

Strathbogie Shire Council

**Council Meeting
Minutes / Decisions**

Tuesday 16 July 2024

Minutes/Decisions

Council Meeting

Tuesday 16 July 2024, at 6.00 pm

Meeting to be held at the Nagambie Lakes Regatta Centre and livestreamed on Council's website:

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

Administrator:

Peter Stephenson

Officers:

Tim Tamlin – Interim Chief Executive Officer

Amanda Tingay – Director People and Governance

John Harvey – Director Sustainable Infrastructure

Rachael Frampton – Director Community and Planning

Rosemary Scott – Executive Manager Communications, Engagement and Advocacy

Meeting Procedure

1. Welcome

2. Acknowledgement of Country

We acknowledge the Traditional Custodians of the places we live, work and play. We recognise and respect the enduring relationship they have with their lands and waters, and we pay respects to the Elders past, present and emerging. Today we are meeting on the lands of the Taungurung peoples of the Eastern Kulin nation, whose sovereignty here has never been ceded.

3. Privacy Notice

This public meeting was streamed live via our website ([Council Meetings and Minutes | Strathbogie Shire](#)) and is made available for public access on our website along with the official Minutes/Decisions of this meeting. All care is taken to maintain your privacy; however, as a visitor in the public gallery, it is assumed that your consent is given in the event that your image is broadcast to the public. It is also assumed that your consent is given to the use and disclosure of any information that you share at the meeting (including personal or sensitive information) to any person who accesses those recordings or Minutes/Decisions.

4. Governance Principles

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

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

5. Apologies / Leave of Absence

Nil.

6. Disclosure of Conflicts of Interest

Nil.

7. Confirmation of Minutes/Decisions of Previous Meetings

The Administrator adopted the Motion

That the Minutes/Decisions of the Council Meeting held on Tuesday 18 June 2024 and the Extraordinary Council Meeting held on Tuesday 25 June 2024 be confirmed (Council Meetings and Minutes | Strathbogie Shire)

118-23/24 **CARRIED**

8. Petitions

Nil.

9. Report of Administrator

Firstly, I'd like to welcome our Interim CEO, Tim Tamlin, to Strathbogie Shire Council and his first meeting with us.

Tim comes to us with extensive experience in senior leadership roles in both the private and public sector, including 10 years as CEO at South Gippsland Shire Council and, more recently, Interim CEO roles at Campaspe Shire Council and Kingston City Council.

Tim has been appointed for a period of up to 12 months to ensure continuity of business operations, to oversee the Councillor Induction program and to support the incoming Council with the recruitment process for a new CEO. And as we welcome Tim, I'm confident that Tim will achieve all we require him to and more, and I know that Tim will engage with the community as the community would like to be engaged with. He's a friendly kind of guy and wants to get things done. If you see Tim in the street, please say hello to him, and I'm sure Tim will be looking out to say hello to you as well.

Welcome Tim, and I look forward to my time here, as Administrator, working with you at the helm.

Citizenship Ceremony

Last week I had the pleasure of hosting a Citizenship Ceremony at the Euroa Community Conference Centre.

Member for Northern Victoria, Rikkie-Lee Tyrrell joined the ceremony and provided a welcome to the new citizens.

It is one of the great privileges as Administrator to preside over these ceremonies and to be able to extend my congratulations on behalf of Strathbogie Shire to our two newest Australian Citizens and their families.

October elections

As we get closer to the October Council election, I want to remind people that voter enrolment closes at 4pm on Wednesday 7 August 2024.

There are a couple of different types of enrolment. Please check the Victorian Electoral Commission website for more information.

Strathbogie Shire Council has also partnered with the Victorian Local Governance Association, or VLGA as they are better known, to bring two sessions in August.

- Tuesday 6 August, 6pm, Becoming a Councillor – to be held at the Euroa Memorial Oval Clubrooms
- Tuesday 13 August, 7.30pm, Life as a woman Councillor – to be held at the Nagambie Lakes Regatta Centre

9. Report of Administrator (cont.)

We are also offering one-on-one sessions for interested candidates with myself and the Interim CEO, on 30th July between 12-2pm in Euroa and 14th August between 4-6pm in Nagambie. Bookings for a 30-minute time slot can be made by heading to our website or contacting Customer Service.

Registration and specific location details will be available on Council's website this week. Registrations are required!

If those dates and times don't suit, and you would like to talk to myself or Tim about becoming a Councillor, reach out and we'll see how we can accommodate that.

Consultation and engagement opportunities

We are certainly keeping the community busy with consultation and engagement at the moment.

These opportunities are essential to involving the community in Council decisions and making sure what we deliver aligns with the diverse needs and interests of the community within the limits of available resources and time.

Off the back of the June Council meeting, submissions close at 5pm tomorrow on:

- Lease and Licensing Policy
- Governance Rules – revised Election Period Policy
- Play and Open Space Strategy

We also have an opportunity for people who are involved in formalised community sport to complete our community sport user survey on the Share Strathbogie consultation platform.

The survey will help to guide the development of a sport strategy which will cover the maintenance, renewal, and development of sporting infrastructure across the Shire.

The survey closes 5pm on Friday 26 July 2024.

And finally, we are calling on members of the Kirwans Bridge community to join a steering committee to help build an emergency action plan for their community through the Local Emergency Action Plans (LEAP) program.

Local Emergency Action Plans have been developed in Violet Town, Avenel and Euroa. Plans are also underway in Nagambie and Strathbogie Tableland.

Applications close Friday 23 August 2024.

Local legends Shout Out

If you know someone who goes above and beyond in their volunteer capacity or they're a quiet achiever who keeps the wheels turning, I encourage you to nominate them through our Local Legends initiative – which you can find on the Share Strathbogie website. Nominations are open now until 30 September 2024.

Events

The Strathbogie Shire ARTBOX has moved to Jubilee Park in Avenel featuring Longwood artist Jenny Kelly's watercolours of native flora and fauna.

The Winter Wonderland events are coming up next month in Avenel, Euroa and Nagambie with an ice skating rink, extreme cloud snowboarding experience, hot chocolate, a photobooth and live music.

This initiative is a key part of our community flood recovery efforts, using community events to build resilience and solidarity within the community.

These free events are made possible thanks to funding from the Victorian and Australian Governments through the Community Recovery Hub grant.

Councils rely on grant funding like this to be able to deliver important projects that otherwise would not be possible.

We are very grateful for the government funding we receive and for the opportunity to work in partnership with both the Victorian and Australian Governments to provide this initiative for the local community.

9. Report of Administrator (cont.)

Longwood Recreation Reserve funding

Speaking of the importance of government funding, I am very pleased to announce that we were successful in a grant application through Round 1 of the Regional Community Sports Infrastructure program for the Longwood Recreation Reserve Female Friendly Changeroom Project.

More details will be available later this week, but I wanted to take this opportunity to thank the Victorian Government for this important funding stream and the Longwood Football Netball Club and Longwood Recreation Reserve Committee of Management for working with Council on this project.

Vale Rod Fyffe

A sad note to end the Chair's report on this month.

Long serving City of Greater Bendigo Councillor, Rod Fyffe, sadly passed away on Friday.

He served for 38 years with the former Shire of Mclvor and, post amalgamations, the City of Greater Bendigo, where he served as Mayor and Deputy Mayor for a number of years.

I was fortunate to meet Rod on many occasions during my time as a Councillor and beyond.

He was a larger than life personality and a great ambassador for his community, the region and the local government sector.

Vale Rod Fyffe

10. **Public Question Time**

Council Ref: RJ: 25/2024

The Ruffy Community Action Group made a submission via the Pitch my Project in July 2021.

At the time, the Action Group requested the reinstatement of speed limit restrictions on Buntings Hill Road and the reclassification of the northern section of the Weibye Track.

In response, the action group received a letter from the CEO on 21 July 2021, acknowledging the projects. The CEO stated and I quote, "these matters have been referred to Council's Asset Planning area for the request to be assessed against the relevant Guidelines."

We were thanked for our submission.

My question is, it has now been approximately three years since the projects were proposed to Council. We are disappointed to report that there has been no communication or action since the CEO's letter dated 21 July 2021. Ref Doc IC 712376.

Would the CEO or Commissioner please provide the community with an update on the commitment to action these projects.

Response

Thank you for your letter, Rob.

I have spoken to John Harvey, Council's Director Sustainable Infrastructure, in relation to this matter and he has informed me that with the recent staff changes within the Assets Planning area it looks as though the two issues you have identified have not been followed through to an appropriate conclusion.

I have asked Mr Harvey to perform the investigations previously promised in the correspondence you received after your initial enquiry and report back to me before the end of August 2024.

Once I receive Mr Harvey's advice, I will inform you of the outcome, and I can only apologise for what didn't get done in the past.

10. Public Question Time (cont.)

Council Ref: RJ: 26/2024

The Ruffy Community Action Group made a submission via the Pitch my Project in July 2021.

At the time, the Action Group requested the reinstallation of safety barriers on the Boggy Creek culvert situated at the northern end of the Ruffy township on Buntings Hill Road. The safety barriers were removed during a process of upgrading the culvert underneath the roadway the previous year.

In the same submission, the action group requested the installation of passing lanes on Weibye track. During the presentation it was demonstrated that in the event of an emergency, specifically fire, it was very difficult for fire tankers to pass on this track. A situation that could be life threatening with vehicles being trapped and the possibility of lives lost. The video presented to the Councillors during the submission demonstrated this serious safety concerns very clearly.

In response, the action group received a letter from the CEO on 21 July 2021, acknowledging the projects. The CEO stated and I quote, "that the Council received a number of requests for funding of a number of road projects and has allocated funding to scope a number of these projects, including the ones we proposed, as a precursor to potential Council funding in coming years."

We were thanked for our submission.

My question is, it has now been approximately three years since the projects were proposed to Council. We are disappointed to report that there has been no communication or action since the CEO's letter dated 21 July 2021. Ref Doc IC 712376.

Response

Again, thank you, Rob, for your enquiry regarding the above.

Firstly, I apologise for the gaps in communication regarding these projects between you and ourselves.

Again, in consultation with John Harvey, Council's Director Sustainable Infrastructure, I have been advised that, as per the correspondence, both of these projects have been investigated as promised in the correspondence.

However, in comparison with other capital projects in the financial years after these investigations, the projects have not been considered higher priorities than those projects delivered during that period.

In regard to the guard fence installation on Boggy Creek, I have asked Director Harvey to further investigate this site to update the capital estimate for the works for consideration in next year's Capital Program budget submissions.

I have been informed that works were performed on Weibye track after the 2022 floods to reinstate the erosion damage that occurred during this event and these have somewhat alleviated this issue.

I have asked for a further inspection to be performed in the coming months to determine what more can be done within the current budget.

However, I have also been advised that if native vegetation is required to be removed to create space for the passing lanes, then this will need a project specific capital works bid to be approved to fund the native vegetation offsets required.

I have asked Director Harvey to perform this inspection and inform you of the outcome.

10. Public Question Time (cont.)

Council Ref: RW: 27/2024

Is it possible that the council will start construction of a roundabout on Binney Street, Euroa, on the eve of an important council October election?

It is noted that significant investigation works have occurred in front of Kloft's old car workshop, and it appears that works are planned in the very near future for a non-necessary and controversial roundabout construction on Binney Street. Please provide an estimated cost and budget details.

Response

Thank you for your questions, Robin.

Consideration of the need for a roundabout at the intersection of Binney Street and Railway Street is currently being undertaken as part of the Inland Rail project.

If it is required, the design will be produced by the Inland Rail authority in close consultation with Council.

Only at the completion of the detailed design could an accurate estimate for its construction be completed.

Therefore, we are not aware of the cost for the construction of a roundabout in this location.

Council does not have the construction of a roundabout in this location listed in either its short or long term capital project priorities.

11. **Officer Reports**

11.1 Strategic and Statutory

11.2 Community

11.3 Infrastructure

11.4 Corporate

11.5 Governance and Customer Service

11.6 Executive

12. **Notices of Motion**

13. **Notices of Rescission**

14. **Urgent Business**

15. **Confidential Business**

Next meeting

The next monthly meeting of the Strathbogie Shire Council is scheduled to be held on Tuesday 20 August 2024, at the Nagambie Lakes Regatta Centre, at 6.00 pm.

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11. OFFICER REPORTS

11.1 STRATEGIC AND STATUTORY PLANNING

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

Author: Manager Planning and Investment

Responsible Director: Director Community and Planning

EXECUTIVE SUMMARY

This report provides listings of all Planning Applications Received (Attachment 1) and Planning Applications Determined (Attachment 2) for the period of 1 to 31 May 2024. The latest available Planning Permit Activity Performance (PPARS) Figures are also attached (Attachment 3). It should be noted that the latest PPARS Figures are for the month of April 2024. The May 2024 PPARS Figures were not available at the time of writing this report as the monthly figures are not updated until 15th of each month. The contents of this report are provided for information purposes only.

It is noted that there were seventeen (17) new planning applications received and twenty-three (23) planning applications decided on during the reporting period.

Attachment 4 to this report provides an update on current Victorian Civil and Administrative Tribunal (VCAT) appeals where no decision has been made.

This report has been held over from the June Council meeting, due to no determination being made on the matter (at the June Council meeting), resulting from an administrative oversight.

The Administrator adopted the Motion

That Council:

- 1. *Note that there were seventeen (17) new planning applications received, and twenty-three (23) planning applications decided on during the period of 1 to 31 May 2024; and***
- 2. *Note the report.***

119-23/24 **CARRIED**

11.1.2 Planning Applications Received and Planning Applications Determined - 1 to 30 June 2024

Author: Manager Planning and Investment

Responsible Director: Director Community and Planning

EXECUTIVE SUMMARY

This report provides listings of all Planning Applications Received (Attachment 1) and Planning Applications Determined (Attachment 2) for the period of 1 to 30 June 2024. The latest available Planning Permit Activity Performance (PPARS) Figures are also attached (Attachment 3). It should be noted that the latest PPARS Figures are for the month of May 2024. The June 2024 PPARS Figures were not available at the time of writing this report as the monthly figures are not updated until 15th of each month. The contents of this report are provided for information purposes only, the listing of current planning applications on public display can be found on Council's website.

It is noted that there were ten (10) new planning applications received and sixteen (16) planning applications decided on during the reporting period.

Attachment 4 to this report provides an update on current Victorian Civil and Administrative Tribunal (VCAT) appeals where no decision has been made.

The Administrator adopted the Motion

That Council:

- 1. Note that there were ten (10) new planning applications received, and sixteen (16) planning applications decided on during the period of 1 to 30 June 2024.***
- 2. Note the report.***

120-23/24 **CARRIED**

11.1.3 Draft Engagement Approach for the Rural Residential and Land Use Strategy and Urban Growth Strategy

Author: Senior Strategic Planner

Responsible Director: Director Community and Planning

EXECUTIVE SUMMARY

A review of the Strathbogie Planning Scheme was adopted on 21 February 2023, this review recommended two high priority actions relating to the need to update and develop a Rural Residential and Land Use Strategy (RRLUS) and an Urban Growth Strategy (UGS) (Strategies). In addition, this was included as an action in the Council Plan 2021-2025.

These Strategies will guide land use planning and decision making within the Strathbogie municipality for the next 15-30 years. These Strategies will work together to inform development across the municipality with the aim of maximising amenity for residential uses while not compromising the ongoing viability of agricultural, industrial, commercial businesses or future opportunities.

A comprehensive engagement approach is required to ensure these Strategies reflect the current and future aspirations of the community and provide the strategic justification for future planning decisions. To support Council's engagement on these strategic documents Officers have appointed, under delegation, an independent engagement facilitator, following a competitive procurement process. They will support the more technical aspects of the engagement. Engagement will occur through traditional engagement techniques like surveys, drop-in sessions and public exhibition periods but also include a deliberative engagement process using a Community Panel.

A draft four stage Engagement Approach is being presented to Council for endorsement through this Council report, ensuring Council has oversight of the Engagement Approach, and the community is aware of all engagement touch points for the broader community and target groups, as well as the deliberative panel process.

Council Officers are seeking endorsement of the draft Engagement Approach to guide the community engagement process associated with the development of these strategic documents.

The Administrator adopted the Motion

That Council:

- 1. Endorse the draft Engagement Approach for the Rural Residential and Land Use Strategy and Urban Growth Strategy; and***
- 2. Endorse the release of the Issues and Opportunities Reports for the Rural Residential and Land Use Strategy and the Urban Growth Strategy for initial engagement, at an appropriate time in line with the draft Engagement Approach.***

121-23/24 **CARRIED**

11.2 COMMUNITY

11.2.1 2024-25 Community Grant Allocations

Author: Community Development Officer

Responsible Director: Director Community and Planning

EXECUTIVE SUMMARY

Council has a long history of providing community funding to groups in the municipality to support the delivery of important community projects.

Strathbogie Shire Council's (*Council*) Community Grants program provides an opportunity for groups to undertake projects that complement the Community Vision and strategic focus areas of the Strathbogie Shire Council Plan 2021-25. At the 16 April 2024 Council meeting, Council adopted the revised Community Funding Model.

As per the adopted 2024-25 Community Funding Model, the Community Grants program features three streams of funding:

- Community Strengthening Grant up to the value of \$10,000.
- Reducing Emissions Grant up to the value of \$20,000.
- Quick Response Grant up to the value of \$1,000

The Reducing Emissions Grant is a new stream, introduced in 2024-25, in response to the expressed need in community. The reducing emissions grant stream has been established to support projects that deliver a positive environmental change through community infrastructure improvements that reduce emissions on Council owned assets, supporting Council's commitment to Climate Change and the associated Climate Change Action Plan 2022-2027.

This report relates to the consideration of the applications for the Community Strengthening Grant and Reducing Emissions Grant streams. Both streams opened for applications on the 17 April 2024 and closed on the 11 June 2024.

Officers received 19 applications in total, 13 for the Community Strengthening Grant and six (6) for the Reducing Emissions Grant. All were determined as eligible and proceeded through to the assessment stage. These grant applications were then assessed by an Assessment panel comprising of Officers from various internal departmental areas providing a diverse skill set and expertise in the assessment process. Additional advice was sought as required from other departments across Council.

Following the comprehensive assessment process, officers recommend that Council approves 19 applications to the total value of \$163,000.

Furthermore, an allocation of \$10,000 for Quick Response grants remains available to the community to apply for eligible projects in 2024-25. These grants are authorised under delegation of the CEO and are included in the monthly Contracts, Works and Grants Awarded Under Delegation Report that is presented to Council.

11.2.1 2024-25 Community Grant Allocations (cont.)

The Administrator adopted the Motion

That Council award funding to nineteen (19) applicants for the total sum of \$163,000 excluding GST, to the following organisations:

Community Strengthening

<u>Applicant/Organisation</u>	<u>Funding allocated</u>
<i>Avenel Active Inc.</i>	<i>\$8,665</i>
<i>Tablelands Community Centre Inc.</i>	<i>\$10,000</i>
<i>Euroa Agricultural Society Inc.</i>	<i>\$10,000</i>
<i>Go Nagambie Inc.</i>	<i>\$6,970</i>
<i>Avenel Bowling Club Inc.</i>	<i>\$7,691</i>
<i>Nagambie Soccer Club</i>	<i>\$10,000</i>
<i>Strathbogie Sporting and Recreation Club Inc.</i>	<i>\$5,712</i>
<i>Strathbogie Tablelands History Group</i>	<i>\$3,500</i>
<i>Strathbogie Tablelands Action Group Inc.</i>	<i>\$1,329</i>
<i>Avenel Golf Club Inc.</i>	<i>\$3,894</i>
<i>Strathbogie Golf Club Inc.</i>	<i>\$10,000</i>
<i>Longwood Action Group Inc.</i>	<i>\$10,000</i>
<i>Strathbogie Recreation Reserve Committee of Management</i>	<i>\$5,460</i>

Reducing Emissions

<u>Applicant/Organisation</u>	<u>Funding allocated</u>
<i>Violet Town Action Group Inc.</i>	<i>\$20,000</i>
<i>Nagambie Senior Citizens Inc.</i>	<i>\$9,080</i>
<i>Strathbogie Memorial Hall Inc.</i>	<i>\$20,000</i>
<i>Violet Town Football Netball Club Inc.</i>	<i>\$8,659</i>
<i>Strathbogie Recreation Reserve Committee of Management</i>	<i>\$3,500</i>
<i>Nagambie Lakes Men's Shed Inc.</i>	<i>\$8,540</i>

122-23/24 **CARRIED**

11.2.2 Event Grant Application Received **- Tablelands Community Christmas Celebration**

Author: Events and Business Relationship Support Officer

Responsible Director: Director Community and Planning

EXECUTIVE SUMMARY

Council adopted a community funding model at the 16 April 2024 Council Meeting. This model sets out the strategic direction and associated guidelines for the distribution of community funding for Strathbogie Shire Council. Event Grants provide grants of up to \$5,000 to eligible organisations and associations for events that align with the objectives of the Council Plan 2021-25, submitted in line with Council's Event Guidelines.

Council has received one (1) Event grant application for Council's consideration this month.

The application was received from Tablelands Community Centre Inc. to support the delivery of the Annual Tablelands Community Christmas Party on Saturday 7 December 2024. Tablelands Community Centre Inc. have applied for a total of \$1,380, to cover the cost of printing marketing material, hire of a jumping castle and catering. The request of \$1,380 is for a cash contribution. The application also states that there will be a \$32.95 cash contribution from the Tablelands Community Centre Inc. to provide gas for the BBQ and \$3,540 in-kind contribution of volunteer hours and venue hire to help deliver the event.

The annual Tablelands Community Christmas Party has been held over several years and promotes community strengthening and identity, as it is the largest community event held in Ruffy and is well attended by local residents and returning residents. The event will be delivered in line with Council's Events and Regulatory policies and procedures.

Council has a budget of \$50,000 allocated to Event Grants under the Community Funding Model in the 2024-25 budget. The application has been submitted in-line with the Event Grant Guidelines 2024-25 adopted on 16 April 2024 and has been assessed using the relevant assessment process. The Tablelands Community Centre Inc. application is of a good standard and officers recommend funding in full.

The Administrator adopted the Motion

That Council:

- 1. Approve the Event Grant application from Tablelands Community Centre Inc. to the value of \$1,380, to support the delivery of the Annual Tablelands Community Christmas Party; and***
- 2. Work with Tablelands Community Centre Inc. to reduce overall waste produced at the event through the implementation of the objectives of both the Waste Wise Events Policy and Sustainable Strathbogie 2030 in being "A Zero Waste Shire".***

123-23/24 **CARRIED**

11.2.3 Draft Seven Creeks Master Plan

Author: Manager Community and Culture

Responsible Director: Community and Planning

EXECUTIVE SUMMARY

In 2022 Euroa Community Action Group (ECAG) submitted a Pitch My Project proposal to complete an updated master plan for the Seven Creeks Park area, incorporating the space from the Butter Factory Bridge to the newly erected bridge at the Rockies. An allocation of \$15,000 was included in the 2022-23 budget to update the 2016 Seven Creeks Master Plan incorporating detailed design of a nature play space at the Seven Creeks Park. Concurrently, there was a budget allocation made to develop a Play and Open Space Strategy. This Strategy is currently out for community consultation and will also inform the master plan.

The Play and Open Strategy and the draft Seven Creeks Master Plan (*the Master Plan*) are the result of a comprehensive review completed by an external consultant, JF Studio Pty Ltd, and community engagement with Friends of the Sevens group, Euroa Chamber of Business and Commerce, schools, kindergartens, event organisers and a survey through the Share Strathbogie engagement hub.

This report recommends that the draft Master Plan be placed on public exhibition for a further consultation period from 17 July 2024 to 16 August 2024 via Council's Share Strathbogie hub and promoted on Council's various communications platforms.

This feedback will then be collated and reviewed to inform the final Master Plan for presentation and consideration by Council at the December 2024 Council Meeting and insertion as an appendix into Council's Play and Open Space Strategy 2024-2034.

The Administrator adopted the Motion

That Council:

- 1. Endorse the release of the draft Seven Creeks Master Plan for broad community consultation and feedback, commencing on Wednesday 17 July 2024 and closing on Friday 16 August 2024 at 5.00 pm; and***
- 2. Receive a further report at the December 2024 Council Meeting for the consideration of the final Seven Creeks Master Plan and insertion as an appendix into Council's Play and Open Space Strategy 2024-2034.***

124-23/24 **CARRIED**

11.3 **INFRASTRUCTURE**

11.3.1 **Tender for Contract No. 23/24-54: Tree Maintenance Services Panel of Suppliers**

Author: Trees Project Officer (Acting)

Responsible Director: Director Sustainable Infrastructure

EXECUTIVE SUMMARY

Council is seeking to appoint a panel of suppliers to assist Council with the provision of services to provide tree maintenance in the municipality.

Services sought under this tender are:

- a) Emergency works - Failed Tree, Limb, and Debris Clearing and Disposal;
- b) General Tree Works - Pruning, Tree, and Stump removal;
- c) Tree Root Maintenance - Pruning, Root Barriers;
- d) Tree Planting, Maintenance and Establishment - Supply and Plant Trees, Ongoing Watering and Care;
- e) Rural Road Canopy Clearing - Road Envelope Vegetation Maintenance;
- f) Pest and Disease Control; and the
- g) Electric Line Clearing - 6 monthly Program.

Council has undertaken a competitive tender process to ensure the procurement process for the Tree Maintenance Services - Panel of Suppliers Contract represents best value for the municipality and meets compliance requirements of the *Local Government Act 2020* and Strathbogie Shire Council's Procurement Policy.

Through public advertisement in local and national newspapers, Council invited tenders for the Tree Maintenance Services - Panel of Suppliers with the tender opening at 9am Friday 15 March 2024. At the close of the tender at 4pm Friday 12 April 2024, thirteen (13) tender submissions were received.

The thirteen (13) tender submissions were assessed for compliance including the contractual terms and conditions and the requirements of the response schedules. One tenderer was determined to not meet the minimum tenderer requirements, and two tenderers were not considered due to being located well out of our region.

After initial independent assessment and evaluation, the result of the officer evaluations is summarised in the tables within this report. This report looks to award this tender in line with this assessment to the preferred tenderers who will form the panel of suppliers.

The Administrator adopted the Motion

That Council:

1. ***Note the outcome of the Request for Tender assessment process for Contract No.23/24-54 Tree Maintenance Services - Panel of Suppliers;***

11.3.1 Tender for Contract No. 23/24-54: Tree Maintenance Services Panel of Suppliers (cont.)

MOTION (cont.)

2. Award Contract No. 23/24-54 Tree Maintenance Services - Panel of Suppliers, Separable Parts for the period of three (3) years, to the following suppliers:

Contract a): Emergency works - Failed Tree, Limb, and Debris Clearing and Disposal services to:

Kenyons Tree Tactics Pty Ltd (Kilmore)

Total Tree and Stump Removal (Murchison)

Wright Out Tree and Stump Removal (Euroa)

IndeezTreez Industries Pty Ltd (Creightons Creek)

North East Tree Service (Benalla)

The trustee for the G & W Reynolds Family Trust (T/A Arboressence) (Wangaratta)

Arbor Dynamics Pty Ltd (Tatura)

Tree Solutions North East (Congupna)

Contract b): General Tree Works Pruning, Tree, and Stump Removal services to:

Kenyons Tree Tactics Pty Ltd (Kilmore)

Total Tree and Stump Removal (Murchison)

Wright Out Tree and Stump Removal (Euroa)

IndeezTreez Industries Pty Ltd (Creightons Creek)

North East Tree Service (Benalla)

The trustee for the G & W Reynolds Family Trust (T/A Arboressence) (Wangaratta)

Arbor Dynamics (Tatura)

Tree Solutions North East (Congupna)

Contract c): Tree Root Maintenance Pruning, Root Barriers

Wright Out Tree and Stump Removal (Euroa)

North East Tree Service (Benalla)

The trustee for the G & W Reynolds Family Trust (T/A Arboressence) (Wangaratta)

Arbor Dynamics (Tatura)

Contract d): Tree Planting, Maintenance and Establishment Supply and Plant Trees, Ongoing Watering and Care, Debris Clearing and Disposal services to:

Kenyons Tree Tactics Pty Ltd (Kilmore)

Total Tree and Stump Removal (Murchison)

Wright Out Tree and Stump Removal (Euroa)

The trustee for the G & W Reynolds Family Trust (T/A Arboressence) (Wangaratta)

North East Tree Service (Benalla)

Arbor Dynamics (Tatura)

Tree Solutions North East (Congupna)

11.3.1 Tender for Contract No. 23/24-54: Tree Maintenance Services Panel of Suppliers (cont.)

MOTION (cont.)

Contract e): Rural Road Canopy Clearing Road Envelope Vegetation Maintenance

Kenyons Tree Tactics Pty Ltd (Kilmore)

Total Tree and Stump Removal (Murchison)

Wright Out Tree and Stump Removal (Euroa)

North East Tree Service (Benalla)

The trustee for the G & W Reynolds Family Trust (T/A Arboressence) (Wangaratta)

Tree Solutions North East (Congupna)

Contract f): Pest (Elm Leaf Beetle)

North East Tree Service (Benalla)

The trustee for the G & W Reynolds Family Trust (T/A Arboressence) (Wangaratta)

Contract g): Tree Pruning / Electric Line Clearing

North East Tree Service (Benalla)

The trustee for the G & W Reynolds Family Trust (T/A Arboressence) (Wangaratta)

3. ***Authorise Officers to advise the unsuccessful tenders;***
4. ***Authorise the Chief Executive Officer to award the Contracts by signing a letter of award; and***
5. ***Note that the contract term will commence on 15 August 2024 for 3 years, to 15 August 2027.***

125-23/24 **CARRIED**

11.3.2 Tender for Contract No. 23/24-65: Provision of 128 HP Tractor

Author: Manager Asset Planning and Procurement and Tenders Officer

Responsible Director: Director Sustainable Infrastructure

EXECUTIVE SUMMARY

Council has undertaken a Request for Tender (RFT) process from supplier members of the Municipal Association of Victoria's (MAV) Heavy Plant Machinery Equipment (NPN2.15-2) and Light Plant & Equipment Purchasing Contract (LP20091) for the provision of a 128 HP Tractor. This procurement option was utilised as it allows for the targeted and efficient quotes process from industry specialist suppliers, providing group buying pricing and is permitted by Strathbogie Shire Council's Procurement Policy (last update November 2023) clause 20, Exemptions, Collaborative Engagement. It allows for Council to continue to meet its obligation to obtain Best Value, and compliance requirements of the *Local Government Act 2020*.

Through advertising in MAV's e-portal Vendor panel, Council invited quotes for one (1) 128 HP Tractor with the RFT opening on 3 May 2024. At the close of the RFT process on 17 May 2024, Council received three (3) quotations.

A comprehensive evaluation of all submissions was conducted by the evaluation panel, and a summary of the evaluation results is provided in this report. It is recommended that Council award the tender to Kubota Pty Ltd through their agent Bertoli Farm Machinery Shepparton, for a total amount of \$163,350.00 (including GST).

The Administrator adopted the Motion

That Council:

- 1. *Note the outcome of the tender assessment process for Contract No. 23/24-65: Provision of 128 HP Tractor;***
- 2. *Award the tender for Contract No. 23/24-65: Provision of 128 HP Tractor utilising the MAV Heavy Plant Machinery Equipment (NPN2.155-2) and Light Plant & Equipment Purchasing Contract (LP20091) to Kubota Pty Ltd through their agent Bertoli Farm Machinery of Shepparton, for a total amount of \$163,350.00 (including GST);***
- 3. *Authorise Officers to advise the unsuccessful tenderers;***
- 4. *Authorise the Chief Executive Officer to award the Contract by signing a letter of award and approving a purchase order for the above amount; and***
- 5. *Note that the tractor will be delivered 12 weeks following contract award.***

126-23/24 **CARRIED**

11.3.3 Tender for Contract No. 23/24-66: Supply of x2 Towable Power Road Brooms

Author: Manager Asset Planning; Procurement and Tenders Officer

Responsible Director: Director Sustainable Infrastructure

EXECUTIVE SUMMARY

The proposed purchase of two road brooms, one to be based in Euroa and the other in Nagambie are essential pieces of equipment that will assist in the safety of completed road projects and our broader road network.

Request for Tender for Contract No. 23/24-66: Supply of x2 Towable Power Road Brooms, was advertised from 21 May 2024 to 05 June 2024 using the Municipal Association of Victoria (MAV) e-portal Vendor panel, inviting preferred suppliers of Heavy Plant Machinery Equipment (NPN2.15-2) Contract. Council received one (1) quotation by the closing date. A comprehensive evaluation of the submission was conducted by the evaluation panel, and a summary of the evaluation results is provided in this report.

It is recommended that Council award the tender to Earthmoving Equipment Australia Pty Ltd for a total amount of \$220,000.00 (including GST), utilising MAV Contract Heavy Plant Machinery Equipment (NPN2.15-2) Contract.

The budget for the purchase has been secured by the rescheduling of the replacement of the smaller shoulder grader from the 2023-24 financial year to the 2024-25 financial year. This was possible as its current condition is considered appropriate for its replacement to be delayed by the 6 months that will be required to arrange for the procurement and purchase in the 2024-25 financial year. As such, there has been no change the current service level provided as the smaller shoulder grader is still in operation.

The Administrator adopted the Motion

That Council:

- 1. Note the outcome of the tender assessment process for Contract No. 23/24-66: Supply of x2 Towable Power Road Brooms;***
- 2. Award the tender for Contract No 23/24-66: Provision of x2 Towable Power Road Brooms to Earthmoving Equipment Australia Pty Ltd based in Laverton North, Victoria for a total amount of \$220,000.00 (including GST);***
- 3. Authorise the Chief Executive Officer to award the Contract by signing a letter of award and approving a purchase order for the above amount; and***
- 4. Note that the Power Road Brooms will be delivered 2-4 weeks after the contract is awarded.***

127-23/24 **CARRIED**

11.3.4 Tender for Contract No. 25/26-02: Landfill Disposal

Author: Acting Environment and Waste Coordinator

Responsible Director: Director Sustainable Infrastructure

EXECUTIVE SUMMARY

In collaboration with Mansfield Shire Council, Strathbogie Shire Council has undertaken a tender for Contract No. 25/26-02 – Landfill Disposal. Strathbogie Shire Council took the lead role in this procurement.

This is following on from the Hume Regional Collaborative tender that was undertaken in late 2022. The outcomes of this process were reported to Council at its meeting in February 2023 where Council resolved to award all tenders, except CN 25/26-02 Landfill Disposal. As part of this recommendation, Officers recommended that staff commence a new tender process and report back on this process by 1 December 2023. A further update on the tender process for landfill disposal was presented to the September 2023 Council meeting.

Council staff, in collaboration with Mansfield Shire Council, undertook an extended tender process to ensure value for money for Council. Following the assessment and evaluation from officers at both Councils, it is recommended that Council award CN 25/26-02 to Greater Shepparton City Council for a 7.5 year period, with an extension at Council's discretion of an additional 7.5 year period.

The Administrator adopted the Motion

That Council:

- 1. Note the outcome of the collaborative Request for Tender assessment process for Contract No. 25/26-02 – Landfill Disposal;***
- 2. Award the Contract No. 25/26-02 – Landfill Disposal to Greater Shepparton City Council for seven years and six months commencing 01 July 2025 with an option of a further seven years and six months at Council's discretion;***
- 3. Authorise Officers to advise unsuccessful tenderers; and***
- 4. Authorises the Chief Executive Officer to finalise negotiations on the contract terms and execute the Contract by signing and affixing with the Common Seal of Strathbogie Shire Council.***

128-23/24 **CARRIED**

11.3.5 Contracts, Works, Variations and Grants Awarded Under Delegation - 1 to 30 June 2024

Author: Procurement and Tenders Officer

Responsible Director: Director People and Governance

EXECUTIVE SUMMARY

The purpose of this report is to inform Council and the community of the status of request for the publicly advertised tenders, invitations for written quotations and quotations provided using collaborative and/or third-party contracts which have been awarded under delegation for the period 1 June 2024 to 30 June 2024. This report specifically relates to works that formed part of Council's 2023-24 adopted Budget.

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

The Administrator adopted the Motion

That Council note:

- 1. The contracts awarded under delegated authority by the Chief Executive Officer;***
- 2. The contract awarded under delegated authority by a Director;***
- 3. That no low value Contract Variations of up to 15% of original Contract value, but less than \$15,000 (inclusive of GST), were awarded under delegation by the Chief Executive Officer in June 2024; and***
- 4. There were no quick response grant applications received during the reporting period.***

129-23/24 **CARRIED**

11.4 **CORPORATE**

11.4.1 **Strathbogie Shire Council Audit and Risk Committee – Confirmed Minutes of the Ordinary Meeting held on 31 May 2024**

Author: Coordinator Governance and Records Management

Responsible Director: Director People and Governance

EXECUTIVE SUMMARY

This report presents the confirmed minutes of the ordinary meeting of the Strathbogie Shire Council Audit and Risk Committee meeting held on 31 May 2024, endorsed by the Audit and Risk Committee at its meeting held on 21 June 2024.

The following items were considered by the Committee at the meeting held on 31 May 2024:

Business

- Appointment of the Council Administrator
- Rural Councils Transformation Program (Project CODI) update
- Disaster Recovery Plan and Business Continuity Plan update
- 2024 Local Government Election update
- Bi-annual Audit and Risk Committee Performance Report
- Victorian Auditor-Generals Office – Results of 2022-23 Audits: Local Government
- Fair Value Assessment and Asset Valuation
- Capital Works Program Update
- Appointment of Interim Chief Executive Officer

Standing Items

- Internal Audit Updates – RSD Audit
- External Audit Updates – Crowe Australasia
- Outstanding Internal Audit Items
- Policy Review
- Risk Management
- Audit and Risk Committee Work Plan
- Human Resources Update
- Administrator Expenses and Reimbursements
- CEO Purchasing Card
- Fraud Risk Management
- Investment and Borrowings Report

The confirmed minutes from the meeting held on 31 May 2024 are presented for Council's noting.

The Administrator adopted the Motion

That Council receive and note the Confirmed Minutes of the Strathbogie Shire Council Audit and Risk Committee meeting held on 31 May 2024.

130-23/24 **CARRIED**

11.4.2 S11, S11A and S11B - Instruments of Appointment and Authorisation Update

Author: Director People and Governance

Responsible Director: Director People and Governance

EXECUTIVE SUMMARY

Regular reviews are required to be made to the S11 Instrument of Appointment and Authorisation, S11A Instrument of Appointment and Authorisation *Planning and Environment Act 1987* and the S11B Instrument of Appointment and Authorisation *EPA Act 2017* to ensure the instruments are reflective of the current organisation structure.

The *Local Government Act 1989* is still active in relation to the appointment of authorised officers, not the *Local Government Act 2020*.

These instruments give specified officers the ability to enforce legislation and are essential to ensuring any enforcement action is undertaken on behalf of Council in a legal and robust manner. The instruments also appoint officers to key roles and positions including the Municipal Building Surveyor, Municipal Emergency Management Officer, and appointment of Councillor Conduct Officer.

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

The Administrator adopted the Motion

That in the exercise of the powers conferred by section 224 of the Local Government Act 1989 (the Act) and the other legislation referred to in the attached instruments of appointment and authorisation (S11, S11A and S11B), Strathbogie Shire Council (Council) resolves that:

- 1. The members of Council staff referred to in the instruments be appointed and authorised as set out in the instruments;***
- 2. The S11 Instrument of Appointment and Authorisation endorsed by Council at its meeting of 19 March 2024 be revoked and replaced by the 16 July 2024 instrument;***
- 3. The S11A Instrument of Appointment and Authorisation endorsed by Council as its meeting of 19 March 2024 be revoked and replaced by the 16 July 2024 instrument;***
- 4. The S11B Instrument of Appointment and Authorisation endorsed by Council as its meeting of 19 March 2024 be revoked and replaced by the 16 July 2024 instrument;***
- 5. The instruments be signed and sealed by Council under the Strathbogie Shire Council Local Law No 1 Use of the Common Seal 2020; and***

11.4.2 S11, S11A and S11B - Instruments of Appointment and Authorisation Update

MOTION (cont.)

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

131-23/24 **CARRIED**

11.4.3 S18 – Instrument of Sub-Delegation to Members of Council Staff under the Environment Protection Act 2017 Update

Author: Director People and Governance

Responsible Director: Director People and Governance

EXECUTIVE SUMMARY

The *Environment Protection Act 2017 (the EP Act)* and Environment Protection Regulations 2021 came into effect on 1 July 2021. Under the *EP Act*, the scope of local government's role as a regulator has not changed, but there are changes to the laws and powers of local governments, including a delegation of powers from the Environment Protection Authority (EPA) to Councils. The S18 sub-delegates Council's powers (delegated to it by the EPA) to members of Council staff.

This instrument provides for delegations that cannot be sub-delegated by the Chief Executive Officer (CEO); that is, they must be directly delegated from Council to the subject matter experts. The delegations relate to specialised legislation, in this case the *Environmental Protection Act 2017*.

The S18 Instrument of Sub-Delegation under the *EP Act* is updated six monthly ensuring currency of positions within the organisation structure and changes to state government legislative frameworks.

A public register of delegations must be maintained by the CEO under the Local Government Act 2020 and Council's Public Transparency Policy. Accordingly, this instrument, once signed, will be available for inspection by the public upon request.

The Administrator adopted the Motion

That in the exercise of the powers conferred by the legislation referred to in the attached S18 Instrument of Sub-Delegation under the Environment Protection Act 2017, Strathbogie Shire Council (Council) resolves that:

- 1. The members of staff referred to in the S18 Instrument of Sub-delegation under the Environment Protection Act 2017 be appointed and authorised as set out in the instrument;***
- 2. The Instrument be signed and sealed by Council under the Strathbogie Shire Council Local Law No. 1 – Use of the Common Seal 2020; and***
- 3. The instrument come into force immediately when the Common Seal of Council is affixed to the Instrument and remains in force until Council determines to vary or revoke it.***

132-23/24 **CARRIED**

11.4.4 S6 – Instrument of Delegation to Members of Staff Update

Author: Director People and Governance

Responsible Director: Director People and Governance

EXECUTIVE SUMMARY

The *Local Government Act 2020 (the Act)* requires regular review of all instruments of delegation.

The Council to Officers Instrument of Delegation is the way in which Council enables day to day decisions, made under a raft of legislation and local laws, to be made. Without this delegation of power, all decisions would have to be made by a resolution of Council, which would become unsustainable due to the volume of decisions made by the administration on behalf of Council every day.

This instrument provides for delegations that cannot be sub delegated by the Chief Executive Officer (CEO), that is, they must be directly delegated from Council to the subject matter experts. The delegations relate to specialised legislation such as the *Planning and Environment Act 1987*, *Roads Management Act 2004*, and the *Environmental Protection Act 2017*.

The Instrument before Council is based on the current delegation. There are some powers, such as setting fees, that are not delegated to any officer. The draft instrument before Council reflects the current organisational structural.

There are conditions against some delegated powers requiring notification of the CEO or Council through written notice within a specified period of a decision being made to ensure transparency and that information flows between the delegated officers and Council.

A public register of delegations must be maintained by the CEO under the Act and Council's Public Transparency Policy, and so this instrument, once signed, will be available for inspection by the public upon request.

The Administrator adopted the Motion

In the exercise of the powers conferred by the legislation referred to in the attached S6 Instrument of Delegation to Members of Council Staff, Strathbogie Shire Council (Council) resolves that:

- 1. There be delegation to the members of Council staff holding, acting in or performing the duties of the officers or positions referred to in the attached Instrument of Delegation to members of Council staff, the powers, duties, and functions set out in that instrument, subject to the conditions and limitations specified in the Instrument;***
- 2. The Instrument be signed and sealed by Council under the Strathbogie Shire Council Local Law No. 1 – Use of the Common Seal 2020;***
- 3. The Instrument comes into force immediately when the Common Seal of Council is affixed to the Instrument;***

11.4.4 S6 – Instrument of Delegation Members of Staff Update (cont.)**MOTION (cont.)**

- 4. On the coming into force of the Instrument, the Instrument endorsed at its meeting of 19 March 2024 be revoked and replaced by the 16 July 2024 Instrument; and**
- 5. The duties and functions set out in the Instrument must be performed, and the powers set out in the Instruments must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.**

133-23/24 CARRIED

11.4.5 S5 – Instrument of Delegation from Council to the Chief Executive Officer Update

Author: Director People and Governance

Responsible Director: Director People and Governance

EXECUTIVE SUMMARY

One of the key instruments of delegation that facilitates efficient and effective Council operations and decision making is the S5 Instrument, through which Council delegates the bulk of its powers to the Chief Executive Officer (CEO).

This instrument identifies the decisions that cannot be made by the CEO, as prescribed by the *Local Government Act 2020* (the Act), such as amending the Council Plan, expenditure of Council funds outside of certain parameters, amending local laws or the Governance Rules, approving the borrowing of money or amending/creating policies required to be adopted through a Council resolution.

The existing instrument of delegation from Council to the CEO was approved by Council on 19 March 2024. Six monthly reviews and updates of the S5 Instrument are undertaken to respond to changing circumstances. There has been one main change to the S5 Instrument of Delegation since that time, to include the provision for the CEO to enter into a contract exceeding the value of \$170,000 for goods and services or \$300,000 for works where exceptional circumstances only apply. This relates to exceptional circumstances only where the CEO has determined that a contract must be entered into because of a declared emergency, disaster impacting life, property or to ensure business continuity. A report to Council detailing expenditure is required at the next scheduled Council meeting. This change has been included, as the delegation provision currently exists in Council's Procurement Policy, with an amended limit of \$300,000 subject to Council consideration.

The authorisation of these delegations to the CEO ensures the ongoing efficiency of Council operations and a clear legal framework through which day to day decisions are made. The Instrument also enables the elected Council to focus on strategic matters rather than operational decisions in accordance with the Act.

The Administrator adopted the Motion

That Council in the exercise of the power conferred by S11(1)(b) of the Local Government Act 2020 (the Act), Strathbogie Shire Council (Council) resolves that:

- 1. There be delegated to the person holding the position, or acting in or performing the duties, of Chief Executive Officer the powers, duties and functions set out in the attached Instrument of Delegation to the Chief Executive Officer, subject to the conditions and limitations specified in that Instrument;***
- 2. The instrument comes into effect immediately upon the Common Seal of Council is affixed to the instrument;***

11.4.5 S5 – Instrument of Delegation from Council to the Chief Executive Officer Update (cont.)

MOTION (cont.)

3. ***On the coming into force of the instrument, all previous delegations to the Chief Executive Officer are revoked; and***
4. ***The duties and functions set out in the Instrument must be performed, and the powers set out in the Instrument must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.***

134-23/24 **CARRIED**

11.4.6 Council Policy Review – Updated Procurement Policy and Procedure 2024

Author: Chief Financial Officer

Responsible Director: Director People and Governance

EXECUTIVE SUMMARY

Council, at its meeting held 21 November 2023 adopted the updated Procurement Policy and Procedure in its current form.

Section 108 (1) of the *Local Government Act 2020* (the Act) requires the Council to prepare, adopt and comply with a Procurement Policy. Whilst there have been no changes to the overall intent of this policy, there are a number of changes to align the Procurement Policy and Procedure with existing practice. These are as follows:

- Section 19 – Procurement Thresholds increased to \$300,000 (from \$250,000) in exceptional circumstances only, where the CEO has determined that a contract must be entered into because of a declared emergency; disaster impacting life, property or to ensure business continuity. A report to Council is required detailing expenditure at the next scheduled Council meeting.
- Section 21.1 – inclusion of wording to set aside a tenderer if it is over budget by 15% and that if a Council Tender Report is required for approval, all tendered prices including the over budget tender prices will be tabled.
- Section 26 – new section to include financial variations of up to 15% of original contract value but less than \$15,000 inclusive of GST and within the original budget allocation can be approved by the CEO.
- Throughout the policy – change from guidelines to procedure.

Given the minor changes made to the policy and to bring the policy in line with current practice, this updated policy was not presented to the Council's Audit and Risk Committee.

The updated policy is presented to Council for its adoption.

The Administrator adopted the Motion

That Council:

- 1. Adopt the updated Procurement Policy and Procedure 2024; and***
- 2. Place the updated policy on Council's website, along with the publication of a notice in Council's weekly newspaper column and social media pages informing the community about the adoption of the updated policy.***

135-23/24 **CARRIED**

11.4.7 Council Policy Review - Updated Rates Payment and Collection Policy 2024

Author: Chief Financial Officer

Responsible Director: Director People and Governance

EXECUTIVE SUMMARY

At its Ordinary Meeting on 17 October 2023, Council adopted the Rates Payment and Collection Policy and Procedures. Since then, an internal review has been completed to ensure compliance with the relevant Act. The following updates include:

- Section 9 clarification on rate payment method,
- Section 10 Payment Plans, clarification of interest charges only to be applied on arrears once a payment plan has been established (per section 172 of the *Local Government Act 1989*, Council may charge interest on unpaid rates and charges),
- Section 16 Caveat on property for unpaid rates and charges (per section 156 of the *Local Government Act 1989*, liability to pay rates and charges),
- Section 17 Sale of Property, time frame has been updated from two (2) years to three (3) years of overdue rates and charges before council will take action (as per section 181 of the *Local Government Act 1989*, Council may determine to sell land to recover unpaid rates or charges); and
- A number of grammatical changes throughout the document.

It is recommended that Council adopt the updated Rates Payment and Collection Policy 2024.

The Administrator adopted the Motion

That Council:

- 1. Adopt the updated Rates Payment and Collection Policy 2024; and***
- 2. Place the policy on Council's website, along with the publication of a notice in Council's weekly newspaper columns and social media pages informing the community about the adoption of the policy.***

136-23/24 **CARRIED**

11.4.8 Council Policy Review – Draft Kerbside Waste Collection Services Policy 2024

Author: A/Environment and Waste Coordinator

Responsible Director: Director Sustainable Infrastructure

EXECUTIVE SUMMARY

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

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

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

Officers have engaged with internal departments to ensure that the proposed draft Policy is consistent across relevant business operations. There have been no significant changes to the draft Policy (refer Attachment 1).

It is proposed that the draft Policy is endorsed for community engagement consistent with Council's Community Engagement Policy.

The Administrator adopted the Motion

That Council:

- 1. Note the draft Kerbside Collection Services Policy 2024;***
- 2. Place the draft Policy on public exhibition for a period of four (4) weeks, commencing on Wednesday 17 July 2024 to Tuesday 13 August 2024 at 5.00 pm, in accordance with the Communication and Engagement Plan; and***
- 3. Receive a Council report in a future Council meeting outlining the outcomes of the community engagement and presenting a final Policy for adoption by Council.***

137-23/24 **CARRIED**

11.5 GOVERNANCE AND CUSTOMER SERVICE

11.5.1 Model Councillor Code of Conduct and Training for Mayors and Councillors

Author: Director People and Governance

Responsible Director: Acting Chief Executive Officer

EXECUTIVE SUMMARY

Pursuant to section (139) of the *Local Government Act 2020* (the Act) and the Local Government (Governance and Integrity) Regulations 2020 a council must develop a Councillor Code of Conduct.

The Code forms the foundation for Council's firm commitment to good governance as it discharges the duty of a council prescribed by section 8 of the Act, which is to govern for the benefit and wellbeing of the whole of a municipal community.

Strathbogie Shire Council developed a Councillor Code of Conduct and signed a declaration to pledge they will abide by the Code of Conduct as per the Affirmation of Office Councillors took on 17 November 2020. The Councillor Code of Conduct was officially adopted by Council on 16 February 2021.

The Local Government Amendment (Governance and Integrity) Bill 2024 (the Bill) was introduced into Parliament on 30 April 2024. The Bill makes various amendments to the *Local Government Act 2020* that aims to enhance standards of governance and Councillor behaviour across the local government sector.

Key reforms made by the Bill include the introduction of a Model Councillor Code of Conduct (*Model Code*), mandatory mayoral training and mandatory professional development training for councillors.

A background paper has been developed by Local Government Victoria (LGV) to facilitate an understanding of the current legislative framework and canvasses possible issues and proposals to inform feedback relating to the content of the Model Code and mandatory Councillor training.

Councils and other key stakeholders have been invited to participate in a survey and consult to guide the development of the Local Government (Governance and Integrity) Amendment Regulations 2024, which will give effect to these reforms. This is the first stage of consultation regarding the scope of the Model Councillor Code of Conduct and training syllabus to inform the drafting of the regulations. Following this feedback, a second stage of feedback will be undertaken following Local Government Victoria's preparation of a draft Model Councillor Code of Conduct and training outline with input from the Steering Committee.

This report notes that Strathbogie Shire Council has participated in the survey and consultation process to provide feedback to ensure that a Model Councillor Code of Conduct is introduced that is robust, easily understood, but most importantly uniform for all Victorian Councils. A copy of Council's submission can be found at Attachments 1 and 2 of this report.

11.5.1 Model Councillor Code of Conduct and Training for Mayors and Councillors (cont.)

The Administrator adopted the Motion

That Council note the submission to the Local Government Reforms 2024 Model Councillor Code of Conduct and Professional Development and Mayoral Training submitted to Local Government Victoria with submissions to be received by 15 July 2024.

138-23/24 **CARRIED**

11.5.2 Monthly Performance Report

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

- Building Department – June 2024 Statistics
- Planning Department – Planning Application Approvals – Development Cost (Capital Improved Value) – June 2024
- Customer Enquiry Analysis Report – Report for June 2024
- Waste Management Reporting ~ Year to Date – June 2024
- Transfer Station Date - June 2024
- Actioning of Council Reports Resolutions – Council Meeting Tuesday 18 June 2024 and Extraordinary Council Meeting Tuesday 25 June 2024
- Outstanding Actions of Council Resolutions to 30 June 2024
- Review of Council Policies and Adoption of new Policies – June/July 2024
- Records of Informal Council Briefings / Meetings – 1 to 30 June 2024

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

The Administrator adopted the Motion.

That the report be accepted.

139-23/25 **CARRIED**

11.6 EXECUTIVE

11.6.1 Civic Administration and Depot Operations – Design Options and Feasibility Study

Responsible Director: Chief Executive Officer

EXECUTIVE SUMMARY

The Civic Administration and Depot Operations – Design Options and Feasibility Study has recommended an effective future operating model for civic, administrative and depot operations for Strathbogie Shire.

The project analysed a range of options and potential locations before recommending a distributed civic, administrative, and depot operating model that responds effectively to geographic attributes of the Shire, likely future settlement and growth patterns, and need for service and emergency response.

Local government plays an essential democratic and service role for its community and an important foundation are the assets and facilities to support quality outcomes for the community.

Existing buildings and facilities have attracted insufficient investment in maintenance and renewal due to higher priority competing demands in a financially constrained environment. Most civic, administrative, and depot assets are at the end of their economic life and are not considered fit-for-purpose to support delivery of quality services to the community or provide a safe and healthy work environment for councillors, employees, and visitors.

After analysing many alternative options, the study has recommended redevelopment of the civic and administrative facilities at Binney Street Euroa and upgrades of the existing depots at Nagambie and Euroa. The study found that the staff accommodation at Nagambie currently underway is complementary to and supportive of this strategy.

A key design principle was to ensure that the design reflected hybrid and flexible work arrangements. This introduced efficiencies in the design of the buildings and savings in floor space for employees and support services. This space has been reallocated to enhance civic, governance, and customer service functions.

Three (3) civic and administrative options have been developed for the Binney Street site; two (2) options include consideration of colocation of library services. Maternal Child Health and Visitor Information services are also incorporated.

All civic and administrative options retain the Public Hall (Cinema) and reinstate the original façade and foyer.

Masterplans have been developed for the two depots; these will be long term redevelopment proposals far beyond the scope of this project. Employee accommodation and safer travel routes at both sites are in urgent need of improvement and upgrade.

11.6.1 Civic Administration and Depot Operations – Design Options and Feasibility Study (cont.)

Included in this report are summaries of elements of the business case and the full design options report. Financial analysis and modelling will continue, including potential sources of funding for the project which is likely to include self-generated capital works, operational efficiencies and savings, loans to ensure inter-generational equity, and external grants.

It is recommended that Council receive and note the report and refer consideration to the incoming Council as part of its induction and strategic planning processes.

Council staff will continue to explore potential funding sources including development of an advocacy strategy to State and Federal governments.

The Administrator adopted the Motion

That Council:

1. ***Receive and note the Civic Administration and Depot Operations – Design Options and Feasibility Study.***
2. ***Note that further financial modelling and analysis of potential funding sources will be undertaken over the next three to six months.***
3. ***Refer the Study for consideration by the incoming Council as part of its induction and strategic planning process to establish the Council Plan, Financial Plan, and Asset Plan for the next council term.***

140-23/24 **CARRIED**

12. NOTICES OF MOTION

Nil

13. NOTICES OF RESCISSION

Nil

14. URGENT BUSINESS

Nil

15. CONFIDENTIAL BUSINESS

The Acting Chief Executive Officer declared the following item -

- Contract No. 22-23-01: Weir Road and Reedy Lake Road Upgrade - Nagambie

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

- (g) *Private commercial information, being information provided by a business, commercial or financial undertaking that -*
- (ii) *if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage*

This ground was applied to this matter as it relates to confidential contractual matters regarding Contract No. 22-23-01 Weir Road and Reedy Lake Road Upgrade – Nagambie, necessitated by a number of delays (weather and design variations) that have affected the contract (refer to the Confidential Business Certificate attached).

CLOSURE OF THE MEETING TO THE PUBLIC TO CONSIDER MATTERS DEEMED CONFIDENTIAL IN ACCORDANCE WITH SECTION 66(2)(A) AND PART 1, SECTION 3 DEFINITIONS OF THE LOCAL GOVERNMENT ACT 2020

The Administrator adopted the Motion

That Council, in conformance with section 66(2)(a) and the definitions for confidential matters under Part 1, section 3 the Local Government Act 2020 (the Act), resolve to close the meeting to members of the public for the purpose of considering item/s relating to:-

Contract No. 22-23-01: Weir Road and Reedy Lake Road Upgrade - Nagambie

141-23/24 **CARRIED**

7.43 pm

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

7.53 pm

The public gallery was opened livestreaming of the meeting to the public recommenced.

Confirmation of Confidential Business Decision/s

Council resolved to release the following information publicly –

C.B. 1 Contract No. 22-23-01: Weir Road and Reedy Lake Road Upgrade - Nagambie***EXECUTIVE SUMMARY***

In August 2022, the Council awarded Contract No. 22-23-01 for the Weir Road and Reedy Lake Road Upgrade – Nagambie to Seven Creeks Excavations Pty Ltd, following a competitive tender process. The lump sum contract was valued at \$738,070 (inclusive of GST).

Although the project was scheduled to commence in October 2022, it faced delays due to persistent rain and a significant flood event. In response, a revised project design, including a detailed geotechnical investigation, was developed to ensure the road would remain passable during future floods events.

At its April 2023 Meeting, Council resolved to modify the design specifications to elevate the road pavement above flood levels. This resolution included approving a contract variation of \$1,084,800.08 (inclusive of GST), thereby increasing the contract value to \$1,822,870.08 (inclusive of GST), with a new commencement date of September 2023 to align with favourable weather conditions for construction.

However, community concerns about the proposed design led to the Council's decision in September 2023 to halt the project until an independent Road Safety Audit was completed. The Council requested a comprehensive report detailing available options, financial implications, and risk mitigation strategies.

Following an independent audit and subsequent design revisions, the Council resolved at the January 2024 extraordinary meeting to proceed with the revised design for Contract No. 22-23-01. The revised design maintained the 4.0m sealed road but widened unsealed shoulders to 1.5m on each side of the upgraded road. The revised design reduced the contract value by \$25,312.48 (inclusive of GST), bringing the new total to \$1,797,557.60 (inclusive of GST).

The project commenced in late January 2024, avoiding the native vegetation impacts while applying for a permit to remove approximately 38 affected trees.

The Council also noted the need for further reports on costs related to contingent liabilities, including the contractor's prolongation claim, which has been settled, and tree permit offset costs.

A further report will be tabled at the August 2024 Council Meeting regarding the outcome of the Native Vegetation Removal Application and the potential costs associated with the native vegetation removal offsets, should this be granted.

The Administrator adopted the Motion

That the decisions made in camera be ratified by Council.

143-23/24 **CARRIED**

NEXT MEETING

The next monthly meeting of the Strathbogie Shire Council is scheduled to be held on Tuesday 20 August 2024, at the Nagambie Lakes Regatta Centre, at 6.00 pm.

THERE BEING NO FURTHER BUSINESS, THE MEETING CLOSED AT 7.54 PM

Confirmed as being a true and accurate record of the Meeting

.....
Chair

.....
Date