



STRATHBOGRIE SHIRE COUNCIL

**MINUTES/DECISIONS OF A MEETING OF THE STRATHBOGRIE SHIRE COUNCIL  
HELD VIRTUALLY ON TUESDAY 20 JULY 2021, COMMENCING AT 6.00 P.M.**

|                     |                       |   |
|---------------------|-----------------------|---|
| <b>Chair:</b>       | Chris Raeburn (Mayor) | (Honeysuckle Creek Ward)  |
| <b>Councillors:</b> | Laura Binks           | (Mount Wombat Ward)   |
|                     | Reg Dickinson         | (Lake Nagambie Ward)  |
|                     | Sally Hayes-Burke     | (Seven Creeks Ward)   |
|                     | Paul Murray           | (Hughes Creek Ward)   |
| <b>Officers:</b>    | Julie Salomon         | Chief Executive Officer (CEO)   |
|                     | David Roff            | Director, Corporate Operations (DCO)                                  |
|                     | Amanda Tingay         | Director, Community and Planning (DCP)                                |
|                     | Dawn Bray             | Executive Manager, Governance and Customer Service (EMGCS)            |
|                     | Kristin Favaloro      | Executive Manager, Communications and Engagement (EMCE)               |
|                     | Chris Dube            | Executive Manager, People and Culture (EMPC)<br>present for item 9.10 |

1. Welcome
2. Acknowledgement of Traditional Land Owners  
*'I acknowledge the Traditional Owners of the land on which we are meeting. I pay my respects to their Elders, past and present'*
3. Apologies / Leave of Absence

|   |                                    |
|---|------------------------------------|
| Councillor Melanie Likos (Deputy Mayor) | (Lake Nagambie Ward)<br>(on leave) |
| Councillor Kristy Hourigan              | (Seven Creeks Ward)<br>(on leave)  |
4. Disclosure of Conflicts of Interest
  - The Director, Community and Planning declared a General Conflict of Interest under Section 127 of the Local Government Act 2020 in Item 9.8
  - The CEO declared a Material Conflict of Interest under Section 128 of the Local Government Act 2020 in Item 9.10, however, the declaration was made at the introduction of the item

A handwritten signature in black ink, appearing to be the initials 'A' or 'R', located at the bottom right of the page.

5. Confirmation of Minutes of Previous Meetings
- Council Meeting ~ Tuesday 15 June 2021
  - Extraordinary Council Meeting ~ Tuesday 29 June 2021 (Submissions to Mayoral and Councillor Allowances)
  - Extraordinary Council Meeting ~ Tuesday 29 June 2021 (Adoption of Budget / Revenue and Rating Plan / Fees and Charges, and Determination of Mayoral and Councillor Allowances)

**MOVED: COUNCILLOR DICKINSON**  
**SECONDED: COUNCILLOR BINKS**

153-20/21      **CARRIED**

6. Petitions

Nil

7. Reports of Mayor and Councillors and Delegates

The Mayor addressed the meeting

I just wanted to take this opportunity to remind our community to visit our online engagement platform, which is [www.share.strathbogie.vic.gov.au](http://www.share.strathbogie.vic.gov.au)

This is the place where you can contribute ideas, provide feedback and exchange views with others on key decisions and priorities for our community. It gives our community members an opportunity to guide the Council and Councillors on where we're going for the future. If you have any ideas / concepts or any feedback you would like to provide, please visit the website.

As you know Council is working hard to improve communications and engagement. Wherever possible we will be seeking community input into our decision-making process.

At the moment we're seeking your thoughts on:

- Streetscape Renewal Program
- 2021/22 Budget engagement process
- Developing a Climate Change Action Plan
- Our draft MoU with the Taungurung Land and Waters Council, and
- Developing a Community Vision and Council Plan

As you know we're always working on improving communications with the community and we recently launched a digital newsletter that's released on the first of every month.

It will be filled with Council news and updates on our projects and services, but we will also share stories about the great work of those in our community.

You can sign up to get an eNews on our website – go to the Council menu and click on eNews under the News and Newsletter heading or click on the eNews sign up tab on our Facebook page.



7. Reports of Mayor and Councillors and Delegates (cont.)

Cr Hayes-Burke:

- Attended last three ARTC stakeholders meetings and feels encouraged that ARTC have listened, and shortly they'll be sharing some 3-D visuals with the community – one of the underpass and one of the overpass.
- Thanked community members for registering for the Climate Change forum which was to be held last Thursday, however, was postponed due to COVID restrictions. This forum will be rescheduled.
- NAIDOC week - raising of Taungurung flag at Council offices.

Cr: Binks:

- NAIDOC week - raising of Taungurung flag at Council offices.
- Conveyed thanks to community members for their understanding in the rescheduling of the Climate Change forum, and to those who participated in Deliberative Engagement forum on Sunday.

Cr Dickinson:

- Writing a regular article for the Nagambie Community Voice to provide updates on happenings in the Lake Nagambie Ward, and throughout the Shire generally.
- Available to meet with community members on Thursdays between 10.00 a.m. and 12.00 noon at the Valley Hotel / Rowing Club. However, this will be dependent on any COVID restrictions - for example, this week will not take place

8. Public Question Time

Public Question Time will be conducted as per Rule 31 of Strathbogie Shire Council's Governance Rules. A copy of the required form for completion and lodgment, and associated Procedural Guidelines, are attached for information.

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 together with a Council reference number.

*One Question was received, which was read out and responded to by the Chief Executive Officer*

**Council Ref: DJ: 24/2021**

Following the Vago report, one of the recommendations was to "Develop or maintain fraudulent and corruption incident registers to accurately record suspected incidents, their handling, and all relevant supporting documentation. The register was created on 8/5/19 - does it contain details of an apparently fraudulent claim of a "commercially in confidence" agreement between Council and a private landholder in Strathbogie

Response

*As has been reported through our dedicated VAGO report action plan page on our website, a fraud and corruption register was created some time ago.*

*Evidence of this has been supplied to VAGO directly and our Audit and Risk Committee.*

*There are no incidents listed on this register that relate to the matter raised in your question.*

9. Officer Reports
10. Notices of Motion
11. Notices of Rescission
12. Urgent Business
13. Confidential Business

### **NEXT MEETING**

The next monthly Meeting of the Strathbogie Shire Council is scheduled to be held on Tuesday 17 August 2021, commencing at 6.00 p.m.

It is intended that this meeting be held at the Euroa Community Conference Centre, however, this will be dependent on whether any coronavirus restrictions are in force at the time.



## REPORTS INDEX

|            |   | Page No. |
|------------|---|----------|
| <b>9.</b>  | <b>OFFICER REPORTS</b>  |          |
| 9.1        | Waiver of Planning Application Fees<br>Planning Application No. P2021-111: Use and Development of land for a Store and signage - 2a Down Street, Longwood Vic 3666                                    | 1        |
| 9.2        | Planning Applications Received and Planning Applications Determined<br>- 1 to 30 June 2021  | 2        |
| 9.3        | Tender for Contract 20/21-73: 2020-21 Supply of New Grader  | 3        |
| 9.4        | Request for Variation to Contract No. 18-19-22: Upton Road Culvert Renewal  | 4        |
| 9.5        | Request for Variation to Contract No. 20-21-60: Avenel Ewings Road and Livingstone Street Intersection Upgrade  | 5        |
| 9.6        | Request for Variation to Contract No. 20-21-64: Bank Queen & Belmont Street, Avenel Drainage Upgrades   | 6        |
| 9.7        | Request for Variation to Request for Quotation - Violet Town Dump Point   | 7        |
| 9.8        | Contracts Awarded Under Delegation (as approved in Council's 2020/21 capital works budget)  | 8        |
| 9.9        | Greening Euroa Project Steering Committee - Minutes of Previous Meetings held during 2020/21  | 9        |
| 9.10       | Chief Executive Officer Performance Review  | 11       |
| 9.11       | Internal Audit Contract - Exercise of Option  | 13       |
| 9.12       | Community Satisfaction Survey 2021 Results  | 14       |
| 9.13       | Domestic Animal Management Plan   | 15       |
| 9.14       | Minutes of Tourism, Arts and Culture Advisory Group - Previous Meetings held during April/May 2021  | 16       |
| 9.15       | Road Closure - Euroa Tip Road   | 17       |
| 9.16       | 2017-2021 Shire of Strathbogie Council Plan (2020 Review) - Fourth Quarter Report ~ 1 April to 30 June 2021   | 18       |
| 9.17       | Approval of Election of Audit and Risk Committee Chairperson  | 19       |
| 9.18       | Business Management System  | 20       |
|            |   |          |
| <b>10.</b> | <b>NOTICES OF MOTION</b>  |          |
| 10.1       | Notice of Motion – Council Meeting – 20 July 2021<br>Line Marking in the Strathbogie Tablelands area<br>Lodged by Councillors Laura Binks and Sally Hayes-Burke<br>(Notice of Motion Ref. No: 3/2021) | 21       |
| 10.2       | Officer Report – Financial, legal and policy implications of Notice of Motion – Yellow Line Marking in the Tablelands area  | 22       |
|            |   |          |
| <b>11.</b> | <b>NOTICES OF RESCISSION</b>  | 23       |
|            | Nil   |          |
| <b>12.</b> | <b>URGENT BUSINESS</b>  | 23       |
|            | Nil   |          |

*a*

|            |   |           |
|------------|---|-----------|
| <b>13.</b> | <b>CONFIDENTIAL BUSINESS</b>  | <b>22</b> |
|            | Nil   |           |
|            |   |           |
|            | <b>CONFIDENTIAL APPENDICES</b>  |           |
|            | <p><i>APPENDICES DEEMED CONFIDENTIAL IN ACCORDANCE WITH SECTION 66(2)(A) AND PART 1, CLAUSE 3 OF THE LOCAL GOVERNMENT ACT 2020</i></p> <p><i>(f) personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs</i></p> <p><i>(g) private commercial information, being information provided by a business, commercial or financial undertaking that -</i></p> <p><i>(ii) if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage</i></p> |           |
|            | Appendix 1: Tender for Contract 20/21-73: 2020-21 Supply of New Grader  |           |
|            | Appendix 2: Chief Executive Officer Performance Review  |           |



## 9. OFFICER REPORTS

### 9.1 Waiver of Planning Application Fees Planning Application No. P2021-111: Use and Development of land for a Store and signage - 2a Down Street, Longwood Vic 3666

Author: Town Planner

Responsible Director: Director Community and Planning

#### **EXECUTIVE SUMMARY**

This report is in relation to a request for the waiver of fees for a planning permit application, application number P2021-111. The planning fees for the above proposal are \$1920.10.

The request has been made due to the applicant being a not for profit community group, the Longwood Football Netball Club.

The Planning Permit proposal is for the use and development of land for a store (shipping container for the storage of the Longwood Beer and Wine Festival equipment and recycled furniture) and signage. The site location is Longwood Recreation Reserve, Down Street, Longwood.

In considering a request to waive fees for an application lodged under Section 47 of the Planning and Environment Act 1987, a fee can only be waived pursuant to section 20 of the Planning and Environment Regulations (Fees) 2016.

The request complies with section 20(d) of these Regulations as the Longwood Football Netball Club is a not for profit organisation.

**MOVED: COUNCILLOR MURRAY**  
**SECONDED: COUNCILLOR DICKINSON**

***That Council:***

- 1. Notes the request by the Longwood Football and Netball Club to waive a planning permit application fee.***
- 2. Waives the \$1920.10 planning permit application fee under Section 20(d) of the Planning and Environment Regulations (Fees) 2016 for application P2021-111 – use and development of land for a store and signage at 2a Down Street, Longwood.***

154-20/21 **CARRIED**

*a*

**9.2 Planning Applications Received and Planning Applications Determined  
- 1 to 30 June 2021**

Responsible Director: Director Community & Planning

***EXECUTIVE SUMMARY***

This report provides listings of all Planning Applications Received (Attachment 1) and Planning Applications Determined (Attachment 2) for the period 1 to 30 June 2021 are provided for information.

It is noted that there were 47 planning applications received, and 23 planning applications determined, during this period.

***MOVED: COUNCILLOR BINKS  
SECONDED: COUNCILLOR MURRAY***

***That Council:***

- 1. Note that there were 47 new planning applications received, and 23 planning applications determined, during this period; and***
- 2. Note the report.***

***155-20/21 CARRIED***



### 9.3 Tender for Contract 20/21-73: 2020-21 Supply of New Grader

Author: Technical Officer / Manager Operations

Responsible Director: Director Corporate Operations

#### **EXECUTIVE SUMMARY**

As part of the Strathbogie Shire Council's approved 2020/21 plant replacement program, Council invited tenders through the MAV Contract Light Plant & Equipment-LP20091 using the MAV Vendor panel portal. Council Officers sought the supply of one Grader with specifications suited to the role within the Shires Operations Departments programs. Quotations commenced on 28<sup>th</sup> April 2021. At closing of the formal quotation period on 4pm 18<sup>th</sup> May 2021, three suppliers had submitted quotations.

From the three suppliers, three quotations were received, with two meeting all aspects of the required specifications. Council's specifications set out Council's minimum Grader requirements, optional Roller requirements, whole of life costs including all servicing and Leasing Facilities.

**MOVED: COUNCILLOR DICKINSON**  
**SECONDED: COUNCILLOR BINKS**

***That Council:***

1. ***Awards the quotation received from RDO Equipment (Vermeer and John Deere equipment) via the MAV Heavy Plant Machinery Equipment – NPN2.15-2 for the 66 (sixty six) month operational lease of one new 2020 John Deere 670G Motor Grader with Optional Free Roll and Net Scheduled servicing for a total cost \$492,315.99 excluding GST.***
2. ***Notes that the Grader Delivery will be 6 weeks subject to availability, options delivery and builds.***

156-20/21      **CARRIED**

#### **9.4 Request for Variation to Contract No. 18-19-22: Upton Road Culvert Renewal**

Author: Manager Project Delivery

Responsible Director: Director Community and Planning

##### ***EXECUTIVE SUMMARY***

Sevens Creek Excavations Pty Ltd were awarded Contract No. 18-19-22 following a competitive tender process for the upgrade of the Charles Creek Culvert on Upton Road, Avenel at the 21 April 2020 Council meeting. The approved notional budget for the Upton Road Culvert Renewal was \$192,700.00. The initial tender was awarded for a total price of \$192,697.00 excluding GST. This variation totalling \$54,078.00 allowed for the completion of a second culvert (major flow drain). The total cost of the project will be \$246,775.00 an overall increase of \$54,078.00 from the original contract price.

The need for a variation, with a value of \$54,078.00 excluding GST, has arisen after consultation with community at the Upton Road Avenel Drop-in Session held on 4<sup>th</sup> February 2021. At this session it was identified that closing this road poses a significant inconvenience to residents and businesses and taking the opportunity to complete upgrade works on the two culverts at once would alleviate any further disruption. The upgrade to the second culvert was originally proposed for the 2021/22 financial year.

This variation has been approved under delegation. However, the report is being presented to Council achieving maximum public transparency around why the project has cost more than the original contract.

***MOVED: COUNCILLOR MURRAY  
SECONDED: COUNCILLOR BINKS***

***That Council note the variation to Contract No. 18-19-22 of \$54,078.00 excluding GST with Sevens Creek Excavations Pty Ltd for the completion of upgrade works to two culverts, Upton Road Avenel.***

***157-20/21 CARRIED***



**9.5 Request for Variation to Contract No. 20-21-60: Avenel Ewings Road and Livingstone Street Intersection Upgrade**

Author: Manager Project Delivery, Manager Infrastructure

Responsible Director: Director Community & Planning

***EXECUTIVE SUMMARY***

Intersection upgrade at Ewings road and Livingstone Street in Avenel is part of Strathbogie Shire Capital Work Program for the Financial Year 2020-21. The project is required to improve safety at the intersection due to the forecast increase in traffic volumes.

At its meeting on 19/01/2021, Council approved the recommendation to award Contract No 20/21-60 for Ewings Road and Livingstone Street Intersection Upgrade to Anthony T Lindsay Pty Ltd, after emerging as the winner of the Public Tender conducted for the Work. The lumpsum contract was awarded for a total sum of \$153,175.00 + GST.

Contract No 20/21-60 was fully executed on 22/03/2021 and Anthony T Lindsay. Onsite issues including relocation of Telstra cables, latent ground conditions, minor revision of project drawings and other unforeseen conditions at the roadwork location have necessitated additional works which are considered necessary to successfully complete the work. Total project cost including the proposed cost variation would become \$191,743.82 +GST if approved. Budget allocated for this work for the Financial Year 20/21 was \$225,000.00. Having considered these, it is hereby recommended to the Council as follows.

***MOVED: COUNCILLOR MURRAY  
SECONDED: COUNCILLOR BINKS***

***That Council accept the proposal to increase the value of Contract No 20-21-60 Avenel Ewings Road and Livingstone Street Intersection Upgrade, from the original amount of \$153,175.00 + GST to \$191,743.82 + GST to cover additional works required to complete work.***

158-20/21      ***CARRIED***



**9.6 Request for Variation to Contract No. 20-21-64: Bank Queen & Belmont Street, Avenel Drainage Upgrades**

Author: Manager Project Delivery

Responsible Director: Director Community and Planning

***EXECUTIVE SUMMARY***

This report seeks Council approval for a variation to Contract No. 20-21-64 awarded to Wrights Earthmoving P/L for the upgrade of drainage at Bank, Queen & Belmont Street, Avenel.

The need for a variation, with a value of \$95,078.00 excluding GST, is to undertake a shared pedestrian path along Bank Street, Avenel. To mitigate any further inconvenience and disruption to residents and businesses in this area, the path will be undertaken in conjunction with the drainage upgrade. The shared path was originally programmed for completion later this financial year, however undertaking the works now will reduce any further impacts to residents and businesses.

The initial tender was awarded for a total price of \$159,894.00.00 excluding GST. The approval of this variation will take the total cost of the project to \$254,972.00 an overall increase of \$95,078.00 from the original contract price. The approved notional budget for this project was \$202,700.00, for the completion of drainage upgrade works to Bank, Queen & Belmont Street Avenel.

This variation has been approved under delegation. However, the report is being presented to Council achieving maximum public transparency around why the project has cost more than the original contract.

***MOVED: COUNCILLOR MURRAY  
SECONDED: COUNCILLOR BINKS***

***That Council note the variation to increase the value of Contract No 20-21-64 by \$95,078.00 excluding GST with Wrights Earthmoving P/L to complete the shared pedestrian path in Bank Street Avenel.***

***159-20/21 CARRIED***



**9.7 Request for Variation to Request for Quotation - Violet Town Dump Point**

Author: Manager Project Delivery

Responsible Director: Director Community and Planning

***EXECUTIVE SUMMARY***

This report is to notify Council a variation to the Request for Quotation (RFQ) awarded to Kelvin Lubeck Plumbing P/L for the installation of a RV Dump Point located in Daphne Street Violet Town.

The approved notional budget for this project was \$5,000.00, for the completion of installation of a RV Dump Point.

The need for a variation, to the value of \$13,501.00 excluding GST, had arisen after further consultation with Goulburn Valley Water.

The additional cost included in the variation are for, new backflow prevention, cutting in of new sewer connection point, new water meter, new water connection fee, small commercial connection fee and new customer connection fee.

This report is coming to Council due to the quantum of the value of the variation of \$13,501.00. In doing so, Council achieves maximum public transparency around why the project has cost more than the notional budget.

***MOVED: COUNCILLOR BINKS  
SECONDED: COUNCILLOR DICKINSON***

***That Council note the variation to Request for Quotation (RFQ) for the sum of \$13,501.00 excluding GST with Kelvin Lubeck Plumbing P/L for the completion of the RV Dump Point located at Daphne Street Violet Town.***

160-20/21      ***CARRIED***



**9.8 Contracts Awarded Under Delegation (as approved in Council's 2020/21 capital works budget)**

***The Director Community Planning left the meeting at 6.37pm due to declaring a general conflict of interest in this matter.***

Author: Manager Projects

Responsible Director: Director Community and Planning

***EXECUTIVE SUMMARY***

The purpose of this report is to inform Council and the community of the status of request for quotations that have been recently awarded under delegation as at 30 June 2021. This report specifically relates to works that formed part of Council's 2020/21 capital works budget.

***MOVED: COUNCILLOR MURRAY  
SECONDED: COUNCILLOR HAYES-BURKE***

***That Council note the:***

- 1. Contracts awarded under delegated authority by the Chief Executive Officer.***
- 2. Contracts awarded under delegated authority by a Director.***

***161-20/21 CARRIED***

***The Director Community Planning rejoined the meeting at 6.39pm.***



**9.9 Greening Euroa Project Steering Committee – Minutes of Previous Meetings held during 2020/21**

Author: Environment and Waste Coordinator

Responsible Director: Director Corporate Operations

***EXECUTIVE SUMMARY***

Attached are the accepted minutes of the Greening Euroa Project Steering Committee Meetings held on the below dates:

- 12 August 2020
- 14 October 2020
- 9 December 2020
- 10 February 2021
- 12 May 2021

***MOVED: COUNCILLOR HAYES-BURKE  
SECONDED: COUNCILLOR MURRAY***

- 1. That Council notes the minutes of the Greening Euroa Project Steering Committee meetings held on:***
  - ***12 August 2020***
  - ***14 October 2020***
  - ***9 December 2020***
  - ***10 February 2021***
  - ***12 May 2021***
  
- 2. Write to following Ministers outlining the project, the progress to date, the key stakeholders and advise of an intention to pursue funding when costs are firmed up:***
  - ***Dr Helen Haines MP, Member for Indi***
  - ***The Hon. Michael McCormack MP, Minister for Infrastructure, Transport and Regional Development***
  - ***The Hon. David Littleproud MP, Minister for Agriculture, Drought and Emergency Management***
  - ***The Hon. Sussan Ley MP, Minister for the Environment***
  - ***The Hon. Keith Pitt MP, Minister for Resources, Water and Northern Australia***
  - ***The Hon. Angus Taylor MP, Minister for Energy and Emissions Reduction***
  - ***The Hon. Jaclyn Symes MP, Member for Northern Victoria and Minister for Resources and Attorney-General***
  - ***Steph Ryan MP, Member for Euroa and Shadow Minister for Water***
  - ***The Hon. Mary-Anne Thomas MP, Minister for Regional Development and Minister for Agriculture***
  - ***The Hon. Shaun Leane MP, Minister for Local Government***
  - ***The Hon. Lisa Neville MP, Minister for Water***

9.9 Greening Euroa Project Steering Committee – Minutes of Previous Meetings held during 2020/21 (cont.)

**3. Note that the Project Steering Committee will produce a lobbying plan for funding for stage three of the project.**

162-20/21 CARRIED

## 9.10 **Chief Executive Officer Performance Review**

***The Chief Executive Officer left the meeting at 6.46pm due to a material conflict of interest in this item.***

Author: Executive Manager People & Culture

### ***EXECUTIVE SUMMARY***

Julie Salomon commenced as Chief Executive Officer (CEO) at Strathbogie Shire Council on 13 January 2020. Section 6 of the Contract of Employment, signed 23 December 2019, states that the CEO's performance will be reviewed annually by the Council. However, due to the expiration of the Council term in October 2020, the first performance review was held in August 2020.

Council engaged independent facilitator Phil Shanahan to conduct the performance appraisal process. Phil had worked with the Councillors in August 2018 at the beginning of the CEO recruitment process to develop a brief of what Strathbogie Shire Council required in a leader.

Following the 360-degree review of the CEO's performance, the previous Council adopted the Performance Appraisal Report in September 2020. Key Performance Indicators were developed covering November 2020 to December 2021.

The CEO contract states that remuneration must be reviewed annually. While there is no industry set figure for a salary increase for a CEO, best practice would ensure the increase is consistent with that received by staff under Council's Enterprise Bargaining Agreement 2019 – 2023; an increase of 1.5%. Per the contract, the remuneration recommendation would take effect from the CEO's first anniversary of employment – 14 January 2021.

This review coincided with legislative changes towards employee superannuation contributions. Legal firm Meerkin & Apel believe the CEO contract affords this rise but suggested Council endorsement as the Total Remuneration Package would be altered. The legislative industry contribution has risen from 9.5 to 10% effective 1 July 2021.

In line with the CEO contract, the annual remuneration and performance review will revert to being back in line with the CEO's anniversary of employment. Therefore, the next remuneration and performance review should take place in January 2022.

***MOVED: COUNCILLOR BINKS  
SECONDED: COUNCILLOR HAYES-BURKE***

***That Council endorse:***

- 1. The CEO's Key Performance Indicators for reviewed year 2021, as recommended by Chief Executive Officer Performance and Remuneration Interim Committee;***
- 2. A remuneration review, consistent with that received by Council staff under Council's EBA, with the increase to take effect from anniversary date of 14 January 2021; inclusive of the legislated superannuation contribution of 10% effective 1 July 2021;***

9.10 Chief Executive Officer Performance Review (cont.)

3. ***The date of the next CEO Remuneration and Performance Review, occurring January 2022, in line with employment anniversary and contract; and***
4. ***Finalisation of this completed CEO Performance and Remuneration Review process.***

163-20/21     **CARRIED**

***The Chief Executive Officer returned to the meeting at 6.49pm.***



**9.11 Internal Audit Contract – Exercise of Option**

Author: Director Corporate Operations

Responsible Director: Director Corporate Operations

***EXECUTIVE SUMMARY***

This report recommends that Council exercise an option to extend the term of the current Internal Audit contract with AFS and Associates by 12 months with an expiry date of 30 June 2022, with an extension of a further 12 months beyond that at the discretion of Council.

***MOVED: COUNCILLOR HAYES-BURKE  
SECONDED: COUNCILLOR MURRAY***

***That Council extend the Internal Audit Contract with AFS and Associates for a 12 month period expiring 30 June 2022 in accordance with the terms of the contract, with a report on any further extension of 12 months to be considered in the February 2022 Council meeting cycle.***

**164-20/21      CARRIED**

## **9.12 Community Satisfaction Survey 2021 Results**

Responsible Officer: Executive Manager Communications and Engagement

Responsible Director: Chief Executive Officer, Julie Salomon

### ***EXECUTIVE SUMMARY***

The Victorian Community Satisfaction Survey (CSS) is held annually with 400 interviews occurring between February to March this year.

This year's survey has been a positive response for Strathbogrie Shire Council

Perceptions of Strathbogrie Shire Council's overall performance increased significantly from 2020 and is now at its highest level to date.

On most individual service areas, performance ratings have remained the same. The exceptions being waste management, and local streets and footpaths where ratings have significantly improved in the past year.

This year Council achieved an overall satisfaction rating of 57, up a statistically significant seven points from 50 in 2020. The rating compares to an average of 60 for other small rural shires and a state-wide average of 61.

Council is proud of this year's survey results, but our organisation know we need to strengthen our business approach and delivery and will continue to strive to do better.

Our focus on "The Four Cs - customer service, community decisions, consultation and engagement and communication" will continue in the next 12 months.

In particular, our approach to community engagement and community-based decision making will be significantly improved following the implementation of our Share Strathbogrie session followed by our deliberative engagement techniques to develop our Community Vision and Council plan through the Strathbogrie Shire Community Panel in July-August.

***MOVED: COUNCILLOR DICKINSON  
SECONDED: COUNCILLOR HAYES-BURKE***

***That Council:***

- 1. Notes the findings of the 2021 Local Government Community Satisfaction for Strathbogrie; and***
- 2. Notes the progress on the community commitments made after last year's survey results.***

***165-20/21 CARRIED***



### 9.13 **Domestic Animal Management Plan**

Author: Team Leader Compliance

Responsible Director: Director Corporate Services

#### **EXECUTIVE SUMMARY**

The *Domestic Animals Act 1994* (the Act) requires council to prepare a Domestic Animal Management Plan every four years.

The plan must set out a method for evaluating whether the animal management services provided by council are adequate to give effect to requirements of the Act and the Domestic Animal Regulations 2015. The plan must also outline programs for the training of authorised officers along with programs, services, and strategies to address the key issues in relation to responsible pet ownership within the municipality.

The development of a revised Strathbogie Shire Domestic Animal Management Plan will be completed after considering the results of a public survey to establish the priorities and feedback of the community in relation to domestic animals within the municipal district. Public engagement provides council with a variety of options to consider, but also provides council with all feedback from personal experiences with domestic animals in the community, or engagement with Authorised Officers attending to domestic animal issues in the community.

Council is required to consider all options put forward by community members and develop a plan that will meet the needs of the community that it serves and publish an evaluation of the implementation of the plan in the council annual report.

To assist and inform the development of the 2021-2025 Strathbogie Shire Domestic Animal Management Plan a process for engagement including a series of questions has been developed as detailed in the Communications and Engagement Plan (Refer Attachment 1).

**MOVED: COUNCILLOR BINKS**  
**SECONDED: COUNCILLOR HAYES-BURKE**

***That Council:***

- 1. Endorse the four-stage engagement approach to seek public input and feedback to inform the development of the draft 2021-2025 Strathbogie Shire Domestic Animal Management Plan in accordance with section 68A of the Domestic Animals Act 1994; and***
- 2. Receive a further report detailing the engagement outcomes and the draft 2021-2025 Strathbogie Shire Domestic Animal Management Plan at a future Council meeting.***

166-20/21 **CARRIED**

**9.14 Minutes of Tourism, Arts and Culture Advisory Group - Previous Meetings held during April/May 2021**

Author: Manager Tourism, Arts and Culture

Responsible Director: Director Community and Planning

***EXECUTIVE SUMMARY***

This report presents the accepted minutes of the Tourism, Arts and Culture Advisory Group for the most recent meetings held to date in 2020/2021 – Monday 26 April 2021 and Monday 24 May 2021 for noting by Council.

***MOVED: COUNCILLOR MURRAY***

***SECONDED: COUNCILLOR DICKINSON***

***That Council notes the minutes of the Tourism, Arts and Culture Advisory Groups meetings held on Monday 26 April 2021 and Monday 24 May 2021.***

***167-20/21 CARRIED***

*OK*

## 9.15 Road Closure – Euroa Tip Road

Author: Manager Asset Planning

Responsible Director: Director Community & Planning

### **EXECUTIVE SUMMARY**

Council approval is sought to commence proceedings to close Euroa Tip Road, at and for 50 metres of remaining road formation north of the railway crossing towards Castle Creek, as shown on Attachment 1.

Council's powers over traffic are set up by Schedule 4, clause 10 of the Road Management Act 2004 and Schedule 11, clause 9 of the Local Government Act 1989.

The new *Local Government Act 2020* is being introduced gradually over four tranches. At the time of writing this report, the provisions of the *Local Government Act 1989* remain in place in relation to council powers over roads. Further, the requirements for the proposal to be advertised to the public for a period of 28 days and allow written submissions to be lodged under section 223 of the Act still remain in place.

At the April Council Meeting, Council resolved (amongst other considerations) to determine under the powers of section 207 and clause 9 Schedule 11 of the Local Government Act 1989 to close Euroa Tip Road at the railway crossing towards to place a public notice of the proposed road closure in local newspapers and to obtain the consent of VicRoads in accordance with sections 207, 207a and section 223(a) of the Local Government Act 1989.

Following the submission period, two submissions regarding the proposal was received. One submitter was heard in support of their written submission. This hearing took place on 8 June 2021. A summary of the submitters' objections can be found further in this report.

**MOVED: COUNCILLOR HAYES-BURKE  
SECONDED: COUNCILLOR BINKS**

***That Council:***

- 1. Note the submissions received as a result of the public exhibition period of the proposed road closure.***
- 2. In consideration of the submissions received, proceed with the road closure of Euroa Tip Road, at and for 50 metres of remaining road formation north of the railway crossing towards Castle Creek, with all costs to be borne by the Rail Authority.***
- 3. Authorise Officers to undertake the closure of Euroa Tip Road at the railway crossing, with all costs to be borne by the Rail Authority.***

168-20/21 **CARRIED**

**9.16 2017-2021 Shire of Strathbogie Council Plan (2020 Review)  
- Fourth Quarter Report ~ 1 April to 30 June 2021**

Responsible Director: Chief Executive Officer

***EXECUTIVE SUMMARY***

Quarterly reports are presented to Council to provide an update on the status of the Key Strategies of the 2017-2021 Council Plan, following its annual review in 2020. The Key Strategies of the Plan have been reviewed and progress updated, and details provided for the fourth quarter period; April to June 2021.

It is also noted that this is the final reporting period for the 2017-2021 Council Plan. Updates provided by officers are included in Attachment 1 to this report. These updates show the progress of actions undertaken following the 2020 review.

The 2020 Review of the 2017-2021 Shire of Strathbogie Council Plan had, in summary:

- Five (5) Goals, Twenty-one (21) Strategies and Seventy-nine (79) Actions, comprising-
  - *Goal 1 - To enhance community health and wellbeing*
    - 4 Strategies → 22 Actions
  - *Goal 2 - To sustainably manage our natural and built environment*
    - 5 Strategies → 16 Actions
  - *Goal 3 - To provide quality infrastructure*
    - 2 Strategies → 13 Actions
  - *Goal 4 - To support and deliver economic development*
    - 5 Strategies → 13 Actions
  - *Goal 5 - To be a high performing Shire*
    - 5 Strategies → 15 Actions

All Actions were due for completion by 30 June 2021. As at the end of June 2021, fifty-seven (57) actions had been completed. However, it is noted that various actions are ongoing in nature and purpose.

***MOVED: COUNCILLOR DICKINSON***  
***SECONDED: COUNCILLOR HAYES-BURKE***

***That Council note the final reporting period being the April to June 2021 quarter following the 2020 review of the 2017-2021 Council Plan.***

169-20/21      ***CARRIED***



**9.17 Approval of Election of Audit and Risk Committee Chairperson**

Author: Director Corporate Operations

Responsible Director: Director Corporate Operations

***EXECUTIVE SUMMARY***

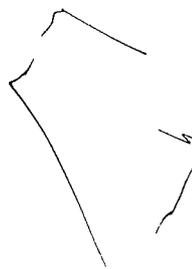
This report recommends approval of the election of Mark Freudenstein as chairperson of Council's Audit and Risk Committee

***MOVED: COUNCILLOR HAYES-BURKE***

***SECONDED: COUNCILLOR MURRAY***

***That Council endorse the election of Mark Freudenstein as Chairperson of Council's Audit and Risk committee for a period of 12 months effective 9 July 2021.***

***170-20/21 CARRIED***



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## 9.18 **Business Management System**

The July 2021 Business Management System Report includes reports as follows:-

- Building Department – June 2021 Statistics
- Planning Department – Planning Application Approvals – Development Cost (Capital Improved Value) - June 2021
- Customer Enquiry Analysis Report – Report for June 2021
- Waste Management Reporting ~ Year to Date – June 2021
- Actioning of Council Reports Resolutions – Council Meeting 15 June 2021
- Outstanding Actions of Council Resolutions to 30 June 2021
- Review of Council Policies and Adoption of new Policies – June / July 2021
- Records of Informal Council Briefings / Meetings

By reporting on a monthly basis, Council can effectively manage any risks that may arise. The Business Management System will also incorporate Council's corporate goals and objectives.

***MOVED: COUNCILLOR HAYES-BURKE  
SECONDED: COUNCILLOR BINKS***

***That the report be noted.***

***171-20/21 CARRIED***

10. NOTICES OF MOTION

10.1 **Notice of Motion – Council Meeting – 20 July 2021**  
**Line Marking in the Strathbogie Tablelands area**  
**Lodged by Councillors Laura Binks and Sally Hayes-Burke**  
**(Notice of Motion Ref. No: 3/2021)**

Nestled within the Mount Wombat Ward, in the Strathbogie Local Government Area, is the Strathbogie Tablelands community. This area has an undulating topography that is prone to heavy fog. Members of the Strathbogie Tablelands community have raised concern regarding the colour of the line marking on a section of the Euroa-Strathbogie Road that has been recently rehabilitated. The existing road line marking was yellow and the community wish to reinstate the yellow line marking on this road, and wish to instate yellow line marking on other roads on the tablelands, to enhance driver safety particularly when fog is prevalent. The Department of Transport and the Australian Standards Board set standards that provide direction to authorities responsible for the management and maintenance of roads. The current standards dictate yellow line markings can only be used in snow areas above 1,000m. At the highest point Euroa-Strathbogie Road reaches a height of 610m, however the commuters state that road visibility is still poor during periods of fog.

This Notice of Motion recommends that Council provide advocacy through the provision of formal written correspondence to the Department of Transport and Australian Standards Board seeking an exemption to permanently permit yellow road line marking in the Strathbogie Tablelands area, below 1,000 metres.

**MOVED: COUNCILLOR BINKS**  
**SECONDED: COUNCILLOR HAYES-BURKE**

***That Council:***

1. ***Formally write to the Australian Standards Board to seek an exemption for the use of yellow line marking for fog prone areas less than 1,000 meters AHD, specifically in the Strathbogie Tablelands area; and***
2. ***Seek further advice and clarification from the Department of Transport and then work with the Strathbogie Tablelands community to determine a solution that meets the community's safety needs in relation to line marking on roads in fog prone areas less than 1,000 meters AHD and that aligns with the intent of the VicRoads standards.***

172-20/21      **CARRIED**



Councillor Laura Binks

Date: 06/07/2021



Councillor Sally Hayes-Burke

Date: ...../...../2021



**10.2 Officer Report – Financial, legal and policy implications of Notice of Motion – Yellow Line Marking in the Tablelands area**

Author: Manager Asset Planning

Responsible Director: Director Community and Planning

***EXECUTIVE SUMMARY***

A Notice of Motion has been submitted by Councillor Laura Binks, which forms item 10.1 on this Agenda.

Under Chapter 1, Rule 35 of Council's Governance Rules, the Chief Executive Officer must inform Council about the legal and cost implications of the notice of motion. Further, the report needs to outline the policy, financial and resourcing implications of the notice of motion.

The purpose of this report is to fulfill these requirements and enable Councillors to develop an informed view prior to considering the Notice of Motion tabled in this agenda.



**11. NOTICES OF RESCISSION**

Nil.

**12. URGENT BUSINESS**

Nil.

**13. CONFIDENTIAL BUSINESS**

Nil.

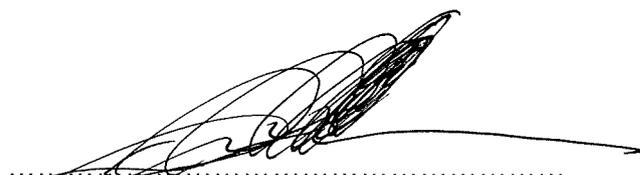
**NEXT MEETING**

The next monthly Meeting of the Strathbogie Shire Council is scheduled to be held on Tuesday 17 August 2021, commencing at 6.00 p.m.

It is intended that this meeting be held at the Euroa Community Conference Centre, however, this will be dependent on whether any coronavirus restrictions are in force at the time.

***THERE BEING NO FURTHER BUSINESS, THE MEETING CLOSED AT 7.14 P.M.***

Confirmed as being a true and accurate record of the Meeting

  
.....  
Chair

17/8/21.  
.....  
Date

K

A