Audit and Risk Committee Meeting

6 September 2024

**6.4 Draft Final Management Letter**

The draft Final Management Letter for the year ended 30 June 2024 was provided to the Committee for review.

The external auditor highlighted the detail of the open findings for resolution by Management with agreed implementation dates to action the open findings.

Audit and Risk Committee members sought clarification on the following audit findings:

- Payroll changeover errors in 2023: It was noted that previous discrepancies had been addressed
- Improved payroll reporting and documentation would better support any changeover to the new payroll CIVICA system as part of Project CODI (expected implementation September 2025)
- More robust processes are in place and have rectified issues relating to bank signatories

**Motion**

**That the report, as tabled, be noted.**

**Moved: Paul Ayton**  
**Seconded: Sophie Lukeis**

**Carried**

**6.5 Draft Closing Report to Audit and Risk Committee**

The draft closing report provided to the Audit and Risk Committee was noted. The external auditor advised that based on the audit they would conclude that the financial report and performance statement were fairly presented, and they expected to issue unmodified audit opinions.

**MOTION**

**That the report, as tabled, be noted.**

**Moved: Paul Ayton**  
**Seconded: Alister Purbrick**

**Carried**

**6.6 Fair Value Assessment as at 30 June 2024**

As per Australian Accounting Standards AASB 116, after recognition as an asset, an item of property, plant and equipment whose fair value can be measured reliably shall be carried at a revalued amount, being its fair value at the date of the revaluation less any subsequent accumulated depreciation and subsequent accumulated impairment losses.

Revaluations shall be made with sufficient regularity to ensure that the carrying amount does not differ materially from that which would be determined using fair value at the end of the reporting period.

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6 September 2024

During 2023-24, Council engaged an external valuer, LG Valuation Services, to revalue land, buildings and open space assets. In addition, council officers performed an indexation assessment of other assets to see any significant movements in assets value to consider their impact on 2023-24 financial statements.

The Audit and Risk Committee was provided with a draft report in May 2024. The following summarises the finalised revaluation results and their impact on financial statements for the year ended 30 June 2024:

- Land, buildings and open space assets recorded an overall fair value increase of \$23.3M. This increment was recorded in the financial statements through the revaluation reserve during the year.
- Impairment of assets of \$135,000 was recorded during the year
- Found assets amount to \$8.8M. Additionally, Council identified \$8.5M worth of assets either not owned by the Council or duplicated incorrectly in the asset register
- Found assets and derecognised assets were recorded as prior year adjustments in the financial statements and reinstated in the 2023 financial statements
- Management have implemented actions to ensure accuracy of the asset register in the future

In addition to the external valuation, council officers carried out an indexation assessment of other infrastructure assets to assess their fair value movement. As per the indexation:

- Roads, bridges, footpaths, drainage and kerb and channel showed a fair value increase of \$7.6M
- This movement has not been recorded in the financials as it sits below the audit materiality threshold.

Overall, the net asset revaluation increment of property and infrastructure assets is \$23,193,445 and this was brought into the accounts during the 2023-24 financial year.

The report was noted.

**MOTION**

**That the report, as tabled, be noted.**

**Moved: Paul Ayton**  
**Seconded: John Tanner**

**Carried**

**6.7 Business Continuity Plan and Test**

A review of the Business Continuity Plan (BCP) is underway following a mandatory workshop and training session held on 20 June 2024.

The Facilitator reported that overall and given this was Council's first test in many years, participants involved in the exercises worked exceptionally well in finding the best solution to address the outcomes set for themselves.

The report makes a number of recommendations for follow up, monitoring and action by Management.

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Strathbogie Shire Council  
Audit and Risk Committee Meeting

6 September 2024

The report was noted.

**MOTION**

**That the Audit and Risk Committee note the key findings and recommendations from the business continuity plan test and training conducted by Jardine Lloyd Thompson on 20 June 2024.**

**Moved: Paul Ayton**  
**Seconded: Sophie Lukeis**

**Carried**

**6.8 2024 Local Government Election Update**

The Audit and Risk Committee noted the Local Government election update and comments provided by Management around Council obligations during the Election Period which commences on 17 September 2024 and concludes on 26 October 2024.

It was also noted that the newly elected Council will have its first meeting on Tuesday 19 November 2024 at which the Mayor, Deputy Mayor and Committee members will be selected subject to the declaration of results occurring by 8 November 2024.

**MOTION:**

**That the Audit and Risk Committee note the 2024 Local Government election update.**

**Moved: Paul Ayton**  
**Seconded: Alister Purbrick**

**Carried**

**6.9 Project CODI Update**

The report was noted. The Chief Executive Officer reiterated his confidence in the progress of the project to date and acknowledged the positivity and acceptance of staff to this significant change management process.

**MOTION**

**That the Audit and Risk Committee note the report.**

**Moved: Paul Ayton**  
**Seconded: Alister Purbrick**

**Carried**

**6.10 Changes to the *Local Government Amendment (Governance and Integrity) Act 2024***

Changes to the *Local Government Amendment (Governance and Integrity) Act 2024* (the Amendment Act) in June 2024 include reforms to strengthen council leadership, capability and councillor conduct, improve early intervention and effective dispute resolution and strengthen oversight mechanisms.

The following changes will come into effect on 26 October 2024:

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- ongoing mandated training for mayors and councillors will be introduced to expand the existing induction training requirements for councillors
- improvements to the councillor conduct framework including the power to establish in regulations a model councillor code of conduct and increased severity of sanctions available for councillor misconduct
- improve the operation of provisions relating to the councillor conduct framework.

The report was noted.

**MOTION**

**That the Audit and Risk Committee note the report.**

**Moved:** Paul Ayton  
**Seconded:** Sophie Lukeis

**Carried**

**7 STANDING ITEMS****7.1 Audit Updates****7.1.1 Internal Audit Updates – RSD Audit**

In line with the 2024-26 Strategic Internal Audit Program, two audits were completed in the reporting period:

- Infrastructure (Civil) Asset Management
- Project Management (including management of contracts).

The detailed reports on the outcomes of internal audits were noted by the Audit and Risk Committee, and the Infrastructure (Civil) Asset Management was included as a revised report around management comments.

The Director Sustainable Infrastructure provided commentary and clarity around some of the audit recommendations in both the reports noting the challenges around lack of asset management and project delivery systems.

The Internal Auditors clarified that some of the risk ratings in the audit outcomes will be revised given the audits were conducted prior to the review of Council's risk management policy and risk management framework.

The revisions to the 2024-26 Strategic Internal Audit Program were noted with the majority of the audits bought forward a year.

**7.1.2 Internal Audit Status Report**

The report was noted.

**7.1.3 Quarter Four Industry Updates**

The report was noted.

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**MOTION**

**That the Audit and Risk Committee note the internal audit reports.**

**Moved: Paul Ayton**

**Seconded: Alister Purbrick**

**Carried**

**7.2 External Audit Updates – Crowe Australasia**

Crowe (Australasia) have completed the audit process of the draft 2023-24 Financial Statements and Performance Statements, and the outcomes were reported in Item 6.2 to 6.5 of this agenda.

The report was noted.

**MOTION**

**That the Audit and Risk Committee note the external audit update.**

**Moved: Paul Ayton**

**Seconded: Sophie Lukeis**

**Carried**

**7.2 Outstanding Internal Audit Action Items**

The report on the progress of the outstanding internal audit recommendations was noted.

The Interim Chief Executive Officer sought clarification from the Committee as to how Item 4.1 from the 2023-02 Environmental Sustainability audit should be addressed:

“Undertake finance stress testing/scenario analysis for climate events to assess Council’s ability to cope with such disasters”.

Following discussion, it was confirmed that modelling will be undertaken to determine the level of funding required to ensure Council can continue business as usual and at the same time respond to climate events such as floods and bushfires.

**Action:**

**Management to seek Council’s guidance to undertake modelling and create a report to determine what level of funding will be required of the Shire to continue business as usual and at the same time respond to climate events.**

**MOTION**

**That the Audit and Risk Committee note the outstanding Internal Audit items update and progress made on implementation of past audit recommendations.**

**Moved: Paul Ayton**

**Seconded: Sophie Lukeis**

**Carried**



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**7.3 Policy Review**

The Audit and Risk Committee noted the report and changes to the *Local Government Amendment (Governance and Integrity) Act 2024* which proposes the development of two new policies under the new section 54A of the *Local Government Act 2020*:

- Confidentiality Policy
- Councillor Social Media Policy

Given that Council policies are all current and within mandated review periods it was recommended that there will be no Audit and Risk Committee meeting in October 2024 (specific to policy review).

**Action:**

**Review the following policies/documents at the Audit and Risk Committee meeting on 29 November 2024:**

- **Audit and Risk Committee Charter**
- **CEO Employment and Remuneration Policy**

**MOTION**

**That the Audit and Risk Committee note the update of Council's policy framework and other strategic documents.**

**Moved: Paul Ayton**

**Seconded: Alister Purbrick**

**Carried**

**7.4 Risk Management**

In June 2024 the Risk Management Policy and Risk Management Framework were adopted by Council following a comprehensive review.

The organisation has since developed updated strategic and operational risk registers which reflect the objectives of the organisation to deliver the Council Plan at both strategic and internal levels.

The Executive Leadership Team have reviewed the draft strategic risk register which is more indicative of current business objectives and broadly reflects the following overarching areas:

- Financial Stability
- Health and Safety
- Governance, Compliance, Reputation and Relationships
- Environmental Impacts
- Information Technology Systems.

The report was noted and, following discussion, Management took on notice the Committees comments relating to the rating of some strategic risks.

It was recommended that in relation to the strategic risks that some of the primary risks would remain the same, however mitigation strategies to address the risks might be reconsidered.

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**MOTION**

**That the Audit and Risk Committee note the Risk Management update and review of the draft Strategic Risk Register.**

**Moved: Paul Ayton**

**Seconded: Alistair Purbrick**

**Carried**

**7.5 Audit and Risk Committee 2024-25 Work Plan and 2024-25 Legislated Strategy-Calendar Review**

The 2024-25 Audit and Risk Committee workplan and an update of the 2024-25 Legislated Strategy Calendar were noted.

**MOTION**

**That the Audit and Risk Committee note the progress of the 2023-24 Audit Work Plan under Sec 54(3) of the *Local Government Act 2020*.**

**Moved Paul Ayton**

**Seconded: Alistair Purbrick**

**Carried**

**7.6 Human Resources Update**

The report was noted. It was recommended that the report should be revised so that only higher level information is provided in future. Clarification was sought regarding some of the figures in the report, and the responses will be recirculated out of session.

**Action:**

**Circulate amended Human Resources report to the Audit and Risk Committee**

**MOTION**

**That the Audit and Risk Committee note the Human Resources Key Strategic Indicators report.**

**Moved: Paul Ayton**

**Seconded Sophie Lukeis**

**Carried**

**7.7 Administrator Expenses and Reimbursements**

Total expenses of \$595.61 were reported by the Administrator for the period June 2024 to August 2024. The Administrator Expenses and Reimbursement report was noted.

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**MOTION****That the Audit and Risk Committee note the Administrator Expenses Report for the period 1 June 2024 to 30 August 2024.****Moved: Paul Ayton**  
**Seconded: Alister Purbrick****Carried****7.8 Interim CEO Purchasing Card**

The Interim CEO does not hold a Council issued credit card, therefore there are no transactions to report.

**MOTION****That the Audit and Risk Committee note the Interim CEO Purchase Card report.****Moved: Paul Ayton**  
**Seconded: Sophie Lukeis****Carried****7.9 Fraud Risk Management**

There are no incidents of fraud to report in the current period.

**MOTION****That the Audit and Risk Committee note the Fraud Risk Management report.****Moved: Paul Ayton**  
**Seconded: Sophie Lukeis****Carried****7.10 Investment and Borrowings Report**

As part of its financial framework, Council's Investment and Cash Management Policy requires that investments and borrowings are reported to the Audit and Risk Committee quarterly.

The Investment and Cash Management report was noted, the Committee also acknowledging the positive interest rates currently being achieved.

**MOTION****That the Audit and Risk Committee note the Investment and Borrowings updates.****Moved: Paul Ayton**  
**Seconded: John Tanner****Carried**

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**8. ITEMS RAISED BY COMMITTEE MEMBERS**

**9. CONFIDENTIAL BRIEFING WITH CHIEF EXECUTIVE OFFICER**

**10. NEXT MEETING**

The next meeting of the Audit and Risk Committee will be held on 29 November 2024.

Meeting closed at 11:55 am.

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**Audit and Risk Committee Meeting Actions**

Audit and Risk Committee – actions from the meeting held on 6 September 2024						
Meeting Date	Item Number	Action	Responsible	Due Date	Status	Comment
2 December 2022	7.2 Outstanding Internal Audit Items Update	Director People and Governance to present a draft ICT Strategy to the Audit and Risk Committee in March 2023.	Director People and Governance	February 2024	In Progress	An ICT Strategy will be developed independently of Project CODI
6 September 2024	6.2 Draft 2023-24 Annual Financial Statement Report	1.Set up an out of session meeting to discuss asset management  2.Management to seek Council's input on how Council would like to proceed with undertaking a service level and asset utilisation review.	Chief Executive Officer		Complete	New Councillors sworn in 12 November 2024. Added to forward Council Briefing agenda to discuss with Council.
6 September 2024	6.3 Draft 2023-24 Performance Statement and Governance Management Checklist	Circulate the draft 2023-24 Management Checklist which reflects the updated commentary added after the papers were distributed on 30 August 2024.	Governance	Immediate	Complete	Distributed with Draft Minutes Audit and Risk Committee Meeting 6 September 2024.
6 September 2024	7.2 Outstanding Internal Audit Action Items	Management to seek Council's guidance to undertake modelling and create a report to determine what level of funding will be required of the Shire to continue business as usual and at the same time respond to climate events.	Chief Executive Officer	29 November 2024	Complete	New Councillors sworn in 12 November 2024. Added to forward Council Briefing agenda to discuss with Council.

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6 September 2024	7.3 Policy Review	Review the following policies/documents at the Audit and Risk Committee meeting on 29 November 2024: <ul style="list-style-type: none"><li>• Audit and Risk Committee Charter</li><li>• CEO Employment and Remuneration Policy</li></ul>	Governance	29 November 2024	Complete	CEO Employment and Remuneration Policy deferred to February 2025
6 September 2024	7.6 Human Resources Update	Circulate amended Human Resources report to the Audit and Risk Committee			Complete	Distributed with Draft Minutes Audit and Risk Committee Meeting 6 September 2024.

### 11.4.5 Audit and Risk Committee Charter 2024

**AUTHOR** Governance Officer

**RESPONSIBLE DIRECTOR** Director People and Governance

#### EXECUTIVE SUMMARY

Under section 54 (1) of the *Local Government Act 2020* Council must prepare and approve an Audit and Risk Committee Charter. The Audit and Risk Committee last reviewed and endorsed the Charter at the meeting held on 6 October 2023, and the Charter was adopted by Council in October 2023.

The Charter has been reviewed by the Audit and Risk Committee at its meeting held 29 November 2024 and propose minor changes, to the Charter which include:

- Removal of the requirement to annually review the Chief Executive Officer Employment and Remuneration Policy
- Removal of any public attendance at the meetings, as the minutes of meetings are made publicly available through a Council meeting
- Membership updated to reflect 2024-25 membership.

This report seeks Council endorsement on the updated Audit and Risk Committee Charter.

#### RECOMMENDATION

**That Council endorse the Strathbogie Shire Council Audit and Risk Committee Charter as attached to this report.**

#### PURPOSE AND BACKGROUND

The purpose of this report is to seek Council endorsement to update the Strathbogie Shire Council Audit and Risk Committee Charter (the Charter) incorporating the amendments as detailed below.

#### ISSUES, OPTIONS AND DISCUSSION

The Charter has been reviewed by the Audit and Risk Committee at its meeting held 29 November 2024 and propose minor changes, to the Charter which include:

The three proposed changes are summarised below:

1. Clause 4.1.6 Review Chief Executive Officer Employment and Remuneration Policy annually

The Audit and Risk Committee is currently required to undertake an annual review of the policy in accordance with its Charter, supporting section 54 (2) (a) of the *Local Government Act 2020*.

As an annual review of this policy is not specifically legislated, it is proposed that the annual review is no longer necessary, and that the policy continued to be reviewed within six months of a general council election or should there be material changes resulting from a change in legislation.

It is proposed that this clause be removed from the Charter

## 2. Clause 3.1 Other Committee Attendees

Paragraph one, remove “and public” may attend...

## 3. Clause 13 – Members

Updated to reflect 2024-25 membership

## COMMUNITY ENGAGEMENT

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that the municipal community is to be engaged in strategic planning and strategic decision making. Community Engagement is not considered necessary in respect of this matter given it is an internal Charter required to be prepared under the Local Government Act 2020.

## POLICY CONSIDERATIONS

### Council Plan

This report is consistent with the following key strategic focus areas and or actions in the 2021-25 Council Plan:

### Strategic Focus Area 6: Accountable. Transparent. Responsible.

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

Maximise public transparency and accountability around our performance and decision-making processes.

### Regional, State and National Plans, Policies and Legislation

This report is aligned with the following legislation, council policies and key strategic documents:

- *Local Government Act 2020*
- Strathbogie Shire Council Audit and Risk Committee

## RISK CONSIDERATIONS

This report has identified the following risk(s):

Risk(s)	Likelihood	Consequence	Rating	Mitigation Action
Failure to comply with the obligations set out in the <i>Local Government Act 2020</i> regarding an Audit and Risk Committee Charter	Low	Low	Low	The Audit and Risk Committee Charter is reviewed annually and amended as required

## LEGAL CONSIDERATIONS

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that Council decisions are to be made and actions taken in accordance with the relevant



law.

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

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

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

### **Conflict of Interest Declaration**

No Council officers and/or contractors who have provided advice in relation to this report have declared a general or material conflict of interest regarding the matter under consideration.

### **Transparency**

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that the transparency of Council decisions, actions and information is to be ensured.

This report will be presented to Council in a Council meeting, open to the public and live streamed to the public. This is consistent with Council's Transparency Policy, enabling the community to have oversight regarding the matters being discussed by Council and the decisions being made.

### **INNOVATION AND CONTINUOUS IMPROVEMENT**

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is the pursuit of innovation and continuous improvement.

An annual review of the Audit and Risk Committee Charter ensures that the Committee is performing and undertaking its obligations in accordance with the Audit and Risk Committee Charter.

### **COLLABORATION**

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that collaboration with other Councils, levels of government and statutory bodies is to be sought. Collaboration with external bodies was not considered necessary on this occasion. The Audit and Risk Committee comprises Community and Councillor representatives therefore broad discussion is achieved in the context of reviewing the Charter.

**HUMAN RIGHTS CONSIDERATIONS**

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

**CONCLUSION**

As part of its Work Plan, Council's Audit and Risk Committee is required to review its Charter annually. The Charter was reviewed at the Committee's meeting held on 29 November 2024. The committee propose three minor changes to the Charter.

**ATTACHMENTS**

1. Audit and Risk Committee Charter November 2024

# **Strathbogie Shire Council Audit and Risk Committee Charter November 2024**

Endorsed by Audit and Risk Committee 29 November 2024  
Adopted by Council xxxxxxxxx



*Strathbogie*  
SHIRE COUNCIL

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**Strathbogie Shire Council has established an Audit and Risk Committee (the Committee) in compliance with section 53(1) of the *Local Government Act 2020* (the Act).**

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### 1 Purpose

Council is committed to good governance, public transparency and accountability to its community. The Audit and Risk Committee is established to achieve the overarching governance principles of the *Local Government Act 2020* (the Act) and has a focus on strengthening Council's governance and risk management frameworks, monitoring the organisation's financial management and to help drive continuous improvement.

The Committee is designated as an advisory committee under section 53(2) of the Act and does not have any delegated powers, executive powers, management functions or delegated financial responsibilities.

The Committee's role is to:

- monitor compliance of Council policies and procedures with the overarching governance principles the Act, its regulations and any Ministerial directions, other relevant laws and regulations
- monitor Council financial and performance reporting
- monitor and provide advice on risk management and fraud prevention systems and controls
- oversee internal and external audit functions
- monitor the achievement of the highest standards of corporate governance including monitoring compliance with Council's Code of Conduct.

The Committee will engage with management in a constructive and professional manner in discharging its responsibilities and formulating its advice to the Council.

The Committee operates to advise the Council on how best to fulfil its responsibilities and facilitate decision making by providing a forum for improving communication between the Council members and senior management, finance, risk and compliance managers, internal auditors and external auditors.

### 2 Authority

The Council authorise the Committee, within its responsibilities, to:

- perform its activities within the scope of this Charter
- obtain any information it requires from any Council, management or other external party (subject to any legal obligation to protect information)
- discuss any matters with the Victorian Auditor General's Office (VAGO), or other external parties (subject to confidentiality considerations)
- request the attendance of any official, including Councillors and Council Officers, at Committee meetings
- obtain legal or other professional advice at the entity's expense, as considered necessary to meet its responsibilities
- seek resolution on any disagreements between management and the external auditors on financial reporting

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- seek resolution of any disagreement between management and the internal auditors on internal audit recommendations.

### 3 Membership

The Committee is comprised of six voting members appointed by Council - two Councillors and four independent external members. One of the Councillor representatives will be the Mayor. A third Councillor representative shall be nominated by Council to act as a substitute representative should any of the permanent Councillor representatives be unable to attend a meeting(s).

In accordance with the Act the Members must:

- include members who are Councillors of the Council
- consist of a majority of members who are not Councillors of the Council and who collectively have:
  - expertise in financial management and risk
  - experience in public sector management
- not be a member of Council staff
- aim to increase gender diversity of its membership.

The Council will appoint the Chair of the Committee, who in accordance with section 53 of the Act:

- must not be a Councillor
- must not be a member of Council staff.

In the absence of the Chair, the Committee will elect a temporary Chair for the meeting from the remaining independent members who are present.

Voting members of the Committee will act in accordance with the Councillor Code of Conduct.

#### 3.1 Other Committee Attendees

Council Officers, Chief Executive Officer, Director People and Governance, Chief Finance Officer, Coordinator Governance and Records, Governance Officer, Manager People and Culture or other management representatives may attend meetings as advisers or observers but will not be members of the committee and will require copies of committee papers. Councillor(s) may attend meetings as observers however, committee papers will not be available for distribution.

A representative(s) of the VAGO will be invited to attend meetings of the Committee as an observer and to build a constructive and open relationship with the Office. Such a representative will be required to act in accordance with the governance principles in addition to the obligations of confidentiality (Section 125) and conflict of interest (Part 6, Division 2) as outlined within this Charter and the Act.

A representative(s) of the appointed internal audit contractor will be invited to attend meetings of the Committee, as an observer. Such a representative will be required to act in accordance with the governance principles in addition to the obligations of confidentiality (Section 125) and conflict of interest (Part 6, Division 2) as outlined within the Act.



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### 3.2 Term of Membership

Independent members of the committee will be reviewed at least every three years by the Council with the aim of ensuring an appropriate balance between continuity of membership, the contribution of fresh perspectives and a suitable mix of qualifications, knowledge, skills and experience.

Councillor members will be appointed for a one-year term of office with their term expiring at the Annual Statutory Meeting of Council (each November) when Councillor representatives are nominated for various committees and bodies. They may be reappointed; however rotation of Councillor membership is encouraged for Councillors to experience the Committee.

The initial appointment of independent Committee members shall be for a three-year period.

The position for an independent member(s) will be publicly advertised at the end of each term. This does not preclude existing members from being re-appointed through a competitive process.

Council may reappoint current independent members if exceptional circumstances are considered to exist.

Where possible, the end of the terms of Independent Members will be staggered to avoid losing continuity in the Committee's membership.

### 3.3 Induction and Training

New members will receive relevant information and briefings on their appointment to assist them to meet their committee responsibilities.

The Committee will adopt and maintain a program of induction, training and awareness-raising for its members, with the objective of enabling the Committee to keep abreast of contemporary developments and leading practices in relation to its functions.

An annual training program will also be prepared and delivered to ensure ongoing professional development for the Committee. The program will be delivered as part of the quarterly meeting process or through attendance at workshops/training sessions arranged for times outside of the normal meeting schedule as agreed by the Committee.

### 3.4 Payment of a Stipend

Pursuant to section 53(6) of the Act, the Council will pay a stipend to independent committee members. This stipend will be based on a per annum amount, determined by the Council, which will be indexed in alignment with the rate cap percentage each 1 July.

Once every three years the Chief Executive Officer will benchmark the stipend paid to Independent Members against other small rural councils in the Hume region to inform the review of stipend amounts by the Council. The first benchmarking exercise will be undertaken at the start of the new Audit and Risk Committee's term.

### 3.5 Notice Requirements

Twenty eight (28) day's written notice must be given:

- By Council to a member of its intention to propose to remove them from the Committee and provide that member with the opportunity to be heard at a Council meeting which is open to the public, if that member so requests
- By a committee member should they wish to resign from the committee
- By a committee member should they not be seeking a further term.



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## Functions

In accordance with section 54(2) of the Act, the functions and responsibilities of the Committee include:

**Monitor the compliance of Council policies and procedures with the overarching governance principles and the *Local Government Act 2020* and the regulations and any ministerial directions (section 54(2a))**

**4.1.1 Monitor Council processes for compliance of Council policies and procedures.**

- 4.1.2 Monitor reimbursements of expenses of councillors and members of a delegated committee as required under Section 40(2) of the *Local Government Act 2020*
- 4.1.3 Assess the Council's procurement framework with a focus on the probity and transparency of policies and procedures/processes.
- 4.1.4 Assess the Council's policy framework and procedures to ensure the embedding of the governance principles.
- 4.1.5 Monitor the implementation of financial management policies, including they are aligned with the achievement of the Act's financial management principles.
- 4.1.6 Monitor work by the council to mitigate and plan for climate change risk.
- 4.1.7 Monitor the achievement of the highest standards of corporate governance including monitoring compliance with Council's Code of Conduct,
- 4.1.8 Review issues relating to national competition policy and Local Government Performance Reporting Framework.

**4.2 Monitor Council Financial And Performance Reporting (section 54(2b))**

- 4.2.1 Review the appropriateness of the systems and procedures in place for collecting and analysing information and data for the purposes of measuring the performance of individual programs and activities to monitor progress in implementing the Council Plan and Community Vision.
- 4.2.2 Review management's processes for ensuring and monitoring compliance with legislation and other requirements on the external reporting by the Council of financial and non-financial information, performance reporting under the Act, and other relevant legislation.
- 4.2.3 Assess whether a comprehensive process has been established for the purposes of legislative disclosure reporting requirements.
- 4.2.4 Assess internal control systems covering the public release of information.
- 4.2.5 Assess any changes to Council's accounting policies and procedures and the methods of applying them, with the input of management, external and internal auditors, ensuring that they are in accordance with the stated financial reporting framework.
- 4.2.6 Review the appropriateness of accounting policies and disclosures to present a true and fair view.
- 4.2.7 Review the financial reporting provided to Council and monitor the financial performance and sustainability of Council.

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- 4.2.8 Assess reports from internal and external auditors that make recommendations about the quality of financial reports such as actual and potential material audit adjustments, financial report disclosures, non-compliance with legislation and regulations, internal control issues.
- 4.2.9 Recommend to the Council whether the financial report including the performance statement section of the Annual Report should be approved based on the Committee's assessment of them.

### **4.3 Monitor And Provide Advice On Risk Management And Fraud Prevention Systems And Controls (section 54(2c))**

- 4.3.1 Monitor the implementation of the Risk Management Strategy and progress in managing risk identified on the risk register priorities. The progress against these documents will be reported to the Committee at each meeting.
- 4.3.2 Review and recommend enhancements to Council's policy for the oversight and management of business risks.
- 4.3.3 Review management's overall risk profile, risk management framework and implementation strategy and advise Council of any concerns regarding the appropriate resourcing of the required actions.
- 4.3.4 Receive regular risk reports, which:
  - provide an overview of management of each strategic risk by strategic risk owners
  - identify key risks, the status and the effectiveness of the risk management systems to ensure that identified risks are monitored and new risks are identified, mitigated and reported.
- 4.3.5 Assess Council processes for management's identification and control of material risks, including business, financial and legal compliance risks in accordance with Council's identified tolerance for risk particularly in the following areas:
  - potential non-compliance with legislation regulations and standards and Council's policies
  - important accounting judgements or estimates that prove to be wrong
  - litigation and claims
  - fraud and theft
  - significant business risks recognising that responsibility for general or specific risk areas, for example, environmental risk, occupational health and safety, and how they are managed by the Council.
- 4.3.6 Assess adequacy of Council process to manage insurable risks.
- 4.3.7 Review whether the Council has a current and active business continuity plan and disaster recovery plan which is tested periodically as determined by the plan.
- 4.3.8 Review whether the Council has current and active emergency planning and recovery response frameworks in place which are tested periodically as determined by the internal audit workplan.

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- 4.3.9 Ascertain whether fraud risks have been:
- identified, analysed, evaluated, have an appropriate treatment plan which has been implemented, communicated, monitored and there is regular reporting and ongoing management of fraud risks
  - included in the assessment of the risk profile of the Council and have been appropriately addressed.
- 4.3.10 Receive summary reports from management on all suspected and actual frauds, thefts and material breaches of legislation, ensuring reporting to the Council and/or relevant authorities.
- 4.3.11 Monitor the Council's fraud prevention and detection framework, including any action taken with respect to actual and suspected instances of fraud.
- 4.3.12 Monitor management's efforts to create and maintain a strong internal control environment, including the design and implementation of anti-fraud strategies and programs, conduct of fraud awareness seminars or training courses to increase staff awareness of activities that amount to fraud.

### **4.4 Oversee Internal Audit Function (section 54(2d))**

- 4.4.1 Review the Internal Audit Strategic Plan regularly to determine that it provides an appropriate functional and organisational framework to enable Council's internal audit function to operate effectively and without limitations.
- 4.4.2 Recommend to Council the appropriate method for the provision of the internal audit function including the evaluation criteria and the appointment of the contractor.
- 4.4.3 Monitor the performance and ongoing effectiveness of the contractor, which can include making a recommendation to Council to terminate the contractor should performance not meet the standards set out in the contract.
- 4.4.4 Monitor the implementation of a three-year internal audit improvement plan. The progress against this plan will be reported to the Committee at each meeting.
- 4.4.5 Review the allocation of internal audit resources through the Strategic Annual Internal Audit Plan, against Council's Audit Universe, three-year Audit Plan, Assurance Map and Council's strategic risks.
- 4.4.6 Assess if there has been any obstruction to the work reported through to the Committee.
- 4.4.7 Review the planning and scope for each internal audit to ensure that the audit objectives and scope are fit for purpose.
- 4.4.8 Provide the opportunity for Committee members to meet with the internal auditors without management being present.
- 4.4.9 Review the reporting on completed internal audits, seeking clarification through critical analysis to assure the Committee that management is responding adequately to the findings and key risks are mitigated.
- 4.4.10 Monitor the progress of the strategic annual internal audit plan and work program and consider the implications of internal audit findings for the control and operating environment.

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- 4.4.11 Monitor the implementation of internal audit's findings and recommendations.
- 4.4.12 Require internal audit contractor to conduct periodic testing of whether audit actions reported as completed by management have been effectively implemented.

**4.5 Oversee External Audit Function (section 54(2d))**

- 4.5.1 Seek information from the external auditor to outline the external audit plan including proposed audit strategies and how they might relate to identified risk areas, discuss audit results and consider the implications of the external audit findings for the control environment.
- 4.5.2 Ask the external auditor if there have been any significant resolved or unresolved disagreements with management.
- 4.5.3 Monitor and critique management's response to the external auditor's findings and recommendations.
- 4.5.4 Sight all representation letters signed by management and consider the completeness and appropriateness of the information provided.
- 4.5.5 Provide the opportunity for committee members to meet with the external auditor and/or officers of the VAGO as the need arises without management being present.
- 4.5.6 Maintain an awareness of local government performance audits undertaken by the VAGO and ensure recommendations are brought to the attention of the Council for action/implementation where appropriate.
- 4.5.7 Provide advice to management on action to be taken on significant issues raised in relevant VAGO reports or better practice guides.
- 4.5.8 Provide feedback to the VAGO on draft strategies, reports and opportunities for improvement.

**4.6 Monitor Internal Controls**

- 4.6.1 Review the effectiveness of the Council's internal control system with management and the internal and external auditors.
- 4.6.2 Assess whether management has controls in place for unusual types of transactions and/or any potential transactions that might carry more than an acceptable degree of risk.
- 4.6.3 Should the need arise, meet periodically with key management, internal and external auditors, and compliance staff, to understand and discuss any changes in the Council's control environment.

**4.7 Monitor Compliance With Relevant Laws And Regulations**

- 4.7.1 Monitor Council's processes regarding compliance with legislation and regulations.
- 4.7.2 Comply with legislative and regulatory requirements imposed on audit committee members, including not misusing their position (section 123 of the Act) to gain an advantage for themselves or another or to cause detriment to the Council and disclosing conflicts of interest (section 125 of the Act)
- 4.7.3 Monitor ethical standards and related party transactions by determining whether the systems of control are adequate.

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### 4.8 Meetings with Council

A joint meeting between the Independent Committee Chair of the Audit and Risk Committee and the elected Council at least annually, with a focus on presenting the Committee's performance report to the Council.

Officers will not be present unless otherwise invited to participate.

## 5 Authority of the Committee

The Committee does not have any delegated powers from Council or any delegated financial responsibilities.

All recommendations of the Committee shall be referred to the Council for review and noting, other than the:

- three-year Internal Audit Plan
- planning and terms of reference for internal audits that do not require the approval of the Council
- management responses to audit recommendations arising from Internal Audit Reports.

The Committee has the authority to review the Annual Financial Statements and Performance Statement and provide advice to the Council. The Committee can recommend to Council its approval 'in principal', the signing of the Annual Financial Statements and Performance Statement.

## 6 Evaluating the Committee's Performance and Reporting

### 6.2 Annual Committee Performance Report

The Committee will undertake an annual assessment of its own performance against the Audit and Risk Committee Charter in accordance with section 54(4a) of the Act. This assessment will be reported in accordance with section 4.8 of this Charter.

This report will be provided to the Chief Executive Officer for presentation to Council in accordance with Section 54(4b) of the Act. This report will be made available to the public via Council's website.

The Chair of the Committee, or a representative on behalf of the Committee, will present this Annual Committee Performance Report to an informal Councillor briefing prior to the report being presented to Council.

The Chief Executive Officer will assist the Committee in undertaking a broader 360 degree self-assessment of its performance every three years. This review will invite feedback from the Council, each Committee member, Council's Executive Leadership Team, Council's appointed Internal Auditors, the VAGO, and any other relevant stakeholders. The self-assessment will be reported through the Annual Committee Performance Report.

### 6.3 Review of Independent Member's Performance If Seeking Additional Terms

The Chair, in conjunction with the Chief Executive Officer, will undertake formal reviews of the performance and independence of Independent Members in the event that the member wishes to seek reappointment for an additional term in response to expressions of interest being called from the wider community for the Committee vacancy.

**OFFICIAL****6.4 Six Monthly Audit and Risk Report**

The Committee will prepare a six-monthly audit and risk report that describes the activities of the Audit and Risk Committee and includes the Committee's findings and recommendations in accordance with section 54(5a) of the Act, along with the agreed actions. This report will be provided to the Chief Executive Officer for reporting to Council twice a year in July and January.

The Chair of the Committee, or a representative on behalf of the Committee, will present the Annual Internal Audit Plan to a Councillor Briefing prior to commencement of the financial year.

**7 Administrative Arrangements****7.2 Meetings**

The Committee must meet at least every quarter.

A meeting dedicated to strategic planning and another to focus on policy review shall be held each year at a date determined by the Committee.

One or more additional meetings may be held to review the Council's annual financial statements and performance statement, or to meet other responsibilities of the committee.

All committee members are expected to attend each meeting, in person or virtually. Failure to attend a meeting may result in non-payment of members' fees for the associated quarter but this will be at the discretion of the Chief Executive Officer and Committee Chair.

The Chair has discretion to decide if a meeting will be held following the receipt of a request by another Independent Member, internal auditor or the VAGO.

**7.3 Planning**

The Committee will develop a forward meeting schedule that includes the dates and location for each meeting for the forthcoming year.

In accordance with section 54(3) of the Act the Committee will develop an annual work program that includes the timing of reporting for all of the responsibilities outlined in this Charter.

**7.4 Quorum**

A quorum will consist of a majority of Committee members, with a minimum of two (2) independent members and one (1) Councillor. The quorum must be in attendance at all times during the meeting. If a quorum cannot be achieved at the commencement of the meeting, or maintained during a meeting, the Chair will call a meeting at the earliest possible time to deal with the unfinished business on the agenda.

**7.5 Minutes and Agendas**

In accordance with section 54(6a) of the Act, the CEO will appoint a Council Officer to provide support to the Committee to ensure:

- the agenda for each meeting is approved by the Chief Executive in consultation with the Committee Chair

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- the agenda and supporting papers are circulated, at least one week before the meeting
- the minutes of the meetings are prepared and maintained.

Once an agenda has been sent to Audit and Risk Committee members, the order of business for that meeting may be altered with the consent of the Committee.

Minutes must be reviewed by both the Director People and Governance of Council and the Committee Chair and circulated within two weeks of the meeting to each member and committee observers, as appropriate.

In alignment with the Act, Council's Governance Rules and Public Transparency Policy, summary minutes from each Committee meeting are to be presented to Council for review and noting after each Committee meeting summarising progress, matters discussed and any issues the Committee wishes to share with all Councillors.

Internal audit reports and external audit reports will not be made public unless a recommendation from the Committee is passed by Council to do so.

Pursuant to section 54(6b) of the Act, the Chief Executive Officer is required to table reports upon request by the chairperson of the Audit and Risk Committee.

### 7.6 Voting

All members shall have full and equal voting rights unless a member is unable to vote due to a conflict of interest. The Chairperson shall be an independent member of the Committee and shall have a casting vote on occasions where there is an equal tally of votes on a matter. In the absence of the appointed Chairperson from a meeting, the meeting will appoint an acting Chairperson from the independent members present.

## 8 Conflicts of Interest

Committee recommendations must be transparent and accountable, protect the public interest, maintain the integrity of the Committee and Council and enable the public to be confident that the Committee is performing its duties properly.

If a conflict of interest exists, it must be declared and managed.

Division 2 of Part 6 of the *Local Government Act 2020* applies to Independent Members in the same way it does to members of any delegated Committee. An independent member has a conflict of interest if they have:

- a general conflict of interest within the meaning of section 127 of the Act
- a material conflict of interest within the meaning of section 128 of the Act.

In accordance with Section (133) of the *Local Government Act 2020* Committee members are required to provide written declarations relating to their material personal interests to Council by completing a Personal Interest Return. This declaration and information is summarised for publication on Council's website

External members should consider past employment, consultancy arrangements and related party issues in making these declarations and the Council, in consultation with the Chair, should be satisfied that there are sufficient processes in place to manage any real or perceived conflict.

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At the beginning of each committee meeting, members will be required to declare any material personal interests that may apply to specific matters on the meeting agenda.

Where the Independent member believes, after consultation with the Chair, that the conflict cannot be appropriately managed the member must leave the meeting prior to any discussion or debate on the matter in which they have declared an interest.

The time of exit will be noted in the minutes, along with the reason for the Independent Member's temporary absence from the meeting. The Chair will ask for the Independent Member to re-join the meeting when the matter has been finalised. The time of re-entry to the meeting will be noted in the minutes.

The Chair is also responsible for deciding if they/them should excuse themselves from the meeting or from the committee's consideration of the relevant agenda item(s).

If a quorum cannot be maintained due to declarations of conflict of interest, the provisions of clause 27 of the Strathbogie Shire Governance Rules will apply.

## 9 Misuse of Position

Section 123 of the *Local Government Act 2020* applies to Independent Members in that the Independent Member must not intentionally misuse their position -

- (a) to gain or attempt to gain, directly or indirectly, an advantage for themselves or for any other person
- (b) to cause, or attempt to cause, detriment to the Council or another person.

## 10 Confidential Information

Section 125 of the *Local Government Act 2020* applies to Independent Members and the requirements include:

- (1) Unless subsection (2) or (3) applies, a person who is, or has been, an Independent Member must not intentionally or recklessly disclose information that the person knows, or should reasonably know, is confidential information.
- (2) Subsection (1) does not apply if the information that is disclosed is information that the Council has determined should be publicly available.
- (3) A person who is, or has been, an Independent Member may disclose information that the person knows, or should reasonably know, is confidential information in the following circumstances:
  - (a) for the purposes of any legal proceedings arising out of this Act
  - (b) to a court or tribunal in the course of legal proceedings
  - (c) pursuant to an order of a court or tribunal
  - (d) in the course of an internal arbitration and for the purposes of the internal arbitration process
  - (e) in the course of a Councillor Conduct Panel hearing and for the purposes of the hearing
  - (f) to a Municipal Monitor to the extent reasonably required by the Municipal Monitor
  - (g) to the Chief Municipal Inspector to the extent reasonably required by the Chief Municipal Inspector



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- (h) to a Commission of Inquiry to the extent reasonably required by the Commission of Inquiry
- (i) to the extent reasonably required by a law enforcement agency.

**11 Recruitment**

A position description for independent members will be established and maintained for each of the four independent member positions. The position description will include a matrix skills assessment that identifies the particular blend of skills and experience required for each particular role.

**12 Review of the Committee Charter**

At least once a year the Committee will review this charter. This review will include consultation with the Council.

Any substantive changes to the charter will be recommended by the Committee and must be formally considered and adopted by the Council.

**13 Members****Independent Community Representatives**

<b>Representative</b>	<b>Audit and Committee Appointment Term End</b>
Alister Purbrick	1 December 2025
Sophie Lukeis	4 December 2026
Paul Ayton (Chair)	1 June 2027
John Tanner AM	5 December 2027

**Council Representatives**

<b>Representative</b>	<b>Audit and Committee Appointment Term End</b>
Mayor Cr Claire Ewart-Kennedy	November 2025
Cr Clark Holloway	November 2025
Substitute: Deputy Mayor Cr Scott Jeffery	November 2025

### 11.4.6 Council Plan Update

**AUTHOR** Governance Officer

**RESPONSIBLE DIRECTOR** Director People and Governance

#### 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 Actions with the budget/mid-year cycle, as has been standard practice for many years, even though the *Local Government Act 2020* is silent on the Council Plan review process.

The Council Plan is in its fourth year of delivery which was effective from 1 July 2024 and the final review of the current plan will occur in June 2025. A new Council Plan 2025-2029 will be developed by the newly elected Council as part of their remit and in accordance with section (90) of the *Local Government Act 2020* to prepare and adopt a Council Plan after a general election.

#### RECOMMENDATION

**That Council:**

- 1. Adopt the updated 2021-25 Council Plan (year four (4) actions 1 July 2024 to 30 June 2025**
- 2. Inform the community that the updated 2021-25 Council Plan (year four (4) actions 1 July 2024 to 30 June 2025) has been adopted through social and printed media, with the revised document placed on Council's website.**

#### PURPOSE AND BACKGROUND

The 2021-25 Council Plan was adopted in October 2021 following several months of deliberative community engagement. The Plan is updated annually and as part of our commitment to ensure accountability and transparency to our community, a six-monthly progress report is presented to Council.

#### ISSUES, OPTIONS AND DISCUSSION

The 2021-25 Council Plan is the key strategic document that governs the allocation of human and financial resources and outlines the actions and strategies to be employed by Council to achieve the Community Vision.

It is essential that the Council Plan be reviewed and updated on an annual basis to not only reflect the actions that have been completed, but to ensure that the Plan remains relevant and responds to any unforeseen issues or significant changes that impact our community.

Actions have also been moved from the broad 2021-25 timeframe to form part of the 2024-2025 Action Plan in recognition of funding priorities and initiatives in the 2024-2025 budget. New initiatives such as advocating for funding for the implementation of the Strathbogie Shire Drainage Strategy, understanding the outcomes of the Civic Accommodation Study and

present findings and recommendations to Council and participating in the newly established Goulburn Regional Tourism Incorporated have also been included in the final year of actions.

## **COMMUNITY ENGAGEMENT**

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that the municipal community is to be engaged in strategic planning and strategic decision making.

In developing its Council Plan, section 90 (3) of the Act requires a deliberative engagement process to be undertaken. This consisted of a range of 'town hall' style workshops, market stalls, online surveys and the creation of a Community Panel of around 35 people. The Community Panel developed the Community Vision and had significant input into the development of Council Plan actions and strategies.

## **POLICY CONSIDERATIONS**

### **Council Plan**

This report is consistent with the following key strategic focus areas and or actions in the 2021-25 Council Plan:

#### **Strategic Focus Area 1: Engage. Create. Unite.**

We are inspired by our creatives and celebrate art and culture.  
We create welcoming social spaces where people can connect.

#### **Strategic Focus Area 2: Live. Access. Connect.**

We all have access to important services.  
We are focused on activities that build economic, financial and social security.

#### **Strategic Focus Area 3: Protect. Enhance. Adapt.**

We are minimising harmful impacts on our natural environment.

#### **Strategic Focus Area 4: Inclusive. Productive. Balanced.**

We partner with our community to achieve great things.

#### **Strategic Focus Area 5: Strong. Healthy. Safe.**

We are working together to share knowledge and get things done.

#### **Strategic Focus Area 6: Accountable. Transparent. Responsible.**

Deliver responsive and timely customer service across the organisation in line with the timeframes set out in our Customer Service Charter.

Be accountable for the decisions we make and the quality of service we deliver.

Be financially responsible, achieving the greatest possible community benefit from the programs, initiatives and services we fund.  
Ensure our organisation's structure and resource allocation are regularly reviewed so they align with the goals and deliverables of the Community Vision and this Council Plan.

## Regional, State and National Plans, Policies and Legislation

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that regional, state and national plans and policies are to be taken into account in strategic planning and decision-making.

This report is aligned with the following legislation, council policies and key strategic planning principles:

- Community Vision
- 2021-25 Council Plan
- Asset Plan
- Financial Plan
- Revenue and Rating Plan
- Climate Change Action Plan
- Gender Equity Plan

## RISK CONSIDERATIONS

This report has identified the following risk(s):

Risk(s)	Likelihood	Consequence	Rating	Mitigation Action
Council Plan not relevant and/or responsive to any unforeseen issues or significant changes that impact our community	Low	Low	Low	Council Plan updated biannually to ensure the plan remains relevant

## LEGAL CONSIDERATIONS

Section 90 of the *Local Government Act 2020* requires Council to prepare and adopt a Council Plan of at least the next four financial years within 12 months of a general election.

The Council Plan must include:

- (a) the strategic direction of the Council
- (b) strategic objectives for achieving the strategic direction
- (c) strategies for achieving the objectives for a period of at least the next four financial years
- (d) strategic indicators for monitoring the achievement of the objectives
- (e) a description of the Council's initiatives and priorities for services, infrastructure and amenity, and
- (f) any other matters prescribed by the regulations.

The *Local Government Act 2020* is silent on the need for Council to review and update the plan.

## Conflict of Interest Declaration

No Council officers and/or contractors who have provided advice in relation to this report have declared a general or material conflict of interest regarding the matter under consideration.

## **Transparency**

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that the transparency of Council decisions, actions and information is to be ensured.

This report will be presented to Council in a Council meeting, open to the public and live streamed to the public. This is consistent with Council's Transparency Policy, enabling the community to have oversight regarding the matters being discussed by Council and the decisions being made.

## **FINANCIAL VIABILITY CONSIDERATIONS**

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that the ongoing financial viability of the Council is to be ensured.

The review and updating of the 2021-25 Council Plan ensure that Council's strategic priorities and actions to be resourced where possible in the following financial year and are clearly identified and communicated to the municipal community.

## **SUSTAINABILITY CONSIDERATIONS**

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that the economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted.

### **Economic**

There are several economic actions and initiatives that form part of the Council Plan to support the economic prosperity of the municipality, with a focus on the visitor economy and lobbying other levels of government to provide the key infrastructure required to support our economy.

### **Social**

Actions that create social benefit form the basis of the entire Council Plan, including a focus on public health and wellbeing initiatives. There are several actions around identifying and planning for future social infrastructure to support population growth and to respond to changes across our population.

### **Environmental and Climate Change**

Climate change related initiatives underpin the Council Plan, not only through an action to prepare and adopt a Climate Change Action Plan, but other initiatives around tree planting, community resilience, review of planning scheme controls and improved resource recovery and waste management.

## **INNOVATION AND CONTINUOUS IMPROVEMENT**

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is the pursuit of innovation and continuous improvement.

The inclusion of updated performance indicator targets reflects the Council's focus on continuous improvement in our services and facilities.

**HUMAN RIGHTS CONSIDERATIONS**

There are no implications arising out of this report in relation to the *Charter of Human Rights and Responsibilities Act*

**CONCLUSION**

The update of the 2021-25 Council Plan notes that the actions contained in the plan remained relevant and responsive to the changing issues, challenges and opportunities that have faced the community in the past four years.

**ATTACHMENTS**

1. Council Plan Update December 2024

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## Strathbogie Shire Council

## 2021-25 Council Plan Year Four Actions


1 July 2024 to 30 June 2025  
December 2024 Update

The Strathbogie Shire is a region of natural beauty with vibrant communities who are respectful, optimistic and inclusive.

We have a strong sense of belonging and of our collective history.  
We care deeply for Country and First Nations people.  
We are bold. We embrace opportunities. We welcome you.

1	Engage. Create. Unite.		Council's Role	Completion Date
1.1.1	Work in partnership with the Taungurung Land and Waters Council to implement the Memorandum of Understanding.		Deliver	30 June 2025
1.1.2	Continue to meet with the Taungurung Land and Waters Council to review, monitor and provide feedback on the implementation of infrastructure projects in line with the Land Use Activity Agreement.		Deliver	30 June 2025
1.1.3	Embed a Partnership Plan, outlining the approach, principles and assessment criteria, across the organisation.		Deliver	31 March 2025
1.1.4	Prepare and adopt a Social Inclusion Strategy which adopts an intersectionality approach to identify the guiding principles to promote equal rights and opportunities for everyone, redressing social and economic inequalities.		Deliver	31 March 2025
1.1.5	Complete the review and implement the Arts and Culture Strategy to support the community in driving diversity in activities and events.		Deliver	28 February 2025






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1.1.6	Continue to work with the Taungurung Land and Waters Council/other First Nations people residing in our shire and the community on the integration of cultural awareness into existing programs.		Partner	30 June 2025
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Performance indicators   1. Engage. Create. Unite.					
Measure	Data Source	Council Role	Reporting Frequency	2023 Result	Target
Satisfaction rating - art centres and libraries	Annual Community Satisfaction Survey	Deliver	Yearly	71 ↑	73
Satisfaction rating - lobbying	Annual Community Satisfaction Survey	Advocate	Yearly	52 ↓	52
Satisfaction rating - consultation and engagement	Annual Community Satisfaction Survey	Deliver	Yearly	50 ↓	53
Satisfaction rating - informing the community	Annual Community Satisfaction Survey	Deliver	Yearly	53 ↓	58
Satisfaction rating - community decisions	Annual Community Satisfaction Survey	Deliver	Yearly	47 ↓	52
Meetings conducted with the eight Action Groups	Council data	Deliver	Yearly	Two per year	Two per year



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2	Live. Access. Connect.		Council's Role	Completion Date
2.1.1	Implement the Asset Plan. Local Government Act 2020 requires new Council to deliver Asset plan by October 2025		Deliver	30 June 2025
2.1.2	Lobby State and Federal governments to fund improved digital and telecommunications infrastructure - Telstra, Ausnet, 3G closure.		Advocate	30 June 2025
2.1.3	Work with community groups to expand existing community bus services.		Advocate	30 June 2025
2.1.4	Support the work being undertaken by the Euroa Mountain Bike Club to develop a mountain bike track at Balmattum Hill through advocacy with Parks Victoria and relevant government departments. Action complete.		Deliver	30 Sept 2024
2.1.5	Prepare a Play and Open Space Strategy. Complete, strategy adopted 20 August 2024		Deliver	31 July 2024
2.1.6	Review and implement the Tracks and Trails Strategy to improve connectivity and physical activity across the municipality.		Deliver	30 June 2025
2.1.7	Scope and secure funding to development a Cycling Strategy.		Deliver	31 March 2025
2.1.8	To clarify land arrangements with VicTrack for the car park precinct (Saleyard Road and Bank Street, Avenel) including a funding commitment to upgrade this area.		Deliver	30 June 2025
2.1.9	Work collaboratively with the Department of Transport and Planning to address the community's safety concerns (Saleyard Road and Bank Street, Avenel) in a coordinated manner. Grants have been submitted, outcome pending.		Deliver	30 June 2025

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2.1.10	Advocate to the State and Federal Governments for a funding commitment to deliver a solution for Kirwans Bridge that extends the bridge life by more than 50 years.		Advocate and Deliver	30 June 2025
2.1.11	Advocate to the State Government regarding for a solution to Chinamans Bridge and urgent funding to implement the solution.		Advocate and Deliver	30 June 2025

## Performance indicators | 2. Live. Access. Connect.



Measure	Data Source	Council Role	Reporting Frequency	2023 Result	Target
Satisfaction rating - local streets and footpaths	Annual Community Satisfaction Survey	Deliver	Yearly	47 ↔	52
Satisfaction rating - lobbying	Annual Community Satisfaction Survey	Advocate	Yearly	52 ↓	52
Percentage completion – projects delivered in capital expenditure budget	Council data	Deliver	Yearly	85%	Maintain
Infrastructure per head of municipal population	Local Government Performance Reporting Framework (Know Your Council)	Deliver	Yearly	\$23,056.21	Increase
Asset renewal and asset upgrade as a percentage of depreciation	Local Government Performance Reporting Framework (Know Your Council)	Deliver	Yearly	107.16%	Increase

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Success of Top five asks in Councils' Advocacy Ask	Advocacy Ask document	<b>Advocate</b>	Yearly	-	Funding allocated by State and Federal Governments
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3	Protect. Enhance. Adapt.		Council's Role	Completion Date
3.1.1	Implement the Climate Change Action Plan for Council operations, which explores initiatives such as an urban forest strategy, micro-grids for our towns and auditing council facilities to identify opportunities to minimise their net environmental impact.		<b>Deliver</b>	30 June 2025 (Year three actions)
3.1.2	Integrate the Naturally Cooler Town initiative into day-to-day operations in partnership with the Goulburn Murray Climate Alliance.		<b>Partner</b>	30 June 2025
3.1.3	Complete the Violet Town landfill rehabilitation project. EPA sign off pending.		<b>Partner</b>	30 June 2025
3.1.4	Continue to involve the community in tree planting projects across the Shire.		<b>Advocate</b>	30 June 2025
3.1.5	Advocate to Federal and State governments for investment in reliable power supply infrastructure with a focus on renewable energy. Ausnet are working to improve power reliability on BN11, the electricity feeder from Benalla to Euroa. Council participates in the		<b>Deliver</b>	30 June 2025

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	Strathbogie Benalla Community Group			
3.1.6	Continue to support community recovery from the October 2022 Flood Event.		<b>Deliver</b>	30 June 2025 (Year one actions)
3.1.7	Develop and adopt a Fair Access Policy (in line with State Government requirement). Complete, Fair Access Policy adopted June 2024.		<b>Deliver</b>	30 June 2025
3.1.8	Strengthen project scoping and design outcomes to maximise environmental benefit, including the management of stormwater to improve water quality.		<b>Deliver</b>	31 October 2024
3.1.9	Creation of a Significant Tree Register. Underway		<b>Deliver</b>	30 June 2025
3.1.10	Continue advocacy in partnership with Goulburn Valley Water, opportunities to green open spaces in towns with recycled water from the towns' wastewater treatment plant. Active member of Greening Euroa		<b>Partner</b>	30 June 2025
3.1.11	Review and implement actions from the Domestic Wastewater Management Plan to support growth within existing townships and mitigate health risks from wastewater. Underway		<b>Deliver</b>	30 June 2025

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3.1.12	Deliver education program to enhance community understanding of the new four bin system		Deliver	31 May 2025
3.1.13	Advocate for funding for the implementation of the Municipal Drainage Strategy. Underway.		Partner	30 June 2025
3.1.14	Understand the outcomes of the Civic Accommodation Study and present findings and recommendations to Council. Complete.		Partner	31 July 2024

## Performance indicators | 3. Protect. Enhance. Adapt.



Measure	Data Source	Council Role	Reporting Frequency	2023 Result	Target
Satisfaction rating - waste management services	Annual Community Satisfaction Survey	Deliver	Yearly	69 ↑	66
Number of education sessions delivered to schools or community groups	Council records	Partner	Yearly	Eight events in Strathbogie and 24 across the tri-Council arrangement	Increase

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Average waste diversion rate	Monthly data supplied by Contractor and reported on in monthly council report.	Partner	Monthly	70.15%	Increase
Contamination rate in our organics stream	Monthly data supplied by Contractor and reported on in monthly council report.	Partner	Monthly	1.24%	Maintain
Satisfaction rating - environmental sustainability	Annual Community Satisfaction Survey	Deliver	Yearly	57 ↓	59
Delivery of progress report - Climate Change Action Plan Implementation	Council data	Deliver	Twice yearly	95% 2022/2023 actions complete	Target 95% 2023/2024 actions complete

4	Inclusive. Balanced. Safe.		Council's Role	Completion Date
4.1.1	Implement year two actions of the Economic Development Strategy. Underway.		Deliver	June 2025
4.1.2	Continue to implement the recommendations of the Strathbogie Planning Scheme review. Underway		Deliver	June 2025
4.1.3	Continue to advocate for the development of the Mangalore Airport as a freight intermodal and transport/industrial hub.		Advocate	June 2025
4.1.4	Undertake the development of the Euroa Railway Precinct Master Plan. Underway.		Deliver	30 June 2025
4.1.5	Continue advocating to Australian Rail Track Corporation (ARTC) for a community led outcome for the redesign of Euroa railway infrastructure.		Advocate	30 June 2025

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4.1.6	Finalise and adopt the Avenel 2030 Strategy to guide future development and growth while maintaining local character. Complete, adopted October 2024.		Deliver	30 June 2025
4.1.7	Participate in Goulburn Regional Tourism Inc		Partner	30 June 2025







Measure	Data Source	Council Role	Reporting Frequency	2023 Result	Target
Planning permit applications decided within 60 statutory days	Planning Permit Activity Report	Deliver	Yearly	78%	Increase
Satisfaction rating - building and planning permits	Annual Community Satisfaction Survey	Deliver	Yearly	47 ↓	45
Satisfaction rating - business development & tourism	Annual Community Satisfaction Survey	Deliver	Yearly	60 ↑	61
Satisfaction rating - tourism development	Annual Community Satisfaction Survey	Deliver	Yearly	61 ↔	61
Average monthly visitation to the Nagambie Lakes Visitor Information and Euroa Visitor Information Centres	Data provided to the Victorian Tourism Industry Council	Partner	Monthly	300	Increase
Median number of days to decide on a planning permit application	Local Government Performance Reporting Framework data (Know Your Council)	Deliver	Yearly	44 days	Decrease
Asset renewal and asset upgrade as a percentage of depreciation	Local Government Performance Reporting Framework data	Deliver	Yearly	107.16	Increase

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5	Strong. Healthy. Safe.		Council's Role	Completion Date
5.1.1	Prepare a Play and Open Space Strategy. Complete, adopted by Council August 2024.		Deliver	31 July 2024
5.1.2	Continue to deliver a series of events and initiatives to support healthy eating practices, reduced obesity and increased physical activity. Ongoing		Deliver	30 June 2025
5.1.3	Complete the annual audit of tobacco sales inspections, prosecuting those businesses who sell tobacco to people under the age of 18 years. Complete		Deliver	30 June 2025
5.1.4	Continue to deliver a range of Youth Leadership Events and Activities across the municipality. Action complete, ongoing programs to be implemented.		Partner	30 June 2025
5.1.5	Review the Public Open Space Contributions Policy.		Deliver	30 June 2025
5.1.6	Promote participation and continue to deliver MCH programs for 0-4-year-olds		Deliver	30 June 2025
5.1.7	Implement an annual action plan for health and wellbeing priorities identifying partnerships that will support the delivery of the plan.		Partner	30 June 2025
5.1.8	Participate in 16 Days of Activism Against Gender Based Violence - deliver local initiatives throughout the municipality. Complete - participate in December 2024.		Deliver	30 December 2024
5.1.9	Educate and raise awareness on ageism and elder abuse through an educational campaign that challenges ideologies. Complete, participated in activities June 2024.		Deliver	30 June 2025



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5.1.10	Review and implement programs to drive increased participation at our aquatic facilities informed by the Strathbogie Community Pools Strategy 2019-2029. Ongoing, working with Friends of Pool.		Deliver	30 June 2025
5.1.11	Deliver community led actions through the implementation of the Domestic Animal Management Plan, which may include further off leash dog parks.		Deliver	30 June 2025
5.1.12	Develop and implement a communication and engagement plan to promote the health and wellbeing benefits of volunteering. Complete - "Local Legends" volunteer week activities.		Deliver	31 December 2024
5.1.13	Continue to monitor the compliance of Council's emergency management framework with changing legislative requirements		Deliver	30 June 2025
5.1.14	Continue to advocate to Department of Transport around improving road safety and aligning speed limits with community expectations.		Advocate	30 June 2025
5.1.15	Explore options for the development of a local law around smoking in Council owned public places.		Advocate	30 June 2025

## Performance indicators | 5. Strong. Healthy. Safe.





Measure	Data Source	Council Role	Reporting Frequency	2023 Result	Target
Satisfaction rating - appearance of public areas	Annual Community Satisfaction Survey	Deliver	Yearly	74 ↑	71
Satisfaction rating - recreational facilities	Annual Community Satisfaction Survey	Deliver	Yearly	67 ↑	67

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Annual total attendance figures for all aquatic facilities	Council data	Deliver	Yearly	18,361	Increase
Number of completed tobacco sale audits to under 18's	Council data	Deliver	Yearly	-	Maintain
% of children enrolled who participate in Maternal and Child Health services	Local Government Performance Reporting Framework data (Know Your Council)	Partner	Yearly	74%	Increase
Percentage of Aboriginal children enrolled who participate in Maternal and Child Health Services	Local Government Performance Reporting Framework data (Know Your Council)	Partner	Yearly	87%	Increase
Percentage of infants enrolled in Maternal Child Health services who participate in 4-week key stage visit.	Local Government Performance Reporting Framework data (Know Your Council)	Partner	Yearly	90%	Increase

6	Accountable. Transparent. Responsible.		Council's Role	Completion Date
6.1.1	Implement the Workforce Plan 2021-2025.		Deliver	30 June 2025
6.1.2	Implement actions of the Gender Equity Action Plan 2021-25. Compliant to date, report to Audit and Risk Committee November 2024.		Deliver	30 June 2025
6.1.3	Develop and implement an Information Technology Strategy to ensure the organisation has a suite of fully integrated systems to maximise operational efficiency.		Deliver	30 June 2025
6.1.4	Continue to incorporate the gender impact assessment tool into decision making processes to assess the gendered impacts of policies, programs and services		Deliver	Ongoing

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6.1.5	Support the Audit and Risk Committee in completing its work plan.		Partner	30 June 2025
6.1.6	Complete an audit of Council's property portfolio to identify options to maximise community benefit. Audit complete.		Deliver	30 June 2025
6.1.7	Implement the Action Plan in response to the 2023/24 staff satisfaction survey.		Deliver	30 June 2025
6.1.8	Implement an ongoing good governance training program for Councillors and staff, including self-assessment elements. Mandatory training for Councillors underway November 2024 to March 2025.		Deliver	30 April 2025
6.1.9	Review our Customer Service Charter in partnership with a Community Panel to refine our service standards and response times		Deliver	31 January 2025
6.1.10	Analyse options for, and develop a plan for implementation, of an integrated performance reporting software system to efficiently collate mandatory reporting requirements and monitor performance around the delivery of this Plan.		Deliver	30 June 2025
6.1.11	Development and implementation of a comprehensive gender equity framework through policies, training and proactively acting on feedback from staff, Councillors, and the community.		Deliver	30 June 2025
6.1.12	Explore leadership training program options.		Deliver	June 2025

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## Performance indicators | 6. Accountable. Transparent. Responsible.

Measure	Data Source	Council Role	Reporting Frequency	2023 Result	Target
Satisfaction rating Customer Service	Annual Community Satisfaction Survey	Deliver	Yearly	69 ↔	69
% of staff with procurement responsibilities completed procurement and probity training	Council information	Deliver	Yearly	70	Increase
Satisfaction rating - Overall performance	Annual Community Satisfaction Survey	Deliver	Yearly	53 ↓	55
Satisfaction rating - Overall direction	Annual Community Satisfaction Survey	Deliver	Yearly	53 ↓	55
Satisfaction rating - Value for Money	Annual Community Satisfaction Survey	Deliver	Yearly	41 ↔	49
Satisfaction rating -Community decisions	Annual Community Satisfaction Survey	Deliver	Yearly	47 ↓	52
Expenses per head of municipal population	Local Government Performance Reporting Framework (Know Your Council)	Deliver	Yearly	\$2,647.81	Maintain
Recurrent grants per head of municipal population	Local Government Performance Reporting Framework (Know Your Council)	Deliver	Yearly	\$766.72	Increase

### 11.4.7 Councillor Expenses Policy

**AUTHOR** Governance Officer

**RESPONSIBLE DIRECTOR** Director People and Governance

#### EXECUTIVE SUMMARY

In accordance with Section (41) of the *Local Government Act 2020* a Council must adopt and maintain an expenses policy in relation to the reimbursement of out of pocket expenses for Councillors and members of delegated committees.

The current Councillor Expenses Policy was endorsed by Council on 17 October 2023.

A review of the policy has been undertaken including the Audit and Risk Committee and several changes are recommended in relation to the following:

- Meal allowances
- Partner reimbursements
- Conference and professional development expenses
- Requirements for claiming reimbursements
- Access to facilities and resources

The Draft Councillor Expenses Policy is attached to this report and presented to Council for consideration.

#### RECOMMENDATION

**That Council:**

- 1. Adopt the updated Councillor Expenses Policy**
- 2. Place the updated policy on Council's website, along with the publication of a notice in Council's weekly newspaper column and social media pages informing the community about the adoption of the updated policy.**

#### PURPOSE AND BACKGROUND

The purpose of the report is to adopt changes to the draft Councillor Expenses Policy.

A policy adopted by a Council under this section must—

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

## ISSUES, OPTIONS AND DISCUSSION

The Councillor Expenses policy supports Councillors and members of delegated committees to perform their role, as defined under the *Local Government Act 2020*, by ensuring that expenses reasonably incurred in the performance of their role are reimbursed. The policy also provides guidance on:

- entitlements
- processes for reimbursement
- reporting requirements

The policy is intended to ensure that Councillors and members of delegated committees are supported to perform their duties without disadvantage and ensuring appropriate use of public funds.

## COMMUNITY ENGAGEMENT

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that the municipal community is to be engaged in strategic planning and strategic decision making. This is an internal document therefore no external community consultation was necessary.

## POLICY CONSIDERATIONS

### Council Plan

This report is consistent with the following key strategic focus areas and or actions in the 2021-25 Council Plan:

#### **Strategic Focus Area 6: Accountable. Transparent. Responsible.**

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

Maximise public transparency and accountability around our performance and decision-making processes.

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

### **Regional, State and National Plans, Policies and Legislation**

This report is aligned with the following legislation, council policies and key strategic documents:

- *Recognition Act 2012*
- *Victorian Independent Remuneration Tribunal and Improving Parliamentary Standards Act 2019*
- *Charter of Human Rights and Responsibilities Act 2006*
- *Freedom of Information Act 1982*
- *Local Government Act 2020*
- *Privacy and Data Protection Act 2014*
- *Equal Opportunity Act 2010*
- *Gender Equality Act 2020*
- Transparency Policy

- Fraud Prevention and Control Policy
- Gifts, Benefits and Hospitality Policy
- Governance Rules
- 2021-25 Council Plan

## RISK CONSIDERATIONS

This report has identified the following risk(s):

Risk(s)	Likelihood	Consequence	Rating	Mitigation Action
If policies are not up to date, the enforceability of decisions and actions taken may be compromised.	Possible	Moderate	Medium	Legal and reputational risk is minimised by maintaining the currency of policies

## LEGAL CONSIDERATIONS

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that Council decisions are to be made, and actions taken in accordance with the relevant law.

In accordance with the *Local Government Act 2020*:

### Section (40) Reimbursement of expenses of Councillors and members of a delegated committee

- (1) A Council must reimburse a Councillor or a member of a delegated committee for out-of-pocket expenses which the Council is satisfied
- (2) A Council must provide details of all reimbursements under this section to the Audit and Risk Committee

### Section (41) Council expenses policy

- (1) A Council must adopt and maintain an expenses policy in relation to the reimbursement of out of pocket expenses for Councillors and members of delegated committees.

### Section (42) Resources and facilities for the Mayor and Councillors

- (1) A Council must make available to the Mayor and the Councillors the resources and facilities reasonably necessary to enable them to effectively perform their role.

## Conflict of Interest Declaration

No Council officers and/or contractors who have provided advice in relation to this report have declared a general or material conflict of interest regarding the matter under consideration.

## **Transparency**

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that the transparency of Council decisions, actions and information is to be ensured.

This report will be presented to Council in a Council meeting, open to the public and live streamed to the public. This is consistent with Council's Transparency Policy, enabling the community to have oversight regarding the matters being discussed by Council and the decisions being made.

## **INNOVATION AND CONTINUOUS IMPROVEMENT**

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is the pursuit of innovation and continuous improvement.

## **COLLABORATION**

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that collaboration with other councils, levels of government and statutory bodies is to be sought. There was no collaboration sought with other Councils on this policy.

## **HUMAN RIGHTS CONSIDERATIONS**

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

## **CONCLUSION**

The Councillor Expenses Policy outlines the policy and processes for Councillors to claim expenses incurred in the performance of their roles. Regular reviews of the policy ensure currency, legitimacy and alignment to the Council Plan and strategies.

## **ATTACHMENTS**

1. DRAFT Councillor Expenses Policy



OFFICIAL

# Strathbogie Shire Council Councillor Expenses Policy

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December 2024

*Strathbogie*  
SHIRE COUNCIL

OFFICIAL

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Councillor Expenses Policy

Document ID:	11555
Effective Date:	20 March 2001
Last Review:	September 2023
Current Review:	December 2024
Date Adopted by Council:	
Next Scheduled Review Date:	December 2026
Responsible Officer:	Director People and Governance

PART 1 POLICY

1. PURPOSE

This policy supports Councillors and members of delegated committees to perform their role, as defined under the *Local Government Act 2020*, by ensuring that expenses reasonably incurred in the performance of their role are reimbursed. The policy also provides guidance on:

- entitlements.
- processes for reimbursement.
- reporting requirements.

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The policy is intended to ensure that Councillors and members of delegated committees are supported to perform their duties without disadvantage and ensuring appropriate use of public funds.

### 2. APPLICATION OF THIS POLICY

This policy applies to all Strathbogie Shire Councillors, members of delegated committees and staff responsible for administering the reimbursement process.

### 3. DEFINITIONS

Term	Meaning
Act	<i>Local Government Act 2020</i>
Authorised Meetings and Functions	Meetings and activities or bodies to which a Councillor is formally appointed by the council, including, delegated Committees, Advisory Committees and representative bodies or as directed by the Mayor.
Councillor	A person who holds the office of member of council
Councillor Expenses	Expenses incurred in the performance of council duties as described in section 41 of the <i>Local Government Act 2020</i> and eligible for reimbursement
Carer	A carer is defined under section 4 of the <i>Carers Recognition Act 2012</i> .
Delegated Committee	Delegated committees are defined under section 63 of the <i>Local Government Act 2020</i> . For example, Audit and Risk Committee.
Duties as a Councillor	The duties of a Councillor include those that are defined in the <i>Local Government Act 2020</i> , as the duties performed by a Councillor that are necessary or appropriate for the purposes of achieving the objectives of a council having regard to any relevant Act, regulations, Ministerial guidelines, or Council policies.
Personal Expenses	Out of pocket expenses incurred by Councillors that are not related to their duties as a Councillor. This may include attendance at an event in a personal capacity and not as a council representative.

### 4. ACCOUNTABILITY AND RESPONSIBILITIES

Role	Responsibilities
Councillors	<ul style="list-style-type: none"> <li>Understand and comply with the policy and its procedures</li> <li>Review and adopt the policy as required</li> <li>Submit forms and information supporting expense claims as required</li> </ul>

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Director People and Governance	<ul style="list-style-type: none"> <li>• Oversight and implement the policy</li> <li>• Submit a quarterly report on Councillor expenses to the Audit and Risk Committee</li> </ul>
Audit and Risk Committee	<ul style="list-style-type: none"> <li>• Review the policy as required</li> <li>• Provide independent oversight of quarterly Councillor expense claims</li> </ul>
Executive Assistant to the Chief Executive Officer	<ul style="list-style-type: none"> <li>• Receive expense claim forms</li> <li>• Validate the accuracy the information in the claim forms</li> </ul>
Finance Department	<ul style="list-style-type: none"> <li>• Process approved expenses in a timely manner</li> </ul>

**5. ACTIVITIES ELIGIBLE FOR REIMBURSEMENT**

For the purpose of this policy the duties of a Councillor are deemed to include Councillor attendance at meetings and functions that have a demonstrable benefit to the community in that the attendance is necessary to assist the Council to:

- achieve its key commitments under the Council Plan; and/or
- meet its role, functions, and responsibilities.

Examples include:

- meetings of the Council or its committees.
- meetings, briefing sessions and civic or ceremonial functions convened by the Mayor, Councillor, or the Council.
- meetings of community groups, organisations, and statutory authorities to which a Councillor has been appointed as a Council representative.
- a meeting, function, or other official role as a representative of the Mayor or the Council.

**Expense Types**

Travel	<ul style="list-style-type: none"> <li>• When attending events that form part of the Councillors' official duties or professional development, Councillors will be provided with a Council vehicle or may choose to use public transport.</li> <li>• Use of a Council vehicle must be in accordance with Council's Motor Vehicle Policy and related documents including Conditions of Use.</li> <li>• A personal vehicle may be used if a pool vehicle is not available, or its use is unreasonable or impractical.</li> </ul>
Private Vehicle Use	<p>Councillors using a private vehicle to carry out official Council duties will be reimbursed travel expenses:</p> <ul style="list-style-type: none"> <li>• at the per kilometre business rate set by the Australian Taxation Office, and</li> <li>• may be eligible be paid remote travel (allowance) more than 50kms away from their primary residence.</li> </ul> <p>The reimbursement of private vehicle expenses will be calculated using:</p> <ul style="list-style-type: none"> <li>• a completed logbook submitted by the Councillor or</li> <li>• the most direct route using a mapping system, or</li> </ul>

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	<ul style="list-style-type: none"> <li>if reasonable alternative modes of transport are more cost effective, the reimbursement will be limited to the cost of the alternative mode.</li> </ul>
Carer And Dependent Related Expenses	<p>Council will provide reimbursement of costs where the provision of childcare is reasonably required for a Councillor or member of a delegated committee to perform their role.</p> <p>This also applies to the care of dependent/s, while the Councillor or delegated committee member is undertaking their official duties; and may include expenses such as hourly fees and booking fees, if applicable.</p> <p>Council will provide reimbursement of costs where the provision of carer services is reasonably required when a Councillors or delegated committee member who is a carer (see Definitions) incurs reasonable expenses in the performance of their duties.</p> <p>Payments for carer and childcare services will not be made to a person who resides with the Councillor or delegated committee member; has any financial or pecuniary interest with the Councillor or delegated committee member; or has a relationship with the Councillor, delegated committee member or their partner.</p>
Overseas travel	<p>Council will fund overseas travel in accordance with the relevant Council resolution determined in an open meeting of Council.</p> <p>The proposal presented to Council for its consideration must include specific details regarding the objectives of the travel, its potential community benefits, and detailed costing.</p>
Accommodation	<p>Council will pay for accommodation for Council business or professional development if fatigue or driver safety is a reasonable concern.</p> <ul style="list-style-type: none"> <li>Accommodation within the municipality will need approval by the Chief Executive Officer.</li> <li>The standard of accommodation will include a standard room or four-star equivalent.</li> </ul>
Meal Allowance	<p>If traveling for Council business or attending professional development, Councillors may be entitled to claim reimbursement of reasonable cost of meals, excluding alcohol. Council will pay for or reimburse the actual cost to a maximum, upon production of a Tax receipt:</p> <ul style="list-style-type: none"> <li>Breakfast: \$34</li> <li>Lunch: \$34</li> <li>Dinner: \$57</li> </ul>
Partner reimbursement	<p>Council events may include the invitation for a Councillor's partner. In this case, the costs of the partners' attendance will be met by council where reasonable as determined by the CEO in consultation with the Mayor</p>
Professional memberships	<p>Councillors may be eligible to have professional memberships reimbursed by Council if the CEO determines that the membership will directly benefit the Council.</p> <p>A Councillor may request a contribution to the cost of the professional membership. Council will consider the request upon receipt of the paid tax invoice provided by the Councillor and with completion of Councillor's Reimbursement Form.</p>

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Legal Advice	Council will not cover any personal legal expenses incurred by a councillor, excluding requests for legal advice around possible conflicts of interest or other legal matters relating to the discharge of Councillor duties.
Conference and Professional Development Expenses	<p>Each Councillor may attend conferences and training within the allocated annual training budget adopted by Council without approval from the Chief Executive Officer or a resolution from Council.</p> <p>Once this allocation is exhausted a resolution of Council is required to approve additional expenditure. A Councillor Conference and Training Attendance Form must be completed and forwarded to the Chief Executive Officer to support the Council report requesting funding.</p> <p>Payment of registration fees for external conferences/seminars, accommodation, flights or train tickets and other incidentals such as conference dinner bookings must be processed through the Chief Executive's Office and attributed to the councillor conference and training cost centre.</p> <p>When booking accommodation, only the cost of a standard room will be covered by Council.</p> <p>This section excludes any mandatory Councillor, Mayoral or Deputy Mayor induction or regular professional development training for Councillors as required as part of the Local Government (Governance and Integrity) Amendment Regulations 2024</p>
Councillors With Disabilities	Council will meet reasonable additional expenses to assist a Councillor with a disability to perform their duties as a Councillor in accordance with legislations.
Indemnity	<p>Section 43 of the Act requires Councillors to be indemnified against all actions or claims whether arising during or after their term of office in respect of anything necessarily done or reasonably done or omitted to be done in good faith:</p> <ul style="list-style-type: none"> <li>• in the performance of a duty or a function or the exercise of a power under this Act, the regulations or a local law or any other Act; or</li> <li>• in the reasonable belief that the act or omission was in the performance of a duty or a function or the exercise of a power under this Act, the regulations or a local law or any other Act.</li> </ul> <p>Councillors are responsible for their own personal behaviour / accountabilities when attending Council authorised functions and are subject to their own personal liability.</p> <p>Council will pay the insurance policy excess in respect of any claim made against a Councillor arising from Council business where Council has a liability.</p> <p>Councillors need to be mindful that Council's insurance policies cannot cover a Councillors' own private liability responsibilities, nor damage to or loss of personal possessions.</p>
Other Expenditure	Any expenditure not specified in this policy will be the responsibility of the Councillor, except where the Chief Executive Officer grants approval.

**OFFICIAL****Mayor, Deputy Mayor, and Councillor Allowance**

A Mayor, Deputy Mayor or Councillor is entitled to receive from the Council an allowance in accordance with a Determination of the *Victorian Independent Remuneration Tribunal and Improving Parliamentary Standards Act 2019*.

Allowances are taxable income, and Councillors should put in place their own processes for documenting claimable expenses.

If an elected Councillor fails to complete and declare their completion of Councillor induction training their allowance will be withheld until completed.

A Mayor, Deputy Mayor or Councillor may choose to forego part or all of their allowance.

**6. ACTIVITIES NOT ELIGIBLE FOR REIMBURSEMENT**

Where the activity is attended by a Councillor:

- on a voluntary basis; or
- without prior authorisation or delegation of the Chief Executive Officer; or
- where there is no resolution or policy position of the Council in support of attendance,

then the activity will not be deemed to be “performing duties as a Councillor or delegated committee member” and associated costs should be considered to be met from the Councillors remuneration.

Where there is uncertainty as to whether costs should be met from the Councillors remuneration the matter will be referred to the Chief Executive Officer for determination.

The payment of Councillors’ remuneration and reimbursement of Councillor expenses may have taxation implications, which are the responsibility of individual Councillors.

**Council Will Not Reimburse**

- Parking, traffic, or other fines and penalties.
- Costs associated with the purchase of alcohol.
- Expenses normally recoverable from a third party.
- Expenses that are not incurred for council purposes.
- Late payment interest on credit cards.
- Claims made more than five business days after the date of the expense was incurred unless authorised by the Chief Executive Officer.
- Expenses such as consumption of minibar items incurred while staying in.

**7. REQUIREMENTS FOR CLAIMING REIMBURSEMENT**

Section 40 and 41 of the Act defines the base requirements for Councillors seeking reimbursement of expenses.

**Process**

This policy requires applications for reimbursement to be made in writing.

In seeking reimbursement, Councillors must ensure:

- Claims are to be submitted within ten business days after the expense has been incurred.

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- Claims include sufficient detail to demonstrate that the expense for which reimbursement is being claimed is a reasonable bona fide expense incurred while performing their council duties.
- Applications are made in writing using the Councillor Expense Reimbursement form.
- Claims are accompanied by original receipts and/or tax invoices which clearly identify the name of the payee and ABN where applicable.
- If receipts cannot be produced, a statutory declaration must be provided.

### **Reimbursement Claim Period**

Council will not reimburse claims made outside of the timeframes specified.

If a Councillor does not claim an expense within the designated timeframe, the expense cannot be claimed as an additional amount for an alternate expense.

## **8. ACCESS TO FACILITIES AND RESOURCES**

Councillors will be provided with the following support in performing their duties as a Councillor:

- Tablet computer (or equivalent as agreed by Chief Executive Officer) including data allowance)
- Mobile phone
- Stationery
- Access to copier/printer/scanner located at either Euroa or Nagambie offices
- Name badge
- Business cards
- Access to meeting rooms/office
- Access to a pool vehicle
- Personal protective equipment
- Vehicle including fuel card (Mayor)

### **Administrative Support**

All Councillors will be provided with appropriate administrative support.

## **9. MONITORING AND REPORTING**

Quarterly reports of all Councillor and delegated committee member expenses will be provided to an open meeting of Council, and the Council's Audit and Risk Committee. The report will include:

- expenses incurred by Councillors during the quarter.
- reimbursement claims made by Councillors during the quarter.

Audits of Councillor expenses and reimbursements may be carried out from time to time as part of Council's annual audit program. Council commits to monitoring processes and decision making to understand the overall success of the policy's implementation.



**OFFICIAL****10. RELATED POLICIES AND LEGISLATION****Legislation**

- *Recognition Act 2012*
- *Victorian Independent Remuneration Tribunal and Improving Parliamentary Standards Act 2019*
- *Charter of Human Rights and Responsibilities Act 2006*
- *Freedom of Information Act 1982*
- *Local Government Act 2020*
- *Privacy and Data Protection Act 2014*
- *Equal Opportunity Act 2010*
- *Gender Equality Act 2020*

**Council Related Documents**

- Transparency Policy
- Fraud Prevention and Control Policy
- Gifts, Benefits and Hospitality Policy
- Governance Rules
- Audit and Risk Committee Charter

**11. POLICY REVIEW**

Council may review this policy at any time and at least two years from the date of adoption.

Minor amendments to the policy may be authorised by the CEO at any time where such changes do not alter the substance of the policy (e.g. a change to the name of a related document, or a change in legislation).

**12. HUMAN RIGHTS CHARTER**

This policy has been reviewed against and complies with the *Charter of Human Rights and Responsibilities Act 2006* by providing the resources necessary to enable individuals to take part in public life and equally perform their duties as elected representatives.

### 11.4.8 Revoke Purchasing Card Policy

**AUTHOR** Governance Officer

**RESPONSIBLE DIRECTOR** Director People and Governance

#### EXECUTIVE SUMMARY

Council has a Purchasing Card Policy in place that was adopted by Council in October 2022 with a September 2024 review date.

The Executive Leadership Team has reviewed the Purchasing Card Policy. The intent of the policy is operational and corporate based and identifies that the policy does not apply to Councillors.

Based on the review, it is recommended that the Purchasing Card Policy be revoked. Given the operational nature, the process regarding purchasing cards would be managed through a Purchasing Card CEO Directive and Procedure. Reporting requirements to the Audit and Risk Committee would not change.

The draft Purchasing Card CEO Directive and Procedure was endorsed by the Audit and Risk Committee on 29 November 2024. The Committee supported the recommendation to revoke the existing policy from policy level and replace with an operational level CEO Directive and Procedure.

#### RECOMMENDATION

**That Council:**

- 1. Revoke the Purchasing Card Policy from the Strathbogie Shire Council Policy Register.**
- 2. Note that:**
  - a. Purchasing cards will be managed through a Purchasing Card CEO Directive and Procedure, and**
  - b. the Audit and Risk Committee will oversee the application and operation of the directive and procedure.**

#### PURPOSE AND BACKGROUND

This report seeks to revoke the Purchasing Card Policy from the Strathbogie Shire Council Policy Register. Given the operational nature of the document, it is proposed that a CEO Purchasing Card Directive and Procedure replace the policy, as the directive provides a comprehensive step-by-step instructions for ensuring Council officers are aware of their responsibilities and processes that are aligned with having a corporate purchasing card. The Directive includes but is not limited to, the process for reconciliation, payment and acquittal for an Officer being delegated a card.

#### ISSUES, OPTIONS AND DISCUSSION

Any purchase card expenditure by the Chief Executive Officer must also be forwarded to the next available Audit and Risk Committee meeting by the Director People and Governance for

review. Although the Interim Chief Executive Officer does not hold a purchasing card, a quarterly report is provided to the Audit and Risk Committee via a standing agenda item.

In accordance with Council's Policy Management Policy, Council adopted policies are rescinded by the subsequent adoption of the revised policy/directive provided there are no significant changes to the intent of the policy. The newly adopted position of Council is assumed and there is no requirement to formally rescind the old or replaced policy.

Any change or update that materially changes the intent of the policy must be made by resolution of Council, and as far as is practicable the revocation of stand-alone policy(s) would be sought in the same report that seeks the adoption of a key strategy or replacing policy/directive.

Given the operational nature of the policy and there is no material intent to the application of the policy, it is recommended that the Purchasing Card Policy be revoke from the policy register and is replaced by an operational document a Purchasing Card CEO Directive and Procedure.

## **COMMUNITY ENGAGEMENT**

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that the municipal community is to be engaged in strategic planning and strategic decision making

The author of this report considers that no external community consultation was necessary as part of the tender process.

## **POLICY CONSIDERATIONS**

### **Council Plan**

This report is consistent with the following key strategic focus areas and or actions in the 2021-25 Council Plan:

### **Strategic Focus Area 6: Accountable. Transparent. Responsible.**

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

Maximise public transparency and accountability around our performance and decision-making processes.

### **Regional, State and National Plans, Policies and Legislation**

This report aligns with Council's Policy Management Policy.

## **RISK CONSIDERATIONS**

This report has identified the following risk(s):

Risk(s)	Likelihood	Consequence	Rating	Mitigation Action
If policies and CEO Directives are not reviewed regularly and are relevant, the enforceability of decisions and actions taken may be compromised	Possible	Moderate	Medium	Legal and reputational risk is minimised by maintaining the currency of policies

## LEGAL CONSIDERATIONS

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that Council decisions are to be made and actions taken in accordance with the relevant law.

Whilst this report is recommending the revocation of a Council policy, the introduction of a Purchasing Card CEO Directive and Procedure will provide a framework and rigor around the management of purchasing cards.

### Conflict of Interest Declaration

No Council officers and/or contractors who have provided advice in relation to this report have declared a general or material conflict of interest regarding the matter under consideration.

### Transparency

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that the transparency of Council decisions, actions and information is to be ensured. Decisions made by Council will be:

- undertaken in accordance with the *Local Government Act 2020* and Council's Governance Rules.
- will be conducted in an open and transparent forum with information available via Council reports.

Council meetings will be open to the community or can be viewed on the livestream (and available as a recording) unless closed for reasons permitted by s.66(2) of the *Local Government Act 2020*.

## FINANCIAL VIABILITY CONSIDERATIONS

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that the ongoing financial viability of the Council is to be ensured.

The Policy Register is kept up to date and policies reviewed internally by Council Officers within existing staff resources. Removing redundant policies from the register will reduce required officer time to review and update these policies.

## INNOVATION AND CONTINUOUS IMPROVEMENT

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is the pursuit of innovation and continuous improvement.

The implementation of regular reviews for policies is an important process. The Executive Leadership Team has reviewed the Purchasing Card policy. The intent of the policy is operational and corporate based and identifies that the policy does not apply to Councillors unless they hold a purchase card. It is therefore recommended that the existing policy be revoked.

## **COLLABORATION**

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that collaboration with other Councils, levels of government and statutory bodies is to be sought. No formal collaboration was undertaken in the production of this report. There was no collaboration undertaken on this matter.

## **HUMAN RIGHTS CONSIDERATIONS**

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

## **CONCLUSION**

Based on the review of the Purchasing Card Policy, it is recommended that the CEO Purchasing Card Policy is revoked from Council's Policy Register. Given the operational nature of managing purchasing cards, it is proposed that a Purchasing Card CEO Directive and Procedure be implemented at an organisational level to manage and guide the use of purchasing cards. Reporting requirements to the Audit and Risk Committee would not change.

## **ATTACHMENTS**

Nil

### 11.4.9 S11A and S11B Instruments of Appointment and Authorisation

**AUTHOR** Governance Officer

**RESPONSIBLE DIRECTOR** Director People and Governance

#### EXECUTIVE SUMMARY

Regular reviews are required to be made to the S11A Instrument of Appointment and Authorisation (Planning and *Environment Act 1987*) and the S11B Instrument of Appointment and Authorisation (*Environmental Protection 2017*) to ensure the Instruments are reflective of the current Organisation structure.

The *Local Government Act 1989* is still active in relation to the appointment of authorised officers, not the *Local Government Act 2020*. These Instruments give specified officers the ability to enforce legislation and are essential to ensuring any enforcement action is undertaken on behalf of Council in a legal and robust manner. The Instruments also appoint officers to key roles and positions including Senior Strategic Planner, Senior Environmental Health Officer, and Community and Planning Compliance Officer.

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.

#### RECOMMENDATION

**That Council:**

**In the exercise of the powers conferred by section 224 of the *Local Government Act 1989* (the Act) and the other legislation referred to in the attached instruments of appointment and authorisation (S11A and S11B), 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 (Planning and Environment Act) endorsed by Council as its meeting of 16 July 2024 be revoked and replaced by the 10 December 2024 Instrument**
- 4. The S11B Instrument of Appointment and Authorisation (Environment Protection Act 2017) endorsed by Council as its meeting of 16 July 2024 be revoked and replaced by the 10 December 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.**

## PURPOSE AND BACKGROUND

There is a basic distinction between a delegation and an appointment to authorise an officer. A delegate acts on behalf of the Council, exercising the Council's powers. In contrast, a person who is appointed to a position has the authority to exercise the powers of that position directly from the enabling legislation.

Appointments identify the office to which the person is authorised to exercise the powers legislation provides to it. Although the *Local Government Act 2020* is largely in place, the power to authorise an officer still sits under the *Local Government Act 1989*.

Authorisations also allow the relevant officers of Council to generally institute proceedings for offences against Acts and regulations as Authorised Officers under the various Act/s.

## ISSUES, OPTIONS AND DISCUSSION

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that priority is to be given to achieving the best outcomes for the municipal community, including future generations.

Council's endorsement of the S11A and S11B Instruments means that:

- Updated Instruments of Appointment reflect the current organisation structure
- Council is practicing good governance in line with its obligations under the *Local Government Act 1989* and *Local Government Act 2020* and other statutory bodies that affect Council operations
- Public safety is monitored and maintained in line with our legislative obligations.

These Instruments give specified officers the ability to enforce legislation and are essential to ensuring any enforcement action is undertaken on behalf of Council in a legal and robust manner. The Instruments also appoint officers to key roles and positions including the Senior Strategic Planner, Senior Environmental Health Officer, and Community and Planning Compliance Officer.

It is important that the Instruments be updated to reflect the names and position titles of the officers that hold authority under a range of legislation.

## COMMUNITY ENGAGEMENT

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that the municipal community is to be engaged in strategic planning and strategic decision making.

The author of this report considers that no external community consultation was necessary given that the instruments of authorisation are internal documents responding to a legislative requirement.

## POLICY CONSIDERATIONS

### Council Plan

This report is consistent with the following key strategic focus areas and or actions in the 2021-25 Council Plan:

### Strategic Focus Area 6: Accountable. Transparent. Responsible.

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

Maximise public transparency and accountability around our performance and decision-making processes.

### Regional, State and National Plans, Policies and Legislation

This report is aligned with the following legislation, council policies and key strategic documents:

- *Local Government Act 2020*
- *Local Government Act 1989*
- *Planning and Environment Act 1987*
- *Environment Protection Act 2017*

## RISK CONSIDERATIONS

This report has identified the following risk(s):

Risk(s)	Likelihood	Consequence	Rating	Mitigation Action
If the Instruments of Appointment and Authorisations are not current, the enforceability of decisions and actions taken may be compromised and there may be legal, reputational, and administrative concern for the Council.	Possible	Moderate	Medium	Legal, reputational, and administrative risk is minimised by maintaining the currency of Instruments of Appointment and Authorisation and reviewing them every six months or as required.

## LEGAL CONSIDERATIONS

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that Council decisions are to be made and actions taken in accordance with the relevant law.

Not maintaining Instruments of Appointment and Authorisation can potentially impact on the enforcement of legislation and jeopardises Council's compliance with its legal obligations.

A copy of the Instrument will be made available to the public in accordance with the *Local Government Act 2020* and regulations.



## **Conflict of Interest Declaration**

No Council officers and/or contractors who have provided advice in relation to this report have declared a general or material conflict of interest regarding the matter under consideration.

## **Transparency**

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that the transparency of Council decisions, actions and information is to be ensured.

This report will be presented to Council in a Council meeting, open to the public and live streamed to the public. This is consistent with Council's Transparency Policy, enabling the community to have oversight regarding the matters being discussed by Council and the decisions being made.

## **FINANCIAL VIABILITY CONSIDERATIONS**

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that the ongoing financial viability of the Council is to be ensured. There are no financial implications associated with this report.

## **COLLABORATION**

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that collaboration with other Councils, levels of government and statutory bodies is to be sought. Ensuring officers have appropriate authorisations enables a coordinated approach to emergency management and local law enforcement with State agencies.

## **HUMAN RIGHTS CONSIDERATIONS**

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

## **CONCLUSION**

Council endorsement of the updated Instruments of Appointment and Authorisation enables Council to fulfil its obligations in relation to public safety matters and enforcement of legislative and statutory requirements.

## **ATTACHMENTS**

1. S11A Instrument of Appointment and Authorisation *Planning Environment Act 1987*
2. S11B Instrument of Appointment and Authorisation *Environment Protection Act 2017*

OFFICIAL

*S11A Instrument of Appointment and Authorisation (Planning and  
Environment Act 1987)*



**Strathbogie Shire Council**

**Instrument of Appointment and Authorisation**  
***(Planning and Environment Act 1987 only)***

OFFICIAL

Instrument of Appointment and Authorisation  
(Planning and Environment Act 1987)

In this instrument "officer" means -

Vacant	Senior Strategic Planner [SP1]
Jack Francis	Senior Planner [SP2]
Gillian Williamson	Principal Planner [PP]
Stephanie Glasbergen	Town Planner [TP]
Barbara Taylor	Town Planner [TP]
Braydon Aitken	Manager Planning and Investment [MPI]
Rachael Frampton	Director Community and Planning [DCP]
Lisa Eade	Senior Environmental Health Officer [SEHO]
Jennifer Rebecchi	Environmental Health Officer [EHO]
Leanne Carbonneau	Manager Community Safety [MCS]
David Rosevear	Compliance Officer [CO]
Vacant	Community and Planning Compliance Officer [CPCO]
Vacant	Director Sustainable Infrastructure [DSI]
Vacant	Community Safety Support Officer (CSSO)
Vacant	Community Safety Officer (CSO)

By this instrument of appointment and authorisation Strathbogie Shire Council -

- under s 147(4) of the *Planning and Environment Act 1987* - appoints the officers to be authorised officers for the purposes of the *Planning and Environment Act 1987* and the regulations made under that Act  
  
[SP1, SP2, PP, TP, MPI, DCP, SEHO, EHO, MCS, CO, CPCO, DSI, CSSO, CSO]  
  
and
- under s 313 of the *Local Government Act 2020* authorises the officers either generally or in a particular case to institute proceedings for offences against the Acts and regulations described in this instrument.  
  
[SP1, SP2, PP, TP, MPI, DCP, SEHO, EHO, MCS, CO, CPCO, DSI, CSO, CSSO]

It is declared that this instrument -

- comes into force immediately upon its execution
- remains in force until varied or revoked.

This instrument is authorised by a resolution of the Strathbogie Shire Council on .....day of December 2024.

The Common Seal of the) .....Mayor

Strathbogie Shire Council)

was hereunto affixed) .....Interim Chief Executive Officer

on the ..... day of December 2024

OFFICIAL

OFFICIAL

*S11B Instrument of Appointment and Authorisation  
(Environment Protection Act 2017)*



**Strathbogie Shire Council**

**Instrument of Appointment and Authorisation  
(*Environment Protection Act 2017* only)**

OFFICIAL

Instrument of Appointment and Authorisation  
(Environment Protection Act 2017)

In this instrument "officer" means -

Lisa Eade	Senior Environmental Health Officer [SEHO]
Jennifer Rebbechi	Environmental Health Officer [EHO]
Braydon Aitken	Manager Planning and Investment [MPI]
Gillian Williamson	Principal Planner [PP]
Vacant	Senior Strategic Planner [SP1]
Jack Francis	Senior Planner [SP2]
Stephanie Glasbergen	Town Planner [TP]
Barbara Taylor	Town Planner [TP]
Leanne Carbonneau	Manager Community Safety [MCS]
Shaun Langlands (Acting)	Environment and Waste Coordinator [EWC]
David Rosevear	Compliance Officer [CO]
Vacant	Community and Planning Compliance Officer [CPCO]
Rachael Frampton	Director Community and Planning [DCP]
Vacant	Director Sustainable Infrastructure [DSI]
Vacant	Community Safety Officer (CSO)
Vacant	Community Safety Support Officer (CSSO)

By this instrument of appointment and authorisation, Strathbogie Shire Council -

under s 242(2) of the *Environment Protection Act 2017* ('Act') and the Instrument of Delegation of the Environment Protection Authority under the Act dated 4 June 2021 - appoints the officers to be authorised officers for the purposes of exercising the powers and functions set out in the Instrument of Direction of the Environment Protection Authority under the Act dated 4 June 2021.

[SEHO, EHO, MPI, PP, SP1, SP2, TP, MCS, EWC, CO, CPCO, DCP, DSI, CSSO, CSO]

It is declared that this instrument -

- comes into force immediately upon its execution
- remains in force until varied or revoked.

This instrument is authorised by a resolution of the Strathbogie Shire Council on

The Common Seal of the  
Strathbogie Shire Council .....Mayor

was hereunto affixed .....Interim Chief Executive Officer

on the ..... day of December 2024

**11.4.10 S18 Instrument of Sub-Delegation under the *Environment Protection Act 2017*****AUTHOR** Governance Officer**RESPONSIBLE DIRECTOR** Director People and Governance**EXECUTIVE SUMMARY**

Section 11 of the *Local Government Act 2020* provides that the Council may delegate any power, duty, or function to the Chief Executive Officer or to members of a delegated committee.

The *Environment Protection Act 2017* (the Act) and Environment Protection Regulations 2021 came into effect on 1 July 2021. Under the Act, the scope of local government's role as a regulator has not changed, but there are changes to the laws and powers of local governments, including a delegation of powers from the Environment Protection Authority (EPA) to Councils.

The S18 sub-delegates Council's powers (delegated to it by the EPA) to members of Council staff delegated to positions.

This Instrument provides for delegations that cannot be sub-delegated by the Chief Executive Officer (CEO); that is, they must be directly delegated from Council to the subject matter experts. The delegations relate to specialised legislation, in this case the *Environmental Protection Act 2017*.

Recent changes to officer titles have necessitated an update to the S18 Instrument of Sub-Delegation under the Environment Protection Act 2017.

**RECOMMENDATION**

- 1. The officers delegated to positions referred to in the S18 Instrument of Sub-Delegation under the Environment Protection Act 2017 be appointed and authorised as set out in the Instrument**
- 2. The Instrument be signed and sealed by Council under the Strathbogie Shire Council Local Law No. 1 – Use of the Common Seal 2020; and**
- 3. The Instrument comes into force immediately when the Common Seal of Council is affixed to the Instrument and remains in force until Council determines to vary or revoke it.**

**PURPOSE AND BACKGROUND**

This report ensures that the S18 Instrument of Sub-Delegation under the *Environmental Protection Act 2017* to members of Council Staff delegated to the positions is aligned to legislation and reflects the current organisational structure.

## ISSUES, OPTIONS AND DISCUSSION

How well Council deals with its delegations is vital to its efficiency to minimise risk and maximise possibilities.

From a practical management perspective, the Council must devolve decision-making downward from a central source of authority. This enables decisions to be made on the front line, by employees with the required specialised knowledge, and in a timely manner.

However, decisions made without proper authority can put Council at risk, both legally and financially.

The S18 Instrument of Sub-Delegation under the *Environment Protection Act 2017* is updated six monthly or as required ensuring currency of positions within the organisation structure and changes to state government legislative frameworks.

A public register of delegations must be maintained by the CEO under the *Local Government Act 2020* and Council's Public Transparency Policy. Accordingly, this Instrument, once signed, will be available for inspection by the public upon request.

## COMMUNITY ENGAGEMENT

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that the municipal community is to be engaged in strategic planning and strategic decision making. No external community consultation was necessary to update the S18 Instrument of Sub-Delegation.

## POLICY CONSIDERATIONS

### Council Plan

This report is consistent with the following key strategic focus areas and or actions in the 2021-25 Council Plan:

### Strategic Focus Area 6: Accountable. Transparent. Responsible.

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

### Regional, State and National Plans, Policies and Legislation

This report is aligned with the following legislation, council policies and key strategic documents:

- *Local Government Act 2020*
- *Environment Protection Act 2017*

## RISK CONSIDERATIONS

This report has identified the following risk(s):

Risk(s)	Likelihood	Consequence	Rating	Mitigation Action
If Instruments of Sub-Delegations are not up to date, the enforceability of	Possible	Moderate	Medium	Legal and reputational risk is minimised by



decisions and actions taken may be compromised and there may be legal and administrative problems for the Council.				maintaining the currency of Sub-Delegations and reviewing them every six months or as required.
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## LEGAL CONSIDERATIONS

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that Council decisions are to be made, and actions taken in accordance with the relevant law.

Not keeping Instruments of Sub-Delegations up to date can potentially impact on the enforcement of legislation and jeopardises Council's compliance with its legal obligations.

A copy of the Instrument of Sub-Delegation will be available to the public according to the *Local Government Act 2020* and regulations.

## Conflict of Interest Declaration

No Council officers and/or contractors who have provided advice in relation to this report have declared a general or material conflict of interest regarding the matter under consideration.

## Transparency

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that the transparency of Council decisions, actions and information is to be ensured.

By considering this report the community becomes aware of legislative structures Council has in place to manage public safety and the authorised officers responsible for administering legislation under the *Environment Protection Act 2017*.

## INNOVATION AND CONTINUOUS IMPROVEMENT

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is the pursuit of innovation and continuous improvement.

Updating the S18 Instrument of Sub-Delegation to Council staff delegated to positions under the *Environment Protection Act 2017* ensures efficient and effective decision-making is made daily by Council delegated Officers.

The frequent review of Instruments of Sub-Delegation is a means through which continuous improvement is achieved, and that legislative and regulatory obligations are maintained.

## COLLABORATION

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that collaboration with other Councils, levels of government and statutory bodies is to be sought. No formal collaboration was undertaken in the production of this report.

**HUMAN RIGHTS CONSIDERATIONS**

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

**CONCLUSION**

The Council's endorsement of the Instrument of Sub-Delegation enables Council Officers to undertake their roles efficiently and effectively and fulfils Council's obligations in relation to legislative and statutory requirements.

**ATTACHMENTS**

1. S18 Instrument of Sub-Delegation *Environment Protection Act 2017*

OFFICIAL

***S18 Instrument of Sub-Delegation  
under the Environment Protection Act 2017***



**Strathbogie Shire Council**

**Instrument of Sub-Delegation**

**to**

**Members of Council staff**

## OFFICIAL

**Instrument of Sub-Delegation**

By this Instrument of Sub-Delegation, in exercise of the power conferred by s 437(2) of the *Environment Protection Act 2017* ('Act') and the Instrument of Delegation of the Environment Protection Authority under the Act dated 4 June 2021, the Council:

1. delegates each duty and/or function and/or power described in column 1 of the Schedule (and summarised in column 2 of the Schedule) to the member of Council staff holding, acting in or performing the duties of the office or position described in column 3 of the Schedule
2. record that references in the Schedule are as follows

Senior Environmental Health Officer [SEHO]  
 Environmental Health Officer [EHO]  
 Manager Planning and Investment [MPI]  
 Principal Planner [PP]  
 Senior Strategic Planner [SP1]  
 Senior Planner [SP2]  
 Town Planner [TP]  
 Manager Community Safety [MCS]  
 Environmental and Waste Coordinator [EWC]  
 Compliance Officer [CO]  
 Community and Planning Compliance Officer [CPCO]  
 Director Community and Planning [DCP]  
 Director Sustainable Infrastructure [DSI]  
 Community Safety Support Officer (CSSO)  
 Community Safety Officer (CSO)

3. this Instrument of Sub-Delegation is authorised by **a resolution of Council** passed on \_\_\_\_\_ day of December 2024 pursuant to a power of sub-delegation conferred by the Instrument of Delegation of the Environment Protection Authority under the Act dated 4 June 2021  
  
[SEHO, EHO, MPI, PP, SP1, SP2, TP, MCS, EWC, CO, CPCO, DCP, DSI, CSSO, CSO]
4. the delegation:
  - 4.1 comes into force immediately the common seal of Council is affixed to this Instrument of Sub-Delegation
  - 4.2 remains in force until varied or revoked
  - 4.3 is subject to any conditions and limitations set out in sub-paragraph 5, and the Schedule; and
  - 4.4 must be exercised in accordance with any guidelines or policies which Council from time to time adopts; and
5. this Instrument of Sub-Delegation is subject to the following limitations:
  - 5.1 the powers, duties and functions described in column and summarised in column 2 of the Schedule are only delegated for the purpose of regulating:

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- 5.1.1 onsite wastewater management systems with a design or actual flow rate of sewage not exceeding 5000 litres on any day; and
- 5.1.2 noise from the construction, demolition or removal of residential premises
- 6. the delegate must not determine the issue, take the action or do the act or thing:
  - 6.1 if the issue, action, act or thing is an issue, action or thing which Council has previously designated as an issue, action, act or thing which must be the subject of a Resolution of Council
  - 6.2 if the determining of the issue, taking of the action or doing of the act or thing would or would be likely to involve a decision which is inconsistent with a
    - (a) policy; or
    - (b) strategy
 adopted by Council
  - 6.3 if the determining of the issue, the taking of the action or the doing of the act or thing cannot be the subject of a lawful delegation; or
  - 6.4 the determining of the issue, the taking of the action or the doing of the act or thing is already the subject of an exclusive delegation to another member of Council staff.

The Common Seal of the ) ..... Mayor

Shire of Strathbogie

was hereunto affixed ) ..... Interim Chief Executive Officer

on the ..... day of December 2024

OFFICIAL

## SCHEDULE

## OFFICIAL

ENVIRONMENT PROTECTION ACT 2017			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 271	Power to issue improvement notice	SEHO, EHO, MPI, PP, SP1, SP2, TP, MCS, EWC,  CO, CPCO, DCP, DSI, CSSO, CSO	
s 272	Power to issue prohibition notice	SEHO, EHO, MPI, PP, SP1, SP2, TP, MCS, EWC,  CO, CPCO, DCP, DSI, CSSO, CO	
s 279	Power to amend a notice	SEHO, MPI, EHO PP, SP1, SP2, TP, MCS, EWC,  CO, CPCO, DCP, DSI, CSSO, CSO	
s 358	Functions of the Environment Protection Authority	SEHO, MPI, EHO PP, SP1, SP2, TP, MCS, EWC,  CO, CPCO, DCP, DSI, CSSO, CSO	
s 359(1)(b)	Power to do all things that are necessary or convenient to be done for or in connection with the performance of the Environment Protection Authority's functions and duties and to enable the Authority to achieve its objective.	SEHO, MPI, EHO PP, SP1, SP2, TP, MCS, EWC,  CO, CPCO, DCP, DSI, CSSO, CSO	

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s 359(2)	Power to give advice to persons with duties or obligations	SEHO, MPI, EHO PP, SP1, SP2,TP, MCS, EWC,  CO, CPCO, DCP, DSI, CSSO, CSO	
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### **11.4.11 Contracts, Works, Variations and Grants Awarded Under Delegation – 1 October 2024 to 30 November 2024**

**AUTHOR** Governance 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 and approved which have been awarded under delegation for the period 1 October 2024 to 30 November 2024. This report specifically relates to works that form part of Council's 2024-25 adopted Budget.

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

#### **RECOMMENDATION**

**That Council note the following:**

- 1. There were two Contracts awarded under delegated authority by the Chief Executive Officer**
- 2. There were nil Contracts awarded under delegated authority by Director/s**
- 3. There were three low value Contract Variations of up to 15% of original Contract value awarded under delegation in October/November 2024; and**
- 4. There were four quick response grant applications awarded during the reporting period.**

#### **PURPOSE AND BACKGROUND**

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

This report specifically relates to works and/or services that formed part of Council's approved 2024-25 budget.

#### **ISSUES, OPTIONS AND DISCUSSION**

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

- Chief Executive Officer – award a contract up to the value of \$170,000 for Goods and Services and \$220,000 for Works

- A Director – award a contract up to the value of \$100,000 for Goods, Services and Works
- A Manager – varies in value depending on the functionality contained within the portfolio, awarding of contracts up to the value of between \$10,000 to \$50,000 for Goods and Services and Works

Council adopted a Community Funding Model at the 18 July 2023 Council Meeting authorising the Chief Executive Officer to award Quick Response Grants in accordance with this report. Officers awarded the four Quick Response Grants listed in the table below in the 1 October 2024 to 30 November period.

### Contracts Awarded Under Delegated Authority by Chief Executive Officer

Contract No.	CN 24/25-06
<b>Contract Name</b>	<p><b>CN 24/25-06 – Longwood Football Netball Club Changeroom</b></p> <p>At the August Council meeting the Administrator adopted the motion 11.4.6. that Council:</p> <ol style="list-style-type: none"> <li>1. Authorise the Chief Executive Officer following a competitive tender process to award contract 24-25-06 Longwood Football Netball Club Changeroom and Contract 24-25-19 Longwood Recreation Reserve Septic System Upgrade, for the total combined value of up to \$620,925 (excluding GST) to the successful tenderers</li> <li>2. Provide details of contracts awarded under Chief Executive Officer delegation at the next available Ordinary Meeting of Council.</li> </ol> <p>The Longwood Recreation Reserve requires a modular, multipurpose netball and sports changeroom facility that provides the necessary amenities for community sport.</p>
<b>Contract Details</b>	<p>The project scope includes (but is not limited to) the following scope:</p> <p>Design, supply and install a modular changeroom at Longwood Recreation Reserve, Longwood. The Change Room Facility must include (Ref. NV Facilities Manual Page 32):</p> <ul style="list-style-type: none"> <li>• 2 x Player Changerooms. Min 20 m<sup>2</sup> each</li> <li>• 2 x Player Bathroom facilities each including 2 x toilets and 1 x shower. Min 14 m<sup>2</sup> each</li> <li>• 1 x Accessible WC with shower and baby change facility. Min 8 m<sup>2</sup> (external access)</li> <li>• 1 x Umpires Duty/Admin Room. Min 10m<sup>2</sup></li> <li>• 1 x Umpires amenities including 1 x toilet and 1 x shower. Min 16m<sup>2</sup></li> </ul>

	<ul style="list-style-type: none"> <li>• Accessible access Ramps and landings to and from the Facility.</li> <li>• Sheltered area for spectating.</li> <li>• Connection to all services <ul style="list-style-type: none"> <li>• Power</li> <li>• Water</li> <li>• Gas</li> <li>• Septic</li> <li>• Stormwater</li> </ul> </li> <li>• Provide temporary fencing for the entirety of works during construction.</li> <li>• Provide As constructed drawings and occupancy certificate upon completion.</li> <li>• Landscaping &amp; reinstate disturbed areas</li> <li>• Preliminaries including Building Permit</li> </ul> <p><b>Note:</b> Facility must comply with the Netball Victoria Facility Guidelines (Attached) area schedules.</p>
<b>Value Including GST</b>	<b>\$413,600.00</b>
<b>Supplier</b>	<b>Daniel Duna Constructions Pty Ltd ABN - 78 920 704 355 36 High Street Seymour Vic 3660</b>
<b>Scheduled Commencement</b>	<b>Upon issue of Purchase order</b>
<b>Scheduled Completion Date</b>	<b>10 April 2025</b>

<b>Contract No.</b>	<b>CN 24/25-19</b>
<b>Contract Name</b>	<p><b>24-25-19 Longwood Recreation Reserve Septic System Upgrade</b></p> <p>At the August Council meeting the Administrator adopted the motion 11.4.6. that Council:</p> <ol style="list-style-type: none"> <li>1. Authorise the Chief Executive Officer following a competitive tender process to award contract 24-25-06 Longwood Football Netball Club Changeroom and Contract 24-25-19 Longwood Recreation Reserve Septic System Upgrade, for the total combined value of up to \$620,925 (excluding GST) to the successful tenderers</li> <li>2. Provide details of contracts awarded under Chief Executive Officer delegation at the next available Ordinary Meeting of Council.</li> </ol> <p>The Council has successfully secured Victorian Government funding through the RCSIF – Women and Girls Facilities Round 1 – to develop a Female-Friendly Changeroom Facility at Longwood</p>

	Recreation Reserve. However, the current septic system is failing and cannot accommodate the increased wastewater capacity. As a result, it is necessary to upgrade the system to meet acceptable standards.
<b>Contract Details</b>	The works will entail the design supply and installation of septic solution for the Longwood Recreation Reserve.
<b>Value Including GST</b>	<b>\$89,990.00 (Inc GST)</b>
<b>Supplier</b>	<b>Wastewater Systems Pty Ltd ABN-32 651 348 908155 Inglis Street, Ballan Victoria 3342</b>
<b>Scheduled Commencement</b>	<b>Upon issue of Purchase order</b>
<b>Scheduled Completion Date</b>	<b>31 March 2025</b>

**Contracts Awarded Under Delegated Authority by Director under 15% Variation of original contract value.**

<b>Contract No.</b>	<b>CN 23-24-49 Major Patching</b>
<b>Contract Name</b>	<p><b>23-24-49 Major Patching</b></p> <p>At the May Council Meeting the Administrator adopted the Motion that Council:</p> <ol style="list-style-type: none"> <li>1. Note the outcome of the tender assessment process for Contract No. 23/24-49 Major Patching Program</li> <li>2. Award the tender for Contract No 23/24-49 Major Patching Program - Lump Sum for a total amount of \$717,998.82 (inclusive of GST) to Central Vic Stabilising Pty Ltd based in Strathdale, Victoria</li> <li>3. Authorise officers to advise the unsuccessful tenderers; and</li> <li>4. Authorise the Chief Executive Officer to execute the Contract by signing and affixing with the Common Seal of Strathbogie Shire Council.</li> </ol>
<b>Contract Details</b>	<b>A variation of 1.37%, the sum of \$9,819.18 (inc GST) was paid to the contractor for Changes and additional works to those set out in the Contract document. This is within the allowed 15% Variation of the Executed contract.</b>
<b>Value Including GST</b>	<b>\$9,819.18 (Inc GST)</b>
<b>Supplier</b>	<b>Central Vic Stabilising Pty Ltd based in Strathdale, Victoria</b>
<b>Scheduled Commencement</b>	<b>On execution of the contract</b>
<b>Scheduled Completion Date</b>	<b>Within six (6) weeks of full execution of the contract</b>
<b>Contract No.</b>	<b>CN 23-24-50 Construction of Euroa Truck Wash</b>
<b>Contract Name</b>	<b>23-24-50 Construction of Euroa Truck Wash</b>

	<p>At the May Council Meeting the Administrator adopted the Motion that Council:</p> <ol style="list-style-type: none"> <li>1. Receive and note the outcome of the tender assessment process for Contract No 23/24-50 Construction of Euroa Truck Wash</li> <li>2. Approve the reallocation of \$85,000 (excluding GST) from the Plant Replacement Budget to the Truck Wash Budget to provide \$643,500 (including GST) budget for the project</li> <li>3. Award the tender for contract No 23/24-50 Construction of Euroa Truck Wash</li> <li>4. Lump Sum to Miepol Pty Ltd of Geelong, for a total amount of \$642,095.85 (including GST)</li> <li>5. Authorise officers to advise unsuccessful tenderers; and</li> <li>6. Authorise the Chief Executive Officer to execute the Contract by signing and affixing the Common Seal of Strathbogie Shire Council.</li> </ol>
<b>Contract Details</b>	<b>A variation of 9.99%, for the sum of \$64,149.18 (inc GST)</b> was paid to the contractor for Changes in Scope to that set out in the Contract document. This is within the allowed 15% Variation of the Executed contract.
<b>Value Including GST</b>	<b>\$64,149.18 (Inc GST)</b>
<b>Supplier</b>	<b>Miepol Pty Ltd of Geelong, Victoria</b>
<b>Scheduled Commencement</b>	<b>On execution of the contract</b>
<b>Scheduled Completion Date</b>	<b>9 August 2024</b>

<b>Contract No.</b>	<b>CN 23-24-26 Consultant to Provide Detailed Options and Design – Civic Accommodation and Outdoor Operations</b>
<b>Contract Name</b>	<p><b>CN 23-24-26 Consultant to Provide Detailed Options and Design – Civic Accommodation and Outdoor Operations</b></p> <p>At the February Council Meeting the Council adopted the motion that Council:</p> <ol style="list-style-type: none"> <li>1. Note the outcome of the tender assessment process for Contract No 23/24-26 Consultant to provide detailed options and design – civic accommodation and outdoor operations</li> <li>2. Awards the tender for Contract No 23/24-26 Consultant to provide detailed options and design – civic accommodation and outdoor operations - Lump Sum for a total amount of \$183,755.00 (including GST) to Workshop Architecture Pty Ltd based in Melbourne</li> <li>3. Authorises officers to advise the unsuccessful tenderers; and</li> <li>4. Authorises the Chief Executive Officer to execute the Contract by signing and affixing with the Common Seal of Strathbogie Shire Council.</li> </ol>
<b>Contract Details</b>	<b>A variation of 6.87%, the sum of \$12,617.00 (inc GST)</b> was paid to the contractor for Changes in Scope to that set out in the Contract document. This is within the allowed 15% Variation of the Executed contract.

<b>Value Including GST</b>	<b>\$12,617.00 (Inc GST)</b>
<b>Supplier</b>	<b>Workshop Architecture Pty Ltd based in Melbourne, Victoria</b>
<b>Scheduled Commencement</b>	<b>19 February 2024</b>
<b>Scheduled Completion Date</b>	<b>27 May 2024 (12 weeks from contract execution)</b>

### Contracts Awarded Under Delegated Authority Manager/s

Nil.

### Quick Response Grants Awarded Under Delegated Authority by Acting/Chief Executive Officer.

There were four Quick Response Grants Awarded Under Delegated Authority by Acting/Chief Executive Officer. The details are listed below:

<b>Grant</b>	<b>Approved</b>	<b>Organisation</b>	<b>Project Name</b>	<b>Funding Requested</b>	<b>Funding Approved</b>
<b>Quick Response</b>					
QR003	1/10/2024	Strathbogie Recreation Reserve Management Committee	Wi-Fi & Stainless Steel Bench	\$ 1,000	\$1,000
QR010	16/10/2024	Strathbogie Community Playgroup	Strathbogie Community Playgroup – Pilot Program	\$ 1,000	\$ 1,000
QR012	16/10/2024	Strathbogie Memorial Hall Inc Committee of Management	Storage for the Office room	\$ 990	\$ 990
QR013	25/11/2024	Nagambie Senior Citizens	Storage Shelving	\$ 873	\$ 873
				<b>QR TOTAL</b>	<b>\$ 3,863</b>

## COMMUNITY ENGAGEMENT

One of the overarching governance principles in section 9 of the Local Government Act 2020 is that the municipal community is to be engaged in strategic planning and strategic decision making. Where required, external stakeholders have been engaged providing input on relevant projects.

## POLICY CONSIDERATIONS

### Council Plan

This report is consistent with the following key strategic focus areas and or actions in the 2021-25 Council Plan:

### **Strategic Focus Area 6: Accountable. Transparent. Responsible.**

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

Maximise public transparency and accountability around our performance and decision-making processes.

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

### **Regional, State and National Plans, Policies and Legislation**

This report is aligned with the following legislation, Council Policies and key strategic documents:

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that regional, state and national plans and policies are to be taken into account in strategic planning and decision-making.

### **RISK CONSIDERATIONS**

This report has identified the following risk(s):

<b>Risk(s)</b>	<b>Likelihood</b>	<b>Consequence</b>	<b>Rating</b>	<b>Mitigation Action</b>
Lack of transparency with community	Unlikely	Moderate	Low	Regular reporting to Council and the community on contracts and grants awarded under delegation
Without projects being awarded under delegation, delays to progressing approved and budgeted projects and not meeting annual Council plan targets are possible.	Possible	Moderate	Low	Delegations in place and regular reporting to Council and the community on contracts and grants awarded under delegation

### **LEGAL CONSIDERATIONS**

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that Council decisions are to be made and actions taken in accordance with the relevant law.

## **Conflict of Interest Declaration**

All offices, and/or contracts involved in the preparation of this report have signed a written declaration that they do not have a conflict of interest in the subject matter of this report.

## **Transparency**

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that the transparency of Council decisions, actions and information is to be ensured. This report continues to demonstrate that Council is being transparent in its position in relation to all applications received and determined by the Council.

## **FINANCIAL VIABILITY CONSIDERATIONS**

One of the overarching governance principles in section 9 of the Local Government Act 2020 is that the ongoing financial viability of the Council is to be ensured.

The contracts, works and grants awarded under delegation are projects that have formed part of Council's adopted 2024-25 budget and were within the budget allocation.

## **SUSTAINABILITY CONSIDERATIONS**

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that the economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted.

### **Economic**

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

### **Social**

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

### **Environmental**

The author of this report considers that the recommendation has no significant implications on Climate Change and on the general environment.

### **Climate Change**

The author of this report considers that the recommendation has no significant implications on Climate Change and on the general environment.

## **INNOVATION AND CONTINUOUS IMPROVEMENT**

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is the pursuit of innovation and continuous improvement.



## **COLLABORATION**

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that collaboration with other councils, levels of government and statutory bodies is to be sought.

## **HUMAN RIGHTS CONSIDERATIONS**

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

## **CONCLUSION**

It is important that decisions and actions taken under delegation be properly documented and transparent in nature. The report details the publicly advertised tenders, invitations for written quotations and quotations provided using collaborative and/or third-party contracts which have been awarded by the Chief Executive Officer, Directors and Managers under delegated authority of the Council during the period 1 October 2024 to 30 November 2024.

This report advises Council of any grants awarded under CEO delegation as per Council's adopted Community Funding Model. There were four grants awarded during the reporting period.

This report also advises of any contract variations. Contract variations of up to 15% of original Contract value. There were two variations to Contracts that meet this requirement during the reporting period.

## **ATTACHMENTS**

Nil

## 11.4.12 Council Financial Report September 2024

**AUTHOR** Finance Coordinator

**RESPONSIBLE DIRECTOR** Director People and Governance

### EXECUTIVE SUMMARY

The September Financial Report compares the year-to-date adopted budget for the 2024-25 financial year to the actual financial position of September 2024.

The report contains the Operational Performance, Income Statement, Balance Sheet, Cash Flow Statement, and capital performance and other financial data in graphical format.

The current year operating surplus for the three-month period ending 30 September was \$20,058,821, as rates have been raised for the full financial year.

As at 30 September 2024, the total expenditure on capital works was \$2,891,659, which excludes committed expenditure.

### RECOMMENDATION

**That Council receive and note the quarterly Financial Report and Financial Statements for the three months ending 30 September 2024.**

### PURPOSE AND BACKGROUND

The 2024-25 Budget was prepared in accordance with the *Local Government Act 2020* (the Act) and was formally adopted at an Extraordinary Council meeting held on 25 June 2024.

Council considers and notes monthly Financial Reports in accordance with the Act. Under Section 97, Council must establish and maintain a budgeting and reporting framework that is consistent with the principles of sound financial management. This report satisfies those requirements.

### ISSUES, OPTIONS AND DISCUSSION

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that priority is to be given to achieving the best outcomes for the municipal community, including future generations.

Explanations for significant budget variances are below and also provided in financial performance overview section.

#### Income variations:

1. **Rates and charges variance of \$29,937 (favourable)** - increase in rates and charges income is due to supplementary rate notices issued.
2. **Statutory fees and fines variance of \$14,887 (unfavourable)** - decrease in statutory fees and fines income is mainly due less than budgeted subdivision fees income received (\$22k).

3. **User fees variance of \$66,540 (unfavourable)** - decrease in user fees is mainly due to lower saleyard fee income (\$35k), Truck wash fees (\$15k) and other rate and Chargers (\$16k).
4. **Grants – operating variance of \$23,549 (favourable)** - increase in operating grant income is mainly due to receipt of statutory planning work, flood recovery grant (\$26k) and open Libraries Project grant (\$48k) which were not budgeted and partly offset with a lower Commonwealth financial assistance grant allocation (\$48k).
5. **Grants – capital variance of \$341,150 (unfavourable)** - Lower year-to-date capital grant income is due to the timing of receipt of Local Road & Community Infrastructure grant (\$161k) and general capital grants (\$180k).
6. **Monetary Contribution variance of \$117,558 (favourable)** - Higher monetary contribution is due to increased income from public open space contribution (\$86k) and receipt of Nagambie Lake Leisure Park contribution (\$30k).
7. **Net gain on disposal of property, plant and equipment and infrastructure variance of \$12,501 (unfavourable)** - There were no capital fixed assets disposals during the first quarter period.
8. **Other income variance of \$44,146 (unfavourable)** - Decrease in other income is due to lower interest income on investments (\$35k), and less than expected total miscellaneous income including income protection and work cover recovery income (\$24k). These decreases are partly offset by higher interest income on overdue rates and chargers(\$32k).

### Expense variations

9. **Employee costs variance of \$64,534 (favourable)** - The lower than budget employee costs is due to staff vacancies during the period.
10. **Materials and services variance of \$247,197 (unfavourable)** - Increase in materials and services is mainly due to payment of annual software/systems fees (\$223k) and increased natural disaster recovery work including carried forward from prior year (\$219k). This is partly offset by decreases in assets maintenance (\$227k).
11. **Depreciation and amortisation variance of \$57,421 (unfavourable)** - Current depreciation and amortisation actual expense is a provisional amount and this will be reviewed and finalised when infrastructure capital works are finalised during the year and at the year end.
12. **Other expenses variance of \$44,146 (favourable)** - Other Expenses decrease is mainly due to timing of local council election expenses and auditors' remuneration.

### COMMUNITY ENGAGEMENT

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that the municipal community is to be engaged in strategic planning and strategic decision making.

The 2024-25 Budget was prepared in accordance with the *Local Government Act 2020* and was formally adopted at an Extraordinary Council meeting held on 25 June 2024, after a public display period.

Council officers believe that appropriate community engagement has occurred during the annual budgeting process and the quarterly financial statements are now ready for Council consideration.

## POLICY CONSIDERATIONS

### Council Plan

This report is consistent with the following key strategic focus areas and or actions in the 2021-25 Council Plan:

#### **Strategic Focus Area 6: Accountable. Transparent. Responsible.**

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

Maximise public transparency and accountability around our performance and decision-making processes.

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

Ensure our organisation's structure and resource allocation are regularly reviewed so they align with the goals and deliverables of the Community Vision and this Council Plan.

### **Regional, State and National Plans, Policies and Legislation**

This report is aligned with the following legislation, council policies and key strategic documents:

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that regional, state and national plans and policies are to be taken into account in strategic planning and decision-making.

There are also a number of other relevant sections of *the Local Government Act 2020* that guide the preparation of this report, and its reports on progress and achievement against Council's adopted annual budget.

The consideration of the year-to-date financial position is in accordance with State policies, and Australian Accounting standards and reflects income and grants received under State and Federal government funding initiatives and priorities.

## RISK CONSIDERATIONS

This report has identified the following risk(s):

Risk(s)	Likelihood	Consequence	Rating	Mitigation Action
Poor performance against budget	Possible	Moderate	Medium	Regular monitoring and reporting of performance against budget and forecast variances.

## LEGAL CONSIDERATIONS

One of the overarching governance principles under section 9 of the *Local Government Act 2020* is that Council decisions are to be made and actions taken in accordance with the relevant law. There are no significant legal considerations associated with this report.

### Conflict of Interest Declaration

No Council officers and/or contractors who have provided advice in relation to this report have declared a general or material conflict of interest regarding the matter under consideration

### Transparency

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that the transparency of Council decisions, actions and information is to be ensured.

This report demonstrates that Council is being transparent in its position in relation to all applications received and determined by the Council.

## FINANCIAL VIABILITY CONSIDERATIONS

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that the ongoing financial viability of the Council is to be ensured.

The September 2024 year to date financial statements considers all known economic and financial implications for the financial year ending 30 June 2025. The current financial position shows a surplus of \$20.06 million which is \$0.54 million less than the predicted surplus in the budget.

The current cash position is \$2.21 million less than the Quarter one (Q1) budget. This is mainly due to less than budgeted capital grant income received and increased operating expenditure.

Council held cash and cash equivalents balance of \$6.74 million and other financial assets balance of \$4.00 million (investment in term deposits over 90 days) as of 30 September 2024.

As per Council's *Investment and Cash Management Policy* there is a maximum investment limit of 40% for the total amount invested with each institution in proportions to the total investment portfolio. Council had exceeded this limit regarding investment with National Australia Bank (NAB) as of 30 September 2024 due to withdrawal of term deposits with other financial institutions to meet cash flow requirements. Management rectified this imbalance on 3 October 2024.

## SUSTAINABILITY CONSIDERATIONS

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that the economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted.

### Economic

The September 2024 year to date financial statements considers all known economic and financial implications for the financial year ending 30 June 2025.

## **Social**

The 2024-25 budget supports the ongoing delivery of community services, facilities and new initiatives to support our community. The September statements highlight expenses and the income received from State and Federal governments to support the community's ongoing recovery from various natural disaster events that have occurred in the municipality during the past two years.

## **Environmental**

The 2024-25 budget include various environmental and sustainable initiatives such as Violet Town landfill restoration work and street tree planting projects.

## **Climate Change**

As highlighted above the budget includes various environmental and sustainable initiatives which are also intrinsically linked to Councils Climate Change Action Plan.

## **INNOVATION AND CONTINUOUS IMPROVEMENT**

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is the pursuit of innovation and continuous improvement. This report is prepared to improve the transparency of council's dealings, and report regularly to the community.

## **COLLABORATION**

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that collaboration with other councils, levels of government and statutory bodies is to be sought.

The September 2024 financial statements highlight the support provided by State and Federal governments in initiatives around emergency management, digital transformation, infrastructure and community services.

## **HUMAN RIGHTS CONSIDERATIONS**

There are no significant human rights implications arising from this report.

## **CONCLUSION**

The report presents Council's actual financial performance compared to the adopted budget for the three months ended 30 September 2024.

The financial statements show Council's continued financial sustainability, status of delivery of capital projects and its continued support to community to recover from various natural disaster events that have occurred in the past two years.

## **ATTACHMENTS**

1. Council Financial Report September 2024

# Strathbogie Shire Council

## Financial Report September 2024

*Strathbogie*  
SHIRE COUNCIL

## OFFICIAL

**Comprehensive Income Statement**  
**For the period ended 30 September 2024**

For the period ended 30 September 2024

	Note	Current year			Same time last year	
		YTD Actual \$ Sep 2024	YTD Budget \$ Sep 2024	YTD Variance \$ Sep 2024	YTD Actual \$ Sep 2023	YTD Budget \$ Sep 2023
Income						
Rates and charges	1	23,228,065	23,188,128	39,937	22,200,967	22,075,665
Statutory fees and fines	2	105,821	120,708	(14,887)	127,485	121,023
User fees	3	152,685	219,225	(66,540)	159,572	209,226
Grants - operating	4	6,484,295	6,460,746	23,549	1,895,852	270,357
Grants - capital	5	-	341,150	(341,150)	2,002,391	719,784
Contributions - monetary	6	150,510	32,952	117,558	3,210	31,976
Net gain (or loss) on disposal of PPE & infrastructure	7	-	12,501	(12,501)	2,689	12,501
Other income	8	180,126	208,296	(28,170)	162,715	197,163
Total income		30,301,502	30,646,205	(344,703)	26,554,881	23,637,695
Expenses						
Employee costs	9	(3,762,727)	(3,827,261)	64,534	(3,280,822)	(3,473,834)
Materials and services	10	(4,539,977)	(4,292,780)	(247,197)	(3,739,872)	(3,945,737)
Depreciation	11	(1,821,736)	(1,718,814)	(102,922)	(1,637,085)	(1,542,336)
Amortisation - right of use assets	11	-	(45,501)	45,501	-	(45,501)
Bad and doubtful debts		-	(126)	126	-	(126)
Borrowing costs		(41,865)	(41,073)	(792)	(43,287)	(43,749)
Finance costs - leases		-	(2,577)	2,577	-	(3,249)
Other expenses	12	(76,376)	(120,522)	44,146	(144,150)	(168,396)
Total expenses		(10,242,681)	(10,048,654)	(194,027)	(8,845,216)	(9,222,928)
Surplus/(deficit) for the period		20,058,821	20,597,551	(538,730)	17,709,665	14,414,767

**Financial Performance Overview****Income**

**Note 1** - Increase in rates and charges income is due to supplementary rate notices issued.

**Note 2** - The decrease in Statutory fees and fines income is due to less than budgeted subdivision fees income received (\$22k).

**Note 3** - Decrease in user fees is mainly due to lower saleyard fee income (\$35k), Truck wash fees (\$15k) and other rate and Chargers (\$16k).

**Note 4** - Increase in operating grant income is mainly due to receipt of statutory planning work, flood recovery grant (\$26k) and open Libraries Project grant (\$48k) which were not budgeted and partly offset with a lower Commonwealth financial assistance grant allocation (\$48k).

**Note 5** - Lower YTD capital grant income is due to the timing of receipt of Local Road & Community Infrastructure grant (\$161k) and general capital grants (\$180k).

**Note 6** - Higher monetary contribution is due to increased income from public open space contribution (\$86k) and receipt of Nagambie Lake Leisure Park contribution (\$30k).

**Note 7** - There were no capital fixed assets disposals during the first quarter period.

**Note 8** - Decrease in other income is due to decrease in interest income on investments (\$35k), and less than expected total miscellaneous income including income protection and work cover recovery income (\$24k). These decreases are partly offset by higher interest income on overdue rates and chargers(\$32k).

**Expense**

**Note 9** - The lower than budget employee costs is due to staff vacancies.

**Note 10** - Increase in materials and services is mainly due to payment of annual software/systems fees (\$223k) and increased natural disaster recovery work including carried forward from prior year (\$219k). This partly offset by decreases in assets maintenance (\$227k).

**Note 11** - Current depreciation and amortisation actual expense is a provisional amount and this will be reviewed and finalised when infrastructure capital works are finalised during the year and at the year end.

**Note 12** - Other Expenses decrease mainly due to timing of local council election expenses and auditors remuneration.



## OFFICIAL

**Balance Sheet**  
**As at 30 September 2024**

	Current year		Same time last year	
	YTD Actual \$ Sep 2024	YTD Budget \$ Sep 2024	YTD Actual \$ Sep 2023	YTD Budget \$ Sep 2023
<b>Assets</b>				
<b>Current assets</b>				
Cash and cash equivalents	6,743,576	8,437,501	2,572,870	2,599,404
Trade and other receivables	24,364,085	21,838,000	22,316,728	18,460,543
Other financial assets	4,000,000	4,516,011	18,859,531	13,500,000
Inventories	42,790	14,762	25,592	16,000
Non-current assets classified as held for sale	-	-	219,780	-
Other assets	1,957,356	499,271	573,236	399,582
<b>Total current assets</b>	<b>37,107,807</b>	<b>35,305,545</b>	<b>44,567,737</b>	<b>34,975,529</b>
<b>Non-current assets</b>				
Other financial assets	2,032	-	2,032	-
Investments in associates, joint arrangements and subsidiaries	260,487	260,755	258,723	284,609
Property, infrastructure, plant and equipment	389,462,558	367,494,165	360,020,297	332,428,405
Right-of-use assets	324,934	165,740	586,695	91,570
<b>Total non-current assets</b>	<b>390,050,011</b>	<b>367,920,660</b>	<b>360,867,748</b>	<b>332,804,584</b>
<b>Total assets</b>	<b>427,157,818</b>	<b>403,226,205</b>	<b>405,435,485</b>	<b>367,780,113</b>
<b>Liabilities</b>				
<b>Current liabilities</b>				
Trade and other payables	1,335,682	871,000	1,296,777	1,100,000
Trust funds and deposits	4,025,470	2,759,348	3,398,464	60,000
Unearned income	850,028	-	-	84,000
Provisions	2,885,009	2,303,142	4,179,961	3,189,256
Interest-bearing liabilities	127,243	112,867	191,387	43,800
<b>Total current liabilities</b>	<b>9,223,431</b>	<b>6,046,357</b>	<b>9,066,589</b>	<b>4,477,056</b>
<b>Non-current liabilities</b>				
Trust funds and deposits	34,791	-	34,791	-
Provisions	1,382,392	1,213,752	1,713,752	1,215,917
Interest-bearing liabilities	3,171,056	2,992,086	3,339,659	3,206,462
Lease liabilities	343,646	154,211	609,948	119,000
<b>Total non-current liabilities</b>	<b>4,931,884</b>	<b>4,360,049</b>	<b>5,698,150</b>	<b>4,541,379</b>
<b>Total liabilities</b>	<b>14,155,316</b>	<b>10,406,406</b>	<b>14,764,739</b>	<b>9,018,435</b>
<b>Net assets</b>	<b>413,002,502</b>	<b>392,819,799</b>	<b>390,670,746</b>	<b>358,761,678</b>
<b>Equity</b>				
Accumulated surplus	144,217,287	141,855,585	136,706,532	132,243,141
Reserves	268,785,215	250,964,214	253,964,214	226,518,537
<b>Total Equity</b>	<b>413,002,502</b>	<b>392,819,799</b>	<b>390,670,746</b>	<b>358,761,678</b>

## OFFICIAL

**Statement of Cash Flows**  
**For the period ended 30 September 2024**

	Current year		Same time last year	
	YTD Actual \$ Sep 2024	YTD Budget \$ Sep 2024	YTD Actual \$ Sep 2023	YTD Budget \$ Sep 2023
<b>Cash flows from operating activities</b>				
Rates and charges	5,692,487	5,972,750	5,331,334	3,615,122
Statutory fees and fines	105,821	173,250	127,485	169,725
User fees	197,048	179,500	400,599	171,550
Grants - operating	6,801,095	6,460,746	475,178	268,856
Grants - capital	-	340,150	907,978	803,784
Contributions - monetary	150,510	33,000	3,210	31,975
Interest received	66,130	125,000	34,676	100,000
Other receipts	129,291	150,500	220,951	121,313
Net GST refund/payment	849,245	347,500	855,901	614,334
Employee costs	(3,762,727)	(3,674,250)	(3,280,822)	(3,323,256)
Materials and services	(6,667,303)	(3,954,750)	(7,689,562)	(5,191,412)
Trust funds and deposits collected/(paid)	577,595	-	740,255	-
Other payments	(76,376)	(127,000)	(144,150)	(100,767)
<b>Net cash provided by/(used in) operating activities</b>	<b>4,062,816</b>	<b>6,026,396</b>	<b>2,016,965</b>	<b>(2,718,777)</b>
<b>Cash flows from investing activities</b>				
Payments for property, infrastructure, plant and equipment	(2,891,659)	(3,684,395)	(1,596,925)	(2,396,414)
Proceeds from sale of property, infrastructure, plant & equipment	-	60,000	22,089	60,000
Payments for investments - Other Financial Assets *	(4,000,000)	1,750,000	2,690,469	2,000,000
<b>Net cash provided by/(used in) investing activities</b>	<b>(6,891,659)</b>	<b>(1,874,395)</b>	<b>1,115,633</b>	<b>(336,414)</b>
<b>Cash flows from financing activities</b>				
Finance costs	(41,865)	(41,000)	(43,287)	(43,750)
Repayment of borrowings	(41,361)	(42,500)	(64,216)	(40,550)
Interest paid - lease liability	-	(2,500)	-	-
Repayment of lease liabilities	-	(65,500)	-	(47,000)
<b>Net cash provided by/(used in) financing activities</b>	<b>(83,225)</b>	<b>(151,500)</b>	<b>(107,503)</b>	<b>(131,300)</b>
<b>Net increase (decrease) in cash and cash equivalents</b>	<b>(2,912,069)</b>	<b>4,000,501</b>	<b>(1,008,835)</b>	<b>(3,186,490)</b>
<b>Cash and cash equivalents at the beginning of the period</b>	<b>9,655,645</b>	<b>4,437,000</b>	<b>3,581,705</b>	<b>5,785,894</b>
<b>Cash and cash equivalents at the end of the period*</b>	<b>6,743,576</b>	<b>8,437,501</b>	<b>2,572,870</b>	<b>2,599,404</b>

\*Note : Cash and cash equivalents include all items at call and short-term deposits with an original maturity of less than three months. Other financial assets include term deposits with an original maturity of greater than three months. Council held total of \$9.2m in term deposits as at 30 September 2024.

## OFFICIAL

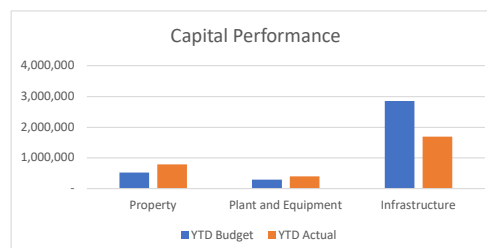
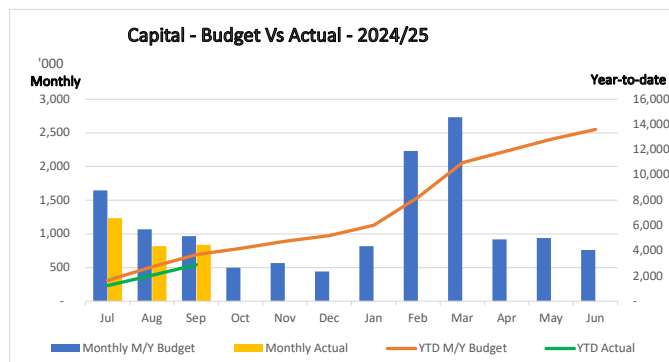
**Statement of Capital Works**  
**For the period ended 30 September 2024**

	Current year			Same time last year	
	YTD Actual \$ Sep 2024	YTD Budget \$ Sep 2024	YTD Variance \$ Sep 2024	YTD Actual \$ Sep 2023	YTD Budget \$ Sep 2023
<b>Property</b>					
Buildings	790,405	528,577	(261,828)	49,044	20,000
<b>Total property</b>	<b>790,405</b>	<b>528,577</b>	<b>(261,828)</b>	<b>49,044</b>	<b>20,000</b>
<b>Plant and equipment</b>					
Plant, machinery and equipment	368,204	40,000	(328,204)	5,886	281,181
Computers and telecommunications	36,058	258,022	221,964	23,836	75,000
<b>Total plant and equipment</b>	<b>404,262</b>	<b>298,022</b>	<b>(106,240)</b>	<b>29,722</b>	<b>356,181</b>
<b>Infrastructure</b>					
Roads	932,883	629,000	(303,883)	12,921	635,022
Bridges	189,450	325,000	135,550	30,638	103,500
Footpaths and cycleways	10,251	12,000	1,749	42,753	-
Drainage	1,063	150,000	148,937	409	300,000
Recreational, leisure and community facilities	63,032	406,000	342,968	1,057,208	496,711
Waste management	19,404	-	(19,404)	151,603	225,000
Parks, open space and streetscapes	480,909	1,335,796	854,887	222,627	430,000
<b>Total infrastructure</b>	<b>1,696,993</b>	<b>2,857,796</b>	<b>1,160,803</b>	<b>1,518,160</b>	<b>2,190,233</b>
<b>Total capital works expenditure</b>	<b>2,891,660</b>	<b>3,684,395</b>	<b>792,735</b>	<b>1,596,926</b>	<b>2,566,414</b>
<b>Represented by:</b>					
New asset expenditure	569,644	673,099	103,455	849,172	150,000
Asset renewal expenditure	1,645,745	1,322,296	(323,449)	475,978	1,926,414
Asset expansion expenditure	10,251	-	(10,251)	-	20,000
Asset upgrade expenditure	666,019	1,689,000	1,022,981	271,777	470,000
<b>Total capital works expenditure</b>	<b>2,891,659</b>	<b>3,684,395</b>	<b>792,736</b>	<b>1,596,926</b>	<b>2,566,414</b>

OFFICIAL

## Capital Performance

	Adopted Budget	YTD Budget	YTD Actual	YTD Completion %
Property	561,373	528,577	790,405	150%
Plant and Equipment	1,901,805	298,022	404,262	136%
Infrastructure	11,130,821	2,857,796	1,696,993	59%
	<b>13,593,999</b>	<b>3,684,395</b>	<b>2,891,660</b>	<b>78%</b>



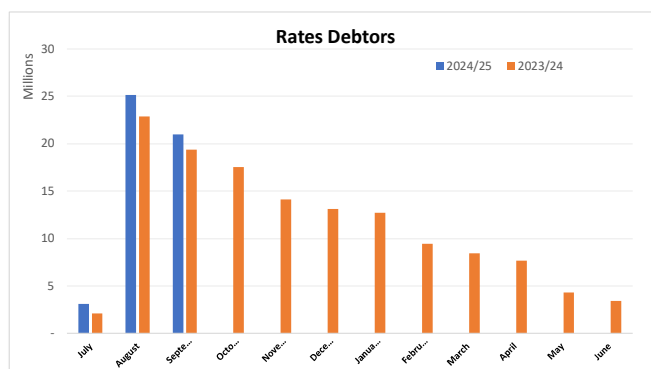
This graph shows YTD capital expenditure for September'24 with comparison to YTD budget for each category of major capital expenditure.

## Other Financial Data

### 1. Rates Debtors Comparison (excluding Fire Service Levy)

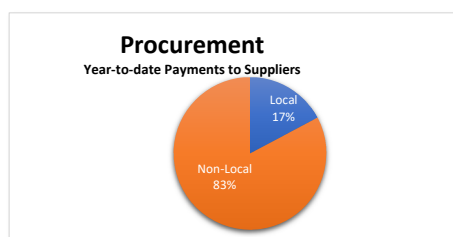
Month	2024/25	2023/24
July	3,084,698	2,087,784
August	25,149,068	22,891,045
September	20,979,651	19,387,447
October		17,527,319
November		14,127,181
December		13,111,990
January		12,714,360
February		9,449,010
March		8,427,975
April		7,663,802
May		4,298,627
June		3,412,149

Full year Rates levied



This graph shows total rate debtors for each month comparison to last year. August has a higher value due to rates run for the full financial year. Council staff have activities planned to reduce the current levels of unpaid rates.

### 2. Financial contribution to the local community



This is a comparison of total creditor payments for suppliers located within the shire and outside shire.

**11.4.13 Record of Informal Meetings of Councillors - November 2024****AUTHOR** Governance Officer**RESPONSIBLE DIRECTOR** Director People and Governance**EXECUTIVE SUMMARY**

In accordance with Section (114) of the Strathbogie Shire Council Governance Rules, if there is a meeting of Councillors that:

- is scheduled or planned for the purpose of discussing the business of Council or briefing Councillors
- is attended by at least one member of Council staff; and
- is not a Council meeting, Delegated Committee meeting or Community Asset Committee meeting, these are known as Informal Meetings of Councillors

The Chief Executive Officer must ensure that a summary of the matters discussed at the meeting are:

- tabled at the next convenient Council meeting; and
- recorded in the minutes of that Council meeting.

The details of the Record of Informal Meetings of Councillors for the period 1 November 2024 to 30 November are shown in the attachments below.

**RECOMMENDATION**

**That Council notes the Record of Informal Meetings of Councillors from 1 November 2024 to 30 November 2024.**

**POLICY CONSIDERATIONS****Council Plan**

This report is consistent with the following key strategic focus areas and or actions in the 2021-25 Council Plan:

**Strategic Focus Area 6: Accountable. Transparent. Responsible.**

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

Maximise public transparency and accountability around our performance and decision-making processes.

**Transparency**

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that the transparency of Council decisions, actions and information is to be ensured.

This report will be presented to Council in a Council meeting, open to the public and live streamed to the public. This is consistent with Council's Transparency Policy, enabling the

community to have oversight regarding the matters being discussed by Council and the decisions being made.

**ATTACHMENTS**

1. 20241108 Record of Informal Meeting
2. 20241111 Record of Informal Meeting
3. 20241112 Record of Informal Meeting
4. 20241119 Record of Informal Meeting
5. 20241120 Record of Informal Meeting
6. 20241126 Record of Informal Meeting
7. 20241128 Record of Informal Meeting

## Staff Only

## Record of Informal Meetings of Councillors

Meeting Details	<b>Title</b>	Transition Program
	<b>Date and Time</b>	8 November 2024 at 2.30 pm
	<b>Location</b>	Euroa Conference Room
	<b>Councillors-Elect</b>	<ul style="list-style-type: none"> <li>• Scott Jeffery</li> <li>• Claire Ewart-Kennedy</li> <li>• Fiona Stevens</li> <li>• Clark Holloway</li> <li>• Laura Binks</li> <li>• Greg Carlson</li> <li>• Marg Allan (Municipal Monitor)</li> </ul>
	<b>Officers</b>	<ul style="list-style-type: none"> <li>• Tim Tamlin – Interim CEO</li> <li>• Amanda Tingay – Director People and Governance</li> <li>• Rachael Frampton – Director Planning and Community</li> <li>• John Harvey – Director Sustainable Infrastructure</li> <li>• Michelle Bromley – Coordinator Governance and Records Management</li> <li>• Kerry Lynch – Governance Officer</li> <li>• Greg Underhill – Manager Digital Innovation and Technology</li> </ul>
	<b>Guest Speakers</b>	Nil
	<b>Apologies</b>	Vicki Halsall

## Disclosures of Conflict of Interests

Disclosure of Interests are to be made immediately prior to any relevant item being discussed  
(Local Government Act 2020 - Section 131)

Matters Considered		Disclosures and Comments
1	Introduction to Executive Management Team	None
2	Provide transition program and welcome pack	None
3	Councillors-elect review proposed transition program	None
4	Overview of IT equipment	None

The meeting concluded at 5:00 pm

<b>Record completed by</b>	<b>Officer Name:</b> <b>Officer Title:</b>	Kerry Lynch Governance Officer
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## Staff Only

## Record of Informal Meetings of Councillors

Meeting Details	Title	Transition Program
	Date and Time	11 November 2024 at 8.30 am
	Location	Euroa Conference Room
Present	Councillors-Elect	<ul style="list-style-type: none"> <li>• Scott Jeffery</li> <li>• Fiona Stevens</li> <li>• Claire Ewart-Kennedy</li> <li>• Vicki Halsall</li> <li>• Laura Binks</li> <li>• Greg Carlson</li> <li>• Clarke Holloway</li> <li>• Marg Allan (Municipal Monitor)</li> </ul>
	Officers	<ul style="list-style-type: none"> <li>• Tim Tamlin – Interim CEO</li> <li>• Amanda Tingay – Director People and Governance</li> <li>• Rachael Frampton – Director Planning and Community</li> <li>• John Harvey – Director Sustainable Infrastructure</li> <li>• Michelle Bromley – Coordinator Governance and Records Management</li> <li>• Kerry Lynch – Governance Officer</li> <li>• Greg Underhill – Manager Digital Innovation and Technology</li> </ul>
	Guest Speakers	Nil
	Apologies	Nil

## Disclosures of Conflict of Interests

Disclosure of Interests are to be made immediately prior to any relevant item being discussed  
(Local Government Act 2020 - Section 131)

Matters Considered		Disclosures and Comments
1	Councillor and Executive Leadership Team Photos	None
2	Confirmation of Transition Program	None
3	Tour of Euroa Building	None
4	Overview and walkthrough of Oath or Affirmation of Officer	None
5	Preparation session – election of Mayor and Deputy Mayor	None



**Staff Only**

6	Discussion – Integrated and Strategic Planning and Reporting Framework	None
	Discussion – Community Vision, Council Plan and CEO Recruitment	None

The meeting concluded at 2:30 pm

<b>Record completed by</b>	<b>Officer Name:</b> <b>Officer Title:</b>	Kerry Lynch Governance Officer
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## Staff Only

## Record of Informal Meetings of Councillors

Meeting Details	<b>Title</b>	Transition Program
	<b>Date and Time</b>	12 November 2024 at 9:30 pm
	<b>Location</b>	Euroa Conference Room
Present	<b>Councillors-Elect</b>	<ul style="list-style-type: none"> <li>• Scott Jeffery</li> <li>• Fiona Stevens</li> <li>• Claire Ewart-Kennedy</li> <li>• Vicki Halsall</li> <li>• Laura Binks</li> <li>• Greg Carlson</li> <li>• Clarke Holloway</li> <li>• Marg Allan (Municipal Monitor)</li> </ul>
	<b>Officers</b>	<ul style="list-style-type: none"> <li>• Tim Tamlin – Interim CEO</li> <li>• Amanda Tingay – Director People and Governance</li> <li>• Rachael Frampton – Director Planning and Community</li> <li>• John Harvey – Director Sustainable Infrastructure</li> <li>• Michelle Bromley – Coordinator Governance and Records Management</li> <li>• Kerry Lynch – Governance Officer</li> </ul>
	<b>Guest Speakers</b>	Rhys Thomas, VLGA Facilitator
	<b>Apologies</b>	Nil

## Disclosures of Conflict of Interests

Disclosure of Interests are to be made immediately prior to any relevant item being discussed  
(*Local Government Act 2020* - Section 131)

Matters Considered		Disclosures and Comments
1	Mandatory Training: VLGA Module – Local Government Fundamentals	None
2	Governance Briefing	None
3	Docs on Tap Training	None
4	Preparation for Council meetings	None
5	Councillor and Interim CEO discussion	None
6	Swearing in Ceremony – Oath of Affirmation of Office	None

Staff Only

The meeting concluded at 6:00 pm

<b>Record completed by</b>	<b>Officer Name:</b> <b>Officer Title:</b>	Kerry Lynch Governance Officer
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## Staff Only

## Record of Informal Meetings of Councillors

Meeting Details	<b>Title</b>	Transition Program
	<b>Date and Time</b>	19 November 2024 at 2:30 pm
	<b>Location</b>	Euroa Conference Room
Present	<b>Councillors</b>	<ul style="list-style-type: none"> <li>• Scott Jeffery</li> <li>• Fiona Stevens</li> <li>• Claire Ewart-Kennedy</li> <li>• Vicki Halsall</li> <li>• Laura Binks</li> <li>• Greg Carlson</li> <li>• Clarke Holloway</li> </ul>
	<b>Officers</b>	<ul style="list-style-type: none"> <li>• Tim Tamlin – Interim CEO</li> <li>• Amanda Tingay – Director People and Governance</li> <li>• Rachael Frampton – Director Planning and Community</li> <li>• John Harvey – Director Sustainable Infrastructure</li> <li>• Braydon Aitken – Manager Investment and Planning</li> </ul>
	<b>Guest Speakers</b>	Wendy Jones
	<b>Apologies</b>	Nil

## Disclosures of Conflict of Interests

Disclosure of Interests are to be made immediately prior to any relevant item being discussed  
(Local Government Act 2020 - Section 131)

Matters Considered		Disclosures and Comments
1	Briefing Wendy Jones – Independent Chair Employment and Remuneration Advisory Committee	Tim Tamlin declared a conflict of interest and was not present for the discussion.
2	Briefing – Planning matters	None
3	Briefing – Statutory Meeting	None

The meeting concluded at 5:00 pm

<b>Record completed by</b>	<b>Officer Name:</b> <b>Officer Title:</b>	Kerry Lynch Governance Officer
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## Staff Only

## Record of Informal Meetings of Councillors

Meeting Details	<b>Title</b>	Transition Program
	<b>Date and Time</b>	20 November 2024 at 9:30 am
	<b>Location</b>	Euroa Conference Room
	<b>Councillors</b>	<ul style="list-style-type: none"> <li>• Cr Scott Jeffery</li> <li>• Cr Fiona Stevens</li> <li>• Cr Mayor Claire Ewart-Kennedy</li> <li>• Cr Vicki Halsall</li> <li>• Cr Laura Binks</li> <li>• Cr Greg Carlson</li> <li>• Cr Clarke Holloway</li> <li>• Marg Allan (Municipal Monitor)</li> </ul>
	<b>Officers</b>	<ul style="list-style-type: none"> <li>• Tim Tamlin – Interim CEO</li> <li>• Amanda Tingay – Director People and Governance</li> <li>• Rachael Frampton – Director Planning and Community</li> <li>• John Harvey – Director Sustainable Infrastructure</li> <li>• Michelle Harris – Interim Media and Communications Manager</li> </ul>
	<b>Guest Speakers</b>	Jenny Scicluna, VLGA Facilitator
Present	<b>Apologies</b>	Nil

## Disclosures of Conflict of Interests

Disclosure of Interests are to be made immediately prior to any relevant item being discussed  
(*Local Government Act 2020* - Section 131)

Matters Considered		Disclosures and Comments
1	VLGA Module – Mandatory Training – Build An Effective Councillor Team	None
2	Set up individual meetings Interim CEO and Councillors	None

The meeting concluded at 4:00 pm

<b>Record completed by</b>	<b>Officer Name:</b> <b>Officer Title:</b>	Kerry Lynch Governance Officer
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## Staff Only

## Record of Informal Meetings of Councillors

Meeting Details	<b>Title</b>	Transition Program
	<b>Date and Time</b>	26 November 2024 at 9:30 am
	<b>Location</b>	Euroa Conference Room
	<b>Councillors</b>	<ul style="list-style-type: none"> <li>• Cr Scott Jeffery</li> <li>• Cr Fiona Stevens</li> <li>• Cr Mayor Claire Ewart-Kennedy</li> <li>• Cr Vicki Halsall</li> <li>• Cr Laura Binks</li> <li>• Cr Greg Carlson</li> <li>• Cr Clarke Holloway</li> <li>• Marg Allan (Municipal Monitor)</li> </ul>
	<b>Officers</b>	<ul style="list-style-type: none"> <li>• Tim Tamlin – Interim CEO</li> <li>• Amanda Tingay – Director People and Governance</li> <li>• Rachael Frampton – Director Planning and Community</li> <li>• John Harvey – Director Sustainable Infrastructure</li> <li>• Michelle Harris – Interim Media and Communications Manager</li> <li>• Andrew Davis – Chief Financial Officer</li> <li>• Sagara Gunasekara – Finance Coordinator</li> <li>• Manager Planning and Investment</li> <li>• Kerry Lynch – Governance Officer</li> </ul>
	<b>Guest Speakers</b>	June Strutt – Corporate Planning Adviser
	<b>Apologies</b>	Capire

## Disclosures of Conflict of Interests

Disclosure of Interests are to be made immediately prior to any relevant item being discussed  
(Local Government Act 2020 - Section 131)

Matters Considered		Disclosures and Comments
1	Integrated and Strategic Planning Community Vision and 2025-29 Council Plan	None
2	Directorate Presentations	None
3	Financial Discussion	None
4	Rural Residential Land Use Strategy and Urban Growth Strategy Presentation	None

The meeting concluded at 4:00 pm

<b>Record completed by</b>	<b>Officer Name:</b> <b>Officer Title:</b>	Kerry Lynch Governance Officer
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## Staff Only

## Record of Informal Meetings of Councillors

Meeting Details	<b>Title</b>	Transition Program
	<b>Date and Time</b>	28 November 2024 at 9:00 am
	<b>Location</b>	Euroa Conference Room
	<b>Councillors</b>	<ul style="list-style-type: none"> <li>• Cr Mayor Claire Ewart-Kennedy</li> <li>• Cr Scott Jeffery</li> <li>• Cr Fiona Stevens</li> <li>• Cr Vicki Halsall</li> <li>• Cr Laura Binks</li> <li>• Cr Greg Carlson</li> <li>• Cr Clarke Holloway</li> <li>• Marg Allan (Municipal Monitor)</li> </ul>
	<b>Officers</b>	<ul style="list-style-type: none"> <li>• Tim Tamlin – Interim CEO</li> <li>• Amanda Tingay – Director People and Governance</li> <li>• Rachael Frampton – Director Planning and Community</li> </ul>
	<b>Guest Speakers</b>	Nil
	<b>Apologies</b>	Nil

## Disclosures of Conflict of Interests

Disclosure of Interests are to be made immediately prior to any relevant item being discussed  
(Local Government Act 2020 - Section 131)

Matters Considered		Disclosures and Comments
1	Municipality bus tour discussion	None
2	Municipal events attendance and representation	None
3	CEO/Councillor briefing and general discussion	None

The meeting concluded at 12:30 pm

<b>Record completed by</b>	<b>Officer Name:</b> <b>Officer Title:</b>	Kerry Lynch Governance Officer
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## **11.5 Communications, Engagement and Advocacy**

Nil Reports



**12 Notice of Motion**

Nil

**13 Notice of Rescission**

Nil

**14 Urgent Business**

Nil

**15 Confidential Business**

Nil

**16 Next Meeting**

Pending decision Council meeting 10 December 2024.

The next meeting of Strathbogie Shire Council will be held on xxxxxx at xxxxxx commencing at xxxxxx