

Minutes

Ordinary Meeting of Council

Corryong Council Chamber

Wednesday 25 May 2022

Our Community Vision:

Towong Shire will be the ideal place to be: welcoming, vibrant and inclusive communities with quality facilities and services.

This information is available in alternative formats on request

<p>MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD AT TOWONG SHIRE COUNCIL CORRYONG OFFICE ON WEDNESDAY 25 MAY 2022 COMMENCING AT 10.30 AM</p>

Commonly Used Acronyms:

ABBREVIATION	TITLE
Council Officers	
SAE	Senior Asset Engineer
CEO	Chief Executive Officer
DIE	Director Infrastructure and Environment
DCP	Director Community and Planning
DCOD	Director Corporate and Organisational Development
COCEO	Co-ordinator, Office of the CEO
MF	Manager Finance
TLCS	Team Leader Customer Service
MRR	Manager Relief and Recovery
Government/Organisation	
ACSUM	Alliance of Councils and Shires of the Upper Murray
CHS	Corryong Health Service (formerly Upper Murray Health and Community Services)
DJPR	Department of Jobs, Precincts and Regions
DOT	Department of Transport
DELWP	Department of Environment, Land, Water and Planning
GMW	Goulburn Murray Water
HRGLN	Hume Region Local Government Network
MAV	Municipal Association of Victoria
NECMA	North East Catchment Management Authority
NEW	North East Water
NEWRRG	North East Waste and Resource Recovery Group
RCV	Rural Councils Victoria
RDA	Regional Development Australia
RDV	Regional Development Victoria
THS	Tallangatta Health Service
VGC	Victorian Grants Commission

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The Mayor declared the meeting open, the time being 10.32am.

1 Opening Prayer

“Almighty God, we ask that you be present at this meeting to assist us in our service to the Community through Local Government.

We pray that our decisions will be wise and taken with goodwill and clear conscience.

Amen.”

2 Councillor and Officer Presence at the Meeting

Crs Whitehead, Wortmann, Anderson, Dikschei and Scales.

In Attendance:	Title:
Ms Phelps	Chief Executive Officer
Ms Gadd	Director Infrastructure and Environment
Ms Pagan	Director Community and Planning
Ms Woolaston	Director Corporate and Organisational Development

3 Apologies and Granting of Leave of Absence

Nil

4 Disclosure of Conflicts of Interest

Section 130 of the *Act* requires that a ‘Relevant person’ (which means a person who is a Councillor, a member of a delegated committee who is not a Councillor or a member of Council staff) disclose any conflict of interest in the manner required by Council’s *Governance Rules* and exclude themselves from the decision making process in relation to the matter including any discussion or vote on the matter at any Council meeting.

Council's Governance Rules state as follows:

A2 Obligations with regards to conflict of interest

Councillors, members of delegated committee, and Council staff are required to:

- a. Avoid all situations which may give rise to conflicts of interest;*
- b. Identify any conflicts of interest; and*
- c. Disclose or declare all conflicts of interest.*

A3 Disclosure of a conflict of interest at a Council meeting

A Councillor who has a conflict of interest in a matter being considered at a Council meeting at which he or she:

A3.1 is present must disclose that conflict of interest by explaining the nature of the conflict of interest to those present at the Council meeting immediately before the matter is considered; or

A3.2 intends to be present must disclose that conflict of interest by providing to the Chief Executive Officer before the Council meeting commences a written notice:

A3.2.1 advising of the conflict of interest;

A3.2.2 explaining the nature of the conflict of interest; and

A3.2.3 detailing, if the nature of the conflict of interest involves a Councillor's relationship with or a gift from another person, the:

- a. name of the other person;*
- b. nature of the relationship with that other person or the date of receipt, value and type of gift received from the other person; and*
- c. nature of that other person's interest in the matter, and then immediately before the matter is considered at the meeting announcing to those present that he or she has a conflict of interest and that a written notice has been given to the Chief Executive Officer under this sub-Rule.*

The Councillor must, in either event, leave the Council meeting immediately after giving the explanation or making the announcement (as the case may be) and not return to the meeting until after the matter has been disposed of.

There were no disclosures of Conflicts of Interest.

5 Confirmation of Minutes

Ordinary Council Meeting 27 April 2022

Special Council Meeting 11 May 2022

**CR SCALES
CR DIKSCHIE**

THAT THE MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON WEDNESDAY 27 APRIL 2022, AND THE MINUTES OF THE SPECIAL COUNCIL MEETING HELD ON WEDNESDAY 11 MAY 2022, AS CIRCULATED BE CONFIRMED.

CARRIED

6 Petitions and Joint Letters

Nil

7 Public Question Time

There were no questions submitted for Public Question Time.

8 Informal Meetings of Councillors

In accordance with Council's *Governance Rules*, a written summary of the matters discussed at each informal meeting of Councillors is to be tabled at the next convenient Council meeting and recorded in the minutes of that meeting.

The Meeting Records from the Informal Meetings of Councillors held on 18 and 23 March 2022, and 6, 13 and 27 April 2022 are attached at [Appendix 1](#).

CR WORTMANN

CR ANDERSON

THAT THE INFORMATION BE NOTED.

CARRIED

9 Organisational Improvement

9.1 Quarterly Budget Report (06/02/0021-DCOD)

Disclosure of Interests (S.130):

This report was prepared by Mr Chris Smith, Manager Finance.

At the time of preparation of this report, the officer did not have a general or material conflict of interest in any matter to which the report or advice relates.

Purpose of Report:

To present the Quarterly Budget Report in accordance with the requirements of the *Local Government Act 2020*.

Summary:

At the end of the third quarter Council is \$16.1 million dollars ahead of budget, primarily due to \$7.3 million in grant income being carried forward from 2020/21 due to multi-year projects and COVID-19 related delays to capital works projects, and the receipt of an additional \$1.8 million in Bushfire Recovery funding.

Recommendation:

That the report be noted.

Attachment:

Appendix 2 – Quarterly Budget Report as at 31 March 2022.

Background/History:

This report provides a quarterly update to Council on the financial performance of the organisation.

Relevant Law (s.9(2)(a)):

Section 97 of the *Local Government Act 2020* requires the following:

- (1) *As soon as practicable after the end of each quarter of the financial year, the Chief Executive Officer must ensure that a quarterly budget report is presented to the Council at a Council meeting which is open to the public.*

- (2) *A quarterly budget report must include –*
- (a) a comparison of the actual and budgeted results to date; and*
 - (b) an explanation of any material variations; and*
 - (c) any other matters prescribed by the regulations.*
- (3) *In addition, the second quarterly report of a financial year must include a statement by the Chief Executive Officer as to whether a revised budget is, or may be, required.*

This report meets the requirements of the Act.

Options – Best Outcomes for the Community (s.9(2)(b)):

Not applicable.

Sustainability Implications (s.9(2)(c)):

The Budget Report reflects a year-to-date position which is significantly ahead of budget due to the carry forward of selected one-off grant funds from the prior financial year as well as the receipt of unanticipated grants. It is expected that these funds will be expended as the capital works program is progressed. Longer term financial sustainability is dependent on the ongoing receipt of grants to fund renewal of Council's aging infrastructure.

Community Engagement (s.9(2)(d)):

Not applicable, noting that projects identified within the report may have involved consultation on an individual basis.

Innovation and Continuous Improvement (s.9(2)(e)):

The Budget Report reflects a significant amount of one-off grant funding which is being spent on improvements in services and infrastructure for the benefit of the community.

Collaboration (s.9(2)(f)):

Not applicable.

Financial Viability/Budget Impact (s.9(2)(g)):

Council has achieved a net budget position that is higher than anticipated for quarter three primarily due to the carry forward of selected grant funds from 2020/21 and the receipt of unanticipated grants.

Regional, State and National Plans and Policies (s.9(2)(h)):

Not applicable.

Council Plans and Policies:

Council has prioritised grant applications and expenditure against the objectives outlined in the *Council Plan 2021-2025*.

Transparency of Decision (s.9(2)(i)) :

It is the officer's view that it is appropriate to consider this matter in an open meeting.

Risk Assessment:

A substantial amount of grant funding has been secured to support various projects across the municipality, some of which has been carried forward from the prior year due to COVID-19 related delays. Additional resources have been recruited to ensure that these projects can be delivered.

Officer's view:

Council is in a strong financial position given the amount of one-off competitive grant funding secured to support project delivery over the next 12 months. Council remains dependent on the receipt of one-off grant funding to support renewal of its aging infrastructure into the future.

Resolution:

**CR ANDERSON
CR DIKSCHER**

THAT THE REPORT BE NOTED.

CARRIED

9.2 Datascape Action Sheet Report (06/06/0010-CEO)

Disclosure of Interests (S.130):

This report was prepared by Ms Emma Woolaston, Director Corporate and Organisational Development.

At the time of preparation of this report, the officer did not have a general or material conflict of interest in any matter to which the report or advice relates.

Purpose of Report:

This report is provided monthly to update Council on the progress of the action items from the previous Council meeting.

Summary:

At the Ordinary Council Meeting held on Wednesday 27 April 2022, several resolutions were passed requiring action by Council officers. This report is provided to Council as an update on the progress of these actions.

Recommendation:

That the report be noted.

Attachment:

Appendix 3 – Datascape Action Report from the Ordinary Council meeting held on Wednesday 27 April 2022.

Background/History:

Not applicable.

Relevant Law:

Not applicable.

Options – Best Outcomes for the Community (s.9(2)(b)):

Not applicable.

Sustainability Implications (s.9(2)(c)):

Not applicable.

Community Engagement (s.9(2)(d)):

Not applicable.

Innovation and Continuous Improvement (s.9(2)(e)):

Not applicable.

Collaboration (s.9(2)(f)):

Not applicable.

Financial Viability/Budget Impact (s.9(2)(g)):

Not applicable.

Regional, State and National Plans and Policies (s.9(2)(h)):

Not applicable.

Council Plans and Policies/Related Council Decisions:

Not applicable.

Transparency of Decision (s.9(2)(i)):

It is the officer's view that it is appropriate to consider this matter in an open meeting.

Risk Assessment:

Action sheet reporting is a key control to ensure that officer actions stemming from Council resolutions are completed.

Officer's View:

The status of all actions arising from the Ordinary Council Meeting held on Wednesday 27 April 2022 are provided in [Appendix 3](#). It is the Officer's view that progress has been made in relation to the actions required.

Resolution:

**CR WORTMANN
CR SCALES**

THAT IT BE NOTED THAT THE ITEMS INCLUDED IN THE APRIL COUNCIL MEETING RESOLUTION REGARDING THE FORMER CORRYONG PRIMARY SCHOOL SITE (DATASCAPE ITEM 14969) ARE BEING FUNDED BY BRV AND BUSHFIRE RECOVERY FUNDS.

CARRIED

**CR WORTMANN
CR SCALES**

THAT THE REPORT BE NOTED.

CARRIED

10 Bushfire Relief and Recovery

10.1 Bushfire Relief and Recovery Update (02/02/0013-MRR)

The Bushfire Relief and Recovery update is presented quarterly. The next report will be provided to Council in July 2022.

11 Community Wellbeing

11.1 Community Services Report (04/07/0055-DCP)

Disclosure of Interests (S.130):

This report was prepared by Ms. Ebony Ablett-Johnstone, Co-ordinator Early Years.

At the time of preparation of this report, the officer did not have a general or material conflict of interest in any matter to which the report or advice relates.

Purpose of Report:

This report provides a quarterly update on the activities of the Community Services area throughout the Shire.

Summary:

The attached report provides an update on the activities of the Community Services team for 1 January to 31 March 2022. Notably, we continued to experience growth across our early years centres and we hired several additional staff to meet demand. We continued to partner with local and state based organisations to expand offerings, and secured nine grants in support of the continuous improvement of our early years services. We facilitated numerous successful events including:

- School holiday activities;
- The Resilience Project;
- The Push All-Ages Tour;
- The Tallangatta Community Breakfast; and
- Fire Safe Kids workshops.

Recommendation:

That the report be noted.

Attachment:

Appendix 4 – Community Services Report January to March 2022.

Background/History:

The Community Services Report is provided every quarter.

Relevant Law (s.9(2)(a)):

Community Services activities are conducted in accordance with relevant legislation including the *Children's Services Act 1996* and the *Children's Services Regulations 2020*.

Options – Best Outcomes for the Community (s.9(2)(b)):

The Community Services area provides services aimed at improving wellbeing outcomes for community members across all ages and stages.

Sustainability Implications (s.9(2)(c)):

Council provides services that support the ongoing social sustainability of our municipal communities.

Community Engagement (s.9(2)(d)):

Community engagement was undertaken to support a review of Tallangatta Neighbourhood House programming, the development of senior and youth-focused community activities, and a review of Maternal and Child Health Nurse presence across the municipality.

Innovation and Continuous Improvement (s.9(2)(e)):

During the quarter, the early years' team reviewed the level of maternal child health support provided across and our growing municipality. As a result of this review, a restructuring of resources will see a more consistent service officer across the Shire and an increased opportunity for families to engage in family programs.

Collaboration (s.9(2)(f)):

The majority of activities in the Community Services area are delivered in collaboration with other agencies. Collaborations include:

- Participation in Family Violence networks in Corryong and Tallangatta; and
- Delivery of youth projects with Youth Affairs Council Victoria (YACVIC) and the local schools; and
- Delivery of professional development for Educators and Teachers across municipality with Seemann and Slattery and Mental Health First Aid Australia; and

- Delivery of Early Years projects with the Australian Childhood Foundation, Tallangatta Health, Gateway Health and the Department of Education and Training.

Financial Viability/Budget Impact (s.9(2)(g)):

All activities have been delivered within allocated budgets.

Regional, State and National Plans and Policies (s.9(2)(h)):

Community services activities have been conducted in accordance with relevant state and national plans including:

- The Australian Children's Education and Care Quality Authority's *National Quality Framework*;
- The Victorian State Government's *Victorian Early Years Learning and Development Framework*;
- The Victorian State Government's *Education State Early Childhood Reform Plan*; and
- The Victorian State Government's *Building stronger youth engagement in Victoria*.

Council Plans and Policies:

Community Services activities progressed the following *Council Plan 2021-2025* priorities:

- 2.5 *Review opportunities for communities to access library resources and connect through libraries;*
- 2.7 *Expand and improve early years services across the Shire to support young families;*
- 2.11 *Support communities to ensure the Shire places are welcoming to culturally and linguistically diverse (CALD) and LGBTIQ+ communities and are inclusive and connected;*
- 2.13 *Participate in key networks to support communities and key stakeholders on solutions to address family violence, suicide and mental health;*
- 5.14 *Invest in community education programs and a waste services survey to improve waste and recycling separation;*
- 6.1 *Continue to improve awareness, engagement and involvement of the community in relation to matters that affect them;*
- 6.7 *Provide a safe and healthy workplace for all councillors and staff in a continually evolving environment;*

- 6.8 *Continue to seek opportunities to improve service delivery and achieve best value including further investigation of shared services;*
- 6.9 *Continue to advocate for increased government funding support to ensure long term sustainability;*
- 6.10 *Investigate alternative revenue streams; and*
- 6.13 *Continually improve risk management and governance frameworks and practices.*

Activities were also in alignment with the Municipal Recovery Plan and Health and Wellbeing Plan 2021-2025 goals:

- 1.1 *Supported eating well and being physically active;*
- 1.2 *Safe and free from violence;*
- 2.1 *Embrace diversity;*
- 2.3 *Have their mental health and wellbeing well supported; and*
- 3.2 *Effectively prepare for, respond to and recover from emergencies, including COVID-19 and the Black Summer Bushfires.*

Activities also aligned to the themes of the Youth Plan 2019-2023:

- 1 *Community Connectedness;*
- 2 *Health and Wellbeing;*
- 3 *Recreation;*
- 4 *Educational Pathways; and*
- 5 *Collaborative Pathways.*

Transparency of Decision (s.9(2)(i)):

It is the officer's view that it is appropriate to consider this matter in an open meeting.

Risk Assessment:

Community Services activities help to mitigate the risk of social isolation and other poor social outcomes for community members across the municipality.

Officer's view:

Officers continue to provide valuable community services to families and young people across the Shire.

Resolution:

**CR ANDERSON
CR DIKSCHER**

THAT THE REPORT BE NOTED.

CARRIED

11.2 Recreation Arts and Culture Report (04/01/0006-DCP)

Disclosure of Interests (S.130):

This report was prepared by Mr Joe Calvert, Co-ordinator Recreation, Arts and Culture.

At the time of preparation of this report, the officer did not have a general or material conflict of interest in any matter to which the report or advice relates.

Purpose of Report:

This report provides a quarterly update to Councillors on the key activities of the Recreation, Arts and Culture area.

Summary:

The attached report provides an overview of key Recreation, Arts and Culture activities from 1 January to 31 March 2022. Notably, the lifeguards were brought in-house during the pool season due to issues experienced with their contract agency, and generally the pool season was quite successful with good utilisation and a number of events held. We were successful in obtaining a \$20,000 grant to support Australia Day events across the Shire, which were all able to go ahead despite the challenging COVID-19 environment. The Davis Cottage Arts Space was well utilised and supported a successful exhibition by Kirilly Anderson.

Recommendation:

That the report be noted.

Attachment:

Appendix 5 – Recreation, Arts and Culture Report January to March 2022.

Background/History:

This report is provided quarterly.

Relevant Law (s.9(2)(a)):

Activities in the Recreation, Arts and Culture area are conducted in accordance with relevant legislation including the *Sport and Recreation Act 1972*.

Options – Best Outcomes for the Community (s.9(2)(b)):

Recreation, Arts and Culture activities support community wellbeing by promoting connectedness and engagement.

Sustainability Implications (s.9(2)(c)):

The *Recreation Strategy* supports the effective prioritisation of ongoing developments across the Shire's recreation facilities, to ensure the ongoing sustainability of their operations.

Community Engagement (s.9(2)(d)):

Extensive community engagement has been conducted during the development of the *Recreation Strategy*, including surveys, 'listening posts' in both Tallangatta and Corryong and meetings with recreation reserve committees. The community has also been engaged during Australia Day events.

Innovation and Continuous Improvement (s.9(2)(e)):

Officers have worked with several recreation groups to ensure they are supported to submit grant applications for upgrades and improvements to their facilities.

Collaboration (s.9(2)(f)):

Officers continue to work with key community groups to ensure swimming pool services and attendance are well supported.

Financial Viability/Budget Impact (s.9(2)(g)):

The cost of the swim season was somewhat higher than the average for the past two years due to the need to bring the lifeguards in-house in the second half of the season. A detailed analysis of the cost implications for this approach is currently being undertaken and will be presented to Council in July.

Regional, State and National Plans and Policies (s.9(2)(h)):

Activities have been conducted in accordance with relevant state and national plans including:

- The Victorian State Government's *Victorian Aboriginal Affairs Framework 2018-2023*;
- The Victorian State Government's *A strategic framework for sport and recreation in Victoria 2017-2021*;
- The Victorian State Government's *Creative State 2016-2020*.

Council Plans and Policies:

Recreation, Arts and Culture activities progressed the following *Council Plan 2021-2025* priorities:

- 2.4 *Support the development of recreational activities and infrastructure to encourage active lifestyles for all ages and stages; and*
- 2.6 *Develop a strategy for arts and cultural offerings across the Shire.*

Activities were also in alignment with the objectives of the *Municipal Recovery Plan* and the *Health and Wellbeing Plan 2021-2025*.

Transparency of Decision (s.9(2)(i)):

It is the officers' view that it is appropriate to consider this matter in an open meeting.

Risk Assessment:

The transition of pool lifeguards in-house during the pool season reduced the risk of rostering and remuneration errors and mitigated the loss of these valuable staff.

Officer's View:

Officers continue to provide valuable support to the community to advance the offerings of Recreation, Arts and Culture across the municipality.

Resolution:

**CR DIKSCHER
CR WORTMANN**

THAT THE REPORT BE NOTED.

CARRIED

11.3 Emergency Management Report (02/02/0009-DCP)

Disclosure of Interests (S.130):

This report was prepared by Mr. Sven Erikson, Strategic Emergency Management Coordinator.

At the time of preparation of this report, the officer did not have a general or material conflict of interest in any matter to which the report or advice relates.

Purpose of Report:

This report provides a quarterly update on the activities of the Emergency Management area.

Summary:

The attached report provides an overview of key activities within the Emergency Management area from 1 January to 31 March 2022. Notably officers responded to storm events which resulted in significant damage to infrastructure and assets across the Shire, particularly on the Berringa Peninsula. Officers worked alongside other agencies to clear debris, restore public access to roads and other assets, and support a displaced household. We also successfully applied for to be eligible for Disaster Recovery Funding Arrangements (DRFA) funding to remediate the damage to Council assets.

Other notable activities included the development of a *Relief Centre Arrangements* manual supporting an Emergency Relief Centre Model across Towong, Alpine and Indigo Shire Councils; progress on the development of the draft Municipal Emergency Management Plan (MEMPC); and creation of a new team position, funded by Bushfire Recovery Victoria, to support community engagement and preparedness, to provide capacity for response and relief, and to integrate recovery efforts.

The Municipal Emergency Management Planning Committee (MEMPC) put out an expression of interest process for community members to join the committee. It is expected the committee will review the applications and make a determination on the community members at their meeting in June 2022.

Recommendation:

That the report be noted.

Attachment:

Appendix 6 – Emergency Services Report January to March 2022.

Background/History:

The emergency services report is provided quarterly. Council's role in emergency management includes:

- Providing support to relief arrangements during an emergency;
- Providing leadership and support during recovery from an emergency;
- Contributing to Municipal Emergency Management Planning as a member of the Municipal Emergency Management Planning Committee (MEMPC); and
- Contributing to fire prevention planning and preparation activities.

We have an emergency management team which is further supported by other teams within the organisation when emergency response, relief and recovery activities are required. We provide secretariat support to the MEMPC and currently provide the Committee Chair.

Relevant Law (s.9(2)(a)):

Council operates under the *Emergency Management Legislation Act 2013* (the *EM Act*) which was recently amended by the *Emergency Management Legislation Amendment Act 2018*. The amendment was passed to provide for new integrated arrangements for emergency management planning across Victoria at the state, regional and municipal levels. Under the amendment, the MEMPC is no longer a committee of the Council, but rather a cross-agency peak planning body for emergency management within the municipality. Despite the changes, the MEMPC still involves Council representation in collaboration with other government and non-government agencies and is chaired by Council's Chief Executive Officer.

Council also conducts municipal fire prevention activities in accordance with the requirements of the *Country Fire Authority Act 1958*.

Options – Best Outcomes for the Community (s.9(2)(b)):

Emergency management activities aid communities in responding to and recovering from emergencies in support of their economic and social wellbeing.

Sustainability Implications (s.9(2)(c)):

Emergency management planning provides for the ongoing resilience of the community in response to and recovery from emergencies.

Community Engagement (s.9(2)(d)):

Throughout the fire and flood season, community information regarding the seasonal outlook was distributed through several different channels as part of the emergency management community engagement plan.

Innovation and Continuous Improvement (s.9(2)(e)):

As part of the North East emergency management collaboration, Towong, Indigo and Alpine Shire Councils are collaborating to better position their joint ability to respond to emergencies by sharing limited resources. Additional support is also being provided by the Rural City of Wangaratta and the City of Wodonga.

Internally, Council continues to develop its emergency response capacity through emergency management awareness and training presentations. This aids in expanding the standby list of Council staff in a position to support a Council response during an emergency.

Collaboration (s.9(2)(f)):

Emergency management requires constant collaboration with other agencies. Officers work directly with members of the MEMPC, the North East Emergency Management Collaboration and cross-border municipalities. There is also ongoing collaboration with Emergency Management Victoria, the Municipal Association of Victoria, local Community Recovery Committees and other community organisations.

Financial Viability/Budget Impact (s.9(2)(g)):

Budget requirements and availability have been confirmed in the development of all activity plans and grant funding has been sought where relevant.

Regional, State and National Plans and Policies (s.9(2)(h)):

Emergency Management activities are undertaken in accordance with:

- *Towong Municipal Emergency Management Plan (MEMP);*
- *Hume Regional Emergency Management Plan (REMP);*

- *State Emergency Management Plan (SEMP)*; and
- Relevant sub-plans and complementary plans are associated with each of these three management plans.

Council Plans and Policies:

The activities of the Emergency Management area support the delivery of the following *Council Plan 2021-2025* priority:

- 2.14 *Support our communities to drive their recovery from bushfires and the COVID-19 pandemic and improve their mitigation of and resilience to future adverse events.*

They also support the delivery of the following *Health and Wellbeing Plan 2021-2025* objective:

- 3.2 *Our community is adaptable and resilient, when people effectively prepare for, respond to, and recover from emergencies, including COVID-19 and the Black Summer Bushfires.*

Transparency of Decision (s.9(2)(i)):

It is the officer's view that it is appropriate to consider this matter in an open meeting.

Risk Assessment:

Emergency Management is a critical function in the mitigation of emergencies and their short, medium and long-term impacts on the Shire's communities and environment.

Officer's View:

It has been a busy period of activity with Towong shires communities being impacted by storm events over the quarter. We have continued to commit resources to the recovery works associated with the events. Collaboration with neighbouring councils, cross-border councils, agencies and community groups has continued to strengthen the response to current and future emergencies. In particular, progress has been made on the development of a new Municipal Emergency Management Plan (MEMP) and the reformation of the Fire Management Planning Committee – a subcommittee of the MEMPC.

Resolution:

**CR ANDERSON
CR SCALES**

THAT;

- 1. COUNCIL REQUESTS THE MUNICIPAL EMERGENCY PLANNING COMMITTEE TO ADDRESS THE LACK OF INFORMATION IN OUR COMMUNITIES REGARDING WHO TO CONTACT SHOULD AN EMERGENCY OCCUR; AND**
- 2. THE REPORT BE NOTED.**

CARRIED

12 Asset Management

12.1 Asset Management Report (02/02/0001-DIE)

The Asset Management Report is presented bi-monthly. The next report will be provided to Council in June 2022.

13 Land-use Planning

13.1 Land Use Planning Report (03/02/0003-DCP)

Disclosure of Interests (S.130):

This report was prepared by Ms Amanda Pagan, Director Community and Planning.

At the time of preparation of this report, the officer did not have a general or material conflict of interest in any matter to which the report or advice relates.

Purpose of Report:

To provide a summary of planning permit activities for April 2022.

Summary:

In April 2022, Council received 13 applications for planning, four related to bushfire. Council received 66 customer enquiries. Planning determinations were made on seven applications. There are currently 41 active permits.

Recommendation:

That the report be noted.

Attachment:

Appendix 7 – Planning Permit Activity: April 2022.

Background/History:

Not applicable.

Relevant Law (s.9(2)(a)):

All planning permit activity is undertaken in line with the requirements of the *Planning and Environment Act 1987*.

Options – Best Outcomes for the Community (s.9(2)(b)):

Not applicable.

Sustainability Implications (s.9(2)(c)):

Planning permit applications are considered within the context of the *Towong Shire Planning Scheme* which gives effect to the long-term sustainability of land in use across the Shire.

Community Engagement (s.9(2)(d)):

Not applicable.

Innovation and Continuous Improvement (s.9(2)(e)):

Council staff have been working towards improving the customer service experience for planning permit applicants through shared service arrangements with Indigo Shire Council.

The team includes two consultant planners, one of which is dedicated to rebuilding services, a part time customer service and planning liaison officer, and a planning administration officer.

Collaboration (s.9(2)(f)):

Council staff continue to work collaboratively with key stakeholders including Indigo Shire Council and Bushfire Recovery Victoria. Officers are also participating in the regional Sustainable Sub-division program.

Financial Viability/Budget Impact (s.9(2)(g)):

All planning resources and expenses have been factored into the budget.

Regional, State and National Plans and Policies (s.9(2)(h)):

All land use planning decisions align to the *Victorian Planning Provisions*.

Council Plans and Policies:

All land use planning decisions are aligned to the *Towong Shire Planning Scheme*. Current department activities also support the delivery of the following *Council Plan 2021-2025* priorities:

4.1 *Support the rebuild process for fire impacted properties;*

4.11 *Review statutory service processes to ensure an excellent customer experience.*

Transparency of Decision (s.9(2)(i)):

It is the officer's view that it is appropriate to consider this matter in an open meeting.

Risk Assessment:

Not applicable.

Officer's View:

It is the officer's view that the improvements that have been implemented in the Planning department will result in an improved customer experience.

Resolution:

**CR DIKSCH EI
CR ANDERSON**

THAT THE REPORT BE NOTED.

CARRIED

14 Environmental Sustainability

14.1 Environmental Sustainability Report

The Environmental Sustainability Report is presented quarterly. The next report will be provided to Council in June 2022.

15 Economic and Tourism Development

15.1 Economic Development and Tourism Report (05/01/0164-DCP)

Disclosure of Interests (S.130):

This report was prepared by Ms. Kerissa Heritage, Economic Development Officer - Tourism.

At the time of preparation of this report, the officer did not have a general or material conflict of interest in any matter to which the report or advice relates.

Purpose of Report:

This report provides a quarterly update on the activities of the Economic and Tourism Development area.

Summary:

The attached report provides an update on the activities of the Economic and Tourism Development area from 1 January to 31 March 2022. Notably a second successful Upper Murray Tourism and Business Expo was hosted in March, and the Activating Lake Hume project commenced. New brand marks (symbols that help people immediately identify a certain place) and brand narratives were developed for the Upper Murray, Mitta Valley and Lake Hume, and funding applications were submitted to deliver planning projects associated with Mount Elliot, Lake Banimboola and leveraging on Tallangatta's Notable Town status.

Recommendation:

That the report be noted.

Attachment:

Appendix 8 – Economic and Tourism Development Report.

Background/History:

The Economic and Tourism Development Report is provided to Council quarterly.

Relevant Law (s.9(2)(a)):

All economic and tourism development activities are undertaken in accordance with the service performance principles outlined in the *Local Government Act 2020*.

Options – Best Outcomes for the Community (s.9(2)(b)):

Economic and tourism development activities are aimed at supporting the economic the prosperity of the community.

Sustainability Implications (s.9(2)(c)):

Economic and tourism development activities help to provide for the ongoing economic sustainability of the Shire.

Community Engagement (s.9(2)(d)):

Community and stakeholder engagement activities during the quarter included:

- Community engagement associated with delivering the Mitta Mountain Bike Park in partnership with Mitta Valley Inc.;
- Extensive engagement with the Department of Environment, Land, Water and Planning (DELWP) regarding the Mitta Mountain Bike Park, and the potential development of Mount Elliot as a mountain bike and hang-gliding destination;
- Inviting community members and stakeholders to join a project steering group for the delivery of the *Activating Lake Hume* project;
- Engaging the Upper Murray Community Recovery Committees and the Berringa Peninsula Community Network to assist with the interpretive signage and artwork elements of the Great River Road;
- Engaging community and business members from the three destination regions across the Shire to provide feedback and direction on the brand development project; and
- One-on-one engagement took place with many small business owners across the Shire to determine where and how support can be provided.

Innovation and Continuous Improvement (s.9(2)(e)):

The development of strategic plans for the activation of Lake Hume will provide direction and guidance for Council staff regarding future development on and around Lake Hume.

Innovative marketing opportunities are being pursued to promote the Great River Road. A brief to innovatively redevelop the destination websites has been prepared. Brand identities, visuals and a brand narrative across the Shire were developed.

Collaboration (s.9(2)(f)):

Officers worked with Tourism North East to develop the content of a proposed marketing upskilling workshop. A steering group was formed to collaborate with stakeholders and the community in the delivery of the Activating Lake Hume project. Officers are also collaborating with community groups in producing content for the Great River Road interpretive signage.

Financial Viability/Budget Impact (s.9(2)(g)):

Budget requirements and availability have been confirmed in the development of all activity plans and grant funding has been sought where relevant.

Regional, State and National Plans and Policies (s.9(2)(h)):

Activities are undertaken in accordance with the following:

- *Tourism North East: Victoria's High Country Destination Management Plan 2013-2023*
- *North East Victoria Cycling Optimisation Plan*
- *The Hume Strategy for Sustainable Communities 2010-20*
- *Hume Regional Growth Plan*
- *Victoria's High Country Destination Management Plan 2013-23*
- *Visit Victoria Visitor Economy Strategy Action Plan 2016-20*
- *Lake Hume Land and On-Water Management Plan*
- *Goulburn Murray Water Corporate Plan 2019/20 – 2023/24*
- *Regional Development Victoria: Ovens Murray Regional Partnership roadmap.*

Council Plans and Policies:

Economic and tourism development activities are undertaken in accordance with Objective 3, *Economic and Tourism Development*, of the *Council Plan 2021-2025* and may also support other *Council Plan 2021-2025* priorities.

In particular the following priorities were progressed during the first quarter of 2022:

- 1.2 *Deliver infrastructure projects that arise from place-based master planning;*
- 1.3 *Complete Stage 2 of the Great River Road;*
- 2.1 *Undertake place-based master planning for the Peninsula including the investigation of options for early years and community facilities;*
- 2.4 *Support the development of recreational activities and infrastructure to encourage active lifestyles for all ages and stages;*
- 2.14 *Support our communities to drive their recovery from bushfires and the COVID-10 pandemic and improve their mitigation of and resilience to future adverse events;*
- 3.2 *Run a series of business expos to support local businesses;*
- 3.5 *Support businesses to expand adventure tourism offerings across the shire;*
- 3.7 *Advocate for the development of adventure tourism opportunities at Mount Elliot;*
- 3.9 *Support Mitta Valley Inc to develop the Mitta Valley Mountain Bike Park;*
- 3.14 *Seek funding to develop and expand the tourism opportunities at Dartmouth Dam;*
- 3.17 *Deliver improved visitor information and experience across the Shire; and*
- 3.18 *Expand the reach of tourism marketing and promotional materials.*

Activities are also undertaken in accordance with the following Council plans and policies:

- *Procurement Policy*
- *Municipal Recovery Plan*
- *Towong Shire Economic Development Strategy*
- *Towong Shire Destination Management Plan*
- *Towong Shire Mountain Biking Strategy.*

Transparency of Decision (s.9(2)(i)):

It is the officer's view that it is appropriate to consider this matter in an open meeting.

Risk Assessment:

The activities of the Economic and Tourism Development area help to support the resilience of the local economy to external impacts.

Officer's View:

The Economic and Tourism Development area is making good progress on the objectives outlined in the *Council Plan 2021-2025*.

Resolution:

**CR SCALES
CR WORTMANN**

THAT THE REPORT BE NOTED.

CARRIED

15.2 Economic Development and Agriculture Report (05/01/0161-DCP)

Disclosure of Interests (S.130):

This report was prepared by Ms Cate Kirk-Dufty, Agriculture Officer.

At the time of preparation of this report, the officer did not have a general or material conflict of interest in any matter to which the report or advice relates.

Purpose of Report:

This report provides a quarterly update on the activities of the Economic Development – Agriculture area.

Summary:

The attached report provides an update on the activities of the Economic Development - Agriculture area from 1 January to 31 March 2022. Officers worked throughout the quarter to finalise the draft *Towong Shire Mobile and Internet*

Communications Strategy and the *Agriculture Strategy* so that they can be made available for final community consultation.

Officers worked to engage the agricultural community through promotion at local field days and producer-led workshops and worked to support creation of a producer network.

Recommendation:

That the report be noted.

Attachments:

Appendix 9 – Economic Development - Agriculture Report

Background/History:

The Economic Development – Agriculture Report is provided to Council every quarter.

Relevant Law (s.9(2)(a)):

All economic and tourism development activities are undertaken in accordance with the service performance principles outlined in the *Local Government Act 2020*.

Options – Best Outcomes for the Community (s.9(2)(b)):

The activities of the Economic Development – Agriculture area are aimed at supporting the economic prosperity of the community.

Sustainability Implications (s.9(2)(c)):

The activities of the Economic Development - Agriculture area help to provide for the ongoing economic sustainability of the Shire.

Specific activities have also been underway to support environmental sustainability, including discussions with local Landcare groups regarding potential collaborations.

Community Engagement (s.9(2)(d)):

The Towong Shire community and associated stakeholders were engaged through development of the draft *Agriculture Strategy* and the *Towong Shire Mobile and*

Internet Communications Strategy. Officers continue to engage with individuals and small groups across the Shire to identify support needs.

Innovation and Continuous Improvement (s.9(2)(e)):

The draft *Agriculture Strategy* specifies advocacy for improved water trading rights as a priority action. Officers performed a literary review on water trading within the boundaries of Towong Shire to provide the foundation for water advocacy for Towong Shire producers.

Collaboration (s.9(2)(f)):

Collaborations with other stakeholders included:

- Developing the *Towong Shire Mobile and Internet Communications Strategy* as a shared project with Alpine Shire Council;
- Working with Red Cross and Gateway Health to deliver “*Lets Talk*” Working Dog Schools as part of the mental health delivery to the fire-affected communities of the Upper Murray;
- Preparing and planning joint promotions with Agriculture Victoria and Landcare at the Upper Murray Agricultural Field Days; and
- Continued work with Alpine Valleys Dairy, Murray Dairy and NECMA.

Financial Viability/Budget Impact (s.9(2)(g)):

Budget requirements and availability have been confirmed in the development of all activity plans and grant funding has been sought where relevant.

Regional, State and National Plans and Policies (s.9(2)(h)):

- *Towong Shire Council, Upper Murray 2030 Masterplan (2016)*
- *Towong Shire Council, Upper Murray 2030 Agriculture statement (2016)*
- *Hume Regional Growth Plan (2014)*
- *Goulburn Murray Water, Corporate Plan (2021 – 22 to 2025 - 26)*
- *Regional Development Victoria Ovens, Murray Regional Partnership (2019 – 20)*
- *Victoria State Government, Victoria’s Climate Change Strategy (2021)*

Council Plans and Policies:

All Agriculture Economic Development activities are undertaken under the following Towong Shire Council plans and policies:

- Procurement Policy

- Council Plan (2021 – 2025)
- Municipal Recovery Plan
- Towong Shire Economic Development Strategy (draft)
- Towong Shire Agriculture Strategy (draft)
- Towong Shire Mobile and Internet Communications Strategy (draft)
- Towong Shire Municipal Health and Wellbeing Strategy.

Within the *Council Plan 2021-2025*, the team worked to deliver the following priorities:

- 2.14 *Support our communities to drive their recovery from bushfires and the COVID-19 pandemic and improve their mitigation of and resilience to future adverse events;*
- 3.19 *Seek to support the growth of and value-add product and/or diversifications opportunities for the agriculture industry;*
- 3.23 *Work with Upper Murray Inc to deliver outcomes from the UM2030 Plan; and*
- 3.24 *Attract investment to address key weaknesses (connectivity and reliability) in critical infrastructure (mobile telecommunications, internet and power).*

Transparency of Decision (s.9(2)(i)):

It is the officer's view that it is appropriate to consider this matter in an open meeting.

Risk Assessment:

Not applicable.

Officer's View:

The Economic Development - Agriculture area is making good progress on the priorities of the *Council Plan 2021 – 25*.

Resolution:

**CR WORTMANN
CR ANDERSON**

THAT THE REPORT BE NOTED.

CARRIED

15.3 Economic Development Strategy 2022-2026 and Destination Management Plan 2022-2026 (05/01/0164-DCP)

Disclosure of Interests (S.130):

This report was prepared by the Economic Development Officer Tourism, Ms Kerissa Heritage.

At the time of preparation of this report, the officer did not have a general or material conflict of interest in any matter to which the report or advice relates.

Purpose of Report:

This report presents the *Economic Development Strategy 2022-2026* and *Destination Management Plan 2022-2026* for consideration for adoption.

Summary:

Following extensive community and stakeholder engagement, final versions of the *Economic Development Strategy 2022-2026* and *Destination Management Plan 2022-2026* have been prepared.

The *Economic Development Strategy 2022-2026* is the key strategic document to help plan for and drive the economic growth within the Shire over the next five years.

The *Destination Management Plan 2022-2026* provides a framework to deliver on the vision of being the leading High Country destination to escape to and immerse in nature and the outdoors. Nature experiences are to be complemented by quality food, drink and accommodation experiences.

Recommendation:

That the *Economic Development Strategy 2022-2026* and *Destination Management Plan 2022-2026* be adopted as presented.

Attachments:

Appendix 10 - *Towong Shire Economic Development Strategy 2022-2026*

Appendix 11 - *Towong Shire Destination Management Plan 2022-2026*

Background/History:

In 2021, bushfire recovery funding provided Council the opportunity to develop two strategic documents that would map a pathway for economic prosperity:

- *Economic Development Strategy 2022-2026*
An innovative game-changing strategy that provides strategic direction for future development, investment attraction, and sustainable growth of the Shire's economy.
- *Towong Shire Destination Management Plan 2022-2026*
A tourism-specific strategy that leverages the region's assets to boost tourism numbers and extend visitor length of stay.

Following a comprehensive community engagement process and extensive research, the two documents were completed and placed on display for public review. Feedback from the community and stakeholders has been received and considered in the final plans.

Relevant Law (s.9(2)(a)):

All Economic and Tourism Development activities are undertaken in accordance with the service performance principles outlined in the *Local Government Act 2020*.

Options – Best Outcomes for the Community (s.9(2)(b)):

The *Towong Shire Economic Development Strategy 2022-2026* and *Towong Shire Destination Management Plan 2022-2026* are designed to provide a roadmap for driving the economic prosperity of the community.

Sustainability Implications (s.9(2)(c)):

The *Towong Shire Economic Development Strategy 2022-2026* and *Towong Shire Destination Management Plan 2022-2026* are key documents that set the direction for the economic sustainability of the Shire.

Community Engagement (s.9(2)(d)):

Substantial community engagement was conducted in developing the plans including dedicated workshops, online and paper surveys, and the invitation for submissions. Meetings were held with key community organisations including community recovery committees, tourism associations and business organisations. One-on-one engagement was conducted with key stakeholders including Goulburn Murray Water, Tourism North East, Department of Environment Land Water and Planning, Regional Development Victoria, and Parks Victoria.

Upon the final draft being completed, the documents were placed on public exhibition. Recommendations from the resulting submissions were considered in the refinement of the two documents.

Innovation and Continuous Improvement (s.9(2)(e)):

The *Towong Shire Economic Development Strategy 2022-2026* and *Towong Shire Destination Management Plan 2022-2026* will provide clear direction, priority and scope for future economic and tourism activities delivered by Council.

Collaboration (s.9(2)(f)):

Numerous government and statutory bodies contributed to the documents' development including:

- The Department of Environment, Land, Water and Planning;
- Parks Victoria;
- Regional Development Victoria – with particular attention to the Ovens Murray regional partnership priorities;
- Murray Goulburn Water; and
- Tourism North East – ensured alignment with various regional tourism strategies including the Victoria's High Country Destination Management Plan 2013-23.

Financial Viability/Budget Impact (s.9(2)(g)):

The development of these documents was supported by bushfire recovery funding.

Regional, State and National Plans and Policies (s.9(2)(h)):

The *Towong Shire Economic Development Strategy 2022-2026* and *Towong Shire Destination Management Plan 2022-2026* align with numerous regional and state policies and strategies including:

- Ovens and Murray Regional Partnership
- The Hume Strategy for Sustainable Communities 2010-20
- Hume Regional Growth Plan
- North East Victoria Cycling Optimisation Plan
- Upper Murray 2030 Vision Plan
- Tourism North East Three Year Strategy 2020-22
- Victoria's High Country Destination Management Plan 2013-23
- Visit Victoria Visitor Economy Strategy Action Plan 2016-20

- Visitor Recovery and Reform Plan.

Council Plans and Policies:

The *Towong Shire Economic Development Strategy 2022-2026* and *Towong Shire Destination Management Plan 2022-2026* support the:

- *Towong Shire Council Plan 2021-25*
- *Towong Shire Mountain Biking Strategy 2021 - 25*
- *Towong Healthy Communities Plan 2018-21*
- *Towong Shire Youth Plan 2019 – 2023.*

Transparency of Decision (s.9(2)(i)):

It is the officer's view that it is appropriate to consider this matter in an open meeting.

Risk Assessment:

The *Economic Development Strategy 2022-2026* and *Destination Management Plan 2022-2026* provide for the ongoing resilience of the Shire's economy to adverse impacts.

Officer's View:

Extensive community and stakeholder engagement has informed the *Economic Development Strategy 2022-2026* and *Destination Management Plan 2022-2026*. The documents provide strategic direction for future economic activity and will support project scope development and funding applications.

Resolution:

**CR SCALES
CR DIKSCH EI**

THAT:

- 1. THE ECONOMIC DEVELOPMENT STRATEGY 2022-26 BE ADOPTED AS PRESENTED; AND**
- 2. THE DESTINATION MANAGEMENT PLAN 2022-2026 BE AMENDED TO NOTE THAT DARTMOUTH DOES HAVE A GENERAL STORE AND THE PLAN BE ADOPTED.**

CARRIED

16 Councillor Reports

Nil

17 Urgent Business

Nil

18 Committee Minutes

18.1 Audit and Risk Committee (07/07/0010-DCOD)

The unconfirmed minutes of the Audit and Risk Committee meeting held on Thursday 17 March 2022 are attached at **Appendix 12** for information.

Recommendations from the meeting include:

Audit and Risk Committee Self-Assessment Results:

MS CAMPBELL
MS BRYANT

THAT THE AUDIT AND RISK COMMITTEE PAPERS BE PROVIDED EARLIER TO PROVIDE FOR MORE REVIEW, PROBING AND CHALLENGING.

CARRIED

Meeting Schedule:

MS CAMPBELL
MS BRYANT

THAT THE AUDIT AND RISK COMMITTEE MEETINGS BE SCHEDULED IN MAY AND JUNE TO MEET THE REQUIREMENTS OF THE *LOCAL GOVERNMENT ACT 2020* AND COMPLETE THE ANNUAL WORK PLAN.

CARRIED

Internal Audit Plan:

MS CAMPBELL
CR WHITEHEAD

THAT THE PAYROLL AUDIT BE RESCHEDULED TO FY22/23 AND REPLACED WITH AN IT SECURITY AUDIT DURING FY21/22.

CARRIED

Procurement Update:

MS CAMPBELL
MS BRYANT

THAT A PROBITY AUDIT OF RECENT PROCUREMENT COMPLIANCE BREACHES IS NOT REQUIRED HOWEVER A FRAUD AUDIT IS TO BE INCLUDED IN NEXT YEAR'S INTERNAL AUDIT PLAN.

CARRIED

Policies:

MS BRYANT
MS CAMPBELL

THAT FURTHER CLARIFICATION IS PROVIDED WITHIN THE COMPLAINTS POLICY REGARDING APPROPRIATE COMPLAINANT BEHAVIOUR AND THE APPROACH TO SERIAL COMPLAINANTS.

CARRIED

Resolution:

**CR SCALES
CR DIKSCHIE**

THAT:

- 1. THE UNCONFIRMED MINUTES OF THE AUDIT AND RISK COMMITTEE MEETING HELD ON THURSDAY 17 MARCH 2022 BE NOTED; AND**
- 2. THE RECOMMENDATIONS FROM THE AUDIT AND RISK COMMITTEE MEETING HELD ON THURSDAY 17 MARCH 2022 BE CONSIDERED.**

CARRIED

18.2 OHS Committee (06/04/0212-CEO)

The unconfirmed minutes of the Occupational Health and Safety Committee meeting held on Tuesday 10 May 2022 have been provided to Councillors prior to the meeting.

Resolution:

**CR WORTMANN
CR SCALES**

**THAT THE UNCONFIRMED OCCUPATIONAL HEALTH AND SAFETY COMMITTEE
MINUTES BE NOTED.**

CARRIED

19 Council Policies (10/01/0007-CEO)

19.1 Policies for Review and Adoption

The following policies are tabled for review at [Appendix 13](#). Comments should be provided to the nominated Council officer by 22 June 2022:

- Access to Waste Disposal and Recycling Outlets (Outside Normal Operating Hours);
- Healthy Eating;
- Tree Policy; and
- Young Person Award.

20 Sealing of Documents

20.1 Section 173 Agreement – Towong Shire Council, Brian Joseph McFarland (Landowner) and AusNet Electricity Services Pty Ltd

Planning Permit 2021/018 issued on 27 August 2021 allowed for development of the land for the purpose of a three (3) lot subdivision. The subject land for the permit is described as 3 Kurralong Gap Road, Bethanga (Lots 3, 3, 3A and 3C Volume 08591 Folio 742, Subdivision Plan PS905516T).

Condition 2 of the permit requires:

“The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage facilities, electricity and gas services to each lot shown on the endorsed plan in accordance with the authority's requirements and relevant legislation at the time.”

The Parties acknowledge and agree that this Agreement has been entered into for the following reasons:

- (a) AusNet Services would not have consented to the issue of Statement of Compliance without requiring this Agreement; and
- (b) the Landowner has elected to enter into this Agreement in order to take the benefit of the Permit.

This agreement may be ended wholly or in part or as to any part of the land by the Responsible Authority and all persons who are bound by any covenant in the agreement. The agreement must run with the land so that all successors in title are bound by the agreement. This agreement will be prepared to the satisfaction of the Responsible Authority and must be registered on title in accordance with Section 181 of the Planning and Environment Act 1987.

The Agreement has been prepared accordingly and requires sealing.

Resolution:

**CR WORTMANN
CR DIKSCHER**

THE USE OF THE COMMON SEAL BE AUTHORISED IN ACCORDANCE WITH LOCAL LAW 1 – COMMON SEAL AND MISCELLANEOUS PENALTIES FOR THE PURPOSE OF SIGNING THE SECTION 173 AGREEMENT, RELATING TO THE LAND DESCRIBED AS 3 KURRAJONG GAP ROAD, (LOTS 3, 3A AND 3C VOLUME 08591 FOLIO 742, SUBDIVISION PLAN PS905516T) THAT HAS BEEN DRAFTED IN ACCORDANCE WITH THE REQUIREMENTS OF PLANNING PERMIT 2021/018.

CARRIED

21 Confidential

Section 66 of the *Local Government Act 2020* declares that meetings are to be open to the public unless the following specified circumstances apply:

- (1) *A Council or delegated committee must keep a meeting open to the public unless the Council or delegated committee considers it necessary to close the meeting to the public because a circumstance specified in subsection (2) applies.*
- (2) *The circumstances are –*
 - (a) *the meeting is to consider confidential information; or*
 - (b) *security reasons; or*
 - (c) *it is necessary to do so to enable the meeting to proceed in an orderly manner.*
- (3) *If the circumstance specified in subsection (2)(b) or (2)(c) applies, the meeting can only be closed to the public if the Council or delegated committee has made arrangements to enable the proceedings of the meeting to be viewed by members of the public as the meeting is being held.*
- (4) *For the purposes of subsection (3), the arrangements may include provision to view the proceedings on the Internet or on closed circuit television.*
- (5) *If a Council or delegated committee determines that a meeting is to be closed to the public to consider confidential information, the Council or delegated committee must record in the minutes of the meeting that are available for public inspection –*
 - (a) *the ground or grounds for determining to close the meeting to the public by reference to the grounds specified in the definition of confidential information in section 3(1); and*
 - (b) *an explanation of why the specified ground or grounds applied.*

As defined in section 3(1) of the *Local Government Act 2020* "confidential information" means the following information –

- (a) *Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released;*
- (b) *Security information, being information that if released is likely to endanger the security of Council property or the safety of any person;*
- (c) *Land use planning information, being information that if prematurely released is likely to encourage speculation in land values;*

- (d) *Law enforcement information, being information which if released would be reasonably likely to prejudice the investigation in an alleged breach of the law or the fair trial or hearing of any person;*
- (e) *Legal privileged information, being information to which legal professional privilege or client legal privilege applies;*
- (f) *Personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs;*
- (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;*
- (h) *Confidential meeting information, being the records of meetings closed to the public under section 66(2)(a);*
- (i) *Internal arbitration information, being information specified in section 145;*
- (j) *Councillor Conduct Panel confidential information, being information specified in section 169;*
- (k) *Information prescribed by the regulations to be confidential information for the purposes of this definition; and*
- (l) *Information that was confidential information for the purposes of section 77 of the Local Government Act 1989.*

There was no Confidential Business.

There being no further business the Mayor declared the meeting closed, the time being 11.21am.

Minutes confirmed on 22 June 2022.

Mayor