

Strathbogie Shire Council

Council Meeting Minutes / Decisions

Tuesday 10 December 2024

DRAFT

Minutes

Council Meeting

Tuesday 10 December 2024 at 6:00 pm

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

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

In Attendance

Councillors

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

Municipal Monitor

Marg Allan

Officers

Tim Tamlin
Amanda Tingay
Rachael Frampton
Michelle Harris
Kerry Lynch

Interim Chief Executive Officer
Director People and Governance
Director Community and Planning
Interim Media and Communications Manager
Governance Officer

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Meeting Procedure

1 Welcome

2 Acknowledgement of Country

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

3 Privacy Notice

This public meeting is being streamed live via our website ([Council Meetings and Minutes | Strathbogie Shire](#)) and made available for public access on our website along with the official Minutes/Decisions of this meeting.

All care is taken to maintain your privacy; however, as a visitor in the public gallery, it is assumed that your consent is given in the event that your image is broadcast to the public. It is also assumed that your consent is given to the use and disclosure of any information that you share at the meeting (including personal or sensitive information) to any person who accesses those recordings or Minutes/Decisions.

4 Governance Principles

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

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

5 Apologies/Leave of Absence

Nil

6 Disclosure of Conflicts of Interest

Interim Chief Executive Officer Tim Tamlin disclosed a conflict of interest in relation to Item 11.4.3, Procurement Delegation for Recruiting Agency Chief Executive Officer Recruitment.

7 Confirmation of Minutes/Decisions of Previous Meetings

MOVED: Councillor Binks
SECONDED: Councillor Halsall

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

General

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

Interim controls

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

8 Petitions

Nil

9 Mayor and Councillor Reports

9.1 Mayor's Report

Although I have only been the Mayor for a few weeks, it has been a fast and furious initiation, and I would like to share with you some of what I have been up to these past weeks.

I am deeply grateful for the opportunity to serve as Mayor and would like to extend my thanks to our community, my fellow Councillors, and the entire organisation for this privilege. It was an honour to be elected as Mayor by my fellow Councillors at the Statutory Meeting held on 19 November. I acknowledge the trust and faith my colleagues have placed in me to lead over the next twelve months, and I am committed to fulfilling this role with integrity, dedication, and respect for the diverse voices in our community.

The constant that my fellow Councillors and I share is a desire to reconnect with our community and ensure our Council is well and truly open for business.

I would also like to welcome and acknowledge our Municipal Monitor Marg Allan who has been working closely with us providing guidance and support as we navigate our fabulous journey as Councillors.

The past weeks have been a blur of induction and mandatory training for Councillors – everything from Local Government fundamentals to team building, budgets to briefings. The training has been provided by both internal and external facilitators, and has often confirmed, clarified and occasionally confused our points of view coming in as new Councillors.

In all it has been a very comprehensive but rewarding process that will continue well into the new year, and I would like to thank our Interim CEO Tim Tamlin and his staff for their support and guidance through this process.

On Friday Deputy Mayor Scott Jeffery and I attended the compulsory Mayoral Leadership Program conducted by the Victorian Local Governance Association (VLGA) for Mayors and Deputy Mayor. It was another full and interesting day and a great opportunity to network with other Councillors from across Victoria, sharing experiences and building important networks. Strathbogie Shire Council once again partnered with Respect Victoria, through grant funding from Safe and Equal to support the 16 Days of Activism against gender-based violence campaign, with a community Walk Against Family Violence. On Saturday 7 December Councillor Binks and I joined the Nagambie Lake Parkrun Group walking from the Nagambie Lake Foreshore, Blayney Lane area finishing up at the Go Nagambie Lakeside market for complimentary coffee and cake.

This campaign and activity supports Council's commitment to Health and Wellbeing, through the Health and Wellbeing Action Plan and our Gender Equality Action Plan.

Last week I also attended the Helen Haines MP Indi Local Government Round Table, where I advocated for important community issues and advocacy priorities for the Strathbogie area. This included the need for greater financial support for our roads and infrastructure, reliable power and telecommunications and greater financial sustainability for local councils.

On Saturday evening I was joined by Councillors Jeffery and Stevens at the Tablelands Community Christmas Party at Ruffy. The Christmas Party is supported by Strathbogie Shire Council and a big thanks to the community for hosting a truly delightful evening.

As this is the last meeting before Christmas, I would like to wish all our communities across the whole Strathbogie Shire a very joyful and safe Christmas. I'm excited about the future of our beautiful region, and I look forward to catching up with you and hearing more about your aspirations for our community.

9.2 Councillor Reports

Councillor Binks

I wish to congratulate the Tablelands Community Centre in Ruffy, specifically the Chair of the Committee, Fiona Steel, for their effort in bringing the Strathbogie Shire ArtBox to Ruffy for the months of October and November. They held two incredibly successful exhibitions.

In October, Taungurung artist, Isobel Morphy-Walsh, a proud Nirim balak woman, held her first solo exhibition on her ancestral country.

In November, the ArtBox held an exhibition of Warburton-based wood sculptor Shlomit Moira.

Both artists held workshops during their exhibitions, with Isobel also sharing creation stories with the Longwood Primary School students, who then went on to weave koalas, lizards, emus, and other birds over two days of cultural and weaving workshops.

In early November I joined with fellow Councillors and a large cross section of the Strathbogie Shire community for the "Costa's Climate Ready Gardens: Thriving Through Change" event in the Peppercorn Paddock at Tahbilk Winery in Nagambie.

The event began with a caring and comprehensive Welcome to Country from Uncle Mick Harding, sharing the cultural significance of welcome ceremonies as Bungil, a wedge-tailed eagle, flew overhead right on cue.

The event was a timely reminder of the impacts of climate change on our community, hearing from Costa about how we can garden in a changing climate, learning from Uncle Shane Monk about the changes to country the October 2022 flood has brought and the work the Taungurung Land and Waters Council is doing to rehabilitate culturally significant landscapes in this region and Tahbilk Wines General Manager Jo Nash sharing how the winery has recovered from those very stressful days of the actual flood, followed by an enormity of people power to clean up and re-open to the public.

It was great to attend the Violet Town Action Group AGM on 20th November, to hear the reports from VTAG and the many sub-committees it auspices and get an overview of the incredible community spirit and outstanding collaboration and fundraising efforts achieved in the community in the past 12 months and what they have in store for the coming year.

Of particular note was the annual report from the Shadforth Reserve Committee, who have done a monumental amount of work and fundraising to rehabilitate a natural landscape and rescue a run-down building which now has different community groups using it every day of the week, with multiple user groups on some days.

As the Mayor mention I joined her for Walk Against Gender Based Violence joining in the Nagambie Park Run on the shore and boardwalk of Lake Nagambie. It was great to see the engagement and participation of many community members of all ages in this important matter which impacts all communities and requires a united response from the whole municipal community.

We know that volunteers are the backbone of our community, and my thanks go to all community members who help make Strathbogie Shire a vibrant and inclusive place to live, work, visit, relax and play. Thank you.

Councillor Carlson

On Thursday 5 December 2024 I attended the Goulburn Valley Regional Library Corporation meeting with Director Tingay, and I was also elected Deputy Chair of that Committee. I note that there will be a number of significant changes related to the structure of our library services in the future including:

- A change in classification from being a local government corporation in accordance with the *Local Government Act 2020* to a non-profit corporate entity not covered by the *Local Government Act 2020*
- We have until 2030 to achieve this status according to the Governments timeline, however the Regional Corporation would like to achieve this by 30 June 2025, however it may be later than that with other possible delays
- If we change our status the Corporation can change its boundaries, we can add members and we can lose members according to the corporate pressures or services we provide
- The Goulburn Valley Regional Library Corporation has a very capable and innovative Chief Executive Officer who is determined to secure the future of the corporation with the full support of the Board.
- In times ahead there will be changes, we should be aware of that and the implications to Council

10 Public Question Time

Council Reference RF: 42/2024

Will the Shire re-join the School Crossing Program and provide crossing supervisors for all schools in the Shire that used to receive this service?

Will the Shire provide a school crossing supervisor for Nagambie Primary School, the only school in the former School Crossing Program without a crossing supervisor?

Response

Thank you for your question, Rob. Council will formally consider your correspondence tonight in item 11.2.2. I am unable to make any further comment in relation to your questions as the matter is on tonight's agenda.

Council Reference FY: 41/2024

The Euroa Business Chamber of Commerce owns a 40 foot shipping container full of Christmas decorations that are to be used to decorate Binney Street during Christmas. Will Council facilitate and assist the Chamber with the installation of these decorations this year?

Response

Thank you for your question, Frank. I understand that the Euroa Chamber of Commerce are in the process of installing Christmas decorations in Binney Street, Euroa. I am not aware of any involvement by Council at this time but can take that on notice.

Council Reference RW:43/2024

Question One

The Euroa livestock sales state-of-the-art truck wash appears not to have been commissioned in working order. Please may I receive an explanation of when the truck wash will be open. When and how much did the truck wash eventually cost the community?

Response

Thank you for your question, Robin. I'm pleased to advise that the truck wash will be opened tomorrow.

I understand this project was commenced in 2020, approximately four years ago. To respond fully to your question, I advise that the total cost from 2020 including supporting works that were undertaken in addition to the awarded contract works for its construction, to be \$838,331.43 ex GST

The new state-of-the-art truck wash was made possible through Council funding and the support from the Commonwealth Government's 2020 Drought Assistance Program which contributed \$165,000 ex GST to the facility.

It is important to note that the new truck wash was designed to enhance operational efficiency and environmental compliance.

The truck wash represents an essential upgrade to local infrastructure, reinforcing Euroa's role as a hub for livestock transport which supports the economic vitality of the town and more broadly the region.

Question Two

Would you please ask the chief executive officer to explain to the community the circumstances of the last budget management by administrator Peter Stephenson? It started with a surplus of approximately \$6 million planned and ended up with a deficit of about \$6 million, leaving the community with an unexplained \$12 million turnaround.

Response

Thanks again for your question Robin. This is predominantly explained by the timing of the payment by the Commonwealth Government of the Financial Assistance Grants – which are administered through the Victorian Grants Commission.

For the 2023-24 financial year, Council was forecasting an operating surplus of \$3.576M.

The final outcome was an operating deficit of (\$3.606M).

This was a negative variance of \$7.182M, rather than \$12M.

The details are shown on page 125 of Council's 2023-24 Annual Report, in Note 2.1.1 of Council's audited Financial Statement.

Council Reference TM: 45/2024**Question One**

ARTC & Shire of Strathbogie - What decision has been made for the Anderson Street crossing of the Rail Line ?

Response

Thank you for question Tom. Should this question relate to the infrastructure solution required by the Inland Rail Project to facilitate trains with double-stacked carriages from Melbourne to Brisbane, the response is an underpass is the confirmed solution.

I would encourage you to reach out directly to the ARTC, now called Inland Rail, to receive a direct project update.

Question Two

Chinamans Bridge in Nagambie

At the Ordinary Council Meeting held on Tuesday 22nd November 2016 - item 9.2.1 - Now being eight year on, What Decision has been made to date on this Bridge and the costs to the Ratepayers ?

Response

Thanks again for your question Tom. At the Council meeting held 18 June 2024, in summary, Council endorsed the recommendation from the Chinamans Bridge Nagambie Options Assessment Report undertaken by Extent Heritage and endorsed the final recommendation in section 11 of this Report to demolish the Chinamans Bridge structure excluding the land based abutments.

With the direction from Council, a Permit Application has been submitted to Heritage Victoria to demolish the Chinamans Bridge structure excluding the land-based abutments.

To date Council has incurred a cost of \$103,889 relating to the heritage reports and permit application associated with Chinamans Bridge. This expense has been funded through flood recovery funding, and to date there has been no direct cost to rate payers.

Council Reference MM: 46/2024**Rates**

Paying rates in this Shire is a disgrace and there has been NO improvement ever by this Shire from the Amalgamation. Observations of the Shire is a very bad. Having to Walk on the Roads that we ARE to drive on to get to Farm Paddocks is safer. What are you going to Do?

Response

Maree, in reference to your question and thank you for your question. Council sets up its asset management plans and manages its road infrastructure depending on traffic volume, service levels and intervention standards, and if those standards aren't being met we then act on them to bring the road back to standard, if it's related to road infrastructure or any infrastructure for that matter.

I would encourage you to bring to Council's attention any road hazards or defects or anything that you're experiencing, and you may lodge a request through our Customer Service team which can also be done 24/7 online at any time of the day. Thank you for your question.

11 Officer Reports

11.1 Strategic and Statutory Planning

11.1.1 Rural Residential and Land Use Strategy and Urban Growth Strategy

AUTHOR Manager Planning and Investment

RESPONSIBLE DIRECTOR Director Community and Planning

EXECUTIVE SUMMARY

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

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

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

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

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

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

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

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

Moved: Councillor Halsall
Seconded: Councillor Carlson

That Council:

- 1. Receive this report.**
- 2. Endorse the Community Panel Engagement process outlined in this report.**

24/25-08

CARRIED

11.1.2 Planning Applications Received and Planning Applications Determined 1 to 31 October

AUTHOR Manager Planning and Investment

RESPONSIBLE DIRECTOR Director Community and Planning

EXECUTIVE SUMMARY

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

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

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

The contents of this report are provided for information purposes only, the listing of current planning applications on public display can be found on Council's website.

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

Moved: Councillor Jeffery

Seconded: Councillor Binks

That Council:

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

24/25-09

CARRIED

11.2 Community

11.2.1 Letter received from Euroa Australia Day Committee

AUTHOR Director Community and Planning

RESPONSIBLE DIRECTOR Director Community and Planning

EXECUTIVE SUMMARY

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

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

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

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

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

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

MOVED: Councillor Holloway

SECONDED: Councillor Halsall

- 1. Receive and note the letter dated 16 November 2024, from the Euroa Australia Day Committee 2025, requesting Council immediately reinstate Council's official support of Australia Day on January 26.**
- 2. Authorise officers to prepare and present a report at the April 2025 Council Meeting on options for Council to undertake a review of Council's policy position relating to events that celebrate Australia day on January 26, to include engagement with the Strathbogie Shire community, affected community groups, and the Taungurung Land and Waters Council at a minimum.**
- 3. Following an Expression of Interest process, provide funding to Australia Day Committees, or their relevant auspice agency, up to the value of \$2000, to support events held in the Strathbogie Municipality that celebrate Australia Day on January 26, 2025.**

- 4. Authorise the Chief Executive Officer to award the approved funding to the relevant Australia Day committee or auspice agency following the review of their Expressions of Interest through a letter of financial agreement.**
- 5. Refer the costs associated with item four (4) above to the mid-year budget review process for Council's consideration.**
- 6. Support the Australia Day January 26, 2025, events through Councillor representation, should councillors choose to do so.**

24/25-10

CARRIED

11.2.2 Correspondence received regarding school crossing supervision at Goulburn Street Nagambie

AUTHOR Director Community and Planning

RESPONSIBLE DIRECTOR Director Community and Planning

EXECUTIVE SUMMARY

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

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

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

MOVED: Councillor Stevens

SECONDED: Councillor Jeffery

That Council:

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

11.3 Infrastructure

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

AUTHOR Senior Project Officer

RESPONSIBLE DIRECTOR Director Sustainable Infrastructure

EXECUTIVE SUMMARY

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

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

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

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

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

MOVED: Councillor Halsall

SECONDED: Councillor Jeffery

That Council:

- 1. Receive and note the outcome of the tender assessment process for Contract No 24/25-10 Nagambie Foreshore Walk (Old Section) – Deck Replacement**
- 2. Awards the tender for contract No 24/25-10 Nagambie Foreshore Walk (Old Section) – Deck Replacement - Lump Sum to Bild Greenfields Pty Ltd, for a total amount of \$631,974.38 inclusive of GST**

3. Refers the additional cost of \$17,389.75 (incl. GST) to Council as part of the midyear budget review process

4. Authorises officers to advise the unsuccessful tenders

5. Authorises the Interim Chief Executive Officer to execute the Contract by signing and affixing the Common Seal of Strathbogie Shire Council.

24/25-12

CARRIED

11.3.2 Kerbside Collection Services Policy

AUTHOR Acting Coordinator Waste and Environment

RESPONSIBLE DIRECTOR Director Sustainable Infrastructure

EXECUTIVE SUMMARY

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

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

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

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

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

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

MOVED: Councillor Holloway
SECONDED: Councillor Jeffery

That Council:

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

24/25-13

CARRIED

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

AUTHOR Acting Coordinator Waste and Environment

RESPONSIBLE DIRECTOR Director Sustainable Infrastructure

EXECUTIVE SUMMARY

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

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

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

MOVED: Councillor Carlson
SECONDED: Councillor Binks

That Council:

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

24/25-14

CARRIED

11.4 Corporate

11.4.1 Municipal Monitor Appointment

AUTHOR Governance Officer

RESPONSIBLE DIRECTOR Director People and Governance

EXECUTIVE SUMMARY

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

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

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

Details of the Instrument of Appointment and Terms of Reference were provided in the attachments to the agenda report.

MOVED: Councillor Holloway

SECONDED: Councillor Jeffery

That Council:

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

24/25-15

CARRIED

11.4.2 Determination of 2025 Council Meeting Schedule

AUTHOR Governance Officer

RESPONSIBLE DIRECTOR Director People and Governance

EXECUTIVE SUMMARY

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

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

MOVED: Councillor Halsall
SECONDED: Councillor Stevens

That Council:

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

11.4.3 Procurement Delegation for Recruiting Agency Chief Executive Officer Recruitment

AUTHOR Director People and Governance

RESPONSIBLE DIRECTOR Director People and Governance

EXECUTIVE SUMMARY

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

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

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

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

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

MOVED: Councillor Jeffery
SECONDED: Councillor Carlson

That Council:

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

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

AUTHOR Coordinator Governance and Records Management

RESPONSIBLE DIRECTOR Director People and Governance

EXECUTIVE SUMMARY

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

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

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

MOVED: Councillor Holloway

SECONDED: Councillor Jeffery

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

24/25-18

CARRIED

11.4.5 Audit and Risk Committee Charter 2024

AUTHOR Governance Officer

RESPONSIBLE DIRECTOR Director People and Governance

EXECUTIVE SUMMARY

Under section 54 (1) of *the Local Government Act 2020* Council must prepare and approve an Audit and Risk Committee Charter. The Audit and Risk Committee last reviewed and endorsed the Charter at the meeting held on 6 October 2023, and the Charter was adopted by Council in October 2023.

The Charter has been reviewed by the Audit and Risk Committee at its meeting held 29 November 2024 and propose minor changes, to the Charter which include:

- Removal of the requirement to annually review the Chief Executive Officer Employment and Remuneration Policy
- Removal of any public attendance at the meetings, as the minutes of meetings are made publicly available through a Council meeting
- Membership updated to reflect 2024-25 membership.

This report sought Council endorsement on the updated Audit and Risk Committee Charter.

MOVED: Councillor Holloway
SECONDED: Councillor Jeffery

That Council endorse the Strathbogie Shire Council Audit and Risk Committee Charter as attached to this report.

24/25-19

CARRIED

11.4.6 Council Plan Update

AUTHOR Governance Officer

RESPONSIBLE DIRECTOR Director People and Governance

EXECUTIVE SUMMARY

The 2021-25 Council Plan was adopted in October 2021. It is considered prudent to align the time of review and update of the Council Plan Actions with the budget/mid-year cycle, as has been standard practice for many years, even though the *Local Government Act 2020* is silent on the Council Plan review process.

The Council Plan is in its fourth year of delivery which was effective from 1 July 2024 and the final review of the current plan will occur in June 2025. A new Council Plan 2025-2029 will be developed by the newly elected Council as part of their remit and in accordance with section (90) of the *Local Government Act 2020* to prepare and adopt a Council Plan after a general election.

MOVED: Councillor Jeffery

SECONDED: Councillor Binks

That Council:

- 1. Adopt the updated 2021-25 Council Plan year four (4) actions 1 July 2024 to 30 June 2025**
- 2. Inform the community that the updated 2021-25 Council Plan year four (4) actions 1 July 2024 to 30 June 2025 has been adopted through social and printed media, with the revised document placed on Council's website.**

24/25-20

CARRIED

11.4.7 Councillor Expenses Policy

AUTHOR Coordinator Governance & Records Management

RESPONSIBLE DIRECTOR Director People and Governance

EXECUTIVE SUMMARY

In accordance with Section (41) of the *Local Government Act 2020* a Council must adopt and maintain an expenses policy in relation to the reimbursement of out of pocket expenses for Councillors and members of delegated committees.

The current Councillor Expenses Policy was endorsed by Council on 17 October 2023.

A review of the policy has been undertaken including the Audit and Risk Committee and several changes are recommended in relation to the following:

- Meal allowances
- Partner reimbursements
- Conference and professional development expenses
- Requirements for claiming reimbursements
- Access to facilities and resources

The Draft Councillor Expenses Policy was attached to the agenda and presented to Council for consideration.

MOVED: Councillor Carlson
SECONDED: Councillor Jeffery

That Council:

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

24/25-21

CARRIED

11.4.8 Revoke Purchasing Card Policy

AUTHOR Governance Officer

RESPONSIBLE DIRECTOR Director People and Governance

EXECUTIVE SUMMARY

Council has a Purchasing Card Policy in place that was adopted by Council in October 2022 with a September 2024 review date.

The Executive Leadership Team has reviewed the Purchasing Card Policy. The intent of the policy is operational and corporate based and identifies that the policy does not apply to Councillors.

Based on the review, it is recommended that the Purchasing Card Policy be revoked. Given the operational nature, the process regarding purchasing cards would be managed through a Purchasing Card CEO Directive and Procedure. Reporting requirements to the Audit and Risk Committee would not change.

The draft Purchasing Card CEO Directive and Procedure was endorsed by the Audit and Risk Committee on 29 November 2024. The Committee supported the recommendation to revoke the existing policy from policy level and replace with an operational level CEO Directive and Procedure.

MOVED: Councillor Halsall
SECONDED: Councillor Binks

That Council:

1. **Revoke the Purchasing Card Policy from the Strathbogie Shire Council Policy Register.**
2. **Note that:**
 - a. **Purchasing cards will be managed through a Purchasing Card CEO Directive and Procedure, and**
 - b. **the Audit and Risk Committee will oversee the application and operation of the directive and procedure.**

24/25-22

CARRIED

11.4.9 S11A and S11B Instruments of Appointment and Authorisation

AUTHOR Governance Officer

RESPONSIBLE DIRECTOR Director People and Governance

EXECUTIVE SUMMARY

Regular reviews are required to be made to the S11A Instrument of Appointment and Authorisation (*Planning and Environment Act 1987*) and the S11B Instrument of Appointment and Authorisation (*Environmental Protection 2017*) to ensure the Instruments are reflective of the current Organisation structure.

The *Local Government Act 1989* is still active in relation to the appointment of authorised officers, not the *Local Government Act 2020*. These Instruments give specified officers the ability to enforce legislation and are essential to ensuring any enforcement action is undertaken on behalf of Council in a legal and robust manner. The Instruments also appoint officers to key roles and positions including Senior Strategic Planner, Senior Environmental Health Officer, and Community and Planning Compliance Officer.

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

MOVED: Councillor Jeffery
SECONDED: Councillor Holloway

That Council:

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

- 1. The members of Council staff referred to in the instruments be appointed and authorised as set out in the instruments**
- 2. The S11A Instrument of Appointment and Authorisation (*Planning and Environment Act*) endorsed by Council as its meeting of 16 July 2024 be revoked and replaced by the 10 December 2024 Instrument**
- 4. The S11B Instrument of Appointment and Authorisation (*Environment Protection Act 2017*) endorsed by Council as its meeting of 16 July 2024 be revoked and replaced by the 10 December 2024 instrument**
- 5. The Instruments be signed and sealed by Council under the Strathbogie Shire Council Local Law No 1 Use of the Common Seal 2020**
- 6. The Instruments come into force immediately when the Common Seal of Council is affixed to the Instruments and remains in force until Council determines to vary or revoke it/them.**

11.4.10 S18 Instrument of Sub-Delegation under the *Environment Protection Act 2017***AUTHOR** Governance Officer**RESPONSIBLE DIRECTOR** Director People and Governance**EXECUTIVE SUMMARY**

Section 11 of the *Local Government Act 2020* provides that the Council may delegate any power, duty, or function to the Chief Executive Officer or to members of a delegated committee.

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

The S18 sub-delegates Council's powers (delegated to it by the EPA) to members of Council staff delegated to positions.

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

Recent changes to officer titles have necessitated an update to the S18 Instrument of Sub-Delegation under the *Environment Protection Act 2017*.

MOVED: Councillor Binks
SECONDED: Councillor Stevens

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

24/25-24

CARRIED

**11.4.11 Contracts, Works, Variations and Grants Awarded Under Delegation –
1 October 2024 to 30 November 2024****AUTHOR** Governance Officer**RESPONSIBLE DIRECTOR** Director People and Governance**EXECUTIVE SUMMARY**

The purpose of this report is to inform Council and the community of the status of request for the publicly advertised tenders, invitations for written quotations and quotations provided using collaborative and/or third-party contracts and approved which have been awarded under delegation for the period 1 October 2024 to 30 November 2024. This report specifically relates to works that form part of Council's 2024-25 adopted Budget.

This report also details any grants awarded as per Council's adopted Community Funding Model. Council adopted a Community Funding Model at the July 2023 Council Meeting authorising the Chief Executive Officer to award Quick Response Grants.

MOVED: Councillor Binks
SECONDED: Councillor Jeffery

That Council note the following:

- 1. There were two Contracts awarded under delegated authority by the Chief Executive Officer**
- 2. There were nil Contracts awarded under delegated authority by Director/s**
- 3. There were three low value Contract Variations of up to 15% of original Contract value awarded under delegation in October/November 2024; and**
- 4. There were four quick response grant applications awarded during the reporting period.**

24/25-25

CARRIED

11.4.12 Council Financial Report September 2024**AUTHOR** Finance Coordinator**RESPONSIBLE DIRECTOR** Director People and Governance**EXECUTIVE SUMMARY**

The September Financial Report compares the year-to-date adopted budget for the 2024-25 financial year to the actual financial position of September 2024.

The report contains the Operational Performance, Income Statement, Balance Sheet, Cash Flow Statement, and capital performance and other financial data in graphical format.

The current year operating surplus for the three-month period ending 30 September was \$20,058,821, as rates have been raised for the full financial year.

As at 30 September 2024, the total expenditure on capital works was \$2,891,659, which excludes committed expenditure.

MOVED: Councillor Holloway
SECONDED: Councillor Jeffery

That Council receive and note the quarterly Financial Report and Financial Statements for the three months ending 30 September 2024.

24/25-26

CARRIED

11.4.13 Record of Informal Meetings of Councillors - November 2024**AUTHOR** Governance Officer**RESPONSIBLE DIRECTOR** Director People and Governance**EXECUTIVE SUMMARY**

In accordance with Section (114) of the Strathbogie Shire Council Governance Rules, if there is a meeting of Councillors that:

- is scheduled or planned for the purpose of discussing the business of Council or briefing Councillors
- is attended by at least one member of Council staff; and
- is not a Council meeting, Delegated Committee meeting or Community Asset Committee meeting, these are known as Informal Meetings of Councillors

The Chief Executive Officer must ensure that a summary of the matters discussed at the meeting are:

- tabled at the next convenient Council meeting; and
- recorded in the minutes of that Council meeting.

The details of the Record of Informal Meetings of Councillors for the period 1 November 2024 to 30 November 2024 were provided as attachments in the agenda and can be referred to via Council website, [Council Meeting - 10 December 2024](#) pages 235 – 243 for full details.

MOVED: Councillor Halsall
SECONDED: Councillor Stevens

That Council notes the Record of Informal Meetings of Councillors from 1 November 2024 to 30 November 2024:

24/25-27

CARRIED

11.5 Communications, Engagement and Advocacy

Nil reports.

12 Notice of Motion

Nil

13 Notice of Rescission

Nil

14 Urgent Business

Nil

15 Confidential Business

Nil

16 Next Meeting

The next monthly meeting of the Strathbogie Shire Council will be held on 21 January 2025 at the Euroa Community Conference Centre at 4:00 pm.

17 Closure of Meeting

There being no further business, the meeting closed at 7:45 pm.

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

.....
Chair

.....
Date