



STRATHBOGRIE SHIRE COUNCIL

Minutes of the Ordinary Meeting of the Strathbogrie Shire Council held on Tuesday 16 September 2014, commencing at 6.00 p.m. at the Euroa Community Conference Centre

Councillors:	Debra Swan (Chair)	(Lake Nagambie Ward)
	Malcolm Little	(Hughes Creek Ward)
	Alister Purbrick	(Lake Nagambie Ward)
	Patrick Storer	(Honeysuckle Creek Ward)
	Robin Weatherald	(Mt Wombat Ward)
	Graeme (Mick) Williams	(Seven Creeks Ward)

Officers:	Steve Crawcour - Chief Executive Officer
	Roy Hetherington - Director, Asset Services
	David Woodhams – Director, Corporate and Community

BUSINESS

1. Welcome
2. Acknowledgement of Traditional Land Owners
'In keeping with the spirit of Reconciliation, we acknowledge the traditional custodians of the land on which we are meeting today. We recognise indigenous people, their elders past and present'.
3. Apologies

Councillor Colleen Furlanetto (Seven Creeks Ward)
Phil Howard – Director, People and Culture
4. Confirmation of Minutes of the Ordinary Meeting of Council held on Tuesday 19 August 2014

102/14 **CRS LITTLE/STORER** : *That the Recommendation be adopted.*

CARRIED

5. Disclosure of Interests

Councillor Swan declared a Direct Interest in a Confidential report presented and considered as part of Item 12 due to being a land owner in the development in question.

6. Petitions

Nil

7. Reports of Mayor and Councillors and Delegates

The Mayor and Councillors provided verbal reports on meetings / events attended in the past month. Councillor Furlanetto provided a written report (refer Attached).

The Acting Executive Manager Assets presented a Capital Works Program Update.

8. Public Question Time

9. Reports of Council Officers

- 9.1 Climate Change
- 9.2 Infrastructure
- 9.3 Private Enterprise
- 9.4 Public Institutions
- 9.5 Housing and Recreation
- 9.6 Tourism
- 9.7 Organisation

10. Notices of Motion

11. Urgent Business

12. Closure of Meeting to the Public to consider matters listed for consideration in accordance with Section 89(2)(e) of the Local Government Act 1989
- Proposed Developments



Cr Colleen Furlanetto (Deputy Mayor) report for 16th September 2014 Council meeting.

Date	Meeting / contact	Details
20 th Sept	Women's Disability Victoria (WDV)	Prevention of Violence advocacy for women with disabilities
21 st Sept	Victorian Local Governance Association (VLGA)	VLGA supports local governments with training and advocacy. I attended the 20 th anniversary as the VLGA began after Amalgamations as a peak Governance authority for LG. the depth of the role of the VLGA is complementary to the MAV.
29 th	Jumping classic	3 day event absolutely high quality riders and very `expensive` amazing horses. A small committee with a wonderful national / international standard event.
30 th	"	Attended the Jumping Classic dinner as Council was a main sponcer through the events support grants program. Which the committee of the Jumping classic has grown the event substantially over the last 3 years and are to be commented for that.
31 st	"	A great day with the 'Grand Prix' contested a great event with more from the community of Euroa and surrounds attending and supporting the event. The schools and other groups were winners over the weekend as they were actively involved in catering or assisting in other ways to raise money for their groups a win - win.
1 st Sept	Seven Creeks working group meeting	The group with representatives from Euroa Community groups were briefed on the comfort stop and other activities associated. Including the sevens creek park with the 2 avenues of tree replanting to be done asap. Also the automatic weir gates at the foot bridge on the creek for better access and safety were explained, subject to funding for the gates.
2 nd	WDV	Phone interview - advocacy
2 nd	Goulburn Valley Regional Library Corporation (GVRLC)	Strategic planning meeting with full Board and key management staff. With the changes t funding and the potential Victorian library card and the positive ipact this could have for our communities to have more access to items from the library than ever before.

3 rd	Neighborhood Watch meeting	Met with Vic Pol community support officer re: reinstating the Euroa Neighborhood watch program in Euroa. With several interested locals prepared to support it as it is felt this program will be beneficial to the community as it had been for many years. As was headed up by Mr. Alan Hooker who was I tireless ambassador for the program.
4 th	Goulburn Murray Local Learning Education Network (GMLLEN)	Board meeting (Deputy Chair) discussions re; future funding and current programs.
6 th	Opening of Euroa Bowls season	Honor to open the Euroa Bowls season for 2014
8 th	GMLLEN	Board Matter
9 th	Council	Assembly of council and briefings
9 th	Business Enterprise Euroa (BEE)	Scheduled meeting for regular contact with the Business sector of Euroa very productive communication opportunity.
15 th	GMLLEN	Board Matter
All month		Numerous Phone calls of community with matters relating to issues and concerns in and around our roads, rates and rubbish but not limited to this. work on advocacy and on information connected to the many committee is represent council on.

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9.7.1 Local Law No. 1 – Meeting Procedure

- Revocation of Local Law No. 1 Meeting Procedure (2010)

- Consideration of Draft Local Law No. 1 Meeting Procedure (2014)

Author & Department

Director, Corporate and Community / Corporate and Community Directorate

Disclosure of Conflicts of Interest in relation to advice provided in this report

No officer providing advice in relation to this report has a direct or indirect interest, as provided in accordance with the Local Government Act 1989.

Summary

Meeting Procedure Local Law No. 1 (2010) was formally adopted by Council in April 2010. Council requested the Local Law be reviewed even though it does not need to be reviewed until 2020.

RECOMMENDATION

1. That Council give notice in accordance with section 119 of the Local Government Act 1989 of the proposal to revoke its Local Law 1 Meeting Procedure (2010) and make a new Meeting Procedure Local Law 1 (2014).
2. That Council authorise the giving of notice in the Government Gazette and a public notice inviting submissions under Section 223 of the Local Government Act 1989.
3. That, if no submissions are received, Council resolve to adopt Meeting Procedure Local Law No. 1 (2014).

103/14 CRS WEATHERALD/WILLIAMS : That the Recommendation be adopted.

CARRIED

Background

Local Law No. 1 was formally adopted by Council in April 2010. The sunset provisions of the Local Government Act 1989 provide for the local law to be operational for 10 years. This would mean that Council does not have to review the local law until 2020. Council has, however, requested that the local law be reviewed at this time. Local Law No. 1 has been reviewed by Councillors.

The process for review or revision of a local law, depending on the changes, can be drawn out. The process was advised by the Minister for Local Government in 2009 which referred to better practice local laws. This is to meet the "accountability, consultation and transparency standards that the community expects from its regulators".

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9.7.1 Local Law No. 1 – Meeting Procedure
- Revocation of Local Law No. 1 Meeting Procedure (2010)
- Consideration of Draft Local Law No. 1 Meeting Procedure (2014) (cont.)

Depending on what Council changes as part of the review will determine whether Council is required to follow the better practice guidelines provided by Local Government Victoria (LGV). If Council only chooses to make minor amendments then it could go direct to the Section 223 public notice provisions.

If, however, Council either adds a clause or amends a clause, then there is a much more involved process. Part of that process would include developing a Local Law Community Impact Statement (LLCIS).

To determine this, Council needs to discuss the current Local Law No. 1 as it stands and then determine the course of action based on the guidelines.

The current Meeting Procedure Local Law No. 1 (2010) was distributed for Councillors review in November 2013, May 2014, July 2014 and August 2014. The contents have been reviewed against 4 other municipalities, 3 of whom are neighbouring municipalities (this satisfies one of the elements of the LLCIS and it also indicates best practice). Council has previously noted that all 4 municipalities have similar provisions, in particular the 3 local municipalities.

In relation to key steps in Local Laws, Best Practice and Local Law Community Impact Statement, Council has undertaken the following processes:

1. Decided to review the Local Law to ensure it meets current expectations;
2. Amend a number of clauses to reflect this;
3. Reviewed neighbouring Council's Local Law;
4. Reviewed compatibility with the Charter of Human Rights and Responsibilities Act 2006;
5. Reviewed compatibility with National Competition Policies; and
6. Decided to pursue the section 223 process.

As a result of the number amendments required to existing clauses, Council has decided to make a new local law in relation to meeting procedures.

Alternative Options

Other courses of action have been considered in relation to this report. The method described is the most efficient that was reviewed.

Risk Management

If the recommendation is adopted by Council, then there are no significant risks associated with this report.

Strategic Links – policy implications and relevance to Council Plan

The officer preparing the report considers the report is consistent with Council Policies, key strategic documents and the Council Plan.

Best Value / National Competition Policy (NCP) / Competition and Consumer Act 2010 (CCA) implications

The report is consistent with Best Value, National Competition Policy and Competition and Consumer Act requirements.

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- 9.7.1 Local Law No. 1 – Meeting Procedure
- Revocation of Local Law No. 1 Meeting Procedure (2010)
- Consideration of Draft Local Law No. 1 Meeting Procedure (2014) (cont.)

Financial / Budgetary Implications

The recommendation has no capital or recurrent budget considerations.

Economic Implications

The recommendation has no significant economic implications for Council or the broader community.

Environmental / Amenity Implications

Not applicable.

Community Implications

The recommendation has no significant or social implications for Council or the broader community.

Victorian Charter of Human Rights and Responsibilities Act 2006

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

Legal / Statutory Implications

The officer preparing the report has considered the provisions of the Local Government Act 1989 and Guidelines for Local Laws from the Department of Planning and Community Development.

Consultation

The review has been referred to 4 Assembly of Council meetings and, as part of this report, it is recommended to go to public advertising under Section 223 of the Local Government Act 1989.

Attachments

Draft Meeting Procedure Local Law No. 1 (2014)





Strathbogie Shire Council

**Meeting Procedure Local Law No. 1
(2014)**

Adopted:
Version: 2

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MEETING PROCEDURE LOCAL LAW No 1 2014

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PART 1- PRELIMINARY

BACKGROUND

1. TITLE

This Local Law is the Strathbogie Shire Council Meeting Procedure Law No 1 2014.

2. OBJECTIVES OF THIS LOCAL LAW

The objectives of this Local Law are to:

- (a) provide a mechanism to facilitate the good government of the Council through its formal meeting procedure;
- (b) regulate and control the election of Mayor, any Deputy Mayor and the chairperson of any Special Committees;
- (c) regulate and control the procedures governing the conduct of meetings;
- (d) regulate and control the use of the Council's seal;
- (e) provide for the administration of the Council's powers and functions; and
- (f) provide generally for the peace, order and good government of the municipal district.

3. AUTHORISING PROVISIONS

The Council's power to make this Local Law is contained in sections 5 and 91 and 111 of the Local Government Act 1989.

4. COMMENCEMENT AND AREA OF OPERATION

This Local Law:

- (a) comes into operation on the 21 October 2014; and
- (b) operates throughout the municipal district of Council.

5. REVOCATION

This Local Law:

- (a) ceases to operate on the tenth anniversary of its making unless it is replaced before then; and
- (b) revokes Meeting Procedures and Common Seal Local Law No. 1 adopted by Council on 20 April 2010

DEFINITIONS

6. DEFINITIONS

IN THIS LOCAL LAW, UNLESS INCONSISTENT WITH THE CONTEXT:

Absolute Majority of Votes	means at least fifty-one percent of the total number of Councillors entitled to vote.
Act	means the Local Government Act 1989 No 11.
Committee	means an Advisory Committee of Council that is comprised of Councillors, Council Officers and other members elected or nominated by the Council for the purpose of advising and making recommendations to Council.
Authorised Officer	means a Council Officer authorised under section 224 of the Act.
Chief Executive Officer	means the Chief Executive Officer (CEO) of the Council or a Council Officer appointed to act in place of the CEO.
Chair	refers to the Chairperson.
Chairperson	means the person who chairs a meeting of the Council or any Committee of the Council.
Council	means the Strathbogie Shire Council.
Councillor	means a person who is an elected member of the Council.
Council Meeting	includes Ordinary and Special meetings of the Council.
Deputy Mayor	means a Councillor elected by the Council as Deputy Mayor.
Division	means a formal count of those for and those against a motion generally to remove any doubt as to whether the motion is supported or opposed.
Formal Motion	means a motion which relates to a procedural matter only and which is not designed to produce any substantive result but used merely as a formal procedural measure.
In Camera	means any meeting which is closed to the public in which a private activity / conversation is taking place as per the Surveillance Devices Act 1999.
Infringement Notice	means a notice issued for breach of the Meeting Procedure Local Law No. 1 2014 and as prescribed in the Infringement Act 2006 and associated Regulations.
Listening Device	means any device as defined in the Surveillance Devices Act 1999 plus the use of mobile phones with recording facilities.
Lot	is the method of determining which candidate is to be eliminated from a ballot in circumstances where there are an equal number of votes.
Mayor	means the Councillor elected by Council as Mayor.

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Meeting Place	means a place where Council Meetings are held.
Member	refers to a person who is entitled to vote at a meeting of the Council or any Committee of the Council.
Minister	means the Minister responsible for administering the Local Government Act 1989 No 11.
Municipal District of Council	means the municipal district of the Strathbogie Shire as declared by Order in Council.
Private Activity	means as defined in the Surveillance Devices Act 1999.
Private Conversation	means as defined in the Surveillance Devices Act 1999.
Quorum	means the minimum number of members of a Council or of a Committee of Council required by this Local Law to be present in order to constitute a valid meeting of the Council or the Committee respectively.
Regulations	means Regulations as made under the Local Government Act 1989 No 11 Section 243 as amended or introduced.
Replica	in relation to the common seal of the Council means any representation which purports to be, looks like or is capable of being mistaken for the common seal whether fixed to or printed on a document or advertisement or sign and includes any use of a symbol.
Resolution	means a decision of Council that has been accepted by a majority of Councillors following a motion that has been voted upon according to the provisions contained in this Local Law.
Special Committee	means a special Committee of Council is elected or appointed by Council pursuant to Section 86 of the Act.
Statutory Meeting	means the meeting of Council to be held immediately after the election of the Council or the Annual Meeting to be held after the 12-month anniversary of the election of the Council pursuant to Clause 8 of this Local Law.
Surveillance Device	means as defined in the Surveillance Devices Act 1999.
Suspension of Standing Orders	means the suspension of the provisions of this Local Law to facilitate full discussion on an issue without formal constraints.

LIMITATIONS

7. MATTERS NOT PROVIDED FOR

Where a situation has not been provided for under this Local Law, the Council may determine the matter by resolution.

PART 2-STATUTORY MEETING

DEFINITION AND PURPOSE

8. STATUTORY MEETING

A special meeting of Council shall be convened by the Chief Executive Officer to determine the items listed under Clause 9 of this Local Law:

- (a) as soon as possible after the declaration of the result of the election, but no later than the last day of December; or
- (b) where the position of Mayor otherwise becomes vacant, as soon as practicable after the vacancy has occurred; and
- (c) at the Council meeting closest to the annual anniversary of the election of the Council.

9. PURPOSE OF STATUTORY MEETING

- (1) The purpose of the statutory meeting is for the Council to:
 - (a) conduct an election for the office of Mayor;
 - (b) determine whether a Deputy Mayor should be elected;
 - (c) to conduct the election for the office of Deputy Mayor if it is determined to appoint a Deputy Mayor;
 - (d) to determine the number and purpose of any Committees;
 - (e) to elect Councillors to each Committee;
 - (f) to elect a Chairperson to each Committee;
 - (g) to determine the date, time and place of Council and Committee meetings; and
 - (h) to nominate the amount of the allowances payable to the Mayor and Councillors.
- (2) The Chief Executive Officer will be the temporary Chairperson of the Statutory Meeting, but will have no voting rights.
- (3) The Chief Executive Officer will also be the Returning Officer for the election of Councillors to the office of Mayor, Deputy Mayor and Committees.

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- (4) If a statutory meeting is convened to fill a vacancy for the office of Mayor or Deputy Mayor other than after an election or at the expiration of the term of Mayor or Deputy Mayor, then the only item for decision will be the election for the vacant office.

ELECTION OF MAYOR

10. OFFICE OF MAYOR AND DEPUTY MAYOR

- (1) The office of Mayor and Deputy Mayor (if relevant) shall be for a term of 12 months from the date of the election to that office.
- (2) Subject to clause 10 (3) any Councillor is eligible for the election or re-election to the office of Mayor or Deputy Mayor.
- (3) If the Mayor is unable to attend a Council meeting for any reason:
 - (a) the Deputy Mayor will be acting Chair;
 - (b) if no Deputy Mayor has been elected, an acting Chair shall be elected; and
 - (c) the Chief Executive Officer shall chair any meeting to determine the Chair.

11. NOMINATION PROCEDURE

- (1) The Returning Officer shall invite nominations for the positions that are open for election.
- (2)

12. ELECTION PROCEDURE

- (1) The Councillors present at the meeting must vote for one candidate by a secret ballot conducted by the Returning Officer.
- (2) Where only one nomination is received, that Councillor must be declared elected.
- (3) Where two or more nominations are received, the Councillor with an absolute majority of votes cast will be declared elected.
- (4) Where there are two or more nominations and after the first ballot, no candidate has secured an absolute majority of votes or all votes cast are equally divided between two or more nominees, the Returning Officer shall adhere to the following procedure:
 - (a) the candidate with the fewest number of votes shall be declared to be a defeated candidate;
 - (b) the Councillors must then vote for one of the remaining candidates by further ballot;
 - (c) if one of the remaining candidates receives an absolute majority of the votes then they are duly elected;

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- (d) if none of the remaining candidates receives an absolute majority of the votes then the process of eliminating the candidate with the fewest number of votes and voting for the remaining candidates shall be repeated until one candidate receives an absolute majority of votes; and
 - (e) in the event that there are two or more candidates with an equal number of votes then the Returning Officer shall determine the ballot by lot.
- (5) If the Returning Officer is required to conduct an election by lot then the following procedure shall apply:
- (a) the Returning Officer shall procure the same number of pieces of paper, as there are remaining candidates;
 - (b) the Returning Officer shall write onto one of the pieces of paper the word "defeated" and then place all the pieces of paper into a receptacle;
 - (c) the Returning Officer shall then determine the order of drawing the lot by the alphabetical order of the surname of each of the candidates;
 - (d) where the candidate's name commences with the same alphabetical letter then the order shall be determined by the second letter of the surname;
 - (e) if the second letter is identical, then the third letter of the surname;
 - (f) this shall be repeated, if necessary until an order is established;
 - (g) if after drawing the lot there is more than one candidate then the Returning Officer shall call for a vote from each of the Councillors; and
 - (h) if the remaining candidates fail to achieve an absolute majority of the votes then the Returning Officer shall again determine the ballot by lot according to the provisions of this clause.

APPOINTMENT TO COMMITTEES

13. ELECTION FOR DEPUTY MAYOR AND COMMITTEES

- (1) Any election by Council for:
 - (a) Deputy Mayor or acting Chair of a Council meeting; or
 - (b) the membership of any Committeewill follow the same procedure as that for an election of the Mayor.
- (2) The Chairperson of any Special Committee of Council shall be elected by the Council in accordance with this Meeting Procedure.
- (3) Councillors elected to Committees shall be for a term of 12 months from the date of the election or appointment to that Committee.

PART 3 - GENERAL PROVISIONS

COUNCIL MEETING SCHEDULE

14. DATES AND TIMES OF MEETINGS

- (1) Council shall determine the date, time and place of all Council meetings.
- (2) The Chief Executive Officer must ensure that reasonable notice is provided to the public of any Council meeting.
- (3) Wherever possible the notice of the date, time and place of a Council or Committee meeting shall be placed
 - (a) in the Civic Centre, Euroa;
 - (b) in all municipal libraries;
 - (c) in at least one local newspaper that is distributed throughout the municipality; and
 - (d) on Council's Website.

15. COUNCIL MAY ALTER MEETING DATES

The Council may by resolution, change the date, time and place of any Council meeting which has been fixed and must provide reasonable notice of the changes to the public.

16. TIME LIMIT FOR MEETINGS

- (1) Unless Council resolves to the contrary a Council meeting or Committee meeting shall not continue beyond 10.30 pm.
- (2) Any business not reached or dealt with at the time the meeting closes shall be held over until the next Council or Committee meeting however, Council may resolve to extend the meeting by thirty (30) minute intervals, if deemed necessary.
- (3) Any business not dealt with that is adjourned until the next Council or Committee meeting shall be recorded in the minutes of the meeting.

17. SPECIAL COUNCIL MEETING

- (1) The notice necessary to call a meeting in accordance with section 84 of the Act must be delivered to the Chief Executive Officer in sufficient time to enable reasonable notice to be given to Councillors.
- (2) In giving such notice, Councillors should have regard to any need for preparatory investigations to enable the business to be undertaken and shall provide the Chief Executive Officer with notice at least 72 hours prior to a proposed Special Council meeting.

NOTICES FOR MEETINGS

18. NOTICE OF MEETING

- (1) The notice for any meeting must state:
 - (a) the date, time and place of the meeting; and
 - (b) the business to be dealt with at the meeting.
- (2) A notice of meeting and the agenda of the business to be dealt with must be served on every Councillor:
 - (a) for all designated Council or Committee meetings at least 48 hours before the meeting; and
 - (b) for a special Council meeting at least 24 hours before the meeting.
- (3) The notice and agenda must be sent by post, facsimile or otherwise delivered to the address specified by each of the Councillors.
- (4) Notice of an adjourned meeting shall be in writing, but where that is not practicable because time does not permit that to occur, the Chief Executive Officer may provide notice by telephone, facsimile or in person.

19. LEAVE OF ABSENCE

It will not be necessary for a notice of meeting or agenda to be served on any Councillor who has been granted leave of absence, unless the Councillor has requested the Chief Executive Officer in writing to continue to give notice of any meeting to be held during the period of his or her absence.

20. THE CONVENING OR CANCELLATION OF A COUNCIL MEETING

- (1) In the case of an emergency or in other justifiable circumstances, the Chief Executive Officer may call or postpone a meeting of the Council, without the necessity to comply with Clause 15 provided reasonable attempts are made to notify every Councillor.
- (2) The Chief Executive Officer must submit a full written report of the circumstances requiring this action to the next ordinary meeting of the Council.

QUORUMS

21. COUNCIL MEETINGS

The quorum required for all Council meetings will be a majority of the Councillors capable of being elected to that Council.

22. COMMITTEE MEETINGS

The quorum for all Committee meetings will be determined by the Council for each Committee, but in the absence of the Council's determination, the quorum required will be not less than a majority of the members appointed to that Committee.

23. A SPECIAL (EMERGENCY) MEETING

In the case of an emergency where the Chief Executive Officer has acted under clause 20, the quorum for the meeting will be not less than four Councillors.

24. INABILITY TO RAISE A QUORUM

If a quorum is not present within thirty (30) minutes of the scheduled starting time of a meeting:

- (a) the meeting shall be deemed to have lapsed;
- (b) the Mayor must convene another Council or Committee meeting and ensure that the agenda for such meeting is identical to the agenda for the meeting that was deemed to have lapsed; and
- (c) the Chief Executive Officer must give all Councillors notice of the meeting convened by the Mayor.

25. INABILITY TO MAINTAIN A QUORUM

If during any meeting, a quorum cannot be achieved or maintained, the meeting shall lapse and the provisions of Clause 26 shall apply.

CALL OF COUNCIL

26. CALL OF COUNCIL

- (1) If a quorum of Council cannot be formed or maintained due to the absence of Councillors, the Chief Executive Officer shall advise the Minister.
- (2) The Minister or the Chief Executive Officer may require all Councillors to attend a Call of the Council meeting.
- (3) A Call of the Council meeting must be treated as a Special Council meeting.
- (4) The Minister, a person nominated by the Minister or the Chief Executive Officer is entitled to attend and speak at a Call of the Council meeting, which he or she has required the Councillors to attend.
- (5) If a Call of Council has been required, immediately after the opening of the meeting:
 - (a) the Chief Executive Officer must call the name of the Mayor and each Councillor in alphabetical order;
 - (b) each person present must answer his or her name;
 - (c) all excuses for absence must be considered;
 - (d) after each excuse is considered a vote must be taken to determine whether a majority of the Councillors present at the meeting consider the excuse to be reasonable to excuse the Councillor from being present at the meeting; and
 - (e) if a majority of the Councillors determine that the absence of any Councillor is not reasonable the Chief Executive Officer shall advise the Minister.
- (6) If a Councillor does not attend within thirty (30) minutes after the time fixed for a call of the Council meeting or remain at the meeting, the Chief Executive Officer shall advise the Minister in writing.

MINUTES

27. KEEPING OF MINUTES

The Chair is responsible for arranging the taking and keeping of minutes of each meeting of the Council and any Special Committee on behalf of the Council.

28. CONTENTS OF MINUTES

- (1) In taking the minutes of any meeting, the Mayor must arrange the recording of minutes so as to show:
 - (a) the names of Councillors with the Ward they represent and whether they are present, have offered an apology, or are on leave of absence;
 - (b) the names of Officers in official attendance with their organisational title;
 - (c) the name of any other person officially in attendance at the meeting and the organisation they represent or the capacity of their attendance;
 - (d) the arrival and departure times of Councillors, Officers and other official attendees during the course of the meeting, including any temporary departures or arrivals;
 - (e) every motion and amendment moved, including the mover and seconder of any motion or amendment;
 - (f) the outcome of every motion, whether it was put to the vote and the result to indicate whether the motion was carried, lost, withdrawn, lapsed, amended and which motions were voted by secret ballot;
 - (g) procedural motions;
 - (h) where there is division to a motion, the numbers for and against;
 - (i) where a valid division is called, a table of the names of every Councillor and the way their vote was cast;
 - (j) when requested by a Councillor, a record of that Councillor's support or opposition for any motion;
 - (k) details of failure to achieve or maintain a quorum and any adjournment, whether as a result or otherwise;
 - (l) details of any question directed or taken upon notice;
 - (m) details of any deputations made to the Council;
 - (n) the time and reason for any adjournment of the meeting or suspension of Standing Orders;
 - (o) disclosure of the declaration and the nature of any pecuniary interest of a Councillor declared at or identified to a meeting; and
 - (p) any other matter that the Mayor thinks should be recorded to clarify the intention of the meeting or the reading of the Minutes.

ORDER OF BUSINESS

29. THE ORDER OF BUSINESS

- (1) The order of business of Council meetings will be determined by the Chief Executive Officer and shall generally include:
 1. Welcome;
 2. Acknowledgement of traditional landowners;
 3. Apologies;
 4. Confirmation of the minutes of previous meetings;
 5. Declaration of any Interest and / or Conflict of Interest of any Councillor
 6. Petitions;
 7. Reports of Mayor Councillors and Delegates;
 8. Public question time;
 9. Reports of Council Officers;
 10. Notices of Motion;
 11. Meeting Closure;
 12. Urgent Business.
- (2) The Chief Executive Officer may include any matter on an agenda, which he or she thinks should be considered by the meeting.
- (3) All Councillors shall comply with sections 78 and 79 of the Act by disclosing any conflict and / or pecuniary interest.
- (4) The Chairperson of a Council or Committee meeting shall ask prior to the commencement of any Council business whether any Councillor or Committee member has a pecuniary interest.



CONFIRMATION OF MINUTES

30. CONFIRMATION OF MINUTES

- (1) At every meeting of Council the minutes of the preceding meeting(s) must be dealt with as follows:
 - (a) the Chairperson shall call for a confirmation of the minutes and must ask whether any item is opposed;
 - (b) if no Councillor indicates opposition to the minutes the minutes must be declared to be confirmed;
 - (c) if a Councillor indicates opposition to the minutes he or she must specify the item(s) to which he or she objects;
 - (d) the items objected to must be considered separately and in the order in which they appear in the minutes;
 - (e) there shall be no discussion on the minutes except as to their accuracy as a true record of the meeting;
 - (f) a Councillor who objects to the minutes must move a motion indicating the amendment proposed but shall not speak to the motion;
 - (g) after the motion is presented to Council, the mover of the motion may speak to the motion;
 - (h) when all objections to the minutes have been determined the Chairperson must call for a motion to put to the Council to confirm the minutes or that they be confirmed subject to the amendments;
 - (i) when the minutes have been confirmed, the Chairperson must sign them.
- (2) The minutes must be entered into the minute book and each item in the minute book must be numbered consecutively.
- (3) Unless otherwise resolved or required by law the minutes of any Committee of Council require confirmation by Council before being made available to the public.

NOTICES OF MOTION

31. NOTICE OF MOTION

- (1) The Chairperson cannot accept a notice of motion unless it has been listed on the agenda for the meeting at which it is proposed to be moved.
- (2) A notice of motion must be signed by two Councillors and lodged with the Chief Executive Officer in sufficient time for him or her to include in the next agenda.
- (3) The full text of any such notice of motion must be included on the agenda.
- (4) The Chief Executive Officer must cause all notices of motion to be numbered, dated and entered in the notice of motion book in the order in which they were received.

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- (5) Except by leave of Council, each notice of motion before any meeting must be considered in the order in which they were entered in the notice of motion book.
- (6) If either Councillor who has given a notice of motion:
 - (a) is absent from the meeting; or
 - (b) fails to move the motion when called on by the Chairperson, any other Councillor may move the motion.
- (7) If a notice of motion has been given but is not moved at the relevant meeting, the notice of motion lapses.
- (8) A notice of motion before Council shall be determined in accordance with the procedures set out in the section "Motions and Amendments" of this Local Law.

QUESTION TIME

32. QUESTION TIME

- (1) At every ordinary meeting of the Council, a period of 30 minutes shall be allocated to enable any member of the community to direct questions to the Council.
- (2) Sub-clause (1) does not apply during any period when the Council has resolved to close the meeting in respect of a matter under section 89(2) of the Act.
- (3) Questioners must state their names.
- (4)
 - (a) a person may not submit more than two (2) questions at a meeting;
 - (b) Questions are to be written;
 - (c) The Chair will determine whether to extend question time.
- (5) A question will not be addressed to Council if:
 - (a) the question relates to a matter outside the duties, functions and powers of Council;
 - (b) it is defamatory, indecent, abusive, offensive, irrelevant, trivial or objectionable in language or substance; or
 - (c) it is aimed at embarrassing a Councillor or a member of Council staff.
- (6) All questions and answers must be as brief as possible and no discussion shall be allowed other than for the purpose of clarification.
- (7) The Chairperson may nominate a Councillor or Council Officer to answer a question.
- (8) A Councillor or a Council Officer may:
 - (a) require a question to be taken on notice until the next Ordinary Council meeting, at which time the question must be answered; or
 - (b) elect to submit a written answer to the person asking the question.

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- (9) If the Council agrees to allow a question to be answered in writing, the Councillor or Council Officer must indicate at that meeting when the answer shall be provided by.
- (10) A Councillor or Council Officer may advise Council that in his or her opinion, the reply to a question should be given in a meeting closed to the public.
- (11) The Councillor or Council Officer must state the reason why the answer should be provided closed to the public.
- (12) Unless Council resolves to the contrary, the reply to the question shall be given but closed to the public.

DEPUTATIONS

33. DEPUTATIONS

- (1) Members of the public can present deputations at designated Committee meetings.
- (2) A person who seeks to make a deputation or presentation shall make a written request to the Chief Executive Officer not less than 72 hours prior to the latest time for delivering the agenda for a Committee hearing.
- (3) A request for a deputation or presentation shall specify the name and address of a person authorised to receive notice on behalf of the deputation.
- (4) The Chief Executive Officer shall determine to which Committee meeting the request shall be referred for consideration.
- (5) The Chief Executive Officer may arrange for a deputation or presentation to meet with a group of Councillors.
- (6) The Council may determine to hear a deputation or presentation at shorter notice as a matter of urgency.

PETITIONS AND PUBLIC SUBMISSIONS

34. PETITIONS

- (1) Unless Council determines to consider it as an item of Urgent Business, no motion may be made on any petition until the next Ordinary meeting of Council after that at which it has been presented.
- (2) It shall be incumbent on every Councillor presenting a petition to acquaint themselves with the contents of the petition and to ascertain that it does not contain language that is disrespectful to Council and the contents do not violate any Local Law.
- (3) The person presenting a petition to Council shall write their name at the beginning of the petition.
- (4) Every petition presented to Council shall:
 - (a) be in the prescribed form as set out in Schedule 2;
 - (b) be in writing, type or print;



- (c) contain the request of the petitioners; and
- (d) be signed by at least one (1) petitioner on every sheet on which it is written.
- (5) Every petition shall be signed by the person whose names are appended to it by their names or marks and except in cases of incapacity or sickness by no one else and the address of every signatory to the petition shall be clearly stated.
- (6) Any signature appearing on a page, which does not bear the wording of the whole of the petition or request, shall not be considered by the Council.
- (7) Every page of a petition or joint letter shall be a single piece of paper and shall not be pasted, stapled or pinned or otherwise affixed to any piece of paper other than another page of the petition or joint letter.
- (8) No person shall inscribe upon a petition or joint letter, a signature purporting to be that of any other person or in the name of any other person. Penalty: \$500
- (9) A Councillor presenting a petition to Council shall confine themselves to a statement of the persons from whom it comes, of the number of signatures and the material allegations contained in it.

34.A PUBLIC SUBMISSIONS

- (1) Council shall at such time as is allocated by it, hear any person wishing to be heard in respect of their submission to Council under section 223 of the Act.
- (2) Councillors may through the Chair question any submitter in relation to their submission.
- (3) After hearing submissions Council may immediately consider them and any submission made to it in writing or may adjourn its consideration of any such submissions.

REPORTS

35. REPORTS OF COMMITTEES

- (1) The Chairperson of each Committee shall ensure that a Report of the Committee is presented to the Ordinary Meeting of Council following the meeting of the Committee in accordance with the provisions of this Local Law.
- (2) A Report of a Special Committee shall contain:
 - (a) the time, date and place of the meeting;
 - (b) the names of the members of the Committee and other people in attendance;
 - (c) the business of the meeting;
 - (d) the decisions and outcomes of the meeting;
 - (e) the time of the next meeting.
- (3) A Report of an Advisory Committee shall contain:
 - (a) the time, date and place of the meeting;
 - (b) the members of the Committee and other people in attendance;
 - (c) the business of the meeting;

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- (d) the recommendations that were agreed to;
- (e) the time of the next meeting.

- (4) The procedure for the consideration of Reports from Committees of Council shall be in accordance with clauses 29 and 30 of this Local Law.
- (5) The Chairperson must allow a member of any Committee to speak to the Report or its recommendations if requested to do so.
- (6) A Report from a Special Committee shall be adopted by Council.
- (7) Once a Report of an Advisory Committee has been adopted by the Council, each of the recommendations contained in the Report shall become a resolution of Council.

36. REPORTS OF MAYOR, COUNCILLORS AND COUNCIL DELEGATES

- (1) A delegate of Council is a Councillor who has been appointed by Council to represent Council on another body and is therefore responsible and accountable to Council for their actions as a delegate.
- (2) A delegate of Council to another body may present a report to Council after each meeting of that body is held.
- (3) Council shall receive a written report from a delegate of Council and if so received shall be included on the Agenda for consideration by Council.
- (4) If a delegate gives a verbal report to Council then the duration of a verbal report from a delegate is within the discretion of the Chairperson.

37. REPORTS OF COUNCIL OFFICERS

- (1) Reports from Council Officers shall be included in the Council agenda if the Chief Executive Officer determines.
- (2) A Report from a Council Officer shall not be read in full at any Council meeting unless the Council resolves to the contrary.
- (3) The Chairperson may allow a Council Officer to speak to their report before it is voted on by Council.

URGENT BUSINESS

38. URGENT BUSINESS

- (1) Urgent business can only be admitted by resolution of Council.
- (2) Urgent business must not be admitted as urgent business unless it:
 - (a) relates to or arises out of a matter, which has arisen since distribution of the agenda;
 - (b) is manifestly urgent;
 - (c) is material to a function of Council;
 - (d) requires an urgent Council resolution; or
 - (e) is otherwise determined by the Chief Executive Officer.

VOTING AT COUNCIL MEETINGS

39. HOW DETERMINED

- (1) In determining a question before a meeting of Council, the Chairperson will first call for those in favour of the matter before Council and then those opposed to the matter before Council.
- (2) Unless determined or provided to the contrary, the result of a cast of votes shall be determined by a simple majority of votes.
- (3) The Chairperson shall declare the result of any vote as soon as it has been taken.

40. SILENCE

Voting shall be taken in silence.

41. RECOUNT

The Chairperson may direct that a vote be recounted to satisfy him or herself of the result.

42. BY SHOW OF HANDS

Unless Council resolves otherwise, voting on any matter will be by show of hands.

43. CHAIRPERSON

- (1) The Chairperson is entitled to cast a vote.
- (2) In the event there is an equality of votes and subject to section 90(1)(e) of the Act, the Chairperson shall have a second vote.

44. COMMITTEES

The system of voting at a Committee of Council shall be by show of hands only.

CALLING A DIVISION

45. WHEN A DIVISION PERMITTED

- (1) A division may be requested by any Councillor on any matter.
- (2) The request must be made to the Chairperson either immediately prior to or immediately after the vote has been taken but cannot be requested after the next item of business has commenced.
- (3) A Councillor is not prevented from changing their original vote at the voting on the division.
- (4) The voting by division will determine the Council's resolution on the issue.

46. PROCEDURE FOR DIVISION

- (1) When a division is called for, the vote already taken must be treated as a nullity and the division shall decide the motion or amendment.

- (2) Once a division has been requested the Chairperson will call for a show of hands by those Councillors voting in the affirmative and then those Councillors voting in the negative.
- (3) The Chairperson shall state, and the Chief Executive Officer (or the Officer authorised to attend the meeting and take the minutes of the meeting) must record the names of those Councillors voting in the affirmative and those voting in the negative.
- (4) The Chairperson must then declare the result of the vote or division as soon as it is taken.

47. NO DISCUSSION ONCE DECLARED

Once a vote on a motion has been taken, no further discussion relating to the motion will be allowed unless the discussion is:

- (a) for a Councillor to request that their opposition to the motion be recorded in the minutes; or
- (b) where a subsequent notice of motion follows a rescission motion.

ADDRESSING THE COUNCIL

48. ADDRESSING THE COUNCIL

- (1) Except for the Chairperson, any Councillor or person who addresses a Council meeting must direct all remarks through the Chair unless granted an exemption by the Chairperson.
- (2) Any person addressing the Chair should refer to the Chairperson as:
 - (a) Madam, Mrs, Ms, or Miss and then Mayor or Deputy Mayor;
 - (b) Mr. Mayor or Deputy Mayor;
 - (c) Madam, Mrs, Ms, or Miss and then Chairperson; or
 - (d) Mr. Chairperson, as the case may be.
- (3) All Councillors, other than the Mayor, should be addressed as Councillor and then the Councillor's surname.
- (4) All Officers should be addressed as Mrs., Ms., Miss or Mr and then the Officer's surname except the Chief Executive Officer who shall be addressed by his or her title.

CONDUCT OF COUNCILLORS

49. PRIORITY OF ADDRESS

In the case of competition for the right to speak, the Chairperson must decide the order in which the Councillors concerned will be heard.

50. CHAIRPERSON'S DUTY TO REJECT

- (1) Any motion, question, statement or amendment which:
 - (a) is defamatory of any Councillor, Council Officer or member of the public; or
 - (b) is objectionable in language or nature; or
 - (c) is outside the powers of the Council; or
 - (d) is not relevant to the item of business on the Agenda and has not been admitted as Urgent Business; or
 - (e) purports to be an amendment but is not;must not be accepted by the Chairperson.
- (2) The Chairperson must call to order any person who:
 - (a) contravenes sub-clause 1; or
 - (b) is disruptive or unruly during a meeting.

51. ORDER WITHDRAWAL OF REMARK

- (1) The Chairperson may require a Councillor to withdraw any remark, which is defamatory, indecent, abusive, offensive, disorderly or objectionable in language, substance or nature.
- (2) A Councillor required to withdraw a remark must do so immediately without qualification or explanation.

CONDUCT OF PUBLIC

52. VISITORS

- (1) Visitors must not interject or take part in debate.
- (2) Silence shall be preserved in the gallery at all times.
- (3) If any visitor is called to order by the Chairperson and again acts in breach of this Local Law, the Chairperson may order that person to be removed from the gallery.

53. CALL TO ORDER

Any person who has been called to order including any Councillor who fails to comply with the Chairperson's direction will be guilty of an offence.
Penalty: \$500

54. REMOVAL FOR DISRUPTION

The Chairperson has discretion to cause the removal of any person including a Councillor who disrupts any meeting or fails to comply with a direction under the provisions of this Local Law.

55. CHAIRPERSON'S EXERCISE OF AUTHORITY

The Chairperson shall exercise the authority vested in him/her under this Local Law in a manner, which is judicious and consistent with the purposes of this Local Law.

INTERRUPTING OR INTERJECTING A SPEAKER

56. INTERRUPTION, INTERJECTIONS AND RELEVANCE

- (1) A Councillor must not be interrupted except by the Chairperson or upon a point of order.
- (2) If a Councillor is interrupted by the Chairperson or upon a point of order, he or she must remain silent and be seated until the Chairperson has ceased speaking or the point of order has been determined.
- (3) A Councillor shall not digress from the subject matter of the motion or business under discussion.

SUSPENSION OF MEETING PROCEDURE

57. SUSPENSION OF PROCEDURE

- (1) The provisions of this Local Law may be suspended by resolution of the Council.
- (2) The purpose of suspending such provisions is to enable the formalities of the meeting procedure to be temporarily disposed of while an issue is discussed, not to dispense with the processes and protocol of the government of the Council.
- (3) Once the discussion has taken place and before any motions can be put, the resumption of the meeting procedure provisions will be necessary.
- (4) No motion may be accepted by the Chair or be lawfully dealt with during any suspension of the meeting procedure provisions.

OPEN AND IN CAMERA COUNCIL MEETINGS

58. IN CAMERA

- (1) As per Section 89(2) of the Local Government Act, the Council or Special Committee may resolve that the meeting be closed to the members of the public.
- (2) Should a meeting be closed to members of the public, then they shall vacate the meeting place.
- (3) Only the Councillors / Committee members and authorised officers are permitted to remain in the meeting place.
- (4) No listening device may be used whilst the In Camera meeting is in progress.

MOTIONS, ADMENDMENTS AND DEBATING

59. FORM OF MOTION

A motion or amendment must:

- (a) relate to the powers or functions of Council;
- (b) be in writing, if requested by the Chairperson; and
- (c) except in the case of Urgent Business; be relevant to an item of business on the agenda.

60. PROCEDURE FOR A MOTION

The procedure for any motion is-

- (a) the mover must state the motion without speaking to it;
- (b) unless the motion is a formal notice of motion, it must be seconded by a Councillor other than the mover;
- (c) if a motion is not seconded it shall lapse for want of a seconder;
- (d) if the motion is seconded, the Chairperson must ask whether the motion is opposed or if any Councillor wishes to address the motion;
- (e) if there is no opposition or no Councillor has indicated they want to speak to, the motion it must be declared to be carried unanimously without the need for a vote;
- (f) if a Councillor indicates opposition, then the Chairperson must request:
 - (i) the mover to address the Council on the motion; and
 - (ii) any other Councillors for and against the motion to debate in turn;
- (g) the mover of an original motion, which has not been amended, may, once debate has been exhausted, exercise a right of reply to matters raised during debate;
- (h) after the right of reply has been taken, the motion must be immediately put to the vote without any further discussion or debate.

61. MOVING AN AMENDMENT

- (1) No notice need be given of any amendment, however if any Councillor intends to move an amendment it must be done prior to the right of reply.
- (2) The mover or seconder of a motion cannot move an amendment to it.
- (3) A second or subsequent amendment cannot be moved until the immediately preceding amendment is determined.
- (4) A Councillor may address the meeting once on any amendment, whether or not they have spoken to the original motion but debate must be confined to the terms of the amendment.
- (5) A Councillor cannot move more than two (2) amendments in succession.

- (6) If the amended motion is carried, it then becomes the motion before the Chair.
- (7) The original mover of the motion shall retain the right of reply to the amended motion.

62. WITHDRAWAL OF MOTIONS

Before any motion is put to the vote, it may be withdrawn with leave of the Council.

63. CHAIRPERSON MAY SEPARATE MOTIONS

The Chairperson may decide to put any motion to the vote in separate parts.

64. DEBATE MUST BE RELEVANT TO THE MOTION

- (1) Debate must always be relevant to the motion before the Council and if not, the Chairperson may request the speaker to confine debate to the subject motion.
- (2) If after being requested to confine debate to the motion before the Chair, the speaker continues to debate irrelevant matters, the Chairperson may require that the speaker not speak further in respect of the matter then before the Council.

64A. MISCELLANEOUS RULES OF DEBATE

- (1) If a debate is adjourned by motion, then the Councillors who moved the adjournment has the right to speak first when the debate is resumed.
- (2) A Councillor must not be interrupted except by the Chairperson or upon a point of order being taken.
- (3) The Chairperson may speak on any matter under discussion.
- (4) When exercising the right of reply, a Councillor must not introduce fresh matter.
- (5) No resolution may be discussed after it is dealt with, unless the Chairperson allows it.
- (6) The order of proceedings for debate will be:
 - (a) A Councillor may move a recommendation before them and speak to it following a seconder
 - (b) The Councillor that seconds the motion may defer their right of reply until the conclusion of the debate if they wish
 - (c) The Councillors will then be asked who wishes to speak either for or against the recommendation before them
 - (d) The seconder now has the opportunity if they haven't spoken already to have their right of reply
 - (e) The mover then concludes the debate and the recommendation is voted on.

SPEAKING TIMES

65. *SPEAKING TIMES*

Unless a motion for an extension of time has been carried, the maximum speaking times will be:

- (1) the mover of a motion - five (10) minutes;
- (2) the mover of a motion when exercising their right of reply - four (4) minutes;
- (3) any other Councillor - Five (5) minutes;

66. *EXTENSION OF SPEAKING TIME*

An extension of speaking time may be granted by resolution of the Council but only one extension is permitted for each speaker on any motion. A motion for an extension of speaking time must be proposed:

- (a) immediately before the speaker commences debate; or
- (b) during the speaker's debate.

FORMAL MOTIONS

67. *FORMAL MOTIONS*

The following formal motions are recognised under this Local Law –

- (a) adjournment of debate;
- (b) adjournment of meeting; and
- (c) closure of debate

68. *ADJOURNMENT OF DEBATE*

- (1) Council may resolve to adjourn debate on an item of business.
- (2) The adjournment of debate must not be moved or seconded by the Councillor who moved, seconded or who spoke in favour of the motion before Council or any amendment to it.
- (3) The adjournment of debate shall not be allowed:
 - (a) during the election of a Chairperson; or
 - (b) while a Councillor is speaking.
- (4) The motion of adjournment of the debate may be fully debated and may only be amended as to the time and date of the adjournment.
- (5) The mover of a motion to adjourn debate shall not exercise a right of reply.

69. *ADJOURNMENT OF MEETING*

- (1) Council may resolve to adjourn a meeting.

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- (2) The adjournment of the meeting must not be moved or seconded by a Councillor who has moved, seconded or spoken to the motion before the Council or meeting or any amendment to it.
- (3) The adjournment of the meeting shall not be allowed:
 - (a) during the election of a Chairperson; or
 - (b) while a Councillor is speaking.
- (4) The motion of adjournment of the meeting may be fully debated and may only be amended as to the date and time of the adjourned meeting.
- (5) If the motion is not successful, no further motion for adjournment of the meeting shall be made until the subject under consideration has been determined.

70. CLOSURE OF DEBATE

- (1) A Councillor may move that debate on a matter is closed and the question put to Council for a vote.
- (2) A motion to close debate may be moved:
 - (a) in respect of a motion before the Council;
 - (b) while a Councillor is speaking; and
 - (c) with the leave of the Chairperson.
- (3) A Councillor must not move or second a motion to close debate if he or she has moved, seconded or spoken to the motion before the Council or to any amendment of it.
- (4) The motion to close debate shall not be debated, amended or adjourned.
- (5) If the closure is carried, the motion or amendment in respect of which the closure motion was carried shall be put to the vote without further discussion or amendment.

POINTS OF ORDER

71. CHAIRPERSON TO DECIDE

The Chairperson shall decide all points of order by stating the provision, rule, practice or precedent which he or she considers applicable to the point raised without entering into any discussion or comment.

72. CHAIRPERSON MAY ADJOURN TO CONSIDER

- (1) The Chairperson may adjourn the meeting to consider a point of order otherwise he or she must rule on it as soon as it is raised.
- (2) All other matters before the Council are to be suspended until the point of order is decided.

73. FINAL RULING ON A POINT OF ORDER

- (1) The decision of the Chairperson in respect to a point of order raised will not be open for discussion and will be final and conclusive unless the majority of Councillors present move a motion of dissent.

- (2) A motion of dissent on a point of order must contain the provision, rule, practice or precedent in substitution for the Chairperson's ruling.
- (3) A motion of dissent on a point of order will take precedence over all other business and if carried must be acted on instead of the ruling given by the Chairperson.

74. PROCEDURE FOR POINT OF ORDER

A Councillor raising a point of order must:

- (1) state the point of order; and
- (2) the clause, paragraph or provision constituting the point of order.

75. VALID POINTS OF ORDER

- (1) A point of order may be raised in relation to:
 - (a) a procedural matter;
 - (b) a Councillor who is or appears to be out of order; or
 - (c) any procedure that is in contravention of this Local Law.
- (2) A mere difference of opinion or attempt to contradict a speaker will not be treated as a point of order.

NOTICES OF AMENDMENT OR RESCISSION

76. PROCEDURE

- (1) A Councillor may propose a motion to amend or rescind a decision of the Council provided:
 - (a) the previous motion has not been acted upon; and
 - (b) a notice is delivered to the Chief Executive Officer by the close of business on the day following the meeting at which the decision of Council was made stating:
 - (i) the decision proposed to be amended or rescinded; and
 - (ii) the meeting and date when the decision was made.
- (2) A decision will be deemed to be acted upon once its details have been formally communicated to persons affected by or reliant on the resolution or where a statutory procedure has been carried out as a result of that decision.

77. LISTING NOTICE ON AGENDA

Unless the notice specifies a particular meeting date, the Chief Executive Officer must list the notice of amendment or rescission, and if more than one, in the order they were received, on the next appropriate meeting agenda, together with a report outline.

78. CRITERIA TO AMEND OR RESCIND A MOTION

For a decision of the Council to be amended or rescinded, the motion for amendment or rescission must be carried by a majority of the votes cast.

79. IF LOST

Unless the Council resolves to re-list at a future meeting a notice to amend or rescind which has been lost, a similar motion must not be put before the Council for a period of three months from the date it was last considered.

80. IF NOT MOVED

80.1 If a notice of amendment or rescission is not moved at the meeting for which it is listed, it will lapse.

80.2 A notice of amendment or rescission listed on a meeting agenda may be moved by any Councillor present but cannot be amended.

81. WHEN NOT REQUIRED

A notice of amendment or rescission is not required where the Council wishes to change a previous decision relating to policy of the Council.

82. REGISTER OF NOTICES

The Chief Executive Officer must cause every Notice of Motion or Rescission received to be sequentially numbered and to be maintained in a register.

ADJOURNMENT AND RESUMPTION OF MEETING

83. ADJOURNMENT AND RESUMPTION OF MEETING

- (1) The Chairperson or the Council may adjourn any meeting until a time and place to be determined at the time of the adjournment.
- (2) For the purpose of stating the time to which the meeting is adjourned, that time may be indicated as at the adjournment or conclusion of another meeting or event.

DISAGREEING WITH THE CHAIRPERSON'S RULING

84. DISAGREEING WITH THE CHAIRPERSONS RULING

- (1) A Councillor may move that the meeting disagree with the Chairperson's ruling on a point of order, by moving that the Chairperson's ruling be dissented from.
- (2) When a motion in accordance with this clause is moved and seconded, the Chairperson remains in the Chair and maintains her or his right to a second vote.
- (3) The Chairperson must invite the mover to state the reasons for his or her dissent and the Chairperson may then reply.
- (4) The Chairperson then puts the motion that the Chairperson's ruling be dissented from.
- (5) If the vote is in the negative, the meeting proceeds on the basis that the Chairperson's original ruling is upheld.
- (6) If the vote is in the affirmative, the Chairperson reverses his or her previous ruling and the meeting proceeds.
- (7) The defeat of the Chairperson's ruling is not a motion of censure or no confidence, and should not be regarded as such by the meeting.

CHAIRPERSON ADDRESSING MEETING

85. CHAIRPERSON MAY ADDRESS THE MEETING

- (1) The Chairperson may address a meeting on any matter under discussion, and is not deemed to have left the Chair on such occasions except that the Chairperson may vacate the Chair for the duration of any item under discussion.
- (2) If the Chairperson vacates the Chair pursuant to sub-clause (1), a temporary Chairperson shall be elected by the meeting and shall take the Chair until the item has been disposed of.
- (3) The Chair is encouraged not to debate from the Chair.

COMMON SEAL

86. COUNCIL'S COMMON SEAL

- (1) The Chief Executive Officer must ensure that Council's common seal is kept in safe custody at all times.
- (2) Council's common seal may only be used on the authority of the Council.
- (3) Every document to which the common seal is affixed must be witnessed by the Chief Executive Officer or in the absence of the Chief Executive Officer, the Acting Chief Executive Officer as authorised by Council, the Chairperson and at least one other Councillor.
- (4) Any person who uses Council's common seal without authority is guilty of an offence. Penalty: \$1,000.
- (5) Any person who uses any replica of Council's seal without authority is guilty of an offence. Penalty: \$1,000.

87. RECORDING DEVICES

- (1) The Chairperson will determine whether recording devices or visual recording devices are permitted for use at Council / Committee meetings.

COMMITTEES OF COUNCIL

88. APPLICATION TO SPECIAL COMMITTEES OF COUNCILLORS ONLY

- (1) If a Council establishes a Special Committee composed solely of Councillors, all of the provisions of this Local Law shall apply with any necessary modification or adaptations.
- (2) For the purpose of the sub-clause (1), a reference in the Local Law to:
 - (a) a Council meeting is to be read as a reference to a meeting of the Special Committee;
 - (b) a Councillor is to be read as a reference to a member of the Special Committee; and
 - (c) the Mayor is to be read as a reference to the Chairperson of the Special Committee.

Strathbogie Shire Council

Meeting Procedure Local Law No 1 - 2014

- (3) If Council resolves to establish a Special Committee composed solely of Councillors:
 - (a) Council may; or
 - (b) that Special Committee may, with the approval of Council;resolve that any provision of this Local Law will or will not apply.

89. APPLICATION TO ADVISORY COMMITTEES

- (1) If Council establishes an Advisory Committee, all of the provisions of this Local Law shall apply with any modifications or adaptations.
- (2) For the purposes of sub-clause (1), a reference in this Local Law to
 - (a) a Council meeting is to be read as a reference to a meeting of the Advisory Committee;
 - (b) a Councillor is to be read as a reference to a member of the Advisory Committee; and
 - (c) the Mayor is to be read as a reference to the Chairperson of the Advisory Committee.
- (3) If Council resolves to establish an Advisory Committee:
 - (a) Council may; or
 - (b) that Committee may with the approval of Council;resolve that any provision of this Local Law will or will not apply.

ENFORCEMENT AND PENALTIES

90. INFRINGEMENT NOTICES

- (1) An authorised officer may issue an on the spot infringement notice in accordance with the Infringement Act 2008 and associated regulations requirements.
- (2) The fixed penalty in respect of an on the spot infringement is the amount set out in Schedule 1.

91. SERVICE OF NOTICES

- (1) Any infringement notice to be served on or given to a person under this Local Law will be in accordance with the Infringement Act 2008 and associated Regulations and may be served on or given to the person by:
 - (a) delivering the notice to the person;
 - (b) leaving the notice at his or her usual or last known place of residence or business with a person apparently over the age of 16 years and apparently residing or employed at that place; or

Strathbogie Shire Council

Meeting Procedure Local Law No 1 - 2014

- (c) sending the document by post addressed to the person at his or her last known place of residence or business.
- (2) The relevant authorised officer may withdraw the infringement notice within 28 days after its date by sending a notice to the person on whom the infringement notice was served.
- (3) If the person pays the penalty before the infringement notice is withdrawn, the person is entitled to a refund of the penalty.
- (4) If the person pays the penalty within the time specified in the notice or, if the relevant authorised officer allows, before a summons is served on the person in respect of the infringement, the following provisions apply:
 - (a) further proceedings for an offence are not to be taken against the person; and
 - (b) there is to be no conviction recorded against the person for the infringement.
- (5) A penalty paid under this clause must be applied as if the person who paid it was convicted of the infringement in a Magistrates Court on the information of an authorised relevant person.
- (6) If a person served with an infringement notice has not paid the penalty within the time specified in the notice or any extension of that time or if an infringement notice is not withdrawn proceedings may still be taken or continued to prosecute the alleged.

92. PAYMENT OF PENALTY

- (1) A person issued with an infringement notice may pay the penalty indicated to Strathbogie Shire Council, corner Binney and Bury Streets, Euroa.
- (2) To avoid prosecution, the penalty indicated must be paid within 28 days after the day on which the infringement notice is issued.
- (3) A person issued with an infringement notice is entitled to disregard the notice and defend the prosecution in court.

93. EVIDENCE OF SERVICE

A statutory declaration by a person who has served or given notice in accordance with this Local Law is evidence of the notice having been served or given as described in that declaration.



SCHEDULE 1

MEETING PROCEDURE LOCAL LAW NO 1 2007
PENALTIES FIXED FOR ON THE SPOT INFRINGEMENTS

Local Law Provision	Offence	Penalty \$
34 (8)	Fraudulently signing a petition or joint letter	500
53	Call to Order - Failing to comply with a direction of the Chair	500
86 (4)	Using the Common Seal without authority	1,000
86 (5)	Using a replica of the Common Seal without authority	1,000

SCHEDULE 2

PETITION

To: Strathbogie Shire Council

The residents and ratepayers of Strathbogie Shire Council draw to the attention of the Council

[give the circumstances of the case]

We therefore request that:

[outline the action sought]

*NOTE – Every page of this Petition must contain the above information.

Name (Please Print Name)	Signature (Petitioner must sign his or her name)	Address (Please write full address)



9.7.2 Council Policy - Protected Disclosure Policy

Author & Department

Director, Corporate & Community/ Corporate & Community Directorate

Disclosure of Conflicts of Interest in relation to advice provided in this report

Officers providing advice in relation to this report do not have a direct or indirect interest, as provided in accordance with the Local Government Act 1989 (LG Act).

Summary

The Protected Disclosure Policy has been reviewed as a result of movement in staff designated under the Policy.

RECOMMENDATION

- 1. That the Protected Disclosure Policy be revoked.**
- 2. That Council endorse the Protected Disclosure Policy 2014, as presented.**

104/14 CRS WILLIAMS/STORER : That the Recommendation be adopted.

CARRIED

Background

The review of this policy has occurred as a result of changes to staff within the Council. It is necessary to keep the policy up to date.

The Policy has since been reviewed and represents Council's position at present.

Alternative Options

Officers providing advice in relation to this report have considered that this is the most appropriate option available to Council, as it meets the requirements of the Local Government Act 1989.

Risk Management

There are no significant Risk Management factors relating to the report and recommendation.

Strategic Links – policy implications and relevance to Council Plan

The report is consistent with Council Policies, key strategic documents and the Council Plan.

Best Value / National Competition Policy (NCP / Competition and Consumer Act 2010 (CCA) implications

The report is consistent with Best Value, National Competition Policy and Competition and Consumer Act requirements.

D

Financial / Budgetary Implications

There are no financial implications associated with the recommendation.

9.7.2 Council Policy

- Protected Disclosure Policy (cont.)

Economic Implications

The recommendation has no significant economic implications for Council or the broader community.

Environmental / Amenity Implications

The recommendation has no significant environmental or amenity implications for Council or the broader community.

Community Implications

The author of this report considers that the recommendation has no significant community or social implications for Council or the broader community.

Victorian Charter of Human Rights and Responsibilities Act 2006

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

Legal / Statutory Implications

The recommendation has no further legal or statutory implications which require the consideration of Council.

Consultation

The author of this report considers that the matter under consideration did not warrant a community consultation process.

Attachments

Protected Disclosure Policy.





PROTECTED DISCLOSURE POLICY

COUNCIL POLICY	
Effective Date:	03/10/2013
Last Review:	October 2013
Current Review:	August 2014
Adopted By Council:	
Next Review Date:	Biennially
Responsible Officer/s:	Director, Corporate & Community

D

1. PURPOSE

The purpose of Council's Protected Disclosure Policy is to support the ethical behaviours and values expected from Councillors and Council officers and employees as detailed in the Councillor and Staff Codes of Conduct.

Council's Protected Disclosure Policy enables Strathbogie Shire Council to encourage and facilitate disclosures of improper conduct or detrimental action. The Protected Disclosure Policy provides for the receipt and effective management of information relating to a Councillor or a Council officer or employee engaging in improper conduct or detrimental action and ensures effective processes are in place to support people who have made protected disclosures, those who maybe the subject of a protected disclosure and those who may be witness to an investigation.

2. OBJECTIVE

The objectives of the Protected Disclosure Policy are:

1. To encourage and facilitate the disclosure of improper conduct or detrimental action by Councillors or Council officers or employees;
2. To protect Council against improper conduct or detrimental action by Councillors or Council officers or employees;
3. To ensure proper protection of the person making the complaint from retribution for making the disclosure;
4. To provide for confidentiality for the content of the disclosure and the identity of the complainant; and
5. To establish a process for the making of disclosures of improper conduct by Councillors and Council officers or employees and to provide a system of investigation of such disclosures.

3. SCOPE

The *Protected Disclosure Act 2012 (the Act)* requires Council to establish internal processes that facilitate disclosures, effectively manage the receipt of information and provide protection for looking after all parties who may be involved. The Act, which commenced operation on 10 February 2013, replaces the former *Whistleblowers Protection Act 2001* and amends the *Ombudsman Act 1973*.

Under the Act, Council may receive disclosures regarding the improper conduct of Council or its officers or employees. Disclosures regarding Councillors must be made directly to the Independent Broad-based Anti-Corruption Commission (IBAC) or the Victorian Ombudsman.

This Policy will apply to Councillors, Council officers or employees and they are accountable for complying with all relevant legislative and policy requirements.

4. DEFINITIONS

Reference term	Definition
Act	<i>Protected Disclosure Act 2012.</i>
Corrupt conduct	Refer "improper conduct" below.
Council	"Council" has the same meaning as it has in section 3(1) of the <i>Local Government Act 1989</i> . "Council means a municipal council (including the Council of the City of Melbourne and the Council of the City of Geelong) whether constituted before or after the commencement of this section."
Councillor	"Councillor" has the same meaning as it has in section 3(1) of the <i>Local Government Act 1989</i> . "Councillor means a person who holds the office of member of a Council."
Detrimental action	"detrimental action" includes— (a) action causing injury, loss or damage; (b) intimidation or harassment; (c) discrimination, disadvantage or adverse treatment in relation to a person's employment, career, profession, trade or business, including the taking of disciplinary action.
IBAC	"IBAC" means the Independent Broad-based Anti-corruption Commission established under section 12 of the <i>Independent Broad-based Anti-corruption Commission Act 2011</i> ;
Improper conduct	"improper conduct" means— (a) corrupt conduct; or (b) conduct specified in Section 4 subsection (2) of the Act that is not corrupt conduct but that, if proved, would constitute— (i) a criminal offence; or (ii) reasonable grounds for dismissing or dispensing with, or otherwise terminating, the services of the officer who was, or is, engaged in that conduct.
Ombudsman	"Ombudsman" means the person appointed as the Ombudsman under section 3 of the <i>Ombudsman Act 1973</i> .
Protected disclosure	"protected disclosure" means— (a) a disclosure made in accordance with Part 2; or (b) a complaint made in accordance with section 86L(2A) of the <i>Police Regulation Act 1958</i> .

Protected Disclosure Co-Ordinator	Phil Howard, Director People and Culture. Disclosure Co-Ordinator means the person(s) appointed by Council to impartially assess each disclosure to determine whether it appears to be a protected disclosure. Also to receive a complaint of the nature described in this Policy.
Protected Disclosure Officer	David Woodhams, Director Corporate & Community. Disclosure Officer means the person(s) appointed by Council to receive a complaint of the nature described in this Policy.

5. POLICY

5.1 Policy Statement

Strathbogie Shire Council is committed to the aims and objectives of the *Protected Disclosure Act 2012*. The Council does not tolerate improper conduct, nor the taking of reprisals against those who come forward to disclose such conduct.

Council recognises and values transparency in its administrative and management practices and supports the making of disclosures that may reveal improper conduct.

Council will take all reasonable steps to protect people who make such disclosures from any detrimental action from reprisal for making the disclosure. It will afford natural justice to the person who is the subject of the disclosure.

5.2 Policy Principles and Application

Council will apply the following fundamental principles in facilitating the appropriate reporting of, and supporting the people involved and managing the process of, disclosure of improper conduct and detrimental action by Councillors or Council officers or employees;

- Council is committed to the aims and objectives of the *Protected Disclosure Act 2012*.
- Council officers and employees may report to the Protected Disclosure Co-Ordinator or an appropriate Protected Disclosure Officer or external authority any behaviour that violates any law, rule or regulation or represents corrupt or improper conduct (including bribery), mismanagement of resources, or is a danger to public health or safety.
- Council will not tolerate improper conduct by Councillors or Council officers or employees, nor the taking of reprisals against those who come forward to disclose such conduct.
- Council recognises the value of transparency and accountability in its administrative and management practices, and supports the making of disclosures that reveal corrupt or improper conduct (including bribery), conduct involving a substantial mismanagement of public resources, or

conduct involving a substantial risk to public health and safety or the environment.

- Council will take all reasonable steps to protect people who make such disclosures from any detrimental action in reprisal for making the disclosure. It will afford natural justice to all parties including the person who is the subject of the disclosure.
- All disclosures will be treated confidentially.
- The only method of making a protected disclosure relating to a Councillor is to the Ombudsman or IBAC.
- Council will establish a procedure in relation to the management and handling of protected disclosures in accordance with this Policy.

5.3 What is a protected disclosure?

Where a person believes there are reasonable grounds to support that a Councillor or Council officer or employee is engaging in improper action or detrimental action, that person may report the conduct (protected disclosure) to the appropriate person or entity and be assured of confidentiality and protection from reprisal as a result of making the protected disclosure.

5.4 Who can make a protected disclosure?

A protected disclosure can be made where a person who has reasonable grounds for believing that improper or corrupt conduct or detrimental action has occurred.

5.5 How to make a disclosure

A protected disclosure may be made even if the person making the disclosure cannot identify the person or the body about whom they are making the disclosure. A protected disclosure can be made:

- In writing (using council's complaints form or by post);
- In person;
- By telephone; or
- By email.

Disclosures may be made anonymously.

5.6 False disclosures

A person must not knowingly make a false disclosure or provide false information. It is an offence under the protected disclosure Act and penalties may be applied.

5.7 Roles & Responsibilities

It is the responsibility of the Director Corporate & Community to maintain the Protected Disclosure Policy and to establish a procedure for the management of disclosures which are covered by this Policy.

In the event that a disclosure is received, the Council will acknowledge receipt of the disclosure, initially review the matter and may make a determination as to whether the disclosure is covered by the provisions of the Act. If required, the disclosure will also be referred to IBAC for consideration and investigation. The person who made the disclosure will be advised if the information received is not deemed to be a protected disclosure under the Act.

It is also the responsibility of the nominated Protected Disclosure Co-Ordinator or Protected Disclosure Officer to ensure the effective handling of information and people involved in a protected disclosure. These actions will include taking all reasonable steps to ensure that the identity of the person making a protected disclosure and the person who is subject to the protected disclosure are kept confidential.

Where a complaint in the nature of a protected disclosure is made against a Councillor, the notification must be made to the Ombudsman or IBAC, and not to the Council.

6. MONITORING, REVIEW AND EVALUATION

The Corporate & Community Directorate is responsible for implementing, monitoring, evaluating and reviewing the Protected Disclosure Policy as required from time to time.

7. RELATED DOCUMENTS

7.1 Policies

- Councillor Code of Conduct
- Staff Code of Conduct
- Risk Management Policy
- Procurement Policy
- Fraud Control Policy
- Gifts and Benefits Policy

7.2 Strategies

- Council Plan

7.3 Legislation

- *Protected Disclosure Act 2012*
- *Protected Disclosure Regulations 2013*

8. ATTACHMENTS

Nil

9.7.3 Nature Strip Policy

Author / Department

Asset Systems Officer / Assets Department

Disclosure of Conflicts of Interest in relation to advice provided in this report

The author of this report and officers/contractors providing advice in relation to this report do not have a direct or indirect interest, as provided in accordance with the Local Government Act 1989.

Executive Summary

A policy document has been prepared to guide the landscaping and maintenance of nature strips by residents.

This Policy enables Council to fulfil one of its Guiding Principles, as set out in the Council Plan 2013 – 2017, of valuing the Shire's natural and built environment and the importance of local amenity on quality of life.

RECOMMENDATION

That Council adopts the Nature Strip Policy.

105/14 CRS LITTLE/WEATHERALD : That the Recommendation be adopted, subject to amendment to the second paragraph in the Policy 'Introduction', as shown by strikethroughs and highlights.

CARRIED

Background

The document has been developed in response to requests of residents to introduce alternative landscape treatments.

It provides a range of information to assist residents and includes a standard form for approval.

Alternative Options

The author and other officers providing advice in relation to this report have considered potential alternative courses of action. No feasible alternatives have been identified.

Risk Management

The author of this report considers that there are no significant Risk Management factors relating to the report and recommendation other than those associated with non-compliance.

9.7.3 Nature Strip Policy (cont.)

Strategic Links – policy implications and relevance to Council Plan

The author of this report considers that the report is consistent with Council Policies, key strategic documents and the Council Plan.

Best Value / National Competition Policy (NCP / Competition and Consumer Act 2010 (CCA) implications

The author of this report considers that the report is consistent with Best Value, National Competition Policy and Competition and Consumer Act requirements.

Financial / Budgetary Implications

The author of this report considers that the recommendation has no capital or recurrent budget considerations save for those associated recurrent costs of administration and compliance.

Economic Implications

The author of this report considers that the recommendation has no significant economic implications for Council or the broader community.

Environmental / Amenity Implications

The author of this report considers that the recommendation has no significant environmental or amenity implications for Council or the broader community.

Community Implications

The author of this report considers that the recommendation has no significant community or social implications for Council or the broader community.

Victorian Charter of Human Rights and Responsibilities Act 2006

The author of this report considers that the recommendation does not limit any human rights under the Victorian Charter of Human Rights and Responsibilities Act 2006.

Legal / Statutory Implications

The author of this report considers that the recommendation has no legal or statutory implications which require the consideration of Council.

Consultation

The author of this report considers that the matter under consideration did not warrant a community consultation process.

Attachments

Nature Strip Policy



NATURE STRIP POLICY

COUNCIL POLICY	
Effective Date:
Last Review:
Current Review:
Adopted by Council:
Next Review Date:	As needed
Responsible Officer/s:

D



Nature Strip Policy

September 2014



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Introduction:

Nature strips are an important component of the streetscape; they form an area of public land between the property boundary and the edge of the roadway, excluding any footpath or other assets such as driveways, utility pits, or fire hydrants. In most cases a nature strip is grassed.

This policy only relates to formalised urban nature strips within urban areas.

It is important to note any utility service authority such as water, gas, electricity, postal service, fire services and telecommunications, all have access rights to the road reserve. Such service authority may be required to dig up the nature strip periodically. Residents, who modify their nature strip, will not be compensated for any subsequent loss of vegetation or landscaping items due to works being undertaken in the nature strip by service authorities and Council.

Council acknowledges that appropriately vegetated nature strips provide a range of benefits to the community, the environment and seeks to maximise these without incurring a raft of management and / or enforcement costs.

Policy objectives:

The objective of this policy is to ensure that nature strips are landscaped and maintained appropriately. Council needs to minimise the risk to the community that could arise from such activity. Council needs to provide for the unobstructed and safe flow of pedestrian traffic, access for postal deliveries, access for utility service providers, the unimpeded access to fire hydrants, the safety of vehicles using the road, unimpeded kerbside parking of vehicles as well as the safe and practical conditions required for emptying rubbish and recycling bins.

Council will accept nature strips have been turfed or grassed, however, some alternative landscape treatments are unacceptable. The following provides some options and the guidelines for such nature strip treatments.

Who maintains nature strips?:

It is a commonly accepted practice, throughout Australia, that the property owners or residents of abutting properties maintain the nature strip (excluding council specified and approved street trees). Generally, this amounts to weeding, mowing and edging turf. **Council does not carry out renovation or maintenance (including mowing and watering) of nature strips.** (Note: GV Water policies do not allow the direct connection of nature strip watering systems to its network. It also enforces rules governing access to water supplied by it under the auspices of its Permanent Water Saving Plan and the effect of such restrictions).

(Refer: BCS/ Governance/ Policies and Procedures/ Council Approved Policies/ Policy – Public Road Register).

Benefits of nature strips:

Vegetated nature strips provide a range of benefits to the community and the environment. Nature strips can:

- absorb rainwater and reduce stormwater runoff.
- help to cool the surrounding area (transpiration by plants cools the air).
- complement the natural neighbourhood settings its street trees and residential gardens.
- provide fauna habitat.
- visually soften the hard surface of road, footpath and driveway paving, fences and buildings.

Approval process:

Applications to plant in the nature strip need to be submitted to Council, for approval, as per the "Application to modify a nature strip or advise of existing modifications" form attached. The application must contain a simple sketch plan (Scale 1:200 is preferred) that details the site including:

- Property boundaries.
- Foot path (Notional footpaths – 2m wide) and driveways.
- Existing street tree.
- Proposed planting.
- Schedule of plant species and densities per m².
- *Work must not commence on any alterations to the nature strip without written prior consent from Council.*
- Landowners/ Residents are advised to call 'Dial before you dig' (phone: 1100), to determine the location of underground services within the nature strip area and copies attached to the written Application form submitted to Council for approval.
- Prior to commencing any work in the nature strip a 'Non-Utility Minor Works Within Municipal Road Reserves' Permit must be obtained from council, as per the requirements of the *Road Management Act 2004*, and copies attached to the written Application form submitted to Council for approval.

Council will consider requests for nature strip alteration subject to the following criteria:

- That the proposal is approved by Council prior to implementation.
- That the cost of establishment, maintenance, renewal and removal of the planting is borne by the landowner/ resident and is approved by the Landowner in all instances where the applicant is not the landowner.
- Council and Utility companies that supply water, gas, electricity and telecommunications may from time to time require access to the nature strip to perform maintenance work. Service authorities reserve the right to access existing and future infrastructure assets. Disturbance, resulting from access works, will be reinstated to a neat finish only and plants will not be replaced. Additional costs incurred to reinstate the planting will be borne by the landowner/ resident.

- Council cannot guarantee that any of the maintenance contractors will replace plants and mulch to match the condition that existed prior to maintenance work.
- Council will not be responsible for replacing plants lost as a result of such works.
- Residents will be required by Council to remove any inappropriate or inadequately maintained nature strip landscaping.
- Council has the right to remove any landscape considered inappropriate.

Nature strip planting options.

A. Grassed nature strips:

Strathbogie Shire Council supports the improvement of nature strips with alternative plants to turf grass. Grassed nature strips remain the most common form of nature strip treatment within Strathbogie Shire. The use of drought-tolerant grasses provides a low maintenance treatment which requires periodic mowing and weeding to maintain.

No permit is required to install and maintain a natural grass nature strip.

B. Approved permeable surface treatments - mulch:

An alternative to natural grass nature strips is a permeable surface treatment such as Council Approved graded material. (Note that granitic sand is not approved due to the leaching of fines into the storm water system). While this treatment does not require watering or mowing, it will require periodic weeding and maintenance. Such surface treatment requires more material, labour and skill than a grass treatment.

Two mulch types that may be used:

- fine gravel mulches (75mm depth) such as Tuscan or Lilydale toppings.
- organic mulch (75mm depth) such as a graded bark or multi-bark mix that is resistant to disturbance by wind and rain/ runoff, provided that it is not directly adjacent to footpaths or kerbs, unless fully planted out, and is properly contained.

Please note: river pebbles, polished pebbles, scoria, blue metal and other loose stones are not acceptable alternatives.

Residents must not modify public property (i.e. nature strips) without written permission from Council (see application form attached).

C. Approved plantings:

Another alternative to grass or plain mulch, is a planted and mulched nature strip. This provides a soft and visually pleasing alternative (when well maintained). This treatment involves the use of the nature strip area as a garden bed with the area being mulched with organic mulch and planted with low growing native plants.

The basic guidelines are as follows:

- a clear footpath zone of at least 2.0 m (minimum) or 2.5 m (desirable) is to be retained.
- a minimum buffer zone of 1.0 metre from the back of kerb is to be retained.
- one approved street tree per allotment (refer to street tree guidelines, available on Council web site).
- all approved plantings are to be maintained below a height of 500 mm.
- hard landscaping elements such as rocks, timber, retaining walls, ornaments must **not** be used.
- mulch material must be kept stable under foot and remain contained within the nature strip. Recommended treatment includes a finely ground organic mulch, pine bark mulch, recycled wood chip mulch such as soft fall material. Larger materials such as stones or crushed rock greater than 10 mm or chunky woodchips are not to be used.
- irrigation systems must not be placed within the nature strip (Refer GV Water requirements).

Landowners/ residents must not plant trees or shrubs of any kind on public property (i.e. nature strips) without written permission from Council (see application form).

D. Synthetic turf:

Use of synthetic turf is discouraged on nature strips within Strathbogie Shire due to the adverse effect this has on the environment. However, if the application for synthetic turf adheres to the following criteria, it may be permitted in some circumstances:

- the synthetic turf must be installed by a qualified and insured professional company.
- the synthetic turf product used must comply with Australian Standard AS 4422:1996.
- the synthetic turf must be maintained in a neat and weed-free condition.
- Council retains the right to request removal of synthetic turf, in the case of non-compliance with this policy, at the resident's cost.

Additional Design Guidelines.

1. Safety and Access:

Nature strip landscaping works must maintain adequate clearance, accessibility and visibility for pedestrian, bicycle and vehicular traffic when using, entering or exiting an intersection or driveway or footpath. Council will require that any works it considers hazardous be removed and made safe by the abutting landowner/ resident.

To ensure the nature strip planting is safe for all road users and does not inhibit access:

- Maintain vegetation below a height of 0.5 metres to ensure adequate sight lines. Medium to large shrubs and trees must not be planted.
- Allow sufficient space so that people can access the street from the footpath and can open a car door and easily get into and out of a car. The notional 2.0 to 2.5 m parallel to the property boundary (as above) must be kept clear at all times.
- Hard landscaping elements, such as rocks and pavers, garden edging and planter boxes, must not be used as they can be trip hazards.
- Retain some level ground space for hard rubbish collection, garbage, recycling and green waste bins behind the kerbs.
- The Landowner must maintain an appropriate current Public Liability Insurance Policy that indemnifies Council against legal action and provide a certificate of currency annually to Council. (Note that Council's interest must be noted on the policy document). A copy is to be attached to the Application and a certificate of currency as at 30th June be provided annually therefrom.

2. Plant selection:

The following are important considerations when selecting plants for nature strip beautification:

- Plants considered to be environmental weeds must not be planted
- Plants must be low growing (0.5metres including the flowering height) to avoid any traffic sighting problems
- Indigenous plants can enhance biodiversity and are more likely to provide habitat for local insects and birds.
- Able to survive with natural rainfall. Current water restrictions should be followed and irrigation systems are not to be installed.
- Able to cover the ground effectively to compete with weeds and withstand occasional pedestrian traffic.

Suggested plants for nature strips.

Plant Type	Scientific Name	Common Name	Density (plants/ m ²)
Grass and tussock plants	<i>Dianella longifolia</i>	Pale Flax Lily	4
	<i>Dianella revoluta</i>	Spreading Flax Lily	9
	<i>Lomandra longifolia</i>	Spiny-headed Mat-rush	4
	<i>Lomandra filiformis</i>		9
	<i>Themeda triandra</i>	Wattle Mat-rush	9
	<i>Poa labillardieri</i>	Kangaroo Grass	4
	<i>Poa moricci</i>	Common Tussock Grass	9
Lawn plants	<i>Microlaena stipoides</i>	Weeping Grass	16
	<i>Dichondra repens</i>	Kidney weed	16
	<i>Austrodanthonia geniculata</i>	Knead Wallaby Grass	16
Ground covers	<i>Myoporum parvifolium</i>	Creeping Boobialla	4
	<i>Einadia nutans</i> subsp. <i>nutans</i>	Nodding Saltbush	4
Wildflowers	<i>Arthropodium strictum</i>	Chocolate Lily	16
	<i>Brachycome multifida</i>	Cut-leaf Daisy	9
	<i>Bracteantha viscosa</i>	Everlasting Sticky	9
	<i>Chrysocephalum apiculatum</i>	Common Everlasting	9
	<i>Kennedia prostrata</i>	Running Postman	4
	<i>Linum marginale</i>	Native Flax	9
	<i>Pelargonium australe</i>	Austral Storks Bill	16
	<i>Teucrium racemosum</i>	Grey Germander	4
	<i>Wahlenbergia communis</i>	Tufted Bluebell	16

3. Construction:

Changes to nature strip levels that might interfere with drainage, or pedestrian access, will not be permitted.

No staking of plants or any net covering of plants is permissible, as nature strips are a public domain and such items could create a hazard/ risk.

Excavation and cultivation will alleviate soil compaction, improve plant growth and increase the infiltration of rainwater and must be by hand as mechanical excavation/ cultivation (bobcat/dingo or rotary hoe) may damage infrastructure and services that may be located underground. Avoid cultivating under the canopy of existing trees, as this activity may cut their roots and impact on their health. *Hand (spade or fork) excavation and cultivation only will be permitted.*

The landowner/ resident is responsible for repairing any damage to infrastructure caused by any landscaping works.

4. Maintenance:

Nature strip surface levels, including mulch, should be maintained within 40mm relative to the level of the footpath or kerb i.e. no raised beds are allowed.

Plant material must be maintained strictly within the area of the nature strip as per the plan lodged by the successful applicant.

Residents are to keep nature strips free of litter.

Dead plants, seed heads and weeds should be removed regularly to keep the site tidy (this is particularly critical in order to remove harbours for pests and diseases and stop potential seed dispersal).

5. Risk management, safety and insurance:

Strathbogie Shire Council is very aware of the need to provide a safe environment within urban and rural areas in the municipality. As the nature strip is public land, Strathbogie Shire Council must be vigilant when it comes to identifying a threat to public safety.

Any feature within the Road Reserve that is deemed, by Strathbogie Shire Council, to be a risk to the public as a tripping hazard, a falling hazard, an obstruction or other hazard, may be removed from the nature strip without consultation or warning at the landowners/ residents cost.

Council will take action, dependent on risk, to rectify problems in relation to tripping hazards or safety issues. Council officers will contact the relevant property landowner/ resident requesting that they attend to the identified problem within a specific time frame, subject to assessed risk.

If the property landowner/ resident fails to take action within the time frame a delegated council officer will issue a 'Notice of non-compliance', requesting that the specific problem be fixed by a declared date (a 28-day notice is usually given, subject to assessed risk).

Failure to take action following a 'Notice of non-compliance' will result in an on-the-spot fine. All fines would be issued under Strathbogie Shire Council Community Local Law No. 6. Should Council become involved in remedial works the landowner will be invoiced at commercial rates.

The landowner is required to provide an annual certificate of currency as at 30th June for public liability insurance that indemnifies Council against any claim in respect of all approved works carried out on the Nature Strip for such length of time as the nature strip remains modified and agrees to keep the policy current at all times.

6. Items not permitted on nature strips:

- Hard surfaces such as concrete, pavers, asphalt or stepping stones are not permitted in residential areas. If a hard surface is required for vehicle access purposes, a vehicle crossing permit should be obtained from Council.
- Irrigation systems are not permitted in nature strips.
- Rocks, bluestone pitchers, railway sleepers or retaining walls are not permitted as these items are all potential trip hazards.
- Letterboxes and the like must be established entirely on private property whilst ensuring that easy and practical access to Australia Post delivery service is maintained.
- Temporary or permanent electrical wiring must not be installed on to the nature strip (e.g. lighting of trees is not permitted).
- Any building, structure or construction that extends over any part of the Road Reserve, is not permitted and Council will enforce its removal.

7. Existing modified nature strips:

If your nature strip is already modified, the Landowner/ Resident are required complete the application form attached and submit this to Council's Engineering Department to determine what is required to ensue your nature strip complies with this policy.

8. Overhanging trees and branches:

Trees and other vegetation overhanging the nominal footpath section of the nature strip, or obstructing views at intersections can be dangerous and contribute to accidents.

Under Strathbogie Shire Council's Community Local Law No. 6 sub-section 10, Council requires residents to trim trees and shrubs, that are located inside their property but have grown out over their boundary, back to the property boundary vertically and to maintain a minimum clearance of at least 3.0 m horizontally under any tree overhanging the nominal footpath area.

If overgrown trees and shrubs on your property are forcing pedestrians to move off the footpath area or duck under overhanging branches, you may be in contravention of Strathbogie Shire Council's Community Local Law No. 6.

Compulsory clearing work can be undertaken by council if property owners do not carry out the necessary maintenance on any vegetation infringing on the required footpath zone. In these circumstances, property owners may be responsible for the commercial costs associated with such clearance works.

	<h2 style="text-align: center;">Application to modify a nature strip () or advise of existing modifications ()</h2> <p>Strathbogrie Shire Council P.O. Box 177, Euroa. Victoria. 3666. Phone: 1800 065993 Fax: (03) 57953550 Email: info@strathbogrie.vic.gov.au</p>
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Prior to completing this form, please ensure you have read the Strathbogrie Shire Council Nature Strip Policy

For more information in relation to this policy or application, please contact Council's Engineering - Assets Department on the above number.

Applicant:

Name _____

Postal address _____

Property address (location of proposed planting) _____

If you are not the property owner, you must attach a letter of approval from the owner of the property.

Contact phone _____ Email _____

(Proposed) or (Existing) nature strip check list:	Yes	No
A plan of my (proposed) or (existing) nature strip modifications (1:200 scale) is attached.	<input type="checkbox"/>	<input type="checkbox"/>
A list of my (proposed) or (existing) plant species to be used is attached (if applicable).	<input type="checkbox"/>	<input type="checkbox"/>
I have read, and agree to abide by, Strathbogrie Shire Council's Nature Strip Policy.	<input type="checkbox"/>	<input type="checkbox"/>
I have attached a copy of the dial-before-you-dig (1100) report.	<input type="checkbox"/>	<input type="checkbox"/>
I have attached a copy of the Road Opening Permit.	<input type="checkbox"/>	<input type="checkbox"/>
I have attached a copy of a certificate of currency for public liability insurance.	<input type="checkbox"/>	<input type="checkbox"/>
I have attached a copy of the approval letter from the landowner (Rental Properties).	<input type="checkbox"/>	<input type="checkbox"/>
I have advised my neighbours on both sides about my proposed nature strip modifications.	<input type="checkbox"/>	<input type="checkbox"/>
My application includes the installation of synthetic turf.	<input type="checkbox"/>	<input type="checkbox"/>

Signature _____ Date _____

PRIVACY: The personal information supplied on this form is required to provide the service requested. It will be stored in Council's record system for only as long as necessary, where it can be accessed and amended by you. Provision of your information to a third party must be with your consent or required by legislation.

Office use only

Date received ___/___/___ Document ID _____ Proposal: Approved) (Not Approved)

Inspected by _____ Date ___/___/___

Comments _____



9.7.4 Proposed Road Naming – Tenneriffe Road

Author & Department

Road Naming Officer/Asset Services Department

Disclosure of Conflicts of Interest in relation to advice provided in this report

The author of this report does not have a direct or indirect interest in any of the matters referred to in this report.

Summary

A new road through privately owned land has been created to provide access to properties at Mount Tenneriffe. It provides connectivity to a crown land reserve containing a well formed roadway at least up to a dwelling on Crown Allotment 9A. It is proposed to name the road up to the entrance to that dwelling.

The name "Tenneriffe Road" has been placed on the plan of subdivision as an interim measure pending the formal road naming process. The name is considered appropriate as it is the only road leading to Mount Tenneriffe.

The Office of Geographic Names has no objection to the assignment of the proposed road name.

RECOMMENDATION

That Council resolve to:

- 1. Advertise the proposed name for the road described above, and shown on the plan in accordance with Section 223 of the Local Government Act 1989, and invite submissions with regard to the proposed road name;**
- 2. Write to abutting property owners of the road to advise of the proposed name and the Section 223 process.**
- 3. Proceed with the naming if no submissions are received under Section 223 of the Local Government Act 1989.**

106/14 CRS LITTLE/WEATHERALD : That the Recommendation be adopted.

CARRIED

Background

In accordance with the provisions of the Local Government Act 1989 Council is the responsible authority for the naming of municipal roads.

The proposed name has been checked with Vicnames and Council's policy and all relevant criteria have been satisfied.

Alternative options

The author has considered potential alternative courses of action. No feasible alternatives have been identified.

9.7.4 Proposed Road Naming – Tenneriffe Road (cont.)

Risk Management

The author of this report considers that there are no significant Risk Management factors relating to the report and recommendation.

Strategic links - policy implications and relevance to Council Plan

The author of this report considers that it is consistent with Council policies, key strategic documents and the Council Plan.

Best Value/National Competition Policy (NCP) / Competition and Consumer Act 2010 (CCA) implications

The author of this report considers that it is consistent with Best Value, National Competition Policy and Competition and Consumer Act requirements.

Financial/Budgetary implications

The author of this report considers that the recommendation has no capital or recurrent budget implications.

Economic implications

The author of this report considers that the recommendation has no significant economic implications for Council or the broader community.

Environmental/Amenity implications

The author of this report considers that the recommendation has no significant environmental or amenity implications for Council or the broader community.

Community implications

The author of this report considers that the recommendation has no significant community or social implications for Council or the broader community.

Victorian Charter of Human Rights and Responsibilities Act 2006

The author of this report considers that the recommendation does not limit any human rights under the Victorian Charter of Human Rights and Responsibilities Act 2006.

Legal/Statutory implications

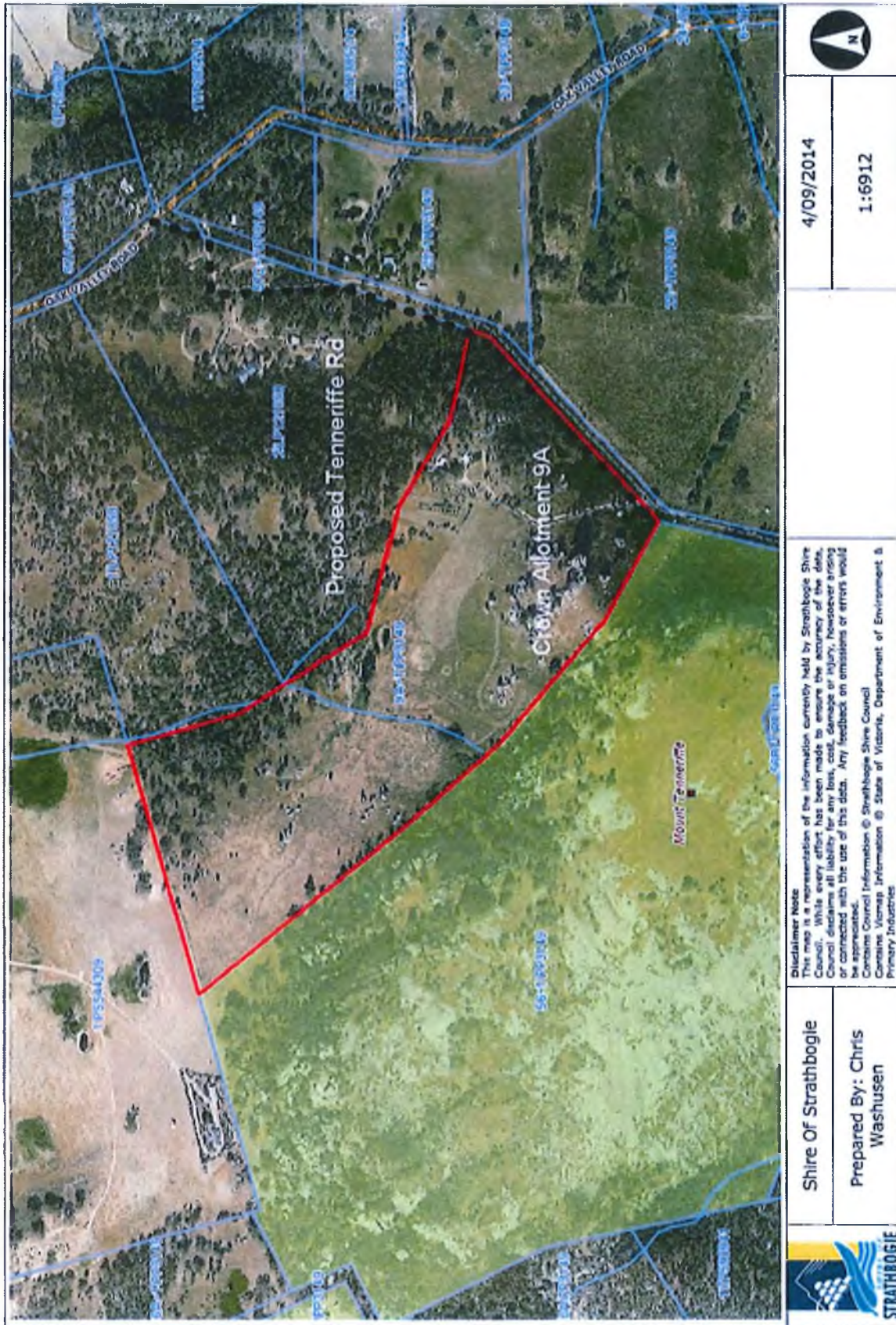
The author of this report considers that the recommendation has no legal or statutory implications which require the consideration of Council.

Consultation

The author of this report in implementing the recommendation will be advertising the proposed road naming in a local paper and writing to individuals, whose properties abut the subject road, inviting written submissions pursuant to Section 223 of the Local Government Act 1989.

Attachments

Locality plan and plan of subdivision showing extent of new road.



<p>Shire Of Strathbogie</p> <p>Prepared By: Chris Washusen</p>	<p>4/09/2014</p> <p>1:6912</p>	<p>Disclaimer Note This map is a representation of the information currently held by Strathbogie Shire Council. While every effort has been made to ensure the accuracy of the data, Council does not accept any liability for any losses, damage or injury, however arising or connected with the use of this data. Any feedback on omissions or errors would be appreciated. Census Information © Strathbogie Shire Council Census, Victoria Information © State of Victoria, Department of Environment & Primary Industries</p>

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**9.7.5 Strathbogie Shire Council Audit Committee
- Draft Minutes of the Meeting held on Friday 8 August 2014**

Author / Department

Director, Corporate and Community / Corporate and Community Directorate

Disclosure of Conflicts of Interest in relation to advice provided in this report

The author of this report and officers/contractors providing advice in relation to this report do not have a direct or indirect interest, as provided in accordance with the Local Government Act 1989.

Summary

Attached are draft unconfirmed Minutes of the Audit Committee meeting held on Friday 8 August 2014.

RECOMMENDATION

- 1. That the draft Minutes of the Audit Committee meeting held on Friday 8 August 2014 be received.**
- 2. That Recommendations from the Audit Committee be approved.**

107/14 CRS WILLIAMS/STORER : That the Recommendation be adopted.

CARRIED

Background

The Strathbogie Shire Council Audit Committee is a Committee appointed by Council and pursuant to Section 139 of the Local Government Act 1989.

The primary objective of the Audit Committee is to assist Council in the effective conduct of its responsibilities for financial reporting, management of risk, good corporate governance, maintaining a reliable system of internal controls and facilitating the organisation's ethical development.

Alternative Options

The author and other officers providing advice in relation to this report have considered potential alternative courses of action. No feasible alternatives have been identified.

Risk Management

The author of this report considers that there are no significant Risk Management factors relating to the report and recommendation.

Strategic Links – policy implications and relevance to Council Plan

The author of this report considers that the report is consistent with Council Policies, key strategic documents and the Council Plan.

9.7.5 Strathbogrie Shire Council Audit Committee
- Draft Minutes of the Meeting held on Friday 8 August 2014 (cont.)

Best Value / National Competition Policy (NCP / Competition and Consumer Act 2010 (CCA) implications

The author of this report considers that the report is consistent with Best Value, National Competition Policy and Competition and Consumer Act requirements.

Financial / Budgetary Implications

The author of this report considers that the recommendation has no capital or recurrent budget considerations.

Economic Implications

The author of this report considers that the recommendation has no significant economic implications for Council or the broader community.

Environmental / Amenity Implications

The author of this report considers that the recommendation has no significant environmental or amenity implications for Council or the broader community.

Community Implications

The author of this report considers that the recommendation has no significant community or social implications for Council or the broader community.

Victorian Charter of Human Rights and Responsibilities Act 2006

The author of this report considers that the recommendation does not limit any human rights under the Victorian Charter of Human Rights and Responsibilities Act 2006.

Legal / Statutory Implications

The author of this report considers that the recommendation has no legal or statutory implications which require the consideration of Council.

Consultation

The author of this report considers that the matter under consideration did not warrant a community consultation process.

Attachments

Draft Minutes of the Strathbogrie Shire Council Audit Committee meeting held on Friday 8 August 2014.



STRATHBOGRIE SHIRE COUNCIL

**MINUTES OF A MEETING OF THE STRATHBOGRIE SHIRE COUNCIL AUDIT COMMITTEE
HELD ON FRIDAY 8 AUGUST 2014 COMMENCING AT 9.30 A.M. AT THE EUROA
COMMUNITY CONFERENCE CENTRE**

Committee Members:	Mr John McInnes	- Chair
	Ms Claire Taranto	- Community Representative
	Mr John McCracken	- Community Representative
	Cr Graeme Williams	- Council Representative
Officers:	Mr Steve Crawcour	- Chief Executive Officer
	Mr David Woodhams	- Director, Corporate and Community
	Ms Cathy Fitzpatrick	- Manager, Strategic and Financial Accounting
Internal Auditors:	Brad Ead	- AFS & Associates

1. Welcome
2. Acknowledgement of Traditional Land Owners

'In keeping with the spirit of Reconciliation, we acknowledge the traditional custodians of the land on which we are meeting today. We recognise indigenous people, their elders past and present'.

3. Apologies

Mr Phil Howard	- Director, Sustainable Development
Mr Roy Hetherington	- Director, Asset Services
Mr Stephen Clarke	- Johnsons MME (External Auditors)

4. Disclosure of Interests
5. Confirmation of Minutes

Confirmation of the Minutes of the Audit Committee meeting held on Monday 14 April 2014

19/14 JOHN McCracken/CLAIRE TARANTO : That the Minutes of the Audit Committee meeting held on Monday 14 April 2014 be confirmed

CARRIED

6. Business
7. Items raised by Committee Members
8. Next Meeting

D

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6. BUSINESS

6.1 Draft Financial Overview 2013/2014 Financial Year

For the Committee's Information:

Draft financial reports at 30 June 2014

When this draft report was produced, the following entries had not been made:-

Employee provisions, asset disposals and written down values, write-off of infrastructure renewal and take-up to asset registers of capital works for 2013/2014. Developer contributions were still to be finalised. Increased provision for landfill of \$185,000 to \$690,000 had not been taken up (refer Attachments – Pages 6-8).

RECOMMENDATION

That the Draft 2013/2014 Financial Overview be noted.

20/14 JOHN McCracken/GRAEME WILLIAMS : That the Recommendation be adopted.

CARRIED

6.2 Council Plan / Strategic Resource Plan / 2014/2015 Budget

Copies of the Council Plan, Strategic Resource Plan and 2014/2015 Budget have been provided to Committee members and are tabled for information purposes.

RECOMMENDATION

That the report be noted.

CLAIRE TARANTO/JOHN McCracken –

That the reports be tabled, and it be noted that the rates increase set at 5.5% is less than provided in the Strategic Resource Plan and that the Committee will be interested in the extension of the Strategic Resource Plan in the future.

21/14

ON BEING PUT, THE MOTION WAS CARRIED

6.3 Internal Audit Report

Council has received one internal audit report and the 2014/2015 Internal Audit Program. Both were provided to Audit Committee members for their information.

RECOMMENDATION

1. That the Internal Audit Report, 2014/2015 Budgeting and Reporting, be noted.
2. That the 2014/2015 Internal Audit Program be noted.

22/14 *GRAEME WILLIAMS/CLAIRE TARANTO* : That the Recommendation be adopted.

CARRIED

6.4 2015/2016 Budget – Workshop 1

The agenda for the first workshop to develop the 2015/2016 Budget is attached for Audit Committee member's information. Given all the internal and external pressures on Council's budget, Councillors wanted to start the process early to ensure that sufficient effort is put into considering all options available, given that the budget now has to be adopted by 30 June each year (Refer Attachments – Page 9).

RECOMMENDATION

That the agenda for Workshop 1 2015/2016 Budget be noted.

23/14 *JOHN McCracken/CLAIRE TARANTO* : That the Recommendation be adopted.

CARRIED

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6.5 Local Government Performance Report Framework (LGPRF)

The comparative report of Councils participating in the second trial of the LGPRF has been received. Strathbogie Shire Council is S16.

The report was provided to Audit Committee members for their information. The booklet providing details of how each indicator is measured was distributed to members at the February 2014 meeting.

RECOMMENDATION

That the Local Government Performance comparison report for the period to December 2013 be noted.

24/14 CLAIRE TARANTO/GRAEME WILLIAMS : That the Recommendation be adopted.

CARRIED

6.6 Victorian Auditor-General's Office (VAGO) Final Performance Audit Specification

VAGO conducted an "Organisation Sustainability of Small Councils" performance audit in late 2012 and early 2013. The final report was tabled in State Parliament in June 2013. Council recently received the responses to the recommendation contained in the report. The draft report was presented to the Audit Committee in December 2012.

Both reports were provided to Audit Committee members and were tabled for information.

RECOMMENDATION

That the reports for "Organisation Sustainability of Small Councils", and the responses to recommendations contained in the report, be noted.

25/14 CLAIRE TARANTO/GRAEME WILLIAMS : That the Recommendation be adopted.

CARRIED



6.7 Victorian Auditor-General's Office (VAGO) Interim Management Letter 2014

VAGO's interim management letter was issued to Council in May 2014. The letter brings to Council's attention matters arising from the interim phase of the financial report audit, together with an analysis of issues from previous audits.

The document was provided to Audit Committee members for their information.

RECOMMENDATION

That the Interim Management letter, year ending 30 June 2014, be noted.

26/14 GRAEME WILLIAMS/JOHN McCracken : That the Recommendation be adopted.

CARRIED

6.8 Shared Services Update

Council's Chief Executive Officer, Mr Steve Crawcour, provided Audit Committee members with an update on the Shared Services project.

Included in this briefing was –

- Sharing of Graders with Greater Shepparton City Council
- Tender for combining Legal Services
- Tender for combining Services Planning
- Sharing Organisational Training
- Bridges funding application for freight routes
- Payroll services

RECOMMENDATION

That the verbal report from the Chief Executive Officer be noted.

27/14 JOHN McCracken/CLAIRE TARANTO : That the Recommendation be adopted.

CARRIED



6.9 Key Strategic Indicators

Attached for Audit Committee members' information are details of outstanding Confirm Enquiries Job Intervention Analysis and Excess Annual Leave (refer Attachments – Pages 10-12).

RECOMMENDATION

That the report be noted.

28/14 GRAEME WILLIAMS/CLAIRE TARANTO : That the Recommendation be adopted.

CARRIED

6.10 Investigations / Chief Executive Officer's Reports

Council's Chief Executive Officer, Mr Steve Crawcour, provided a verbal briefing of any investigations currently being undertaken by Council.

Included in this briefing was –

- Sealing Tender
- Black Caviar Statue

RECOMMENDATION

That the report be noted.

29/14 JOHN McCracken/CLAIRE TARANTO : That the Recommendation be adopted.

CARRIED

6.11 Re-Appointment of Community Representative Committee Member – Ms Claire Taranto

The three-year term of appointment of Community Representative on the Audit Committee, Ms Claire Taranto, expired in May 2014.

At the Ordinary Meeting of Strathbogie Shire Council held on Tuesday 15 July 2014, Council endorsed Ms Taranto's re-appointment for a further three-year term, effective from 31 May 2014.

RECOMMENDATION

That the report be noted.

30/14 GRAEME WILLIAMS/JOHN McCRACKEN : That the Recommendation be adopted.

CARRIED

7. Items raised by Committee Members

Mr McInnes raised the matter of the allocation of overheads to waste management, as raised by Councillor Weatherald. Members were advised that overheads are allocated by percentage of overall expenditure. Mr Brad Ead from AFS and Associates checked the allocations and advised that he believed there was a reasonable basis for allocating overhead costs.

Members were further advised that costs have been recognised for rehabilitation of the Violet Town Landfill due to an increase in the provision.

RECOMMENDATION

CLAIRE TARANTO/JOHN McCRACKEN –

That the advice provided be noted.

31/14

ON BEING PUT, THE MOTION WAS CARRIED

8. Next Meeting

Friday 19 September 2014 at 9.30 a.m.

Reports for inclusion –

- Annual Statements for 2013/2014

THERE BEING NO FURTHER BUSINESS, THE MEETING CLOSED AT 11.10 A.M.

Confirmed as being a true and accurate record of the Meeting

.....
Chair

.....
Date



ATTACHMENTS

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STRATHBOGIE SHIRE COUNCIL

Profit and Loss Statement 2013/2014			
REVENUE	Mid Year Review 2013/14	YTD Actual Jun 2014	Variance to YTD Budget Jun 2014
Rates and Charges	15,207,100	15,119,207	87,893
Statutory Fees & Fines	295,900	293,844	2,056
User Fees	1,285,808	1,049,009	236,799
Contributions	257,772	298,089	(40,317)
Grants - Recurrent	4,157,265	4,422,641	(265,376)
Grants - Non-recurrent	3,918,761	3,704,349	214,412
Other Revenue	351,700	602,386	(250,686)
Operating Revenue Total	25,474,306	25,489,526	(15,220)
Net Loss on Disposal Assets	(551,140)	12,451	(563,591)
Proceeds from sale of assets			-
Total Revenue	24,923,166	25,501,977	(578,811)
EXPENDITURE			
Employee	10,057,070	9,330,653	726,417
Contracts, Materials & Services	10,315,567	9,535,151	780,416
Bad and doubtful debts	2,000	4,155	(2,155)
Depreciation	4,693,900	4,812,501	(118,601)
Finance	149,884	144,711	5,173
Other Expenses	321,400	181,353	140,047
WDV Infrastructure Renewed	400,000	-	400,000
	25,939,821	24,008,524	1,931,297
Surplus/Deficit	(1,016,655)	1,493,452	(2,510,107)

STRATHBOGIE SHIRE COUNCIL

Balance Sheet 2013/2014

	Mid Year Review 2013/2014	Jun 2014 \$
<u>Current Assets</u>		
Cash and cash equivalents	5,078,530	9,154,431
Trade and other receivables	1,210,000	1,459,710
Other Assets	370,000	107,269
Inventories	14,000	9,907
Non- current assets for resale		-
Total Current Assets	6,672,530	10,731,317
<u>Non-Current Assets</u>		
Financial assets	4,000	2,032
Investments in associates	424,000	212,251
Property, plant and equipment, infrastructure	226,797,850	227,761,597
Total Non-Current Assets	227,225,850	227,975,880
Total Assets	233,898,380	238,707,197
<u>Current Liabilities</u>		
Trade and other payables	526,241	2,571,859
Trust funds and deposits	503,000	480,216
Fire Services Property Levy Provisions		0
Provisions	2,636,000	3,116,869
Interest bearing loans and borrowings	469,000	627,180
Total Current Liabilities	4,134,241	6,796,124
<u>Non-Current Liabilities</u>		
Trust funds and deposits	67,900	67,980
Provisions	598,000	393,471
Interest bearing loans and borrowings	2,279,000	2,120,275
Total Non-Current Liabilities	2,944,900	2,581,726
Total Liabilities	7,079,141	9,377,850
Net Assets	226,819,239	229,329,347
<u>Equity</u>		
Accumulated Surplus	72,419,287	75,129,395
Reserves	154,399,952	154,199,952
Total Equity	226,819,239	229,329,347

Strathbogie Shire Council
Capital Account Type
Directorate Details
For Period Jun 2014

Directorate	Adopted Budget	Mid Year Budget Review Current Budget	YTD Actual	YTD Variance	YTD Budget Variance %
Land	\$ 1,913,540	\$ 1,411,540	\$ 793,185	\$ 618,355	44.68%
Buildings - Municipal Properties	\$ 1,272,500	\$ 912,500	\$ 602,101	\$ 310,399	22.43%
Furniture and Equipment (Inc. Info. Services)	\$ 530,770	\$ 545,130	\$ 494,036	\$ 51,094	3.69%
Plant & Machinery	\$ 667,000	\$ 667,000	\$ 303,001	\$ 363,999	26.30%
Bridge Construction	\$ 932,900	\$ 932,900	\$ 864,553	\$ 68,347	4.94%
Underground Drainage	\$ 120,000	\$ 120,000	\$ 35,271	\$ 84,729	6.12%
Waste Management	\$ -	\$ 10,000	\$ 7,730	\$ 2,270	0.16%
Footpaths	\$ 54,000	\$ 74,000	\$ 123,763	\$ 49,763	-3.60%
Roads	\$ 3,418,160	\$ 3,703,685	\$ 3,696,367	\$ 7,318	0.53%
CAPEXP adjustments since adoption	\$ -	\$ 19,153	\$ 91,986	\$ 72,833	-5.26%
Grand Total	\$ 8,908,870	\$ 8,395,908	\$ 7,011,993	\$ 1,383,915	100.00%

**2015 / 16 Budget
Workshop 1 – 19th August 2014**

- 1. Introduction / Overview – Mayor / CEO**
- 2. Current Long Term Financial Plan – overview by DCC**
- 3. Proposed options for LTFP moving Forward – DCC**
- 4. Rating Strategy Options – DCC**
- 5. Rate Modelling Options:**
 - a. Municipal Charge – Yes current process of reducing to 10% fixed @ \$266.00**
 - b. Municipal Charge – Yes, \$50, \$100, \$150, \$200.**
 - c. Municipal Charge – no, Nil.**
 - d. Special Rate Levy – Rules and obligations for Council under S. 163 of the LGA 1989.**
 - e. Service Charge – Environmental Levy S. 162 of the LGA 1989.**

Attachments:

- **Organisation Chart**
- **Draft LTFP**
- **Draft Rating Strategy**

Customer Enquiry Flow

July 2014



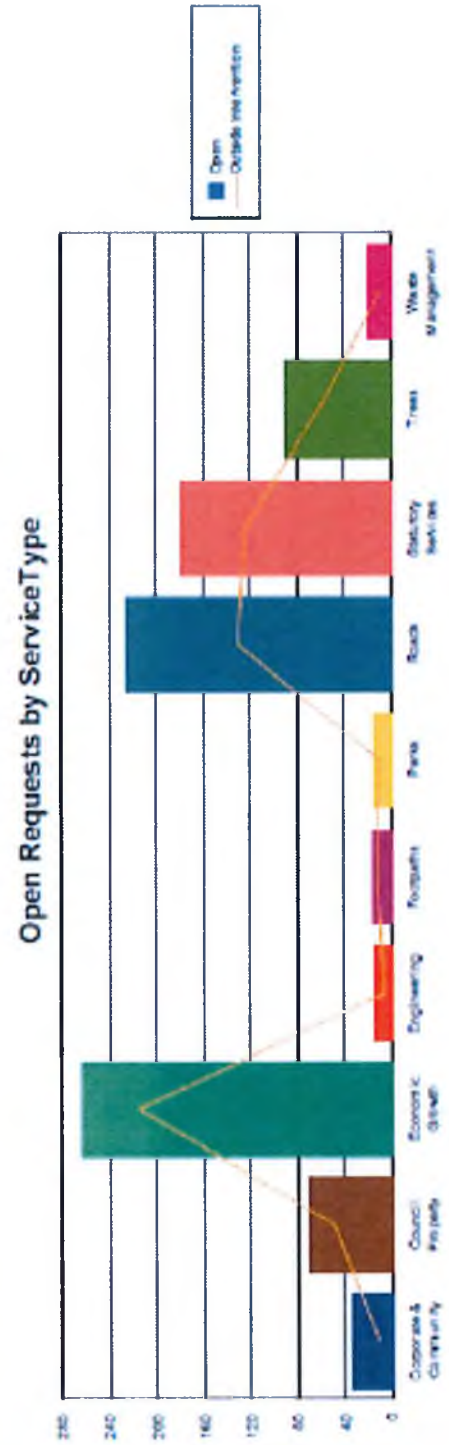
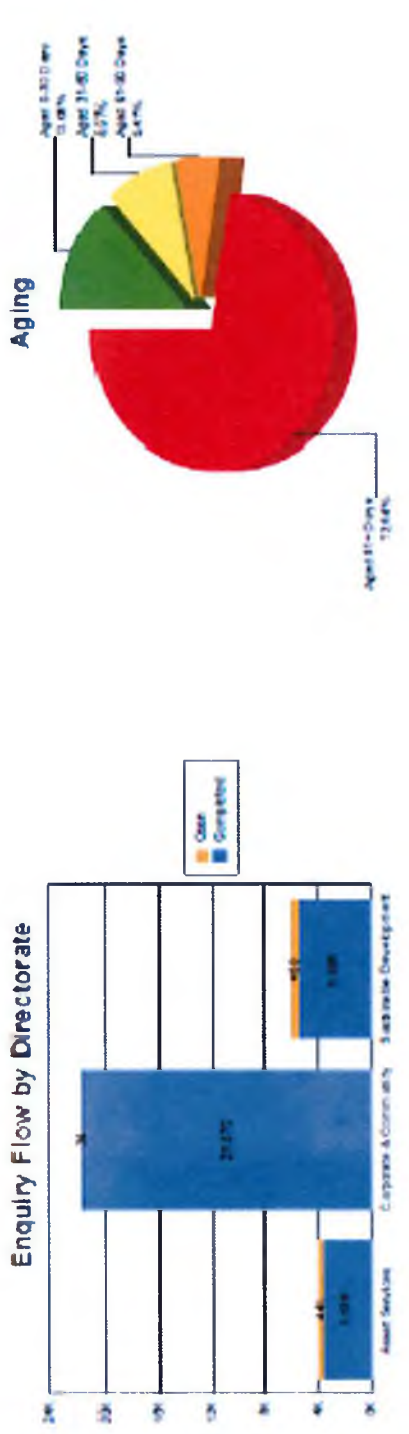
Service Type	Logged Total	Open Total	Logged July	Open July	Logged 2014-2015	Open 2014-2015	Aged 0-30	Aged 31-50	Aged 51-90	Aged 91+	Open Outside Intervention
Corporate & Community	21,804	34	1,848	16	1,848	16	16	0	0	18	11
Council Property	671	89	27	18	27	18	17	11	4	37	50
Economic Growth	2,508	264	31	5	31	5	5	16	6	237	215
Engineering	181	15	6	0	6	0	0	1	3	11	6
Footpaths	83	16	1	1	1	1	1	4	3	8	12
Parks	124	15	1	1	1	1	1	2	3	9	10
Roads	2,275	225	110	40	110	40	39	29	11	145	130
Statutory Services	2,855	179	99	30	99	30	30	11	11	127	124
Trees	563	90	14	9	14	9	9	7	8	65	60
Waste Management	553	18	17	3	17	3	3	2	1	12	10
TOTAL	31,437	925	2,152	123	2,152	123	121	83	50	671	628

Category	Logged Total	Open Total	Logged July	Open July	Logged 2014-2015	Open 2014-2015	Aged 0-30	Aged 31-50	Aged 51-90	Aged 91+	Open Outside Intervention
Corporate & Community	21,804	34	1,848	16	1,848	16	16	0	0	18	11
Council Property	671	89	27	18	27	18	17	11	4	37	50
Economic Growth	2,508	264	31	5	31	5	5	16	6	237	215
Engineering	181	15	6	0	6	0	0	1	3	11	6
Footpaths	83	16	1	1	1	1	1	4	3	8	12
Parks	124	15	1	1	1	1	1	2	3	9	10
Roads	2,275	225	110	40	110	40	39	29	11	145	130
Statutory Services	2,855	179	99	30	99	30	30	11	11	127	124
Trees	563	90	14	9	14	9	9	7	8	65	60
Waste Management	553	18	17	3	17	3	3	2	1	12	10
TOTAL	31,437	925	2,152	123	2,152	123	121	83	50	671	628

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Customer Enquiry Flow - July 2014

Page 1 of 2



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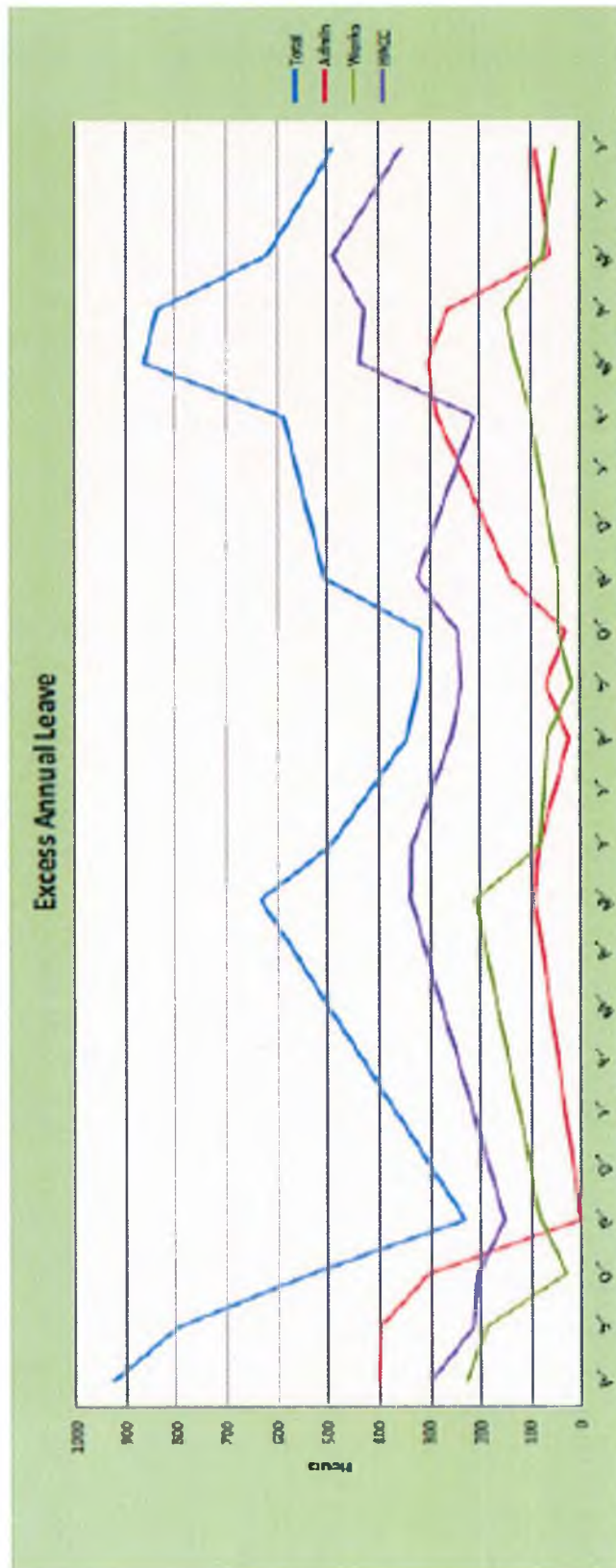
Customer Enquiry Flow - July 2014

Page 2 of 2

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Excess Annual Leave - Total Over DBA

	Aug-13	Sep-13	Oct-13	Nov-13	Dec-13	Jan-14	Feb-14	Mar-14	Apr-14	May-14	Jun-14	Jul-14
Total	324.89	756.7	534.55	228.85	484.37	484.37	343.37	329.77	329.77	284.11	163.33	488.72
Adm	421.52	250.71	322.24	0	80.56	80.56	22.05	97.7	280.34	280.34	302.94	87.25
WZS	227.21	157.09	28.19	70.34	79.72	59.08	43.55	19.88	148.51	148.51	71.25	46.22
MACC	296.59	222.93	204.13	130.82	644.05	250.34	282.42	329.13	433.89	433.89	427.42	535.29



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9.7.6 Documents for Signing and Sealing

Documents are submitted for Council signing and sealing.

The details are as follows and are also included in Council's Seal Register:-

DOCUMENT DESCRIPTION	DOC. ID	NO. OF COPIES
Instrument of Delegation between Strathbogie Shire Council and Strathbogie Tableland Action Group Committee to implement the Strathbogie Tableland Community Action Plan as approved by Council	23524	1

RECOMMENDATION

That the Documents be signed and affixed with the Common Seal of Strathbogie Shire Council.

108/14 CRS WEATHERALD/STORER : That the Recommendation be adopted.

CARRIED



9.7.7 Business Management System

The September 2014 Business Management System Report includes reports as follows:-

- Building Department - August 2014 Statistics
- Planning Department - Planning Permit Activity Monthly Responsible Authority Report - July 2014
- Confirm Customer Enquiry Flow - Report for August 2014
- Actioning of Council Resolutions - Status Report
- Outstanding Actions of Council Resolutions to 31 August 2014
- Review of Council Policies - August / September 2014
- Record of Assemblies of Councillors
- Record of Meetings of Section 86 Committees of Council received in the past month

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.

RECOMMENDATION

That the report be noted.

109/14 CRS WILLIAMS/STORER : That the Recommendation be adopted.

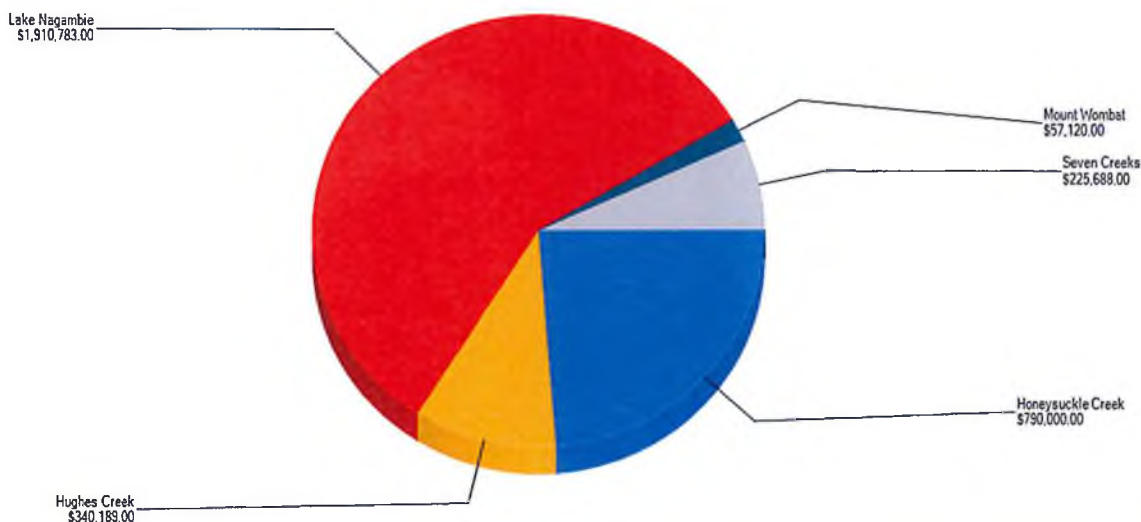
CARRIED

BUILDING APPROVALS AUGUST 2014

The value of Building approvals within the Shire of Strathbogrie for the month of July totaled **\$3,923,780**.

Expenditure involved largely works in the domestic sector with the majority of permits issued for dwellings and domestic sheds, 20 permits have been issued for the month.

Charts illustrating the distribution of building permit expenditure for August 2014 over the five Wards within the Shire.



Permit Date	Categories	Use Of Building	Address	Town	Cost Of Works	Ward
1/08/2014	Construction of	Dwelling & Garage	1751 Avenel-Longwood Road, Locksley VIC 3665	Locksley	\$310,189.00	Hughes Creek
1/08/2014	Construction of	Retail Building	259-267 High Street, Nagambie VIC 3608	Nagambie	\$438,000.00	Lake Nagambie
5/08/2014	Construction of	Dwelling	4/19 Goulburn Street, Nagambie VIC 3608	Nagambie	\$237,141.00	Lake Nagambie
5/08/2014	Construction of	Carport	40 Garrett Street, Euroa VIC 3666	Euroa	\$5,000.00	Seven Creeks
6/08/2014	Alteration to	Toilets	19 Kirkland Avenue, Euroa VIC 3666	Euroa	\$40,000.00	Seven Creeks
7/08/2014	Construction of	Factory, Workshop	1683 Upton Road, Upton Hill VIC 3664	Upton Hill	\$57,120.00	Mount Wombat
8/08/2014	Construction of	Dwelling	7 Tarwin Place, Nagambie VIC 3608	Nagambie	\$334,314.00	Lake Nagambie
12/08/2014	Construction of	Dwelling & Garage	3/36A Blayney Lane, Nagambie VIC 3608	Nagambie	\$220,000.00	Lake Nagambie
12/08/2014	Construction of	Dwelling	53 Saxon Street, Euroa VIC 3666	Euroa	\$60,000.00	Seven Creeks
12/08/2014	Construction of	Verandah	4 Hannah Court, Euroa VIC 3666	Euroa	\$24,000.00	Seven Creeks
13/08/2014	Construction of	Dwelling & Carport	Luscombe Road, Earlston VIC 3669	Earlston	\$300,000.00	Honeysuckle Creek
13/08/2014	Extension to	Dwelling	13 Baxters Road, Goulburn Weir VIC 3608	Goulburn Weir	\$128,500.00	Lake Nagambie
14/08/2014	Construction of	Dwelling	198 Painters Road, Earlston VIC 3669	Earlston	\$300,000.00	Honeysuckle Creek
18/08/2014	Construction of	Carport	9 Cree Street, Euroa VIC 3666	Euroa	\$7,188.00	Seven Creeks
19/08/2014	Construction of	6 x Units	41 Shiffner Street, Violet Town VIC 3669	Violet Town	\$490,000.00	Honeysuckle Creek
20/08/2014	Construction of	Dwelling & Garage	33 Barron Street, Nagambie VIC 3608	Nagambie	\$298,218.00	Lake Nagambie
21/08/2014	Construction of	Dwelling & Garage	15 Lakeside Drive, Nagambie VIC 3608	Nagambie	\$254,610.00	Lake Nagambie
22/08/2014	Construction of	Shed	272 Eyrings Road, Avenel VIC 3664	Avenel	\$30,000.00	Hughes Creek
22/08/2014	Relocation of	Dwelling	1726 Arcadia Two Chain Road, Mokka VIC 3666	Mokka	\$89,500.00	Seven Creeks
25/08/2014	Construction of	Dwelling & Shed	1285 Felton Road, Earlston VIC 3669	Earlston	\$300,000.00	Honeysuckle Creek

PLANNING PERMIT ACTIVITY REPORTING SYSTEM
MONTHLY RESPONSIBLE AUTHORITY REPORT - JULY 2014

Planning Permit Activity in Victoria Online

Page 1 of 3

Planning Permit Activity Monthly Report

Select Year/Month: 2014 July

To print this page, click [here](#)

Strathbogie Shire Council - July 2014

The following is a summary of the planning permit activity for which the [Strathbogie Shire Council](#) was the Responsible Authority.

The figures shown below are correct as at the generated date of this Report. The hyperlinked figures will search for the relevant current data in the Planning Permit Activity Reporting System (PPARS) and can only be accessed by registered Council users.

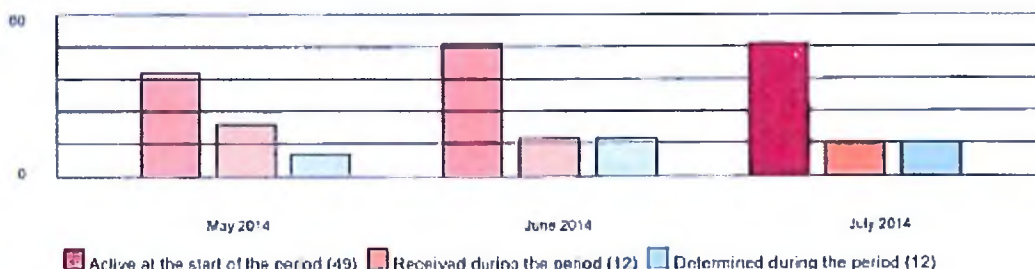
Click on the  icon for further information about how these figures are calculated.

For further information about any of these figures, please contact the relevant [Responsible Authority](#).

Application activity

	This Month	Last Month	% Change	Financial Year to Date	Same Time Last Financial Year	Rural Average
Total applications received	12	14	-14%	12	14	31
New permit applications	11 [92%]	14 [100%]	-21%	11 [92%]	14 [100%]	26
Amended permit applications	1 [8%]	0	NA	1 [8%]	0	5
Combined applications	0	0	NA	0	0	0
Total responsible authority outcomes	12	14	-14%	12	17	31
Notices of Decision to issue permit (Includes amended permits)	12 [100%]	13 [93%]	-8%	12 [100%]	11 [65%]	28
Refusal	0	0	NA	0	2 [12%]	1
Withdrawn, not required, lapsed	0	1 [7%]	NA	0	4 [24%]	2

Applications received and decided



Planning Permit Activity in Victoria Online

Performance figures

	This Month	Last Month	Financial Year to Date	Rural Average	SMR Average
Applications with:					
Public notice	8	4	8	21	6
Further information	5	5	5	18	6
Referrals	8	4	8	24	8
Submissions	1	3	1	31	1
Financial					
Total value of fees for applications received	\$3,305	\$3,985	\$3,305	\$12,198	\$5,467
Average fee per application received	\$275	\$285	\$275	\$399	\$345
Total estimated cost of works for permits issued	\$1,739,112	\$1,689,262	\$1,739,112	\$17,136,040	\$21,033,302
Average cost of works per permit issued	\$144,926	\$129,943	\$144,926	\$610,185	\$1,323,444
Processing times					
Average gross days to Responsible Authority determination	67	69	67	104	97
Median processing days to Responsible Authority determination	58	78	58	59	55
Completed within sixty days	83%	71%	83%	74%	79%

Reviews at the Victorian Civil and Administrative Tribunal

Currently under review: 0

	This Month	Last Month	% Change	Financial Year to Date	Same Time Last Financial Year
Total determinations	0	0	NA	0	0
Processing times					
Average gross days to determination	0	0	NA	0	0
Median processing days to determination	0	0	NA	0	0

Outcomes for Permits Issued

Application categories for permits issued

Note that permits may have more than one category

	This Month	Last Month	Financial Year to Date	Same Time Last Financial Year
Change or extension of use	3	4	3	2
Alterations to a building, structure or dwelling	0	1	0	1
Extension to an existing dwelling or structure associated with a dwelling	2	4	2	2
Extension to an existing building or structure (other than a dwelling)	0	1	0	1
One or more new buildings	6	4	6	2
Single dwelling	2	0	2	3
Multi-dwelling	1	2	1	0
Other buildings and works (including septic tanks, dams, earthworks)	2	1	2	0
Demolition	0	0	0	0
Native vegetation removal	0	0	0	2
Other vegetation removal	0	0	0	0
Consolidation	0	0	0	0
Subdivision of land	2	2	2	1
Subdivision of buildings	0	0	0	0
Subdivision - Change to easement and/or restrictions	0	0	0	0
Subdivision - Removal of covenant	0	0	0	0
Subdivision - Realignment of boundary	0	0	0	0
Liquor license	0	1	0	0
Signage	0	0	1	0
Telecommunications facility	0	0	0	0
Other	0	0	0	0

Dwellings

The net number of additional dwellings approved is 4.

Change of Land Use

The following table displays the proposed land uses for issued permits (new and combined) where there was a change in land use.

	This Month	Last Month	Financial Year to Date	Same Time Last Financial Year
Agriculture	0	0	0	0
Food and drink premises	0	0	0	0
Industry and warehouse	0	0	0	2
Leisure and recreation	0	0	0	0
Office	0	0	0	0
Place of assembly	0	0	0	0
Residential / Accommodation	2	2	2	3
Retail premises	0	0	0	0
Vacant	0	0	0	0
Child care	0	0	0	0
Education centre	0	0	0	0
Mineral extraction	0	0	0	0
Pleasure boat facility	0	0	0	0
Transport terminal	0	0	0	0
Utility installation	0	0	0	0
Mixed use	0	0	0	0
Other	1	0	1	0

**CONFIRM CUSTOMER ENQUIRY FLOW
- REPORT FOR AUGUST 2014**

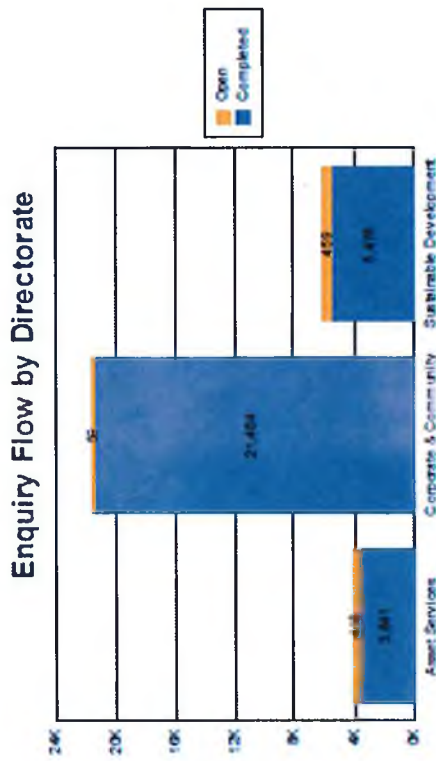
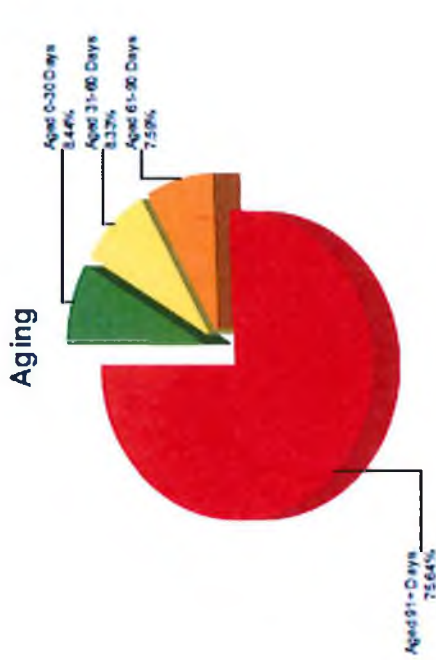


Customer Enquiry Flow

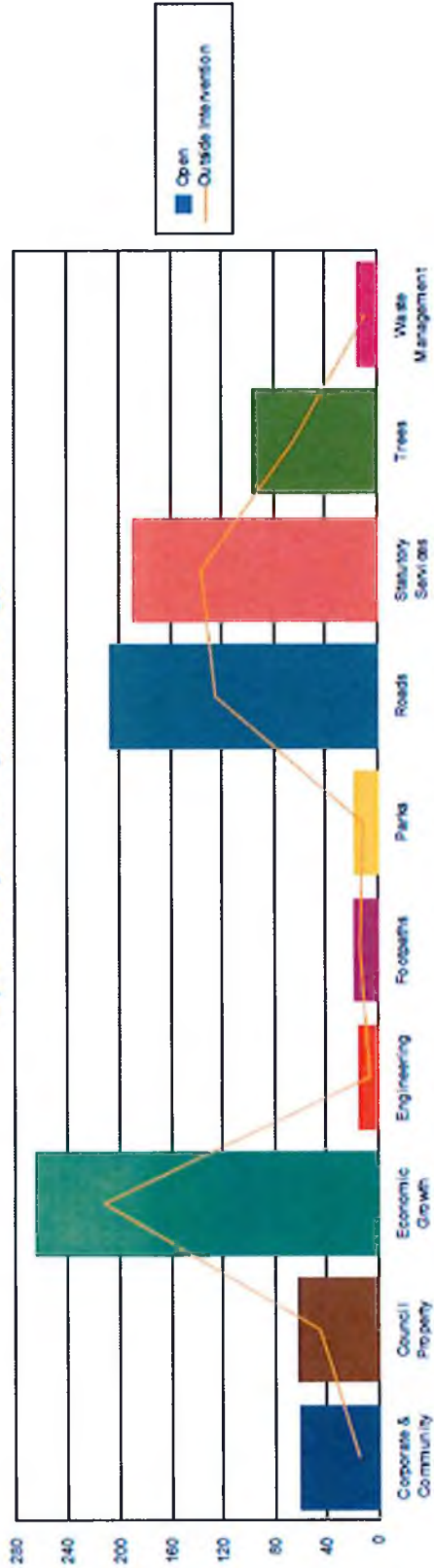
August 2014

Service Type	Logged		Open		Logged		Open		2014-2015		Aged		Aged 91+	Open Outside Intervention
	Total	59	60	4	August	27	2014-2015	August	2014-2015	0-30	31-60	61-90		
Corporate & Community	21,523	59	60	4	1,552	27	3,398	41	41	27	14	0	18	15
Council Property	680	60	60	4	9	4	36	14	14	4	8	10	38	45
Economic Growth	2,518	265	265	4	9	4	41	6	6	4	2	14	245	212
Engineering	181	14	14	0	0	0	6	0	0	0	0	0	14	6
Footpaths	85	17	17	1	2	1	3	2	2	1	1	4	11	13
Parks	127	17	17	2	3	2	4	3	3	2	1	1	13	11
Roads	2,333	205	205	15	59	15	169	37	37	12	25	22	146	125
Statutory Services	2,929	188	188	21	62	21	159	39	39	21	16	13	138	135
Trees	576	96	96	9	12	9	26	18	18	8	10	5	73	64
Waste Management	567	15	15	0	4	0	21	1	1	0	1	2	12	9
	31,519	936	936	83	1,712	83	3,863	161	161	79	78	71	708	635

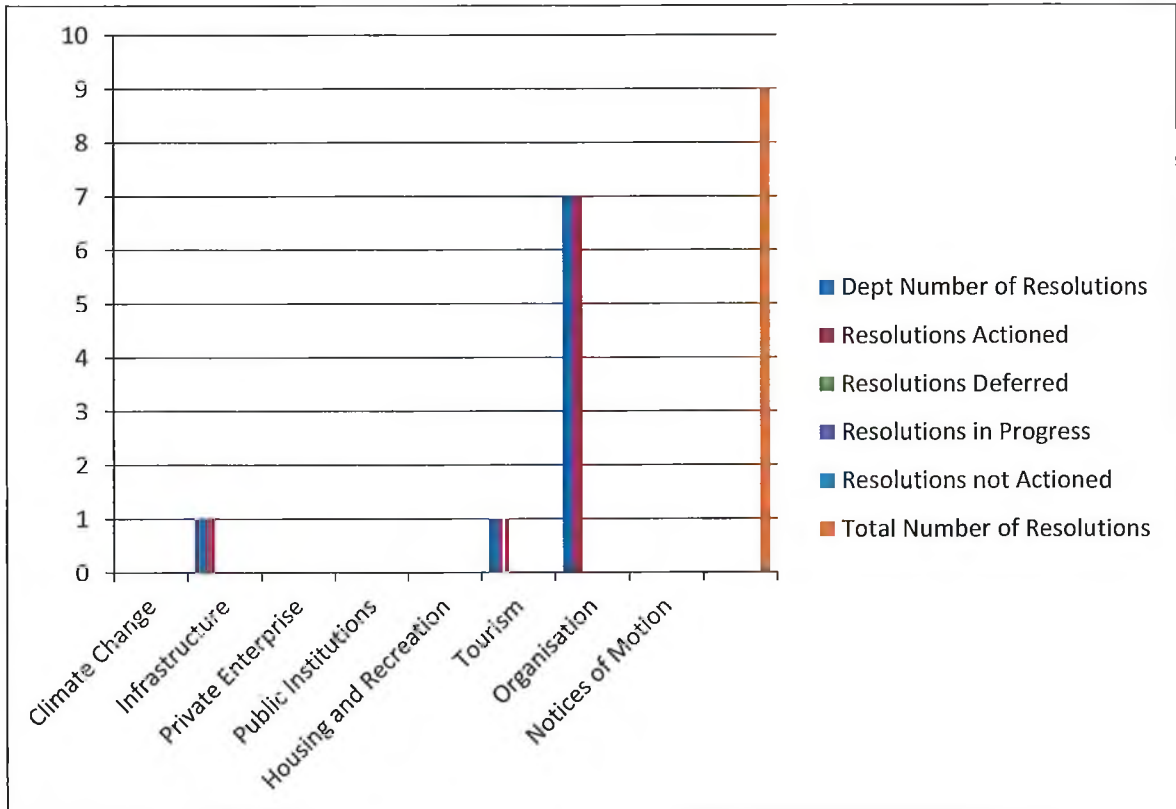
Corporate & Community	Council Property	Economic Growth	Engineering	Footpaths	Parks	Roads	Statutory Services	Trees	Waste Management & Recycling
CS Answered General Home Modifications	Council Property Rest Control Public Art Public Lighting Safeyards Sign	Events Planning Sub Divisions	Engineering	Footpaths Furniture Road/Street/Footpaths	Parks Parks/Reserve Playground State Forest/National Park	Roads Bridges Drainage Emergency Call Out Neighbourhood Roads Traffic Lights	Building Animals - Domestic Animals - Other Environmental Protection Environmental Health Fire Grants Incident Intingement Review Local Laws	Trees Waste Mngmt & Recycling	



Open Requests by Service Type



ACTIONING OF COUNCIL RESOLUTIONS
COUNCIL MEETING – 19 AUGUST 2014



**OUTSTANDING ACTIONS OF COUNCIL RESOLUTIONS TO
31 AUGUST 2014**

This Report is to advise the Senior Management Team, Councillors and the community of the status of previous Council resolutions which are in progress but are yet to be finalised.

Council Meeting Date	Item No. Description & Recommendation	Action to Date
<i>There are no report resolutions with outstanding actions yet to be finalised</i>		

**REVIEW OF EXISTING COUNCIL POLICIES
AND ADOPTION OF NEW POLICIES**

Period of Review	Policy Name	Policy Review / New Policy	Outcome
August / September	Nature Strip Policy	New Policy	Refer Item 9.7.3



RECORDS OF ASSEMBLIES OF COUNCILLORS

For period 8 August to 4 September 2014

Record in accordance with sections 77 and 80A(1) of the *Local Government Act 1989*

Note: Details of matters discussed at the meeting that have been designated confidential under section 77 of the Local Government Act 1989 are described in a separate "confidential addendum" that will be reported to the next closed Council meeting]

Name of Meeting: Councillors Forum

Date of Meeting: Tuesday 12 August 2014

Time: 9.30 a.m. – 5.00 p.m.

Attendees:

Councillors

Debra Swan

Colleen Furlanetto

Malcolm Little

Alistair Purbrick (attended at 2.00 p.m.)

Patrick Storer

Graeme Williams

Robin Weatherald

Officer/s

Chief Executive Officer

Director, Asset Services (left at 4.00 p.m.)

Director, Corporate and Community

Director, Sustainable Development

Apologies

Nil

Matters discussed:

Declarations of Interest

1. Councillors Only Discussions – Confidential
2. Highway 31 Touring Route Proposal (Mayor & CEO)
3. Community Engagement Training
4. Local Law No. 1 - Meeting Procedure ~ Director, Corporate and Community
5. Assembly of Councillors
 - 5.1 Mayor & Chief Executive Officer Meetings Update / Other
 - 5.2 Councillors Meetings Attendances
 - 5.3 Items requested by Councillors for the following months' workshop
 - 5.4 Euroa Third Age Club – request for permission for mural on Club's outer wall
 - 5.5 Nature Strip Policy
 - 5.6 Rowe Street, Euroa – Drainage Works Fee Proposal
 - 5.7 Nagambie Lakes Men's Shed Facility
 - 5.8 Seven Creeks Park Trees
 - 5.9 Investigation for Pile Wrap technique for Kirwans Bridge
 - 5.10 Questions and Answers on Pokies Decision

- 5.11 MAV Conference – The Future of Communities ~ Power to the People Conference (Wednesday 15 & Thursday 16 October 2014)
- 5.12 “Back to Earth” Television Advertisements participation (organics recycling services)
- 5.13 Euroa Cup Committee – request for sponsorship for Euroa Cup
- 5.14 Victoria Cross Poster
- 5.15 Draft Shire of Strathbogie Gaming Policy
- 5.16 Horse Barn Euroa Jumping Classic – invitation to attend Dinner, Event Opening and Luncheon ~ Saturday 30 and Sunday 31 August
- 6. Aged Care Services Expression of Interest
- 7. Australia Day Committees Meeting

Declaration of Interest/s / Direct or Indirect

Matter No.	Names of Councillor/s who disclosed interest	Did the Councillor/s leave the meeting?

Record of Assembly of Councillors

Record in accordance with sections 77 and 80A(1) of the *Local Government Act 1989*

Note: Details of matters discussed at the meeting that have been designated confidential under section 77 of the Local Government Act 1989 are described in a separate "confidential addendum" that will be reported to the next closed Council meeting]

Name of Meeting: Councillors Forum

Date of Meeting: Tuesday 19 August 2014

Time: 10.00 a.m. – 7.00 p.m.

Attendees:

Councillors

Debra Swan
Colleen Furlanetto
Malcolm Little
Alister Purbrick
Graeme Williams
Robin Weatherald

Officer/s

Chief Executive Officer
Director, Asset Services
Director, Corporate and Community
Director, Sustainable Development (did not attend Council meeting)

Apologies

Councillor Patrick Storer

Matters discussed:

Declarations of Interest

1. Community Grants Briefing
2. Stage 1 - Long Term Financial Plan and Rating Strategy - Fact Finding and setting the parameters for 2015 / 16 Budget
3. Lake Street Jetty – briefing by Manager, Statutory Services
4. C69 Panel Report – briefing by Manager, Sustainable Development
5. Agenda Review
6. Assembly of Councillors
 - 6.1 Mayor & Chief Executive Officer Meetings Update / Other
 - 6.2 Councillors Meetings Attendances
 - 6.3 Items requested by Councillors for the following months' workshop
 - 6.4 Request to use Council land adjacent to Nagambie RSL
 - 6.5 Oak Valley Road
7. Council Meeting

Declaration of Interest/s / Direct or Indirect

Matter No.	Names of Councillor/s who disclosed interest	Did the Councillor/s leave the meeting?
1 and 7 (9.7.6)	Councillors Furlanetto, Weatherald and Williams	No

Record of Assembly of Councillors

Record in accordance with sections 77 and 80A(1) of the *Local Government Act 1989*

Note: Details of matters discussed at the meeting that have been designated confidential under section 77 of the Local Government Act 1989 are described in a separate "confidential addendum" that will be reported to the next closed Council meeting]

Name of Meeting: Councillors Forum

Date of Meeting: Tuesday 26 August 2014

Time: 10.00 a.m. – 11.00 a.m.
1.15 p.m. – 4.30 p.m.

Attendees:

Councillors

Colleen Furlanetto
Malcolm Little
Patrick Storer
Graeme Williams
Robin Weatherald

Officer/s

Chief Executive Officer
Director, Asset Services
Director, Corporate and Community
Director, Sustainable Development

Apologies

Councillor Debra Swan
Councillor Alister Purbrick

Matters discussed:

Declarations of Interest

1. Euroa Health – Project presentation to Council
2. Euroa Bicycle Café – presentation of proposal
3. Planning Agenda Review
4. Assembly of Councillors
 - 4.1 Mayor & Chief Executive Officer Meetings Update / Other
 - 4.2 Councillors Meetings Attendances
 - 4.3 Items requested by Councillors for the following months' workshop
 - 4.4 Euroa Community Action Group – Comments on footpaths and roadsides in Binney Street / Clifton Street / Bury Street / Kirkland Avenue, Euroa, Areas
 - 4.5 Cr Furlanetto
Violence Prevention Conference – request for Council endorsement to attend / Program and cost details attached
 - 4.6 Launch of Regional Collaborative Alliance – Wednesday 3 September 2014 ~ 12.30 p.m. to 2.00 p.m. at Doyles Road, Shepparton
 - 4.7 Cr Weatherald
 - Flooding Issues – property at corner of White Street and Boundary Road South
 - Waste Management Charges Reform
 - 4.8 Seven Creeks Park Working Group

5. Planning Committee Meeting

Declaration of Interest/s / Direct or Indirect

Matter No.	Names of Councillor/s who disclosed interest	Did the Councillor/s leave the meeting?



Record of Meetings of Section 86 Committees of Council

Minutes of Meetings received in the August / September 2014 Period

Name of Committee	Date of Meeting
Longwood Action Group	04/06/14
Euroa Community Action Group	28/07/14
Ruffy Community Action Group	07/05/14 06/08/14 (AGM)
Longwood Community Centre	29/07/14
Moglonemby Hall Committee	29/07/14 (and AGM)

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10. NOTICES OF MOTION

11. URGENT BUSINESS

CRS WEATHERALD/WILLIAMS -

That the Organisation report, as listed below, be considered as Urgent Business –

11.7 Organisation

11.7.1 Documents for Signing and Sealing

110/14

ON BEING PUT, THE MOTION WAS CARRIED



		Page No.
11.	URGENT BUSINESS	
11.7	Organisation Reports Index	
11.7.1.	Documents for Signing and Sealing	100



11. URGENT BUSINESS REPORTS

11.7 ORGANISATION

11.7.1 Documents for Signing and Sealing

Documents are submitted for Council signing and sealing.

The details are as follows and are also included in Council's Seal Register:-

DOCUMENT DESCRIPTION	DOC. ID	NO. OF COPIES
Deed of Agreement between Strathbogie Shire Council and BG & JK Douglas Builders for construction of the Euroa Traveller and RV Comfort Stop (Contract No. 13/14-24)		2

RECOMMENDATION

That the Documents be signed and affixed with the Common Seal of Strathbogie Shire Council.

111/14 CRS WILLIAMS/LITTLE : That the Recommendation be adopted.

CARRIED

12. CLOSURE OF MEETING TO THE PUBLIC

6.50 p.m.

CRS WILLIAMS/WEATHERALD -

That Council, in conformance with Section 89(2) of the Local Government Act 1989, resolve to close the meeting to members of the public for the purpose of considering items relating to:-

- **Ground(s) under section 89(2):**
89(2)(e): Proposed Developments

112/14

ON BEING PUT, THE MOTION WAS CARRIED

6.50 p.m.

The Chair, Councillor Swan, declared her interest in an item listed for consideration and determination in the Closed Portion portion of the meeting, and left the meeting

DUE TO THE CHAIR NOW BEING VACANT, THE CHIEF EXECUTIVE OFFICER CALLED FOR NOMINATIONS FOR A TEMPORARY CHAIR TO PRESIDE OVER THE CLOSED PORTION COMPONENT OF THE MEETING.

COUNCILLORS WILLIAMS AND STORER NOMINATED COUNCILLOR LITTLE.

THERE BEING NO FURTHER NOMINATIONS, COUNCILLOR LITTLE ASSUMED THE ROLE OF TEMPORARY CHAIR FOR THE CLOSED PORTION COMPONENT OF THE MEETING.

6.55 p.m.

CRS WILLIAMS/STORER -

That Council open the meeting to members of the public and resume normal business.

114/14

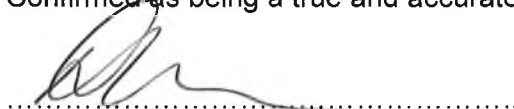
ON BEING PUT, THE MOTION WAS CARRIED

6.55 p.m.

Councillor Swan, returned to the meeting and assumed the role of Chair.

THERE BEING NO FURTHER BUSINESS, THE MEETING CLOSED AT 6.56 P.M.

Confirmed as being a true and accurate record of the Meeting



Chair

21-10-2014

Date

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