

Minutes

Ordinary Meeting of Council

Tallangatta Council Chamber

Wednesday 31 May 2023

Our Community Vision

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

This information is available in alternative formats on request

<p>MINUTES FOR THE ORDINARY MEETING OF COUNCIL HELD AT TOWONG SHIRE COUNCIL TALLANGATTA OFFICE ON WEDNESDAY 31 MAY 2023 COMMENCING AT 10.30AM.</p>

Commonly Used Acronyms

ABBREVIATION	TITLE
Council Officers	
SAE	Senior Asset Engineer
CEO	Chief Executive Officer
DIE	Director Infrastructure and Environment
DCP	Director Community and Planning
DCOD	Director Corporate and Organisational Development
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)
DJSIR	Department of Jobs, Skills, Industry and Regions
DTP	Department of Transport and Planning
DEECA	Department of Energy, Environment and Climate Action
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 10.33am.

The delayed start was due to technical difficulties in attempting to enable Cr Dikschei's virtual attendance from an overseas location.

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, Scales and Anderson.

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

The Mayor advised that due to the technical difficulties in Cr Dikschei joining the meeting from an overseas location that he would be an apology for the meeting.

**CR ANDERSON
CR WORTMANN**

THAT THE APOLOGY BE ACCEPTED.

CARRIED

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 held on 26 April 2023.

The minutes were circulated following the meetings.

Recommendation:

That the Minutes as circulated be confirmed for the Ordinary Council Meeting held on the 26 April 2023.

Council Resolution:

**CR SCALES
CR ANDERSON**

THAT THE MINUTES AS CIRCULATED BE CONFIRMED FOR THE ORDINARY COUNCIL MEETING HELD ON THE 26 APRIL 2023.

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.

At the time of preparing the agenda there was one submission for Public Question Time. The submitter has met all requirements for their questions to be considered during Public Question Time.

7.1 Submitter: Ms. Debbie Monteny

Questions:

1. Why on the Sandy Horse event was a school bus parked in the skatepark side road taking up maybe 3 car spots? Parking was at a premium that day and yet once again this business takes up public land space when a lot of businesses gave up their parking that day to ensure tourists had access. Same issue when the CWA fair was on - public land should be made available for all. On that note can council please stop the illegal over the 2P every Sunday and some Saturdays in Banool? Parking signs are clearly displayed and yet some business owners feel they have the right to flaunt the parking restrictions. I have raised this with council and it is still not addressed (after how many years?). I have meet the timeline for this question so in the spirit of transparency and communication can the responses please be read out like my questions are.

2. Can council please advise why the pub still has rubbish out in the alley way - it has been 6 months now. Can council please address the bins being left out all the time - rubbish not being picked up by the respective business owner if it blows out. What measures are council going to bring in to ensure that rubbish is not stockpiled as was in the alley way. Can council please consider skips on wheels so that they do not have to be left in the alleyway with lids open and rubbish blowing out. A big thank you for the clean up so far - but i would like to have this matter wound up. I, like the council have other issues i need to move on to. I have meet the timeline for this

question so in the spirit of transparency and communication can the responses please be read out like my questions are.

The Mayor advised that the bus parking matter has been addressed previously and Council currently has a Placemaking project underway in Tallangatta, which will include consideration of traffic management. The Mayor advised that Council are satisfied with the current arrangements for bus parking and will await the results of the Placemaking project.

The CEO advised in relation to the 2P parking in Banool Street that due to the large geographical size of the shire and the many communities serviced, and Council's limited resources, Council does not have the capacity to enforce the 2P parking in Banool Street over the weekends. The 2P signs were installed as a deterrent for excessively long parking, with challenges noted relating to business owners at times not adhering to the 2P parking zones, in relation to which Council have previously engaged with the businesses owners to address this. The CEO recommended that the time restrictions for the 2P parking on Banool Street over weekends be removed so that a false impression that Council has the resources to enforce these measures is not given.

In relation to question 2, the CEO advised that the Council Ranger has engaged the business to establish a better way of disposing of their rubbish and although it is not an overnight fix, Council staff continue to work with other businesses that back onto the lane. The CEO commented that Council's limited resources need to be managed carefully to ensure high-priority matters are actioned appropriately and that Council continue to do their best in ensuring all matters are attended to, subject to resource availability.

Council Resolution:

**CR SCALES
CR WORTMANN**

THAT THE RESTRICTED PARKING IN BANOOL STREET BE CHANGED TO ONLY MONDAY TO FRIDAY.

CARRIED

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 Meeting of Councillors held on the following dates are attached at [Appendix 1](#):

- 26 April 2023

Recommendation:

That the information be noted.

Council Resolution:

**CR WORTMANN
CR ANDERSON**

THAT THE INFORMATION BE NOTED.

CARRIED

9 Organisational Improvement

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

Disclosure of Interests (S.130):

This report was prepared by Mr Dylan Howard, Manager Finance.

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:

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

Summary:

At 31 March 2023, Council's financial position was \$10.380 million ahead of budget, primarily due to:

- \$5.4 million in grant income being carried forward from 2021/22 due to multi-year projects and COVID-19 related delays to capital works projects;
- \$1.8 million in funding for Resilience & Recovery that was not anticipated at the time of the budget;
- \$0.5 million in funding for Bushfire Recovery that was not anticipated at the time of the budget;
- \$0.5 million in flood support funding that was not anticipated at the time of the budget;
- \$0.7 million in planned operational expenditure not yet spent; and
- \$0.4 million in wages savings due to unfilled positions.

Recommendation:

That:

1. The report be noted; and
2. It be noted that the Chief Executive Officer has advised that a revised budget is not required.

Attachment:

Appendix 2 – Quarterly Budget Report as at 31 March 2023.

Background/History:

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

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

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

- (1) *As soon as practicable after the end of each quarter of the financial year, the Chief Executive Officer must ensure that a quarterly budget report is presented to the Council at a Council meeting which is open to the public.*
- (2) *A quarterly budget report must include –*
 - (a) *a comparison of the actual and budgeted results to date; and*
 - (b) *an explanation of any material variations; and*
 - (c) *any other matters prescribed by the regulations.*
- (3) *In addition, the second quarterly report of a financial year must include a statement by the Chief Executive Officer as to whether a revised budget is, or may be, required.*

This report meets the requirements of the *Act*.

The Chief Executive Officer has determined that a revised budget is not required.

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

Not applicable.

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

The year-to-date position is significantly ahead of budget, primarily due to the carry forward of selected one-off grant funds from the prior financial year, as well as additional one-off grant funds not anticipated at the time that the budget was adopted. It is expected that these funds will be expended as the relevant work being funded by the grants is progressed. Longer term financial sustainability is dependent on the ongoing receipt of grants to fund renewal of Council's aging infrastructure.

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

Not applicable.

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

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

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

Not applicable.

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

Council has achieved a net budget position that is higher than anticipated primarily due to the carry forward of selected grant funds from 2021/22.

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

Not applicable.

Council Plans and Policies:

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

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

It is the officers' view that it is appropriate to consider this matter in a Council Meeting that is open to the public.

Risk Assessment:

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

Officer's View:

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

Council Resolution:

**CR WORTMANN
CR ANDERSON**

THAT:

- 1. THE REPORT BE NOTED; AND**
- 2. IT BE NOTED THAT THE CHIEF EXECUTIVE OFFICER HAS ADVISED THAT A REVISED BUDGET IS NOT REQUIRED.**

CARRIED

Confirmed

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

Disclosure of Interests (S.130):

This report was prepared by Ms Alison Noonan, Executive Assistant.

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 monthly updates to Council on the progress of the action items from the previous Council meeting.

Summary:

At the Ordinary Council meeting held on 26 April 2023, a number of resolutions were passed requiring action by Council officers. This report is provided to Council as an update on the progress of these actions.

Recommendation:

That the report be noted.

Attachment:

Appendix 3 – Datascape Action Reports from the April 2023 Council Meeting.

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 a Council meeting that is open to the public.

Risk Assessment:

Not applicable.

Officer's View:

It is the officer's view that good progress has been made in relation to the actions arising from the April 2023 Ordinary Council Meeting.

Council Resolution:

**CR ANDERSON
CR SCALES**

THAT THE REPORT BE NOTED.

CARRIED

Confirmed

10 Bushfire Relief and Recovery

10.1 Bushfire Relief and Recovery Budget Proposal (02/02/0013-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:

The purpose of this report is to seek approval for the allocation of the new Bushfire Resilience and Recovery Fund (\$3.672m) for recovery projects.

Summary:

Following the Black Summer Bushfires 2019-2020, we have been advised we have been allocated a final tranche of funding through the Resilience and Recovery Fund Program, through Emergency Recovery Victoria, of (\$3.672m) for recovery projects.

The proposed distribution of the Resilience and Recovery Fund provides significant investment to better prepare communities for future risks, particularly given the significant risk and impact of events resulting from climate change on our communities.

Achieving the outcomes articulated in the *Municipal Recovery Plan* and the *Upper Murray Community Recovery Committee Plan*, as well as providing assistance to all parts of the municipality to improve their resilience to future climate risks and emergencies, were key considerations in putting together the proposed allocations.

Recommendation:

That the proposed allocation of the \$3.672m Resilience and Recovery Fund as presented be adopted.

Attachments:

Appendix 4 – Proposed allocation of the Resilience and Recovery Fund

Background/History:

The Resilience and Recovery Fund was established to deliver the following outcomes:

- Communities' recover and build resilience together;
- Recovery and resilience of the whole community is strengthened through Aboriginal culture, knowledge, traditions and connection to country;
- Recovery of industries and businesses through leveraging economic strengths and opportunities;
- Local economies have increased capacity to respond and adapt to future disasters;
- Recovery responses strengthen community capability to manage their own recovery and resilience to future disasters; and
- The recovery workforce has the capabilities and support needed to respond to community needs.

Council has been advised that \$3.672m will be available for use across Towong Shire.

The funding does not cover any operational costs associated with the recovery hub as this will be funded through the existing Council Support Fund program.

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

The role of Local Government in relation to emergency management and community recovery following a disastrous event such as the 2019/2020 bushfires is outlined in the *Victorian Emergency Management Act 2013*.

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

Consistent with Section 9 of the *Local Government Act 2020*, bushfire recovery activities undertaken across the Shire are underpinned by the following principles:

- Community is at the centre and are the leader of what we do;
- We value the history and dynamics of each of the Upper Murray communities across the shire;
- Successful recovery builds on and supports the communities' strengths and resilience; and
- Community ownership of recovery strategies and actions depends on effective and inclusive engagement.

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

Council's community recovery approach is structured around the five pillars of recovery as identified in the *State Recovery Framework*. These are:

- People and Wellbeing
- Aboriginal Culture and Healing
- Environment and Biodiversity
- Business and Economy
- Buildings and Infrastructure

This provides a comprehensive and sustainable approach to building and renewing community resilience into the future.

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

The proposed allocation of the Resilience and Recovery Fund provides significant investment to prepare communities for future risks better. The proposed allocations have also been designed to achieve the outcomes articulated in the *Municipal Recovery Plan, Upper Murray Community Recovery Committee Plan* and ensure all parts of the municipality improve their resilience to future climate risks and emergencies. These plans were the result of extensive community and stakeholder consultation.

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

The nature of recovery work is highly collaborative and officers continue to collaborate with relevant agencies and community groups to support recovery plans and activities.

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

The additional funding under the Resilience and Recovery Fund will provide additional financial support for Council to continue to undertake much-needed recovery activities and projects.

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

The role of Local Government in community recovery is outlined in the *Victorian Emergency Management Act 2013*. Council has a *Municipal Emergency Management Plan* and a *Municipal Recovery Plan* which outline the priorities and directions for emergency management and in particular, community recovery following the Upper

Murray bushfires. These are consistent with the *National Community Recovery Plan* and the Victorian Government *State Recovery Plan*.

Council Plans and Policies:

Council's approach to recovery is guided by the *Towong Municipal Recovery Plan*.

Activities are also conducted in alignment with the following *Council Plan 2021-2025* priority:

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

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

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

Risk Assessment:

No risk assessment has been undertaken in relation to the proposed allocation of the funds.

Officer's View:

The proposed allocation of the Resilience and Recovery Fund provides significant investment to prepare communities for future risks better. The proposed allocations have been designed to achieve the outcomes articulated in the *Municipal Recovery Plan*, *Upper Murray Community Recovery Committee Plan* and ensuring all parts of the municipality to improve their resilience to future climate risks and emergencies.

Council Resolution:

**CR ANDERSON
CR WORTMANN**

THAT THE PROPOSED ALLOCATION OF THE \$3.672M RESILIENCE AND RECOVERY FUND AS PRESENTED BE ADOPTED.

CARRIED

11 Community Wellbeing

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

Disclosure of Interests (S.130):

This report was prepared by Mr Mark Florence, Deputy Director Community.

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 the report is to provide an update on the activities of the Community Services team under the Community and Planning Directorate for September 2022 to March 2023.

Summary:

Throughout the six months, the following successful events were delivered:

- Blue Earth Program at Bellbridge Kindergarten and Child Care Centre;
- ANZAC Day excursion and activities in kindergartens;
- Speech Pathologist observations in Kindergartens and Child Care Centers;
- Parent information session in Corryong;
- Professional development program for staff, including: Body Safe Superstars, Carers Victoria – Carer Friendly Places, and Cultural Awareness Training;
- Broad range of workshops, courses, and events delivered through the Tallangatta Neighbourhood House totaling 700 attendees, with notable events including Women’s Wellness Weekend, Sounds Like Spring Concert, and Christmas Celebrations;
- Continuation of Supported Playgroup programs; and
- Re-introduction of Story Time programs in Council Libraries.

The delivery of Youth Services has been impacted by the Youth Officer position being vacant for much of the reporting period. Although, a range of activities were provided through the recovery team.

Recommendation:

That the report be noted.

Attachment:

Appendix 5 – Community Services Report September 2022 to March 2023.

Background/History:

This report is provided bi-annually.

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

All community services activities are undertaken in accordance with the service performance principles outlined in the *Local Government Act 2020*. In addition, children's services are conducted in accordance with relevant legislation including the *Children's Services Act 1996* and the *Children's Services Regulations 2020*.

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

The Community Services area provides services to improve wellbeing outcomes for community members of all ages and life stages.

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

Not applicable.

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

There were several key community engagement activities throughout the six months including:

- Delivery of a variety of neighbourhood house programming in Tallangatta;
- Delivery of a range of youth-focused community activities; and
- Delivery of required Early Years and Maternal Child Health services.

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

Child Safety Standards training and incorporating associated policy changes into our services remained a focus for the six months

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

The team continued to participate in key collaborations, including:

- In the Family Violence networks in Corryong and Tallangatta;

- The delivery of youth projects with Youth Affairs Council Victoria (YACVIC) and local schools;
- Delivery of professional development for educators and teachers across the municipality with the Department of Education (through School Readiness Funding); and
- Delivery of Early Years projects and parenting programs with the Australian Childhood Foundation, Tallangatta Health, Gateway Health and the Department of Education and Training.

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

Budget requirements and availability have been confirmed, grant funding has been sought where possible, and all expenditure is being monitored and managed within agreed budget allocations.

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

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

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

Council Plans and Policies:

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

- 2.5 *Review opportunities for communities to access library resources and connect through libraries;*
- 2.7 *Expand and improve early years services across the Shire to support young families;*
- 2.11 *Support communities to ensure the Shire places are welcoming to culturally and linguistically diverse (CALD) and LGBTIQ+ communities and are inclusive and connected;*
- 2.13 *Participate in key networks to support communities and critical stakeholders on solutions to address family violence, suicide and mental health;*

- 5.14 *Invest in community education programs and a waste services survey to improve waste and recycling separation;*
- 6.1 *Continue to improve awareness, engagement and involvement of the community about matters that affect them;*
- 6.7 *Provide a safe and healthy workplace for all councillors and staff in a continually evolving environment;*
- 6.8 *Continue to seek opportunities to improve service delivery and achieve the best value, including further investigation of shared services;*
- 6.9 *Continue to advocate for increased government funding support to ensure long-term sustainability;*
- 6.10 *Investigate alternative revenue streams; and*
- 6.13 *Continually improve risk management and governance frameworks and practices.*

Activities were also aligned with the *Municipal Recovery Plan, Health and Wellbeing Plan 2021-2025* and *Youth Plan 2019-2023*.

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

It is the officer's view that it is appropriate to consider this matter in a Council Meeting that is open to the public.

Risk Assessment:

Not applicable.

Officer's view:

The team is progressing well with the priorities outlined in the *Council Plan 2021-2025*.

Council Resolution:

**CR SCALES
CR ANDERSON**

THAT THE REPORT BE NOTED.

CARRIED

12 Asset Management

12.1 Asset Management Report (01/07/0004-DIE)

Disclosure of Interests (S.130):

This report was prepared by Mr Matthew Fleet, Senior Asset Engineer.

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:

The purpose of this report is to provide an overview of Asset Management activities throughout the Shire for the period of 1 February 2023 to 30 April 2023. 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 6 - Capital Projects Dashboard – April 2023.

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 provides 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 amenities and economic outcomes across the Shire.

Environmental

The continued wet weather has led to delays in delivering some projects.

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

Community engagement for capital projects has continued over this period with community feedback sought regarding the Corryong Streetscape, Bellbridge Walking Track and the Playles Hill upgrade project.

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)):

Quarterly Financial Reporting for Council Reports

Asset Management

		Apr 2023 YTD (Actual) \$	Apr 2023 YTD (Budget) \$	Apr 2023 YTD (Variance) \$	Apr 2023 YTD (Variance) %	2022/23 Full Year (Budget) \$
	Note					
Income						
Building services	1	77,773	112,917	(35,144)	(31%)	135,500
Engineering/Technical services	1	4,238	5,000	(762)	(15%)	6,000
Environmental health	2	45,960	42,500	3,460	8%	51,000
Total Income		127,970	160,417	(32,447)	(20%)	192,500
Expenditure						
Building services		140,307	141,667	1,360	1%	170,000
Engineering/Technical services	3	2,249,302	2,864,212	614,910	21%	3,437,054
Environmental health		159,530	162,018	2,488	2%	194,422
Parks and gardens		522,719	568,745	46,026	8%	682,494
Plant items (fuel and maintenance)	4	529,686	756,698	227,012	30%	908,037
Road maintenance (including bridges)	5	1,147,757	1,444,828	297,071	21%	1,733,793
Total Expenditure		4,749,300	5,938,167	1,188,867	20%	7,125,800
Net Income / (Expenditure)		(4,621,330)	(5,777,750)	1,156,420	(20%)	(6,933,300)

1. Somewhat lower than anticipated permit application volumes.
2. Higher than anticipated permit volumes resulting in increased permit fees.
3. Vacant staff positions, lower than anticipated maintenance and contractor expenditure.
4. Timing of fuel journals from stores to maintenance account TBC
5. Grading 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 a Council Meeting that is open to the public.

Risk Assessment:

The ongoing unpredictable COVID-19 restrictions are still affecting some contractors' availability and causing an increased cost of materials. Significant past rain events continue to cause delays on road construction projects.

Officers View:

The capital works program is progressing as follows:

- Number of projects carried forward from previous financial years: 40
- Number of new projects in 2022/23: 24
- Number of projects in progress: 48
- Number of projects complete to 30 April 2023: 15

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

Council Resolution:

**CR ANDERSON
CR WORTMANN**

THAT THE REPORT BE NOTED.

CARRIED

12.2 Naming and Registration of Unnamed Roads - Paton Lane, Thowgla Valley (01/01/0449-DIE)

Disclosure of Interests (S.130):

This report was prepared by Mr Matthew Fleet, Senior Asset Engineer.

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 the report is to provide information to support the naming and registration of an unnamed road in Thowgla Valley.

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 name in Thowgla Valley is required prior to referral to Geographic Names Victoria for registration.

Recommendation:

That the proposed road name listed below is endorsed for registration with Geographic Names Victoria:

Thowgla Valley: Laneway 1 – Paton Lane

Attachments:

Appendix 7 - Location map of unnamed road in Thowgla Valley

Background/History:

Council has received requests to name an unnamed road in the Thowgla Valley. Council officers have also undertaken the community consultation and name checking processes required under the *Naming rules for places in Victoria 2022* relating to the naming of unnamed roads. The recommended road name now requires Council endorsement in order to be registered.

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

The recommendation is made in accordance with the requirements of:

Geographic Place Names Act, 1998
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 name, leaving the listed road unnamed.

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

Economic

The naming of the road does not trigger a change of road management responsibilities. This process is not expected to have any economic impact on Council's ongoing operations.

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 and the State Emergency Services to locate properties with more efficiency.

Environmental/Climate Change

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)):

Council has initiated the process to name an unnamed road in the Thowgla Valley that is positioned between 922 & 1016 Thowgla Road in line with the requirements of the *Naming rules for places in Victoria 2022*. A series of letters were sent to

properties in the surrounding area of Thowgla Valley requesting suggested names for the road. The proposed road name 'Paton Lane' is to align with the long term landowners 'The Paton Family' who have owned the land surrounding the existing lane since the 1890s. No further suggestions or objections were received in the engagement process.

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

Not applicable.

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

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

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 road. The costs involved are adequately covered within Council's operating budget.

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

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 matter in a Council meeting that is open to the public.

Risk Assessment:

Not applicable.

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 road name

proposed in this report is endorsed by Council to progress the official road naming process.

Council Resolution:

**CR WORTMANN
CR SCALES**

**THAT THE PROPOSED ROAD NAME LISTED BELOW IS ENDORSED FOR
REGISTRATION WITH GEOGRAPHIC NAMES VICTORIA:**

THOWGLA VALLEY: LANEWAY 1 – PATON LANE

CARRIED

Confirmed

13 Land Use Planning

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

The Land Use Planning Report is presented quarterly and will be provided in June 2023.

14 Environmental Sustainability

14.1 Environmental Sustainability Report – Climate Adaptation Action Plan (01/07/0004-DIE)

Disclosure of Interests (S.130):

This report was prepared by Ms Rachael Gadd, 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 the report is to present the draft Climate Adaptation Action Plan for adoption.

Summary:

Council's environmental sustainability activities have included the delivery of the Climate Adaptation Action Plan, which includes several recommendations for further investment to reduce Council's carbon emissions over the next 10 years.

Recommendation:

That the Climate Adaptation Action Plan and key recommendations be adopted as presented.

Attachments:

Appendix 8 – Draft Climate Adaptation Action Plan

Background/History:

Iron Bark Sustainability were engaged to develop a climate change action plan for Council's operations. The report includes several recommendations for further investment to reduce Council's carbon emissions over the next 10 years. The plan is attached for Council's consideration and adoption. Council's decision at the March Council meeting to introduce food and organics collection is one of the key recommendations in the report.

The Climate Adaptation Action Plan was originally tabled at the April 2023 Council Meeting, but deferred to the May Council Meeting to allow for a briefing session to be conducted.

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

All environmental sustainability activities have been undertaken in accordance with the service performance principles outlined in the *Local Government Act 2020* and the *Environmental Protection Act 2017*.

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

Not applicable.

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

Economic

The investment in future climate change actions will require an additional budget allocation. Further investigation is required in preparation for the 2024/2025 budget.

Social

The separation of glass will provide opportunities for community groups to use the 10c deposit scheme for fundraising.

Environmental

Actions undertaken to improve the recycling practices will mitigate the impact on the environment and the amount of material that goes to landfill.

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

The community education process for waste and recycling will engage all community members to help improve general knowledge of recycling separation. This is a new direction for waste services delivery in Towong Shire.

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

The Climate Adaptation Action Plan charts a pathway for Towong Shire Council to reduce its emissions over the next decade. Landfill is the greatest source of emissions within Council's corporate inventory, accounting for 75% of total emissions. The diversion of FOGO from landfill through a dedicated collection service has been estimated to achieve a 30% reduction in Council's waste emissions.

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

Officers are continuing to work with the Goulburn Murray Climate Alliance in relation to environmental and sustainability activities.

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

The investment in future climate change actions will require an additional budget allocation. Further investigation is required in preparation for the 2024/2025 budget.

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

Waste management activities are undertaken in accordance with the following regional and state plans:

- *Recycling Victoria - A New Economy 2020*
- *Regional waste and resource recovery implementation North East Plan 2017*

Council Plans and Policies:

All environmental sustainability activities are undertaken in accordance with the Environmental Sustainability objectives of the *Council Plan 2021-2025* including:

- 5.12 *Develop a climate change action plan (including actions to reduce carbon emissions, electric vehicle charging, etc).*
- 5.13 *Transition waste and recycling services operations as per Victorian Government Circular Economy Strategy to deliver a four bin system for waste and recycling collection including separation of glass, green waste and organics.*

5.14 Invest in community education programs and a waste services survey to improve waste and recycling separation.

5.15 Investigate options for hardwaste, greenwaste and agricultural waste management e.g silage wrap.

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

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

Risk Assessment:

Not Applicable.

Officer's View:

Good progress continues to be made in relation to the Environmental Sustainability priorities of the *Council Plan 2021-2025*.

Council Resolution:

CR WORTMANN
CR ANDERSON

THAT THE CLIMATE ADAPTATION ACTION PLAN AND KEY RECOMMENDATIONS BE ADOPTED AS PRESENTED.

CR SCALES moved an amendment to the motion:

CR SCALES

CR WORTMANN

THAT THERE BE TWO PARTS TO THE MOTION:

PART 1 AS PER THE ORIGINAL MOTION AND PART 2 AS FOLLOWS:

WITHIN THE CLIMATE ADAPTATION ACTION PLAN, ALL WORDING THAT SAYS 'CLIMATE CHANGE ACTION PLAN' BE ADJUSTED TO 'CLIMATE ADAPTATION ACTION PLAN.

CARRIED

The amendment was put and carried and became the motion.

CR WORTMANN

CR ANDERSON

THAT:

- 1. THAT THE CLIMATE ADAPTATION ACTION PLAN AND KEY RECOMMENDATIONS BE ADOPTED AS PRESENTED; AND**
- 2. WITHIN THE CLIMATE ADAPTATION ACTION PLAN, ALL WORDING THAT SAYS 'CLIMATE CHANGE ACTION PLAN' BE ADJUSTED TO 'CLIMATE ADAPTATION ACTION PLAN.'**

CARRIED

Confirmed

15 Economic and Tourism Development

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

The Recreation, Arts and Culture Report has been deferred and will be presented at the June Council Meeting.

16 Councillor Reports

Nil

17 Urgent Business

Nil

18 Committee Minutes

The unconfirmed minutes of the Occupational Health and Safety Committee meeting held on 10 May 2023 have been provided to Councillors prior to the meeting.

Recommendation:

That the unconfirmed Occupational Health and Safety Committee Minutes be noted.

Council Resolution:

**CR WORTMANN
CR ANDERSON**

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

CARRIED

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

19.1 Policies for Review and Adoption

The following policies are tabled for review at **Appendix 9**. Comments should be provided to the nominated Council officer by 28 June 2023:

- Privacy
- Fraud and Corrupt Conduct
- Fraud and Corrupt Conduct Procedure for Reporting

The following policies were tabled for review at the April Council Meeting, with feedback to be provided to the nominated officers. The reviewed policies are due to be tabled for adoption at the June Council Meeting:

- Local Law No 1 – Common Seal and Miscellaneous Penalties
- Councillor Code of Conduct
- Community and Engagement
- Debt Collection Policy
- COVID-19 Financial Hardship Policy

Recommendation:

That the information be noted.

Council Resolution:

**CR ANDERSON
CR SCALES**

THAT THE INFORMATION BE NOTED.

CARRIED

20 Sealing of Documents

Nil

21 Confidential

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

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

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

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

- (b) *Security information, being information that if released is likely to endanger the security of Council property or the safety of any person;*
- (c) *Land use planning information, being information that if prematurely released is likely to encourage speculation in land values;*
- (d) *Law enforcement information, being information which if released would be reasonably likely to prejudice the investigation in an alleged breach of the law or the fair trial or hearing of any person;*
- (e) *Legal privileged information, being information to which legal professional privilege or client legal privilege applies;*
- (f) *Personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs;*
- (g) *Private commercial information, being information provided by a business, commercial or financial undertaking that –*
 - (i) *relates to trade secrets; or*
 - (ii) *if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage;*
- (h) *Confidential meeting information, being the records of meetings closed to the public under section 66(2)(a);*
- (i) *Internal arbitration information, being information specified in section 145;*
- (j) *Councillor Conduct Panel confidential information, being information specified in section 169;*
- (k) *Information prescribed by the regulations to be confidential information for the purposes of this definition; and*

Information that was confidential information for the purposes of section 77 of the Local Government Act 1989.

There are no confidential items for consideration.

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

The Minutes were confirmed at the 28 June 2023 Ordinary Council Meeting.