

COUNCIL MEETING MINUTES - 27 FEBRUARY 2024

Vision:

Indigo Shire - leading sustainable growth, community and cultural diversity, and climate action

HELD: Tuesday, 27 February 2024 at 6.30pm

LOCATION: Council Chambers, 2 Kurrajong Way, Beechworth, and livestreamed on Council's website

ATTENDEES:	NAME	TITLE
	Cr Sophie Price	Mayor
	Cr Bernard Gaffney	Deputy Mayor
	Cr Peter Croucher	Councillor
	Cr Sue Gold	Councillor
	Cr Roberta Horne	Councillor
	Cr Diane Shephard	Councillor
	Cr Emmerick Teissl	Councillor
	Trevor Ierino	Chief Executive Officer
	Ian Ellett	Director Infrastructure Services
	Greg Pinkerton	Director Planning & Corporate Services
	Sally Rice	Director Community & Economic Development
	Annabel Harding	Governance Coordinator

These Minutes are not a verbatim transcript of the discussions in the Council meeting; a recording of this meeting can be found on Council's webpage.

Responses given by Councillors and Council Staff are the opinion of the individual responders, and accurate at the time of response, to the best of their knowledge.

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UNCONFIRMED

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1. WELCOME

The Mayor welcomed all to the meeting of Council and noted that it would be live streamed and recorded, and the voices and images of those participating in the meeting, and in the gallery, captured as part of the recording.

2. ACKNOWLEDGEMENT OF THE TRADITIONAL OWNERS OF THE LAND

The Mayor acknowledged on behalf of the Council the original custodians of these lands. The people of the rivers and the hills have walked these lands for thousands of years as well as today, and we pay respect to the elders of the past and present.

The Mayor noted that Councillors have all taken an oath to carry out their duties in the best interests of the people of Indigo Shire and to do this in a fair and impartial manner. They are all committed to exercising the Council's powers and functions to the best of their skills and judgement.

3. APOLOGIES AND LEAVE OF ABSENCE

Nil

4. DECLARATION OF CONFLICT OF INTEREST

Nil

5. OPEN FORUM

Jack Britton

Question 1

Given councils continuing advice that the men's shed is to relocate to a yet unknown location and its consistent advice that the Master plan is to be adhered to so as to meet the requirements of the Grant Funding , was the Men's Shed on the site as it is on the master plan a factor in obtaining funding for this project? And would that not also be a factor in completing the requirements of the grant funding ?

Response provided by Trevor Ierino, Chief Executive Officer:

Refer to additional context of this matter which is provided in Item 10.2 Petition - Tangambalanga-Kiewa Men's Shed. Committee requested that Council purchase the land and dedicate it to community use including river access, green space and picnic areas to encourage usage and social connections. A master planning process was undertaken in consultation with the community. A grant opportunity was sought to support the process. The Men's Shed was not specified in the grant application, but the sheds, one of which the Men's Shed are currently occupying, were clearly earmarked for removal or to be repurposed with walls removed to create an open space for community use such as markets and gatherings. Engineering assessments since found that the structure would be made unstable if the sides of the shed were to be removed as planned, and the current shed needs to be demolished and replaced with an alternative structure such as shade sails. We recognise that a structure is on the master plan, however this was clearly show on the plan as a separate purpose built building well to the side and front of the block so as to allow for free and open space right throughout the centre of

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the park. There was never an intention that Men's Shed could remain within the old sheds, central to the park, left behind by NECMA.

Linzi Goodsell

Question 1

The main attraction of a Men's Shed to its members (and potential members), many of whom suffer mental illness such as PTSD, depression, anxiety etc is the ability to attend the workshop as an informal way of creating social interactions and connections which benefit their on-going collective mental health. As Council has consistently stated in media and on their own website "that council is working with the Tangam-Kiewa Men's Shed to find a solution". Could you please advise if consultation has occurred and what that has produced and what solutions are being sought ?

Response provided by Trevor Ierino, Chief Executive Officer:

Staff have been working closely with the Men's Shed to find temporary short term (meeting space, storage for materials) and long term solutions. Various other clubs have been approached such as the Kiewa Cricket Club, the Kiewa Valley Bowling Club, Coulston Park Recreation Reserve, and all have offered temporary space for the Men's Shed to meet and store their materials and equipment. These offers have been rejected by the Men's Shed. Council Staff are confident that we will find a permanent home for the Men's Shed and will find a grant to support the process.

The lease with the Men's Shed was a 12 month lease with a view to finding an alternate site at the end of the lease to allow for the site to be developed as a community space. Now that a grant has been obtained for the whole site, and the 12 month lease expires next month, the relocation of the Men's Shed is now required.

Ian Kerr

Question 1

Given the presentation of a petition signed by over 500 local people to retain the current Men's Shed, is the Indigo Shire Council prepared to reconsider its decision to not renew the current lease with the Tangam-Kiewa Men's Shed at 37 Kiewa East Road, Kiewa?

Response provided by Trevor Ierino, Chief Executive Officer:

Referred to Agenda Item 10.2 Petition - Tangambalanga-Kiewa Men's Shed – this question is for Council to discuss and decide upon when this item is dealt with later in the agenda.

Alan Lamb

Question 1

Will the Indigo Shire Council consider the viability of an alternate proposal for the Men's Shed to remain on-site in conjunction with the creation of the Kiewa River Community Site?

Response provided by Trevor Ierino, Chief Executive Officer:

Absolutely – the master plan does include the possibility of having a community space on site – which includes the Men's Shed – over in the right hand corner at the front of the site, to allow for the open space. We looked at the possibility of relocating the current shed to this area, however the structural integrity would not allow for this to be done safely. The grant Council

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obtained would not allow for the relocation and rebuilding of the existing shed suitable for cohabitation, so we will need to continue to remove or repurpose the shed, finish the Men's Shed lease and keep seeking a temporary and/or permanent site for the Men's Shed.

Brian Bayley

Question 1

Will the Indigo Shire Council consider the viability of an alternate proposal for the Men's Shed to remain on-site in conjunction with the creation of the Kiewa River Community Site?

Response provided by Trevor Ierino, Chief Executive Officer:

See answer to above question from Alan Lamb.

Robin McLiesh

Question 1

Item 1 – Introductory statement

The Minister for Local Government has published a paper on the correct financial procedures for the treatment of Special Charges in the Council Budget.

Indigo Shire lists the Environmental Management Contribution as a special charge, within the shire budget.

The Minister has indicated that all costs reported in Special Charges must conform with the requirements stated in her publication, effective March 1, 2024.

Will the Council comply with the Minister's directions and review their Special Charge, and reallocate all costs that do not meet her direction, prior to the preparation of the 2024/25 Budget?

Response provided by Greg Pinkerton, Director Planning & Corporate Services:

The Minister has published a Good Practice Guideline, and Council will seek to comply with this document. It is fairly early on in Council's budget process, so we don't have any details on how this looks currently, however it is Council's intent to comply with the Minister's Guidelines.

Question 2

Item 2. Introductory statement

The Rutherglen Silo Art Precinct – Draft Business Case and Concept design was adopted by council at the 28 February 2023 Council meeting.

The total project capital cost in the Business Case is \$11.03 million. The project has been reported in Council communications as an \$11.5 million project.

No information has been provided as to the structure of the grant application.

Council stated in the 29 November 2020 meeting agenda that the Financial Implications for the project identify \$125,000 Revenue in the Approved Budget and Expenditure of \$125,000

What is the capital cost of this project and why does TNE refuse to provide grant application information?

Where is the \$125,000 in the 2022/23 Approved Budget and what is it being used for as this is a TNE project?

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Response provided by Sally Rice, Director Community & Economic Development:

The cost to construct the Rutherglen Silo Arts Precinct is \$11.5 million. This was originally costed at \$12.5 however we are now working to revised costings of \$11.5. The approach being used to secure this money is to support an application for \$10 million by Tourism North East to the Federal Governments Growing Regions Grant funding program. As with grants of this nature, a co-contribution is required. In this case projects in areas impacted by natural disaster from 1 May 2022 onwards, which includes Indigo Shire, can seek funding on a 90/10 ratio.

Separately, Tourism North East had already secured State Government funding for the Murray to Mountains Rail Trail Enhancement project. A key site identified for that funding was at the Rutherglen Silo Arts Precinct. Therefore, TNE agreed to partner with Council and use \$1.5 million of its Enhancements funding to be the co-contribution to the Federal Growing Regions Grant funding application.

This application has been lodged and is pending. If it is successful the Rutherglen Silo Arts Precinct project will be delivered in full. It will be coordinated by Council and funded entirely by grants secured by TNE.

Council endorsed this approach at a Council meeting on the 27 June 2023.

As to the second part of this question, TNE is its own legal entity and Council is not in a position to speak about what information it chooses to share.

In 2022, Council secured \$100,000 through the State Govt. 'Investment Fast Track' grant funding for a Business Case and Concept Design project for the Rutherglen Silo Arts Precinct. Councils contribution to this project was \$25,000 which was budgeted for in that year through a New Initiative budget item. Therefore the Business Case and Concept Design project cost \$120,000 in total and was adopted by Council in February 2023.

Question 3

Item 3. Introductory statement

The Indigo Shire Annual Report 2022/23 states in the initiatives section (Page 26) that Indigo Shire will secure funding for Phases 1 and 2 for the Rutherglen Silo Precinct project.

The outcome claimed in the report is: Funding secured – Project completed.

Indigo Shire is claiming that it has secured funding for the project when it is reported that Tourism North East that has secured the grant funding and they refuse to provide any information to Indigo ratepayers.

What financial implications will this project have for shire ratepayers?

Response provided by Sally Rice, Director Community & Economic Development:

As reported above, Council was successful in securing State Government funding through the Investment Fast Track' grant for a Business Case and Concept Design. This enabled completion of those phases, Phase 1 and 2 of the project. We are now in the capital works delivery stage of the project which is what the Growing Regions Grant funding submitted by Tourism North East will be used for.

If the Growing Regions Grant funding application is successful the Rutherglen Silo Arts Precinct project will be delivered in its entirety through grant funding.

Once delivered Council will assume responsibility for the assets which will need to be

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maintained. This project was identified as a key element of the Rutherglen Place Plan which was adopted by Council in March 2023.

Kevin Johnstone

Question 1

Fallen trees falling from council land onto private property fences who is liable to pay the council or Vic roads.

Response provided by Trevor Ierino, Chief Executive Officer:

There is no straightforward answer to this question as to who (if anyone) may be liable as each case is different and potential liability is dependent on a range of factors including:

- *Who has responsibility for management of the land the tree has fallen from (if it is a roadside it could be Council or Rural Roads Victoria but the responsibilities vary depending on location and are not necessarily related to who is responsible for the road itself)*
- *Whether or not the tree is one that Council has planted or has had planted on our behalf*
- *Who the fence belongs to (boundary fences are particularly complicated)*
- *Whether there is any evidence of negligence on Council or RRV's behalf.*

Because of this Council always recommends that if someone has a tree fall on their property and cause damage that they contact their own insurer in the first instance. The insurer can then determine if they believe someone has been negligent and then if needed can make a claim to the relevant party.

Question 2

Magpie Lane Wooragee, over the 35 years the graded road/ maintenance has built it up over 700mm in areas which turns the runoff water into lane ways or driveways that causing land erosion. This should be fixed and drive ways repaired.

Response provided by Ian Ellett, Director Infrastructure Services:

This would need to be investigated to ascertain the impact of build-up and erosion to then determine what rectification works are required. Your question warrants a staff member coming to have a look at the site. Infrastructure staff will follow up with Mr Johnstone to get some more specific details about his concerns.

Question 3

Colvets installed by the council higher than the road on Magpie lane. Causing issues with access to mail boxes and Australia post requesting for mail boxes to be relocated ? This needs to be rectified.

Response provided by Ian Ellett, Director Infrastructure Services

Refer to response to Question 2 above. Ian Ellett requested to obtain the contact details of the questioner to arrange an onsite meeting to determine what needs to be done.

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6. COMMUNITY AND COUNCIL ACHIEVEMENTS

- Mayor Sophie Price formally recognised the recipients of the Australia Day Awards for 2024:
 - Christine Dormer – Citizen of the Year
 - Kurt Sorensen – Young Citizen of the Year
 - Kergunyah Country Women’s Association – Indigo Shire Community Organisation of the Year
 - Joelene Humphrey - Kiewa Tangambalanga and District Certificate of Achievement
 - Julie Simpson – Rutherglen and District Certificate of Achievement
 - Colin Harkin - Barnawartha and District Certificate of Achievement
 - Valma Chenoweth - Chiltern District Certificate of Achievement
 - Reuben Pfahlert - Emma George Sporting Scholarship
- Cr Gold raised some Council projects that have been named as finalists in the LG Pro Awards:
 - The **Dementia Sensory Garden** that was installed at the **Chiltern Neighbourhood House** has been named as a finalist in the 2023 LGPro Positive Ageing & Wellbeing Awards. This was a partnerships project that involved Council working closely with Indigo North Health (and numerous community organisations) in partnership with the Chiltern Senior Citizens Centre, Carer Gateway, Upper Murray Family Care, Dementia Australia, Dementia Umbrella Café and The Centre.

The winner for this award will be announced on Thursday 21 March 2024

- Council has also been named as a finalists in two categories in this years LGPro awards for excellence:
 1. In the Young Achievers category one of our young employees, Ella Cheseman has been named as a finalist. This award acknowledges recognisable achievements by people up to 30 years of age who working in Local Government. Ella was nominated for her exceptional work on the Future Proof project.
 2. In the Outstanding Small Rural Council Initiative category the Indigo Epic Trail has been named as a finalist.

Winners for these awards will be announced on the 2024 LGPro Annual Conference on Thursday 2 May.

7. CONDOLENCES

- Cr Horne acknowledged the passing of Bill Chambers, OAM. Bill was of one of Rutherglen’s most highly regarded residents and 6th generation winemaker. After receiving an education in Melbourne (matriculating in 1949), and spending time in South Australia developing his wine making career, Bill returned to Rutherglen to revitalise the family business and commence his commitment to wine judging all over the country. Over the years he was proclaimed a Legend by the Winemakers of Rutherglen, and received a myriad of other awards and recognition for his contribution to the Australian wine industry culminating with an OAM in 2004. Bill was a generous and anonymous benefactor and a long-time supporter of all sorts of clubs and worthy causes.

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8. CONFIRMATION OF MINUTES FROM PREVIOUS MEETING(S)

RESOLUTION

That the following Minutes be confirmed:

1. Minutes of the Council Meeting held on 12 December 2023, as published on Council's website; and
2. Confidential Minutes of the Council Meeting held on 12 December 2023, as provided to Councillors under separate cover.

Moved: Cr Croucher

Seconded: Cr Gaffney

For: Crs Peter Croucher, Bernard Gaffney, Sue Gold, Roberta Horne, Sophie Price, Diane Shephard and Emmerick Teissl

Against: Nil

CARRIED

9. BUSINESS ARISING FROM PREVIOUS MINUTES

Nil

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10. PETITIONS

10.1 PETITION - WAHGUNYAH FOOTPATH

File No: 2024/91

Ian Ellett - Director Infrastructure Services

Infrastructure Services

For Decision

RECOMMENDATION

That Council:

1. Notes the petition signed by 156 people from the Wahgunyah community seeking a footpath on the south side of Blanche Street Wahgunyah between Frederick and Foord Streets; and
2. Notes that the matter will be investigated as an operational matter and will be considered against other Footpath priorities as part of the future capital works program.

RESOLUTION

That Council:

1. Notes the petition signed by 156 people from the Wahgunyah community seeking a footpath on the south side of Blanche Street Wahgunyah between Frederick and Foord Streets; and
2. Notes that the matter will be investigated as an operational matter and will be considered against other Footpath priorities as part of the future capital works program.

Moved: Cr Gaffney

Seconded: Cr Teissl

For: Crs Peter Croucher, Bernard Gaffney, Sue Gold, Roberta Horne, Sophie Price, Diane Shephard and Emmerick Teissl

Against: Nil

CARRIED

PURPOSE OF REPORT

The purpose of this report is to bring to Council's attention a petition from 156 Wahgunyah residents requesting a footpath on the south side of Blanche Street Wahgunyah – between Foord and Frederick Streets.

GOVERNANCE RULES

Council's Governance Rules contain the following in relation to petitions:

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- (d) In acknowledging a compliant petition at a Council Meeting;
- (i) the Chairperson will state the action being requested by the petition, and;
 - (ii) the Chairperson will confirm the total number of signatures to the petition, and;
 - (iii) Council may pass a resolution to:
 - a. require the CEO to provide a response to the petition in accordance with Council's protocols for written communication; or
 - b. require the CEO to provide a response to the petition at a future Council Meeting; or
 - c. note the petition; or
 - d. require any other action that is appropriate to the petition, and within the powers of Council.

On 13 February 2024 Council received a petition signed by 156 people with the following request:

"We the undersigned, are concerned residents of Wahgunyah who urge our Councillors to recognise our concerns for the safety of pedestrians in Blanche Street, Wahgunyah, and order the construction of a footpath on the south side of Blanche Street between Frederick and Foord Streets as a matter of priority."

A copy of the petition is included as an attachment with the names and addresses of the petitioners redacted in accordance with the Information Privacy Principles under the *Privacy and Data Protection Act 2014* and Council's Governance Rules. An un-redacted version has also been provided as a confidential attachment.

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DISCUSSION

The infrastructure team prioritise footpath projects in our townships as part of capital works planning. This requested path will be considered within that program in its upcoming review as part of the annual budget process.

STRATEGIC CONTEXT

COUNCIL PLAN 2021 – 2025	
Theme	2. Liveability
Strategic Objective	2.2 Our built environment, streetscapes, facilities, amenities and open spaces are safe, inviting, attractive, well maintained, contributing to a sustainable sense of place and pride.

FINANCIAL IMPLICATIONS

There has been no assessment of cost of this project, this will be done as part of project prioritisation and development of the program.

CONCLUSION

The request raised by the petitioners for the construction of a footpath will be considered by staff in their review of the footpath construction program in the coming months.

CONFIDENTIAL ATTACHMENTS

The information in the attachments is confidential under section 3(1)(f) of the Local Government Act 2020 because it contains names and addresses of a people who have signed a petition. Disclosure of this information would be unreasonable because it is not necessary for the tabling of a petition, or for executing any associated actions.

DECLARATION OF CONFLICT OF INTEREST

Under section 130(2) of the *Local Government Act 2020* and Governance Rule 24, the following officers declare that they have no interests to disclose in providing this report:

- Ian Ellett, Director Infrastructure Services
- Adam Kimball – Manager Assets & Property

Attachments

1. Petition - Footpath in Wahgunyah (full version) (Confidential)
2.  Petition - Footpath in Wahgunyah (redacted)

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10.2 PETITION - TANGAMBALANGA-KIEWA MEN'S SHED

File No: 2024/107

Sally Rice - Director Community & Economic
Development

Community & Economic Development

For Decision

RECOMMENDATION

That Council:

1. Support the Tangambalanga-Kiewa Men's Shed group to secure a suitable temporary space to operate from while the grant funded works are completed;
2. Seek opportunities to secure further grant funding to build a 'fit for purpose' long term space for the Tangambalanga-Kiewa Men's Shed group to operate from; and
3. Endorse the continuation of the grant funded works on the site which includes removal of the sheds.

RESOLUTION

That Council:

1. Support the Tangambalanga-Kiewa Men's Shed group to secure a suitable temporary space to operate from while the grant funded works are completed;
2. Seek opportunities to secure further grant funding to build a 'fit for purpose' long term space for the Tangambalanga-Kiewa Men's Shed group to operate from; and
3. Endorse the continuation of the grant funded works on the site which includes removal of the sheds.

Moved: Cr Gold

Seconded: Cr Teissl

For: Crs Peter Croucher, Bernard Gaffney, Sue Gold, Roberta Horne, Sophie Price, Diane Shephard and Emmerick Teissl

Against: Nil

CARRIED

1. SUMMARY

A petition, with 516 signatures, was received on 19 February 2024 from the Tangambalanga-Kiewa Men's Shed group requesting that Indigo Shire Council:

- *"Renew and extend the Tangam-Kiewa Men's Shed Incorporated's license agreement and allow them to remain located at 37 Kiewa East Road, Kiewa, 3691, until such a time that an accessible and compliant space be made available for their immediate use";*
- *"Recognise that the Tangam-Kiewa Men's Shed require a space that is compliant with Australia Men's Shed Association (AMSA) policies, has provisions for outreach services to attend, lockable storage, has accessible and equitable facilities for members including adequate restroom facilities, parking and wheelchair access, and in recognising these*

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requirements will cease suggesting alternative locations that do not meet these requirements”;

- *“Recognise that the undersigned of this petition support the Tangam-Kiewa Men's Shed operating in its current location and would like council to take action to support the Tangam-Kiewa Men's Shed to remain operating”.*

The petition is attached, with addresses redacted, in accordance with Governance Rule 40(c). An unredacted copy has been provided to Councillors.

GOVERNANCE RULES - PETITIONS

Under Governance Rules 40(d)(iii) in acknowledging a compliant petition at a Council meeting, Council may pass a resolution to:

- require the CEO to provide a response to the petition in accordance with Council's protocols for written communication, or;
- require the CEO to provide a response to the petition at a future Council meeting, or;
- note the petition, or;
- require any other action that is appropriate to the petition, and within the powers of Council.

2. OFFICER'S COMMENT

Connection to the Kiewa River has long been a priority for the communities of Kiewa and Tangambalanga with both Council and the community trying to secure a location for public access for many years. River access was a consistent theme and priority recommendation of the Kiewa Tangambalanga Placemaking Strategy adopted by Indigo Shire Council in October 2018. In response to this overwhelming community desire, Indigo Shire Council strategically purchased the former North East Catchment Management Authority (NECMA) depot in Kiewa in 2019.

A community working group was established in 2021 to develop a master plan that captured the community's aspirations for the site. The vision was to create a family friendly space for community members of all ages and abilities to enjoy passive and informal active recreation opportunities, as well as attract visitors from further afield.

In 2022, Council successfully applied for a \$90,000 grant from the State Government's Living Local Regional Grants Program (Department of Jobs, Precincts and Regions) which was matched by a Council contribution of \$80,000 and \$10,000 in-kind from local community groups. The \$180,000 project budget will enable delivery of some of the master plan recommendations, including river access, pathways, shelter, landscaping, outdoor furniture, BBQ's and carparking. In line with the funding agreement, the project is due for completion on 1 May 2024.

Council was approached by a local community member in 2022 with a request to store donated tools and materials in one of the old depot sheds on the site. This was offered as a temporary arrangement until the aforementioned grant funded works could commence enabling the site to be transformed into the public open space that the community had requested.

Council entered into a 12-month licence agreement with the Tangambalanga-Kiewa Men's Shed on 1 May 2023.

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Fundamental to Council meeting the obligations of the grant and the development of the entire site is the removal of the two existing sheds. The master plan does allow for a Men's Shed on the site but not where the sheds are currently located.

With the 1 May deadline approaching, Council staff have been working with the Men's Shed to find a suitable temporary location to operate from while the site works are being completed. Three local community groups have offered their facilities, which meet the Australian Men's Shed Association (AMSA) standards, to support the Men's Shed group during this transition period. Furthermore, staff are seeking grant opportunities to support the building of a fit for purpose long term space for the Men's Shed to operate from.

Council has always been supportive of the work of the Tangambalanga-Kiewa Men's Shed and recognises the health and wellbeing benefits achieved through participation in the group and its activities.

Confidential attachment

This information is confidential under section 3(1)(f) of the Local Government Act 2020 because it contains the names, addresses and signatures of members of the community.

The reason this section applies is because the personal information has been submitted in support of a petition, and it is unreasonable to release it as release is not required for processing the petition.

Attachments

1. Petition - Tangambalanga-Kiewa Men's Shed (full version) (Confidential)
2.  Petition - Tangambalanga-Kiewa Men's' Shed (redacted)

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11. PLANNING & CORPORATE SERVICES

11.1 FINANCE REPORT - JANUARY 2024

File No: 2024/19

Deep Fernando - Manager Finance

Planning & Corporate Services

For Decision

RECOMMENDATION

That Council accepts the 31 January 2024 Finance Report.

RESOLUTION

That Council accepts the 31 January 2024 Finance Report.

Moved: Cr Gaffney

Seconded: Cr Croucher

For: Crs Peter Croucher, Bernard Gaffney, Sue Gold, Roberta Horne, Sophie Price, Diane Shephard and Emmerick Teissl

Against: Nil

CARRIED

PURPOSE OF REPORT

The purpose of this report is to provide a consolidated view of Council's performance in the first seven months of the financial year.

As Council does not have a January meeting to review the December financial statements, this finance report covers the year to date position for the first seven months of the 2023/24 financial year to the end of January 2024.

BACKGROUND

Council reports financial and capital works performance each month. Every quarter this report is expanded to add more financial detail. The year to date figures contained within this report shows Council's January position against the adopted first quarter forecast, and provides an indication of Council's financial performance at this stage of the 2023/24 financial year.

DISCUSSION

This is a major report for the 2023/24 financial year which provides Council with a Balance Sheet and its financial position as at 31 January 2024 including comparison to Q1 forecast with regards to:

- Income Statement
- Balance Sheet
- Treasury (cash management)
- Capital Works
- Borrowings

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The reported year to date position as at the end of January 2024 is a \$4.111m surplus. This is \$948k favourability to the year to date budget with the explanations of this favourability shown from Notes 1 to 41, and detail a number of timing variances related mostly to grant funding. These variances will resolve over time as the grant projects are completed, and therefore reduce the favourability.

Income Statement - 31 January 2024							
Account Group	Note	Year to Date (YTD)				2023/24 Annual Budget	January YTD 2022/23 Actual
		YTD Actuals	YTD Budget	YTD Variance \$	YTD Variance %		
Income							
Contributions - Developer	1	67,000	14,415	52,585	365%	31,213	0
Contributions - Operating	2	111,040	19,028	92,012	484%	37,083	50,133
Operating Grants	3	2,941,197	1,108,910	1,832,287	165%	7,067,189	3,297,619
Interest Income		359,564	352,285	7,279	2%	590,200	233,097
Other Revenue	4	1,310,013	1,220,021	89,992	7%	2,463,677	1,198,007
Rates & charges		19,699,853	19,679,636	20,217	0%	19,710,441	18,796,109
Reimbursements	5	99,573	37,075	62,498	169%	71,916	249,711
Statutory Fees & Fines		642,090	676,491	(34,401)	(5%)	1,312,326	611,494
User Charges	6	2,116,261	2,481,767	(365,506)	(15%)	4,545,841	2,845,833
Total Income		27,346,592	25,589,628	1,756,964	7%	35,829,886	27,282,003
Expense							
Borrowing Costs		20,780	19,943	(837)	(4%)	31,079	30,424
Contract Payments	7	4,940,474	3,864,628	(1,075,846)	(28%)	7,399,223	4,007,357
Depreciation		4,062,098	4,049,897	(12,201)	(0%)	7,579,686	4,446,313
Employee Costs	8	7,944,692	8,298,249	353,557	4%	14,602,772	7,077,571
Materials & Consumables	9	3,429,653	3,672,713	243,060	7%	5,491,840	3,804,412
Other Expenses	10	2,532,044	2,182,233	(349,811)	(16%)	3,271,032	2,347,907
Utilities		305,463	338,998	33,535	10%	623,060	295,589
Total Expense		23,235,205	22,426,661	(808,544)	(4%)	38,998,692	22,009,573
Surplus / (Deficit)*		4,111,387	3,162,967	948,420	30%	(3,168,806)	5,272,430

* For both actual and budget a positive net result means a favourable contribution to Council, which is referred to as a Surplus and a negative net result means a unfavourable contribution to Council, which is referred to as a Deficit.

(Red variance) is unfavourable
Black variance is favourable

NOTE NO.	Explanation - Income
1	<p>Developer Contributions</p> <p>YTD favourable variance of \$53k is a combination of</p> <ul style="list-style-type: none"> \$67k – Openspace Contributions unbudgeted which will be transferred across to use at a later date on specific works (\$14k) – Other Developer contributions not yet received
2	<p>Operating Contributions</p> <p>YTD favourable variance of \$92k is due to</p> <ul style="list-style-type: none"> \$71k – unbudgeted contribution for the North East Collaboration Officer within the Emergency Management Co-ordination area \$20k – In Young People for the I-engage project

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3	<p>Operating Grants</p> <p>YTD favourable variance of \$1,832m is a combination of the following</p> <ul style="list-style-type: none"> • \$670k – unbudgeted carried forward grant for the “Greenlight Project” within Information Technology • \$290k – unbudgeted carried forward grant in Economic Development for the CFA Bogong solar project • \$255k – unbudgeted carried forward grants for the ERV Community Hub Project within the Emergency Management Co-Ordination area • \$160k – unbudgeted carried forward grant in Planning for the “Heritage Assessment Study Stage 1” • \$107k – unbudgeted carried forward grant for the Vic Health VLGP Project with a further \$40k received for Project Support • \$87k – unbudgeted carried forward grant of \$60k for the COVID Rats Program with a further \$30k received this year • \$78k – unbudgeted carried forward grant in Early Years for “Kindergarten Central Enrolment • \$61k – Library Services grant funding with this portion to be transferred to the Capital works area for the purchases of Library Books stock • \$40k – unbudgeted grant for Environmental Health Services - Mosquito Monitoring • \$27k – unbudgeted carried forward grant in Recreation for Butson Park Master Planning works • \$22k – unbudgeted carried forward grant for the L2P Program within Young People • \$12k – unbudgeted grant received for the Community Road Safety Program • \$11k – unbudgeted grant for Supporting Carers Locally & 16 Days Activism – Respect Victoria with in the Ageing Well area • \$10k – unbudgeted carried forward grant for the MCH Workforce funding <p>These grants will have expenditure against them in the second half of the financial year</p>
4	<p>Other Revenue</p> <p>YTD favourable variance of \$90k is a combination of the following</p> <ul style="list-style-type: none"> • \$68k – Increased sales of recyclables for Waste Management for both the Beechworth Transfer Station (\$323k) and the Rutherglen Transfer Station (\$36k). These were higher than originally anticipated. • \$13k – favourability for Internal Plant Hire and Fleet recovery costs • \$9k – of other minor fees across the organisation

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5	<p>Reimbursements</p> <p>YTD favourable variance of \$62k is a combination of the following</p> <ul style="list-style-type: none"> • \$55k – of Workcover reimbursement which is not budgeted. This assists with the offset of work cover expenditure across the organisation • \$7k – received for an Insurance Claim in the Building and Property service area.
6	<p>User Charges</p> <p>YTD unfavourable variance of \$365k is mainly due to</p> <ul style="list-style-type: none"> • \$338k - Lower than budgeted Buller Gas sales with this explained in our October report as one of the worse snow seasons to date. The impact of the lower income is offset with the lower expenditure on Gas (\$426k) • \$33k – Group Bookings and Entry fees across the Historic Precinct • \$6k of small favourability's across other areas.
NOTE NO.	Explanation - Income
7	<p>Contract Payments</p> <p>YTD unfavourable variance of \$1,076m is due to a combination across the organisation of;</p> <ul style="list-style-type: none"> • \$571k expenditure relating to three (3) Natural Disaster Flood events, with the expenditure to be recovered when works completed • \$177k in Building control services for the provision of a contract staff • \$163k across various service areas relating to use of temporary employment to deliver the required services due to vacancies. This unfavourable variation is offset by the favourable variance in employee costs • \$175k expenditure relating to the CFA Bogong solar projects which is one of the carried forward grant from 2022-23
8	<p>Employee Costs</p> <p>YTD favourable variance of \$354k is due predominately to staff vacancies which is partially offset with the above costs for temporary employment (\$163k) to assist with service delivery during the recruitment process</p>

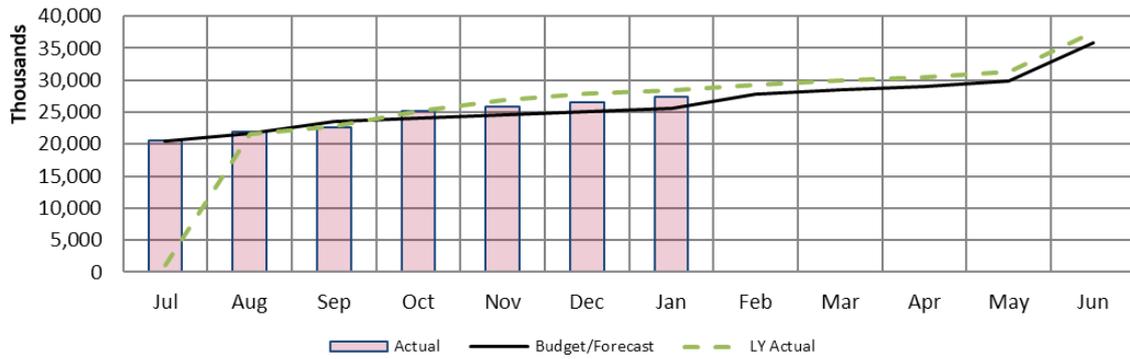
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9	<p>Materials and consumables</p> <p>YTD favourable variance of \$243k is mainly due to</p> <ul style="list-style-type: none"> • \$426k – Buller Gas with less purchases due to slow snow season and should be read with the explanation as shown above with the Buller Gas Income <p>With other unfavourable offsets across the organisation</p> <ul style="list-style-type: none"> • (\$115k) – Risk Management with higher than budgeted annual insurance costs • (\$28k) – Customer Experience - Minor purchase costs which are offset by the COVID RATs program income • \$39k – of material costs across Drainage, Parks and Gardens and Roads and Maintenance service areas
10	<p>Other Expenses</p> <p>YTD unfavourable variance of \$349k is due to</p> <ul style="list-style-type: none"> • (\$127k) – in Information Technology Services for Licencing and legal costs • (\$128k) – in Plant for external plant hire costs • (\$103k) – in Planning with a combination of Legal Expenses and advertising and with an unbudgeted cost for transferring internal costs to the Reserve account • \$9k – other minor offsets

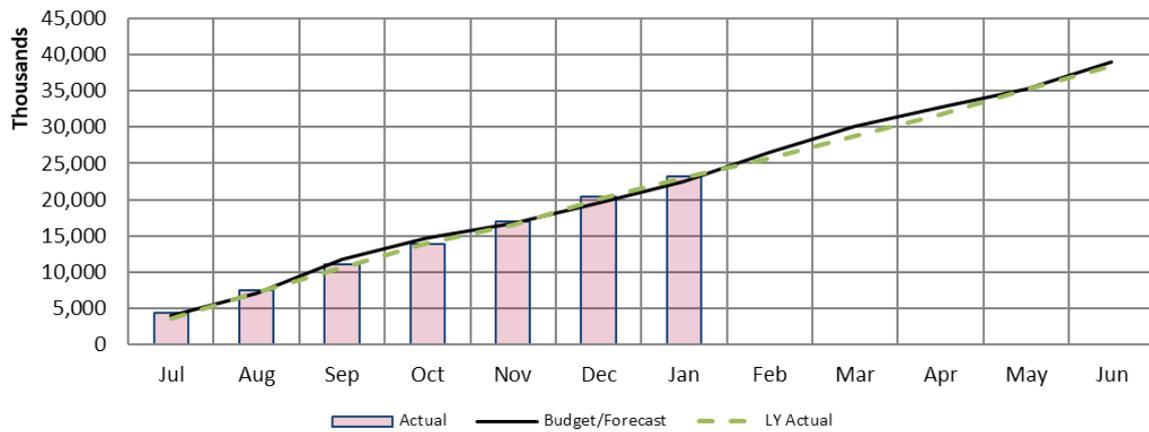
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Income (YTD)

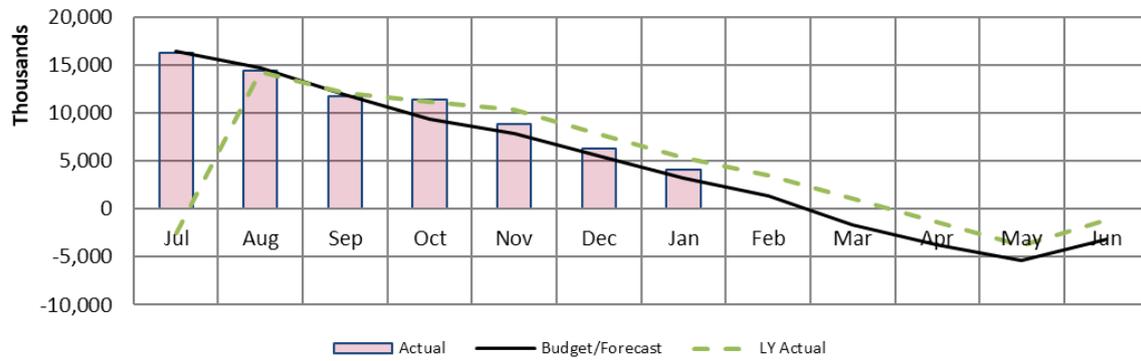


Expense (YTD)



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Net Position (YTD)



UNCONFIRMED

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Balance Sheet - 31 January 2024	Prior year to date	
Current Assets		
Cash	867,180	7,742,758
Current Debtors/Receivables	12,998,832	4,714,463
Inventories	428,858	324,753
Investments	6,202,322	6,702,322
Other Current Assets	4,167	803,372
Total Current Assets	20,501,359	20,287,668
Non Current Assets		
Non Current Debtors/Receivables	13,400	0
Property Plant & Equipment	13,736,583	14,748,800
Land & Buildings	99,915,633	100,514,704
Roads, Bridges & Culverts	188,116,324	190,529,136
Works in Progress	7,126,514	7,126,514
Total Non Current Assets	308,908,454	312,919,155
Total Assets	329,409,813	333,206,823
Current Liabilities		
Borrowings - Current	(173,740)	(394,352)
Creditors	(2,877,213)	(7,818,490)
Provisions - Current	(2,639,247)	(2,963,232)
Trust Deposits	(274,475)	(203,856)
Total Current Liabilities	(5,964,674)	(11,379,930)
Non Current Liabilities		
Borrowings - Non Current	(1,004,570)	(985,074)
Provisions - Non Current	(4,990,823)	(4,854,975)
Trust Deposits	(308,616)	(321,269)
Total Non Current Liabilities	(6,304,010)	(6,161,319)
Total Liabilities	(12,268,683)	(17,541,248)
Net Assets	317,141,130	315,665,575
Equity		
Accumulated Surplus	(160,820,094)	(159,411,539)
Reserves	(156,321,036)	(156,254,036)
Total Equity	(317,141,130)	(315,665,575)

COUNCIL MEETING MINUTES - 27 FEBRUARY 2024

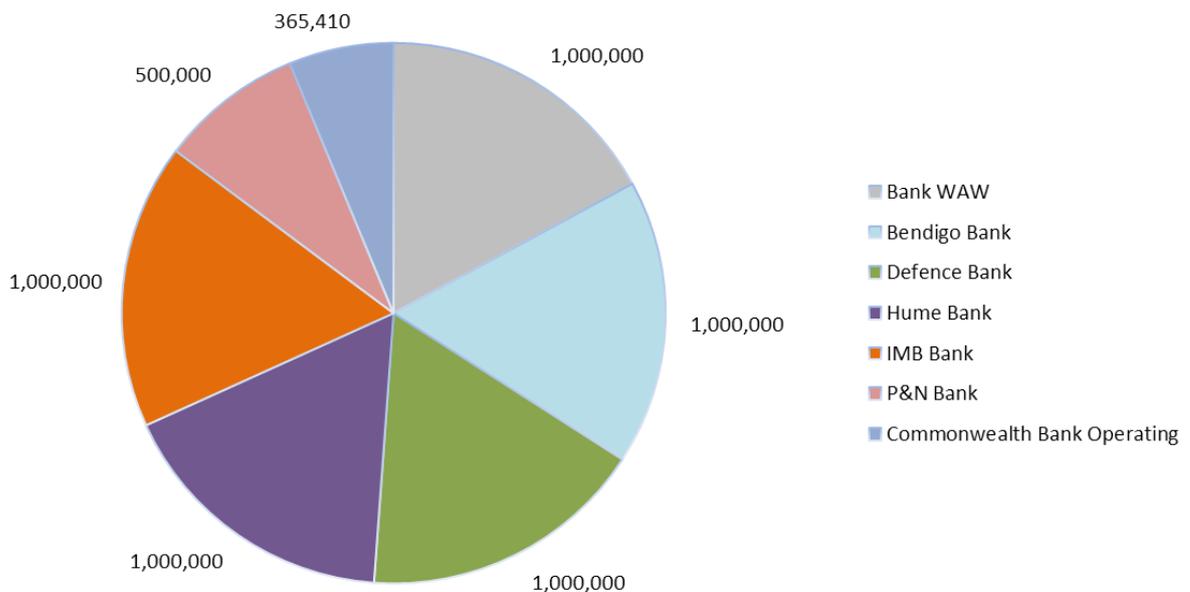
Cash Position

Council's Cash and investment holdings total \$6.86m as of 31 January 2024, a decrease of \$6,87m from the same time last year 31 January 2023 balance of \$13.741m. The breakdown of Council's cash and investments is:

Cash at Bank	365,410
Term deposit under 90 days	6,500,000
Term deposit over 90 days	-
Total	6,865,410

The average current interest rate on the term-deposits held is 4.96% (*this excludes the operating account*)

Cash & Investments as at 31 January 2024



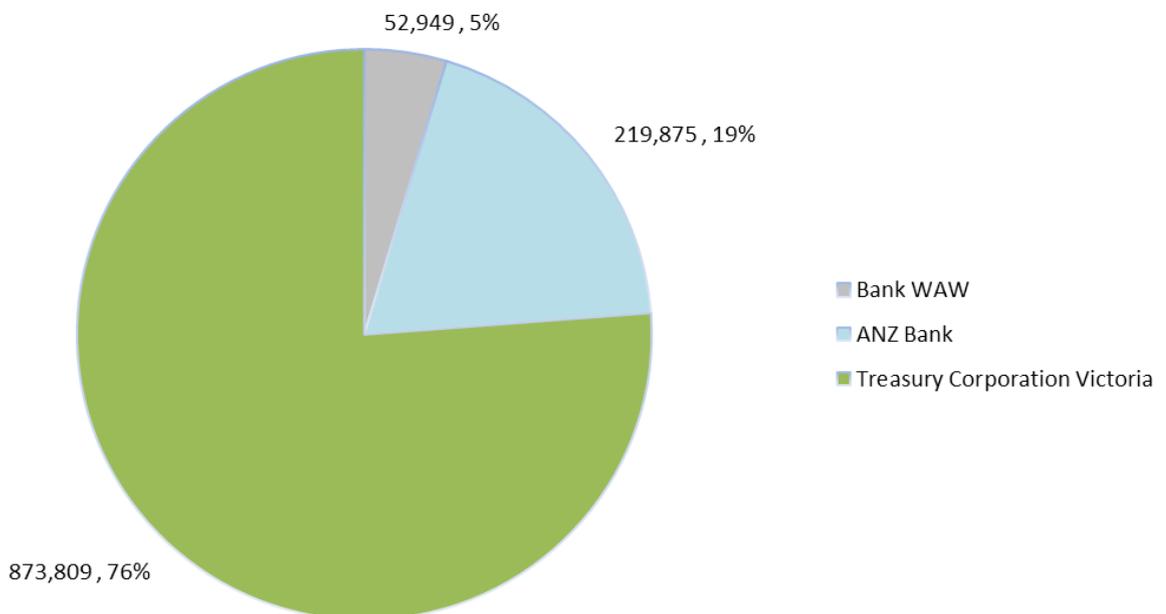
Borrowings

COUNCIL MEETING MINUTES - 27 FEBRUARY 2024

Below is a summary of all Council’s borrowings. The table shows original loans borrowed, term of loans, rates & maturity with outstanding balances at the end of October 2023 of \$1,242,176.

Indigo Shire Council - Borrowing Report as at 30 January 2024						
Bank	Term - Years	Rate %	Date of Maturity	Original loan amount		Balance owed
WAW	10	5.25	28/06/2024	1,000,000		52,949
ANZ	10	3.78	29/04/2025	1,500,000		219,875
TCV	10	2.08	27/06/2032	1,000,000		873,809
Total of All Borrowings				3,500,000		1,146,633

Borrowings as at 31 January 2024



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Capital Works

The combined YTD project expenditure as at the end of January 2024, across both the Capital Works and Non ISC asset project areas totals \$5,753,153m This total is comprised of \$5,045,237 in capital projects and \$707,196 against Non ISC assets. This represents 28.5% of the capital works budgeted program.

Summary Capital Works Income & Expenditure As at 31 January 2024

	Income	Expenditure	Adopted Capital Budget 2023-24 Excl Carry forwards
Property			
Land improvements	-	-	-
Land improvements	-	-	-
Total land	-	-	-
Buildings	354,350	381,996	230,000
Heritage buildings	79	468,488	545,000
Total buildings	433,460	850,484	775,000
Total property	433,460	850,484	775,000
Plant and equipment			
Plant, machinery and equipment	43,746	449,858	682,000
Fixtures, fittings and furniture	-	53,128	87,000
Computers and telecommunications	-	65,934	665,000
Library books	150	27,873	89,000
Total plant and equipment	43,896	596,793	1,523,000
Infrastructure			
Roads	698,067	1,319,480	1,862,000
Bridges	-	94,059	1,670,000
Footpaths and cycleways	-	1,400,793	4,660,000
Drainage	-	164,798	306,000
Recreational, leisure and community facilities	847,069	522,790	320,000
Parks, open space and streetscapes	64,483	96,040	318,000
Total infrastructure	1,609,619	3,597,960	9,136,000
Total Capital Works	2,086,975	5,045,237	11,434,000

Summary NON ISC Income & Expenditure As at 31 January 2024

	Income	Expenditure	Adopted Annual Budget 2023-24 Excl Carry forwards
Kergunyah Hall	285,173	145,718	-
Kiewa Memorial Park	-	7,537	-
Chiltern Recreation Reserve	2,500	75	-
Butson Park Football oval	-	201	-
Barnawartha Netball/Tennis Courts	424,508	502,000	-
Yackandandah Golf Club Facility	223,286	6,961	-
Carlyle Drainagne Works	-	-	-
Barnawartha Cricket Nets	15,000	43,688	-
Barkly Park Upgrade Female Change Room	-	1,736	-
Total Projects	950,467	707,916	-
Total NON ISC Owned Assets	950,467	707,916	-

The above statement of Capital Works & NON ISC Owned Assets should be read in conjunction with the Capital Works Monitor

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A more detailed commentary on capital works and non-Council expenditure is provided in the capital report later in the Council meeting agenda.

STRATEGIC CONTEXT

COUNCIL PLAN 2021 – 2025	
Theme	5. Accountability
Strategic Objective	5.1 Our financial management is sound, responsible and effective.

SOCIAL/COMMUNITY IMPLICATIONS

This report provides details of Council’s performance across a range of services, works and programs that support and enhance the wellbeing of residents and visitors to Indigo Shire.

ENVIRONMENTAL IMPLICATIONS

In May 2017 Council adopted the following resolution.

That Council:

1. *divests its investments (when they become due) to financial institutions that do not invest in the fossil fuel industry;*
2. *divests future long-term borrowings when they fall due, to financial institutions that do not invest in the fossil fuel industry;*
3. *notes that Council will retain the current (non-divested) transactional banking provider at this time, however Council will advise this bank the intention to move to a divested provider in the future if they continue to support the fossil fuel industry; and*
4. *writes to Council’s current banking providers to advise them of Council’s stance on fossil-free financial institutions*

In accordance with this resolution:

- All investments are held with financial institutions that have divested their interests away from fossil fuel companies.
- Transactional banking has not been reassessed since the resolution and remains with a non-divested bank.

FINANCIAL IMPLICATIONS

Addressed throughout the report.

LEGISLATIVE IMPLICATIONS

The Local Government Act requires Council to report financial information quarterly. Indigo Shire Council report financials on a monthly basis, as well as a more comprehensive Report at completion of each quarter.

All financial reporting is compliant with the Australian Accounting Standards and audited annually by the Victorian Auditor General Office.

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RISK & OPPORTUNITY MANAGEMENT

Description	Likelihood	Consequence	Final Risk Rating	Controls, treatments
Poor performance against budget	Possible	Moderate	Medium	Regular monitoring and reporting of financial position

COMMUNITY ENGAGEMENT

CONSULTATION/COMMUNICATION UNDERTAKEN

Nil

CONSULTATION/COMMUNICATION PROPOSED

Nil

CONCLUSION

The result for the January YTD or first seven months for the 2023/24 financial year is showing a favourable position compared to the budget forecast. This is being driven by a large number of grants that will require future expenditure. It is therefore suggested that this favourability be noted at this stage, and further assessed as the year unfolds.

DECLARATION OF CONFLICT OF INTEREST

Under section 130(2) of the *Local Government Act 2020* and Governance Rule 24, the following officers declare that they have no interests to disclose in providing this report:

- Greg Pinkerton – Director Planning & Corporate Services
- Deep Fernando – Finance Manager

Attachments

1.  January Service Plan Statement
2.  January Exception Report

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11.2 PLANNING PERMIT APPLICATION - PP23-0172 (S218546M) - 11 ALBERT ROAD, BEECHWORTH

File No: 2023/1100

James Turner - Manager Planning & Statutory Services Planning & Corporate Services

For Decision

RECOMMENDATION

That Council issue a Notice of Decision to approve a Planning Permit at 11 Albert Road Beechworth, allowing:

1. Two (2) lot subdivision in the General Residential Zone and Heritage Overlay;
2. Demolition in the Heritage Overlay; and
3. Subdivide land adjacent to a Road in a Transport Zone 2.

subject to the attached conditions.

RESOLUTION

That Council issue a Notice of Decision to approve a Planning Permit at 11 Albert Road Beechworth, allowing:

1. Two (2) lot subdivision in the General Residential Zone and Heritage Overlay;
2. Demolition in the Heritage Overlay; and
3. Subdivide land adjacent to a Road in a Transport Zone 2.

subject to the attached conditions.

Moved: Cr Teissl

Seconded: Cr Gold

For: Crs Peter Croucher, Bernard Gaffney, Sue Gold, Roberta Horne, Sophie Price, Diane Shephard and Emmerick Teissl

Against: Nil

CARRIED

SUMMARY

Application No: PP23-0172

Subject Land: 11 Albert Road Beechworth

Proposal: The proposed application seeks to subdivide the land into two (2) lots in a General Residential Zone, and to remove an outbuilding on the site.

Recommendation: Approval

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BACKGROUND

Date application lodged:	08/09/2023
Purpose:	Seek approval to subdivide the land into two (2) lots in a General Residential Zone, and to demolish an outbuilding.
Subject site land area:	1198sqm
Current use of subject site:	Single dwelling and associated outbuildings
Site constraints:	There are no significant site constraints for the subdivision.
Surrounding land use:	The surrounding land to the north, south, east and west is zoned residential except for a Public Park and recreational Zone located to the north of the subject site. Additionally, the subject site is opposite a block zoned Mixed Use Zone (MUZ).
Zoning of surrounding land:	General Residential Zone (GRZ) & Public Park and Recreational Zone (PPRZ)

PROPOSAL

The proposed application seeks to subdivide the land into two lots in a General Residential Zone



The proposal also includes the demolition of two outbuildings.

ZONING AND PLANNING CONTROLS

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Zoning: Clause 32.08- General Residential Zone – Schedule 1 (GRZ1)

Overlay/s: Clause 43.01 – Heritage Overlay Schedule 30 & 246 (HO30 & 246)

PERMIT TRIGGER:

A planning permit is required

- Pursuant to Clause 32.08-3 (GRZ) as a permit is required to subdivide land.
- Pursuant to Clause 43.01 (HO), a planning permit is required to subdivide land and demolish outbuildings.

Planning and Environment Act 1987 - SECT 60

Section 60 of the Act provides that before deciding on an application, the responsible authority must consider:

- (a) the relevant planning scheme; and
- (b) the objectives of planning in Victoria (which include at Section 4(1)(b) to provide for the protection of natural and man-made resources...); and
- (c) all objections and other submissions which it has received and which have not been withdrawn; and
- (d) any decision and comments of a referral authority which it has received; and
- (e) any significant effects which the responsible authority considers the use or development may have on the environment or which the responsible authority considers the environment may have on the use or development.

Section (1A) of the Act provides that the responsible authority, if the circumstances appear to so require, may consider:

- (a) any significant social and economic effects of the use or development for which the application is made; and...
- (j) any other relevant matter.

STATE PLANNING POLICY

11 Introduction, Goal and Principles

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The purpose of State policy in planning schemes is to inform planning authorities and responsible authorities of those aspects of State level planning policy which they are to consider and give effect to in planning and administering their respective areas. It is the State Government's expectation that planning and responsible authorities will endeavour to integrate the range of policies relevant to the issues to be determined and balance conflicting objectives in favour of net community benefit and sustainable development. Planning and responsible authorities must take account of and give effect to both the general principles and the specific policies applicable to issues before them to ensure integrated decision-making.

Society has various needs and expectations such as land for settlement, protection of the environment, economic well-being, various social needs, proper management of resources and infrastructure. Planning aims to meet these by addressing aspects of economic, environmental and social well-being affected by land use and development.

Planning is to anticipate and respond to the needs of existing and future communities through provision of zoned and serviced land for housing, employment, recreation and open space, commercial and community facilities and infrastructure. Planning is to recognise the need for, and as far as practicable contribute towards:

- Health and safety.
- Diversity of choice.
- Adaptation in response to changing technology.
- Economic viability.
- A high standard of urban design and amenity.
- Energy efficiency.
- Prevention of pollution to land, water and air.
- Protection of environmentally sensitive areas and natural resources.
- Accessibility.
- Land use and transport integration.

The State Planning Policy Framework seeks to ensure that the objectives of planning in Victoria are met and encouraged through land use and development. The following policies and clauses are deemed to be relevant to this proposal and have been considered in the assessment of this application:

- Clause 11.01-1S – Settlement

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- Clause 11.01-1R – Settlement – Hume
- Clause 15.01-3S – Subdivision Design
- Clause 15.01-4S – Healthy neighbourhoods
- Clause 15.01-5S – Neighbourhood character
- Clause 16.01-1L – Residential subdivision and development
- Clause 16.01-1S – Housing Supply
- Clause 16.01-2S – Housing Affordability
- Clause 19 – Infrastructure

PARTICULAR PROVISIONS

- Clause 52.06 – Carparking
- Clause 52.29 - Land Adjacent to the Principal Road Network
- Clause 56 – Residential Subdivision

GENERAL PROVISIONS

65 Decision Guidelines

Because a permit can be granted does not imply that a permit should or will be granted. The responsible authority must decide whether the proposal will produce acceptable outcomes in terms of the decision guidelines of this clause.

65.01 Approval of an application or plan

Before deciding on an application or approval of a plan, the responsible authority must consider:

- *The matters set out in section 60 of the Act.*
- *Any significant effects the environment, including the contamination of land, may have on the use or development.*
- *The Municipal Planning Strategy and the Planning Policy Framework.*
- *The purpose of the zone, overlay or other provision.*
- *Any matter required to be considered in the zone, overlay or other provision.*
- *The orderly planning of the area.*
- *The effect on the environment, human health and amenity of the area.*
- *The proximity of the land to any public land.*
- *Factors likely to cause or contribute to land degradation, salinity or reduce water quality.*

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- *Whether the proposed development is designed to maintain or improve the quality of stormwater within and exiting the site.*
- *The extent and character of native vegetation and the likelihood of its destruction.*
- *Whether native vegetation is to be or can be protected, planted or allowed to regenerate.*
- *The degree of flood, erosion or fire hazard associated with the location of the land and the use, development or management of the land so as to minimise any such hazard.*
- *The adequacy of loading and unloading facilities and any associated amenity, traffic flow and road safety impacts.*
- *The impact the use or development will have on the current and future development and operation of the transport system.*

65.02 Approval of an application to subdivide land

Before deciding on an application to subdivide land, the responsible authority must also consider, as appropriate:

- *The suitability of the land for subdivision.*
- *The existing use and possible future development of the land and nearby land.*
- *The availability of subdivided land in the locality, and the need for the creation of further lots.*
- *The effect of development on the use or development of other land which has a common means of drainage.*
- *The subdivision pattern having regard to the physical characteristics of the land including existing vegetation.*
- *The density of the proposed development.*
- *The area and dimensions of each lot in the subdivision.*
- *The layout of roads having regard to their function and relationship to existing roads.*
- *The movement of pedestrians and vehicles throughout the subdivision and the ease of access to all lots.*
- *The provision and location of reserves for public open space and other community facilities.*
- *The staging of the subdivision.*

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- *The design and siting of buildings having regard to safety and the risk of spread of fire.*
- *The provision of off-street parking.*
- *The provision and location of common property.*
- *The functions of any body corporate.*
- *The availability and provision of utility services, including water, sewerage, drainage, electricity, and, where the subdivision is not a residential subdivision, gas.*
- *If the land is not sewered and no provision has been made for the land to be sewered, the capacity of the land to treat and retain all sewage and sullage within the boundaries of each lot.*
- *Whether, in relation to subdivision plans, native vegetation can be protected through subdivision and siting of open space areas.*
- *The impact the development will have on the current and future development and operation of the transport system.*

REFERRAL AUTHORITIES

The application was referred to the following referral authorities in accordance with Section 55 of the Planning and Environment Act 1987 and/or advice was sought from the following:

- Indigo Shire Council infrastructure team;
- VicRoads;
- North East CMA; and
- Heritage advisor

No objections have been received by any referral authority. Referral authorities have provided conditions to be placed on any permit issued.

PUBLIC NOTICE

Notice of the application was given to adjoining owners and occupiers and other relevant persons in accordance with Section 52 (1) of the Planning and Environment Act 1987.

3 submissions were received in response.

Issues raised concern the validity of proposed/current boundaries of the subdivision and question the accuracy.

DISCUSSION

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Objections

Two of the objectors were contacted to discuss their concerns regarding the proposed subdivision. A third objection was received from a law firm, but it is not clear if this firm represents the other objectors. As a result, Council officers have treated the application as having three objections. The relevant objectors were informed that boundary alignment disputes are a civil matter and do not impact planning permit decisions. As such, a planning decision can still be made. However, the objectors advised Council that they did agree that a planning decision should and can be made and would pursue legal action.

Subdivision

The proposal has responded appropriately to the purpose and requirements of the General Residential Zone. This includes the neighbourhood character of the area, the proposed lot sizes, siting and lot alignment. The proposal has been assessed against the required standards of clause 56, and this assessment supports the proposal. All relevant servicing authorities have approved the proposal, subject to conditions.

Heritage

The proposed subdivision does not negatively affect the heritage values of the land, and is consistent with the Heritage Overlay and its requirements. Council's heritage officer provides comments stating that the outbuildings to the rear of the dwelling are not significant and that the subdivision can be supported as it will have minimal impact on the significance of the building.

VICTORIAN CIVIL AND ADMINISTRATIVE TRIBUNAL

No relevant VCAT decision have been identified.

CONCLUSION

The proposal comprising of a two (2) lot subdivision is consistent with the relevant provisions of the PPF, as well as the objectives of the General residential Zone, the Heritage Overlay and the requirements of Clauses 53.01, 56 and 64.03. It is therefore recommended that a planning permit be issued subject to conditions.

CONFIDENTIAL ATTACHMENT

The following confidential attachment has been provided to Councillors under separate cover. Recent changes to Section 197A of the *Planning and Environment Act 1997* have clarified and

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tightened the way Councils are able to make certain planning documents available to the public. The Act provides that the confidential document listed below can only be made available for public inspection:

- at Council offices during business hours, or
- electronically via Council's website subject to strict public availability requirements, requiring significant editing of individual documents.

Council currently does not have the resources to provide the document online in line with the public availability requirements of the Act, and so is at this stage unable to publish it in the public agenda online.

DECLARATION OF CONFLICT OF INTEREST

Under section 130(2) of the *Local Government Act 2020* and Governance Rule 24, the following officers declare that they have no interests to disclose in providing this report:

- Greg Pinkerton - Director Planning & Corporate Services
- James Turner - Manager Planning & Statutory Services
- Steven Hawkins - Coordinator Planning
- Danieel Matthews - Senior Planning Officer

Attachments

1. PP23-0172 - Planning Application (Confidential)
2.  PP23-0172 - Plans
3.  PP23-0172 - Draft Conditions

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11.3 PLANNING PERMIT APPLICATION - PP23-0164 - 1627 MURRAY VALLEY HIGHWAY HUON

File No: 2023/1101

James Turner - Manager Planning & Statutory Services Planning & Corporate Services

For Decision

RECOMMENDATION

That Council issue a Notice of Decision to Grant a permit at 1627 Murray Valley Highway Huon, for the buildings and works to construct an outbuilding in accordance with the conditions at attachment 3.

RESOLUTION

That Council issue a Notice of Decision to Grant a permit at 1627 Murray Valley Highway Huon, for the buildings and works to construct an outbuilding in accordance with the conditions at attachment 3.

Moved: Cr Teissl

Seconded: Cr Croucher

For: Crs Peter Croucher, Bernard Gaffney, Sue Gold, Roberta Horne, Sophie Price, Diane Shepherd and Emmerick Teissl

Against: Nil

CARRIED

SUMMARY

Application No: PP23-0164
Subject Land: 1627 Murray Valley Highway Huon
Proposal: The buildings and works to construct an outbuilding.
Recommendation: Approval

BACKGROUND

Date application lodged: 22/08/2023
Purpose: The buildings and works to construct an outbuilding.
Subject site land area: 3.02 hectare (7.48 acres)
Current use of subject site: Single dwelling and associated outbuildings
Site constraints: The site is sloping from east to west and is covered by the Significant Landscape Overlay Schedule 1 (SLO1)

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Surrounding land use: The surrounding properties to the east are large farming lots many of which do not contain dwellings. Scattered vegetation is constant throughout the surrounding properties. Sandy Creek is located 200m to the west of the subject site.



Zoning of surrounding land: The adjoining properties to the east and across from Sandy Creek are zoned farming.

PROPOSAL

The proposal seeks permission for the buildings and works to construct an outbuilding.

ZONING AND PLANNING CONTROLS

Zoning: Clause 35.07 - Farming Zone

Overlay/s: Clause 42.03 – Significant Landscape Overlay Schedule 1 (SLO1)

PERMIT TRIGGER

Pursuant to Clause 35.03, a planning permit is required for:

- The buildings and works of an outbuilding greater than 250sqm.
- 100 metres from a waterway, wetlands or designated flood plain

Pursuant to Clause 42.03, Significant Landscape Overlay. A permit is required to:

- Construct a building or construct or carry out works

Accordingly, a **planning permit is required** for the buildings and works to construct an outbuilding.

Planning and Environment Act 1987 - SECT 60

Section 60 of the Act provides that before deciding on an application, the responsible authority must consider:

- (a) the relevant planning scheme; and
- (b) the objectives of planning in Victoria (which include at Section 4(1)(b) to provide for the protection of natural and man-made resources...); and
- (c) all objections and other submissions which it has received and which have not been withdrawn; and
- (d) any decision and comments of a referral authority which it has received; and

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- (e) any significant effects which the responsible authority considers the use or development may have on the environment or which the responsible authority considers the environment may have on the use or development.

Section (1A) of the Act provides that the responsible authority, if the circumstances appear to so require, may consider:

- (a) any significant social and economic effects of the use or development for which the application is made; and...
- (j) any other relevant matter.

STATE PLANNING POLICY

11 Introduction, Goal and Principles

The purpose of State policy in planning schemes is to inform planning authorities and responsible authorities of those aspects of State level planning policy which they are to take into account and give effect to in planning and administering their respective areas. It is the State Government's expectation that planning and responsible authorities will endeavour to integrate the range of policies relevant to the issues to be determined and balance conflicting objectives in favour of net community benefit and sustainable development. Planning and responsible authorities must take account of and give effect to both the general principles and the specific policies applicable to issues before them to ensure integrated decision-making.

Society has various needs and expectations such as land for settlement, protection of the environment, economic well-being, various social needs, proper management of resources and infrastructure. Planning aims to meet these by addressing aspects of economic, environmental and social well-being affected by land use and development.

Planning is to anticipate and respond to the needs of existing and future communities through provision of zoned and serviced land for housing, employment, recreation and open space, commercial and community facilities and infrastructure. Planning is to recognise the need for, and as far as practicable contribute towards:

- Health and safety.
- Diversity of choice.
- Adaptation in response to changing technology.
- Economic viability.
- A high standard of urban design and amenity.
- Energy efficiency.
- Prevention of pollution to land, water and air.
- Protection of environmentally sensitive areas and natural resources.
- Accessibility.
- Land use and transport integration.

The State Planning Policy Framework seeks to ensure that the objectives of planning in Victoria are met and encouraged through land use and development. The following policies and clauses are deemed to be relevant to this proposal and have been taken into account in the assessment of this application:

Settlement

- 11.01-1S - Settlement
- 11.01-1R – Settlement Hume

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- 11.02-1S - Supply of urban land
- 11.03-2S - Growth areas
- 11.03-6S - Regional and local places

Environmental and Landscape Values

- 12.05-1S - Environmentally sensitive areas
- 12.05-2S - Landscapes

Natural Resource Management

- 14.01-1S - Protection of agriculture land
- 14.02-1S – Catchment planning and management

Built Environment and Heritage

- 15.01-2S – Building Design
- 15.01-6S – Design for rural areas

PARTICULAR PROVISIONS

Clause 52.29 – Land adjacent to the principal road network

GENERAL PROVISIONS

65 Decision Guidelines

Because a permit can be granted does not imply that a permit should or will be granted. The responsible authority must decide whether the proposal will produce acceptable outcomes in terms of the decision guidelines of this clause.

65.01 Approval of an application or plan

Before deciding on an application or approval of a plan, the responsible authority must consider:

- The matters set out in section 60 of the Act.
- Any significant effects the environment, including the contamination of land, may have on the use or development.
- The Municipal Planning Strategy and the Planning Policy Framework.
- The purpose of the zone, overlay or other provision.
- Any matter required to be considered in the zone, overlay or other provision.
- The orderly planning of the area.
- The effect on the environment, human health and amenity of the area.
- The proximity of the land to any public land.
- Factors likely to cause or contribute to land degradation, salinity or reduce water quality.
- Whether the proposed development is designed to maintain or improve the quality of stormwater within and exiting the site.
- The extent and character of native vegetation and the likelihood of its destruction.
- Whether native vegetation is to be or can be protected, planted or allowed to regenerate.
- The degree of flood, erosion or fire hazard associated with the location of the land and the use, development or management of the land so as to minimise any such hazard.
- The adequacy of loading and unloading facilities and any associated amenity, traffic flow and road safety impacts.
- The impact the use or development will have on the current and future development and operation of the transport system.

REFERRAL AUTHORITIES

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The application was referred to the following referral authorities in accordance with Section 55 of the Planning and Environment Act 1987 and/or advice was sought from the following:

- GMW

The proposed development was referred to Goulburn-Murray Water (GMW) for comments as the property lies within a catchment area. GMW has provided no objection to the proposed development, subject to conditions.

PUBLIC NOTICE

Notice of the application was given to adjoining owners and occupiers and other relevant persons in accordance with Section 52 (1) of the Planning and Environment Act 1987.

One submission was received in response.

Issues raised include:

- The Significant Landscape Overlay will be impacted by the proposed development.
- There is not enough significant vegetation proposed to screen the development.
- Whether the proposed development will be used in association with the existing dwelling or farming practices.

Planner comments:

These issues have been considered on balance against the proposed development. The scale of the outbuilding is large at 360sqm; however, the bulk has been minimised with the maximum height of the outbuilding being 5m. Given the size of the property at 3 hectares, it is considered reasonable for an outbuilding this big to store machinery maintain the property as well as vehicles and items associated with the dwelling. Additionally, the outbuilding has been proposed behind the existing outbuild, which is also located behind the existing dwelling. The outbuilding will be mostly screened by the existing dwelling to west, screening the outbuilding from the road zone and large trees to the east, screening from the adjoining property. The location of the outbuilding is more than two hundred meters away from the road zone. The undulation of the landscape is sloping from east to west with a large hill behind the subject site, helping to further reduce and hide the visual impact of the development. Furthermore, Sandy creek is located approximately two hundred meters from the property boundary to the west. The close proximity to the Sandy Creek has also help to reduce and minimise impact to the Significant Landscape.

DISCUSSION

The proposal is considered to be accordance with the relevant policies stipulated under the zone and overlays. The purpose and decision guidelines of the Farming Zone focus strongly on facilitating farming use and development which the proposal conforms with.

No adverse impacts on the streetscape, public realm or existing use and development is anticipated by the development. The proposed development would be consistent with the reasonable expectations for land use and development in the context of the zone and the site and surrounds.

The form and external appearance of the development is consistent with farming/domestic style outbuildings and complements the rural locale. There are no areas of architectural, historic, scientific significance or natural scenic beauty or importance that are within close proximity of the site. However, is located within a Significant Landscape Overlay (SLO).

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The site is capable of accommodating development of this size, including stormwater management. It is anticipated that stormwater management measures will form part of the development in accordance with standard engineering conditions as well as conditions from Goulburn Murray Water.

The proposal is unlikely to result in any environmental implications as the new outbuilding would be suitably sited on the site. It is within a bushfire prone area and construction standards will be assessed as part of a future building permit application. There are otherwise no notable natural hazards that the land is subject to.

No native vegetation removal is proposed as part of this application. The site does not appear to contain any significant native vegetation that may be impacted.

In summary, the proposed development is generally consistent with the zone and overlays purpose's and the relevant decision guidelines.

VICTORIAN CIVIL AND ADMINISTRATIVE TRIBUNAL

No relevant VCAT cases have been identified for this proposal.

CONCLUSION

Planning policy centred on built form, design and character outcomes seeks to protect natural and rural character, and ensure that development is suited to its surrounds. The proposed development would be consistent with the intent of the zoning of the land and appropriate to the area. It is considered to have an acceptable impact on the public realm and adjoining properties. The design, form and scale of the outbuilding sufficiently integrates with the rural landscape character and that of existing development. The development would be sufficiently setback from dwellings not in the same ownership to mitigate any potential impact of the development on abutting properties, considering the siting of existing development on the subject land and the extent of the proposed development. The proposed development would provide a sufficient rural design response, that is generally congruent with rural development typology of the area and considering the subject land's landscape features (including topography, view lines and vegetation cover. It is overall a satisfactory design response having regard to the relevant built form policy.

CONFIDENTIAL ATTACHMENT

The following confidential attachment has been provided to Councillors under separate cover. Recent changes to Section 197A of the *Planning and Environment Act 1997* have clarified and tightened the way Councils are able to make certain planning documents available to the public. The Act provides that the confidential document listed below can only be made available for public inspection:

- at Council offices during business hours, or
- electronically via Council's website subject to strict public availability requirements, requiring significant editing of individual documents.

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Council currently does not have the resources to provide the document online in line with the public availability requirements of the Act, and so is at this stage unable to publish it in the public agenda online.

DECLARATION OF CONFLICT OF INTEREST

Under section 130(2) of the *Local Government Act 2020* and Governance Rule 24, the following officers declare that they have no interests to disclose in providing this report:

- Greg Pinkerton - Director Planning & Corporate Services
- James Turner - Manager Planning & Statutory Services
- Steven Hawkins - Coordinator Planning
- Danieel Matthews - Senior Planning Officer

Attachments

1. PP23-0174 - Planning Application (Confidential)
2.  PP23-0164 - Plans
3.  PP23-0174 - Draft Conditions

UNCONFIRMED

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12. COMMUNITY & ECONOMIC DEVELOPMENT

12.1 RECREATION RESERVE MASTER PLANS: COULSTON PARK RECREATION RESERVE, YACKANDANDAH SPORTS PARK, BARKLY PARK AND ALLENS FLAT WATERHOLE

File No: 2024/65

Penelope McGufficke - Acting Manager
Community Development

Community & Economic Development

For Decision

RECOMMENDATION

That Council:

1. Adopt the recreation reserve master plans for Council owned and managed sites at Coulston Park Recreation Reserve and Yackandandah Sports Park; and
2. Note the recreation reserve master plans for DEECA owned and managed sites at Barkly Park and Allans Flat Waterhole.

RESOLUTION

That Council:

1. Adopt the recreation reserve master plans for Council owned and managed sites at Coulston Park Recreation Reserve and Yackandandah Sports Park; and
2. Note the recreation reserve master plans for DEECA owned and managed sites at Barkly Park and Allans Flat Waterhole.

Moved: Cr Shephard

Seconded: Cr Croucher

For: Crs Peter Croucher, Bernard Gaffney, Sue Gold, Roberta Horne, Sophie Price, Diane Shephard and Emmerick Teissl

Against: Nil

CARRIED

PURPOSE OF REPORT

This report summarises the development process and outcomes for the recreation reserve master plans for the following reserves: Coulston Park Recreation Reserve, Yackandandah Sports Park, Barkly Park Recreation Reserve and Allans Flat Waterhole.

Following the December 2023 Council meeting the draft masterplans were put on exhibition until the 31 January 2024. No further comments were received from the community.

Therefore, this report recommends that Council:

- adopt the recreation reserve master plans for Council owned and managed sites at Coulston Park Recreation Reserve and Yackandandah Sports Park; and
- note the recreation reserve master plans for DEECA owned and managed sites at Barkly Park and Allans Flat Waterhole.

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BACKGROUND

In 2021 Council applied for \$30,000 through Sport and Recreation Victoria's 2021-22 Local Sports Infrastructure Fund Planning Stream to support the development of master plans at recreation reserves at Allans Flat Waterhole, Barkly Park, Coulston Park and Yackandandah Sports Park. Council committed an additional \$40,000 to the successful application bringing the total project budget to \$70,000.

Council own and manage the sites through Council appointed committees of management at Coulston Park Recreation Reserve and Yackandandah Sports Park.

DEECA own and manage the sites through DEECA appointed committees of management at Barkly Park and Allans Flat Waterhole.

The master plans are intended to capture the needs and aspirations of committees, user groups and the broader community, outline the long-term direction for the reserves and detail future infrastructure improvement actions. The master plans provide the strategic direction for the spaces and are intended to support the committees of management in decision making regarding resource allocation and priority project investment. It is intended that the master plans assist in unifying the various user groups and provide a shared understanding of the spaces purpose.

In March 2023 following a Request for Quotation advertisement and assessment process, 'Parks and Recreation Consulting' were engaged to undertake the following scope of works:

- Undertake a brief analysis of each site's catchment area and identify existing and future trends that may impact upon the growth or decline of specific recreation activities, including sustainability of user clubs;
- Identify development priorities for the future planning, development and/or upgrade of existing and/or new recreation facilities within each Reserve in response to identified needs;
- Consider the possible co-location, relocation or rationalisation of existing recreation facilities at each Reserve;
- Review the role of Council and the community in the development and management of recreation infrastructure and the management structures that influence this i.e. what should be the Council's responsibility and what should be the user group/committee of management responsibility;
- Develop a master plan for each site, which links to existing plans and strategies, and is responsive to community expectations, as well as being achievable, realistic and attainable within Council's budgetary framework; and
- Consider environmentally sustainable design and universal design opportunities to increase sustainability and accessibility

DISCUSSION

Indigo Shire Council and Parks and Recreation Consulting developed the following project plan to guide the overall master plan process.

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Process	Actions	Timeline
Background and research	<ul style="list-style-type: none"> Literature revision Situation assessment and review Current site functionality analysis Industry benchmarking and trend review Community profile and participation data analysis Review of previous site investigations, plans and reports, planning overlays, constraints etc Asset condition review (Risk and Compliance) 	April 2023
Consultation	<ul style="list-style-type: none"> Investigate the current and future needs/ issues of the internal key stakeholders Internal officer consultation External stakeholder consultation Broad community consultation 	June 2023
Concept development	<ul style="list-style-type: none"> Strategic scoping assessment and key directions framework (facility inclusions and exclusions) Key Issues Report Concept design response Preliminary cost assessment (indicative cost of Master Plan scope framework) 	August 2023
Draft master plan	<ul style="list-style-type: none"> Develop a draft master plan for the study area, incorporating endorsed concept feedback Site layout overlaid on near map aerial view Review by PCG and EMT (if applicable) Funding strategy assessment Draft Plan Community consultation Revision as required 	October – November
Final master plan	<ul style="list-style-type: none"> Incorporate community feedback Revise Master Plan and design as required for Council report Capital works priority listing Implementation plan including indicative capital costs (revised cost estimate) 	December 2023
Final Consultation	<ul style="list-style-type: none"> Following the December 2023 Council meeting the draft masterplans were put on exhibition for an until the 31 January 2024. No further comments were received from the community. 	December 2023 – January 2024

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OPTIONS

This report recommends adopting the recreation reserve master plans for Council owned and managed sites at Coulston Park Recreation Reserve and Yackandandah Sports Park; and noting the recreation reserve master plans for DEECA owned and managed sites at Barkly Park and Allans Flat Waterhole.

An alternative option available is to not progress the masterplans. This would be likely to result in disappointment from committees, user groups and community members given the investment in developing these strategic documents, this option would also mean that these facilities do not have a masterplan which are significant strategic documents that guide the management and future planning for these types of facilities.

STRATEGIC	CONTEXT
COUNCIL PLAN 2021 – 2025	
Theme	1. Communities
Strategic Objective	1.1 Our community members have access to support services to help them achieve and sustain physical and emotional health and wellbeing.
Strategic Action	1.1.3 Progress the key priorities of the Active Indigo Plan

The Active Indigo Plan details Council’s strategic planning role, including the importance of developing master plans for recreation reserves.

SOCIAL/COMMUNITY IMPLICATIONS

Recreation reserves are important community assets which offer a range of recreational opportunities for the community. These include structured / formal sports as well as passive and active recreation opportunities. Master plans are important strategic documents that ensure the longevity of asset and a future vision for these facilities. The plans also demonstrate Council’s commitment to planning for improvements.

ENVIRONMENTAL IMPLICATIONS

Has been considered throughout the background and research and concept development phases to ensure any plans are in keeping with the natural and built environment at each site.

FINANCIAL IMPLICATIONS

	Approved Budget \$	This Proposal \$	Variance to Approved Budget \$	Comments
Revenue	30,00	30,000	0	SRV Grant
Expense	70,000	70,000	0	
Net Result	(40,000)	(40,000)	0	Council contribution

The total project cost for the development of the four Master Plans was \$70,000. Sport and Recreation Victoria contributed \$30,000 and Indigo Shire Council \$40,000.

Implementation of the Master plans and delivery of the priority projects identified will require substantial funding.

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For the two masterplans at the Council owned and managed sites, specifically at Coulston Park Recreation Reserve and Yackandandah Sports Park, the masterplans will be progressed through a combination of external funding as it becomes available, Committee / User Group contributions and Council funding.

For the two masterplans for DEECA owned and managed, namely Barkly Park and Allans Flat Waterhole the masterplans will be progressed through a combination of external funding as it becomes available, Committee / User Group contributions and potentially, on a case by case basis, Council contributions.

RISK & OPPORTUNITY MANAGEMENT

Description	Likelihood	Consequence	Final Risk Rating	Controls, treatments
Unmet expectations regarding specific inclusions	Unlikely	Minor	Low	All community input will be captured and appropriately incorporated and managed

COMMUNITY ENGAGEMENT

Engagement undertaken

Parks and Recreation Consulting have engaged with the following committees and user groups at each site to develop the draft master plans:

Site	Groups
Coulston Park	<ul style="list-style-type: none"> • Coulston Park Committee of Management • Kiewa Sandy Creek Football Netball Club • Kiewa Cricket Club • Kiewa Valley Bowling Club • Tangambalanga Tennis Club • Tangambalanga Community Centre • State sporting associations • Regional sporting associations • The Department of Energy, Environment and Climate Action (DECCA)
Barkly Park	<ul style="list-style-type: none"> • Barkly Park Committee of Management • Rutherglen Football Netball Club • Rutherglen United Cricket Club

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Site	Groups
	<ul style="list-style-type: none"> Murray Felines Female Football Club State sporting associations Regional sporting associations The Department of Energy, Environment and Climate Action (DECCA)
Allans Flat Waterhole	<ul style="list-style-type: none"> Allans Flat Recreation Reserve Committee of Management Allans Flat Tennis Club Allans Flat Recreation Reserve Community Representatives Albury Wodonga Triathlon Club Yackandandah Fishing Club Gap Flat Landcare Group Allans Flat CFA Osbornes Flat Primary School The Department of Energy, Environment and Climate Action (DECCA)
Yackandandah Sports Park	<ul style="list-style-type: none"> Yackandandah Sports Park Committee of Management Yackandandah Tennis Club Yackandandah Horse Riding Club Yackandandah Cricket Club Yack Tracks (Mountain Bike Club) Yackandandah Scouts Seasonal user groups i.e. gentle exercise, table tennis etc

Additionally, state sporting associations, regional sports assemblies and associations have provided input into projected future demand and infrastructure needs.

Following these direct stakeholder / user group engagements, each 'draft Master Plan' undertook a period of community consultation via Councils Engage Indigo platform and via face to face meetings for each master plan. The dates for these consultations were as follows:

	Consultation Open	Consultation Closed	Face to face consultation
Coulston Park	15 September	6 October	25 September
Barkly Park	29 September	20 October	9 October
Allans Flat Waterhole	13 October	3 November	23 October
Yackandandah Sports Park	10 November	1 December	20 November

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Engagement outcomes

Feedback from stakeholders has included specific recommendations for particular infrastructure improvements at the facility including the following:

Site	Projects
Coulston Park	<ul style="list-style-type: none"> • Social pavilion extension • Male and female change room provisions • Match day shelter and spectator apron additions • Tennis lighting improvements • Netball facility activation • Exercise equipment • Activity and event service connections • Active informal sport play pad • Future lawn bowls clubroom and amenity reconstruction • Landscape improvements
Barkly Park	<ul style="list-style-type: none"> • Female change room provisions • Match day shelter and spectator apron additions • Netball lighting improvements • Netball court addition • Netball facility spectator activation • Exercise equipment • Match day and activity toilets • Active informal sport play pad • Safety fencing improvements • Social clubroom expansion • Landscape improvements
Allans Flat Waterhole	<ul style="list-style-type: none"> • Vegetation supplementation • Walking trail development • Picnic area enhancement • Escarpment protection • Beach entry safety improvements • Traffic and pedestrian movement rationalisation • Wetland water quality enhancement • Pontoon and jetty development • Amenities improvements • Tennis facility improvement

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Site	Projects
Yackandandah Sports Park	<ul style="list-style-type: none"> • Public amenities block • Road alignment and improvement • Pedestrian and traffic separation • Playground development • Pump track development • Cricket net relocation • Mountain bike trail head parking • Outdoor exercise equipment • Equestrian and event amenities improvements

As mentioned previous in this report Council owns and manages the sites through Council appointed committees of management at Coulston Park Recreation Reserve and Yackandandah Sports Park. DEECA own and manage the sites through DEECA appointed committees of management at Barkly Park and Allans Flat Waterhole.

In each instance the Indigo Shire or DECCA appointed committees of management have provided significant input to the development of their respective masterplans.

Following the December 2023 Council meeting the draft masterplans were put on exhibition for an until the 31 January 2024. No further comments were received from the community.

The implementation of the Barkly Park and Allans Flat Waterhole masterplans will require formal permission from DECCA as the land manager.

Engagement proposed

The community will be advised of the outcome of this report via Engage Indigo.

The Committees of each facility will also be advised directly.

The outcome of this report will be communicated to DECCA and the Committees of Management at Barkly Park and Allans Flat Waterhole.

CONCLUSION

The attached draft master plans represent a comprehensive body of work complemented by efficient and effective community consultation to provide a set of high-quality strategic documents. The master plans are built on strong stakeholder engagement and consultation.

The master plans provide the strategic direction for the spaces and are intended to support the committees of management in decision making regarding resource allocation and priority project investment. It is intended that the master plans assist in unifying the various user groups and to provide a shared understanding of the spaces purpose and to detail future infrastructure improvement actions.

This report recommends that Council:

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- adopt the recreation reserve master plans for Council owned and managed sites at Coulston Park Recreation Reserve and Yackandandah Sports Park; and
- note the recreation reserve master plans for DEECA owned and managed sites at Barkly Park and Allans Flat Waterhole.

The outcome of this report will be communicated to all of the facility Committees of Management and DECCA will be advised of the outcomes of this report specific to Barkly Park and Allans Flat Waterhole.

DECLARATION OF CONFLICT OF INTEREST

Under section 130(2) of the *Local Government Act 2020* and Governance Rule 24, the following officers declare that they have no interests to disclose in providing this report:

- Sally Rice – Director Community and Economic Development
- Carlene Lamanna – Former Manager Community Development
- Mark De Campo – Coordinator Community Development

Attachments

1.  Coulston Park Master Plan
2.  Yackandandah Sports Park Master Plan
3.  Barkly Park Master Plan
4.  Allans Flat Recreation Reserve Master Plan

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12.2 INVESTMENT INCENTIVE POLICY (REVIEW)

File No: 2024/61

Sally Rice - Director Community & Economic Development Community & Economic Development

For Decision

RECOMMENDATION

That Council adopts the draft Investment Incentive Policy 2024.

RESOLUTION

That Council adopts the draft Investment Incentive Policy 2024.

Moved: Cr Teissl

Seconded: Cr Gold

For: Crs Peter Croucher, Bernard Gaffney, Sue Gold, Roberta Horne, Sophie Price, Diane Shephard and Emmerick Teissl

Against: Nil

CARRIED

PURPOSE OF REPORT

The existing Investment Incentive Policy was due for review. This report presents to Council the revised draft Investment Incentive Policy (Attachment 1) with a recommendation that it be adopted.

BACKGROUND

The draft Investment Incentive Policy is to supersede, update and modernise the previous version of the same. It seeks to support an economic and business operating environment that encourages future investment which will enable and deliver sustainable economic and growth outcomes for the region.

This draft Policy establishes the framework for to enhance Councils support of businesses including investment attraction and existing business development in the Shire. A range of incentives encourage businesses to invest and do business in the Shire.

New incentive conditions provide more benefit for investment and alignment with sustainability goals. The revised assessment criteria is more comprehensive to ensure appropriate rigor and guaranteed alignment with Council plans.

DISCUSSION

This draft Policy is proposed for use in promoting investment into new business and/or business expansion in the Shire. Projects that utilise new industrial land projects, such as the Forge Court, Tangambalanga and Chiltern Land Projects are prime examples and businesses should be targeted as prospects for these developments and incentivised where appropriate.

The draft Policy and its derived benefits will be promoted via our "Business" Page on Council's website and also discussed directly when enquiries are received directly to the Economic

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Development team and/or flagged via the Planning team. In the case where new projects are being established (e.g. Chiltern Industrial Land Project), the Economic Development Coordinator will work closely with Real Estate consultants and others in targeting new business establishment. The Investment Incentive Policy will act as an important tool to achieve this.

This report seeks Councils endorsement for the draft Policy including the incentives offered and the appropriateness of the delegations. In particular the financial incentives include a waiver of rates payments under certain conditions, a deferral of some or all of the planning and establishment costs and/or discounted property sales where a project is deemed to be substantially beneficial for the local economy.

Other incentives include the Environmental Upgrade Loan which, whilst this is available to all businesses, should be a targeted incentive for particular projects. There are additional conditions to be established for this loan.

RESEARCH AND BENCHMARKING

In revising this Policy, consultation with local business and industry groups was undertaken. Some of this research was also derived through consultation completed as part of the Economic Development Strategy. The IndiGrow Committee, Council’s Economic Advisory Group was also consulted with feedback incorporated into the final Policy.

The Economic Development Team also reviewed a number of Council Policies across Australia to understand the types and amounts of Incentives that were in place in other Councils under certain conditions. A summary of the relevant benchmarks is provided in Attachment 2.

STRATEGIC CONTEXT

COUNCIL PLAN 2021 – 2025	
Theme	3. Prosperity
Strategic Objective	3.1 Our economy is strong and sustainable and local businesses and industry are supported in the post COVID-19 recovery phase and beyond
Strategic Action	3.1.1 Identify, engage and connect recovery support systems, programs and partners

This draft Policy aligns with Council Plan 2021-2025 strategic objective 3.1 “our economy is strong and sustainable and local businesses and industry are supported in the post COVID-19 recovery phase and beyond” and Council’s Economic Development Strategic Plan 2018-2023 strategic objective 2.1 “provide incentives for the attraction of business and investment that diversify and add value to the local economy”.

SOCIAL/COMMUNITY IMPLICATIONS

This draft Policy revision outlines Council’s commitment to support and invest in business in the Shire and its continuing efforts to ensure a strong, sustainable and resilient economy. The draft Policy has been designed to enhance business investors’ confidence in Council’s support and willingness to do business in the Shire.

ENVIRONMENTAL IMPLICATIONS

Applicants for assistance under this draft Policy will be assessed by a panel, made up of Officers with expertise in Economic Development, Planning, Infrastructure and Environmental, plus others as required for specific applications.

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The panel will determine suitability of the project and provide a recommendation about each application. Applications must consider Council’s Sustainability goals and align with Council’s current plan.

FINANCIAL IMPLICATIONS

Implementing this draft Policy will incur indirect labour costs including time allocated by the Economic Development team in fielding enquiries, determining eligibility and reviewing project information. Additionally, indirect labour expenses will be incurred by the panel of Officers in reviewing applications.

There will also be the cost of any waiving of rates, deferred costs and discounted land. This is variable and would be offset by investment by the business into their project / development which will generate additional jobs and economic output for the Shire.

The final decision to provide direct financial assistance through this draft Policy will be made in line with the “INSTRUMENT OF DELEGATION – PROCUREMENT – by Chief Executive Officer”.

LEGISLATIVE IMPLICATIONS

- Local Government Act 2020
- Planning and Environment Act 1987

RISK & OPPORTUNITY MANAGEMENT

Description	Likelihood	Consequence	Final Risk Rating	Controls, treatments
Businesses requesting higher level of financial support	Likely	Minor	Low	Negotiation and additional non - financial support offered
Council seen as favouring particular projects over others	Possible	Moderate	Medium	Application process and assessment panel is transparent.
Lack of resourcing to deliver non-financial support	Likely	Minor	Low	Review the requirement for additional resourcing in business concierge area. Flexing of part time eco dev role. This is likely to occur on major release of industrial land parcels (e.g Chiltern Land)

COMMUNITY ENGAGEMENT

The Policy, once endorsed, will be made available to the Public via Councils website.

CONCLUSION

A Council adopted Investment Incentive Policy will provide support and incentive for new and expanding businesses in the Shire. The draft Policy provides a range of financial and other supportive measures to enhance the Shires ability to assist with economic growth and prosperity and this report recommends that it be adopted by Council.

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DECLARATION OF CONFLICT OF INTEREST

Under section 130(2) of the *Local Government Act 2020* and Governance Rule 24, the following officers declare that they have no interests to disclose in providing this report:

- Sally Rice – Director Community and Economic Development
- Justin Forrester – Economic Development and Investment Coordinator

Attachments

1.  Draft Policy - Investment Incentive Policy - 14 February 2024
2.  Benchmark Investment Incentive Policies

UNCONFIRMED

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13. INFRASTRUCTURE SERVICES

Nil reports

UNCONFIRMED

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14. EXECUTIVE MANAGEMENT

14.1 AUDIT & RISK COMMITTEE - PERFORMANCE SURVEY 2022/2023

File No: 2024/14

Carla Hanlon - Executive Manager People & Governance Executive Management

For Decision

RECOMMENDATION

That Council receives the results of the 2022/2023 Audit and Risk Committee performance survey.

RESOLUTION

That Council receives the results of the 2022/2023 Audit and Risk Committee performance survey.

Moved: Cr Gaffney

Seconded: Cr Shephard

For: Crs Peter Croucher, Bernard Gaffney, Sue Gold, Roberta Horne, Sophie Price, Diane Shephard and Emmerick Teissl

Against: Nil

CARRIED

BACKGROUND:

Section 54 (4) of the Local Government Act 2020 requires the Audit & Risk Committee to undertake an annual assessment of its performance against the Committee's Charter and provide a copy to the Chief Executive for tabling at the next Council Meeting.

An electronic online survey was sent to Committee members and key stakeholders. A detailed summary of responses is attached and an overview of the results follows.

SUMMARY:

Invitations to respond to the survey were sent to 11 participants including Committee Members and Council Officers. A total of seven responses were received. Below shows the distribution of responses across each question together with an overview of the feedback provided. The result shaded in blue was the most frequent response.

Where the weight of distribution has changed from the 2021/22 survey, it is indicated by orange shading (unfavourable change) and pale green shading (favourable change). For example, in the first table, in row 1 there has been a favourable change of distribution towards "Strongly Agree" from "Agree", and in row 2 there has been an unfavourable change of the distribution to "Agree" from the previous year's result of "Strongly Agree".

COUNCIL MEETING MINUTES - 27 FEBRUARY 2024

1. The Audit and Risk Committee Charter

		Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	N/A
1	The Charter clearly articulates the Committee's roles and responsibilities and provides it with the necessary authority to discharge them	5	2				
2	The Charter facilitates and supports the effective operation of the Committee	1	6				
3	During the past year, the Committee has adequately addressed all of its responsibilities as detailed in the Charter	2	4				
4	The Charter ensures the Committee is sufficiently independent from the management of Council	6	1				

Analysis of unfavourable change:

- Minor shift of results which is likely to be due to reduced number of responses.

Recommended Actions:

- 1.1. Confirm legislative requirements in relation to professional indemnity and that they are being met (Risk and Safety Advisor)

2. Skills and Experience

		Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	N/A
5	The Committee has the desired mix of skills to allow it to effectively discharge its responsibilities.	3	4				
6	The Committee has been able to analyse and critically evaluate information presented to it by management.	3	4				
7	There is a process that Committee members can follow to access advice and /or training to improve their skills and knowledge.	4	3				
8	The Committee's collective skills are adequate in light of its responsibilities.	1	6				
9	The Committee has responded appropriately where significant risks and/or control breakdowns have been brought to its attention.	1	5	1			
10	The Committee has shown an openness to new ideas and different views in its deliberations.	3	4				
11	The Committee has been sufficiently probing and challenging in its deliberations.	2	5				

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Analysis of unfavourable change:

- Actions to address the skills matrix and training have yet to be implemented

Recommended Actions:

- 2.1. Invitations for risk/ insurance webinars and other relevant training opportunities that are sent to Council staff to also be sent to Committee members (Risk and Safety Advisor)

3. Understanding the Business

		Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	N/A
12	The Committee has an adequate understanding of Council's: - Risk management framework and risk profile - Internal control framework to mitigate significant risks - Financial and statutory reporting requirements - Legislative compliance requirements	2	5				
13	The Committee receives appropriate briefings on: - Current and emerging business risks - Changes in financial reporting requirements - Changes in performance reporting requirements - Integrity Body reports - Changes in the business/regulatory environment	2	4	1			

Analysis of unfavourable change:

- Nil

Recommended Action Items:

- 3.1. Implementation of reporting on current and emerging risks as per Risk Management Framework and Risk Management Strategy

4. Meeting Administration and Conduct

		Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	N/A
14	The Committee has had an appropriate number of meetings to properly discharge its responsibilities	2	4	1			
15	Agendas are structured to allow sufficient time to discuss all critical issues.	3	3	1			
16	The Committee receives agendas and supporting papers in sufficient time prior to meetings.	3	3	1			
17	Agendas and supporting papers are of sufficient clarity and quality to enable the Committee to make informed decisions.	3	3	1			

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18	Committee meetings are well run and productive.	3	4				
19	Committee minutes are appropriately maintained and provided to Council on a timely basis.	2	5				

Analysis of unfavourable change:

- Minor shift of results which is likely to be due to reduced number of responses.

Recommended Actions:

- 4.1. Where possible identify major issues that may impact the agenda in advance via Engaged Indigo (Risk and Safety Advisor and Committee Members)

5. Communications with Council

		Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	N/A
20	Committee communications to Council about its deliberations and decisions are appropriate.	3	3	1			
21	Committee reports to Council on its activities are appropriate.	3	4				

Analysis of unfavourable change:

- Shift is likely to be partially due to reduced number of responses

Recommended Actions:

Nil

6. Management Commitment and Support

		Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	N/A
22	Information and briefing papers presented by management meet the Committee's expectations in respect of: - Council's risk profile and mitigating actions for key risks - Maintenance of an internal control environment that is effective in mitigating key risks - Management of Council's compliance and regulatory obligations - Council's external reporting requirements	2	5				
23	The Committee has a positive attitude to continuous improvement in its dealings with management.	4	3				

Analysis of unfavourable change:

- Nil

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Recommended Actions:

- 6.1. Implementation of Risk Management Strategy to provide Audit & Risk Committee additional assurance in relation to risk framework, corporate risk profile and mitigating actions for high and extreme Corporate risks.

7. Internal Audit

		Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	N/A
24	The Committee reviewed the internal audit plan.	3	3	1			
25	The Committee considered the adequacy of internal audit resources	3	3	1			
26	The Committee reviewed any significant changes to the internal audit plan.	3	2	2			
27	The Committee considered the performance of the internal audit function	3	3	1			
28	The Committee reviewed all internal audit reports and monitored management responses to recommendations.	4	3				
29	The Committee reviewed the Internal Audit Charter to ensure that appropriate structures, authority, access and reporting arrangements are in place for the internal audit function.	1	4	1			1

Analysis of unfavourable change:

- There has been several delays in the implementation of the internal audit program and in finalisation of internal audit reports due to key staff vacancies and changes in workload.

Recommended Actions:

- 7.1. Reference to Internal Audit Charter to be removed from future surveys as Council does not have one and this information will be included in service agreement with internal auditors in future (Risk and Safety Advisor)

8. External Audit

		Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	N/A
30	The Committee reviewed the external audit plan.	1	4	2			
31	The Committee reviewed external audit reports and management letters and monitored management responses to findings and recommendations made by external audit.	3	1	1			1

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32	The Committee provided feedback on the performance of external audit.	1	3	1			1
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Analysis of unfavourable change:

- Some survey responses relate to the external audit for 2022-23 FY. It should be noted that this survey is designed to reflect activities during 2022-23. During this timeframe the 2021-22 FY external audit was presented at the September 2022 meeting with no delays.

Recommended Actions:

Nil

STRATEGIC	CONTEXT
COUNCIL PLAN 2021 – 2025	
Theme	5. Accountability
Strategic Objective	5.5 Our Councillors and organisation are committed to the highest level of governance practices and conduct.
Strategic Action	5.5.2 Develop and maintain a Governance Schedule to give Council and Community visibility of future legislative requirements

SOCIAL/COMMUNITY IMPLICATIONS

The Audit and Risk Committee provides oversight of key functions of Council assisting it to operate in the best interests of the wider Community.

ENVIRONMENTAL IMPLICATIONS

There are no environmental implications.

FINANCIAL IMPLICATIONS

There are no financial implications.

LEGISLATIVE IMPLICATIONS

Under Section 54 (4) of the Local Government Act, An Audit and Risk Committee must –

- Undertake an annual assessment of its performance against the Audit and Risk Committee Charter; and
- Provide a copy of the annual assessment to the Chief Executive Officer for tabling at the next Council meeting.

RISK & OPPORTUNITY MANAGEMENT

Description	Likelihood	Consequence	Final Risk Rating	Controls, treatments
Failure to meet legislative requirements relating to annual assessment	Unlikely	Minor	Low	<ul style="list-style-type: none"> Annual assessment included in work plan

COUNCIL MEETING MINUTES - 27 FEBRUARY 2024

Description	Likelihood	Consequence	Final Risk Rating	Controls, treatments
Failure to continually improve value of input provided by Audit and Risk Committee	Unlikely	Minor	Low	<ul style="list-style-type: none"> Annual assessment included in work plan Implementation of recommendations made

COMMUNITY ENGAGEMENT

Engagement undertaken

Nil

Engagement outcomes

Nil

Engagement proposed

Nil

CONCLUSION

The 2022/2023 Performance Survey has demonstrated that the Audit and Risk Committee have successfully met the responsibility and accountabilities of its role. The opportunities for improvement identified will build on activities that are already occurring.

DECLARATION OF CONFLICT OF INTEREST

Under section 130(2) of the *Local Government Act 2020* and Governance Rule 24, the following officers declare that they have no interests to disclose in providing this report:

- Carla Hanlon – Executive Manager People and Governance
- Sarie Los – Risk and Safety Advisor

CONFIDENTIAL ATTACHMENTS

The confidential attachments are confidential under section 3(1) f of the Local Government Act 2020 because they contain the personal information of survey respondents.

This section applies because the information contains participants' individual survey responses which were provided to Council in confidence for the purposes of the Audit & Risk Committee's Performance Assessment Survey. Disclosure would be unreasonable as the personal information is not relevant or necessary to the reporting on the performance of the committee.

Attachments

1. Audit and Risk Committee - Performance Assessment Survey Results 2022 - 2023 (Confidential)
2. Audit and Risk Committee - Performance Survey 2022 - 2023 Report (Confidential)

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14.2 COUNCIL PLAN 2023/2024 - QUARTER 2 PROGRESS REPORT

File No: 2024/50

Trevor Ierino - Chief Executive Officer

Executive Management

For Decision

RECOMMENDATION

That Council notes the Quarter 2 2023/2024 Council Plan Progress Report.

RESOLUTION

That Council notes the Quarter 2 2023/2024 Council Plan Progress Report.

Moved: Cr Teissl

Seconded: Cr Shepherd

For: Crs Peter Croucher, Bernard Gaffney, Sue Gold, Roberta Horne, Sophie Price, Diane Shepherd and Emmerick Teissl

Against: Nil

CARRIED

PURPOSE OF REPORT

The purpose of this report is to present the December 2023 (Quarter 2) Quarterly Council Plan progress update.

BACKGROUND

The report provides detailed reporting on the performance against the council plan actions.

The provision of this report is in accordance with the council's legislative responsibilities under *section 97 of the Local Government Act 2000*.

The information included in the quarterly report allows for an assessment of the Council's performance across a range of indices, concluding at the end of the year with the annual report.

The four-year Council Plan is reviewed each financial year and a one-year action plan created to ensure that Council is achieving the priorities identified.

In Quarter 2 of 2023/2024:

- 77 actions (85%) are On Track.
- 1 action (1%) is Behind Schedule.
- 12 actions (13%) are Completed.
- 1 action (1%) is On Hold.

In general, most items (98%) are either 'On Track' or 'Completed'.

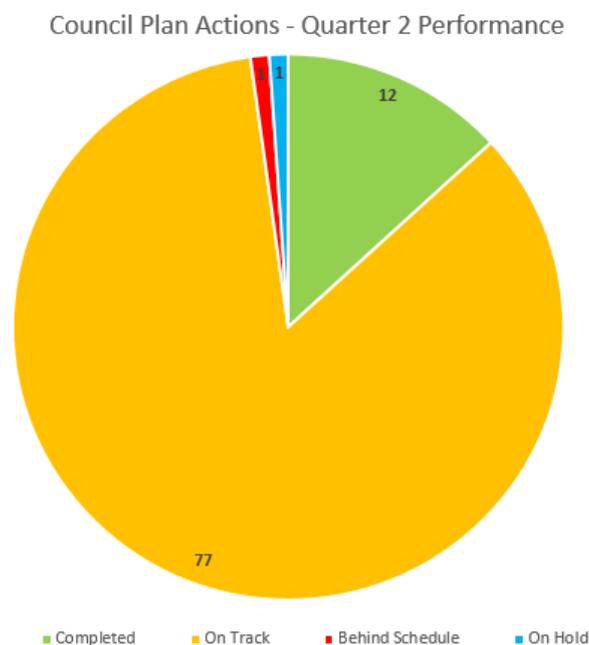
1 action is listed as being "Behind Schedule":

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- 2.6.1 – Council Plan Action: Expand the Shire’s sealed road network in urban and rural areas.

2023/24 Action: Expand the following sealed roads - McLean Street Chiltern; Gordon Street Chiltern; Twist Creek Road Yackandandah; Kars Street Yackandandah; Barkly Street Beechworth and Taylor Street Beechworth.

It is expected that not all of these road sealing projects will be completed by June. Unfinished works to be completed in 2024/25.



The attached spreadsheet provides details of the 2023/2024 actions and the Quarter 2 status of these actions.

DECLARATION OF CONFLICT OF INTEREST

Under section 130(2) of the *Local Government Act 2020* and Governance Rule 24, the following officers declare that they have no interests to disclose in providing this report:

- Trevor Ierino – Chief Executive Officer
- Kathryn Baldock – Executive Assistant CEO & Councillors

Attachments

-  Council Plan Actions 2023-2024 - Quarter 2

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14.3 CONTRACTS AWARDED UNDER CHIEF EXECUTIVE OFFICER DELEGATION - DECEMBER 2023 AND JANUARY 2024

File No: 2024/49

Trevor Ierino - Chief Executive Officer

Executive Management

For Information

The following contracts were awarded by the CEO under delegation, between the values \$250,000 and \$500,000, for the month of December 2023. There were no contracts awarded in January 2024.

Date	Tenderer	Title	Project	Amount
21/12/2023	Farley Pools Pty Ltd	Beechworth Pool Liner		\$282,870.50 (ex GST)
21/12/2023	Positive Electrical Services	Supply and Installation of New Sports Lighting at Baarmutha Park Oval		\$304,255.48 (ex GST)

STRATEGIC CONTEXT

COUNCIL PLAN 2021 – 2025	
Theme	5. Accountability
Strategic Objective	5.5 Our Councillors and organisation are committed to the highest level of governance practices and conduct.
Strategic Action	5.5.2 Develop and maintain a Governance Schedule to give Council and Community visibility of future legislative requirements

DECLARATION OF CONFLICT OF INTEREST

Under section 130(2) of the *Local Government Act 2020* and Governance Rule 24, the following officers declare that they have no interests to disclose in providing this report:

- Trevor Ierino – Chief Executive Officer
- Kathryn Baldock – Executive Assistant CEO & Councillors

Attachments

Nil

COUNCIL MEETING MINUTES - 27 FEBRUARY 2024

14.4 ADVISORY COMMITTEE MINUTES

File No: 2024/21

Carla Hanlon - Executive Manager People & Governance

Executive Management

For Decision

RECOMMENDATION

That Council receives the attached unconfirmed meeting minutes for the following Advisory Committee:

- a) Indigo Shire Community Grants & Awards Advisory Committee
- b) Indigo Shire Cultural Heritage Advisory Committee
- c) Indigo Environment Advisory Committee

RESOLUTION

That Council receives the attached unconfirmed meeting minutes for the following Advisory Committee:

- a) Indigo Shire Community Grants & Awards Advisory Committee
- b) Indigo Shire Cultural Heritage Advisory Committee
- c) Indigo Environment Advisory Committee

Moved: Cr Teissl

Seconded: Cr Horne

For: Crs Peter Croucher, Bernard Gaffney, Sue Gold, Roberta Horne, Sophie Price, Diane Shepherd and Emmerick Teissl

Against: Nil

CARRIED

PURPOSE OF REPORT

The report provides the minutes, recommendations and accompanying officer comments from Council's advisory committees for Council noting and endorsement of Management Recommended Actions.

BACKGROUND

Council currently has seven advisory committees. The role of an advisory committee is to provide information and advice on issues relating to the committee's specific area of expertise (i.e., the Environment Committee provides advice on environmental issues).

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Each advisory committee meets regularly (the frequency of which depends on the committee) and records minutes and resolutions for Council decision. Each resolution reported to this month's meeting is highlighted in the table below and has an accompanying officer comment.

DISCUSSION

COMMITTEE	DATE OF MEETING	RECOMMENDATION	MANAGEMENT RECOMMENDED ACTION
Indigo Shire Community Grants & Awards Advisory Committee	17 November 2023	<p>Christine Dormer to be awarded Citizen of Year.</p> <p>Julie Simpson to be awarded the Rutherglen and District Certificate of Achievement.</p> <p>Valma Chenoweth to be awarded the Chiltern and District Certificate of Achievement.</p> <p>Joelene Humphries to be awarded the Kiewa Tangambalanga District Certificate of Achievement.</p> <p>Colin Harken to be awarded the Barnawartha and District Certificate of Achievement.</p> <p>The Kergunyah Country Women's Association to be awarded Indigo Shire Community Organisation of the Year.</p> <p>Kurt Sorenson to be awarded the Indigo Shire Young Citizen of the Year</p> <p>Reuben Pfahlert to receive the Emma George Junior Sporting Scholarship</p> <p>Thank the Council for the use of the Chiltern Community Hub building.</p>	<p>This recommendation was adopted by Council in a confidential report at the December 2023 Council Meeting. As the Australia Day Awards have now been announced, the minutes are presented via this report.</p>

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COMMITTEE	DATE OF MEETING	RECOMMENDATION	MANAGEMENT RECOMMENDED ACTION
Indigo Cultural Heritage Advisory Committee	30 November 2023	nil	
Indigo Environment Advisory Committee	06 December 2023	nil	

Note: Minutes of Advisory Committee meetings may not be available at the time the agenda is published. Any Minutes not included will be reported in the following month.

STRATEGIC CONTEXT

COUNCIL PLAN 2021 – 2025	
Theme	5. Accountability
Strategic Objective	5.5 Our Councillors and organisation are committed to the highest level of governance practices and conduct.

The provision of advisory committee minutes and resolutions to Council at the monthly meeting ensures that Council considers the advice of the committees. This allows transparent decision-making and highest level of governance practices and conduct.

FINANCIAL IMPLICATIONS

There are no financial implications with this report.

LEGISLATIVE IMPLICATIONS

Council's advisory committees are established by Council but do not have any delegated decision-making powers. Instead, they work under terms of reference and provide advice to Council. The advice occurs in a variety of forms, including advice to relevant Council departments, as well as advice contained within resolutions that are reported to Council.

Some advisory committee meetings are open to the public and some are closed, however all minutes are reported to Council (apart from the Audit & Risk Committee - these meetings are held 'in camera' and the minutes are not available to the public – reporting to Council occurs as per the requirements under the *Local Government Act 2020*).

RISK & OPPORTUNITY MANAGEMENT

Description	Likelihood	Consequence	Final Risk Rating	Controls, treatments
That advisory committee minutes and recommendations are not duly reported to Council, and the utility and confidence of the committees are undermined.	Unlikely	Insignificant	Low	Governance team follow up with officer secretariats to ensure that all meetings are reported to Council as soon as practicable.

COUNCIL MEETING MINUTES - 27 FEBRUARY 2024

CONCLUSION

The advisory committee minutes included in this report are presented to Council for noting.

DECLARATION OF CONFLICT OF INTEREST

In accordance with section 130(2) of the *Local Government Act 2020* and *Governance Rule 24*, the following officers declare that they have no interests to disclose in providing this report:

- Carla Hanlon - Executive Manager People and Governance
- Annabel Harding - Governance Coordinator
- Emma O'Donnell – Governance Officer

Attachments

1.  Community Grants & Awards Advisory Committee - 17 November 2023
2.  Cultural Heritage Advisory Committee - 30 November 2023
3.  Indigo Environment Advisory Committee - 6 December 2023

UNCONFIRMED

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14.5 INFORMAL MEETINGS OF COUNCILLORS RECORDS

File No: 2024/20

Carla Hanlon - Executive Manager People & Governance Executive Management

For Decision

RECOMMENDATION

That Council accepts the attached Informal Meetings of Councillors records.

RESOLUTION

That Council accepts the attached Informal Meetings of Councillors records.

Moved: Cr Croucher

Seconded: Cr Horne

For: Crs Peter Croucher, Bernard Gaffney, Sue Gold, Roberta Horne, Sophie Price, Diane Shephard and Emmerick Teissl

Against: Nil

CARRIED

This report tables the Informal Meetings of Councillors as required under Council's governance rules. Informal Meetings of Councillors Records are only required for meetings closed to the public.

PURPOSE OF REPORT

The report presents Informal Meetings of Councillors records to Council for recording in the minutes in accordance with Governance Rule 72(b)(iii).

BACKGROUND

Governance Rule 70 defines an Informal Meeting of Councillors as:

1. a meeting of an advisory committee of Council, if at least one Councillor is present, or
2. a planned or scheduled meeting of at least half the Councillors and one member of Council staff which considers matters that are intended or likely to be:
 - a. the subject of a decision of the Council; or
 - b. subject to the exercise of a function, duty or power of the Council that has been delegated to a person or a committee.

The Governance Rules specifically excludes the following meetings:

- Council Meetings
- Delegated Committee Meetings
- Community Asset Committee Meetings

Informal meetings of Councillors do not include meetings which are open to the public.

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DISCUSSION

Under Governance Rule 72(b)(iii), the CEO is required to provide a summary of matters discussed at Informal meetings of Councillors, which is to be tabled at the next Scheduled Council meeting and is to be recorded in the minutes.

The attached Informal Meetings of Councillors records are presented to Council for acceptance as summarised in the following table.

MEETING	DATE
Council Briefing	12 December 2023
Council Briefing	5 December 2023
Finance Committee	21 November 2023
Community Grants and Awards Advisory Committee	17 November 2023
Community Grants and Awards Advisory Committee	6 October 2023

NOTE:

The timing of the agenda distribution will sometimes make it difficult to provide a complete month. Please note that any items not included will carry forward to the following month.

STRATEGIC CONTEXT

COUNCIL PLAN 2021 – 2025	
Theme	5. Accountability
Strategic Objective	5.5 Our Councillors and organisation are committed to the highest level of governance practices and conduct.

An Informal Meeting of Councillors record is a mechanism for Councillors and officers to openly declare and report any conflicts that may have arisen during a defined informal meeting of Councillors. This demonstrates to Council and the community that the meetings are conducted with transparency and good governance.

FINANCIAL IMPLICATIONS

There are no financial implications with this report.

LEGISLATIVE IMPLICATIONS

Informal Meetings of Councillors are dealt with under the Governance Rules.

RISK & OPPORTUNITY MANAGEMENT

Description	Likelihood	Consequence	Final Risk Rating	Controls, treatments
That a defined Informal Meeting of Councillors is not reported to Council, and public confidence in transparency is undermined.	Likely	Insignificant	Medium	Regular reminders to officers about the requirement to report defined meetings. Follow up of missing records for known meetings.

COUNCIL MEETING MINUTES - 27 FEBRUARY 2024

CONCLUSION

The Informal Meetings of Councillors records attached to this report are a true and accurate record of all defined meetings reported since the last report to Council.

DECLARATION OF CONFLICT OF INTEREST

In accordance with section 130(2) of the *Local Government Act 2020 and Governance Rule 24*, the following officers declare that they have no interests to disclose in providing this report:

- Carla Hanlon – Executive Manager People & Governance
- Annabel Harding - Governance Coordinator
- Emma O’Donnell – Governance Officer

Attachments

1.  Informal Meeting of Councillors - Council Briefing -12 December 2023
2.  Informal Meeting of Councillors - Council Briefing -5 December 2023
3.  Informal Meeting of Councillors - Finance Committee - 21 November 2023
4.  Informal Meeting of Councillors - Community Grants and Awards Advisory Committee - 17 November 2024
5.  Informal Meeting of Councillors Record - Community Grants and Awards Advisory Committee - 6 October 2023

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14.6 AMENDMENTS TO COUNCIL MEETING SCHEDULE 2024

File No: 2024/81

Carla Hanlon - Executive Manager People & Governance Executive Management

For Decision

RECOMMENDATION

That Council:

1. Cancel the 26 November 2024 Council Meeting; and
2. Move the 17 December 2024 Council Meeting to 10 December 2024 (one week earlier).

RESOLUTION

That Council:

1. Cancel the 26 November 2024 Council Meeting; and
2. Move the 17 December 2024 Council Meeting to 10 December 2024 (one week earlier).

Moved: Cr Horne

Seconded: Cr Gold

For: Crs Peter Croucher, Bernard Gaffney, Sue Gold, Roberta Horne, Sophie Price, Diane Shepherd and Emmerick Teissl

Against: Nil

CARRIED

PURPOSE OF REPORT

To cancel the 26 November 2024 Scheduled Council Meeting and to move the 17 December 2024 Council Meeting date to 10 December 2024 (one week earlier).

BACKGROUND

At the Statutory Meeting in November 2023, the dates for the 2024 Council Meetings were set, including scheduled Council Meetings on the following dates:

- 27 February
- 26 March
- 23 April
- 14 May
- 25 June
- 30 July
- 27 August
- 17 September
- 19 November (Statutory Meeting)

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- 26 November
- 17 December;

It is proposed that the Scheduled Council Meeting on 26 November be cancelled, and the meeting for December be brought forward one week, from 17 to 10 December.

DISCUSSION

The Victorian Local Council Elections will be held on 26 October 2024, and the last meeting of the current Council is scheduled for 17 September, prior to the election (caretaker) period. The election period runs from 24 September to 26 October, and no Council Meetings are held during this time. The elections are conducted by the Victorian Electoral Commission, who expect to have declared all election results by 15 November 2024. Over the course of the following weeks, the new Council will undergo an extensive induction program and various other activities to orient themselves to their new roles.

The length of time between the election and the next Scheduled Council Meeting on 26 November does not allow enough time for the new Council to begin their induction program and be briefed on matters in time for the currently scheduled date of 26 November Council meeting.

It is therefore proposed that the November Council meeting be cancelled to allow additional time. It is also proposed that the scheduled Council meeting for December be brought forward one week from 17 December to 10 December to reduce to gap caused by the cancelling of the November meeting.

There is no change proposed to the Statutory Meeting scheduled for 19 November 2024, at which the Mayor and Deputy Mayor are appointed (along with other items of business).

Options

Council could decide to not cancel the November date and/or change the December date, however this will not allow sufficient time for the new Council to orientate themselves to their roles prior to their first Council meeting. Therefore it is recommended that the dates be adjusted to allow additional time.

STRATEGIC CONTEXT

COUNCIL PLAN 2021 – 2025	
Theme	5. Accountability
Strategic Objective	5.5 Our Councillors and organisation are committed to the highest level of governance practices and conduct.

SOCIAL/COMMUNITY IMPLICATIONS

If adopted, the proposed changes mean that the first Scheduled Council Meeting after the election will be held two weeks later than the proposed dates. It is considered that such a delay would have minimal impact on the community.

ENVIRONMENTAL IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

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LEGISLATIVE IMPLICATIONS

Under section 60(1) a Council must develop, adopt and keep in force Governance Rules in relation to the conduct of Council meetings.

Governance Rule (6) stipulates that the Council (a) Shall fix the day, time and location of all Scheduled Council Meetings for the coming 12 months at the Statutory Meeting; and (b) may, by resolution, alter the day, time and location of any Scheduled Council Meeting.

RISK & OPPORTUNITY MANAGEMENT

Description	Likelihood	Consequence	Final Risk Rating	Controls, treatments
Confusion caused by change of date	Unlikely	Insignificant	Low	New calendar invites to be sent to attendees Meeting dates advertised on the website to be updated

COMMUNITY ENGAGEMENT

Engagement undertaken

Nil

Engagement outcomes

Nil

Engagement proposed

Nil

CONCLUSION

Due to scheduling issues caused by the Local Council Elections for 2024, it is recommended that the November Council Meeting be cancelled and the December Meeting be brought forward by one week to 10 December 2024.

DECLARATION OF CONFLICT OF INTEREST

Under section 130(2) of the *Local Government Act 2020* and Governance Rule 24, the following officers declare that they have no interests to disclose in providing this report:

- Carla Hanlon – Executive Manager People & Governance
- Annabel Harding – Governance Coordinator

Attachments

Nil

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15. NOTICES OF MOTION

Nil reports

UNCONFIRMED

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16. COUNCILLORS REPORT

16.1 MAYOR'S DIARY - DECEMBER 2023 AND JANUARY 2024

For Information

Mayor Price attended the following functions/events/meetings in December 2023 and January 2024.

DATE	TIME	FUNCTION / EVENT / MEETING	LOCATION
5 December	10.00am	Meeting with CEO	Beechworth
5 December	12.00pm	Council Briefing - including CEO Employment and Remuneration Committee	Beechworth
6 December	10.00am	Chiltern Athenaeum Meeting	Chiltern
7 December	6.00pm	Barnawartha Primary School Awards Presentation	Barnawartha
8 December	12.00pm	Hume Region Local Government Network (HRLGN) – Mayor Meeting	Benalla
8 December	1.00pm	Hume Region Local Government Network (HRLGN) – CEO & Mayor Forum	Benalla
11 December	10.00am	Meeting with CEO	Beechworth
12 December	1.00pm	Site Visit – Kiewa Access River Site	Kiewa
12 December	4.00pm	Council Briefing	Beechworth
12 December	6.30pm	Council Meeting	Beechworth
15 December	9.45am	Tallangatta Secondary College Annual Awards Ceremony	Tallangatta
11 January	5.00pm	Rutherglen Bowling Club Reserve Committee – Tri-annual Meeting (Chair)	Rutherglen
16 January	10.00am	Meeting with CEO, Cr Gaffney and Cr Croucher	Beechworth
22 January	10.00am	Meeting with CEO	Beechworth
22 January	10.30am	Meeting with CEO and Executive Manager Engagement & Communications	Beechworth
23 January	2.00pm	Induction for new RCV Committee Members	Online
25 January	1.30pm	Meeting with Coordinator Economic Development and Executives at Nestle/Uncle Tobys	Wahgunyah
26 January	7.30am	Australia Day Celebrations	Barnawartha
26 January	9.45am	Australia Day Celebrations	Chiltern
29 January	10.00am	Australian Citizenship Ceremony	Beechworth
30 January	1.30pm	Meeting with CEO	Beechworth

Attachments
Nil

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17. DECISIONS REGISTER

17.1 DECISIONS REGISTER

File No: 2024/56

Trevor Ierino - Chief Executive Officer

Executive Management

For Information

The report outlines actions from Council Resolutions as at 12 December 2023, including those not previously listed as completed, but not including resolutions to note a report.

Meeting date	Item	Name	Resolution	Status
28-Mar-23	14.2	Audit and Risk Committee - Performance Survey 2021/2022	That Council: 1. Receives the results of the 2021/2022 Audit and Risk Committee performance survey; and 2. Endorses the Mayor to thank the Audit & Risk Committee for their work, at the next scheduled meeting.	Completed
27 June 2023	12.6	Federal Government Growing Regions Program Grant Fund Recommendations	That Council: 1. Supports a Tourism North East application for Indigo Shires <i>Rutherglen Silo Precinct and Community Arts Hub</i> project in the Federal Government Growing Regions Program funding round 2023/2024 (noting the required 90/10 cash co-contribution as per the eligibility criteria if successful) via submitting an Expression of Interest; and 2. Pending feedback on the Expression of Interest referred to in point 1 above, proceed with making a full application; and 3. Endorses a Council application for the <i>Chiltern Destination Playspace</i> project in the Federal Government Growing Regions Program funding round 2023/2024 (noting the required 90/10 cash co-contribution as per the eligibility criteria if successful) via submitting an Expression of	Part 1 completed Part 2 – Tourism North East (TNE) has received an invitation to submit a full application. TNE and Council staff are working together to prepare the full application. Parts 3 & 4 - revoked in July meeting

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Meeting date	Item	Name	Resolution	Status
			Interest; and 4. Pending feedback on the Expression of Interest referred to in point 3 above, proceed with making a full application.	
28 Nov 23	12.4	Closed Circuit Television (CCTV) - Indigo Shire	That Indigo Shire Council purchase two CCTV cameras in the 2024/2025 budget at a cost of no more than \$5,000 per camera. These cameras will be available for installation by Victoria Police Local Area Command across the Shire to keep our communities safe.	Not yet able to be implemented. Hold in register until 24/25 Budget submitted to May 2024 Council meeting
12 Dec - 2023	8	Confirmation of Minutes from Previous Meeting(s)	That the Minutes of the Council Meeting held on 28 November 2023, as published on Council's website, be confirmed.	Completed
12 Dec - 2023	11.1	Rate Cap Variation - 2024/2025	That Council does not seek a rate cap variation for the 2024/25 financial year.	Completed
12 Dec - 2023	11.2	Completion of the Indigo Planning Scheme Review 2023	That Council: <ol style="list-style-type: none"> 1. Endorses the attached Indigo Planning Scheme Review (2023), pursuant to section 12B (1) of the <i>Planning and Environment Act 1987</i>; 2. Authorises the CEO to forward the Indigo Planning Scheme Review 2023 to the Minister for Planning in accordance with section 12B (5) of the <i>Planning and Environment Act 1987</i>; and 3. Notes that this work will now commence on a shire-wide strategy to guide future land use planning and development. 	Completed

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Meeting date	Item	Name	Resolution	Status
12 Dec - 2023	12.1	Recreation Reserve Master Plans - Draft	That Council endorse the draft Master Plans for Coulston Park Recreation Reserve, Yackandandah Sports Park, Barkly Park Recreation Reserve and Allans Flat Waterhole for public exhibition until the 31 January 2024.	Completed
12 Dec - 2023	12.2	Atauro Island Friendship Incorporated - Memorandum of Understanding	<p>That Council:</p> <ol style="list-style-type: none"> 1. Authorises the CEO to sign the Memorandum of Understanding between Indigo Shire Council and the Indigo Shire Atauro Island Friendship Incorporated; 2. Provides continuing Councillor and officer representation for the committee and attendance at meetings; 3. Increase the annual financial contribution to \$4000; and 4. Sends a letter to the committee confirming the ongoing Council commitment to the Committee and thanking them for their work. 	Completed
12 Dec - 2023	14.1	Audit & Risk Committee - Biannual Report - September 2023	<p>The Council:</p> <ol style="list-style-type: none"> 1. Receives the Biannual Report of the Audit and Risk Committee; and 2. Thanks the Committee for its work. 	Completed
12 Dec - 2023	14.2	Report on the Activities and Performance of Community Asset Committees	<p>That Council:</p> <ol style="list-style-type: none"> 1. Receives and notes the report of the activities and performance of Council's Community Asset 	Completed

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Meeting date	Item	Name	Resolution	Status
			<p>Committees;</p> <p>2. Acknowledges the achievements of the Community Asset Committees and the work being undertaken by Council officers to increase the sustainability of Committees into the future; and</p> <p>3. Thanks Community Asset Committee volunteers in writing for their contribution to the management of Council facilities.</p>	
12 Dec - 2023	14.3	Advisory Committee Minutes	<p>That Council receives the attached unconfirmed meeting minutes for the following Advisory Committees and endorses the officer recommendations:</p> <ul style="list-style-type: none"> a) Community Grants & Awards Advisory Committee; b) Indigo Shire Cultural Heritage Advisory Committee; c) IndiGrow Advisory Committee. 	Completed
12 Dec - 2023	14.4	Informal Meetings of Councillors Records	That Council accepts the attached Informal Meetings of Councillors records.	Completed

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18. GENERAL BUSINESS

- Cr Teissl highlighted the need for fire readiness and encouraged members of the community to access the VicEmergency app and the ABC News app for information during the continuing fire season.
- Cr Horne requested a progress report regarding the remaining RRV funds for trucks in Main Street Rutherglen project. Trevor Ierino, Chief Executive Officer responded. This project was to be funded in part by the Federal Government, and in part by the Victorian State Government. After the Federal Government rescinded its portion of the funding, the State Government have in turn been reassessing their commitment to the project, and other projects in the same category. Regional Roads Victoria were looking at options for beautification works to slow (but not remove) trucks and other traffic in Main Street. The Mayor and CEO have been lobbying directly to Minister Horne for the State to continue its funding commitment, however no decision has been made by the State Government yet, on this project or other projects in a similar situation.

Meeting Concluded: 7.44PM

Next Meeting: Tuesday, 26 March 2024 at 6.30pm