

Minutes

Ordinary Meeting of Council

Corryong Council Chamber

Wednesday 26 October 2022

Our Community Vision

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

<p>MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD AT TOWONG SHIRE COUNCIL CORRYONG OFFICE ON WEDNESDAY 26 OCTOBER 2022 COMMENCING AT 10.30AM</p>
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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
MF	Manager Finance
Government/Organisation	
ACSUM	Alliance of Councils and Shires of the Upper Murray
CH	Corryong Health (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
NERPEN	North East Regional Procurement Excellence Network
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 10.46am.

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, Dikschei, Anderson and Scales

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

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 any conflicts of interest.

5 Confirmation of Minutes

Ordinary Council Meeting 28 September 2022

To be circulated prior to meeting.

RECOMMENDATION:

**CR DIKSCHER
CR WORTMANN**

**THAT THE MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON
WEDNESDAY 28 SEPTEMBER 2022 AS CIRCULATED BE CONFIRMED.**

CARRIED

6 Petitions and Joint Letters

Nil

7 Public Question Time

Public Question Time has now replaced the Open Forum section of the Council meeting.

In accordance with Council's *Governance Rules*, all questions must be submitted to Council in writing by 2.00pm on the day prior to the Council meeting.

An online form is available on Council's website, and a hard copy of the form is available at both the Tallangatta and Corryong Council offices.

Public Notice of Public Question Time was included in the advertisement for the Council meeting.

The Chief Executive Officer will advise the meeting of the receipt of any questions.

Nil

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 24 August, 26 August, 14 September, 28 September and 12 October are attached at [Appendix 1](#).

**CR SCALES
CR DIKSCHER**

THAT THE INFORMATION BE NOTED.

CARRIED

9 Organisational Improvement

9.1 Corporate and Organisational Development Report (06/01/0011-DCOD)

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:

The purpose of this report is to provide a quarterly update on the activities of the Corporate and Organisational Development area.

Summary:

The attached report provides an overview of activities within the Corporate and Organisational Development area between July and September 2022.

Highlights included the completion of an IT Security Audit, during which no major shortcomings were identified; support for the four streams of waste community survey, with over 200 responses received; stabilisation of Customer Service team staffing levels; and an organisation wide blitz of dated service requests. Ongoing challenges were experienced in recruiting a Manager Finance and an external recruitment agent was appointed to assist with filling the role. External consultants were appointed to ensure a smooth end-of-financial-year reporting process.

Recommendation:

That the report be noted.

Attachment:

Appendix 2 – Corporate and Organisational Development Report

Background/History:

The Corporate and Organisational Development Report is provided on a quarterly basis.

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

Corporate and Organisational Development activities and decisions have been made in accordance with the *Local Government Act 2020*.

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

The Communications and Engagement team has continued to support project managers across the organisation to ensure that the community is involved in determining the best outcomes in relation to decisions that involve them.

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

Team structures and activities were adjusted to mitigate key person risk while improving process efficiency in selected areas. A customer service officer provided backfill support to the Records Officer during periods of leave, and an Inbox Officer role was created within existing customer service team resourcing levels to provide for efficient and accurate entry of new email enquiries into the customer relationship management system and the records management system. The vacant second Ranger role was adjusted to take on additional fire management and planning inspection and enforcement work. This made it possible to convert the role to a full time position.

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

The Communications and Engagement team continues to support numerous community engagement activities in relation to community-facing projects across the organisation, notably including the development and facilitation of the community survey in relation to the implementation of four streams of waste, which received 200 responses.

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

Several process improvements were made including the introduction of MOUs between customer service and Council departments to document and clarify roles and tasks, and ongoing development of tools and procedures to support staff onboarding, offboarding, recruitment and payroll. Work commenced to identify project resources and establish governance for the *Rural Councils Transformation Program* funded project

to review planning and building systems and processes, and vendor selection for the systems replacement was finalised.

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

Officers continued to collaborate with Alpine and Indigo Shire Councils, most notably in relation to the *Rural Councils Transformation Program* funded project to review planning and building systems and processes.

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

Budget requirements and availability have been confirmed and expenditure is being monitored within budget allocations.

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

Not applicable.

Council Plans and Policies:

The activities of the Corporate and Organisational Development team supported the following *Council Plan 2021-2025* priorities:

6.1 Continue to improve awareness, engagement and involvement of the community in relation to matters that affect them – facebook page followers, reach and engagement all continued to trend upwards and over 200 responses were received in relation to the four streams of waste community survey.

6.2 Continually improve the customer service experience across the organisation – a further blitz of outstanding service requests was undertaken.

6.4 Deliver improved business technology – finance, rates, human resources – work continued to embed the new rates, property, receipting and animal management system as staff have continued to learn how to best use the system in the every-day performance of their roles, while working with the vendor to suggest system enhancements.

6.8 Continue to seek opportunities to improve service delivery and achieve best value including further investigation of shared services – work commenced to establish project resources and governance for the *Rural Councils Transformation Program* funded project to review planning and building processes and systems, with a view to expanding the current shared service arrangement between Towong and Indigo Shire Councils to include Alpine Shire Council.

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 Manager Finance role has been vacant since July which poses some risk in the continuity of financial management practices. External consultants were appointed to provide for a smooth end-of-financial-year process, the Director worked directly with Finance Officers to support key regular processes, and an external recruitment agent was appointed to assist with filling the position after two unsuccessful rounds of recruitment. Contact was maintained with the previous Manager Finance in his role at an Albury based audit firm, and a commercial arrangement was put in place to enable us to secure his advice as required.

Officer's View:

Staffing remains a major challenge and appears to be resolving in selected areas including customer service. Despite staffing challenges, the team has continued to deliver and improve business-as-usual services while supporting major initiatives, and should be commended on their dedication, collaboration and resilience.

Council Resolution:

**CR WORTMANN
CR ANDERSON**

THAT THE REPORT BE NOTED.

CARRIED

9.2 Occupational Health and Safety (06/04/0212-DCOD)

Disclosure of Interests (S.130):

This report was prepared by Ms Emma Woolaston, Director Corporate and Organisational Development and Mr Wayne Carter, Occupational Health and Safety Officer.

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

Purpose of Report:

The purpose of this report is to provide a bi-monthly update on Occupational Health and Safety activities throughout the organisation.

Summary:

Major OHS activities conducted during the period included:

- a continued focus on COVID-19 related requirements including the distribution of Rapid Antigen Tests;
- progress against the recommendations of the 2021 OHS Management System audit, including work to better embed risk registers, OHS improvement actions and audit actions within department management structures and individuals' workplans;
- confirmation of insurance arrangements with community groups;
- submission of Council's insurance claim in relation to the 2019/20 bushfires;
- installation of a new emergency backup generator; and
- commencement of a review of high-risk crystalline silica work at our quarries.

Recommendation:

That the report be noted.

Attachment:

[Appendix 3](#) – Bi-Monthly Occupational Health and Safety Report.

Background/History:

The OHS report is provided on a bi-monthly basis to communicate the work being undertaken to ensure a healthy and safe work environment. The report highlights

progress in strengthening processes, procedures and practices across the organisation and details how emerging health and safety risks are being addressed.

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

OHS activities are governed by the principles of health and safety protection in accordance with the *Occupational Health and Safety Act 2004* and the *Occupational Health and Safety Regulations 2017*. Employees, other persons at work and members of the public are given the highest level of protection of risks to their health and safety that are reasonably practicable in the circumstances.

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

Officers have completed the annual process of extending offers of insurance coverage to relevant Committees of Management across the Shire, enabling them to access our property insurance arrangements for the safe management of community assets.

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

Activities are prioritised to best support sustainable health and safety outcomes for employees and the general community.

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

Not applicable.

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

Progress continues to be made in relation to the 2021 Audit of Council's OHS Management System with six actions now completed and a further 18 in progress, out of a total 56 recommended actions.

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

Officers have continued to collaborate with other councils, health providers and state departments to ensure that our interpretation of Pandemic Orders has been correct.

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

Budget requirements and availability have been confirmed and expenditure is being monitored within budget allocations.

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

Not applicable.

Council Plans and Policies:

OHS improvement activities support the following *Council Plan 2021-2025* priority:

6.2 Provide a safe and healthy workplace for all Councillors and staff in a continually evolving environment.

Activities also undertaken in accordance to the *Occupational Health and Safety Policy* and *Risk Management Policy*.

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:

Activities are prioritised commensurate to the likelihood and impact of identified OHS risks.

Officer's View:

Good progress is being made in relation to the implementation of actions stemming from the OHS Management System Audit. In particular, efforts to embed OHS and risk related activities and actions more strongly into departmental management structures and individual workplans are already making it easier to track and manage completion while making accountabilities clear. The approach which has been adopted so far within the Infrastructure and Environment directorate will be further trialled across the other two directorates.

Council Resolution:

**CR ANDERSON
CR SCALES**

THAT THE REPORT BE NOTED.

CARRIED

9.3 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 on a monthly basis to update Council on the progress of the action items from the previous Council meeting.

Summary:

At the Ordinary Council Meeting held on Wednesday 28 September 2022, a number of resolutions were passed requiring action by Council officers. This report is provided as an update on the progress of these actions.

Recommendation:

That the report be noted.

Attachment:

Appendix 4 – Datascape Action Report from the Ordinary Council meeting held on Wednesday 28 September 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 actions arising from Council resolutions are completed.

Officer's View:

The Datascape Action Report provides the status of all actions arising from the Council meeting held on Wednesday 28 September 2022. It is the officer's view that good progress has been made in relation to the actions arising.

Council Resolution:

**CR SCALES
CR ANDERSON**

THAT THE REPORT BE NOTED.

CARRIED

9.4 Council Plan Priorities (07/05/0022-DCOD)

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 is a standing report to provide an update to Councillors on the progress of the *Council Plan 2021-2025* priorities.

Summary:

In accordance with section 90 of the *Local Government Act 2020*, Council must prepare and adopt a Council Plan for a period of at least the next four financial years after a general election in accordance with its deliberative engagement practices. Council officers provide a quarterly update to Council on the progress of the priorities in the Council Plan.

Recommendation:

That the report be noted.

Attachment:

[Appendix 5](#) – Council Plan Priorities – July to September 2022.

Background/History:

Each quarter Council officers provide an update to Council on the progress of the priorities listed in the Council Plan for information only.

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:

Not applicable.

Officer's View:

Not applicable.

Council Resolution:

**CR WORTMANN
CR ANDERSON**

THAT THE REPORT BE NOTED.

CARRIED

9.5 Office Closure 2021/2022 Year End - New Year Period (07/05/0007-CEO)

Disclosure of Interests (section 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:

The purpose of this report is to recommend staffing arrangements and office closures for the Year End-New Year period.

Summary:

In recent times Council offices, libraries and depots have closed one business day before Christmas Day until the first business day after New Year's Day. Transfer stations and kerbside collection services have continued as usual. It is recommended that this approach is continued for the 2022/23 Year End-New Year period.

Recommendation:

That:

1. The Council offices, libraries and depots close from 5.00pm on Thursday 22 December 2022 and re-open at 8.30am on Tuesday 3 January 2023;
2. The Corryong Landfill and Tallangatta Transfer Station days of operation from 24 December 2022 to 2 January 2023 be altered from 25 December, 29 December and 1 January to 24 December, 29 December and 3 January; and
3. Arrangements be put in place by the Chief Executive Officer for staff to return to their duties during the closure period should there be an organisational requirement to do so (eg. an emergency event).

Attachments:

Nil.

Background/History:

In previous years the Council offices in Corryong and Tallangatta have been closed for one business day prior to 25 December and re-opened on the first business day after New Year's Day to allow staff to enjoy the holiday season with their family and friends, promoting and encouraging work/life balance. Based on staff feedback it is proposed that this continue for the 2022/23 Year End-New Year period.

The Corryong Landfill and Tallangatta Transfer Station are normally open on Thursdays and Sundays. As Christmas Day and New Year's Day will fall on Sundays this year and the following Mondays are public holidays, it is recommended that the Sunday opening hours be moved to the preceding Saturdays.

Kerb-side waste collection services are to continue in line with normal hours.

A skeleton crew will also be working from the Tallangatta and Corryong depots.

The key dates for the 2022/23 Year End-New Year period are as follows:

- Sunday 25 December 2022 – Christmas Day;
- Monday 26 December 2022 – Boxing Day;
- Tuesday 27 December 2022 – Public Holiday as Christmas Day falls on a Sunday;
- Sunday 1 January 2023 – New Year's Day; and
- Monday 2 January 2023 – Public Holiday as New Year's Day falls on a Sunday.

All staff are required to take annual leave or flexi days to cover the remaining days of leave while the offices, libraries and depots are closed.

Council's "After Hours" emergency provider will take emergency calls from 5.00pm on Thursday 22 December and refer them accordingly until the re-opening of the offices on Tuesday 3 January 2023.

It is noted that the Corryong Visitor Information Centre will be open through the period except for Christmas Day and Public Holidays.

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

Not applicable.

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

Option 1

Approve the holiday closure for the period outlined in the recommendation above, noting that all essential services and an After Hours emergency service will be in operation, together with arrangements for staff to return to work should the need arise (eg. an emergency event).

Option 2

Do not approve the holiday closure.

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

Not applicable.

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

Staff feedback has been sought on the approach to the Year End-New Year period.

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:

Not applicable.

Transparency of Decision:

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

Risk Assessment:

The provision of the 'After Hours' service will ensure that any urgent matters are attended to together with the arrangements for staff to return to work should the need arise (eg. an emergency event).

Skeleton crews at the Tallangatta and Corryong depot will also enable the continuation of essential outdoor works and services.

It has been another busy year with ongoing challenges in recruiting for vacant positions, and so from a staff wellbeing perspective, a small break at year end will be welcomed by many.

Officer's View:

Many Government organisations and businesses close during the Year End-New Year period and it is a good time of year to provide for a small break, given the typically low volume of community requests. Staff feedback reflects that it is appreciated that they are encouraged to take a break and have the opportunity to spend the time with their family and friends. As 2022 has been another very busy year for everyone due to COVID-19 disruptions and recruitment challenges, the closure period is recommended.

Council Resolution:

**CR DIKSCHAI
CR ANDERSON**

THAT:

- 1. THE COUNCIL OFFICES, LIBRARIES AND DEPOTS CLOSE FROM 5.00PM ON THURSDAY 22 DECEMBER 2022 AND RE-OPEN AT 8.30AM ON TUESDAY 3 JANUARY 2023;**
- 2. THE CORRYONG LANDFILL AND TALLANGATTA TRANSFER STATION DAYS OF OPERATION FROM 24 DECEMBER 2022 TO 2 JANUARY 2023 BE ALTERED FROM 25 DECEMBER, 29 DECEMBER AND 1 JANUARY TO 24 DECEMBER, 29 DECEMBER AND 3 JANUARY; AND**

3. **ARRANGEMENTS BE PUT IN PLACE BY THE CHIEF EXECUTIVE OFFICER FOR STAFF TO RETURN TO THEIR DUTIES DURING THE CLOSURE PERIOD SHOULD THERE BE AN ORGANISATIONAL REQUIREMENT TO DO SO (EG. AN EMERGENCY EVENT).**

CARRIED

10 Bushfire Relief and Recovery

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

The Bushfire Relief and Recovery Update is presented quarterly and will be provided in November 2022.

11 Community Wellbeing

11.1 Swimming Pool Report Season 2021/22 (02/05/0027, 02/05/0026-DCP)

Disclosure of Interests (S.130):

This report was prepared by Joe Calvert, Coordinator Recreation, Arts & 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 summarises the 2021/22 swimming pool season and proposes some changes to the upcoming 2022/23 season, including options to manage pool operating costs.

Summary:

The swimming pool season 2021/22 proved to be a success with usage increasing compared to the prior season. This was despite several challenges, including the impact of the COVID-19 pandemic. It was difficult to fully staff all lifeguard shifts due to lifeguards becoming unwell or needing to isolate due to being a close contact. Careful management led to the pools only needing to close for a total of six of 250 season days across the two pools, due to staffing issues. The pools continued to operate safely with only minor incidents reported and a reduction in incidents compared to the prior season.

Performance issues were experienced with the labour hire company initially brought on to recruit and manage the lifeguards. The lifeguards were subsequently brought in-house, and the higher wages paid to lifeguards under our Enterprise Agreement led to higher operating costs. However, higher wages led to higher staff satisfaction and fewer issues with being able to staff shifts. Due to the challenges experienced during the 2021/22 season, direct employment of the lifeguards appears to be the preferred solution for the 2022/23 season. A reduction in pool operating hours during times of low utilisation may be considered to contain costs.

Recommendation:

That:

1. Council approve the following opening hours for the Corryong and Tallangatta pools:
 - a) During School Term – weekdays 3pm to 6pm, weekends 2pm to 6pm;
 - b) During School Holidays – weekdays and weekends 2pm to 6pm (excluding Christmas Eve and New Years Day when the pool will be closed);
2. the Corryong and Tallangatta pools also open in exceptional circumstances such as Heat Health Alert days, hot weather days and to provide special events, subject to lifeguard availability.

Attachments:

Nil.

Background/History:

Council currently operates seasonal pools in Tallangatta and Corryong that open annually between November and March. During the 2021/22 pool season, the Tallangatta pool was open for 123 days and the Corryong pool was open for 127 days, with public swimming generally available seven days a week at both pools. There was a small delay to the opening of the Tallangatta pool due to inclement weather which delayed some renovation works. To address this, the pool season was extended by two weeks.

Pool visitation/usage

Throughout the season the pools hosted 3,432 visitors at Tallangatta and 3,351 visitors at Corryong. This represents an increase in visitation based on the previous year.

In addition to the hours that the pool is open to the public, clubs and groups are supported to access the pools to hold private sessions to provide additional access to the pools. Regular clubs and user groups that book the pools are as follows:

Tallangatta

- Icebreakers - three sessions a week
- Tallangatta Swim Club - three evenings and one early morning session per week
- Tallangatta Secondary College - lunchtime swims, classes, swim carnivals

- Tallangatta Primary School - morning swim classes, lunchtime swims, swim carnival

Corryong

- Corryong College – swim classes, swim carnival
- Sacred Heart Primary School – swim classes, swim carnival
- Crocodiles Swim Club – on average two evenings a week.

Unfortunately, COVID-19 impacted the ability to hold selected events and swimming carnivals, resulting in several cancelled bookings and rebookings.

Staffing the pools

In previous pool seasons, the recruitment and staffing of lifeguards for the pools was managed by MomentumOne Shared Services P/L. MomentumOne ceased operation in 2021. Following this, a request for tender was released to the market to find a suitably qualified labour hire company to fulfill the duties previously undertaken by MomentumOne.

Throughout the season several challenging staffing and training issues were encountered, including:

- The labour hire company that Council initially contracted to hire pool lifeguards did not meet expectations, resulting in difficulties in having sufficient lifeguards for each shift;
- The ability of the lifeguards to consistently attend their shifts were impacted by COVID-19 and associated close-contact isolation requirements, as well as other illnesses;
- Some former lifeguards were unable to be employed due to choosing to remain unvaccinated against COVID-19; and
- Lifeguard training tutors were difficult to obtain due to Melbourne lockdowns, and training was cancelled in our area due to the presence of COVID-19 cases.

At times the lifeguard team was extremely stretched with officers working closely with the lifeguard team to maximise staffing where possible. As a result, pool closures due to staffing issues were relatively limited, to 2.5 days in Tallangatta and 3.5 days in Corryong.

Other Staffing and Training Plans

Plans are underway to put in place Lifeguard 'Team Leader' positions to ensure sufficient resources are available to oversee rosters and maintain pool supplies.

Efforts have been made to encourage more mature lifeguards to come forward from the community to obtain their lifeguarding qualifications. This is to ensure the region has more lifeguard staffing options to keep the swimming pools operating well, should

future COVID-19-related events lead to another year of disruption. Partner organisations such as Rotary Groups, Swim Clubs, Schools, and local Health Services have all been engaged.

New options for the training of lifeguards have been explored to make us less reliant on metro-based Life Saving Victoria trainers (who could not travel to regional areas last year due to COVID-19 lockdowns). More local lifeguard trainers have now been established to provide an increased level of surety going forward.

Health and Safety Considerations

The number of incidents reported at the facilities was lower over the 21/22 season than the prior season, even though more people were using the pools. The lifeguards should be commended on their conduct as it is often their early intervention that stops a situation from becoming an incident.

Both facilities passed all water quality requirements as well as COVID-19-related inspections.

Officers will continue to work together with swim groups such as the Icebreakers, as well as the Corryong and Tallangatta Swim Clubs, schools and other interested parties to ensure the pool is used safely and effectively outside of 'public swim' times as long as qualified lifeguards are always in attendance and they can meet the requirements delineated by the Pool User Group Agreement Form.

Work has commenced on the Vic Kids Eat Well initiative to encourage healthier food that is still appealing can be stocked at the Towong Council Kiosks. This will ensure that our facilities are better aligned with the *Towong Shire Municipal Health and Well Being Plan 2021-2025*.

Pool Financials

During the pool season 2021/22, the pools recorded revenue of \$29,801 and expenditure of \$167,348, resulting in Council contributing \$137,547 to pool operations.

Mid-way through the season the management of the lifeguards was brought in-house due to performance issues with the labour hire company that was initially contracted to recruit and manage the lifeguards. Due to the structure of the Council's Enterprise Agreement, this led to an increase in lifeguard wages and associated costs. If lifeguards had been employed directly by Council for the full season, it would have resulted in an additional cost of nearly \$20,000, increasing Council's contributions to pool operations to \$157,000 annually, if no adjustments are made to the operating hours.

Operating Options for the 2022/23 Swim Season

Following the termination of our relationship with the labour hire firm initially contracted to recruit and manage the lifeguards for the 21/22 swim season, an Expression of Interest was advertised in July 2022 to see if an alternative suitable labour hire firm was available. No submissions were received and accordingly the employment of lifeguards will need to remain in-house for the 2022/23 swim season.

An advantage of paying the higher level of wages paid to the lifeguards under our Enterprise Agreement is that it has increased the interest of lifeguards to take up shifts and attracted new candidates. Continuing at this level will be beneficial in maintaining a strong lifeguard team and pool season continuity.

The additional financial costs associated with employing the lifeguards through Council could be offset by adjusting the operating hours of the pools. At present the pool operating hours are as follows:

- During School Term: Weekdays 3.30 pm to 7 pm; Weekends 12 noon to 7 pm*
- During School Holidays: Weekdays and weekends 12 noon to 7 pm*

*Please note that on hot weather days and especially heat health alerts that the pools can be open later especially for the Corryong Pool which has more patrons in the evenings than Tallangatta.

Any adjustments to the operating hours will need to be based on the learnings from previous seasons and minimise the impact on regular visitors to the pool. Past seasons have identified the following trends:

- Users do not often attend the pool for more than a few hours at a time and are more likely to visit after lunch and before 6 pm. Opening the pool later than 12 pm and closing earlier than 7pm, throughout both the school term and school holidays, will produce a saving;
- Users do not attend the pool on Christmas Eve or New Years Day. Closing the pool on these days will result in cost savings with minimal impact to users; and
- During school term (specifically November and March), the patronage at both pools is very low due to colder weather. As such, adjusting the hours to better reflect the use during these months will result in reduced costs. Access to the pool during cooler months is managed through the cold weather policy. To date this has not been stringently applied. More stringent controls would result in the pools closing on cooler days. There is an opportunity to open the pool season later and finish it earlier, and this may be further considered for the 2023/24 pool season.

It is also observed that a significant proportion of pool usage is by a relatively small but regular group of local patrons. Further facilitating local swim clubs and groups to access the pool will provide further utilisation without significant cost.

While the community pools are highly valued by the community considering such options may help them to become more viable. Further community engagement is desirable prior to the season opening to ensure that the reasons for a reduction in opening hours are understood.

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

The recommendation is made with consideration to section 106 of the *Local Government Act 2020*, Part 5 Service Performance Principles; particularly in relation to considering that cost standards should provide good value to the municipal community while providing services in an equitable way that respond to diverse needs.

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

The community is provided with two public pools which are operated to meet high safety compliance standards. They are also cared for by qualified lifeguards. Given that no suitable labour hire companies have been identified to run the pools in 2022/23 it is likely that the management of the lifeguards will need to remain in-house. Given this, two options have been identified:

Option 1

Maintain current swimming pool opening hours at a higher overall season cost of circa \$157,000 compared to prior-year running costs of \$140,580 in 2019/20, \$125,241 in 2020/21 and \$137,547 in 2021/22.

Option 2

Proceed to reduce pool operating hours during times of low utilisation to improve their financial viability. The proposal is to adjust the hours as follows:

- During School Term: Weekdays 3 to 6 pm; Weekends 2 pm to 6 pm
- During School Holidays: Weekdays and weekends 2 pm to 6 pm* (excluding Christmas Eve and New Years Day when the pool will be closed).

*Whilst these are expected to the standard operating hours, the expectation will be that in exceptional circumstances the hours will be extended. These circumstances include:

- Heat Health Alert days – extended closing hours for pools to provide access to a cool and safe place (budgeted hours of an 24 extra hours per season – or six occasions at each pool),

- Hot weather days with peak visitation – lifeguards will be able to use their discretion to extend the hours based on evening patronage (budgeted hours of 48 extra hours – or 12 occasions at each pool), and
- Additional lifeguard hours/time for special events – this will allow for special events and/or inflatable events to have additional public hours beyond the standard operating hours (budgeted hours of up to 96 extra hours across both pools).

In addition to adjusting the standard operating hours, it is recommended that a fund be established to support group insurance and training with the swimming clubs. This will enable the pool to open privately for additional hours, such as in the early morning when there is existing demand. The fund will be supported through operating hour savings while allowing more flexibility for the groups to hold additional sessions in times outside of the standard operating hours.

It is projected that the financial implications for this option will have require net contribution from Council as follows:

Item	Estimated Amount
Budgeted revenue	\$30,000
Budgeted operating cost without revised operating hours	\$187,000
Net contribution from Council	(\$157,000)
Savings generated from reduction in standard operating hours	\$34,250
Exceptional circumstances budgeted additional operating hours	(\$6,500)
Group insurance and training fund	(\$3,000)
Total savings against contribution from Council due to Option 2 being implemented	\$24,750

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

Economic

Keeping the operating costs of the swimming pools lower, through reduced hours, will help to ensure the facilities are within the forecast budgets and will provide effective management of ratepayer funds.

Social

The swimming pools are vital facilities for social cohesion. The pools are used by local schools, sports clubs, early morning swim groups, local health services, community events and sporting occasions. The facilities encourage healthy lifestyles through exercise, which is appealing and accessible to young and old alike, of varied abilities. The pools also provide a valuable space for children to learn to swim – a skill that is vital in a shire that is abundant with rivers and lakes.

Environmental

The swimming pools provide a safe, calm and cool environment for the community to use. The hot months can present a major health hazard and the pools play a major role in allowing the public to stay cool and safe, in the company of people with medical and first aid training. With increasingly extreme weather patterns the pools are increasingly becoming a resource in times of emergency (as was evidenced during the black summer bushfires), as well as a place for recreation, reflection and healthy exercise.

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

Extensive public engagement was conducted during 2021/22 as part of the Recreation Strategy for Towong Shire 2022-31 in addition to a Swimming Pool Review in 2018. Some pool user groups, including early morning swim clubs and lifeguards, have also been engaged in preparation for this report. Further communication will take place if the proposed changes to opening hours are approved.

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

The proposals outlined in this paper identify some improvements that will increase lifeguard availability and address the ongoing financial performance of the pools.

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

Council collaborates and supports the early morning swimming at both pools through the swim clubs and the Tallangatta Icebreakers. It also works closely with the swim clubs, local schools and health services to ensure all have access to the facilities practically and affordably.

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

Increasing lifeguard employment costs and rising utility and material costs can potentially be mitigated by adjusting the 'public swimming' hours of operation.

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

The swimming pools are operated in accordance with the requirements of the Safer Public Pools Code of Practice (SPPCoP) which sets out the various legislation, standards and guidelines governing their safe management, including:

- *Occupational Health and Safety Act 2004,*
- *Occupational Health and Safety Regulations 2017,*
- *Public Health and Wellbeing Regulations 2009,*
- *Dangerous Goods Act 1985,*
- *Equipment (Public Safety) Act 1994,*
- *Consumer Affairs Legislation Amendment Act 2014,*
- *Emergency Management Act 2013.*

Council Plans and Policies:

This report aligns with the objectives of the following plans and strategies:

- *Towong Shire Council Council Plan 2021-2025*
- *Municipal Health and Wellbeing Strategy*
- *Recreation Strategy for Towong Shire 2022-2031.*

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:

There is a risk that reduced hours at the swimming pools might encourage patrons to swim in the rivers or the lakes more, leading to increased risk to their health and safety, however, any curtailment of pool operating hours would only apply to traditionally 'low-patronage' periods.

Officer's View:

The swimming pools are vital local assets, providing a safe and inclusive space for community members while promoting physical well-being and social cohesion. The proposed reduction in pool opening hours will increase the financial viability of the pools.

Council Resolution:

**CR DIKSCHER
CR SCALES**

THAT:

- 1. WE TRIAL THE FOLLOWING OPENING HOURS UP UNTIL CHRISTMAS FOR BOTH THE CORRYONG AND TALLANGATTA POOLS:**
 - DURING THE SCHOOL TERM THEY ARE BOTH OPEN FROM 3.30PM UNTIL 7PM MONDAY TO FRIDAY AND ON WEEKENDS FROM 2PM TIL 7PM**
 - DURING SCHOOL HOLIDAYS ON WEEKDAYS AND WEEKENDS EXCLUDING CHRISTMAS EVE AND NEW YEARS DAY WHEN THE POOL WILL CLOSE, THEY WILL ALSO BE OPEN FROM 2PM UNTIL 7PM**
- 2. IN EXCEPTIONAL CIRCUMSTANCES SUCH AS HEAT ALERT DAYS, HOT WEATHER DAYS AND TO PROVIDE SPECIAL EVENTS, BOTH POOLS, SUBJECT TO LIFEGUARD AVAILABILITY, COULD BE OPENED; AND**
- 3. WE MAKE A FURTHER DONATION TO THE ESKDALE SWIMMING POOL COMMITTEE OF \$1,000 TO ENABLE THEM TO POSSIBLY TRIAL SOME EXTENDED HOURS AS WELL.**

CARRIED

11.2 Municipal Health and Wellbeing Plan (04/02/001-DCP)

Disclosure of Interests (S.130):

This report was prepared by 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:

The report provides an annual summary of the progress toward the priorities detailed in the *Municipal Health and Wellbeing Plan 2022-2025*.

Summary:

The annual review of the *Municipal Health and Wellbeing Plan 2022-2025* demonstrates that good progress has been made against the key priorities outlined in the plan. Some key highlights of progress against the plan over the last year include:

- Establishment of the community garden adjacent to Tallangatta Health Service;
- Commencement of the development of Reconciliation Action Plans across all health services and Council;
- Delivery of 16 Days of Activism, Jess Hill event and Family Fun Days to support community understanding of family violence;
- Ongoing participation in the Upper Hume Primary Care Rural Innovative Multi-Disciplinary Models (PRIMM) project to ensure an Age Friendly health system;
- Significant expansion of recreational facilities and opportunities including creation/upgrades of walking tracks and maps, improved pedestrian footpaths, cycling maps and events and delivery of walking programs;
- Ongoing support of the Thrive group and delivery of the Corryong Spirit event;
- Expansion of maternal child health and playgroup services across the municipality;
- Successful delivery of seniors week and community events to encourage cohesion; and
- Ongoing delivery of the COVID-19 vaccination and booster program and distribution of rapid antigen tests to vulnerable populations.

Recommendation:

That the report be noted.

Attachments:

Appendix 6: *Municipal Health and Wellbeing Plan 2022-2025* - Summary of progress against plan priorities.

Background/History:

The *Public Health and Wellbeing Act 2008* (the Act) recognises the significant role of councils in improving the health and wellbeing of people who live, work, study and play in their municipality. The Act requires councils to develop a municipal public health and wellbeing plan every four years. Towong Shire's *Municipal Health and Wellbeing Plan 2022-2025* was adopted in October 2021.

The Act also requires councils to conduct an annual review of the Plan and, if appropriate, amend the plan (section 26(4)). The review needs to include a review of the measures council and other local agencies have implemented to prevent family violence and respond to the needs of victims of family violence in the local community (section 26(4)(A)).

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

This progress report is provided in accordance with the requirements of section 26(4) of the *Public Health and Wellbeing Act 2008*

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

As detailed in the *Annual Review of Municipal Public Health and Wellbeing Plan Guidance Note*, it should be considered whether sufficient progress has been made against the plan and whether changes are required. A review of the progress against the priorities indicates that all agencies are progressing well against the plan and no additional changes are required at this time.

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

There are several priorities within the *Municipal Health and Wellbeing Plan 2022-2025* that explicitly address the impacts of environmental risks and climate change. Progress has been made against these priorities throughout the year.

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

The Act does not explicitly require councils to involve the community in the annual review but does require councils to provide for the involvement of people in the local community in the implementation of the Plan (section 26(2)(c)). The majority of priorities are delivered alongside extensive community engagement processes.

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

The purpose of the *Municipal Health and Wellbeing Plan 2022-2025* is to ensure continuous improvement and innovation is undertaken across the municipality to improve and sustain the general health and wellbeing of the population. The specific improvements and innovations that have occurred during the year concerning the plan include:

- Development of the *Recreation Strategy for Towong Shire 2022-33* to support ongoing improvements and upgrades to all recreational facilities across the municipality;
- Improved information for walking and cycling to make recreational opportunities more accessible;
- Improvements to accessibility and communications for people with disability and/or developmental delays in all kindergartens;
- Establishment of a healthy eating program in all early years centres run by Council to encourage children to develop lifelong healthy behaviours;
- Delivery of new inclusive playgrounds in all council run kindergartens/early years centres; and
- Training delivered across the municipality in Mental Health First Aid, Orange Door, Trauma-informed care and Active Bystander, to support all people to respond to family violence and trauma.

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

The plan is developed and implemented in collaboration with the key partners of the Towong Alliance: Corryong Health, Tallangatta Health Service and Walwa Bush Nursing Centre.

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

Budget requirements and availability have been confirmed and expenditure is being monitored within budget allocations.

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

The *Victorian Public Health and Wellbeing Plan 2019-2023*, *Municipal Health and Wellbeing Planning Advice Notes 1 and 2* and the *Annual review of Municipal Public Health and Wellbeing Plan Guidance Note* have been considered in the development of and reporting for the *Municipal Health and Wellbeing Plan 2021-2025*.

Council Plans and Policies:

All activities under the *Municipal Health and Wellbeing Plan 2021-2025* also support the delivery of the *Council Plan 2021-2025* priorities.

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:

Annual progress reporting helps to identify whether there is any risk of not achieving the priorities listed in the *Municipal Health and Wellbeing Plan 2022-2025*. At this stage there is no apparent risk of non-delivery.

Officer's View:

It is the Officer's view that there has been substantial progress towards achieving the priorities listed in *Municipal Health and Wellbeing Plan 2022-2025* and no changes are required to the current priorities.

Council Resolution:

**CR SCALES
CR DIKSCHER**

THAT THE REPORT BE NOTED.

CARRIED

12 Asset Management

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

Disclosure of Interests (S.130):

This report was prepared by Ms Rachael Gadd, Director Infrastructure and Environment.

At the time of preparation of the 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 a bi-monthly report on Asset Management activities throughout the Shire for the period of 1 July to 31 August 2022. It is provided for information only.

Summary:

This report presents the overall status of the active capital works program.

Recommendation:

That the report be noted.

Attachment:

[Appendix 7](#) - Capital Projects Dashboard – August 2022.

Background/History:

This report is produced by the Infrastructure and Environment team on a bi-monthly basis to provide a progress overview of asset management activities. It provides information on the capital works program and key deliverables of the *Council Plan 2021-2025*.

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

All activities are conducted in accordance with the service performance principles as outlined by section 106 of the *Local Government Act 2020*.

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

Not applicable.

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

Economic

Works within the capital works program provide local economic stimulus through the employment of local contractors.

Social

Projects within the capital works program are prioritised in line with the *Council Plan 2021-2025* to improve social amenity and economic outcomes across the Shire.

Climate change/Environmental

An increased focus on the utilisation of recycled materials including crushed concrete and recycled glass sand has been implemented through capital projects construction and tender processes.

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

Community engagement for capital projects is continuing with engagement sessions completed for the Playles Hill, Corryong CBD, Corryong Circuit, Hanson Street and Bethanga playground projects. Engagements planned the next period include the Corryong Stock Route and Great River Road – Stage 2.

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

The capital works program provides for the continuous improvement of assets across the Shire.

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

Not applicable.

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

		Sep 2022 YTD (Actual) \$	Sep 2022 YTD (Budget) \$	Sep 2022 YTD (Variance) \$	Sep 2022 YTD (Variance) %	2022/23 Full Year (Budget) \$
	Note					
Income						
Building services	1	25,878	33,875	(7,997)	(24%)	135,500
Engineering/Technical services	1	660	1,500	(840)	(56%)	6,000
Environmental health	1	3,097	3,750	(653)	(17%)	51,000
Total Income		29,635	39,125	(9,490)	(24%)	192,500
Expenditure						
Building services		41,337	42,500	1,163	3%	170,000
Engineering/Technical services	2	471,844	859,264	387,420	45%	3,437,054
Environmental health		45,292	48,605	3,313	7%	194,422
Parks and gardens	3	141,597	170,623	29,026	17%	682,494
Plant items (fuel and maintenance)	4	185,912	227,009	41,098	18%	908,037
Road maintenance (including bridges)	5	274,702	433,448	158,746	37%	1,733,793
Total Expenditure		1,160,685	1,781,450	620,765	35%	7,125,800
Net Income / (Expenditure)		(1,131,049)	(1,742,325)	611,276	(35%)	(6,933,300)

1. Somewhat lower than anticipated permit application volumes.
2. Vacant staff positions, lower than anticipated maintenance and contractor expenditure.
3. Vacant staff positions, lower than anticipated maintenance expenditure.
4. Cost of usage of bulk fuel stores for Q1 not yet estimated.
5. Activities delayed by wet weather, staff vacancies.

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

Not applicable.

Council Plans and Policies:

The report provides an overview of progress in delivering the following *Council Plan 2021-2025* priority:

1.1 Deliver 100% of the annual capital works program and bushfire recovery projects

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

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

Risk Assessment:

The ongoing unpredictable COVID-19 restrictions are still affecting some contractors' availability and causing an increased cost of materials. Significant rain over the period has caused delays to road construction projects.

Officers View:

The capital works program is progressing as follows:

- Number of projects carried forward from previous financial years: 41
- Number of new projects in 2022/23: 22
- Number of projects in progress: 53
- Number of projects complete to 31 Aug 2022: 0

Recent additional project management resources are expected to assist with project delivery timeframes.

Council Resolution:

CR WORTMANN

CR DIKSCHER

THAT THE REPORT BE NOTED.

CARRIED

12.2 Naming and Registration of Unnamed Roads (01/01/0449-DIE)

Disclosure of Interests (S.130):

This report was prepared by Ms Rachael Gadd, Director Infrastructure and Environment.

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

Purpose of Report:

This report provides information to support the naming and registration of unnamed roads in Mount Alfred and Biggara.

Summary:

The naming process for roads is set out in the *Naming rules for places in Victoria 2022*. Council's endorsement of the proposed road names in Mount Alfred and Biggara is required prior to referral to Geographic Names Victoria for registration.

Recommendation:

That the proposed road names listed below are endorsed for the purpose of registration with Geographic Names Victoria:

1. Mount Alfred: Laneway 1 – Stoney Creek Lane
2. Biggara: Laneway 1 – Indi Road

Attachments:

Appendix 8 - Map of unnamed road Mount Alfred

Appendix 9 - Map of unnamed road Biggara

Background/History:

Requests have been received to name unnamed roads in Mount Alfred and Biggara. Officers have undertaken community consultation and name checking processes as required by the *Naming rules for places in Victoria 2022* relating to the naming of unnamed roads. The recommended road names now require Council endorsement in order to be registered.

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

The recommendation is made in accordance with the requirements of the *Geographic Place Names Act 1998* and the *Naming rules for places in Victoria 2022*.

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

Option 1

Endorse the proposed road names to facilitate improved emergency service and natural disaster relief response; or

Option 2

Do not endorse the proposed road names, leaving the listed roads unnamed.

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

Economic

The naming of roads does not trigger a change of road management responsibilities.

Social

The naming of these roads will facilitate improved emergency service and natural disaster relief access. Emergency services maps will be updated enabling Ambulance, Country Fire Authority (CFA) and the State Emergency Services (SES) to locate properties with more efficiency.

Climate change/Environmental

The use of paper has been reduced in the road naming process by encouraging the community to engage via email.

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

As per the requirements of the *Naming rules for places in Victoria 2022* a series of letters were sent to properties in the surrounding areas of Mount Alfred requesting suggested names for the road, and then requesting a vote on the suggestions. With regards to the suggestions for the naming of the Northern section of the road, one objection was registered which has now been resolved. This section has been removed from the naming process.

Engagement processes regarding the proposed Indi Road did not yield any further suggestions or objections. The proposed road comes off the Indi bridge and intersects Upper Murray Road; the proposed road name is Indi Road to align with Indi Road on the NSW side of the Indi bridge.

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

The naming of these roads will facilitate improved emergency service and natural disaster relief access.

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

Council officers have worked collaboratively with the community to request suggested road names.

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

Council is responsible for managing the road naming process along with providing and maintaining the road signs for the newly named roads. The costs involved are adequately covered within operating budgets.

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

The recommendation is made with consideration to the requirements of the *Naming rules for places in Victoria 2022*.

Council Plans and Policies:

Not applicable.

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

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

Risk Assessment:

The naming of roads mitigates the risk of emergency services not locating residential properties when required.

Officer's View:

It is the officer's view that the correct process has been followed in accordance with the *Naming rules for places in Victoria 2022*. It is recommended that the list of road names proposed in this report are endorsed by Council to progress the official road naming process.

Council Resolution:

**CR DIKSCHER
CR ANDERSON**

THAT THE PROPOSED ROAD NAMES LISTED BELOW ARE ENDORSED FOR THE PURPOSE OF REGISTRATION WITH GEOGRAPHIC NAMES VICTORIA:

- 1. MOUNT ALFRED: LANEWAY 1 – STONEY CREEK LANE**
- 2. BIGGARA: LANEWAY 1 – INDI ROAD**

CARRIED

12.3 Spray Sealing and Associated Services – North East Regional Procurement Excellence Network – Contract No. 2022/23-032 (01/07/0004-DIE)

Disclosure of Interests (S.130):

This report was prepared by Vilfred Correa, Deputy Director Infrastructure and Environment.

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:

The purpose of this report is to provide information to support the assessment of tender submissions for Spray Sealing and Associated Services and to seek Council approval to appoint the recommended contractor.

Summary:

This report demonstrates the tender process followed for the procurement of a Spray Sealing contractor to undertake the resealing of Council roads. This report also provides a recommendation of the most suitable contractor to undertake these works.

Recommendation:

That:

1. Contract No. 2022/2023-032 for the resealing of Council roads be awarded to Sprayline for the lump sum of \$484,335.77 excluding GST;
2. 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 contract document;
3. The Chief Executive Office be authorised to approve contract variations up to the total value of the allocated project budget.

Attachments:

A comparative tender evaluation for Contract No. 2022/2023-032 has been provided to Councillors prior to the meeting.

Background/History:

The resealing of Council roads is completed annually as part of the capital works program. In 2022 Procurement Australia was appointed to act as a tender agent for the purpose of seeking resealing tenders under their contract 2022/2023-032- Spray Sealing and Associated Services for the North East RPEN group of Councils. This is a regional contract designed to achieve best value and quality control through a bulk procurement process.

The North East RPEN Councils participating in this process include:

- Benalla Rural City Council
- Towong Shire Council
- Wangaratta Rural City Council
- Wodonga City Council

The tenders were sought on the basis of binder application unit rates for a variety of road resealing treatments and reinstatement of road markings suitable for use on Council's rural and urban roads.

Three tender submissions were received from the contractor panel under Contract 2022/2023-032 for the 2022/2023 financial year. Offers were received from Sprayline, GW &BR Cramer and Boral Resources. A detailed comparative analysis was completed based on the selection criteria and weighting to ensure best value was gained.

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

This procurement has been conducted in accordance with the Procurement Policy and accordingly with section 109 of the *Local Government Act 2020*, which requires that a council must comply with its Procurement Policy before entering into a contract for the purchase of goods or services or the carrying out of works.

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

Option 1 – Award the contract to the recommended contractor.

Option 2 – Consider awarding the contract to an alternative contractor.

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

Economic

The bulk procurement process helped to ensure that best value is provided to our communities for the sealing of roads.

Social

Successful completion of the project will improve road safety in various townships.

Climate change/Environmental

The contractor will specify the use of crumb rubber, a recycled tyre product that increases the life of seals on rural roads.

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)):

The recommended tender value is \$484,335.77 excluding GST. The costs to reseal specific roads within the schedule of works will be sourced from the reseal and Towong Street East project budgets. This value is within these budgets.

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

Not applicable.

Council Plans and Policies:

The tender has been conducted in accordance with the Procurement Policy and supports the following *Council Plan 2021-2025* priority:

1.1 Deliver 100% of the annual capital works program and bushfire recovery projects.

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 ongoing unpredictable COVID-19 environment continues to affect the availability of Council and contract staff which may also result in delays to project delivery.

Officers View:

The references provided by Sprayline in their tender submission support the view that they will deliver good value and a low risk to Council. They have undertaken similar works in the past and have also completed high quality work for Council in the past. It is the officer's recommendation that Sprayline are awarded Contract No. 2022/2023-032.

Council Resolution:

CR WORTMANN

CR SCALES

THAT

- 1. CONTRACT NO. 2022/2023-032 FOR THE RESEALING OF COUNCIL ROADS BE AWARDED TO SPRAYLINE FOR THE LUMP SUM OF \$484,335.77 EXCLUDING GST;**
- 2. 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 CONTRACT DOCUMENT;**
- 3. THE CHIEF EXECUTIVE OFFICE BE AUTHORISED TO APPROVE CONTRACT VARIATIONS UP TO THE TOTAL VALUE OF THE ALLOCATED PROJECT BUDGET.**

CARRIED

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 September 2022.

Summary:

In September 2022, 15 new applications were received and 9 permit applications were decided for the value of \$1,435,186. There are currently 34 active permits.

Recommendation:

That the report be noted.

Attachment:

Appendix 10 – Planning Permit Activity: September 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)):

Officers have been working towards improving the customer service experience for planning permit applicants. Most recently funding from the *Rural Councils Transformation Program* has been obtained to support Project Pinnacle to implement a new planning system and further improve planning processes. The project will support customers to access all planning information while a permit is being processed.

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

Officers continue to work collaboratively with key stakeholders including Indigo Shire Council and Alpine Shire Council to deliver Project Pinnacle.

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 being implemented in the Planning department will result in an improved customer experience.

Council Resolution:

CR WORTMANN

CR DIKSCHER

THAT THE REPORT BE NOTED.

CARRIED

13.2 Placemaking and Township Co-Design Project – Tender 2021/22-128 (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:

This report provides information on the assessment of tenders for the development and implementation of the Bellbridge/Bethanga, Corryong, Mitta Mitta and Tallangatta Placemaking and Township Co-Design Project and seeks approval to appoint the recommended contractor.

Summary:

This report demonstrates the tender process followed for the procurement of a suitable contractor to undertake the project and provides a recommendation of the most suitable contractor to undertake the works.

Recommendation:

That:

1. Tender no. 2021/2022-128 Placemaking and Township Co-Design (Community Engagement) Project be awarded to ClarkeHopkinsClarke Architects Pty Ltd for the lump sum of \$206,650 excluding GST;
2. 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 contract document; and
3. The Chief Executive Office be authorised to approve contract variations up to the total value of the allocated project budget.

Attachments:

A comparative tender evaluation for Contract No. 2021/2022-128 has been provided to Councillors prior to the meeting.

Background/History:

At present, four structure plans in varying stages of development are currently identified for Bellbridge/Bethanga, Corryong, Mitta Mitta and Tallangatta and are supported by funding from the Department of Land, Water and Planning (DELWP) and the Victorian Planning Authority (VPA). These towns have significant and varying needs including land use development, infrastructure, services, parks and gardens.

The Placemaking and Township Co-Design Project is designed to identify and encompass the unique influences of each locality whilst assisting communities to reimagine and reinvent the way their towns work. The project is designed to be highly inclusive and work with community to identify the big ideas that will drive future growth in the towns, whilst also identifying the necessary services and basic needs required to adequately support the population. Engagement strategies will capture participants of all ages and stages in life, to help inform structure and land use planning to support future growth and overcome existing barriers to growth. Identified themes, outcomes and issues will be used to assist with completion of structure plans for each of the towns.

The Request for Tender was advertised on www.tenders.net in June 2022 for three weeks. Seven companies tendered for the contract with a comparative evaluation process identifying ClarkeHopkinsClarke Architects Pty Ltd as the most suitable applicant.

Subsequent negotiations were undertaken to consider the incorporation of the redevelopment of the Corryong Junior Campus consultation project. The site is significant for the community both historically and sentimentally. It provides an opportunity for development to enhance the amenity and growth of the Upper Murray. The initial consultation outcomes strongly support the site being retained as a multi-disciplinary community space, for community benefit, not retail. Further engagement for development priorities, processes, timelines and governance arrangements is required, in preparation for a masterplan and business case. Combining this process with the placemaking and co-design project provides efficient use of time and resources, whilst considering engagement fatigue that is expressed throughout the community.

The additional scope is represented as an option in the 'Options' section of this report.

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

This procurement has been conducted in accordance with the Procurement Policy and accordingly with section 109 of the *Local Government Act 2020*, which requires that a council must comply with its Procurement Policy before entering into a contract for the purchase of goods or services or the carrying out of works.

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

Option 1 - Award the contract to ClarkeHopkinsClarke Architects Pty Ltd for the lump sum of \$196,750 excl. GST, excluding the redevelopment of the Corryong Junior Campus.

Option 2 - Award the contract to ClarkeHopkinsClarke Architects Pty Ltd for the lump sum of \$206,650 excl. GST, including the redevelopment of the Corryong Junior Campus.

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

Future planning for land use development, infrastructure, services and parks and gardens is integral in supporting the community's long term resilience, health and well-being and ongoing economic sustainability.

The proposed project and engagement plan has been assessed to provide the best value to Council and community.

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)):

The quoted tender price is \$206,650 excl. GST. This is within the allocated project budget.

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

Not applicable.

Council Plans and Policies:

The project directly supports the following *Council Plan 2021 – 2025*:

2.1 Undertake place-based master planning for the Peninsula including the investigation of options for early years and community facilities;

2.2 Undertake place-based master planning for the Mitta Valley, Corryong;

2.9 Advocate for the development of a variety of housing options to match community needs, particularly for older people;

3.22 Explore opportunities to activate the Corryong Aerodrome;

4.3 Develop structure plans for Corryong, Tallangatta and Bellbridge and incorporate them into the planning scheme;

4.5 Support population growth outside of key townships through appropriate amendments to the planning scheme.

The outcomes of the placemaking project and structure plans will continue to shape and contribute to actionable priorities within the *Upper Murray 2030 Masterplan* and the *Municipal Health and Wellbeing Plan 2021-2025*.

The project will be conducted in line with the *Community Engagement Policy* and will address the *Community Vision 2031 "Towong Shire will be the idea place to be: welcoming, vibrant and diverse communities with quality facilities and services."*

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 greatest risk of this project is the engagement fatigue that our communities are expressing. This risk will be mitigated through the use of in-person and online engagement strategies, rolled out across two stages of the project to provide time and options, aiming to appeal to a broad range of participants. In addition, ClarkeHopkinsClarke Architects Pty Ltd has exceptional professional skills and a good understanding of how to effectively involve communities in complex co-design processes.

Officers View:

ClarkeHopkinsClarke Architects Pty Ltd provided a comprehensive and consider project plan that will enable several key considerations to be actioned through their community engagement strategies. ClarkeHopkinsClarke has provided outstanding service in the delivery of historical projects, such as Tallangatta Tomorrow, which also leads to their strong understanding of our communities, assets and challenges. Awarding the contract to ClarkeHopkinsClarke Architects Pty Ltd will deliver the best value and least risk to Council for this project.

Council Resolution:

**CR SCALES
CR WORTMANN**

THAT:

- 1. TENDER NO. 2021/2022-128 PLACEMAKING AND TOWNSHIP CO-DESIGN (COMMUNITY ENGAGEMENT) PROJECT BE AWARDED TO CLARKEHOPKINSCLARKE ARCHITECTS PTY LTD FOR THE LUMP SUM OF \$206,650 EXCLUDING GST**
- 2. 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 CONTRACT DOCUMENT; AND**
- 3. THE CHIEF EXECUTIVE OFFICER BE AUTHORISED TO APPROVE CONTRACT VARIATIONS UP TO THE TOTAL VALUE OF THE ALLOCATED PROJECT BUDGET.**

CARRIED

14 Environmental Sustainability

14.1 Environmental Sustainability Report (01/07/0004-DIE)

The Environmental Sustainability Report is presented quarterly and will next be provided in November 2022.

15 Economic Development

15.1 High Country Rail Trail Committee of Management (Tallangatta Creek) (05/02/0172-DCP)

Disclosure of Interests (S.130):

This report was prepared by 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:

The purpose of this report is to seek endorsement to become the Committee of Management (CoM) for the Tallangatta Creek section of the High Country Rail Trail.

Summary:

The report provides a brief overview of the obligations and risks associated with becoming the CoM for the Tallangatta Creek section of the High Country Rail Trail. The section is currently informally managed by Parklands Albury Wodonga (PAW). PAW has requested Council become the CoM to facilitate the delivery of a *Black Summer Bushfire* funding agreement to construct a bridge over the Tallangatta Creek. If Council does not become the CoM the project is at risk of not proceeding.

Recommendation:

That Council, subject to negotiating a Memorandum of Understanding with Parklands Albury Wodonga and the Tallangatta Rail Trail Advisory Group for the maintenance of the Tallangatta Creek section of the High Country Rail Trail, enter into an agreement with DELWP to become the Committee of Management for the said section of the trail.

Attachments:

Nil.

Background/History:

The High Country Rail Trail (HCRT) is a multi-use recreational, environmental, heritage and tourist resource that occupies the disused rail easement of the Wodonga to Cudgewa railway corridor. The current operational part of the rail trail exists for 85km from Wodonga to Shelley, with the long-term vision of having this trail ultimately continue for 124km from Gateway Island to Corryong.

Many of the sections of the current trail are informally managed by community members under the auspice of PAW. For any future development on the rail trail, DELWP is seeking our support to become the CoM to maintain the developed sections of the rail trail.

Recently, PAW approached Council to assume responsibility for the CoM of the Tallangatta Creek section of the HCRT (430m in length), following the successful receipt of a grant to construct a bridge over the creek. The land manager of this section of crown land is Parks Victoria and there is currently no formal committee of management in place. The construction of the bridge would complete the HCRT section between Wodonga and Shelley and remove the need for cyclists to divert to the Murray Valley Highway.

To become the CoM, PAW has requested that Council enter a Memorandum of Understanding that outlines the roles and responsibilities of each party. PAW has also requested that Council project manage the construction of the bridge to ensure it meets the necessary standards for maintenance. To formally become the CoM, Council will need to enter an agreement with DELWP and abide by the *Committees of Management Guidelines*.

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

The recommendation is made in accordance with section 14(4) of the *Crown Land (Reserves) Act 1978* specifying that a Council maybe appointed as the committee of management for a reserve.

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

The HCRT provides a range of high-quality recreational and tourism benefits across the municipality. Completing the section between Wodonga and Shelley by constructing a

bridge over Tallangatta Creek will not only make the trail more accessible and safer but also more attractive to visitors.

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

There are ongoing financial sustainability implications for assuming the CoM of the Tallangatta Creek section of the HCRT. If Council becomes the CoM, the *DELWP Committee of Management Guidelines* outlines the responsibilities that must be upheld to maintain this section of the trail. This includes keeping it in good working order and safe for all users. Completion of an annual return outlining the work that has been done over the year is also required to meet the guidelines.

PAW has provided a draft memorandum of understanding (MOU) for consideration. The MOU proposes that the Tallangatta Rail Trail Advisory Group assumes responsibility for maintaining the section of the HCRT that includes Tallangatta Creek. This would reduce the potential future financial impacts of ensuring this section of the trail is maintained in line with the guidelines.

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

As part of the HCRT master plan development, extensive community engagement has been undertaken. As part of this engagement, the Tallangatta Creek section has been identified as a priority area for development to address the current safety issues and complete the existing trail between Wodonga and Shelley.

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

The proposed project to construct a bridge on the HCRT at Tallangatta Creek provides an improved cycling experience and addresses the safety risks associated with this section of the trail.

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

To meet the obligations of being the CoM for the Tallangatta Creek section of the HCRT, an ongoing collaborative arrangement with PAW and the Tallangatta Rail Trail Advisory Group will be needed for the maintenance of the section of the trail.

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

As outlined above in the *Sustainability* section, there may be ongoing budgetary impacts to maintaining the Tallangatta Creek section of the HCRT if the Tallangatta Rail Trail Advisory Group cannot meet its obligations under the proposed MOU. This should

be considered in assessing the recommendation to become the Committee of Management.

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

The HCRT is a:

- key priority under the *Ovens Murray Regional Economic Development Strategy*
- critical project for the growth of cycling tourism in the northeast, as identified in the *Tourism North East Three Year Strategy 2019/20-2021/22*
- a key development opportunity identified as part of the *North East Victoria Cycling Optimisation Masterplan*.

Council Plans and Policies:

Completing the High Country Rail Trail aligns with the following *Council Plan 2021-2025* priority:

3.10 Seek funding to complete the High Country Rail Trail.

It also aligns to the *Destination Management Plan 2022-2026* – the High Country Rail Trail is recognised as a transformative project that upon completion, will facilitate activation and investment along the trail length.

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:

Should Council not become the CoM, the primary risks are:

- The existing risks to trail users (associated with having to divert to the Murray Valley Highway) will remain.
- Funding sourced by Parklands Albury Wodonga will need to be returned to the federal government

Should Council become the CoM, the primary risks are:

- Tallangatta Rail Trail Advisory Group are not able to meet their agreed responsibilities of maintaining the trail, resulting in an additional cost to Council.
- Inability to deliver the project within the funding guideline timeframes.
- Inability to deliver the project scope within budget.

To address the risks outlined above, it is proposed that officers seek PAW's support to apply for a variation to the funding agreement to address any funding or scope issues. It is also proposed that under the MOU, regular meetings are held with PAW and Tallangatta Rail Trail Advisory Group to ensure the obligations to maintain the trail are met. Should the obligations not be met, officers will review the implications of continuing to be a CoM for this section of the trail.

If Council no longer wants to be the CoM, a resolution must be passed to write to DELWP to advise them of this, resulting in Council no longer being appointed the CoM.

Officer's View:

It is the officer's view that assuming Committee of Management status for the Tallangatta Creek section of High Country Rail Trail with DELWP is appropriate subject to the following conditions:

- A Memorandum of Understanding is put in place with PAW and the Tallangatta Rail Trail Advisory Group which outlines the roles and responsibilities of each party:
 - Parklands Albury Wodonga – recipient and administrator of the grant funding
 - Tallangatta Rail Trail Advisory Group – responsible for maintaining the trail corridor through the proposed Committee of Management zone
 - Council – assumes formal Committee of Management, project manages the bridge construction, and conducts ongoing bridge inspections and maintenance.
- Parkland Albury Wodonga agree to a variation of scope to ensure the project is delivered within budget.

Council Resolution:

**CR DIKSCHER
CR ANDERSON**

THAT COUNCIL, SUBJECT TO NEGOTIATING A MEMORANDUM OF UNDERSTANDING WITH PARKLANDS ALBURY WODONGA AND THE TALLANGATTA RAIL TRAIL ADVISORY GROUP FOR THE MAINTENANCE OF THE TALLANGATTA CREEK SECTION OF THE HIGH COUNTRY RAIL TRAIL, ENTER INTO AN AGREEMENT WITH DELWP TO BECOME THE COMMITTEE OF MANAGEMENT FOR THE SAID SECTION OF THE TRAIL.

CARRIED

15.2 Mobile and Internet Communications Strategy (05/01/0166-DCP)

Disclosure of Interests (S.130):

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

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:

The purpose of this report is to recommend the release of the draft *Mobile and Internet Communications Strategy* for community feedback.

Summary:

The draft *Mobile and Internet Communications Strategy* provides a current state assessment and prioritised framework for Council to advocate for improvements to mobile and internet communications across the municipality. It outlines:

- the mobile and internet communication potential of Towong Shire as described by network providers;
- the lived experience of connectivity within Towong Shire;
- a roadmap to develop Towong Shire digital connectivity to sixth-generation technology by 2030; and
- advocacy options and approaches to support the progress of Towong Shire's digital connectivity.

The draft has been prepared with the assistance of Gravelroad Group and is ready for release for public exhibition and community feedback.

Recommendation:

That:

1. The Chief Executive Officer be authorised to make the draft *Mobile and Internet Communications Strategy* available for public inspection and invite submissions, with submissions closing at 5pm on 28 November 2022;
2. At the Council Meeting on 14 December 2022:

- a. Any submissions in relation to the proposed *Mobile and Internet Communications Strategy* be considered;
- b. Any person or their representative who wishes to speak in support of their submission be heard; and
- c. The proposed *Mobile and Internet Communications Strategy* be considered for adoption.

Attachments:

Appendix 11: Draft *Mobile and Internet Communications Strategy*.

Background/History:

Access to telecommunication and broadband services is increasingly important for the expansion and ongoing support of a modern economy. Towong Shire experiences one of the lowest levels of digital inclusion in the state, as demonstrated by the recent *Ovens Murray Regional Economic Development Strategy*. The highly dispersed population and the topography have created a significant inequity in the delivery of telecommunications services within and outside of townships across the Shire. There are also numerous mobile black spots along major transport routes, unreliable or low-capacity mobile 3/4G services and poorly performing ADSL and satellite services. The lack of access to high-performing telecommunications services makes it challenging for the population and economy within the Shire to prosper.

To drive reform in telecommunications, Gravelroad Group was engaged in partnership with Alpine Shire Council, to develop a Mobile and Internet Communications Strategy specific to each local government area. The purpose of this strategy was to:

- Describe the mobile and internet communication potential of Towong Shire as described by network providers;
- Define the lived experience for Towong Shire;
- Provide a roadmap to develop Towong Shire digital connectivity to sixth-generation technology by 2030; and
- Provide prioritised advocacy options to support the development of Towong Shire's digital connectivity.

The Gravelroad Group developed the draft *Mobile and Internet Communications Strategy* through desktop review, field testing and limited community consultation. The strategy provides a clear direction for telecommunications by highlighting the priorities, new technologies, future funding opportunities and future infrastructure that are required to improve telecommunications across the municipality.

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

The strategy has been developed 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 draft *Mobile and Internet Communications Strategy* is designed to provide a roadmap to drive improvements to mobile and internet access and digital inclusion across the municipality, representing a positive outcome across the community.

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

The draft *Mobile and Internet Communications Strategy* will assist to improve the digital inclusion of the community. The increased digital inclusion will make the economy more sustainable and support population growth and retention across the municipality.

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

The *Strategy* has to-date been a primarily technical review. It is now appropriate to seek community engagement to validate the field-tested data and gain buy-in to the recommendations for the benefit of future advocacy.

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

The strategy is designed to support and prioritise advocacy efforts to improve mobile and internet connectivity across the municipality. Improving connectivity is key to supporting continuous improvement within the local economy.

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

This project was undertaken in collaboration with Alpine Shire Council.

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

Not applicable.

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

The Towong Shire *Mobile and Internet Communications Strategy* aligns with regional, state and national policies including:

- *Ovens Murray Regional Economic Development Strategy*

- *Ovens Murray Digital Plan*
- *Universal Service Guarantee*
- *Upper Murray 2030 Masterplan.*

Council Plans and Policies:

The draft *Mobile and Internet Communications Strategy* supports the following *Council Plan 2021 – 2025* 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;

1.17 Deliver improved visitor information and experience across the Shire; and

a. Attract investment to address key weaknesses (connectivity and reliability) in critical infrastructure (mobile telecommunications, internet and power).

It also supports the following strategies:

- *Economic Development Strategy 2021-25*
- *Strategic Plan for Agriculture 2022 – 26 (draft).*

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 *Mobile and Internet Communications Strategy* provides evidence-based recommendations to help to mitigate the risk that future advocacy efforts to improve Shire telecommunications are not successful.

Officer's View:

The draft *Mobile and Internet Communications Strategy* is ready for release for community feedback, with submissions closing at 5.00 pm on 28 November 2022.

Council Resolution:

**CR ANDERSON
CR DIKSCHER**

THAT

- 1. THE CHIEF EXECUTIVE OFFICER BE AUTHORISED TO MAKE THE DRAFT *MOBILE AND INTERNET COMMUNICATIONS STRATEGY* AVAILABLE FOR PUBLIC INSPECTION AND INVITE SUBMISSIONS, WITH SUBMISSIONS CLOSING AT 5PM ON 28 NOVEMBER 2022;**
- 2. AT THE COUNCIL MEETING ON 14 DECEMBER 2022:**
 - a. ANY SUBMISSIONS IN RELATION TO THE PROPOSED *MOBILE AND INTERNET COMMUNICATIONS STRATEGY* BE CONSIDERED;**
 - b. ANY PERSON OR THEIR REPRESENTATIVE WHO WISHES TO SPEAK IN SUPPORT OF THEIR SUBMISSION BE HEARD; AND**
 - c. THE PROPOSED *MOBILE AND INTERNET COMMUNICATIONS STRATEGY* BE CONSIDERED FOR ADOPTION.**

CARRIED

16 Councillor Reports

No Councillor reports had been received at the time of agenda preparation.

Nil

17 Urgent Business

Nil

18 Committee Minutes

Nil

19 Occupational Health and Safety

19.1 OHS Committee (06/04/0112-CEO)

There are currently no new OHS Committee minutes available for circulation.

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

There are no policies for review or adoption at this Meeting.

21 Sealing of Documents

21.1 Section 173 Agreement – Towong Shire Council and Jennifer Ruth Whitsed

Planning Permit 2022/043, issued on 25 July 2022, allowed for development of the land for the purpose of a two (2) lot subdivision. The subject land for the permit is described Lot 1 TP436477B Volume 04098 Folio 425 (1146 Benambra-Corryong Road Nariel Valley).

Condition 3 of the permit requires:

“Before statement of compliance is issued under the Subdivision Act 1988, the owner must enter into an agreement with the Responsible Authority under Section 173 of the Planning and Environment Act 1987 to provide for the following:

- a. No dwelling is permitted on the new lot B being the new parcel of land of 31.72ha”*

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

- a. Towong Shire Council 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.

RECOMMENDATION:

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 Lots 1 and 2 in the Plan Subdivision Number 907844P, that has been drafted in accordance with the requirements of Planning Permit 2022/043.

Resolution Resolution:

**CR ANDERSON
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 LOTS 1 AND 2 IN THE PLAN SUBDIVISION NUMBER 907844P, THAT HAS BEEN DRAFTED IN ACCORDANCE WITH THE REQUIREMENTS OF PLANNING PERMIT 2022/043.

CARRIED

22 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 were no Confidential matters for consideration.

There being no further business, the Mayor declared the meeting closed, the time being 11.34am.

Minutes confirmed on 23 November 2022

Mayor