

COUNCIL MEETING MINUTES - 16 SEPTEMBER 2024

Vision:

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

HELD: Monday, 16 September 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
	Carla Hanlon	Executive Manager People and Governance

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

Annabel Harding – Governance Coordinator

4. DECLARATION OF CONFLICT OF INTEREST

Cr Shepherd declared a material Conflict of Interest with some open forum questions because she has a family member that is a member of the Beechworth Community Early Years Learning Centre Committee.

Cr Horne declared a general Conflict of Interest with item 12.5, because she is a committee member of the Rotary Club of Rutherglen that is the proposed recipient of a grant.

4A. PROPOSED LATE AGENDA ITEM

The CEO confirmed that he wishes to introduce a Late Business item which is allowed under our Governance Rules. The Director of Corporate and Planning Services confirmed that at the August meeting Council had a planning report (item 11.3) recommending the refusal of a Development Plan at Barkly St Rutherglen. This was withdrawn on the night because the applicant had told officers that they wanted to have both the Development Plan and the planning permit decided at the same time. The report was withdrawn to allow time to do this change. The Director explained that the report is now ready to be presented to Council and to not create further delay it is now proposed to treat the matter as a late item.

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RESOLUTION

That the late Agenda Item for Planning Permit Application PP24-0085 – 53 Barkly Street, Rutherglen, be added to the Agenda under Section 11 – Planning and Corporate Services.

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

5. OPEN FORUM

The Mayor explained that the next set of questions are similar in nature and relate to the occupancy of the Beechworth Early Years Facility at Mayday Hills.

Councillor Shephard left the meeting room at 6.35pm as she declared a Conflict of Interest in relation to the Early Years Services questions being asked as she has a family member that is a member of the Beechworth Community Early Years Learning Centre Committee.

The Mayor explained that she will read all 15 questions and a summary answer will be provided for all questions by Sally Rice, Director Community and Economic Development.

Questioner 1 - Averil Halleur (Nominated Representative was presented – Ben Beatson)

Question 1 - The integrity of some of the data noted within the EOI is questionable and should be verified - has council undertaken due diligence to ensure that all information noted is correct and can be made available to the public?

Question 2 - Beechworth Kindergarten was advised in April of the council's intention to pursue a single occupancy agreement from 2026 onwards, however there was no consultation with the service prior to this.

Equally, post initial correspondence with the relevant person (Justin Forrester) overseeing the proposal, Beechworth Kindergarten was largely unable to get any engagement from council as the said employee was on extended leave until August and then resigned.

In his absence, representatives of Beechworth Kindergarten spoke with Mark De Campo who indicated that he was not close enough to the proposal to answer our questions, and suggested they wait for the project owner to return.

How could such a proposal be put forward and approved when engagement with one of the primary stakeholders has been so minimal and the potential impact to the business' future viability is so great? Also when it is clear that the council representatives now leading the initiative do not fully understand the implications associated with it.

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Question 3 - Beechworth Kindergarten has discussed this proposal at length with the Department of Education and they too have questioned the need/benefit of this EOI for single occupancy. Originally they did indicate their support for our participation in the EOI process, however as per my previous question, we now know that Beechworth Kindergarten is not eligible.

To that end, we have been exploring with DE other potential locations from which to operate out of without success. Any new location will require a minimum of 3 years to receive approval and certification from the VSBA/DE and equally co-location at Beechworth Primary School with a modular building under the state government's new strategy is not possible (even though BPS supports the proposal at a high level) because under the Kindergarten Infrastructure and Services Plan (KISP) Beechworth still has kinder capacity across the three services operating. In brief, it is simply not feasible for Beechworth Kindergarten to relocate to a new premises within the current lease's remaining term. If we are not able to participate in the EOI to remain at the current site, this will mean that Beechworth Kindergarten will be forced to cease operation beyond 2025.

How can council, in good conscience, allow this to happen to the town's oldest and largest kinder provider? We are an essential service to the community and should be shown support from council, not be pushed out the door quite literally.

Questioner 2 – Kayla Collier

My name is Kayla Collier and I wish to re-ask some questions that were not answered at the last council meeting and were not addressed in the response letter sent out on 6th September 2024. These questions relate to the decision made to get expressions of interest for the Early Years building up at Mayday Hills.

Question 1 - The pre-prep roll out, which replaces current 4 year old kindergarten, starts in the Indigo Shire in 2027. This means more funded hours for our children the year before they start their primary school journey. Our family lives in Beechworth and my son will begin his kindergarten journey in 2027 and be eligible for more hours of funded Pre-Prep by 2028 according to the roll out guide. We, like many others in Beechworth, have a preference for sessional kindergarten education, that is not Montessori focussed. How can we ensure sessional kindergarten is protected within Beechworth, in this EOI process, for families like mine, so we don't have to travel to towns like Yackandandah for this type of education for our children? Sessional Kindergarten offerings are not generally a profitable business model, therefore it is a very real possibility that Beechworth could lose this essential choice for their families and I am concerned about this as a mum and as a community member.

Question 2 - In 2024, Beechworth Kindergarten operates at approx. 80% utilisation rate within its sessional hours. In 2025, after consultation with our families, our service will be expanding our hours further to support working families, thereby increasing utilisation further. And finally, based on current enrolment numbers, we do not have sufficient capacity to support the roll out of pre-prep in 2027 - this is a concern we have been attempting to address in our forward planning. Childcare is already at capacity. Given that both services are under pressure already, how can it be suggested that this proposal will provide any long term, sustainable improvements to utilisation of the premises when the floor space remains the same and therefore the number of children who fit in this space is unlikely to have any major increases?

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Would it not be a better option to give the current, Beechworth family run services more time in the current building, while helping Beechworth Kindergarten to relocate and then allowing the Childcare to occupy the full building.

Question 3 - The Beechworth community has made it clear that they believe it is important to keep the different offerings for early childhood education available to those who live here and young families who may wish to move here in the future. How can this EOI process benefit the community when it has the potential to push out two successful, Beechworth family run education and care services, when the possibility of a big city company taking over the lease of this building?

Questioner 3 – Will Collier

My name is Will Collier and I would like to ask the questions regarding the decision that was made to get expressions of interest for the Early Years building at Mayday Hills.

Question 1 - Can you please explain how the EOI process will address the current waitlist for children age 0-3, when the building is already almost at capacity and will be at capacity in 2027 with the current leaseholders?

Question 2 - If one or both current leaseholders are unsuccessful, where will the children from that service go? Will they be guaranteed a space?

Question 3 - Can you please outline the advice the Indigo Shire has sought from the Department of Education regarding this proposal? How will this proposal support the rollout of pre-prep in line with department advice for more places for children aged 4-5?

Questioner 4 – Peter Sprunt

Question 1 - Currently the government funded sessional kindergarten offers places for vulnerable members of the community. This group includes people who identify as Aboriginal or Torres Strait Islanders, refugees or asylum seekers and those who have had contact with Child Protection. As part of the “Sessional Kindergarten” program these families are offered support or are linked in with other services that are identified. Will this much needed support continue if Beechworth Sessional Kindergarten ceases?

Question 2 - The Victorian Government have shown the importance of “Sessional Kindergarten” due to their long-term financial commitment to build new and upgraded “Sessional Kindergartens”. Why is there no mention in the EOI for “Sessional Kindergarten” to be a priority and to continue in Beechworth. Does Indigo Shire believe that families deserve to have this choice?

Question 3 - One year is not enough time to relocate. With council support and additional time for a relocation, this will open up more child care places and will give “Beechworth Kindergarten” time build a new facility that will better support all families into the future. Can Council come together to allow and support this process to happen?

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Questioner 5 – Liana Beatson

My name is Liana Beatson and I am submitting the following three questions as a highly concerned mother, teacher and committee member of Beechworth Kindergarten.

Question 1 - As a volunteer run, non for profit community service, I have considerable concern around many of the constraints for Beechworth Kindergarten within the EOI for Occupancy of Beechworth Early Years Facility at Mayday Hills - particularly in regards to the 'annual rent payable' and 'maintenance'. I feel that many of the occupancy terms have already put Beechworth Kindergarten on the backfoot as a genuine non-for profit entity - what they could offer for rent is going to be substantially less than what a for profit service could pay. The EOI process appears to be a rapacious approach with council forfeiting financial responsibility in terms of supporting early years education in Beechworth. As mentioned (but not minuted in the August Meeting) how does Council intend on 'doing everything it could to find alternate arrangements as quickly as possible?' for the current tenant not successful in securing the EOI.

Question 2 - We are incredibly lucky in Beechworth to have three amazing choices for our kindergarten aged children, with Beechworth Early Years Learning Centre offering as part of long daycare, Montessori offering as part of their Cycle 1 and Beechworth Kindergarten offering a sessional program. We know that there is no one size fits all rule when it comes to education. Different offerings give our families the choice to make a well informed decision for what's in the best interest of their children. While no option is better than another for ALL families within our town, one option will suit a particular family better than another. Other than 'reducing' the waitlist for childcare, how else would it benefit our town to potentially lose the sessional kindergarten option, which currently suits the greatest number of families in Beechworth, when taking current enrolment numbers into account?

Question 3 - With 600 signatures amassed on a petition of support, Beechworth Kindergarten is clearly a valued community asset and a strong education choice for families of our community. How is Indigo Shire Council going to ensure that a sessional kindergarten option continues and exists within the Beechworth community?

RESPONSE to all 5 Questioners – Sally Rice, Director Community and Economic Development
A single response to the above 5 questioners was provided. Sally Rice also confirmed that she will provide individual responses to each person in the following days. Sally responded:

Council has now formally begun the Expression of Interest process that Council resolved to undertake at its August meeting.

This current Expression of Interest process is happening because the existing occupancy agreements are due to expire. Therefore, Council needs to undertake a transparent process to identify the occupants for the next term.

Council regularly undertakes EOI processes. They are a clear and transparent method to occupy and activate public assets. Council uses public, open and transparent processes to invite parties to express their interest in occupying Council Buildings ensuring the greatest outcome for the community.

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This EOI is seeking proposals from the entire sector. Rather than being prescriptive, the EOI is designed to allow interested parties to describe their proposal, including detailing the service to be delivered, the operational model and how the facility will be used and benefit the community.

Council is seeking EOIs from a provider that is responsible for overall service planning and delivery for the entire site. This will not preclude the possibility of multiple entities forming a partnership, or consortium, to provide a range of services from the site. Collaborative EOIs in this form will be welcomed provided there is an overarching governance structure and single point of contact for the entire site. Both of the current occupants are encouraged to participate in the EOI.

The assessment criteria are designed to prioritise benefit to the community and meeting community need. Council understands that a variety of service offerings is important. The EOI is clearly seeking the provision of a Kindergarten and both Short- and Long-Day Childcare and the provision of these services will be a consideration when evaluating the submissions.

The Department of Education and Training is supportive of the EOI process, this includes the EOI documents and criteria.

Current occupants - Council has kept both current occupants and the Department of Education informed about the intention to conduct an EOI process. The current occupants have also been communicated with about the extension of their current occupancy agreements until December 2025.

Beyond that, as the EOI process is competitive, it would be inappropriate for Council to involve a prospective interested party in the design of the process. The EOI has been developed in house by Council staff and is based on their expert knowledge, consultation with the Department of Education and informed by the recent Perkins and Community vibe reports.

EOI details - The EOI specifically seeks evidence of experience and at least two business references. Also, within the criteria the EOI is seeking community benefit. Therefore, there is ample opportunity within the EOI process for local providers, including the current occupants to highlight their unique local attributes.

The EOI does request that applicants indicate their expectation regarding rental payments. This EOI requirement is requested for information, it is not one of the weighted criteria and will not be used to influence the assessment panels recommendation.

Council will support a peppercorn rent applying to any community group and/or not for profit that is successful. Commercial tenants would be charged rent at market value.

In regard to maintenance the obligations described in the EOI are the same as the current existing arrangements. The data used in the EOI is from the Perkins report which is publicly available on Councils website. The Department of Education and Training reviewed the EOI documents and made no suggestions for change.

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After the EOI - Council will not be pre-emptive of the outcome of the EOI process. Having said that, Council is well aware of how critical early years services are to the community. Council also acknowledges it has a role to play in early years services provision through such things as infrastructure planning and development and advocating for children's services and early years strategies.

We agree that future planning, including to accommodate the increased hours of funded pre-Prep will need to continue and Council works with the Department of Education and Training on this.

In the event that one or both of the current occupants are not successful in the EOI Council would strongly encourage the new occupants to honour both current and future enrolments.

Also, in this scenario, if either or both of the current occupants approached Council seeking support for any reason, including a possible relocation, Council would do what it can to provide assistance appropriate to the request.

Councillor Shephard returned to the meeting room at 6.53pm after the questions were answered.

Question 6 – Peter Twigg and Robyn Pfeiffer

Question 1 - Following a letter to Department of Energy, Environment and Climate Action (DEECA) outlining our concerns for the proposed and inappropriate development of a 24-hour service station/truck stop on the corner of the Murray Valley Highway and Federation Way Rutherglen, the Friends of Lake Moodemere, received the following response from Clare Kiely, DEECA Regional Director, Hume.

"I have spoken to Trevor Ierino, CEO of Indigo Shire about your concerns and he noted that you have also been in touch with them. As you will be aware, the planning and permit process for developments is a Shire responsibility and as such, DEECA provides advice to the Council. So, thank you for raising your concerns and I urge you to work closely with Council to understand how they are being addressed"

What we want to know is how Council plans to address our concerns, when we have had no communication from the CEO, Trevor Ierino?

RESPONSE – Greg Pinkerton, Director Planning and Corporate Services

Greg offered to speak with the questioners offline as well as the response to allow for further conversation. The question refers to a letter to DEECA not Council, however it is assumed that the questioner has also made a submission to Council with the same concerns. If not then please send one though to us. All submissions will be considered in the planning process and the relevant planning issues will be reflected in the report that will go before Council for a decision. In addition, Greg explained that the team will hold a focus meeting before this goes to Council. This gives the applicant and submitters an opportunity to discuss any relevant planning aspects.

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Question 2 - At the Indigo Shire Council Meeting on 25th June 2024 Peter Twigg asked if the applicant for the 24-hour service station/truck stop would be required to provide environmental impact statements. Council's response was that they would refer the application to the statutory authorities and specifically referenced both the CMA and DEECA. When will Council make public the advice received from CMA, DECCA and other statutory authorities that assists Council in assessing the application?

RESPONSE – Greg Pinkerton, Director Planning and Corporate Services

Greg explained that referral authorities responses are an important part of the report that will go before Council for a decision. In addition, Greg further explained we will hold a focus meeting before this goes to Council. It is likely that the advice of the referral authorities would be discussed at that meeting.

Question 3 - On 3rd June 2024, Mayor Sophie Price, Councillors Gaffney, Teissl, Horne and Shephard met on the proposed site for the 24-Hour Service Station/Truck Stop with the Friends of Lake Moodmere Group. Our group was advised to contact the relevant statutory authorities to detail our objections to the application and ask for their support. All the statutory authorities have been contacted by the Friends of Lake Moodmere and each statutory authority has referred us back to Council.

Why were we directed to do this when the final decision rests with Council and our elected representatives?

RESPONSE – Greg Pinkerton, Director Planning and Corporate Services

Greg explained there are some areas that are outside the scope of Council. Electricity, catchment management, state roads, sewer, etc. These items are referred to the relevant authorities for their expert advice. If someone wanted to talk about any of these specialist areas Council officers refer to the relevant organisation. However the receipt of community submissions is the task of Councils and therefore it is normal that they would have referred you back to Council for any submissions. I believe that a discussion about the planning process might help to navigate what is happening. Greg again offered to have a chat about the process at some stage and that might help clear things up.

Questioner 7 – Charles Mitchell

Question 1 - Background: In August, the Councillors and the CEO announced the outstanding achievement of 100% completion of the capital works program. This claim appears inconsistent with the Council's identification of over \$11 million in unspent carryover funds for the 2024/25 budget. The originally adopted budget, developed in consultation with the community is the budget. It serves as the only benchmark for reporting by the Victorian Auditor-General's Office. Council is required to comply with Sections 95 and 96 of the Local Government Act 2020 if it wishes to adopt a revised budget if it intends to adjust the budget and use this as a benchmark; however, no such revision was undertaken in the 2023/24 fiscal year.

Question: Could the CEO please clarify how the Council can assert that it achieved 100% completion of its 2023/24 capital works program against the original budget, while simultaneously carrying over 64% of uncompleted projects amounting to millions of dollars? This apparent inconsistency raises concerns about the accuracy and validity of the Council's statements to the community.

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RESPONSE – Ian Ellett, Director Infrastructure Services

Ian explained that Charles has referenced sections 95 and 96 of the Local Government Act in relation to a revised budget. Council did not adopt a revised budget. Section 97 of the Act requires Council to be presented with quarterly budget reports after the end of each quarter. In accordance with section 97, Council received a report at the March Council meeting with presented forecast figures for both the operating and capital budgets. In considering this report, Council accepted the presented financial figures and directed the CEO to report against the forecast figures for the remainder of the financial year. Hence the CEO's comments about the completion rate of the capital works program was measured against the forecast expenditure of around \$12.9 million, as it is every year.

6. COMMUNITY AND COUNCIL ACHIEVEMENTS

Nil

7. CONDOLENCES

Nil

8. CONFIRMATION OF MINUTES FROM PREVIOUS MEETING(S)

RESOLUTION

That the Minutes of the Council Meeting held on 27 August 2024, as published on Council's website, be confirmed.

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

9. BUSINESS ARISING FROM PREVIOUS MINUTES

A response was provided in the Agenda in relation to a question taken notice in relation to environmental testing. The questioner was Robin McLiesh and the response from Ian Ellett – Director of Infrastructure Services was supplied.

In addition, the response provided to each questioner in relation to the EOI of the Beechworth Early Years Facility at Mayday Hills was supplied in the Agenda. Each specific question was repeated in the agenda (including questions from Liana Beatson, Averil Halleur, Kayla Collier, Sandra Knights and Nicky Isaacs) and the post meeting response from Sally Rice – Director Community and Economic Development was supplied.

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10. PETITIONS

10.1 SAVE LAKE MOODEMERE - SAY NO TO 24/7 ROADHOUSE/SERVICE CTR NEXT TO CONSERVATION RESERVE

File No: 2024/879

Greg Pinkerton - Director Planning & Corporate Services Planning & Corporate Services

For Decision

RECOMMENDATION

That Council:

1. Receives the document titled *"Save Lake Moodemere – Say No to 24/7 Roadhouse/Service Ctr Next to Conservation Reserve"*;
2. Notes the document does not comply with the Petition requirements under clause 39(b) of Indigo Shire Council's Governance Rules;
3. Accepts and notes the sentiment of the submitters; and
4. Give further due consideration to the document, as a submission, when it is provided again to Councillors as part of the planning assessment documents prior to Council making a decision at a future meeting.

RESOLUTION

That Council:

1. Receives the document titled *"Save Lake Moodemere – Say No to 24/7 Roadhouse/Service Ctr Next to Conservation Reserve"*;
2. Notes the document does not comply with the Petition requirements under clause 39(b) of Indigo Shire Council's Governance Rules;
3. Accepts and notes the sentiment of the submitters; and
4. Give further due consideration to the document, as a submission, when it is provided again to Councillors as part of the planning assessment documents prior to Council making a decision at a future meeting.

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

1. SUMMARY

A document, intended as a petition, was received on 9 September, 2024 from the Friends of Lake Moodemere group requesting the following:

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As concerned residents, landholders, farmers, environmentalists, indigenous peoples of the land and recreational users we strongly object to a proposed development of a 24/7 Roadhouse/Service Centre to be built on the edge of the Lake Moodemere Conservation Reserve, at the intersection of Federation Way and the Murray Valley Highway, Rutherglen NE VIC.

We all have a deep personal connection to this unique location in Rutherglen. This pristine and precious area is more than just a waterway, it is a sanctuary teeming with endangered species and rich native habitat. Among its residents are the Sunday Creek Platypus colony, the elusive and endangered Rakali, fresh water crays, an intriguing variety of fish species and enchanting birdlife. In these waterways, too, you can find the delicate croak of our local froglets and the silent scamper of countless small critters unseen to the naked eye but so essential to our native biodiversity.

We were therefore devastated and alarmed to learn of this proposed development located adjacent to this haven. Night and day, the operations of a commercial establishment of this nature will undoubtedly produce pollutants and noise that will disrupt the natural habitats of our native wildlife, risking both immediate harm and long-term environmental degradation.

Data from NECMA, Parks Victoria and the DEECA show that many of these species within the conservation reserve are vulnerable &/or seriously endangered, hence it being a conservation reserve! Therefore, any actions disrupting their habitat, such as this proposed development, pose a grave threat to their existence. Our opposition to this development is more than just a fight for the serene beauty of our environment; it's an imperative action to save the wildlife that rely on this habitat.

We are calling on the Indigo Shire Council, the Indigo Shire Planning Department and the relevant statutory authorities NECMA, VIC Roads, Dept of Transport, GM Water to consider their decision wisely. We implore them to prioritise the conservation and protection of this irreplaceable ecosystem over short-term commercial gain.

Please, stand with us in preserving the pristine and vital waterways of Lake Moodemere by signing this petition and show that you care about these natural habitats and the wildlife.

The document is attached, with names and email addresses redacted, in accordance with Governance Rule 39(c). An unredacted copy has been provided to Councillors.

GOVERNANCE RULES - PETITIONS

It is noted that the intended petition does not meet the Council's *Governance Rules* (2024). Specifically:

- The supplied document does not "state the action or remedy sought from Council on every page" (rule 39(b)(v)).
- The supplied document does not "contain the signatures, names and addresses of each petitioner" (rule 39(b)(vii)) or individual email addresses in lieu of this requirement (rule 39(b)(viii))

Despite these inconsistencies with the Governance Rules it is recommended that Council receive and table the attached document and consider the sentiment intended as a petition. However, please note that we are unable to fully identify the numbers of compliant petitioners and the number of compliant petitioners' addresses from inside and outside Indigo Shire as per the Governance Rules.

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Further, under Governance Rules 39(d)(iii) in acknowledging a compliant petition at a Council meeting, 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.

2. OFFICER'S COMMENT

Purpose

The purpose of this section of the report is to provide background information in relation to the document regarding the proposed service station at Rutherglen.

The document contains the following requests of Council:

1. "We are calling on the Indigo Shire Council, the Indigo Shire Planning Department and the relevant statutory authorities NECMA VIC Roads, Dept of Transport, GM Water to consider their decision wisely", and;
2. "We implore them to prioritise the conservation and protection of the irreplaceable ecosystem over short-term commercial gain".

Background

Council has received a Planning Permit application for a service station on the corner of Federation Way and the Murray Valley Highway, Rutherglen. As with all planning applications this is being processed in accordance with the *Planning & Environment Act (1987)*, including an assessment against the *Indigo Shire Planning Scheme*.

At this stage, Council is in the process of assessing the application. This includes referral to the relevant authorities such as the Department of Transport and Planning, North East Catchment Management Authority, etc. Once the process is complete, the final decision will be tabled at a future Council meeting, supported by a planning report that will provide an assessment against the relevant planning scheme requirements.

At this stage, it is not known if the planning assessment will result in a recommendation for approval or a recommendation for refusal.

The process to date has included a public exhibition period that resulted in several submissions. The attached document will be included as a submission and, along with the other submissions, the requests made in this document will be assessed by the planning team for relevant planning considerations. A copy of all submissions (including this document) will be provided to Councillors prior to the final decision being made.

Key Points

In response to the requests made in the document.

- Council takes its planning responsibilities very seriously and assesses all planning applications in accordance with the *Planning & Environment Act (1987)* and the *Indigo Shire Planning Scheme*.

COUNCIL MEETING MINUTES - 16 SEPTEMBER 2024

- Council's planning scheme contains many policy positions that include, environmental considerations as well as amenity, economic development, traffic, and several other relevant clauses. The appropriate clauses of the scheme will be considered in the planning assessment.
- The requests made by the petitioners are noted by Council and this submission will be considered as part of the permit assessment process.
- This document will be provided again to Councillors as part of the assessment documents prior to Council making a decision at a future meeting.

Conclusion

The application for a service station on the corner of Federation Way and the Murray Valley Highway, Rutherglen is progressing through the planning process, and this includes referrals to statutory bodies which will advise Council on their relevant areas of expertise.

When the assessment against the Indigo Shire Planning Scheme is complete, a report (with recommendation) will be provided to a future Council meeting for decision.

The document has been included as a submission to the planning process and will be given due consideration.

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 document.

Attachments

1. Redacted - Petition - Save Lake Mooremere
2. Full Version - Petition - Save Lake Mooremere (Confidential)

COUNCIL MEETING MINUTES - 16 SEPTEMBER 2024

11. PLANNING & CORPORATE SERVICES

11.1 AUGUST 2024 FINANCE REPORT

File No: 2024/864

Sharon Phillips - Acting Manager Finance

Planning & Corporate Services

For Decision

RECOMMENDATION

That Council accepts the August 2024 Finance Report.

RESOLUTION

That Council accepts the August 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 inform Council of the financial position for the 2024/25 financial year to 31 August 2024.

BACKGROUND

Each month Council reports the year to date (YTD) financial result. The year-to-date figures contained within this report and attachments compare the August result against the YTD adopted annual budget.

It is important to note that this report covers the month of August, however as explained in the July report the end of financial year (2023/24) audit is still being finalised, this report should be read as an indicative position, and will not include some of the usual financial graphs and data. Greater clarity will be provided over the next few months as the VAGO audit is completed and Council receives confirmation on 2024/25 opening positions.

DISCUSSION

The income statement shows that Council is \$1.61m favourable on a year-to-date basis compared to the 2024/25 annual budget. This is mainly due to grant income being carried forward from the previous financial year for projects that are not yet complete. This is therefore a timing variance that will reduce as these projects progress.

YTD Financial Position

This monthly report for the 2024/25 financial year provides Council with the following reports and its financial position as at 31st August 2024 including comparison to 2024/25 adopted budget with regards to:

- Income Statement

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- Treasury (cash management)
- Borrowings Table
- Capital Works

August 2024 - Income Statement

Account Group	Year to Date (YTD)				2024/25 Annual Budget	2023-24 YTD Actuals
	YTD Actuals	YTD August Budget	YTD variance \$	YTD variance %		
Income						
Contributions - developer	21,000	-	21,000	0%	20,000	-
Contributions - operating	80,143	15,000	65,143	434%	30,000	71,318
Operating grants	7,106,213	5,700,157	1,406,056	25%	9,291,090	223,806
Interest income	37,343	37,153	190	1%	341,741	31,179
Other revenue	375,526	393,152	(17,626)	(4%)	2,862,709	266,890
Rates & charges	20,079,804	20,013,384	66,420	0%	20,197,135	19,698,768
Reimbursements	38,763	15,862	22,901	144%	76,596	22,226
Statutory fees & fines	136,222	125,666	10,556	8%	1,268,138	166,007
User charges	1,638,224	1,638,662	(438)	(0%)	4,243,329	1,374,412
Total income	29,513,237	27,939,036	1,574,201	6%	38,330,738	21,854,605
Expense						
Borrowing costs	15,752	14,522	(1,230)	(8%)	81,620	6,468
Contract payments	852,417	673,102	(179,315)	(27%)	10,061,788	1,224,285
Depreciation	751,932	751,733	(199)	(0%)	8,928,288	1,266,567
Employee costs	2,705,224	2,995,850	290,626	10%	15,479,630	1,887,987
Materials & consumables	2,424,303	2,387,817	(36,486)	(2%)	5,928,106	2,214,854
Other expenses	713,471	666,057	(47,413)	(7%)	3,139,684	752,356
Utilities	47,196	61,482	14,286	23%	627,785	76,797
Total expense	7,510,294	7,550,564	40,270	1%	44,246,901	7,429,314
Surplus / (deficit)*	22,002,944	20,388,473	1,614,471	8%	(5,916,163)	14,425,292

* 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

Income

Operating Contributions

YTD favourable variance of **\$65k** is due to an unbudgeted contribution of funding for Emergency Management for the project 'Building resilience within the North East Collaboration'.

Operating Grants

YTD favourable variance of **\$1.4m** is due to the following:

COUNCIL MEETING MINUTES - 16 SEPTEMBER 2024

- Internal treatment of Grant income received in the prior financial year was brought forward and accounted for in the month of August. This forms part of our year end process of grant recognition where Council has received a grant payment for services/works where it has been determined that the specific performance obligation has not yet been met and therefore moved into the new financial year.
- Emergency Management grant of \$60k received for Municipal Emergency Resourcing Program 2024-2028 which had not been budgeted for.

Rates & Charges

YTD favourable variance of **\$66k** is due to higher than budgeted Domestic Garbage Collection fees.

Expenditure

Contract Payments

YTD unfavourable variance of **(\$179k)** is made up of a combination of several minor variances with the notable variations being:

- \$67k in emergency management works.
- \$44k in information technology for contract services that relate to a grant that was received in the last financial year (nil cost to Council).
- \$28k in financial management for professional services provided at financial year end.
- \$22k in waste management with the green waste recycling cost being higher than originally budgeted.

Employee Costs

YTD favourable variance of \$291k is, as explained in the July report, a result of the annual end of year accrual process from 30 June reversed in July combined with vacant positions and leave taken in the first two months of the year. Temporary employment contract services are being utilised in the interim and this offsets this favourability. Whilst this is favourable position early in the year, we expect this to reduce towards mid-year.

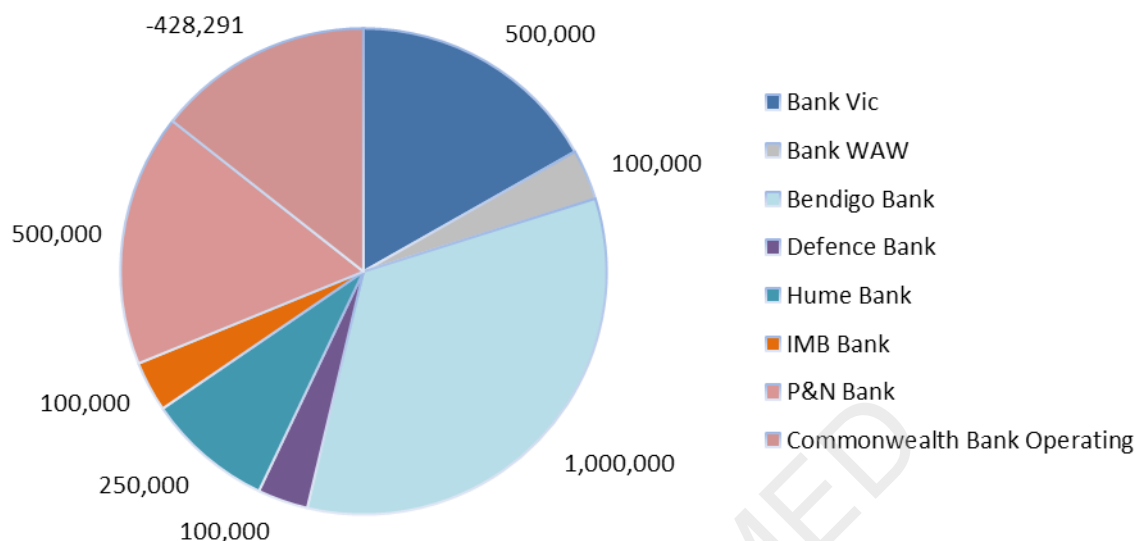
Treasury

Cash Position

Council's Cash position at the end of August was \$2.12 million. This is lower than the same period last year due to the fact that Council received a lower prepayment of the Federal Assistance Grant, combined with timing variations for grant-funded projects.

COUNCIL MEETING MINUTES - 16 SEPTEMBER 2024

Cash & Investments as at 31 August 2024



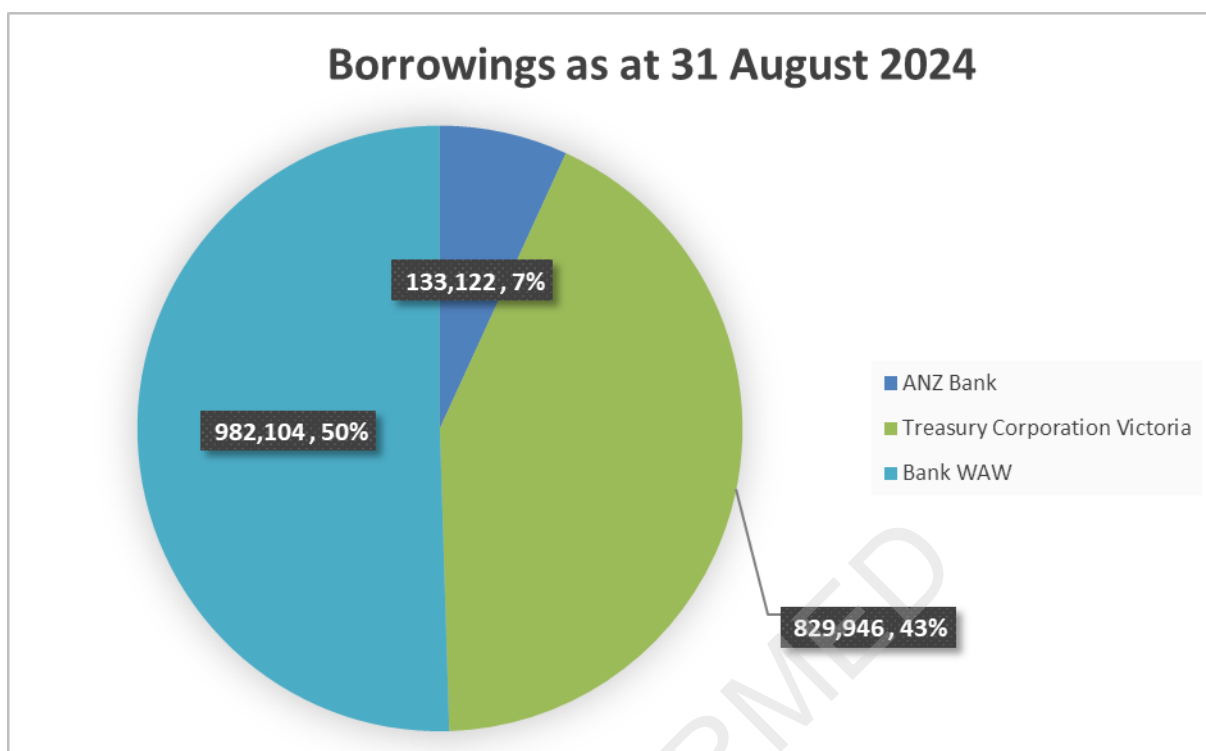
Borrowings

Below is a summary of all Council's borrowings. The table shows original loans borrowed, term of loans, rates and maturity with outstanding balances at the end of August 2024 of \$1,945,172.

Indigo Shire Council - Borrowing Report as at 31 August 2024

Bank	Term - Years	Rate %	Date of Maturity	Original loan amount	Balance owed
ANZ	10	3.78	29/04/2025	1,500,000	133,122
TCV	10	4.15	1/06/2032	1,000,000	829,946
Bank WAW	10	2.08	27/06/2034	1,000,000	982,104
<u>Total of All Borrowings</u>				3,500,000	1,945,172

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Capital Works

The combined YTD project expenditure as at the end of August, across both the Capital Works and Non ISC projects was \$2,042,528 at the end of August. This total is comprised of \$1,957,601 in capital projects and \$84,927 against Non ISC assets. This represents 11.5% of the capital works budgeted program.

COUNCIL MEETING MINUTES - 16 SEPTEMBER 2024

Summary Capital Works Income & Expenditure As at 31 August 2024

	Income	Expenditure	Annual Budget 2024-2025
Property			
Land	-	-	-
Land improvements	-	22,632	-
Total land	-	22,632	-
Buildings	382,275	106,759	745,000
Heritage buildings	8,990	4,891	-
Total buildings	391,265	111,650	745,000
Total property	391,265	134,282	745,000
Plant and equipment			
Plant, machinery and equipment	13,563	408,518	1,184,500
Fixtures, fittings and furniture	-	11,783	-
Computers and telecommunications	-	64,842	-
Library books	21	6,173	-
Total plant and equipment	13,584	491,316	1,184,500
Infrastructure			
Roads	-	81,215	1,149,881
Bridges	559,086	268,680	-
Footpaths and cycleways	182,378	711,491	-
Drainage	-	19,462	412,000
Recreational, leisure and community facilities	-	182,267	-
Parks, open space and streetscapes	68,144	68,888	199,171
Total infrastructure	809,608	1,332,003	1,761,052
Total Capital Works	1,214,457	1,957,601	3,690,552

Summary NON ISC Income & Expenditure As at 31 August 2024

	Income	Expenditure	Annual Budget 2024-2025
Kergunyah Hall	3,519	68,313	-
Chiltern Recreation Reserve	2,425	-	-
Barnawartha Netball/Tennis Courts	-	1,551	-
Yackandandah Golf Club Facility	200,863	2,918	-
Barnawartha Cricket Nets	-	3,823	-
Barkly Park Upgrade Female Change Room	-	7,703	100,000
Allans Flat Waterhole Enhancements	25,000	613	15,000
Butson Park Yack Changerooms	-	-	22,500
Barnawartha Recreation Reserve - Playground	99,050	-	-
Rutherglen Silo Precinct Art Work	-	6	-
Total Projects	330,857	84,927	137,500
Total NON ISC Owned Assets	330,857	84,927	137,500

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

COUNCIL MEETING MINUTES - 16 SEPTEMBER 2024

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.

COUNCIL MEETING MINUTES - 16 SEPTEMBER 2024

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

Each month Council reports on financial performance in the public Council Meeting. This is part of the annual performance planning and reporting cycle that also includes annual budgets (operating and capital), monthly reports, and annual financial and performance reporting.

CONCLUSION

In summary, the second month of the financial year is showing a favourable result compared with Council's YTD budget. This result is mainly due to end of year grants being brought into the current financial year for projects/works that were not completed at the end of the last financial year.

Regardless of the inclusion of the carried forward grants, the overall result for August is still in line with the forecast.

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
- Sharon Phillips – Acting Manager Finance
- Julie O'Leary – Management Accountant

Attachments

1. Service Area Report - August 2024

COUNCIL MEETING MINUTES - 16 SEPTEMBER 2024

11.2 IN-PRINCIPLE ADOPTION OF COUNCIL'S ANNUAL PERFORMANCE STATEMENT AND FINANCIAL STATEMENTS

File No: 2024/853

Sharon Phillips - Acting Manager Finance

Planning & Corporate Services

For Decision

RECOMMENDATION

That Council;

1. Pursuant to Part 4, Division 3, 99 (2) of the *Local Government Act* (2020), approves, in principle, the 2023/2024 Financial Statements and Performance Statement; and
2. Nominates, in accordance with Part 4, Division 3, 99 (3) of the *Local Government Act* (2020), three Councillors, being Mayor Price, Councillor Gaffney and Councillor Croucher, as signatories with authorisation given for any two of the nominated three Councillors to certify the 2023/2024 Performance Statement and Financial Statements (along with the CEO and Principal Accounting Officer) in their final form after any changes recommended, or agreed to, by the auditor have been made.

RESOLUTION

That Council;

1. Pursuant to Part 4, Division 3, 99 (2) of the *Local Government Act* (2020), approves, in principle, the 2023/2024 Financial Statements and Performance Statement; and
2. Nominates, in accordance with Part 4, Division 3, 99 (3) of the *Local Government Act* (2020), three Councillors, being Mayor Price, Councillor Gaffney and Councillor Croucher, as signatories with authorisation given for any two of the nominated three Councillors to certify the 2023/2024 Performance Statement and Financial Statements (along with the CEO and Principal Accounting Officer) in their final form after any changes recommended, or agreed to, by the auditor have been made.

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 seek Council's 'in principle' approval of the annual financial statements and to nominate three Councillors to act as signatories for the final accounts.

BACKGROUND

Council's in-principle approval of the financial statements is a requirement to allow the statements to progress to the Victorian Auditor General's Office (VAGO) for review prior to final sign off by VAGO. Once authorised by VAGO, the statements will be included into Council's Annual Report, presented back to Council in October, and published on Council's website.

COUNCIL MEETING MINUTES - 16 SEPTEMBER 2024

The approval process for the financial statements and performance statement includes several internal iterations in conjunction with the VAGO-appointed audit partner.

The timing of the EOFY process and the monthly Council meeting dictates that Council is always asked to do an initial review of the statements and nominate signatories before the final approval from VAGO. This is why the LGA requirement states that this is done as an 'in principle' endorsement.

Section 99(2) of the LGA (2020):

The Council, after passing a resolution giving its approval in principle to the performance statement and financial statements, must submit the statements to the auditor for reporting on the audit.

Draft financial statements and performance statements are attached.

Following the Council resolution, staff will work with the auditor to finalise the annual statements and submit them to VAGO.

In addition to the VAGO process, Council's Finance Committee and the Audit & Risk Committee will meet in October to review the process and outcomes of the audit. Each of these committees contain Councillor Members and this review is an important part of the governance process. The purpose of each of the committee reviews is:

- Finance Committee: for the purpose of financial analysis and to gain a deep understanding of the statements in order to advise Council if required, and provide procedural oversight.
 - The Finance Committee will consider a recommendation to endorse the financial statements and performance statement.
- Audit and Risk Committee: for the purpose of governance and oversight, and to review the process that has been underway to produce the statements.
 - The Audit and Risk Committee will consider a recommendation to endorse the financial statements and performance statement.
 - The Audit and Risk Committee will meet with the audit partner to gain an understanding of the process and governance used in the EOFY audit.

The review of the statements by Council's external auditor (independently appointed by VAGO) in conjunction with the oversight provided by both the Finance and Audit & Risk Committees ensures that appropriate governance and probity has occurred on these important annual statements.

The final step in the process will be the publishing of the financial and performance statements in the Annual Report. This report will be presented to a Council meeting in October.

DISCUSSION

Following the end of financial year, a large amount of work has been completed to collate, summarise, and audit council's annual Performance Statement and Financial Statements. Both of these documents are attached to this report in draft form.

COUNCIL MEETING MINUTES - 16 SEPTEMBER 2024

In considering the recommended resolution, it is important to note the following:

1. The in-principle authorisation from Council still allows for additional changes that may be required by VAGO to the statements. As such there may still be changes to be made after their review, however the Local Government Act (and VAGO processes) requires that Council passes a supporting resolution and nominates signatories at this stage.
2. The final statements will be presented to Council at a future meeting as part of Council's consideration of the Annual Report.

Council's task is therefore to endorse the financial and performance statements, in principle, at this point in time and authorise that the statements can be submitted to the Auditor General's office once they are considered (by management and the external auditor) to be in their final form.

Once VAGO has given final approval to proceed the statements will require Councillor sign-off. For this reason, three Councillors are suggested to be nominated with only two of whom need to sign the final statements. The nomination of three councillors gives some logistical flexibility for this time-sensitive process.

At Council's Finance Committee meeting on 10/9/24 three Councillors were nominated by the committee as being appropriate signatories for this process. Mayor Price and Councillor Gaffney are both members of the Audit & Risk Committee as well as the Finance Committee and were therefore considered to have appropriate oversight and continuity between Council and these committees. Councillor Croucher was nominated as the backup signatory. These three names have been included in the recommended resolution.

Options

The process for collating and auditing the annual financial statements is a legislative process that is governed by Australian Accounting Standards, the *Local Government Act 2020*, and Victoria's Auditor General.

Council's options in this process are very limited and relate mainly to the timing and use of the Finance Committee and Audit and Risk Committee to add value to the process.

STRATEGIC CONTEXT

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

Not Applicable.

SOCIAL/COMMUNITY IMPLICATIONS

Not Applicable.

ENVIRONMENTAL IMPLICATIONS

There are no environmental implications with this report.

COUNCIL MEETING MINUTES - 16 SEPTEMBER 2024

FINANCIAL IMPLICATIONS

The attached reports are an important part of Council's annual financial and performance reporting cycle, however there are no direct financial impacts from the consideration of the report and statements or the passing of a motion to adopt these statements in principle.

LEGISLATIVE IMPLICATIONS

The adoption of the statements in principle and the nomination of Councillors as signatories to the accounts (after any final changes have been made by VAGO) will allow Council to move forward with this process and acquit its responsibilities under the Local Government Act.

The process used by Council staff in the production of the Financial Statements and the Performance Statement, as well as the format of the documents, is very strictly dictated by the State Government. This ensures consistency between Councils and the ability for ratepayers to make comparisons.

The process of final completion of the finance and performance statements is:

- Preparation of the draft annual finance and performance statements.
- Review of the draft statements by Council's auditor (appointed by VAGO).
- In-Principle approval by Council – This report.
- Advise VAGO of Council's in principle approval.
- Endorsement by Council's Finance Committee.
- Endorsement by Council's Audit and Risk Committee.
- VAGO final sign off (after any final changes required by VAGO).
- Signing of statements by two Councillors.
- Inclusion of statements in Council's Annual Report.
- Council to consider the final annual report at the October meeting.

RISK & OPPORTUNITY MANAGEMENT

The main risk in the preparation of Council's annual finance and performance statements is one of legislative compliance. Due to the extensive process and the oversight of an independent external auditor, Council's Finance Committee and Council's Audit Committee this risk is rated as low. Council staff actively engage in this process each year and dedicate substantial resources to the end of financial year statements.

COMMUNITY ENGAGEMENT

CONSULTATION/COMMUNICATION UNDERTAKEN

Nil

CONSULTATION/COMMUNICATION PROPOSED

The final statements will be published in Council's Annual Report (presented to Council at the October meeting).

COUNCIL MEETING MINUTES - 16 SEPTEMBER 2024

CONCLUSION

The attached statements are now ready for Council for consideration and 'in principle' approval to allow the annual audit process to continue.

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:

- Sharon Phillips – Acting Manager, Finance
- Greg Pinkerton – Director Planning & Corporate Services

Attachments

1. Draft Financial Statements 2023/24
2. Draft Analytical Review
3. Draft Report of Operations_LGPRF_2023-2024
4. Draft Performance Statement_LGPRF_2023-2024_

UNCONFIRMED

COUNCIL MEETING MINUTES - 16 SEPTEMBER 2024

11.3 PLANNING PERMIT APPLICATION PP23-0197 - 5 CRAWFORD STREET, BEECHWORTH

File No: 2024/852

James Turner - Manager Planning & Statutory Services

Planning & Corporate Services

For Decision

RECOMMENDATION

That Council issue a notice of decision to refuse to grant a permit for the use and development of four warehouses and a reduction of car parking requirements under Clause 52.06 on the following grounds:

1. The proposed access crosses Crown land and does not have the consent of the relevant land manager; and
2. Site access cannot be achieved to comply with the decision guidelines of Clause 33.01-4.

RESOLUTION

That Council issue a notice of decision to refuse to grant a permit for the use and development of four warehouses and a reduction of car parking requirements under Clause 52.06 on the following grounds:

1. The proposed access crosses Crown land and does not have the consent of the relevant land manager; and
2. Site access cannot be achieved to comply with the decision guidelines of Clause 33.01-4.

Moved: Cr Gold

Seconded: Cr Croucher

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

Against: Cr Bernard Gaffney

CARRIED

SUMMARY

Application No: PP23-0197

Subject Land: 5 Crawford Street, Beechworth

Proposal: The use and development of four warehouses and a reduction of car parking requirements under Clause 52.06

Recommendation: Refusal in accordance with the Recommendation above.

COUNCIL MEETING MINUTES - 16 SEPTEMBER 2024

BACKGROUND

Date application lodged:	17/10/2023
Purpose:	Seek approval to use and develop the subject site for the purposes of four warehouses and a reduction in car parking requirements under Clause 52.06.
Subject site land area:	2192 square metres.
Current use of subject site:	Vacant land.
Site constraints:	The subject site has a diagonal section of Crown land owned by DEECA to access the east portion of the site.
Surrounding land use:	Industrial and Residential to the north east.
Zoning of surrounding land:	Industrial 1 Zone and General Residential Zone, Schedule 1

PROPOSAL

The proposed application seeks the use and development of four warehouses and a reduction of car parking requirements under Clause 52.06 at 5 Crawford Street, Beechworth. The proposed four warehouses range in size from 210-218 square metres which include a kitchen, office, reception area, toilet and car space at the lower level and additional 37 square metres of mezzanine at the upper level. A total of 1,004 square metres of tenancy area. The warehouses are located on the south side of the property.

Car parking is located to the north side of the site with 14 car parking spaces provided on site including one accessible space. There is a proposed loading zone and waste storage area at the rear of the site behind the warehouses. Proposed access is from Crawford Street along the western boundary of the site. The proposed driveway/access is over Crown land owned by DEECA. Minimal landscaping areas have been proposed along the northern and eastern sides of the site.

COUNCIL MEETING MINUTES - 16 SEPTEMBER 2024

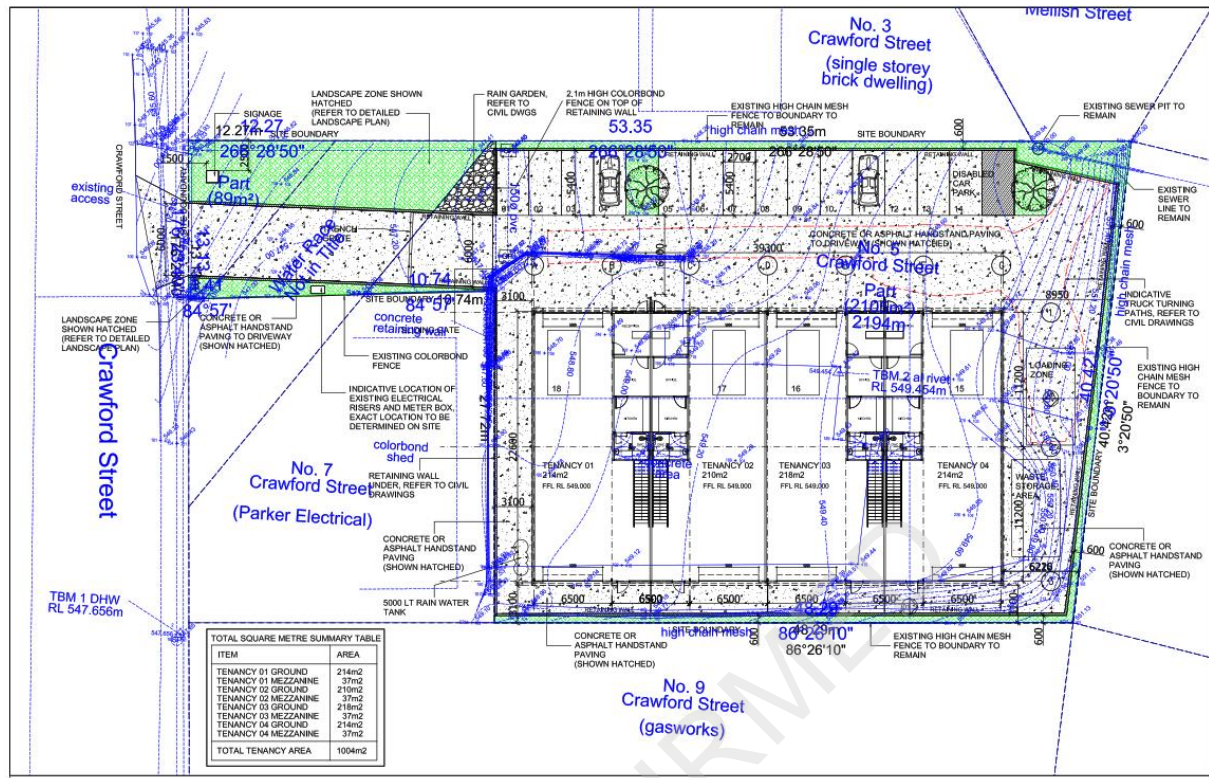
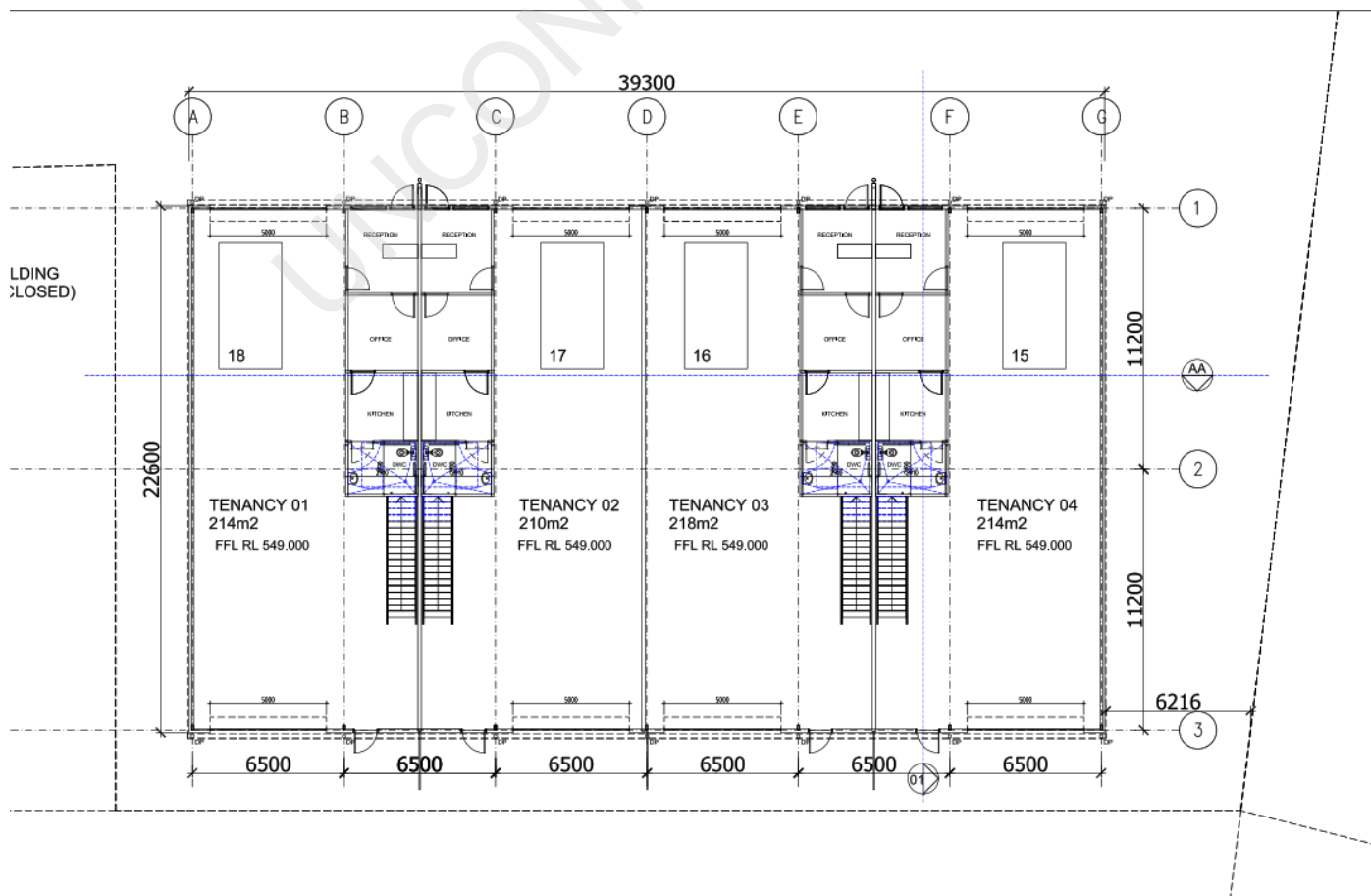


Figure 1 – Proposed Site Plan



COUNCIL MEETING MINUTES - 16 SEPTEMBER 2024

Figure 2 – Proposed Lower Level Plan

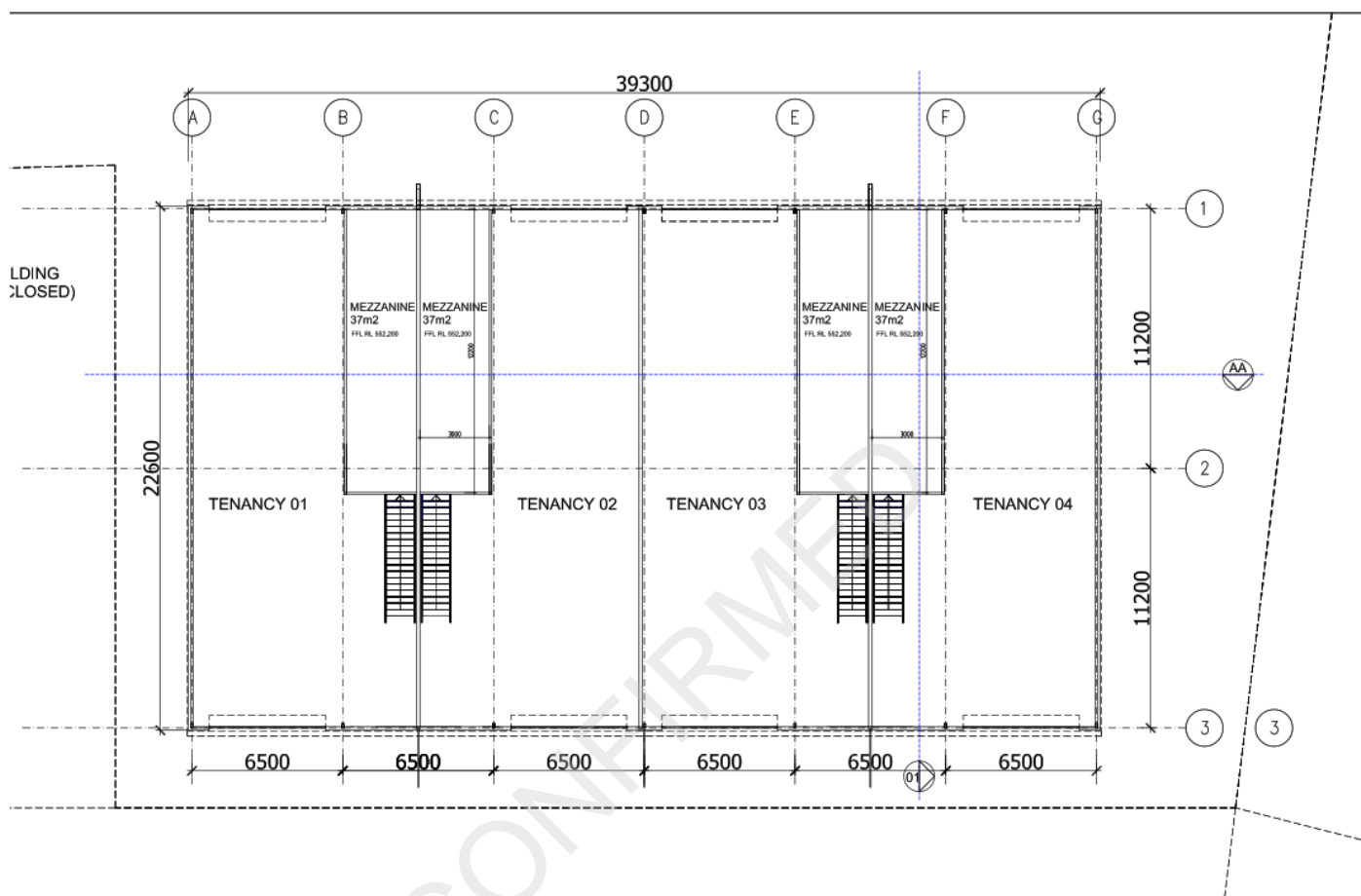


Figure 3 – Proposed Upper Level Plan

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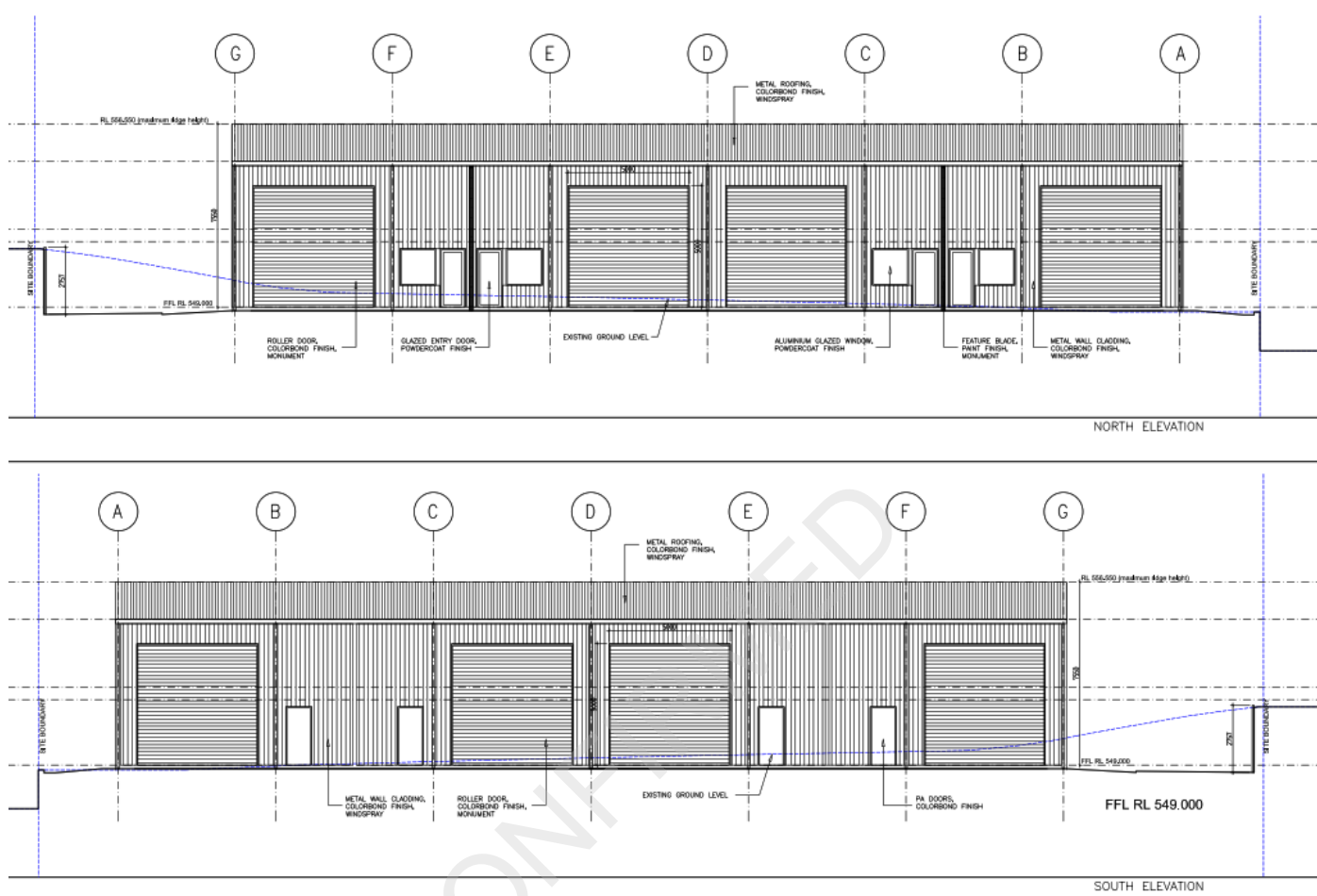


Figure 4 – Proposed Elevation Plans

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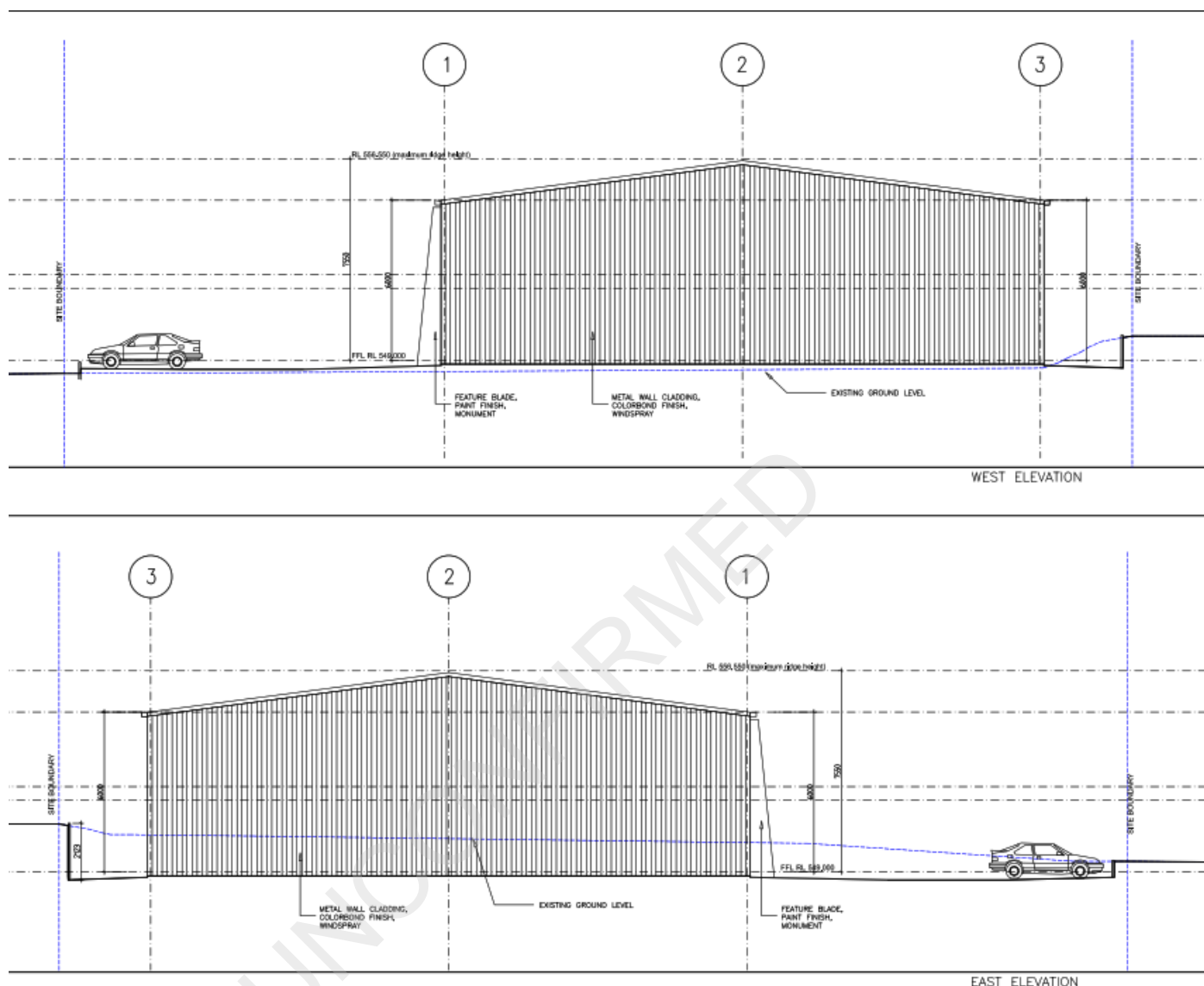


Figure 5 – Proposed Elevation Plans

ZONING AND PLANNING CONTROLS

Zoning: Industrial 1 Zone
 Overlay/s: None Applicable
 Particular Provisions: Car Parking

PERMIT TRIGGER:

INDUSTRIAL 1 ZONE

Pursuant to Clause 33.01, a planning permit is required for the use within 30 metres of residential land and buildings and works for the development of four warehouses.

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Car Parking – Clause 52.06

A planning permit is required to reduce the number of car parking spaces required under Clause 52.06-3.

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.
- (f) any significant social effects and economic effects which the responsible authority considers the use or development may have.

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

- (g) any other strategic plan, policy statement, code or guideline which has been adopted by a Minister, government department, public authority or municipal council;
- ...
- (j) any other relevant matter.

MUNICIPAL PLANNING STRATEGY AND PLANNING POLICY FRAMEWORK

The purpose of policy in planning schemes is to inform planning authorities and responsible authorities of those aspects of 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:

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- 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 Municipal Planning Strategy and 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 02.03-1 – Settlement
- Clause 17 – Economic Development
- Clause 17.03 – Industry
- Clause 17.03-2S – Sustainable industry

PARTICULAR PROVISIONS

Clause 52.06 – Car Parking

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, as appropriate:

- 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.

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- 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

No referrals were necessary under section 55 of the Act.

The application was provided to DEECA for comment under section 52 of the Act, whom objected to the granting of a permit for the proposed works on the following ground:

No legal access exists to the eastern portion of Lot 2 PS739484 where the proposed works and development is to occur. The proposal seeks to develop land owned by the state, and no consent will be granted of this to occur.

The application was referred internally to Council's Asset and Environmental Health Departments whom had no objection 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:

- Stormwater

DISCUSSION

The proposed use and development for warehouses is consistent with the intent of the zoning of the land and appropriate to the area. The warehouses will provide for industrial tenancies at a smaller scale. The design, form and scale of the warehouses sufficiently integrates in the industrial area with similar warehouse buildings existing. The warehouses have been adequately setback from the sensitive residential land to the north and will be located behind 7 Crawford Street, hidden from the streetscape so minimal impact on streetscape character. However, the proposed Monument colour of the warehouses should be amended to a lighter, more neutral colour tone to blend within the area if a planning permit was issued.

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The proposal will not impact on the amenity of the local community with the use being located in an area identified for industrial use and development. The availability of and connection to services can be provided to the site. Car parking has been provided on the northern side of the site. There is landscaping proposed to the boundaries of the site which could be improved and be addressed by condition if a planning permit was issued.

CAR PARKING

There are 14 car parking spaces provided on site including one accessible space along the northern boundary. The Warehouse car parking rate under Clause 52.06 is 2 spaces to each premises plus 1.5 to each 100 square metres of net floor area, see table below:

USE	SIZE	CLAUSE 52.06 CAR PARKING RATE	CAR PARKING REQUIREMENT
Warehouse	856 square metres	2 spaces to each premises plus 1.5 to each 100 square metres of net floor area	20.84 spaces
		TOTAL	20 spaces

The proposed development has a car parking requirement of 20 car spaces with 14 car parking spaces provided on site resulting in a reduction of 6 car parking spaces. A traffic impact assessment prepared by O'Brien traffic dated 15 December 2023 was provided to council who concluded that there was no parking or traffic related grounds to prevent the proposed warehouse development proceeding. Given the 14 car spaces provided on site exceeds the peak parking demand of 10 car spaces and the level of traffic generated by the proposed development is anticipated to have no significant adverse impact on the road network. The reduction in the car parking requirements is considered acceptable in this instance.

ACCESS

DEECA made the following comments on the application:

It is noted on page 4 on the Town Planning Report by Urban Fields Consulting (Oct 2023) that a water race transects the title creating 2 separate parts to the land and the report continues to say that the water race does not appear as any noticeable site constraint for the purposes of access.

The water race in question described as P385359, Crown Allotment 2032 with an area of .0295Ha, is unreserved Crown land managed by DEECA. Therefore, it is not a government road and it does not provide legal access to the eastern portion of Lot 2 PS739484.

An application to purchase portion of this water race was applied for in 2019. Native Title has not been extinguished over this parcel of land and subsequently the proposed sale stalled indefinitely. The land is not saleable under the current Government policy due to a Native Title claim over this land and the outcome of this claim may potentially take 4 – 5 years.

DEECA will not support the sale of the unreserved Crown land (P385359, CA 2032) to create legal access.

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Site access is proposed from Crawford Street along the western boundary however DEECA has objected to the proposal given there is no legal access existing with the diagonal section of Crown land running through the property. Discussions have been had with the applicant regarding alternatives, for example easements over adjoining land, however none are acceptable to the applicant, who has requested Council determine the application.

Site access cannot be achieved for the proposed development, and so it is unable to be approved.

SUBMISSION

This application received one submission in relation to the stormwater. The application was referred to Council's Assets Department whom had no objection to the proposal subject to conditions that address stormwater drainage and engineering design plans to be submitted on any permit issued.

Overall, the proposal would provide for an appropriate and orderly planning outcome for the site if the site access could be resolved. It is therefore recommended that the proposed development be refused based on DEECA's objection.

CONCLUSION

The proposal comprising of the use and development of four warehouses and reduction of car parking requirements under Clause 52.06 is consistent with the relevant provisions of the Planning Policy Framework, as well as the objectives of the Industrial 1 Zone. The proposal is generally consistent with the relevant requirements of the Indigo Planning Scheme.

However, Council cannot grant access for the proposed works and development on DEECA land without their consent. DEECA objected to the grant of a permit for the proposed works with no legal access existing, and as such refusal is required. Therefore, it is recommended that the permit be refused.

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 Corporate Services
- James Turner, Manager Planning & Statutory Services
- Steven Hawkins, Planning Coordinator
- Eliza Connop, Senior Statutory Planner

Attachments

1. PP23-0197 - Application Documents
2. PP23-0197 - Referral Responses

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11.4 PLANNING PERMIT APPLICATION PP24-0085 - 53 BARKLY STREET, RUTHERGLEN

File No: 2024/715

James Turner - Manager Planning & Statutory
Services

Planning & Corporate Services

For Decision

RECOMMENDATION

1. That Council refuse the proposed Development Plan for a two-lot subdivision at Barkly Street, Rutherglen on the following grounds:
 - a. The proposal does not meet the minimum Lot size requirements of 2000sqm as required by the Low Density Residential Zone (Clause 32.03);
 - b. The proposal will negatively impact on the existing subdivision pattern and future development;
 - c. The proposal will not be in-line with the neighbourhood character for the zone/subdivision;
 - d. The proposal does not comply with the standards and objectives outlined within the Indigo Planning Scheme; and
 - e. The proposal does not represent orderly planning of semi-rural residential land that will allow for the excising of the existing dwellings into sized lots.
2. That Council refuse to grant a planning permit for a two-lot subdivision at Barkly Street, Rutherglen on the following grounds:
 - a. The proposed development is not generally in accordance with an approved development plan as required by clause 43.04-2, as no development plan has been approved for the site.

RESOLUTION

1. That Council refuse the proposed Development Plan for a two-lot subdivision at Barkly Street, Rutherglen on the following grounds:
 - a. The proposal does not meet the minimum Lot size requirements of 2000sqm as required by the Low Density Residential Zone (Clause 32.03);
 - b. The proposal will negatively impact on the existing subdivision pattern and future development;
 - c. The proposal will not be in-line with the neighbourhood character for the zone/subdivision;
 - d. The proposal does not comply with the standards and objectives outlined within the Indigo Planning Scheme; and
 - e. The proposal does not represent orderly planning of semi-rural residential land that will allow for the excising of the existing dwellings into sized lots.
2. That Council refuse to grant a planning permit for a two-lot subdivision at Barkly Street,

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Rutherglen on the following grounds:

- a. The proposed development is not generally in accordance with an approved development plan as required by clause 43.04-2, as no development plan has been approved for the site.

Moved: Cr Gold

Seconded: Cr Shephard

For: Crs Sue Gold, Sophie Price and Diane Shephard

Against: Crs Peter Croucher, Bernard Gaffney, Roberta Horne and Emmerick Teissl

LOST

RESOLUTION

1. That Council approve the development plan titled “Proposed Plan of Subdivision 53 Barkly Street Rutherglen”, dated 5 June 2024 and identified as “Rev: A” as the development plan applying to the site under clause 43.04-2 of the Indigo Planning Scheme.
2. That Council grant a planning permit, allowing the re-subdivision of the land into two lots, in accordance with the plan endorsed as the development plan, subject to the following conditions:

Endorsed Plans – Subdivision

1. The subdivision allowed by this permit and shown on the plans endorsed to accompany the permit must not be amended for any reason unless with the prior written consent of the Responsible Authority.

Crossings

2. Any new vehicular access points required and any required existing crossing points not complying with current standards must be constructed at full cost to the applicant/owner at a location, and to a standard, to the satisfaction of the Responsible Authority. A crossing permit must be obtained from the Responsible Authority and levels fixed.

Clause 66.01-1 Mandatory Conditions for Subdivision Permits

3. The owner of the land must enter into an agreement with:
 - a) a telecommunications network or service provider for the provision of telecommunication services to each lot shown on the endorsed plan in accordance with the provider’s requirements and relevant legislation at the time; and
 - a suitably qualified person for the provision of fibre ready telecommunication facilities to each lot shown on the endorsed plan in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.
4. Before the issue of a Statement of Compliance for any stage of the subdivision under the Subdivision Act 1988, the owner of the land must provide written confirmation from:

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- a) a telecommunications network or service provider that all lots are connected to or are ready for connection to telecommunications services in accordance with the provider's requirements and relevant legislation at the time; and
- b) a suitably qualified person that fibre ready telecommunication facilities have been provided in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.

Engineering

- 5. A road built as a common property access or carriageway easement will not be supervised during construction by Indigo Shire Council, does not become a Council asset, and will not be maintained by Council.
- 6. The internal access road to the development sites must be constructed to a minimum all weather standard of;
 - 3m metre pavement width
 - 100 mm compacted depth of crushed rock or gravel suitable for road construction
 - Passing bays every 300m minimum, and as needed to meet line of sight requirements.
 - Longitudinal roadside drains and culverts as required
- 7. Prior to the issuing of the statement of compliance the applicant must construct the concrete vehicle crossings to lots 1 and 2 in accordance with IDM SD 260. Consent for works in the road reserve must be obtained from the Responsible Authority and levels fixed.
- 8. All stormwater emanating from the dwelling must be collected and piped to an approved legal point of discharge. All works to be constructed in accordance with approved plans. A Legal Point of Discharge Permit must be obtained from the Responsible Authority prior to the commencement of any works.

Expiry

- 9. This permit will expire if:
 - a) the plan of subdivision is not certified within 2 years of the date of this permit; or
 - b) the registration of the subdivision is not completed within 5 years of certification.

The Responsible Authority may extend the time if a request is made in writing before the permit expires or within six months of expiry of permit.

Moved: Cr Gaffney

Seconded: Cr Teissl

For: Crs Peter Croucher, Bernard Gaffney, Roberta Horne and Emmerick Teissl

Against: Crs Sue Gold, Sophie Price and Diane Shephard

CARRIED

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SUMMARY

Application No:	PP24-0085
Subject Land:	53 Barkly Street Rutherglen
Proposal:	Development plan and planning permit for a two lot subdivision.
Recommendation:	Refusal in accordance with the recommendation above.

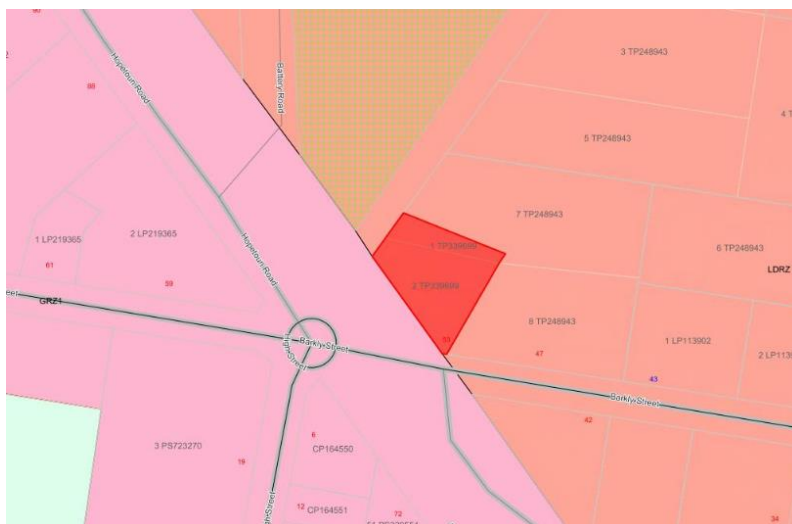
BACKGROUND

Date application lodged:	13/05/2024
Purpose:	Seek approval of a Development Plan to subdivide the land for the purposes of future development. Seek a planning permit consistent with the development plan for subdivision of the land.
Subject site land area:	The subject site is 2724sqm
Current use of subject site:	Single dwelling and associated outbuildings
Site constraints:	The site is located on a four (4) way roundabout, that requires the creation of a carriage way easement to be implemented to access to proposed lot. Additionally, the proposed lot appears to abut a future road that will service the neighbouring lots.



Surrounding land use:	The site is surrounded by larger residential lots.
Zoning of surrounding land:	The site is surrounded by larger Low Density Residential lots to the north and east and General Residential lots to the south and west.

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PROPOSAL

The proposed development plan is proposing to re-subdivide the land into two allotments to facilitate the potential construction of a new dwelling on Proposed Lot 2. Access to the proposed lots will be via a carriageway easement in favour of Lot 2 from the existing accessway.



ZONING AND PLANNING CONTROLS

Zoning: Clause 32.03 - Low Density Residential Zone (LDRZ)

Overlay/s: Clause 43.04 – Development Plan Overlay Schedule 3 (DPO3)

Site Context: The land is located approximately 1km north of the town centre.

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Copy of title: Lots 1 and 2 on Title Plan 339699X
Parent titles:
Volume 07856, Folio 028
Created by instrument A002669 07/07/1955

Encumbrances: N/A

PERMIT TRIGGER

A development plan is required for the site in accordance with clause 43.04-3 of the *Indigo Planning Scheme* before any planning permits are granted.

A planning permit is required in accordance with clause 32.03-3 of the *Indigo Planning Scheme* for subdivision of land.

Normally, the subdivision to create lots less than the zone minimum would be prohibited, however an exemption allowing re-subdivision of lots applies in this case.

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 AND LOCAL PLANNING POLICY

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.

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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:

Settlement

Clause 11.01-1S – Settlement

Clause 11.01-1R – Settlement Hume

Clause 11.01-1L-02 – Rutherglen

Built Environment and Heritage

Clause 15.01-3S – Subdivision design

Clause 15.01-5S – Neighbourhood character

Housing

Clause 16.01-1S – Housing supply

Planner comments:

The proposed Development Plan is not in line with the state and local policies as the proposal would permit a subdivision not in keeping with the existing neighbourhood character, subdivision design and future development intent of the area. Additionally, the proposal goes directly against the intent of the zone.

The proposed planning permit is not in line with the requirements of the state and local planning policies for the same reasons.

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PARTICULAR PROVISIONS

Clause 52.02 - Easements, Restrictions and Reserves:

Clause 52.02 sets out specific matters relating to enable the removal and variation of an easement or restrictions to enable a use or development that complies with the planning scheme after the interests of affected people are considered.

This section specifies that a permit is required before a person proceeds:

- *Under Section 23 of the Subdivision Act 1988 to create, vary or remove an easement or restriction or vary or remove a condition in the nature of an easement in a Crown grant.*
- *Under Section 24A of the Subdivision Act 1988.*
- *Under Section 36 of the Subdivision Act 1988 to acquire or remove an easement or remove a right of way.*

This does not apply:

- *If the action is required or authorised by the schedule to this clause.*
- *In the circumstances set out in Section 6A(3) of the Planning and Environment Act 1987.*
- *If the person proceeds under Section 362A of the Land Act 1958.*
- *In the case of a person proceeding under Section 36 of the Subdivision Act 1988, if the council or a referral authority gives a written statement in accordance with Section 36(1)(a) or (b) of the Subdivision Act 1988.*

*In this clause, **restriction** has the same meaning as in the Subdivision Act 1988.*

The application and planning report satisfy the requirements of this clause.

Planner comments:

The proposed development plan and planning permit have been referred to Councils Infrastructure department for comments. Infrastructure has no objection to the proposed easement subject to conditions on the permit.

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:

Clause 65.01 Decision Guidelines	Assessment of Current Proposal
The matters set out in Section 60 of the Scheme	The current proposal fails to meet the objectives and strategies of the Indigo Planning Scheme. The development plan will have a negative effect on the Rutherglen area.
Planning Policy Framework, including the Municipal Strategic Statement and local	The current proposals are not consistent with the SPPF and LPPF.

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planning policies.	
The purpose of the zone, overlay or other provision and any matter required to be considered in the zone, overlay or other provision.	The proposed Development Plan cannot provide the lot size encouraged under the LDRZ.
The orderly planning of the area.	The proposed Development Plan will see the land reconfigured. This reconfiguration will require the creation of an easement to access the lot. The small sizes of the lots would set a precedent for the area that lots less than the zone minimum are acceptable.
The effect on the amenity of the area.	The subdivision will have minimal effect on the amenity of the area.
The proximity of the land to any public land.	The subject site is not located close to any public land, other than the road reserve. The impacts on the road reserve have been considered by Council's assets team.
Factors likely to cause or contribute to land degradation, salinity or reduce water quality.	There are no factors relating to the current application which will 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 proposed development will not affect the quality of stormwater in and out of the site.
The extent of character of native vegetation and the likelihood of its destruction.	The proposal does not require the removal of any native vegetation.
Whether native vegetation is to be or can be protected, planted or allowed to regenerate.	The proposal will have no impact on native vegetation.
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.	No hazards have been identified above the normal background urban risk.
The adequacy of loading and unloading facilities and any associated amenity, traffic flow and road safety impacts.	N/A.
The impact the use or development will have on the current and future development and	N/A.

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operation of the transport system.	
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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:

Clause 65.02 – Applies to Subdivision	Response
The suitability of the land for subdivision	The provisions of the zone discourage subdivision at the requested lot sizes.
The existing use and possible future development of the land and nearby land	The site is not appropriate for future development given its zoning, size and neighbourhood character and that it adjoins other residential lots of a similar sizes.
The availability of subdivided land in the locality and the need for the creation of further lots	There is a need for residential lots in the Low Density Residential Zone within Rutherglen however, must be in line with the minimum lot size requirements.
The effect of development on the use or development of other land which has a common means of drainage	The subdivision will have no adverse effects on drainage and should a permit be issued drainage design would have to meet Council requirements.
The subdivision pattern having regard to the physical characteristics of the land including existing vegetation	The subdivision does not respond well to the physical characteristics of the site.
The density of the proposed development.	The proposed density is not consistent with other developed lots given the low density zoning.
The area and dimensions of each lot in the subdivision	The areas and dimensions of the proposed lots are sufficient to accommodate development of the land for residential uses.
The layout of roads having regard to their function and relationship to existing roads	Roads are not proposed.
The movement of pedestrians and vehicles throughout the subdivision and the ease of access to all lots	An easement is required to access the lot
The provision of and location of reserves for public open space and other community facilities.	Not applicable.
The staging of the subdivision	N/A
The design and siting of buildings having regard	N/A

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to safety and the risk of spread of fire.	
The provision of off street parking	Each lot is of sufficient area to accommodate off street parking.
The functions of any Body Corporate	N/A
The availability and provision of utility services, including water, sewerage, drainage, electricity and gas	Given the location of the site there is adequate provision of utility services. Easements can be created to protect assets and ensure supply.
The size of each lot has more than adequate area to allow for disposal by absorption methods within lot boundaries.	Not applicable as sewer available
Whether, in relation to subdivision plans, native vegetation can be protected through subdivision and siting of open space areas.	Native vegetation will not be impacted
The impact the development will have on the current and future development and operation of the transport system.	No anticipated impact.

Based on the decision guidelines, re-subdivision is not supported, and the land should be consolidated. If the applicants wish to revisit this proposal, it should be in the context of the whole of the Low-Density precinct bounded by Barkly Street, Bartley Road, Waldrons Lane and Humphreys Road.

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 – Assets team

Responses received recommend approval subject to conditions.

PUBLIC NOTICE

Informal public notice of the application was given to adjoining owners and occupiers and other relevant persons. As the application is for a development plan, there are no formal notification procedures prescribed by the act or regulations.

Due to the operation of the Development Plan Overlay, the planning permit is exempt from public notice and review.

Zero (0) submissions were received in response.

DISCUSSION

The proposed Development Plan for the future subdivision of the subject site fails to meet the minimum lots size required by the Low Density Residential Zone. The Low Density Residential Zone states:

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Clause 32.03 – Low Density Residential Zone (LDRZ)

The purpose of this zone is:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To provide for low-density residential development on lots which, in the absence of reticulated sewerage, can treat and retain all wastewater.*

The permit trigger is at clause 32.03-3 and states:

A permit is required to subdivide land.

Each lot must be at least the area specified for the land in a schedule to this zone. Any area specified must be at least:

- *0.4 hectare for each lot where reticulated sewerage is not connected. If no area is specified each lot must be at least 0.4 hectare.*
- *0.2 hectare for each lot with connected reticulated sewerage. If no area is specified each lot must be at least 0.2 hectare.*

A permit may be granted to create lots smaller than 0.4 hectare if the subdivision:

- *Excises land which is required for a road or a utility installation.*
- *Provides for the re-subdivision of existing lots and the number of lots is not increased.*

A permit must not be granted which would allow a separate lot to be created for land containing a small second dwelling.

Planner comments:

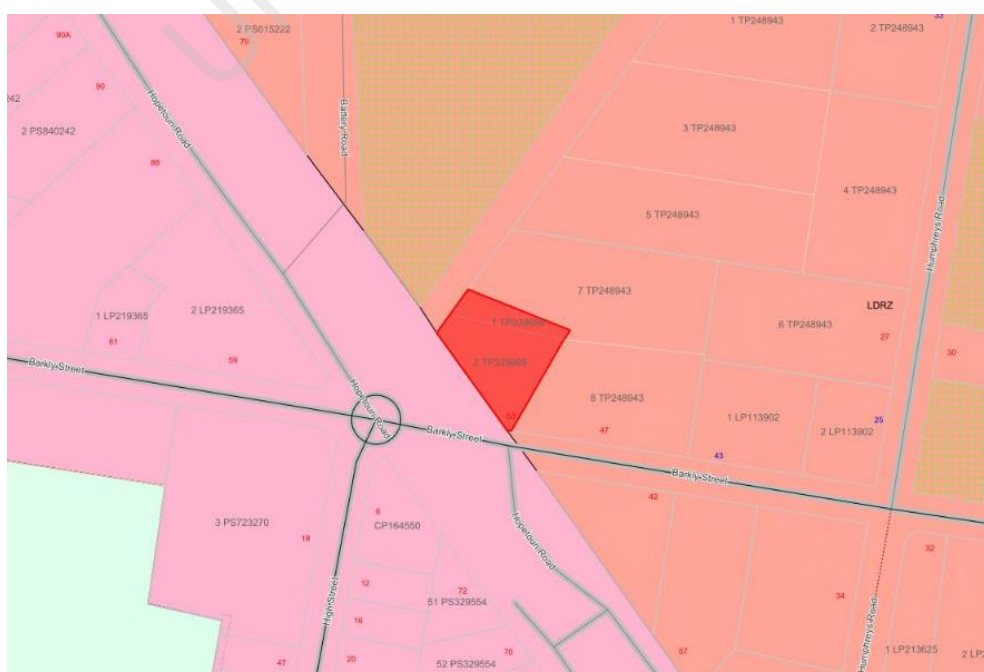
The subject site has a total size of 2724sqm. If subdivided Lot 1 will be 1555.89sqm and Lot 2 will be 1194.39. These proposed lot sizes do not comply with the Low Density Residential Zone (LDRZ) which requires a minimum of 2000sqm for lots with the ability to be connected to reticulated sewerage. Additionally, this the subject site adjoins large vacant Low-density Residential lots to the north. These lots as well as the subject site, will form the streetscape of the not yet constructed unnamed road. The vacant parcel currently conforms to the subdivision objectives and standards of the LDRZ.

The LDRZ overlay is adjacent the General Residential Zone. The surrounding land to the north, east and south east is all large LRDZ lots. If a subdivision occurs creating smaller lots, it would create an unnecessary precedent going directly against the LDRZ minimum lot size requirement. It is acknowledged that the subject site is in two parcels, one of which is not suitable for a dwelling. Council would recommend consolidating the parcels. This would further meet and maintain the subdivision pattern, neighbourhood character, streetscape and LDRZ requirements. This could be revisited as part of a larger subdivision of the whole precinct.

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1. *Figure 1 – Aerial image – 2024*



2. *Figure 2 – Zone mapping*

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CONCLUSION

The Development Plan proposal comprising of a two-lot subdivision is not consistent with the relevant provisions of the PPF, as well as the objectives of the Low-Density Residential Zone. The Development Plan for future subdivision should not be support for the following:

1. Does not meet the minimum Lot size requirements of 2000sqm as specified under the Low-Density Residential Zone
2. Will negatively impact on the existing subdivision pattern and future development
3. Will not be in-line with the neighbourhood character for the zone/subdivision
4. Does not comply with the standards and objectives outlined within the Indigo Planning Scheme;
5. Does not represents orderly planning of semi-rural residential land that will allow for the excising of the existing dwellings into suitably sized lots and has not considered the wider precinct.

Overall, the proposed Development Plan is not centred on sound planning principles and does not respond appropriately to the surrounding semi-rural context appropriately and not supported by the provisions of the Indigo Planning Scheme. As such, the proposed Development Plan is recommended for refusal by Council.

The planning permit requires an appropriate development plan be prepared and approved prior to a planning permit being granted. If the development plan is not approved, as recommended, Council is unable to grant a planning permit, and that component of the proposal should be refused on that ground.

On the merits, the planning permit is not acceptable for the same reasons as the development plan, namely:

- It is not consistent with the lot size expectations of the LDRZ;
- It will negatively impact on the subdivision pattern;
- It will cause negative impacts on the neighbourhood character of the area; and
- The proposal is not orderly planning, as it has not been considered in the context of the entire precinct

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. PP24-0085 - Application
2. PP24-0085 - Plan

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12. COMMUNITY & ECONOMIC DEVELOPMENT

12.1 STANLEY COMMUNITY RESILIENCE PLAN

File No: 2024/819

Mark De Campo - Acting Manager Community Development Community & Economic Development

For Decision

RECOMMENDATION

That Council endorses the Final Stanley Community Resilience Plan.

RESOLUTION

That Council endorses the Final Stanley Community Resilience Plan.

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

PURPOSE OF REPORT

At the 30 July Council meeting Council resolved to endorse the draft Stanley Community Resilience Plan for public exhibition for a period of 30 days, from 31 July to 29 August 2024. This period of public exhibition has closed and no formal submissions were received.

This report presents the FINAL Stanley Community Resilience Plan to Council for endorsement.

BACKGROUND

At Council's April 2023 meeting, a proposal was supported to undertake small township community planning. Stanley was selected due its expressed need for community planning to support infrastructure, capacity building, strategic planning, and facilities management. Stanley has proactive community advocates and established community groups enthusiastic to partner with Council to improve their profile and undertake community planning for their town.

DRIVERS FOR COMMUNITY PLANNING IN STANLEY:

- The need for improved Council collaboration across a range of community, social, and planning issues.
- Increasing birth rates in Stanley and an increase in young families moving to Stanley.
- Comparatively higher climate action needs - particularly bushfire.
- Existing strong community advocacy.

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OBJECTIVES

The Stanley Community Resilience Plan aims to:

- Consolidate what the local community values into a unified vision.
- Provide strategic reference for future development.
- Help inform Council policies and projects.
- Encourage a place-based approach for local decision making across Stanley.
- Support and inspire residents, businesses, and Council.

The Stanley Community Resilience Plan has involved significant community consultation from October 2023 to now. The purpose of this plan is to capture the community's vision for how they would like their town to look and feel in the future, with consideration to the barriers and challenges they may face, particularly environmental/emergency challenges.

DISCUSSION

The development of community resilience plans has been funded through Emergency Recovery Victoria with a focus on emergency preparedness and community resilience. Consultation was themed across the four environments of recovery, Social, Economic, Built and Natural, as a guide to thinking about Stanley holistically, and with a forward focused resilience frame.

Stanley is a community of diverse individuals with many varying opinions and priorities. This was identified as one of the greatest things about Stanley, and also one of the things that makes the town work as it does. The diversity in opinions generated key themes as priority focus areas throughout the consultation process:

1. Sustainable growth and good planning
2. Investment in community connections and assets
3. Innovation and collaboration on climate action and resilience

The actions developed by the Stanley community have been themed into these three priority areas in part C of the attached plan.

The project was broken into the following stages:

- Exploration - What have we already been told, and what has happened since – review of existing plans for Stanley.
- Consultation Stage 1 - Resilience Conversations – exploration of the resilience capacity of Stanley now, and where needs to change to build that capacity with the Australian Resilience Centre.
- Consultation Stage 2 - Pop-Up Consultations and Community Event - have we heard from everyone?
- Refinement - presenting the draft plan to Council and community for public exhibition - did we hear you correctly?
- Endorsement and Action - the final plan is live and ready for collaborative action (September 2024).

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Internal consultation included the following service areas:

- Community Development
- Economic Development
- Planning
- Enforcement Services
- Tourism
- Communications

The following documents were reviewed and are summarised:

- Stanley Community Plan 2010
- Stanley Rural Community Inc submission to the Council Plan 2021

WHAT'S NEXT?

The plan belongs to the community. The community has identified actions which will preserve what residents love about Stanley and in what ways they want to see growth and change. Some of these are easily achieved at a community or individual level, without the need for Council involvement or additional funding. Others are more complex and will require collaboration between community and Council, and sometimes businesses or other key stakeholders. Many actions will require external funding sources to make them a reality.

The Community Plan will be used to inform the next Council Plan (2025) as well as Council's ongoing decision making. Where there is a Council-led action it will be referred to the relevant Council department to progress. Actions within the Community Plan that align with Council's Strategic position and Shire wide perspective will be pursued through Council's various ongoing programs, projects, and service delivery.

Options

Option 1 - Council has invested significant time and funding into the development of the Plan. The depth of the community consultation means that the Plan and their actions are highly visible to the impacted communities. The community have ranked the actions into their priority areas, which also tells Council what the community support is for the actions and broader Plan. As such, it is recommended that Council accept the Plan as final and proceed to endorsement.

Option 2 – Council rejects the Stanley Community Resilience Plan (Not recommended).

STRATEGIC CONTEXT

COUNCIL PLAN 2021 – 2025	
Theme	1. Communities
Strategic Objective	1.7 Our preparedness to respond and recover from increasing natural disasters is well planned and executed.
Strategic Action	1.7.1 Participate with communities and other agencies to support community resilience through education and planning

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Council has committed to the process of community planning as a holistic approach to planning and development that aims to create vibrant and resilient places that are valued by communities and admired by visitors. This Plan supports that aim.

SOCIAL/COMMUNITY IMPLICATIONS

The Council Plan sets out Council intention to support the resilience, cohesiveness and connectedness of the communities in the shire. This plan provides tangible actions as identified by the community to further these aims.

ENVIRONMENTAL IMPLICATIONS

The plans explicitly address the macro drivers impacting local issues, including climate change and posit questions of how the communities can adapt. The communities have identified numerous actions that require addressing to ensure that energy supply and emergency communications are resilient in the face of more extreme weather events and climate change. The overall plan and its actions fit firmly within Council objectives for adaptation and resilience and progressing these plans will progress Council's aims.

FINANCIAL IMPLICATIONS

The community planning process and final plans are funded through Emergency Recovery Victoria and delivered within the budget of \$63,500. There is no contribution from Council for the development phase.

In addition to the delivery of this plan, additional outcomes of this project include:

1. Increased trust and relationships built between Council and the community
2. Staff capacity building and empowerment
3. Strengthening of internal relationships

Considerable thought needs to be given to how actions that require funding – external or internal – are embedded into infrastructure and project / service planning.

LEGISLATIVE IMPLICATIONS

Any actions that interact with other legislation – local laws, signage, planning, bushfire, etc., - will need to be considered in the progression of community actions.

RISK & OPPORTUNITY MANAGEMENT

Description	Likelihood	Consequence	Final Risk Rating	Controls, treatments
Loss of trust in governance, Council processes and council staff if the plans or actions are changed/diluted considerably.	Possible	Minor	Low	Recommendations are incorporated into strategic Council documents that will enable consideration and/or action.

The most effective control is to endorse the Plan and to dedicate time and funding to executing the actions.

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COMMUNITY ENGAGEMENT

Engagement undertaken

The following methods were used to communicate to Stanley residents about the plan, the process, and ways to get involved:

GENERAL COMMUNICATION CHANNELS

- Engaged Indigo Website
 - The project and process were explained here, as well as key milestones, project updates and options for leaving feedback.
- The Your Indigo Newsletter – weekly updates from Indigo Shire Council
- Indigo Shire Council Facebook Page
- The Nine Mile News
 - Local Stanley publication that kept residents up to date on the opportunities and progress of the planning process.
- Stanley Community Email
 - The Stanley community email is a volunteer run initiative that keeps all subscribed residents informed.
- Stanley Community Facebook Page
- Posters on notice boards, local businesses, and Post Office
- Letterbox Drop

RESILIENCE CONVERSATIONS

Throughout October 2023 community resilience planning discussions were facilitated by Paul Ryan from the Australian Resilience Centre. Three two-hour sessions were held at the Stanley Memorial Hall. The focus for the discussion sessions were as follows:

Session 1

- Identifying visions for future. How do you want this community to look and feel in the future?
- Resilience of what? What is it we want to make resilient?
- Resilience to what? What are the risks to our community?

Session 2

- Assessing resilience against the ten dimensions of resilience
- Actions to address perceived resilience deficiencies, at the household, community and in partnership with the Shire and other agencies.

Session 3

- Prioritising actions to inform household, community and Shire efforts and activities.

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The intention was to have the same group of community members attend each session. In Stanley, the attendees were different each time, which allowed for greater diversity of opinions but meant there was limited continuity and sharing of discussion across sessions.

The report from these sessions is available in its entirety (attached), with summaries and sections of it included in the community plan. The outcomes of these conversations identified the themes and formed the basis for consultation with the broader community.

Consultation Stage 2 was an opportunity for everyone to be heard in places where they usually gather, feel comfortable and can contribute in varied ways. This stage of consultation enabled people to pop in for a couple of minutes or stay and chat with council staff to share topics important to them. This stage of consultation included:

- Pop-Up Consultations - have we heard from everyone?
- What We heard – Collating and summarising information from the Resilience Conversations, website contributions, and pop-ups to create an action plan
- Community Celebration – Prioritising, refining, and celebrating community contribution

POP-UP CONVERSATIONS AND COMMUNITY CELEBRATION

The actions and themes from the previous planning documents, Resilience Conversations, and website engagement were taken to the community for feedback and growth through pop up sessions. A series of pop-ups at the Stanley School and Stanley Pub and General Store generated additional actions and further established the key priorities.

The pop-ups were structured around the same lines of enquiry that were explored through the Resilience Conversations, and grouped into the recovery domains of social, economic, built, and natural:

- In the future I want Stanley to look and feel like...
- For this to happen, the community needs...
- As an individual I can contribute to make this happen...
- To be successful we need to be resilient to challenges such as...

The Stanley Community Celebration was held on Sunday April 14, 2024, at the Stanley School. It was led by SRCI and showcased the community groups active in Stanley, local producers, and creatives. This event was the final in-person consultation with the community before the draft plan was completed and put to Council.

The community visioning, themes, and key actions underwent testing once more during the celebration. The actions were ranked by the community to create a priority rating. Each participant was given five sticky dots to place next to their top priorities. People had the option to put more than one dot against an action, however they had to prioritise the most important things to them, right now. It also provided an essential space for the community to talk with the Council officers who had facilitated the project and to answer other questions.

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Engagement outcomes

Through the pop-ups we heard from young people and their families, long-term residents, and newer arrivals. We also heard from people who lived close-by who regularly visit the area as they feel a strong connection to the place.

This phase of the engagement was markedly different to the Resilience Conversations and the priorities that had the most community support was quite different to the focus in the Conversations, despite structuring the engagement on the same lines of enquiry. The Conversations required a high level of community buy-in in terms of time and energy. To engage in the Conversations, people had to have a large amount of time available to them to begin with. The sessions predominantly attracted people who had a good understanding of Council processes and a desire to see the changes that they had already been advocating for.

Conversely, the people who engaged with the pop-up sessions and the community event showed very low interest in actions that prioritised Council process. Often the interactions were incidental, such as in the beer garden where people were not there primarily to talk to Council. For those that chose to engage with the project at the pop-ups, they were often focused on immediate community level actions that are very visible in the community and impact their day-to-day life. This was magnified at the community event where people could see the draft action table of all the priorities. Those that enhanced their community directly were prioritised over those that were centred around improving Council processes for community benefit.

The Stanley community are a cohesive community who have the capacity to drive many of the actions with minimal support – other than financial. There was a high level of trust in Stanley and there was a considerable degree of goodwill towards the process and the outcomes. Delivery of this plan and its implementation present an opportunity for collaboration and partnering to occur between the community, other key services and Council to deliver beneficial outcomes to the community.

At the Community Event sixty-six community members ranked the actions to establish priorities.

PUBLIC EXHIBITION

At the 30 July Council meeting Council resolved to Endorses the draft Stanley Community Resilience Plan for public exhibition for a period of 30 days, from 31 July to 29 August 2024. This period of public exhibition has closed and no formal submissions were received.

ACTION PLAN

The five actions that received the highest number of votes in the priority ranking are:

1. Walking/cycle connectivity to Beechworth
2. Grow a vibrant town centre
3. Ensure water security
4. Independent, reliable energy
5. Showcase the spring ditch wetlands

The action plan is organised into the three strategic themes as identified by the community.

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SUSTAINABLE GROWTH AND GOOD PLANNING

- Residents want to preserve the rural character of Stanley.
- They want economic growth in the town centre that enables a variety of commercial, business and community activities to take place.
- Planning for improved pedestrian and cycle paths is a high priority.

INVESTMENT IN COMMUNITY CONNECTIONS AND ASSETS

- Invest in the existing community spaces to ensure they are fit for future purpose.
- Stanley is a connected community who are seeking more opportunities and spaces to connect, and to support the more vulnerable residents.
- Stanley's natural resources need to be preserved, protected, and promoted.

INNOVATION AND COLLABORATION ON CLIMATE ACTION AND RESILIENCE

- The community want to be better informed and prepared for a changing climate and more extreme weather events, as well as bushfire.
- The community are knowledgeable and have the skills to establish energy resilience in Stanley, however they need support to make it happen.
- Managing risks requires collaboration and for everyone to do their part.

These actions aim to proactively address current and future challenges. Many of these actions can be initiated immediately at the community level without any input from Council.

Other actions will require collaborations between Council, community, and relevant services, agencies, businesses, and levels of government. It needs to be acknowledged that the project lead may change over the duration of the project. Many of these actions will begin with community advocacy, seed funding, or grassroots movements. In time, and as required, the involvement of Council or other levels of Government will be required to progress and achieve a number of the identified actions.

Many projects will require additional external funding, community support, or technical expertise and / or feasibility studies etc before they can be progressed. This plan can be used to seek funding from various sources and to seek stakeholder support for future projects.

The entire list of community ranked actions is in the attached plan.

Engagement proposed

Once endorsed the Final Stanley Community Resilience Plan will be made available on Councils website and all contributors to the process will be notified of this outcome.

CONCLUSION

The community has been extensively consulted for this plan and the previous planning documents that Council has commissioned have been thoroughly investigated. The actions recommended in this report are strongly supported by community and are reinforced of the actions uncovered by previous consultants.

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The recent public exhibition period of 30 days yielded no formal submissions. Therefore, this report presents the FINAL Stanley Community Resilience Plan to Council for endorsement.

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
- Mark De Campo - Acting Manager Community Development
- Kate O'Toole - Community Recovery and Resilience Officer

Attachments

1. Community Resilience Discussions (Final) Report December 2023
2. Stanley Community Resilience Plan - Full
3. Stanley Community Resilience Plan - Summary

UNCONFIRMED

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12.2 BARNAWARTHA AND SURROUNDS COMMUNITY RESILIENCE PLAN

File No: 2024/821

Mark De Campo - Acting Manager Community Development Community & Economic Development

For Decision

RECOMMENDATION

That Council endorses the Barnawartha and Surrounds Community Resilience Plan.

RESOLUTION

That Council endorses the Barnawartha and Surrounds Community Resilience Plan.

Moved: Cr Shephard

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

At the 30 July Council meeting Council resolved to endorse the draft Barnawartha and Surrounds Resilience Plan for public exhibition for a period of 30 days, from 31 July to 29 August 2024. This period of public exhibition has closed and no formal submissions were received.

This report presents Council the FINAL Barnawartha and Surrounds Community Resilience Plan to Council for endorsement.

BACKGROUND

At Council's April 2023 meeting, a proposal was supported to undertake small township community planning. Barnawartha was selected due to its expressed need for community planning to support infrastructure, capacity building, strategic planning and facilities management.

Barnawartha has proactive community advocates and established community groups prepared to partner with Council to improve their profile and undertake community planning for their town.

Given the small population sizes, geographical proximity and interconnected communities; particularly economically for farming and industry, Indigo Valley and Barnawartha North are included in the planning process. While Barnawartha North is located in Wodonga City Council, rather than Indigo Shire, the natural attractions and employment opportunities afforded by Logic mean that this area is integral to planning for Barnawartha.

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DRIVERS FOR COMMUNITY PLANNING IN BARNARWARTHA

- The need for improved Council collaboration across a range of community, social, and planning issues.
- Increasing birth rates in Barnawartha and an increase in young families moving to Barnawartha and surrounds.
- A history of bushfire and recent flood impacts.
- Existing strong community advocacy.

OBJECTIVES

The Barnawartha Community Resilience Plan aims to:

- Consolidate what the local community values into a unified vision.
- Provide strategic reference for future development.
- Help inform Council policies and projects.
- Encourage a place-based approach for local decision making across Barnawartha and the surrounding communities.
- Support and inspire residents, businesses, and Council.

The Barnawartha Community Resilience Plan has involved significant community consultation from October 2023 to now. The purpose of the plan is to capture the community's vision for how they would like their town to look and feel in the future, with consideration to the barriers and challenges they may face, particularly environmental/emergency challenges.

DISCUSSION

The development of community resilience plans has been funded through Emergency Recovery Victoria with a focus on emergency preparedness and community resilience. Consultation was themed across the four environments of recovery - Social, Economic, Built and Natural, as a guide to thinking about Barnawartha and surrounds holistically, and with a forward focused resilience frame.

Barnawartha and the Indigo Valley are distinct communities that share a geographic location. The strengths and opportunities of the region are not identical, and planning for the unique regions of Indigo Valley, Barnawartha and Barnawartha North requires ongoing place-based consultation and collaboration. Throughout the consultation process key themes emerged strongly as areas of focus:

1. Safe, connected, and empowered communities
2. Investment in recreation and destination
3. Sustainable planning for community and economy

The actions developed by the communities have been themed into these three priority areas in part C of the attached DRAFT plan.

The project was broken into the following stages:

- Exploration - What have we already been told, and what has happened since – review of existing plans for Barnawartha.

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- Consultation Stage 1 - Resilience Conversations – exploration of the resilience capacity of Barnawartha and surrounds now, and what needs to change to build that capacity with the Australian Resilience Centre.
- Consultation Stage 2 - Pop-Up Consultations and Community Event - have we heard from everyone?
- Refinement - Presenting the draft plan to Council and community for public exhibition - did we hear you correctly?
- Endorsement and Action - The final plan is live and ready for collaborative action (September 2024).

Internal consultation included the following service areas:

- Community Development
- Economic Development
- Planning
- Enforcement Services
- Tourism
- Communications

The following documents were reviewed and are summarised:

- Shire of Chiltern Rural Living Area Structure Plan - Barnawartha, June 1992
- Barnawartha Urban Design Framework and Strategic Directions Plan 2003
- Chiltern and Barnawartha Our Future -Employment, Population, Housing and Community Impacts of Logic Industrial Park and Other Regional Developments 2007
- Community Plan - Barnawartha 2010
- Barnawartha Structure Plan - Version 6 - December 2019
- Draft - Indigo Valley Community Led Resilience Planning - Updated 28 March 2024

WHAT'S NEXT?

The plan belongs to the community. The community has identified actions which will preserve what residents love about Barnawartha and surrounds and in what ways they want to see growth and change. Some of these are easily achieved at a community or individual level, without the need for Council involvement or additional funding. Others are more complex and will require collaboration between community and Council, and sometimes businesses or other key stakeholders. Many actions will require external funding sources to make them a reality.

The Community Plan will be used to inform the next Council Plan (2025) as well as Council's ongoing decision making. Where there is a Council-led action it will be referred to the relevant Council department to progress. Actions within the Community Plan that align with Council's Strategic position and Shire wide perspective will be pursued through Council's various ongoing programs, projects, and service delivery.

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Options

Option 1 - Council have invested significant time and funding into the development of the plan. The depth of the community consultation means that the Plan and their actions are highly visible to the impacted communities. The community have ranked the actions into their priority areas, which also tells Council what the community support is for the actions and broader Plan. As such, it is recommended that Council accept the Plan as final and proceed to endorsement.

Option 2 – Council rejects the Barnawartha and Surrounds Community Resilience Plan (Not recommended).

STRATEGIC CONTEXT

COUNCIL PLAN 2021 – 2025	
Theme	1. Communities
Strategic Objective	1.7 Our preparedness to respond and recover from increasing natural disasters is well planned and executed.
Strategic Action	1.7.1 Participate with communities and other agencies to support community resilience through education and planning

Council has committed to the process of community planning as a holistic approach to planning and development that aims to create vibrant and resilient places that are valued by communities and admired by visitors. This Plan supports that aim.

SOCIAL/COMMUNITY IMPLICATIONS

The Council Plan sets out Council intention to support the resilience, cohesiveness and connectedness of the communities in the shire. This plan provides tangible actions as identified by the community to further these aims.

ENVIRONMENTAL IMPLICATIONS

The plans explicitly address the macro drivers impacting local issues, including climate change and pose questions of how the communities can adapt. The communities have identified numerous actions that require addressing to ensure that energy supply and emergency communications are resilient in the face of more extreme weather events and climate change. The overall plans and the actions fit firmly within Council objectives for adaptation and resilience and progressing these plans will progress Council's aims.

FINANCIAL IMPLICATIONS

The community planning process and final plans are funded through Emergency Recovery Victoria and delivered within the budget of \$65,500. There is no contribution from Council for the development phase.

In addition to the delivery of this plan, additional outcomes of this project include:

1. Increased trust and relationships built between Council and the community
2. Staff capacity building and empowerment
3. Strengthening of internal relationships

Considerable thought needs to be given to how actions that require funding – external or internal – are embedded into infrastructure and project / service planning.

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In addition, extensive community and structure planning has occurred over the last few decades. It will be important that the community see progress on initiatives they have been advocating for over many years.

LEGISLATIVE IMPLICATIONS

Any actions that interact with other legislation – local laws, signage, planning, bushfire, etc., - will need to be considered in the progression of community actions.

RISK & OPPORTUNITY MANAGEMENT

Description	Likelihood	Consequence	Final Risk Rating	Controls, treatments
Loss of trust in governance, Council processes and council staff if the plans or actions are rejected, changed/diluted considerably.	Possible	Minor	Low	Recommendations are incorporated into strategic Council documents that will enable consideration and/or action.

The most effective control is to endorse the Plan and to dedicate time and funding to executing the actions.

There is an opportunity for Council to build strong relationships especially if some of the key actions are implemented.

COMMUNITY ENGAGEMENT

Engagement undertaken

The following methods were used to communicate to residents about the development of the plan, the process, and ways to get involved:

GENERAL COMMUNICATION CHANNELS

- Engaged Indigo Website
 - The project and process were explained here, as well as key milestones, project updates and options for leaving feedback.
- The Your Indigo Newsletter – weekly updates from Indigo Shire Council
- Indigo Shire Council Facebook Page
- The Chiltern Grapevine
 - Local Chiltern, Barnawartha and surrounds publication that kept residents up to date on the opportunities and progress of the planning process.
- Good Neighbours - Barnawartha Facebook Page
- Posters on notice boards, local businesses, schools, and Post Office
- Letterbox Drop

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RESILIENCE CONVERSATIONS

Throughout October 2023 community resilience planning discussions were facilitated by Paul Ryan from the Australian Resilience Centre. Three two-hour sessions were held at the Barnawartha Recreation Reserve. The focus for the discussion sessions were as follows:

Session 1

- Identifying visions for future. How do you want this community to look and feel in the future?
- Resilience of what? What is it we want to make resilient?
- Resilience to what? What are the risks to our community?

Session 2

- Assessing resilience against the ten dimensions of resilience
- Actions to address perceived resilience deficiencies, at the household, community and in partnership with the Shire and other agencies.

Session 3

- Prioritising actions to inform household, community and Shire efforts and activities.

The intention was to have the same group of community members attend each session. The Barnawartha sessions had a core group of people that attended all three sessions. This allowed for greater continuity of discussion across the three sessions.

The report from these sessions is available in its entirety (attached), with summaries and sections of it included in this plan. The outcomes of these conversations identified the themes and formed the basis for consultation with the broader community.

POP UP CONVERSATIONS AND COMMUNITY CELEBRATION

This Stage of consultation was an opportunity for everyone to be heard in places where they usually gather, feel comfortable and can contribute in varied ways. This stage of consultation enabled people to pop in for a couple of minutes or stay and chat with council staff to share topics important to them. This stage of consultation included:

- Pop-Up Consultations - have we heard from everyone?
- What We Heard – Collating and summarising information from the Resilience conversations, website contributions and pop-ups to create an action plan
- Community Celebration – Prioritising, refining, and celebrating community contribution

POP-UP Consultations:

The actions and themes from the previous planning documents, Resilience Conversations, youth engagement and website engagement were taken to the community for feedback and growth through pop up sessions located at:

- Barnawartha General Store
- Star Hotel - Barnawartha
- The Watchbox - Indigo Valley

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These sessions generated additional actions and further established the key priorities.

The Indigo Creek Playground pop-up was postponed due to high heat, and then ultimately moved online due to ongoing high heat. Direct youth consultation was undertaken with all the students at Middle Indigo Primary School and grade five and six students at Barnawartha Primary School.

The pop-ups were structured around the same lines of enquiry that were explored through the Resilience Conversations, and grouped into the recovery domains of social, economic, built, and natural:

- In the future I want Barnawartha and surrounds to look and feel like...
- For this to happen, the community needs...
- As an individual I can contribute to make this happen...
- To be successful we need to be resilient to challenges such as...

The community visioning, themes and key actions were tested again at the Barny Festival – a Community Celebration held on Sunday 21 April 2024 at the Barnawartha Recreation Reserve.

The actions were ranked by the community to create a priority rating. Each participant was given five sticky dots to place next to their top priorities. People had the option to put more than one dot against an action, however they had to prioritise the most important things to them, right now.

It also provided an essential space for the community to talk with the Council officers who had facilitated the project and to answer other questions. In total, eighty-one adults and twenty children added their dots on the day.

This was the final in-person consultation with the community before the draft plan was completed and put to Council.

Engagement outcomes

Through the pop-ups we heard from young people and their families, long-term residents, and newer arrivals. We also heard from people who lived close-by who regularly visit the area as they feel a strong connection to the place.

This phase of the engagement was markedly different to the Resilience Conversations and the priorities that had the most community support was quite different to the focus in the Conversations, despite structuring the engagement on the same lines of enquiry. The Conversations required a high level of community buy-in in terms of time and energy. To engage in the Conversations, people had to have a large amount of time available to them to begin with. The sessions predominantly attracted people who had a good understanding of Council processes and a desire to see the changes that they had already been advocating for.

Conversely, the people who engaged with the pop-up sessions and the community event showed very low interest in actions that prioritised Council process. Often the interactions were incidental, such as in the beer garden where people were not there primarily to talk to Council. For those that chose to engage with the project at the pop-ups, they were often focused on immediate community level actions that are very visible in the community and impact their day-to-day life. This was magnified at the community event where people could see the draft action table of all the priorities. Those that enhanced their community directly were prioritised over those that were centred around improving Council processes for community benefit.

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Overwhelmingly we heard two main concerns from the community regarding the process for Community Planning:

1. That the community had been widely consulted in the past, but they didn't see the consultation result in action. They were frustrated to be asked their ideas again when many of the previous plans were still relevant.
2. That the Indigo Valley residents have different needs and wants to those of Barnawartha and feel they would benefit from a separate community planning process.

More information regarding previous planning processed is detailed in the attached DRAFT plan under Stage 1 – Exploration and requires careful consideration when looking at how this plan will be implemented, and actions or challenges communicated back to the communities. This feedback wasn't given flippantly. This plan and its implementation present an opportunity to build trust and collaboration between the community and Council.

PUBLIC EXHIBITION

At the 30 July Council meeting Council resolved to Endorses the draft Barnawartha and Surrounds Resilience Plan for public exhibition for a period of 30 days, from 31 July to 29 August 2024. This period of public exhibition has closed and no formal submissions were received.

ACTION PLAN

The top three priorities in order of community support are:

1. Invest in youth recreation activities
2. Revitalise the railway precinct
3. Design walking and cycle connectivity to Yackandandah and Chiltern

The actions were also translated into a child-friendly format with pictures for young people to vote on their key issues as well. Twenty young people cast their vote, often with the support of an adult. Their top three issues were:

1. Use the old train station area for something like a Youth Centre or Farmers Market - (Revitalise the Railway precinct)
2. Spend more money on trees, parks and gardens in town (Invest in landscaping and tree planting)
3. More activities for young people (Invest in youth recreation activities in Indigo Valley and Barnawartha)

It's fair to say that the children interpreted 'parks and gardens' to mean the Indigo Creek Playground, which was a favourite sport for many. It's interesting to note that two of the top three priorities were the same for both adults and children.

The action plan is organised into the key themes as identified by the community:

1. **SAFE, CONNECTED, AND EMPOWERED COMMUNITIES**
 - i. The community want their spaces to feel safe, modern, clean, and inviting and to reflect the love and pride they feel for their home.

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- ii. Residents want to have more knowledge and capacity to increase their own resilience to manage emergencies, including communication and energy resilience.
- iii. Community events and opportunities to connect are strongly valued.

2. INVESTMENT IN RECREATION AND DESTINATION

- i. The community strongly support using what they already have, particularly the railway precinct to revitalise the town.
- ii. Invest in new destination spaces and events for community and tourism.
- iii. Recreation opportunities for biking, fishing, skating and connection to the water ways are valued, especially for young people.

3. SUSTAINABLE PLANNING FOR COMMUNITY AND INDUSTRY

- i. Residents want to preserve the rural lifestyle of Barnawartha and plan for a sustainable economy.
- ii. Indigo Valley residents want intergenerational living where they can age in place and where the future generations can secure housing in the Valley.
- iii. Planning for improved pedestrian and cycle paths is a high priority.

These actions aim to proactively address current and future challenges. Many of these actions can be initiated immediately at the community level without any input from Council.

Other actions will require collaborations between Council, community, and relevant services, agencies, businesses, and levels of government. It needs to be acknowledged that the project lead may change over the duration of the project. Many of these actions will begin with community advocacy, seed funding, or grassroots movements. In time, and as required, the involvement of Council or other levels of Government will be required to progress and achieve a number of the identified actions.

Many projects will require additional external funding, community support, or technical expertise and / or feasibility studies etc before they can be progressed. This plan can be used to seek funding from various sources and to seek stakeholder support for future projects.

The full action list in order of community priority can be read in the attached report.

Engagement proposed

Once endorsed the Final Barnawartha and Surrounds Community Resilience Plan will be made available on Councils website and all contributors to the process will be notified of this outcome.

CONCLUSION

The community has been extensively consulted for this plan and the previous planning documents that Council has commissioned have been thoroughly investigated. The actions recommended in this report are strongly supported by community and are reflective of the actions uncovered by previous consultants.

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The recent public exhibition period of 30 days yielded no formal submissions. Therefore, this report presents the FINAL Barnawartha and Surrounds Community Resilience Plan to Council for endorsement.

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
- Mark De Campo - Acting Manager Community Development
- Kate O'Toole - Community Recovery and Resilience Officer

Attachments

1. Community Resilience Discussions (Final) Report December 2023
2. Barnawartha and Surrounds Community Resilience Plan - Full
3. Barnawartha and Surrounds Community Resilience Plan - Summary

UNCONFIRMED

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12.3 TINY TOWNS FUND ROUND 2 APPLICATIONS

File No: 2024/859

Mark De Campo - Acting Manager Community Development Community & Economic Development

For Decision

RECOMMENDATION

That Council:

1. Endorses applications to Round 2 of the Tiny Towns Fund for the following projects:
 - Refurbishment of the Rutherglen Maternal and Child Health (MCH) Clinic;
 - Beautification of the Barnawartha Streetscape; and
2. Notes that pending a successful application/s Councils contribution in future budgets is:
 - \$20,000 – Refurbishment of the Rutherglen MCH Clinic;
 - \$15,000 – Beautification of the Barnawartha Streetscape.

RESOLUTION

That Council:

1. Endorses applications to Round 2 of the Tiny Towns Fund for the following projects:
 - Refurbishment of the Rutherglen Maternal and Child Health (MCH) Clinic;
 - Beautification of the Barnawartha Streetscape; and
2. Notes that pending a successful application/s Councils contribution in future budgets is:
 - \$20,000 – Refurbishment of the Rutherglen MCH Clinic;
 - \$15,000 – Beautification of the Barnawartha Streetscape.

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

PURPOSE OF REPORT

This report provides an overview of Regional Development Victoria's Tiny Towns Fund Round 2 and the projects recommended for funding applications.

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BACKGROUND

The Tiny Towns Fund was born from the cancellation of the Regional Victoria Commonwealth Games and the commitment the State Government had made to the regions. A key objective of the Tiny Towns Fund is to increase liveability, opportunity and prosperity by delivering better public places and spaces in these communities, providing facilities for local families, building community capacity and increasing visitation that benefits local businesses.

Towns with a population of up to 5,000 people in the 48 Local Government Areas of regional Victoria are eligible to apply, as well as Alpine Resorts and Melbourne's 10 interface outer-metropolitan Local Government Areas. Delivered over 5 rounds, grants between \$5,000 and \$50,000 are available for each project.

A maximum amount of \$50,000 per town will be applied for Round 2 to enable an equitable and broad geographic spread of funding. Towns that were successful in Round 1 are ineligible in Round 2.

A list of the Indigo Shire projects successful in Round 1 are provided below (ISC denotes applications applied for and delivered by Indigo Shire Council):

- Chiltern Bowling Club Lighting Upgrade
- Allans Flat Shelter (ISC)
- Tangambalanga Active Park Shelter (ISC)
- Wahgunyah Playground (ISC)
- Kiewa Cricket Club Oval Fence
- Stanley Recreation Reserve Bringing Sport Back to Stanley
- Beechworth Chain Gang Skills Park
- Yack Tracks Red Loop Completion

All applicants are required to make a co-contribution towards the proposed project budget in line with the requirements. Rural Councils and Alpine Resorts are required to contribute a minimum 25% of the total proposed project budget.

Unlike other grant programs the Tiny Towns Fund is open to applications from incorporated not-for-profit community organisations and local governments that operate in Victoria.

Council officers have identified the following projects for applications to this round of the Tiny Towns Fund:

1. Refurbishment of the Rutherglen Maternal and Child Health Clinic

- Eligibility with grant guidelines: refurbishment and upgrades to community facilities and buildings including halls, libraries, community centres and sporting infrastructure and facilities, and hubs that will support local people and groups to connect better.
- Strategic justification: Rutherglen Place Plan: Central Community Hub that includes health services.
- Project scope: Refurbishment of the toilets and kitchen to provide a more accessible, safer and comfortable experience for families and staff.

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- Total project cost: \$70,000

2. Beautification of the Barnawartha Streetscape

- Eligibility with grant guidelines: improvements of public spaces, activity centres and street beautification that encourage use including public art, street furniture, drinking fountains and greenery, the creation of community gardens, park upgrades and dog parks.
- Strategic justification: A priority project in the Barnawartha and Surrounds Community Resilience Plan.
- Project scope: Installation of public seating, garden beds, public artwork, entrance signs and other minor streetscape improvements to enhance amenity and aesthetics.
- Total project cost: \$60,000

STRATEGIC CONTEXT

COUNCIL PLAN 2021 – 2025	
Theme	1. Communities
Strategic Objective	1.2 Our community members have access to the services, activities and infrastructure that make it easy for them to stay connected and get involved in community life.
Strategic Action	1.2.4 Progress the key priorities of and review and update Council's Ageing Well Strategy, Youth Strategy, Tourism Strategy, Economic Development Strategy, Library Strategy and Early Years Strategy

FINANCIAL IMPLICATIONS

Project	Total Project Cost	Tiny Towns Grant	ISC Contribution
Tiny Towns (25% min. contribution required)			
Refurbishment Rutherglen MCH	\$70,000	\$50,000	\$20,000
Beautification Barnawartha Streetscape	\$60,000	\$45,000	\$15,000
Total	\$130,000	\$95,000	\$35,000

COMMUNICATION ENGAGEMENT

The proposed projects respond to priorities in strategic Council documents that are underpinned by sound community engagement.

In the event of successful applications Council officers will work with appropriate community stakeholders to ensure the projects deliver the desired outcomes.

CONCLUSION

The Tiny Towns Fund is a valuable opportunity for Council to leverage State Government funding to deliver important and strategic community projects. The proposed projects respond to identified community needs as well as the fund guidelines.

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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 & Economic Development
- Mark De Campo – Acting Manager Community Development

Attachments

Nil

UNCONFIRMED

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12.4 COMMUNITY GRANTS 2024- 2025

File No: 2024/522

Mark De Campo - Acting Manager Community Development Community & Economic Development

For Decision

RECOMMENDATION

That Council:

1. Distributes \$50,792 in the 2024/25 Indigo Shire Community Grants Program as follows:

Organisation	Project	Recommended Funding Allocation
1st Beechworth Scout Group	Feeding Big Adventure Appetites with our New BBQ!	\$2,930.00
Allan's Flat Recreation Reserve Committee of Management	Toilet Block - Reliable Water Supply	\$4,000.00
Arts Yackandandah	Creative Kids Yackandandah	\$2,280.00
Beechworth Arts Council	Unveiled - portraits of creative Beechworth (working title)	\$3,987.00
Beechworth Wildlife Rescue Shelter	Waterbird rehabilitation	\$2,500.00
Chiltern Neighbourhood House	Cooking for Community	\$3,500.00
Indigo North Health	Chiltern Neighbourhood House Memory Cafe	\$3,000.00
Kergunyah Memorial Hall Committee of Management	Cordless Handstick Vacuum Cleaner	\$1,000.00
Kiewa-Tangambalanga Lions Club Inc.	Replacement BBQ and Accessories	\$2,000.00
Lions Club of Chiltern	Grapevine Laptop Computer Replacement	\$1,150.00
Osbornes Flat Community Centre Inc.	Improving Access for the Osbornes Flat Hall	\$3,975.00
Rutherglen Community Christmas Lunch Incorporated	2024 Rutherglen Community Christmas Lunch	\$1,870.00
Rutherglen Golf Club	Flicks On The Fairway	\$4,000.00
Wahgunyah Lions Football Netball Club - Canteen Committee	Dishwasher	\$1,000.00
Wahgunyah Progress Association Incorporated	Native Animal Sculptures - self guided tour	\$4,000.00
Wahgunyah Racecourse Recreation Reserve Committee of Management	Picnic Table Upgrade	\$1,300.00
Yackandandah Chamber of Commerce	Chamber Kick Start	\$1,000.00
Yackandandah Riding Club	Installation of a toilet block at the Yackandandah Riding Club	\$4,000.00

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Yackandandah Toy Library	Yackandandah Toy Library upgrade to SETLS and New Toys	\$2,500.00
Yackandandah Women's Shed	We Want to be Heard	\$800.00
TOTAL		\$50,792.00

- Thanks the Indigo Shire Community Grants and Awards Advisory Committee for its voluntary time in reviewing and assessing the applications.

RESOLUTION

That Council:

- Distributes \$50,792 in the 2024/25 Indigo Shire Community Grants Program as follows:

Organisation	Project	Recommended Funding Allocation
1st Beechworth Scout Group	Feeding Big Adventure Appetites with our New BBQ!	\$2,930.00
Allan's Flat Recreation Reserve Committee of Management	Toilet Block - Reliable Water Supply	\$4,000.00
Arts Yackandandah	Creative Kids Yackandandah	\$2,280.00
Beechworth Arts Council	Unveiled - portraits of creative Beechworth (working title)	\$3,987.00
Beechworth Wildlife Rescue Shelter	Waterbird rehabilitation	\$2,500.00
Chiltern Neighbourhood House	Cooking for Community	\$3,500.00
Indigo North Health	Chiltern Neighbourhood House Memory Cafe	\$3,000.00
Kergunyah Memorial Hall Committee of Management	Cordless Handstick Vacuum Cleaner	\$1,000.00
Kiewa-Tangambalanga Lions Club Inc.	Replacement BBQ and Accessories	\$2,000.00
Lions Club of Chiltern	Grapevine Laptop Computer Replacement	\$1,150.00
Osbornes Flat Community Centre Inc.	Improving Access for the Osbornes Flat Hall	\$3,975.00
Rutherglen Community Christmas Lunch Incorporated	2024 Rutherglen Community Christmas Lunch	\$1,870.00
Rutherglen Golf Club	Flicks On The Fairway	\$4,000.00
Wahgunyah Lions Football Netball Club - Canteen Committee	Dishwasher	\$1,000.00
Wahgunyah Progress Association Incorporated	Native Animal Sculptures - self guided tour	\$4,000.00
Wahgunyah Racecourse Recreation Reserve Committee of Management	Picnic Table Upgrade	\$1,300.00

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Yackandandah Chamber of Commerce	Chamber Kick Start	\$1,000.00
Yackandandah Riding Club	Installation of a toilet block at the Yackandandah Riding Club	\$4,000.00
Yackandandah Toy Library	Yackandandah Toy Library upgrade to SETLS and New Toys	\$2,500.00
Yackandandah Women's Shed	We Want to be Heard	\$800.00
TOTAL		\$50,792.00

2. Thanks the Indigo Shire Community Grants and Awards Advisory Committee for its voluntary time in reviewing and assessing the applications.

Moved: Cr Croucher

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 consider the distribution of this year's Community Grants Program funding expenditure. The Indigo Shire Community Grants and Awards Advisory Committee (ISCGAAC) has assessed all applications based on the Council approved criteria and has recommended to Council the above distribution of funds.

BACKGROUND

As part of the 2024/2025 Budget process, Council allocated \$50,000 to its Community Grants Program. The ISCGAAC has assessed all applications based on the approved criteria and has recommended to Council the above distribution of funds.

The 2024 Community Grants program opened on Monday 1 July 2024 and closed on Monday 5 August 2024 at 4pm. A total of 28 applications were received.

Applications were assessed by the committee at its meeting on Friday 16 August with the above table detailing the applications recommended for funding. A detailed summary of the applications, which includes details of the project and applicant contributions are contained in the attachment to this report.

The Committee comprises of two Councillors and 11 voting members with representation from across the Shire. Its purpose, as set out in the Terms of Reference, is to provide advice and recommendations to Council on applications submitted under the Community Grants Program, and later in the year to assess nominations received for the Australia Day awards and the Emma George Sporting scholarship.

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Applications were assessed against the following criteria:

- The project aligns with Council Plan priorities
- The project aligns with the Municipal Public Health & Wellbeing Plan
- The project benefits the local community

DISCUSSION

The 28 applications received under the Program requested funds totalling \$75,538.07 for projects valued at a total of \$161,555.89. As such, the Committee has recommended that Council provide funding to 22 of the 28 applications as outlined in attachment 1. The majority of the recommendations were for the full amount requested in the application. There was a decrease in the number of applicants received this year compared to 32 in 2023/24.

Options

Council could choose to not approve the recommendations of the ISCGAAC or change the funding distribution. This is not recommended.

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	1.1.10 Implement the Indigo Shire Municipal Public Health and Wellbeing Action Plan (MPHWP Action Plan)

The Community Grants Program supports the Council objectives under Theme 1:

- 1.1 Our community members have access to support services to help them achieve and sustain physical and emotional health and wellbeing.
- 1.2 Our community members have access to the services, activities and infrastructure that make it easy for them to stay connected and get involved in community life.
- 1.3 Our young people are supported and encouraged to contribute to their communities.
- 1.4 Our Aboriginal and Torres Strait Islander people are valued, respected and their contributions recognised and celebrated.
- 1.5 Our communities are enriched by a thriving and diverse arts and creative sector.
- 1.6 Diversity within our communities is welcomed, valued and respected.

SOCIAL/COMMUNITY IMPLICATIONS

The Community Grant program supports the wonderful work of a variety of groups across the Shire and encourages volunteer participation in community groups. The range of grant applications received across the various townships represents the diversity of community activity across the Shire.

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FINANCIAL IMPLICATIONS

	Approved Budget \$	This Proposal \$	Variance to Approved Budget \$	Comments
Revenue	0	0	0	
Expense	50,000	50,792	792	
Net Result	(50,000)	(50,792)	(792)	

The recommendations made by the Committee for grant allocation expends the full financial commitment allocated in Council's 2024/2025 budget.

LEGISLATIVE IMPLICATIONS

Governance requirements apply to Council grant processes to ensure recipients expend funds appropriately.

RISK & OPPORTUNITY MANAGEMENT

Description	Likelihood	Consequence	Final Risk Rating	Controls, treatments
Project is not completed by community group	Possible	Minor	Low	Council staff support and assist where applicable and appropriate.
Council grant funding not used for the purpose articulated in the council resolution.	Possible	Moderate	Low	Council maintains rigorous acquittal requirements for groups and ongoing contact with recipients ensures appropriate use of grant funds.

There is always some risk that a project recommended for funding does not get completed, is partially completed or requires an extension to the completion date. These situations are rare and, in most cases, after discussion with Council officers, support can be provided or the project timeline can be extended to ensure the project is completed. Due to part funding of projects some groups may request slight alterations to their application.

Appropriate conflicts of interest declarations and processes were followed by committee members and Council officers in relation to specific projects, as required.

Rigorous acquittal requirements ensure that grant expenditure aligns with the original purpose of the funding.

COMMUNITY ENGAGEMENT

Engagement undertaken

The community grant program opened on Monday 1 July 2024, and closed on Monday 5 August 2024. The program was advertised via a media release, Facebook, email, website, Your Indigo weekly update and word of mouth. Council officers conducted face to face and zoom information sessions in all townships to allow groups to attend and discuss their proposals and learn about the SmartyGrants application platform. There is a mailing list community groups can sign up for grant updates via the Council website. This mailing list received multiple emails throughout the application period, this mailing list is well subscribed.

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Engagement strategies included face to face, phone, online and drop-in sessions. 16 groups requested and therefore received individualised advice and application guidance.

Engagement outcomes

The sessions delivered resulted in a high level of interest in the grant program and ensured more comprehensive applications were submitted with the correct level of detail and attachments.

Engagement proposed

Council officers will write to all applicants notifying them of the outcome of their applications, and where appropriate provide advice on alternative funding sources. Council will also release a media statement detailing the successful grant recipient details.

CONCLUSION

The committee has comprehensively reviewed all applications under Council's Community Grants Program and made a recommendation to Council on which applications should receive funding assistance and how much they are recommended to receive.

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
- Mark De Campo – Manager Community Development
- Penelope McGufficke – Creative Communities Coordinator

CONFIDENTIAL ATTACHMENT

The attachment is confidential under section 3(f) of the *Local Government Act 2020* as it deals with personal information, being information which if released would result in the unreasonable disclosure of information about a person or their personal affairs.

This section applies because the information contains details of proposed grant contributions and scoring/comments on applications, both successful and unsuccessful, submitted by community members on behalf of their community organisations and it would unreasonably expose persons. The confidential attachment has been provided to Councillors under separate cover.

Attachments

1. Successful Applicants - Community Grants
2. Unsuccessful Applicants - Community Grants (Confidential)

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12.5 EVENT GRANTS PROGRAM 2024-2025

File No: 2024/523

Mark De Campo - Acting Manager Community Development Community & Economic Development

Councillor Horne left the meeting room at 7.54pm, as she is a committee member of the Rotary Club of Rutherglen that is the proposed recipient of a grant.

For Decision

RECOMMENDATION

That Council:

1. Distributes \$60,276 in the 2024/2025 Indigo Shire Event Grants Program as follows; and

	Applicant	Event	Recommended Allocation
1	Art Starts Here	Wearable Art Workshops	\$1,000.00
2	Arts Rutherglen INC	Rutherglen Art, Country and echoes from time	\$1,000.00
3	Beechworth Bakery	Beechworth Bakery Street Festival - Celebrating 40 Years	\$3,000.00
4	Beechworth Community Christmas Lunch Working Party	Beechworth Community Christmas Lunch	\$1,000.00
5	Beechworth Football Netball Club	Beechworth Football Netball Club Easter Fun Run	\$2,500.00
6	Beechworth OLd Cranks Motor Club inc.	Beechworth Drive Back In Time	\$3,500.00
7	BMF Productions Pty Ltd t/a Beechworth Music Festival	Spring Ditch 2025	\$5,000.00
8	Bridge Road Brewers	Beechworth Granite Classic	\$4,000.00
9	Chiltern Athenaeum Incorporated	The Day the Movies Came to Chiltern	\$1,500.00
10	Cornishtown Hall Reserve	Cornishtown Hall Reserve 150th Anniversary	\$1,000.00
11	Drag'd Out Beechworth Inc	Drag'd Out Beechworth	\$5,000.00
12	Indigo Creek Landcare Group Inc	Connecting Culture: Film screening and community celebration	\$1,000.00
13	Insight Speech	Connecting Creative Minds	\$2,000.00
14	Kergunyah Memorial Hall	Kergunyah Bushdance	\$2,000.00
15	Old Stone Hall	Old Stone Hall Live Music, Visual Arts and Workshop Events	\$4,000.00
16	Osbornes Flat Community Centre Inc.	Osbornes Flat and district Community Christmas Gathering	\$1,850.00
17	Rotary Club of Rutherglen Incorporated	Rutherglen Rotary Country Fair	\$5,000.00
18	Rutherglen Carols by Candlelight	Rutherglen Carols by Candlelight	\$2,700.00

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19	Rutherglen Community Christmas Lunch Incorporated	2024 Rutherglen Community Christmas Lunch	\$930.00
20	Wahgunyah Tennis Club	Racquets Against Breast Cancer	\$500.00
21	Wholehearted Inc	Dragonfly Theatre Group - Spring Show	\$6,000.00
22	Wooragee Primary School	Wooragee Easter Market	\$1,796.00
23	Yack Community Christmas	Yack Community Christmas Lunch	\$1,000.00
24	Tangam/Kiewa Community Carols	Tangam/Kiewa Community Carols	\$1,000.00
25	Rutherglen Agricultural Society	Rutherglen Annual Agricultural Show	\$2,000.00
	Total		\$60,276.00

2. Thank the Event Grants Assessment Panel.

RESOLUTION

That Council:

1. Distributes \$60,276 in the 2024/2025 Indigo Shire Event Grants Program as follows; and

	Applicant	Event	Recommended Allocation
1	Art Starts Here	Wearable Art Workshops	\$1,000.00
2	Arts Rutherglen INC	Rutherglen Art, Country and echoes from time	\$1,000.00
3	Beechworth Bakery	Beechworth Bakery Street Festival - Celebrating 40 Years	\$3,000.00
4	Beechworth Community Christmas Lunch Working Party	Beechworth Community Christmas Lunch	\$1,000.00
5	Beechworth Football Netball Club	Beechworth Football Netball Club Easter Fun Run	\$2,500.00
6	Beechworth Old Cranks Motor Club inc.	Beechworth Drive Back In Time	\$3,500.00
7	BMF Productions Pty Ltd t/a Beechworth Music Festival	Spring Ditch 2025	\$5,000.00
8	Bridge Road Brewers	Beechworth Granite Classic	\$4,000.00
9	Chiltern Athenaeum Incorporated	The Day the Movies Came to Chiltern	\$1,500.00
10	Cornishtown Hall Reserve	Cornishtown Hall Reserve 150th Anniversary	\$1,000.00
11	Drag'd Out Beechworth Inc	Drag'd Out Beechworth	\$5,000.00
12	Indigo Creek Landcare Group Inc	Connecting Culture: Film screening and community celebration	\$1,000.00
13	Insight Speech	Connecting Creative Minds	\$2,000.00
14	Kergunyah Memorial Hall	Kergunyah Bushdance	\$2,000.00
15	Old Stone Hall	Old Stone Hall Live Music, Visual Arts and Workshop Events	\$4,000.00

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16	Osbornes Flat Community Centre Inc.	Osbornes Flat and district Community Christmas Gathering	\$1,850.00
17	Rotary Club of Rutherglen Incorporated	Rutherglen Rotary Country Fair	\$5,000.00
18	Rutherglen Carols by Candlelight	Rutherglen Carols by Candlelight	\$2,700.00
19	Rutherglen Community Christmas Lunch Incorporated	2024 Rutherglen Community Christmas Lunch	\$930.00
20	Wahgunyah Tennis Club	Racquets Against Breast Cancer	\$500.00
21	Wholehearted Inc	Dragonfly Theatre Group - Spring Show	\$6,000.00
22	Wooragee Primary School	Wooragee Easter Market	\$1,796.00
23	Yack Community Christmas	Yack Community Christmas Lunch	\$1,000.00
24	Tangam/Kiewa Community Carols	Tangam/Kiewa Community Carols	\$1,000.00
25	Rutherglen Agricultural Society	Rutherglen Annual Agricultural Show	\$2,000.00
	Total		\$60,276.00

2. Thank the Event Grants Assessment Panel.

Moved: Cr Gold

Seconded: Cr Gaffney

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

Against: Nil

CARRIED

PURPOSE OF REPORT

The purpose of this report is to consider the distribution of the Event Grants Program. The assessment panel has considered all applications based on the Council approved criteria and has recommended the above distribution of funds.

BACKGROUND

The Event Grants Program opened on Monday 1 July 2024. The grant program provides financial assistance to event organisers to ensure all residents and visitors have access to a range of recreational, social and cultural activities. The funding program supports events held in Indigo Shire to be a celebration of place and foster town vibrancy and to be inclusive, accessible and open to local community members and visitors alike.

Applications were reviewed by the assessment panel and considered at a meeting on Friday 16 August 2024. The assessment panel has allocated positions including one Councillor, one Council Officer and representatives from Murray Arts, Sports North East, Tourism North East and the three local health services Beechworth Health Service, Indigo North Health Service and Yackandandah Health, and one non-affiliated community member.

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It should be noted that the representative from Beechworth Health Service and the community member were apologies for the meeting, but did provide their notes on the applications. The panel composition ensures strategic input from stakeholders who understand Council priorities outlined in the Municipal Public Health and Wellbeing Plan and the Council Plan.

DISCUSSION

There was a record number of applications received under the Event Grants Program, with 33 applications in total. When combined these applications requested funds totalling \$142,034.85 with individual requests for funding ranging from \$500 to \$10,000. The guidelines allowed a maximum grant request of \$10,000.

The Committee has recommended that Council provide funding to 25 of the 33 applications (outlined in attachment 1). Unsuccessful applicants will be provided with support in identifying alternative funding sources and support from the Creative Communities Team where appropriate. There were eight applications that were not recommended for funding due to competing applications demonstrating stronger alignment to the grant program criteria. The unsuccessful applicants will be contacted with a brief explanation of why their application was unsuccessful and where possible they will also be advised of possible alternative funding options.

The events that were allocated less than the amount requested were considered to ensure that the event could still be delivered based on the grant recommended.

The criteria for scoring the applications was:

- Alignment with Council Plan Themes of Community, Liveability, Prosperity and Environment (score 0-3 per theme)
- The capacity to deliver the event by the applicant (score 0-3)
- Evidence of a logical and well supported budget (score 0-5)

Options

Council could choose to not approve the recommendations of the panel or change the distribution of the funds. This is not recommended as the allocation has been made based on Council approved grant criteria and by an approved selection panel.

STRATEGIC CONTEXT

COUNCIL PLAN 2021 – 2025	
Theme	1. Communities
Strategic Objective	1.2 Our community members have access to the services, activities and infrastructure that make it easy for them to stay connected and get involved in community life.
Strategic Action	1.2.4 Progress the key priorities of and review and update Council's Ageing Well Strategy, Youth Strategy, Tourism Strategy, Economic Development Strategy, Library Strategy and Early Years Strategy

The Community Events Grant Program supports Council objectives under Theme 1: Communities and Theme 3: Prosperity.

- 1.1 Our community members have access to support services to help them achieve and sustain physical and emotional health and wellbeing.
- 1.2 Our community members have access to the services, activities and infrastructure that makes it easy for them to stay connected and get involved in community life.

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- 1.3 Our young people are supported and encouraged to contribute to their communities.
- 1.4 Our Aboriginal and Torres Strait Islander people are valued, respected and their contributions recognised and celebrated.
- 1.5 Our communities are enriched by a thriving and diverse arts and creative sector.
- 3.1 Our economy is strong and sustainable and local businesses and industry are supported in the post COVID-19 recovery phase and beyond.
- 3.2 Tourism is a major economic driver, critical to the long-term sustainability of the Shire and leading the way in the post COVID-19 recovery phase and beyond.

SOCIAL/COMMUNITY IMPLICATIONS

The Events Grant Program provides an opportunity to support social and cultural activities across Indigo Shire. Events provide the community and visitors with the opportunity for connection, a celebration of place and increases town vibrancy.

ENVIRONMENTAL IMPLICATIONS

Each applicant is asked to complete an Event Waste Wise Template. Applicants will be encouraged to have public place recycling at their events and will be encouraged to use environmentally sustainable packaging or reusable packaging for all consumer items used during the event

FINANCIAL IMPLICATIONS

	Approved Budget \$	This Proposal \$	Variance to Approved Budget \$	Comments
Revenue	\$0	\$0	\$0	\$0
Expense	\$60,000	\$60,276	(\$276)	
Net Result	(\$60,000)	(\$60,276)	(\$276)	

The \$60,000 for Events was approved by Council as part of the adoption of the 2024/25.

The available grants ranged from \$500 to \$10,000. This year's event grant fund has been fully allocated.

RISK & OPPORTUNITY MANAGEMENT

Description	Likelihood	Consequence	Final Risk Rating	Controls, treatments
Event does not go ahead.	Possible	Insignificant	Low	Council staff support and assist where applicable and appropriate.
Inappropriate use of the grant provided.	Possible	Minor	Low	Community groups are required to acquit on grant expenditure to ensure authorised use of funds for the event purpose.

There is always some risk that an event recommended for funding does not go ahead or requires an extension to the completion date. In most cases, after discussion with Council officers, support can be given to ensure the event goes ahead. Due to part funding of projects some groups may request slight alterations to the scope of their event.

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From time to time there is disappointment from an applicant who misses out on funding. To support these groups, Council, in its letter to the unsuccessful applicants provides an opportunity to the group to contact Council to investigate alternative methods to fund the event.

Appropriate conflicts of interest declarations and processes were followed by panel members and Council officers in relation to specific projects, as required.

COMMUNITY ENGAGEMENT

Engagement undertaken

The Event Grants program was opened on 1 July 2024. The program was advertised via a media release, local newspapers, Facebook, email, website posters and word of mouth. Council officers conducted a drop-in session in Beechworth, Rutherglen, Chiltern, Yackandandah and Tangambalanga, as well as individual face to face and phone consultations, where groups and event organisers could attend and discuss their proposals.

Engagement outcomes

33 applications were received under this grant round.

Engagement proposed

Council officers will write to all applicants notifying them of the outcome of their applications, and where appropriate provide advice on alternative funding sources. Successful events will be highlighted and promoted to demonstrate the purpose of the grants and the community benefit of this funding.

CONCLUSION

The panel has comprehensively reviewed all applications under Council's Event Grants Program and made a recommendation to Council on which applications should receive funding assistance and how much they are recommended to receive. This year's successful list represents a good cross-shire spread of events and a diverse mix of event offerings over the next 12 months.

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 & Economic Development
- Mark DeCampo – Manager Community Development
- Penelope McGufficke – Creative Communities Coordinator

CONFIDENTIAL ATTACHMENT

The attachment is confidential under section 3(f) of the *Local Government Act 2020* as it deals with personal information, being information which if released would result in the unreasonable disclosure of information about a person or their personal affairs.

This section applies because the information contains details of proposed grant contributions and scoring/comments on applications, both successful and unsuccessful, submitted by community members on behalf of their community organisations and it would unreasonably expose persons. The confidential attachment has been provided to Councillors under separate cover.

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Attachments

1. Events Grants Successful Candidates
2. Events Grants - Unsuccessful (Confidential)
3. Events Grants Minutes

Councillor Horne returned to the meeting room at 7.58pm after the item was resolved.

UNCONFIRMED

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13. INFRASTRUCTURE SERVICES

13.1 COMMUNITY SUSTAINABILITY GRANTS PROGRAM 2024/25

File No: 2024/669

Ian Ellett - Director Infrastructure Services

Infrastructure Services

For Decision

RECOMMENDATION

That Council endorses the allocation of \$19,332 (ex GST) via the 2024/25 Community Sustainability Grants Program to the applicants as set out below:

APPLICANT	PROJECT NAME	AMOUNT (Ex-GST)
Rutherglen Lawn Tennis Club	Shining the Light on Rutherglen Tennis	\$10,000
Osbornes Flat Community Centre	Osbornes Flat Hall Reducing our Greenhouse Gas Emissions	\$5,033
Beechworth Urban Landcare & Sustainability (BULS)	BULS support for Indigo Environment Strategy	\$4,299
TOTAL		\$19,332

RESOLUTION

That Council endorses the allocation of \$19,332 (ex GST) via the 2024/25 Community Sustainability Grants Program to the applicants as set out below:

APPLICANT	PROJECT NAME	AMOUNT (Ex-GST)
Rutherglen Lawn Tennis Club	Shining the Light on Rutherglen Tennis	\$10,000
Osbornes Flat Community Centre	Osbornes Flat Hall Reducing our Greenhouse Gas Emissions	\$5,033
Beechworth Urban Landcare & Sustainability (BULS)	BULS support for Indigo Environment Strategy	\$4,299
TOTAL		\$19,332

Moved: Cr Shepherd

Seconded: Cr Gold

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

Against: Nil

CARRIED

COUNCIL MEETING MINUTES - 16 SEPTEMBER 2024

PURPOSE OF REPORT

The purpose of this report is to seek endorsement from Council on the distribution of funds from the 2024/25 Community Sustainability Grant program to recommended applications.

BACKGROUND

Community Sustainability Grants Program overview:

- Council allocated \$21,320 (pre-GST) for the Community Sustainability Grants Program in 2024/25. The total amount requested by five applications is \$33,366 (inclusive GST).
- The Program was open to receive applications between 1 July and 5 August 2024.
- This is the seventh year of the program (previously named *Community Facilities Energy Upgrade Grants*). Information about past projects funded through this program is contained on Council's 'Our climate action' platform - <https://climateaction.indigoshire.vic.gov.au/actions/37>
- The Program provides financial assistance to community groups and organisations to implement and build capacity for renewable energy, energy efficiency, biodiversity and climate change related projects.
- In 2024/25, this program was aligned with Council's other grants programs to improve efficiency and reduce confusion.
- In 2024/25, the Program was administered using Council's Smartygrants platform. Using Smartygrants has significantly increased efficiencies across the whole grant process, not only for the guideline documentation and application process, but also the evaluation and administration.

Assessment of 2024/25 applications:

- As per Council's Grants Governance Policy (Version 1C) and the ISC Community Sustainability Grants 2024/25 Guidelines, an assessment panel consisting of three Council Environment & Sustainability staff (Sam Niedra, Maureen Rogers, Isla Fitridge) and two members of the Indigo Environment Advisory Committee (Rik Thwaites, Philippa Noble) was established.
- All panel members have declared that they do not have a Conflict of Interest.
- Assessment of applications was as per the Assessment Criteria outlined on page 3 of the Program Guidelines attached to this Council report.
- Each assessor independently scored each application according to the criteria, providing an overall score.
- A panel meeting was held on 4 September to consider the assessments and agree on recommendations.

DISCUSSION

Applications:

- A total of five organisations submitted applications, of which:
 - Two applications were from new applicants.
 - Two applications were received from Rutherglen, one from Chiltern, one from Osbornes Flat, and one from Beechworth. The geographic spread of applications is reflective of engagement efforts by staff which extended across the shire.

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- The total funding amount requested of Council is \$33,366 (inclusive GST).

Below is a summary of the assessment panel's recommendations.

1. Rutherglen Lawn Tennis Club Inc.

Project: Shining the Light on Rutherglen Tennis

Funding requested: \$10,000.00 (ex GST)

Total cost: \$26,200 (ex GST)

Funding recommended: \$10,000 (ex GST)

This project aims to replace the existing halogen lights on 4 of the towers with energy efficient LED lights, plus replace the current wiring with bird proof systems allowing two courts to be efficiently and sustainably lit. The work will also provide a base for the following two towers to be upgraded with LED lights as finances permit in the future.

2. Osborne's Flat Community Centre Inc.

Project: Osbornes Flat Hall Reducing our Greenhouse Gas Emissions

Funding requested: \$5,536.00 (inclusive GST)

Total cost: \$6,136 (inclusive GST)

Funding recommended: \$5,033 (ex GST)

This project aims to replace the 4 existing gas hall heaters, with 4 suspended radiant heater units which have been designed by the manufacturer to match the existing space in the hall and provide an appropriate level of comfort for hall users. A system has been chosen which can be readily managed by non-technical lay hirers. This will be the second stage of renewable energy works at the hall, following the recent installation of additional solar panels, battery and generator plug-in point. The decommissioning of the existing gas heaters will remove any health and safety concerns as well as reducing the reliance on bottled gas, which is not only an issue in terms of its fossil fuel/emissions status, but also in terms of the management of bottled gas on site and for hall hirers.

3. Beechworth Urban Landcare & Sustainability Inc.

Project: BULS support for Indigo Environment Strategy

Funding requested: \$4,830 (inclusive GST)

Total cost: \$7,080 (inclusive GST)

Funding recommended: \$4,299 (ex GST)

BULS is keen to improve waterway health and restore natural habitat in Beechworth. This application seeks funding for planting of additional locally endemic species in two of our current project sites at Lake Sambell - ie. the Bush Botanic Gardens and the Claybanks. It also seeks a small amount of funding to help scope out a new project that would extend the native vegetation corridor along Silver Creek below Wallace Park and improve management of a 'forgotten' Council reserve adjacent to the rail trail. We want to work closely with the Council to restore these valuable areas.

Options

Options for unspent funds have been proposed in the Financial Implications section of this report. Officers seek Council evaluation of recommendations and decision for these two proposals.

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STRATEGIC CONTEXT

COUNCIL PLAN 2021 – 2025	
Theme	4. Environment
Strategic Objective	4.1 Lead our community through advocacy, planning and action to address the Climate Emergency and mitigate its impact on the health of our community, environment and the planet.
Strategic Action	4.1.1 Implement the actions contained in Council's Climate Emergency Strategic Action Plan 2020

The Community Sustainability Grants Program also aligns with objectives outlined in several of Council's guiding documents to support and develop a sustainable, thriving and resilient community through leadership and partnerships. These include:

- Climate Change Policy
- Environment Strategy 2019
- Greenhouse Action Plan 2009
- Climate Emergency Strategic Action Plan 2020
- Climate Emergency Declaration 2019
- Emissions Reduction Plan 2021
- Council's climate action platform - <https://climateaction.indigoshire.vic.gov.au/>

SOCIAL/COMMUNITY IMPLICATIONS

The Community Sustainability Grants Program supports the wonderful efforts of a wide variety of groups and not-for-profit organisations across Indigo Shire. The Program was developed in response to community sentiment seeking additional support to help address rising energy costs, and to improve the long-term sustainability of service delivery.

The aim of the Program is to also improve overarching sustainability awareness, broaden response and preserve high levels of participation across community groups. By strengthening the operational efficiencies of facilities, Council can improve community connections, user comfort, organisational health, and the delivery of a suite of community-based health and wellbeing activities. Council can also support the community to undertake capacity building activities, including education and awareness campaigns which will help support future decision making and action.

Several of the 2024/25 applications demonstrate leadership and pilot-type programs that could enhance the capacity and reputation of our communities in light of our climate change challenges.

ENVIRONMENTAL IMPLICATIONS

All projects recommended for funding in this report represent a positive environmental implication as a result of reduced greenhouse gas (GHG) emissions, environmental education and capacity building.

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FINANCIAL IMPLICATIONS

	Approved Budget \$	This Proposal \$	Variance to Approved Budget \$	Comments
Revenue	0	0	0	Nil
Expense	21,320	19,332	1,988	
Net Result	(21,320)	(19,332)	1,988	

GST:

Treatment of GST will be based on the advice provided by the Australian Taxation Office.

LEGISLATIVE IMPLICATIONS

In some cases, approvals/permits may be required to complete the proposed project. This may include building, planning, heritage, or structural approvals. For example, the structural capability of the building to support solar panels may need to be confirmed by third-party engineering assessment.

These actions are the responsibility of the applicant. Applicants should discuss their project with any responsible regulatory body (e.g. Council or a Victorian Government Department or agency) and the building owner prior to submitting their application.

The Victorian Climate Change Act 2017, and Local Government Act 2020 provide clear commentary on the how councils need to consider climate change impacts holistically, in all of Council operations, and decision making, including budget allocation and support and development of communities.

RISK & OPPORTUNITY MANAGEMENT

Description	Likelihood	Consequence	Final Risk Rating	Controls, treatments
Project is not completed by applicant	Possible	Minor	Low	Conditions placed on approved grants as required. Council staff to guide and support groups to successfully deliver their projects.
Council grant funding not used for the purpose articulated in the council resolution.	Possible	Moderate	Low	Council maintains rigorous acquittal requirements for groups and ongoing contact with recipients ensures appropriate use of grant funds.

COMMUNITY ENGAGEMENT

Engagement undertaken

- The Program was advertised via Council's website, Facebook, the Indigo Environmental Advisory Committee (IEAC), and direct email to the shire's numerous community groups (e.g. Community Energy Groups, Landcare Groups, and Lions) and forums (e.g. NERSA, GMCA). The Program was also advertised in the local media.

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- The program was also promoted extensively through direct contact by Council's Environment & Sustainability team.

Engagement outcomes

Grant engagement occurs through both promotion of the funding stream and organically through grant requirements for project submissions. This interaction helps Council inform the funding delivery each year.

Engagement proposed

The grant acquittal process invites feedback each round.

CONCLUSION

The assessment panel has reviewed the applications in this current round of the Community Sustainability Grants Program and have recommended 3 out of 5 applications receive funding in line with published grant guidelines and Council's strategic agenda. Projects were reviewed with other relevant departments such as Assets & Property and Community Development to ensure appropriate alignment with Council's strategic context and current or future works.

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
- Sam Niedra – Coordinator Environment & Sustainability
- Maureen Rogers – Sustainability Projects Officer
- Isla Fitridge – Climate Change and Sustainability Officer

CONFIDENTIAL ATTACHMENT

The attachment is confidential under section 3(f) of the *Local Government Act 2020* as it deals with personal information, being information which if released would result in the unreasonable disclosure of information about a person or their personal affairs.

This section applies because the information contains details of proposed grant contributions and scoring/comments on applications, both successful and unsuccessful, submitted by community members on behalf of their community organisations and it would unreasonably expose persons. The confidential attachment has been provided to Councillors under separate cover.

Attachments

1. Recommended applications - Community Sustainability Grants 2024/25
2. Unsuccessful applications - Community Sustainability Grants 2024/25
(Confidential)

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13.2 PROPOSED SALE OF LAND - MICHELLE DRIVE, KIEWA

File No: 2024/704

Adam Kimball - Manager Assets & Property

Infrastructure Services

For Decision

RECOMMENDATION

That Council:

1. Agrees to the discontinuance of 369 square metres of land from the road reserve on Michelle Drive, Kiewa and the intended sale of this piece of land to the owner of 80 Michelle Drive for \$2,160;
2. Notes a public notice will be published advising of Council's intention to both discontinue the section of road and to sell the land to the adjacent landowner, and that submissions will be received from the public for a period of 28 days; and
3. Notes that a further report will be provided to Council following the public notice period unless no objections are received, in which event officers will proceed with the formal process required for the road discontinuance and sale of land.

RESOLUTION

That Council:

1. Agrees to the discontinuance of 369 square metres of land from the road reserve on Michelle Drive, Kiewa and the intended sale of this piece of land to the owner of 80 Michelle Drive for \$2,160;
2. Notes a public notice will be published advising of Council's intention to both discontinue the section of road and to sell the land to the adjacent landowner, and that submissions will be received from the public for a period of 28 days; and
3. Notes that a further report will be provided to Council following the public notice period unless no objections are received, in which event officers will proceed with the formal process required for the road discontinuance and sale of land.

Moved: Cr Teissl

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 approve the sale of a section of road reserve in Michelle Drive, Kiewa to the adjacent Landowner at 80 Michelle Drive.

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BACKGROUND

The landowner wishes to construct a new property access to 80 Michelle Drive Kiewa and has identified that the current boundary configuration against Michelle Drive is problematic as it is not perpendicular to the alignment of the road. Instead, it runs at an angle. The Owner wishes to purchase a portion of the end of Michelle Drive to allow access to be constructed directly from the end of the existing seal on Michelle Drive and to square up his entrance.

DISCUSSION

The subject land is currently part of a road as shown on plan attached to this report. Once discontinued and sold, the land will be added to 80 Michelle Drive.

Officers support the sale of this portion of road reserve because there is no advantage or reason to retain it as road. The adjacent landowner at 74 Michelle Drive has been consulted and supports the sale and has stated that the current layout of the road reserve makes it challenging for them to maintain the area.

STRATEGIC CONTEXT

COUNCIL PLAN 2021 – 2025	
Theme	2. Liveability
Strategic Objective	2.1 Our townships and land management are well planned and sustainable with a balanced approach to population growth

FINANCIAL IMPLICATIONS

There will be some costs involved to prepare the property for sale, including permits and title searches. These costs will be recouped when the properties are sold. The property valuation of the subject land (rounded down to 360m²) has been calculated by Fisher Property, as follows:

$$360\text{m}^2 \text{ at } \$6 \text{ per m}^2 = \$2,160.$$

LEGISLATIVE IMPLICATIONS

The discontinuance and sale of roads is carried out according to the provisions of Clause 3 of Schedule 10 of the Local Government Act 1989 and section 114 of the Local Government Act 2020.

Clause 3 of Schedule 10 of the Local Government Act 1989 states that council can:

- Discontinue a road, or part of a road, by a notice published in the Government Gazette; and
- Sell the land from that road (if it is not Crown land), transfer the land to the Crown or itself or retain the land.

Section 114 of the Local Government Act 2020 relates to Council's obligations in relation to the sale, exchange or transfer land without consideration of, and requires Councils to:

- Have a current valuation (not more than 6 months old) for the land that is proposed for sale, exchange or transfer.
- At least 4 weeks prior to dealing with the land, publish a notice of Council's intention to do so.
- Undertake community engagement in accordance with their Community Engagement Policy. It is proposed to receive submissions for a period of 28 days which fulfils the requirements under the Policy.

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A recent land valuation has been obtained (August 2024) and it has valued the subject land at \$2,160. All other requirements set out above are covered in the recommendations at the front of this report.

RISK & OPPORTUNITY MANAGEMENT

No reportable risks have been identified.

COMMUNITY ENGAGEMENT

The owner of the adjacent property at 74 Michelle Drive has been contacted and agrees to the discontinuation and sale of the portion of road to their neighbour at 80 Michelle Drive.

A notice to discontinue the section of road will be published in the Government Gazette.

A public notice will be placed to notify the public of Council's intentions related to the proposed road discontinuance and land sale, and to allow the opportunity for the public to express any concerns and be heard in relation to the sale of the land before the matter is finalised.

CONCLUSION

The angled boundary at the end of Michelle Drive is not ideal for the landowner at the end of the road. The sale of a triangular piece of land to square up the end makes sense and is not required for road purposes.

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
- Kaden Bruce – Development Engineer

Attachments

1. Locality Map - 80 Michelle Drive Kiewa
2. Site Plan - 80 Michelle Drive Kiewa

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13.3 CONTRACT NO. 2324-003-02 - SEALED PAVEMENT REHABILITATION - KERGUNYAH ROAD

File No: 2024/856

Nathan Mullane - Manager Capital Works and Infrastructure Services
Waste

For Decision

RECOMMENDATION

That Council:

1. Awards contract No. 2324-003-02 – Sealed Pavement Rehabilitation – Kergunyah Road to Hiway Aus Pty Ltd for the amount of \$598,196.07 (excluding GST);
2. Authorises the CEO to sign and seal the contract documents; and
3. Authorises the CEO the financial delegation to approve contract variations up to a total of 10 per cent of the signed contract value.

RESOLUTION

That Council:

1. Awards contract No. 2324-003-02 – Sealed Pavement Rehabilitation – Kergunyah Road to Hiway Aus Pty Ltd for the amount of \$598,196.07 (excluding GST);
2. Authorises the CEO to sign and seal the contract documents; and
3. Authorises the CEO the financial delegation to approve contract variations up to a total of 10 per cent of the signed contract value.

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

PURPOSE OF REPORT

This report provides an evaluation of tenders received to carry out major rehabilitation works on multiple sections of Kergunyah Road and a recommendation to Council for the award of a contract.

BACKGROUND

The 'pavement' of a sealed road refers to the various layers of crushed rock, gravels and natural material which exist under the black sealed surface. This sandwich of compacted materials provides the structural base of the road that supports the traffic while the thin bitumen surface acts as the waterproofing layer to prevent the pavement from getting excessively wet and falling apart.

Over a road's life, traffic slowly breaks down the pavement materials until they can no longer support the traffic loads, which causes them to deform and ultimately fail. Council staff develop a program annually to repair small-medium localised pavement failures and identify other larger full width sections where reconstruction is required.

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Kergunyah Rd is located within the Kiewa River flood plain and provides a key links between Gundowring Road and the Kiewa Valley Highway. This short section of road contains multiple bridge and culvert structures with certain sections more prone to inundation from time to time. The road has been subject to numerous pavement failures and has been subsequently 'patched' over many years using a combination of treatments. The sections of road in this scope continue to fail which has prompted this broader rehabilitation treatment proposal rather than more patching. This contract scope will rehabilitate approximately 1.1km of Kergunyah Rd, across 5 different segments of varying length along this 3km stretch of sealed road.

Staff have undertaken a geotechnical investigation and pavement design process to quantify pavement profiles, establish subgrade properties and review traffic profiles to better inform this scope of works. Consultation with the North East Catchment Management Authority has also informed the scope and identified sections where existing road surface levels must be maintained due to their location within the flood area.

DISCUSSION

Tenders were advertised on Council's electronic procurement portal eProcure on 26 July 2024 and closed on 20 August 2024. The tender attracted a strong response. A tender evaluation panel comprising the Manager Capital Works & Waste, and Council's Senior Project Engineer assessed the tenders based on the following weighted criteria, as detailed in the tender documents;

1. Price	50%
2. Qualifications & Previous Performance	20%
3. OHS, Quality & Environmental Management	10%
4. Social/benefit to the region	10%
5. Environmental Sustainability	10%

The Tender Evaluation Matrix & Recommendation Report (provided as a confidential attachment) includes a detailed price check and scored evaluation undertaken by the panel.

Ultimately, the tender from Hiway Aus Pty Ltd scored highest due to a very competitive tender price, good management systems, some good sustainability credentials, and excellent qualifications and previous experience. They are an experienced company specialising in the rehabilitation of roads who have recycled over 350km of roads across regional Victoria in the last 5 years alone. Hiway Aus also provided a very aggressive preliminary program for completion of all works which will help minimise impact to the community and wider transport activities.

Upon review of the project risks, it has been identified that road conditions have deteriorated slightly since the contract scope was prepared. Accordingly, it is probable that additional provisional sum items, than what were included in the tender documentation, will be necessary. As a result, an additional \$65,000 is recommended to be included in contract award price over and above Hiway Aus Pty Ltd's tender price of \$533,196.07. This includes an additional \$20,000 provision for unforeseen sub-grade improvements and a new provisional item of \$45,000 to action any additional areas on the road that have deteriorated since the original scope development.

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STRATEGIC CONTEXT

COUNCIL PLAN 2021 – 2025	
Theme	2. Liveability
Strategic Objective	2.3 Our infrastructure is renewed using sound asset management practices and expanded to meet the changing needs of our communities and the impact of climate change.
Strategic Action	2.3.3 Progress the key priorities of the Asset Management Strategy and Asset Management Plans

Ongoing renewal of aging sealed road pavement assets to maintain an acceptable level of service is prescribed within Council's Asset Management Plans and is a key requirement of managing Council's risk under the Road Management Act 2004.

SOCIAL/COMMUNITY IMPLICATIONS

Larger scale sealed road renewal projects on Council's road network ensures provision of safe and serviceable transport routes for communities.

ENVIRONMENTAL IMPLICATIONS

Reconstructing large sections a road network requires a significant amount of energy and materials which contribute to Council's overall environmental impact. Mediation of this impact is attempted through the following principles and practices:

- Sound asset management judgements to rehabilitate roads at the optimal time.
- Re-use and improvement of existing road materials, where suitable.
- Carry out geotechnical investigations to better inform pavement design options.
- Use of specialist contractors and equipment to deliver works efficiently.

Historically, road reconstruction works would often remove and dispose of the old, lower quality, road pavement materials and then rely on all new quarried materials to be imported. However, to minimise carbon emissions it is now better practice to recycle and improve the existing road pavement which results in a greatly reduced need for these new materials.

FINANCIAL IMPLICATIONS

	Approved Budget \$	This Proposal \$	Variance to Approved Budget \$	Comments
Revenue	0	0	0	
Expense	\$851,352	\$598,196	\$253,156	See discussion below.
Net Result	(\$851,352)	(\$598,196)	\$253,156	

A total budget of \$851,352 is included within the 2024-25 capital works budget for the specified works. This contract will spend a large proportion of this but will also leave significant funds to plan and action other sealed pavement rehabilitation projects later this season.

COUNCIL MEETING MINUTES - 16 SEPTEMBER 2024

LEGISLATIVE IMPLICATIONS

This recommendation is being made following a procurement process that is compliant with Council's Procurement Policy (2021). This process included consideration of opportunities for collaborative procurement with other Councils and public bodies and identified no social or economic gain in a collaborative procurement process.

RISK & OPPORTUNITY MANAGEMENT

Description	Likelihood	Consequence	Final Risk Rating	Controls, treatments
Recommendation is not approved	Unlikely	Minor	Low	Sound procurement process and selection of good value, experienced tenderer within available budget.
Poor Quality Outcome	Unlikely	Minor	Low	Selection of highly experienced contractor. Good planning. Monitoring by Councils Project Engineer. Use of standard quality assurance contract with 12-month maintenance period.
Works impacted due to poor weather or flood inundation	Possible	Insignificant	Low	Selection of highly experienced contractor. Good planning. Works planned for summer season for more favourable weather probability.
Reputational risk if works and daily road closures are protracted.	Unlikely	Insignificant	Low	Selection of highly experienced contractor. Good planning. Works planned for summer season for more favourable weather probability.
Long term negative impact on flood plain operation	Rare	Minor	Low	Specification has level control requirements in place to maintain existing road surface levels.

COMMUNITY ENGAGEMENT

CONSULTATION/COMMUNICATION UNDERTAKEN

Level of public participation	Promise to the public/stakeholders	Examples of techniques used/to use
Inform	We will keep you informed.	Ongoing direct communication with main land holder(s) adjoining works.

CONSULTATION/COMMUNICATION PROPOSED

Level of public participation	Promise to the public/stakeholders	Examples of techniques used/to use
Inform	We will keep you informed.	Nearby community to be advised in an upcoming letter. Councils weekly update, our projects web page and social media will be used to keep locals informed. Some direct communication with freight companies planned.

COUNCIL MEETING MINUTES - 16 SEPTEMBER 2024

CONCLUSION

The tender from Hiway Aus Pty Ltd scored highest across the evaluation criteria and provides a very experienced contractor at a very competitive price.

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
- Nathan Mullane, Manager Capital Works & Waste
- Dan Wilkinson, Senior Project Engineer

CONFIDENTIAL ATTACHMENTS

The attachments to this report are confidential under the following sections of the Act:

- *3(a) Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released.*

This section applies because the matter concerns commercial contracts around which negotiations have not been finalised, and it would prejudice the Council's position in the negotiations.

- *3(g) private commercial information, being information provided by a business, commercial or financial undertaking that -*
 - (i) relates to trade secrets; or*
 - (ii) if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage.*

This section applies because the information contains details of the rates charged across the business and it would unreasonably expose the business by providing an unfair advantage to their competitors.

Attachments

1. 2324-003-02 - Tender Evaluation and Recommendation Report - Kergunyah Rd - Sealed Pavement Rehabilitation - Combined Documents (Confidential)

COUNCIL MEETING MINUTES - 16 SEPTEMBER 2024

13.4 CONTRACT NO. 2425-012 - BRIDGE & CULVERT UPGRADE - BOORHAMAN EAST ROAD, NORONG

File No: 2024/860

Nathan Mullane - Manager Capital Works and Infrastructure Services
Waste

For Decision

RECOMMENDATION

That Council:

1. Awards Contract No. 2425-012 – Bridge & Culvert Upgrade, Boorhaman East Road, to Murray Valley Piling for the amount of \$655,000 (excluding GST);
2. Authorises the CEO to sign and seal the contract documents;
3. Authorises the CEO the financial delegation to approve contract variations up to a total of 10 per cent of the signed contract value; and
4. Notes that additional funding has been requested from the Australian Government's Bridges Renewal Program to help cover additional costs and that balancing funds will be required from the 2024/25 Bridges Renewal budget to support this project.

RESOLUTION

That Council:

1. Awards Contract No. 2425-012 – Bridge & Culvert Upgrade, Boorhaman East Road, to Murray Valley Piling for the amount of \$655,000 (excluding GST);
2. Authorises the CEO to sign and seal the contract documents;
3. Authorises the CEO the financial delegation to approve contract variations up to a total of 10 per cent of the signed contract value; and
4. Notes that additional funding has been requested from the Australian Government's Bridges Renewal Program to help cover additional costs and that balancing funds will be required from the 2024/25 Bridges Renewal budget to support this project.

Moved: Cr Shepherd

Seconded: Cr Teissl

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

Against: Nil

CARRIED

PURPOSE OF REPORT

This report provides an evaluation of tenders received to carry out an upgrade to the Boorhaman East Road Bridge and a recommendation to Council for the award of a Contract.

COUNCIL MEETING MINUTES - 16 SEPTEMBER 2024

BACKGROUND

The Boorhaman East Rd bridge, nearest McPhersons Rd, is a precast concrete U-slab structure that forms a single span over Diddah-Diddah Creek on Boorhaman East Rd, approximately 5.5km south of the Murray Valley Highway. The site also has a set of flood relief box culverts on the northern side of the structure.

Detailed investigations have concluded the need for strengthening works to the bridge, and replacement of the associated culverts, to accommodate current and future traffic loads. The road is a key link route through this agricultural region, and as such, ensuring the ongoing load capacity of the structure is a high priority.

Council funded the development of a design to strengthen the bridge through the installation of a mid-span support, followed by a concrete deck overlay. The scope also detailed upgrades to the associated flood relief culvert structures, road approaches, and installation of new road safety barriers to accommodate the new works. The scope included the reuse of the existing beams, and sub structure. The design and supporting evidence were used to seek Federal grant funding to support Council in the delivery of the works.

In May 2024 Council received notification of a \$483k grant from the Australian Government's Bridges Renewal Program to supplement Council's capital contribution to deliver this project.

DISCUSSION

Council advertised tenders on the electronic procurement portal eProcure on the 9th August 2024 and tenders closed on 3rd September 2024.

A tender evaluation panel comprising the Manager Capital Works & Waste, and Council's Senior Project Engineer assessed the tenders based on the following weighted criteria, as detailed in the tender documents;

1. Price	50%
2. Qualifications & Previous Performance	20%
3. OHS, Quality & Environmental Management	10%
4. Social/benefit to the region	10%
5. Environmental Sustainability	10%

The Tender Evaluation Matrix & Recommendation Report (provided as a confidential attachment) includes a detailed price check and scored evaluation undertaken by the panel.

The tender received from Murray Valley Piling was non-conforming as it proposed an alternative solution to that specified. It was also the cheapest tender received and the panel assessed it as providing the best overall outcome for Council.

The alternative submission offers to remove the existing, undercapacity, U-slab bridge and associated flood relief culverts, and replace these with a new 18m x 8m composite steel beam and reinforced concrete deck bridge. The proposal also includes all the necessary upgrades to road safety barriers and road approaches as per the tender scope. The tender price also includes provision of a certified temporary side track and bridge for the duration of works which greatly mitigates any negative impact to local community and increases flexibility for delivery timing.

COUNCIL MEETING MINUTES - 16 SEPTEMBER 2024

STRATEGIC CONTEXT

COUNCIL PLAN 2021 – 2025	
Theme	2. Liveability
Strategic Objective	2.3 Our infrastructure is renewed using sound asset management practices and expanded to meet the changing needs of our communities and the impact of climate change.

Continued renewal and replacement of our aging structural assets to maintain an acceptable level of service and appropriate load capacity is prescribed within Council's Bridges Asset Management Plan and is a key requirement of managing Council's risk under the Road Management Act 2004.

FINANCIAL IMPLICATIONS

	Approved Budget \$	This Proposal \$	Variance to Approved Budget \$	Comments
Revenue	\$483,314	\$483,314	0	Bridges Renewal Program Funds
Expense	\$604,143	\$735,000	(\$130,857)	Contract amount \$655,000 Other costs (design, project management, contingency etc.) \$80,000
Net Result	(\$120,829)	(\$251,686)	(\$130,857)	Council contribution

Officers have submitted a variation request to the Federal Government for both the change in scope and for additional funding of \$104,686 towards this project (being 80% of the extra amount needed).

Additional funds will need to come from Council's Bridges Renewal budget. In the event that additional grant funding is received, the amount funded from the Bridges Renewal budget will be \$26,171. If the additional grant funding is not approved, then the amount will be \$130,857.

RISK & OPPORTUNITY MANAGEMENT

Description	Likelihood	Consequence	Final Risk Rating	Controls, treatments
Recommendation is not approved	Unlikely	Minor	Low	Sound procurement process and selection of good value, experienced tenderer.
Poor Quality Outcome	Unlikely	Minor	Low	Selection of highly experienced contractor. Monitoring by Project Engineer. Use of quality assurance contract with 12-month maintenance period.
Reputational risk if works are protracted.	Unlikely	Minor	Low	Selection of highly experienced contractor. Good planning. Works planned for summer season for more favourable weather probability.

COUNCIL MEETING MINUTES - 16 SEPTEMBER 2024

COMMUNITY ENGAGEMENT

CONSULTATION/COMMUNICATION PROPOSED

Level of public participation	Promise to the public/stakeholders	Examples of techniques used/to use
Inform	We will keep you informed.	Nearby community to be advised in an upcoming works letter. Councils weekly update, our projects web page and social media will be used to keep locals informed. Some direct communication with freight companies planned.

CONCLUSION

The tender from Murray Valley Piling scored highest across the evaluation criteria and provides a well-considered, optimal solution, with a very experienced contractor, at a very competitive price.

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
- Nathan Mullane – Manager Capital Works and Waste
- Dan Wilkinson – Project Engineer

CONFIDENTIAL ATTACHMENTS

The attachments to this report are confidential under the following sections of the Act:

- *3(a) Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released.*

This section applies because the matter concerns commercial contracts around which negotiations have not been finalised, and it would prejudice the Council's position in the negotiations.

- *3(g) private commercial information, being information provided by a business, commercial or financial undertaking that -*

(i) relates to trade secrets; or

(ii) if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage.

This section applies because the information contains details of the rates charged across the business and it would unreasonably expose the business by providing an unfair advantage to their competitors.

Attachments

1. 2425-012 Tender Evaluation and Recommendation Report - Boorhaman East Rd Bridge and Culvert - Combined Documents (Confidential)

COUNCIL MEETING MINUTES - 16 SEPTEMBER 2024

14. EXECUTIVE MANAGEMENT

14.1 ADVISORY COMMITTEE MINUTES

File No: 2024/817

Carla Hanlon - Executive Manager People & Governance

Executive Management

For Decision

RECOMMENDATION

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

1. Indigo Shire Community Grants and Awards Advisory Committee

RESOLUTION

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

1. Indigo Shire Community Grants and Awards Advisory Committee

Moved: Cr Teissl

Seconded: Cr Gaffney

For: Crs Peter Croucher, Bernard Gaffney, Sue Gold, Roberta Horne, Sophie Price, Diane Shephard 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).

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.

COUNCIL MEETING MINUTES - 16 SEPTEMBER 2024

DISCUSSION

COMMITTEE	DATE OF MEETING	RECOMMENDATION	MANAGEMENT RECOMMENDED ACTION																																	
Indigo Shire Community Grants and Awards Advisory committee	16 August 2024	<div>That Council allocates the Community Grants for 2024 as follows:</div> <table><tr><th>Organisation</th><th>Project</th><th>Recommended Funding Allocation</th></tr><tr><td>1st Beechworth Scout Group</td><td>Feeding Big Adventure Appetites with our New BBQ!</td><td>\$2,930.00</td></tr><tr><td>Allan's Flat Recreation Reserve Committee of Management</td><td>Toilet Block - Reliable Water Supply</td><td>\$4,000.00</td></tr><tr><td>Arts Yackandandah</td><td>Creative Kids Yackandandah</td><td>\$2,280.00</td></tr><tr><td>Beechworth Arts Council</td><td>Unveiled - portraits of creative Beechworth (working title)</td><td>\$3,987.00</td></tr><tr><td>Beechworth Wildlife Rescue Shelter</td><td>Waterbird rehabilitation</td><td>\$2,500.00</td></tr><tr><td>Chiltern Neighbourhood House</td><td>Cooking for Community</td><td>\$3,500.00</td></tr><tr><td>Indigo North Health</td><td>Chiltern Neighbourhood House Memory Cafe</td><td>\$3,000.00</td></tr><tr><td>Kergunyah Memorial Hall Committee of Management</td><td>Cordless Handstick Vacuum Cleaner</td><td>\$1,000.00</td></tr><tr><td>Kiewa-Tangambalanga Lions Club Inc.</td><td>Replacement BBQ and Accessories</td><td>\$2,000.00</td></tr><tr><td>Lions Club of Chiltern</td><td>Grapevine Laptop Computer Replacement</td><td>\$1,150.00</td></tr></table>	Organisation	Project	Recommended Funding Allocation	1st Beechworth Scout Group	Feeding Big Adventure Appetites with our New BBQ!	\$2,930.00	Allan's Flat Recreation Reserve Committee of Management	Toilet Block - Reliable Water Supply	\$4,000.00	Arts Yackandandah	Creative Kids Yackandandah	\$2,280.00	Beechworth Arts Council	Unveiled - portraits of creative Beechworth (working title)	\$3,987.00	Beechworth Wildlife Rescue Shelter	Waterbird rehabilitation	\$2,500.00	Chiltern Neighbourhood House	Cooking for Community	\$3,500.00	Indigo North Health	Chiltern Neighbourhood House Memory Cafe	\$3,000.00	Kergunyah Memorial Hall Committee of Management	Cordless Handstick Vacuum Cleaner	\$1,000.00	Kiewa-Tangambalanga Lions Club Inc.	Replacement BBQ and Accessories	\$2,000.00	Lions Club of Chiltern	Grapevine Laptop Computer Replacement	\$1,150.00	Recommended in a report presented to Council in the agenda for September 2024 Council Meeting
Organisation	Project	Recommended Funding Allocation																																		
1st Beechworth Scout Group	Feeding Big Adventure Appetites with our New BBQ!	\$2,930.00																																		
Allan's Flat Recreation Reserve Committee of Management	Toilet Block - Reliable Water Supply	\$4,000.00																																		
Arts Yackandandah	Creative Kids Yackandandah	\$2,280.00																																		
Beechworth Arts Council	Unveiled - portraits of creative Beechworth (working title)	\$3,987.00																																		
Beechworth Wildlife Rescue Shelter	Waterbird rehabilitation	\$2,500.00																																		
Chiltern Neighbourhood House	Cooking for Community	\$3,500.00																																		
Indigo North Health	Chiltern Neighbourhood House Memory Cafe	\$3,000.00																																		
Kergunyah Memorial Hall Committee of Management	Cordless Handstick Vacuum Cleaner	\$1,000.00																																		
Kiewa-Tangambalanga Lions Club Inc.	Replacement BBQ and Accessories	\$2,000.00																																		
Lions Club of Chiltern	Grapevine Laptop Computer Replacement	\$1,150.00																																		

COUNCIL MEETING MINUTES - 16 SEPTEMBER 2024

COMMITTEE	DATE OF MEETING	RECOMMENDATION			MANAGEMENT RECOMMENDED ACTION
		Osbornes Flat Community Centre Inc.	Improving Access for the Osbornes Flat Hall	\$3,975.00	
		Rutherglen Community Christmas Lunch Incorporated	2024 Rutherglen Community Christmas Lunch	\$1,870.00	
		Rutherglen Golf Club	Flicks On The Fairway	\$4,000.00	
		Wahgunyah Lions Football Netball Club - Canteen Committee	Dishwasher	\$1,000.00	
		Wahgunyah Progress Association Incorporated	Native Animal Sculptures - self guided tour	\$4,000.00	
		Wahgunyah Racecourse Recreation Reserve Committee of Management	Picnic Table Upgrade	\$1,300.00	
		Yackandandah Chamber of Commerce	Chamber Kick Start	\$1,000.00	
		Yackandandah Riding Club	Installation of a toilet block at the Yackandandah Riding Club	\$4,000.00	
		Yackandandah Toy Library	Yackandandah Toy Library upgrade to SETLS and New Toys	\$2,500.00	
		Yackandandah Women's Shed	We Want to be Heard	\$800.00	
		TOTAL		\$50,792.00	

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.

COUNCIL MEETING MINUTES - 16 SEPTEMBER 2024

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.

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 & Governance
- Annabel Harding – Governance Coordinator
- Emma O'Donnell – Governance Officer

Attachments

1. Minutes - Indigo Shire Community Grants and Awards Advisory Committee - 16 August 2024

COUNCIL MEETING MINUTES - 16 SEPTEMBER 2024

14.2 INFORMAL MEETINGS OF COUNCILLORS RECORDS

File No: 2024/818

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 Gaffney

Seconded: Cr Croucher

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.

COUNCIL MEETING MINUTES - 16 SEPTEMBER 2024

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	13 August 2024
Council Briefing	20 August 2024
Planning Site Visit - 154 Mia Mia Road, Browns Plains	20 August 2024
Planning Site Visit - 53 Barkley Street, Rutherglen	20 August 2024
CEO Remuneration and Employment Committee	20 August 2024
Council Briefing	27 August 2024
Council Briefing	3 September 2024
Council Briefing	10 September 2024

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.

COUNCIL MEETING MINUTES - 16 SEPTEMBER 2024

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.

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 – Acting Executive Manager People & Governance
- Emma O'Donnell – Governance Officer

Attachments

1. Informal Meeting of Councillors Record - Council Briefing - 13 August 2024
2. Informal Meeting of Councillors Record - Council Briefing - 20 August 2024
3. Informal Meeting of Councillors - Planning Site Visit - 154 Mia Mia Road - 20 Aug 2024
4. Informal Meeting of Councillors - Planning Site Visit - Barkley Street Rutherglen - 20 Aug 2024
5. Informal Meeting of Councillors Record - CEO Remuneration and Employment Committee - 20 August 2024
6. Informal Meeting of Councillors Record - Council Briefing - 27 August 2024
7. Informal Meeting of Councillors Record - Council Briefing - 3 September 2024
8. Informal Meeting of Councillors Record - Council Briefing - 10 September 2024

COUNCIL MEETING MINUTES - 16 SEPTEMBER 2024

14.3 CONTRACTS AWARDED UNDER CHIEF EXECUTIVE OFFICER DELEGATION - AUGUST 2024

File No: 2024/814

Trevor Ierino - Chief Executive Officer

Executive Management

For Information

There were no contracts awarded by the CEO under delegation, between the values \$250,000 and \$500,000, for the month of August 2024.

Date	Tenderer	Title	Project	Amount
	NONE			

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 - 16 SEPTEMBER 2024

15. NOTICES OF MOTION

Nil reports

UNCONFIRMED

COUNCIL MEETING MINUTES - 16 SEPTEMBER 2024

16. COUNCILLORS REPORT

- Cr Horne noted that she attended Rutherglen Junior School production. Cr Croucher was also in attendance. Cr Horne wished to congratulate everyone involved for the commitment and energy.
- Cr Croucher noted his attendance (along with Deputy Mayor – Cr Gaffney and CEO – Trevor Ierino) at the official opening of the Kergunyah Hall. This was a significant milestone for all involved and as a Committee member it was great to see the finalisation of the project.

16.1 MAYOR'S DIARY - AUGUST 2024

For Information

DATE	TIME	FUNCTION / EVENT / MEETING	LOCATION
1 August	2.00pm	Rural Councils Victoria – pre Forum Activity	Seymour
2 August	9.00am	Rural Councils Victoria Forum 2024	Trawool
5 August	10.00am	Meeting with Acting CEO	Beechworth
5 August	3.00pm	Alliance of the Councils and Shires of the Upper Murray (ACSUM) Meeting	Wodonga
5 August	7.00pm	Wahgunyah Progress Association Inc - AGM	Wahgunyah
6 August	11.00am	Ministerial Visit - Official Opening Chiltern Tennis Courts Redevelopment Project	Chiltern
6 August	11.40am	Ministerial Visit - Official Opening Barnawartha Netball and Tennis Court Redevelopment Project	Barnawartha
6 August	3.00pm	Council Briefing	Beechworth
6 August	6.00pm	Community Visioning Session	Beechworth
7 August	12.00pm	Official Opening of the Beechworth to Yackandandah Rail Trail	Yackandandah
12 August	10.00am	Meeting with CEO	Beechworth
12 August	1.00pm	Farewell to Cr Peter Croucher from the Indigo Community Access Committee	Yackandandah
13 August	10.00am	Pre-meeting regarding Joint Meeting of Councils – Alpine, Indigo & Towong Shires	Beechworth
13 August	11.00am	Joint Meeting of Councils – Alpine, Indigo & Towong Shires	Beechworth
13 August	12.00pm	Media – Joint Council Meeting	Beechworth
13 August	2.30pm	Council Briefing	Beechworth
14 August	2.00pm	Media Interview – The Age	Beechworth
16 August	10.00am	Meeting with Committee member, Barkly Park	Rutherglen

COUNCIL MEETING MINUTES - 16 SEPTEMBER 2024

DATE	TIME	FUNCTION / EVENT / MEETING	LOCATION
		Committee of Management.	
16 August	2.00pm	Rural Council Victoria Committee Meeting	Online
19 August	9.20am	Media Interview - ABC Statewide	Phone
19 August	10.00am	Meeting with CEO	Beechworth
19 August	10.45am	Media Interview - WIN TV	Beechworth
20 August	11.00am	Site Visit – 154 Mia Mia Road, Browns Plains	Browns Plains
20 August	11.45pm	Site Visit - 53 Barkley Street, Rutherglen	Rutherglen
20 August	1.00pm	CEO Employment and Remuneration Committee - End of Year Appraisal	Rutherglen
20 August	3.15pm	Council Briefing	Rutherglen
22 August	5.00pm	Victorian Local Government Mayors, CEOs and MAV Delegates Networking Event	Melbourne
23 August	10.00am	MAV State Council	Melbourne
26 August	10.00am	Victoria Police Road Policing/Road Safety Community Forum	Beechworth
27 August	2.00pm	Meeting with CEO	Beechworth
27 August	4.00pm	Council Briefing	Beechworth
27 August	6.30pm	Council Meeting	Beechworth

Attachments

Nil

COUNCIL MEETING MINUTES - 16 SEPTEMBER 2024

17. DECISIONS REGISTER

17.1 DECISION REGISTER

File No: 2024/834

Trevor Ierino - Chief Executive Officer

Executive Management

For Information

The report outlines actions from Council Resolutions as at 27 August 2024, including those not previously listed as completed, but not including resolutions to note a report.

Meeting date	Item	Name	Resolution	Status
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.	Provision has been made in the 24/25 budget. The rest of this work is in progress. Incomplete
27 August 2024	8	Confirmation of Minutes from Previous Meeting(s)	<ol style="list-style-type: none"> 1. That the following Minutes be confirmed: <ol style="list-style-type: none"> a. Minutes of the Council Meeting held on 30 July 2024, as published on Council's website; b. Confidential Minutes of the Council Meeting held on 30 July 2024, as provided to Councillors under separate cover; and 2. That the minutes from the Joint Council Meeting held on 13 August 2024 be 	Completed

COUNCIL MEETING MINUTES - 16 SEPTEMBER 2024

Meeting date	Item	Name	Resolution	Status
			accepted. 1.	
27 August 2024	11.1	June 2024 Finance report	That Council accepts the draft management view Finance Report for June 2024.	Completed
27 August 2024	11.2	July 2024 Finance report	That Council accepts the July 2024 finance report.	Completed
27 August 2024	11.4	Planning Permit Application PP24-0009 - 154 Mia Mia Road, Browns Plains	That Council grant a planning permit allowing buildings and works (extension to winery and distillery) in the Farming Zone, Environmental Significance Overlay and Heritage Overlay at 154 Mia Mia Road Browns Plains, subject to the stated conditions.	Completed
27 August 2024	11.5	Planning Permit Application PP23-0070 - Barlow Lane, Bruarong	That Council issues a notice of decision to refuse planning permit application PP23-0070 for a two-lot re-subdivision at Barlow Lane and 2298 Myrtleford-Yackandandah Road, Bruarong on the following grounds: 1. The proposed subdivision is not required for the continued use of the land for agricultural production, but is rather for lifestyle purposes, and is not in accordance with the Municipal Planning Strategy or the Planning Policy Framework; 2. The proposed subdivision will remove agricultural land from agricultural production by transferring it from a large genuine agricultural lot to a small lifestyle lot which is at odds with the purpose and	Completed

COUNCIL MEETING MINUTES - 16 SEPTEMBER 2024

Meeting date	Item	Name	Resolution	Status
			<p>decision guidelines for subdivision in the Farming Zone; and</p> <p>3. The proposal is not supported by the decision guidelines at clause 65.01 and 65.02 of the Indigo Planning Scheme.</p>	
27 August 2024	11.5	Planning Permit Application PP23-0070 - Barlow Lane, Bruarong	That Council resolves to issue a planning permit for a two-lot re-subdivision at Barlow Lane and 2298 Myrtleford-Yackandandah Road, Bruarong, subject to conditions.	Completed
27 August 2024	11.6	Planning Permit Application PP23-0152 - 18 Duncans Lane, Beechworth	<p>That Council refuse to grant a permit for the buildings and works to construct a dwelling and a rural store in a Farming Zone on the following grounds:</p> <ul style="list-style-type: none"> The proposed access crosses public land and does not have the consent of the relevant public land manager; and Access is not available in accordance with the requirements of clause 35.07-2. 	Completed
27 August 2024	11.7	Planning Permit Application PP23-0125 - 345 Reids Way, Wooragee	That Council issue Planning Permit 23-0125 for the use and development of land at 345 Reids Way, Wooragee for a dwelling subject to the stated conditions.	Completed
27 August 2024	12.1	Diversity, Equity and Inclusion Policy	That Council adopts the Diversity, Equity and Inclusion Policy 2024.	Completed
27 August 2024	12.2	Indigo Destination Gamechanger Tourism Strategy Evaluation Report	That Council receives the Indigo Destination Game Changer Tourism Strategy 2018-2023 Evaluation Report.	Completed

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Meeting date	Item	Name	Resolution	Status
27 August 2024	12.3	Expression of Interest for Occupancy of Beechworth Early Years Facility at Mayday Hills	<p>That Council:</p> <ol style="list-style-type: none"> 1. Supports an expression of interest being advertised for a single provider to occupy the Beechworth Early Years Facility at Mayday Hills, for a maximum term of 5 years; and 2. Endorses the assessment criteria set out in this report for the expression of interest process to ensure use of the facility is maximised. 	Completed
27 August 2024	13.1	Contract Extension - Contract 23/6341 Supply of Mobile Maintenance Services on Council's Plant, Equipment and Fleet	<p>That Council:</p> <ol style="list-style-type: none"> 1. Awards a one-year extension on Contract 23/6341 for the Supply of mobile maintenance services on Council's Plant, Equipment and Fleet to Spanners & Sparks; and 2. Notes the total value of works delivered under the contract varies annually, typically between \$300,000 and \$450,000 p.a. 	Completed
30 July 2024	12.1	2024/2025 Swimming Pools Contract	<p>That Council:</p> <p>☐ Enters into a one-year contract extension with Belgravia Leisure PTY LTD with the contract price of \$715,276 (ex GST) to continue to manage Council's five outdoor swimming pools;</p> <p>☐ Makes a budget adjustment in the mid-year review to accommodate the associated budget variation; and</p> <p>☐ Communicate with the State and Federal Governments Indigo Shire's increasing concern about the ongoing financial viability of providing public pool facilities and seek their assistance towards a solution.</p>	Incomplete

COUNCIL MEETING MINUTES - 16 SEPTEMBER 2024

Meeting date	Item	Name	Resolution	Status
27 August 2024	13.2	Contract 2425/006 Annual Resealing 2024/25	<p>That Council:</p> <ol style="list-style-type: none"> 1. Awards contract No. 2425-006 Annual Resealing 202425 to Boral Resources (VIC) Pty Ltd for the amount of \$602,318 (excluding GST); 2. Authorises the CEO to sign and seal the contract documents; and 3. Authorises the CEO the financial delegation to approve contract variations up to a total of 10 per cent of the signed contract value. 	Completed
27 August 2024	13.3	2023/24 Annual Capital Works Summary	That Council notes the 2023/24 Capital Works Annual Summary Report and the year-end achievements in the delivery of the capital works program.	Completed
27 August 2024	13.4	July Capital Works Report	That Council notes the July Capital Works Report and year to date progress in the delivery of the Capital Works Program.	Completed
27 August 2024	13.5	Sale of Land - Reserve on 15 Cordial Lane, Yackandandah	<p>That Council:</p> <ol style="list-style-type: none"> 1. Agrees to the intended sale of 1,107.5 square metres of reserve land, valued at \$47,000, that runs through 15 Cordial Lane Yackandandah; 2. Notes a public notice will be published advising of Council's intention to sell the land and that submissions will be received from the public for a period of 28 days in relation to the proposed sale; and 3. Notes that a further report 	Incomplete

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Meeting date	Item	Name	Resolution	Status
			will be provided to Council following the public notice period unless no objections are received, in which case officers will proceed with the formal process required for the sale of land.	
27 August 2024	14.2	Advocacy Action Plan 2021-2025 (Year 4)Cottage	That Council endorses the updated Advocacy Action Plan 2021-2025 (Year 4).	Completed
27 August 2024	13.7	Climate Change Policy Review	That Council adopts the Climate Change Policy 2024.	Completed.
27 August 2024	14.1	Report on Implementation of the Council Plan 2023/2024	That Council receives the attached report to the community detailing the implementation of the Council Plan for the 2023/24 year.	Completed
27 August 2024	14.3	Update - S6 Instrument of Delegation Members of Staff	<p>That Council:</p> <ol style="list-style-type: none"> 1. Delegates to the members of Council staff holding, acting in or performing the duties of the positions referred to in the attached <i>Instrument of Delegation to Members of Council Staff</i>, the powers, duties and functions set out in that instrument, subject to the conditions and limitations specified in that Instrument; 2. Notes that the delegations come into force immediately upon this resolution being made; 3. Revokes all previous delegations to Members of staff under this Instrument; and 4. Notes that the duties and functions set out in the instrument must be performed, and the powers 	Completed

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Meeting date	Item	Name	Resolution	Status
			set out in the instrument must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.	
27 August 2024	14.5	Advisory Committee Minutes	That Council receives the attached unconfirmed meeting minutes for the following Advisory Committees: <ol style="list-style-type: none"> 1. Indigo Environment Advisory Committee 2. Indigo Cultural Heritage Advisory Committee 	Completed
27 August 2024	14.6	Informal Meetings of Councillors Records	That Council accepts the attached Informal Meetings of Councillors records.	Completed
27 August 2024	14.4	Appointment of Internal Audit Services Provider	That Council: <ol style="list-style-type: none"> 1. Appoints the partners DB Bohun, Findex (Aust) Pty Ltd, AJ Flakemore, JJ Gilbert, DN Mackenzie and DM Munday, trading as Crowe Albury, as Internal Auditors for the period 1 September 2024 to 30 June 2027 for the contract price of \$127,875 with the option of additional audits to be conducted at \$125 per hour for Crowe internal audit staff and \$450 per hour for specialists, subject to approval of the internal audit program; 2. Authorises the CEO to sign the contract documents; and 3. Authorises the CEO financial delegation to approve contract variations of 10% of the final contract value. 	Completed

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Meeting date	Item	Name	Resolution	Status
27 August 2024	14.4	Amendments to Council Meeting Schedule 2024	That Council: 1. Moves the 17 September 2024 Scheduled Council Meeting to 16 September 2024 (one day earlier); and 2. Holds an Additional Council Meeting at 6:30pm on 22 October 2024 at the Council Chambers in Beechworth for the purpose of considering the Annual Report 2023-24.	Incomplete

Attachments
 Nil

UNCONFIRMED

COUNCIL MEETING MINUTES - 16 SEPTEMBER 2024

18. GENERAL BUSINESS

Cr Horne asked what is going on with the operations of Killeens Lane, and its amenity, that may impact its use. The CEO confirmed there is a subdivision and Council is overseeing the works. The CEO requested Cr Horne provides a follow-up email on the topic so Officers have a clearer understanding of what the Councillor needs clarity on in relation to this matter.

UNCONFIRMED

COUNCIL MEETING MINUTES - 16 SEPTEMBER 2024

19. CONFIDENTIAL

RESOLUTION

That council resolves to:

That the Ordinary Meeting of Council move into Confidential session in accordance with Section of the Local Government Act 1989.

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

This meeting moved into Confidential; members of the gallery were asked to leave; recording and live streaming ceased.

Meeting Concluded: 8.26pm

Next Additional Meeting: Tuesday, 22 October 2024 at 6.30pm