

Minutes

Ordinary Meeting of Council

Held at 10:30am, Wednesday 29 January 2025
Council Chamber, Tallangatta Council Office
32 Towong Street, Tallangatta, Victoria

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.

**Minutes for the Ordinary Meeting of Council held at
32 Towong Street, Tallangatta, Victoria
at 10:30am on Wednesday 29 January 2025**

Commonly Used Acronyms

Abbreviation	Title
Council Officers	
CEO	Chief Executive Officer
DIE	Director Infrastructure and Environment
DCP	Director Community and Planning
DCOD	Director Corporate and Organisational Development
MF	Manager Finance
SAE	Senior Asset Engineer
Government/Organisation	
CH	Corryong Health (formerly Upper Murray Health and Community Services)
DFFH	Department of Families, Fairness and Housing
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
WBNC	Walwa Bush Nursing Centre

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Confirmed

The Mayor declared the meeting open, the time being 11.13am.

The late start was due to an unscheduled conversation with community members who had made Public Question Time submissions.

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

Councillor Attendance

Crs Whitehead, Wortmann, Anderson, Pitman, Tolsher

Officer Attendance:	Title:
Ms Phelps	Chief Executive Officer
Mr Heritage	Director Infrastructure and Environment
Mr Florence	Director Community and Planning
Mr Howard	Acting Director Corporate and Organisational Development

3 Apologies and Granting of Leave of Absence

Nil.

4 Disclosure of Conflicts of Interest

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

Council's Governance Rules state as follows:

A2 Obligations with regards to conflict of interest

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

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

A3 Disclosure of a conflict of interest at a Council meeting

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

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

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

A3.2.1 advising of the conflict of interest;

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

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

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

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

Ms Juliana Phelps, Chief Executive Officer, declared a material conflict of interest in relation to agenda item 9.2 'Chief Executive Officer Remuneration Review' and agenda item 9.3 'Chief Executive Officer Leave Request'.

5 Confirmation of Minutes

The minutes of the meetings listed below were circulated to Councillors following each respective meeting. Confirmation of the minutes is now sought.

- Ordinary Council Meeting held on 18 December 2024

Recommendation:

That the Minutes of the Ordinary Council Meeting held on 18 December 2024 be confirmed.

Council Resolution:

**CR TOLSHER
CR WORTMANN**

**THAT THE MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 18
DECEMBER 2024 BE CONFIRMED.**

CARRIED

6 Petitions and Joint Letters

Nil.

7 Public Question Time

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 CEO will advise of any Public Question Time submissions at the meeting.

Councillors and senior staff met with the submitters who were present prior to the Council Meeting and discussed the questions that had been submitted.

7.1 Submitter: Judy Cochrane

Subject: Indian myna bird extermination in Tallangatta

Questions:

Indian myna birds are now found in the Tallangatta area. These birds are considered to be the number one feral enemy in Australia. They are a huge threat to our native birds as they aggressively take over nesting sites and will throw out the chicks of native birds. They are a threat to human health if they nest in roofs as their mites, if inhaled, can cause asthma, hay fever and itching bites. They spread diseases such as salmonellosis, Avian influenza and infections leading to pneumonia. In autumn the birds aggregate into large flocks which is the ideal time to trap them. Many Councils are now providing traps to loan to the community. Traps can be purchased from Bunnings or made from the comprehensive plans available on the internet. If we can start an eradication program in this area by the autumn we may be able to reduce their numbers before they depredate our native birds. What is Council prepared to do about this very real threat to our environment? Supporting info: abc Science Myna fightback.

Response/Action:

Staff to follow up with DEECA.

7.2 Submitter: Stanley Mudford

Subject: Murray Valley Highway / Lake Road Intersection

Questions:

1. When will the intersection improvements on the corner of Lake Road and Murray Valley Highway be delivered, with the 2020-21 Australian Government grant of \$239,000?
2. Is there a risk that the Australian Government could terminate the agreement due to the extended time it's taking to deliver the works?

Response/Action:

The Department of Transport have recently confirmed the solar powered warning lights are now acceptable (this option had previously been rejected by DoT) and installation will commence in the near future. We do not anticipate the funding being withdrawn.

7.3 Submitter: Gillian Jessup

Subject: Hanson st south proposed streetscape changes

Questions:

1. As part of the pre project work when it was determined 64 trees needed to be removed, was an Environmental Impact study including or addressing bird habitat and heat/temperature impact completed as part of the process?
2. The 'Hanson St South Plan' refers the reader to the 'Landscape Details Sheet', however it does seem to be available? I have called Council offices for a copy of this and the environmental Impact study and have not received a response. Can this be made available with accurate detailed information on which trees are being removed?

Response/Action:

A new plan is being developed and community consultation will be undertaken before any works are undertaken which may require removal of trees.

7.4 Submitter: Catherine Wheeler

Subject: Corryong Streetscape

Questions:

1. I am looking for clarification re the project plan for the South Hanson Street landscape. I have tried to study the plans in depth and by my count 64 beautiful mature trees, providing a welcoming, shady avenue into town are to be removed. Am I correct?
2. My second question is in relation to proposed upper Donaldson Street parking. Would it be possible to mark out parallel parks either side of the median strip rather than disrupting its current format? I have been told verbally that no further trees will be removed. This does not appear to be correct. The plan indicates 2 more semi-mature trees opposite the RSL Hall are to be removed.

Response/Action:

A new plan is being developed and community consultation will be undertaken before any works are undertaken which may require removal of trees.

The plans for the parking spaces in Donaldson Street (upper) are currently in development. The suggestion of parallel parking will be considered.

7.5 Submitter: Joanne Mudford

Subject: Black Spot Project Lake Rd – Murray Valley Highway

Questions:

1. The Dept of Infrastructure, Transport Regional Development project website lists this as being under construction – what construction is currently in progress or completed?

Response/Action:

The Department of Transport have recently confirmed the solar powered warning lights are now acceptable (this option had previously been rejected by DoT) and installation will commence in the near future. The construction referred to on the Department's website may be in relation to preliminary works undertaken some time ago.

Confirmed

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 11 December 2024 and 18 December 2024 are attached as follows:

1. Workshop Meeting Records - 11 December 2024 [**8.1.1** - 3 pages]
2. Workshop Meeting Records - 18 December 2024 [**8.1.2** - 2 pages]

Recommendation:

That the information be noted.

Council Resolution:

CR PITMAN
CR ANDERSON

THAT THE INFORMATION BE NOTED.

CARRIED

9 Organisational Improvement

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

Disclosure of Interests (S.130):

This report was prepared by Mr Justin Troy, Coordinator Governance and Compliance.

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.

Summary:

The attached report shows the progress made in relation to the resolutions from the Ordinary Council meeting on 18 December 2024.

Recommendation:

That the report be noted.

Attachment:

1. Action Sheet from Ordinary Council Meeting 18 December 2024 [9.1.1 - 9 pages]

Background/History:

Not applicable.

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

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:

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 by the responsible officers with consideration towards the staffing impacts from the end of year office closures.

Council Resolution:

**CR ANDERSON
CR TOLSHER**

THAT THE REPORT BE NOTED.

CARRIED

Confirmed

Ms Phelps left the meeting due to a material conflict of interest in items 9.2 and 9.3, the time being 11.16am.

9.2 Chief Executive Officer Remuneration Review (Mayor)

Disclosure of Interests (S.130):

This report was prepared by Cr Andrew Whitehead, Mayor.

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 consider a recommendation from the Chief Executive Officer Employment and Remuneration Committee in relation to the review of the Chief Executive Officer's remuneration package.

Summary:

The Chief Executive Officer's performance is reviewed annually in line with the requirements of the *Local Government Act 2020* and the Chief Executive Officer's Contract of Employment.

It is a requirement of the Contract of Employment that the remuneration package is reviewed within one month of the annual performance review. The timing of the 2024 election meant that the remuneration review could not be undertaken within one month of the performance review.

The performance review was conducted in July-August 2024 and presented at the September 2024 Ordinary Council Meeting. The resolution included a recommendation that the incoming Council increase the Chief Executive Officer's remuneration package by at least CPI.

Recommendation:

That the Chief Executive Officer's remuneration package be increased by 3% backdated to 1 December 2024.

Attachment:

Nil

Background/History:

Section 45 of the *Local Government Act 2020* requires that Council maintain a Chief Executive Officer Employment and Remuneration Policy that provides for, amongst other things, performance monitoring and an annual review of the Chief Executive Officer's performance.

In accordance with Council's Chief Executive Officer Employment and Remuneration Policy, the annual review of the Chief Executive Officer's performance was overseen by the Chief Executive Officer Employment and Remuneration Committee which is comprised of an Independent Chairperson and all Councillors. The Committee conducted a Request For Quotation process and recommended the selection of the independent consultant, Mr Sean Callanan, General Manager – McArthur Talent Architects VIC to lead the review.

Mr Callan was appointed by Council and subsequently facilitated the review and provided a report to the Committee and the Chief Executive Officer. The appraisal was made against the Performance Criteria set out in the Chief Executive Officer's Contract of Employment.

It is also a requirement of the Chief Executive Officer's Contract of Employment that a review of the Chief Executive Officer's Remuneration Package be reviewed annually within one month following the Performance Review having regard to:

- a. the Employment and Remuneration Policy;
- and, to the extent the following are not inconsistent with the Employment and Remuneration Policy;
- b. the Officer's achievement of the Performance Criteria;
- c. the extent of any increase over the preceding 12 months in the Consumer Price Index (All Groups, Melbourne) as issued by the Australian Statistician;
- d. market rates for comparable positions; and
- e. the acquisition and satisfactory utilisation of new or enhanced skills by the Officer is beneficial to or required by the Council.

Given that the contract of employment anniversary was 1 December 2024 and the onset of the caretaker period prior to the election, the Council did not determine any alteration to the remuneration package at the time, but rather resolved to recommend to the incoming Council that the Chief Executive Officer's remuneration package be increased by at least CPI as at 1 December 2024.

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

The *Local Government Act 2020*, section 45(2)(b)(iv) states that Council must undertake an annual review of the Chief Executive Officer's employment and remuneration.

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:

Council Plans:

Not applicable.

Council Policies:

The Performance Review was conducted in accordance with the *Chief Executive*

Officer Employment and Remuneration Policy.

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

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

Risk Assessment:

The Local Government Inspectorate highlights several risks in their 2019 report "Protecting Integrity: Leading the way – Managing the employment cycle of a council CEO" given that there has historically been a lack of sector guidance for Councillors regarding how the employment cycle of the Chief Executive Officer is to be managed.

The *Local Government Act 2020* has introduced additional controls by requiring that councils adopt a Chief Executive Officer Employment and Remuneration Policy. Further, Council's policy requires that the employment cycle is overseen by a Chief Executive Officer Employment and Remuneration Committee which is led by an Independent Chairperson, providing additional independence and assurance.

Mayor's View:

The performance of our CEO over the review period has once again been of a high standard and the independent review process demonstrated that Juliana has performed well against the Key Performance Indicators that we set last year despite some significant challenges.

The Ministerial Rate Cap for 2025 has been set at 3%. CPI for the year to 30 June 2024 was 3.8% and for the year to 30 September 2024 2.8%. Given the excellent performance of our CEO it is recommended that the remuneration package be increased by 3% effective from 1 December 2024.

Council Resolution:

**CR WORTMANN
CR ANDERSON**

**THAT THE CHIEF EXECUTIVE OFFICER'S REMUNERATION PACKAGE BE
INCREASED BY 3% BACKDATED TO 1 DECEMBER 2024.**

CARRIED

9.3 Chief Executive Officer Leave Request (Mayor)

Disclosure of Interests (S.130):

This report was prepared by Cr Andrew Whitehead, Mayor.

At the time of preparation of this report, Cr Whitehead 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 Chief Executive Officer to take Annual Leave over the period specified in this report and to appoint an Acting Chief Executive Officer for that period.

Summary:

The Chief Executive Officer has requested Annual Leave for the period Monday 10 February 2025 to Friday 14 February 2025 inclusive.

The Chief Executive Officer has recommended that Ms Narelle Taylor, Director Corporate and Organisational Development, be appointed to the role of Acting Chief Executive Officer for the period Monday 10 February 2025 to Friday 14 February 2025.

Recommendation:

That:

1. the Chief Executive Officer be granted Annual Leave for the period Monday 10 February 2025 to Friday 14 February 2025 inclusive; and
2. Ms Narelle Taylor, Director Corporate and Organisational Development, be appointed to the position of Acting Chief Executive Officer for the period Monday 10 February 2025 to Friday 14 February 2025 inclusive.

Council Resolution:

CR TOLSHER

CR PITMAN

THAT:

- 1. THE CHIEF EXECUTIVE OFFICER BE GRANTED ANNUAL LEAVE FOR THE PERIOD MONDAY 10 FEBRUARY 2025 TO FRIDAY 14 FEBRUARY 2025 INCLUSIVE; AND**
- 2. MS NARELLE TAYLOR, DIRECTOR CORPORATE AND ORGANISATIONAL DEVELOPMENT, BE APPOINTED TO THE POSITION OF ACTING CHIEF EXECUTIVE OFFICER FOR THE PERIOD MONDAY 10 FEBRUARY 2025 TO FRIDAY 14 FEBRUARY 2025 INCLUSIVE.**

CARRIED

Ms Phelps returned to the meeting, the time being 11.22am.

10 Community Wellbeing

There are no Community Wellbeing reports to present for this meeting.

11 Asset Management

11.1 Capital Works Report (DIE)

Disclosure of Interests (S.130):

This report was prepared by Mr Jamie Heritage, Director of 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. The report gives an overview of the 2024/25 Capital Works Program to 31 December 2024.

Summary:

This report presents the overall status of the capital works program to the end of December 2024 and includes updates on project status, progress, expenditure and completion risk.

Recommendation:

That the report be noted.

Attachment:

1. Capital works Budget Dec '24 [**11.1.1** - 3 pages]

Background/History:

This is a report that replaces the quarterly budget report for capital works projects and the project status update previously provided with the bi-monthly Asset Management Report. It is by the Infrastructure and Environment team bi-monthly to provide a progress overview of the capital works program.

The Council budget for 2024-2025 includes a capital works budget of \$24.97million. The capital works program consists of eighty projects including new projects and carry forwards from previous years. The largest 13 projects represent 45% of the total capital works budget for 2024/25. Six of these are in progress, two are in construction, three have been completed, one in tendering phase with these twelve projects on track to be finished for the financial year end. The Hanson Street project is in the design phase for public consultation and projected to be completed over coming years via staged works.

The annual resealing, guardrail replacement, gravel re-sheeting and footpath renewal programs are all in progress for 2024-2025 and expected to be completed by the financial years end.

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

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 program provide local economic stimulus through the employment of local contractors.

Social

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

Environmental/Climate Change

The current dry weather conditions are favourable for project construction activities.

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

Community engagement for capital projects has continued including Corryong Streetscape, Corryong Shop Fronts community rebates, Cudgewa Avenue of Honour, Corryong skate park, Dartmouth splash park, the Walwa township playground, Walwa CFA Shed, and Great River Road.

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

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

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

Not Applicable.

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

As at 31 December 2024	\$	%
Total Budget	\$ 24,970,237.02	100
Year to Date spend (31 December 2024)	\$ 7,618,656.42	31

Detailed budget and job closure analysis is included in the appendix to this report.

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

Not Applicable.

Council Plans and Policies:

Council Plans:

This report supports the following *Council Plan 2021-2025 priorities*.

1. Asset Management - Maintain and improve our Shire's infrastructure to meet the levels of service established in consultation with our communities.

- 1.1 Deliver 100% of the annual capital works program and bushfire recovery projects
- 1.3 Complete Stage 2 Great River Road
- 1.4 Continue the upgrade of Georges Creek Road
- 1.5 Complete upgrades of Hanson Street from Sugarloaf Road to Kiel Street
- 1.6 Complete the upgrade of the Stock Route in Corryong
- 1.7 Progressively deliver the upgrade of the unsealed sections of Lake Road
- 1.8 Investigate upgrade options for Wisers Creek Road
- 1.10 Seek funding to deliver upgrades of key transport routes and hazardous road alignments to improve efficiency and safety
- 1.12 Continue to deliver the upgrade of unsealed streets in urban areas program
- 1.13 Complete the upgrade of the Corryong CBD
- 1.14.1 Complete streetscape upgrades in Dartmouth

- 1.14.2 Complete streetscape upgrades in Mitta Mitta
- 1.15.2 Investigate and plan for upgrades at Towong
- 1.15.3 Investigate and plan for upgrades at Cudgewa
- 1.17 Address long vehicle and overflow parking issues in CBD areas
- 1.19 Seek funding to deliver upgrades to town entrances and wayfinding signage across the shire
- 1.21 Increase the recreation opportunities for young families in Dartmouth
- 1.22 Review and deliver the strategic parks and playgrounds upgrade program to completion
- 1.25 Deliver the Corryong aerodrome 24 hour fuel project
- 1.27 Deliver annual asset inspection and renewal programs per asset management and road management plan requirements
- 1.28 Implement the maintenance program for Council's buildings

Council Policies:
Procurement Policy

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:

Limited contractor availability has and will continue to cause delays on road construction projects due to a high demand for suitable contractors across the state. The team will continue to contact local and regional contractors to encourage tender submissions and quotations.

Recruitment of suitably qualified and experienced project managers will continue in quarter 3 of 2024/25. Recent recruitment has been challenging and may delay the start of some new projects for the capital works program 2024/25.

Officer's View:

The team has made significant progress on the completion of the capital works program to mid-year. The financial report provided presents a year-to-date (YTD) expenditure as of 31 December 2024. As per the report, the total expenditure to date is \$7.61 million and is approximately 31% of the capital budget. However, some of the larger projects are under construction and are scheduled to be completed by June 2025. Progress claims for these projects are likely to reflect a larger spend in quarter 3 and 4 of the financial year.

Council Resolution:

CR TOLSHER

CR WORTMANN

THAT THE CAPITAL WORKS PROGRAM BE NOTED.

CARRIED

Confirmed

12 Land Use Planning

There are no Land Use Planning reports to present for this meeting.

13 Environmental Sustainability

13.1 Environment Sustainability Report (DIE)

Disclosure of Interests (S.130):

This report was prepared by Mr Greg Karlson, Coordinator Circular Economy 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.

Summary:

This report provides a quarterly update on environmental sustainability activities throughout the Shire for the period June 2024 to December 2024.

Council's environmental sustainability activities continue to be focused on the management of recycling operations at resource recovery centres along with actions related to the circular economy waste and recycling transition processes.

Recommendation:

That the Report be noted.

Attachment:

Nil

Background/History:

Waste and recycling services

June 2024 saw the launch of a new 3 bin system and move to a new waste contractor – Cleanaway. Council work crews and Customer Service Officers were required to assist during the transition of waste collection service due to some teething operational problems. This included the operator being under-staffed which resulted in our outdoor crew aiding with missed collections, bin upgrades and broken bins etc for the first 2 months. Negotiations resulted in Council being duly financially compensated.

Ongoing education and promotion of the 3 bin system continue through Council digital platforms as well as a presence through the Halve Waste platform which enjoys TV promotional content.

Data collected on kerbside waste collection since the transition show that 64.30% of households with an existing kerbside bin service have taken up the additional FOGO bin. Although this figure seems low, it is heavily influenced by the level of opt-outs from eligible rural residents, who represented 38.3% of total households. Overall the participation rate of rural households was a modest 26.8% of total households.

YTD performance till Dec 24 highlights:-

- Organics tonnage levels - 391 tonnes collected from an average of 2118 monthly serviced households;
- General Waste tonnage levels - 463 tonnes collected from an average of 3036 monthly serviced households
- Recycling tonnage levels - 260.65 tonnes collected from an average of 3033 monthly serviced households
- Recycling Contamination Rate - 0.17 tonnes or 0.39% average with neutral trend on month-by-month basis

With the introduction of the 3-bin system Towong Shire has achieved a current diversion rate of 42.8% (excluding recycling) from landfill.

Container Deposit Scheme (CDS)

Local business and community groups in Tallangatta and Corryong were successfully established as CDS point operators for the State Government's 10c deposit scheme for eligible glass, plastic, aluminium and cardboard drink containers.

Resource Recovery Centres

The operational plan for the Tallangatta resource recovery centre (RRC) is to be reviewed early in the new calendar year to assess:

- The ongoing viability of the old retaining wall and whether it is “fit for purpose”; and
- The best waste management practice methodology for the facility that meets both public needs and operational efficiency by Council staff workers.

Corryong Landfill status - Facility has reached full capacity and has been closed for public access since October 2023. Alternate tipping arrangements were established at each RRC. Following the preparation of a suitable capping design for the closed cell and Aftercare / Environmental Management Plan by an external consultant these have been ratified by the EPA. The contract documents are being prepared to be issued to Contractor.

Climate Action

Climate Action Plan has been produced by Ironbark Sustainability Group who recommends investment in climate future with changes to Council vehicle fleet and landfill management practices. The removal of putrescible waste was strongly recommended which has now been partially addressed following the introduction of Food and Garden Organics Bins Kerbside collection service.

Passenger fleet vehicles are recommended to change to electric vehicles or hybrids to reduce carbon emissions. This will need to be further explored as lease renewals near end dates and future upgrades occur.

In 2019 Council adopted a software tool, Trellis, primarily to enable the measurement of emission levels from Council-owned assets. More broadly it allows organisations to manage data relating to its consumption of utilities, including electricity, gas, water, waste disposal, business travel and other resources such as fuel and refrigerant gas.

For the 23/24 FY carbon emission levels measured 2,568TCo2-e generated across Council-owned assets which was up 18.4% on prior year.

Main resource contributor to emission levels was derived from waste 55.49% or 1425TCo2-e with fuel consumption measured at 29.26%.

Tree and Weed Programs

Council engaged external consultant RM Consulting Group to prepare a report to investigate options for vegetation reduction and management to reduce the risk of bushfire for Council-managed rural roads.

In addition to providing an overview of possible preventative measures to mitigate bushfire risk, the report also identified potential high-risk fuel hazard areas of the local road network throughout the shire. This included an assessment of the fuel load characteristics of low-level vegetation types appearing along the local road network.

Shortly, a more detailed overview and copy of report is to be submitted independent to this report.

Tree planting within the shire commenced in early June and continued over the first quarter ahead of the upcoming summer period. Tree planting continues on Playles Hill with the planting of a further 20 trees across 12 species, contributing to the biodiversity required to mitigate risk from emerging pathogens and pests.

These plantings complimented other tree planting activities undertaken in the June quarter which saw the following occur:-

20 Chinese elms planted along Strezelecki Way, Corryong

30 Chinese pistachios And Eucalyptus leucoxylon at Walwa Recreation Reserve

Contractors were engaged to remove woody weeds encroaching the bike track at Playles Hill, funded by a grant secured by the Corryong CRC.

Elm tree inspection of approximately 100 trees indicate elm leaf beetles are not currently problematic, and no treatment is required. Trees will be re-inspected in the Autumn.

Trees have been removed and pruned to facilitate works for the Splash Pad in Dartmouth.

Approximately three cubic meters of biochar was used to improve the soil quality for the Hansen Street project.

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

All environmental sustainability actions have been undertaken in accordance with the service performance principles outlined in the *Local Government Act 2020*, *Environmental Protection Act 2017* and the *Circular Economy (Waste Reduction and Recycling Act) 2021*.

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

Not Applicable.

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

Economic

Enhanced recycling methods will diminish the volume of waste sent to landfills, while adopting a four-stream waste system enhances the circular economy framework for waste management in Victoria.

Social

The projects mentioned in this report promote sustainability education for the community.

Environmental/Climate Change

Actions undertaken on recycling of materials and ongoing review of tree management practice and climate adaption will contribute positively towards the mitigation of Council's impact on the environment and adherence to risk management best practice.

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

Council received grant funding from Sustainability Victoria under the Circular Economy Household Education Fund (CEHEF) to facilitate Community Education on Recycling. The community education package includes digital and print material to support the rollout of pop-up stalls at major townships. The pop-up stalls were undertaken in partnership with Halve Waste.

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

Not applicable.

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

Council officers liaise regularly with representatives of the Goulburn Murray Climate Alliance, waste management officers from councils in the Hume region and government representatives from the Department of Energy, Environment and Climate Action (DEECA), Environmental Protection Authority (EPA) and Sustainability Victoria (SV) relating to environmental and sustainability activities.

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.

		Dec 2024 YTD	2024/25 Full Year	Dec 2024 YTD	Dec 2024 YTD	
	Note	(Actual) \$	(Budget) \$	(Variance) \$	(Variance) %	
Income						
Kerbside collection	1	1,483,568	1,360,560	123,083	9%	
Waste facilities management	2	431,814	506,000	(74,186)	(15%)	
Total Income		1,915,382	1,866,560	53,897	3%	
Expenditure						
Kerbside collection	3	618,169	1,290,236	(672,067)	(52%)	
Waste facilities management	4	200,597	227,057	(26,460)	(12%)	
Total Expenditure		818,766	1,517,293	(698,527)	(85%)	
Net Income / (Expenditure)		1,096,616	349,267	644,630	68%	

1. Revenue from kerbside collection higher than budget estimates due to greater than expected take up on FOGO bins by rural residents.
2. Income includes gate fees at RRC's. Gate fees charged are less than anticipated through the budget.
3. Kerbside collection charges at December are approximately 50% of the budget indicating that, halfway through the year costs are aligned to the budget.
4. Waste facilities management expenditure is tracking to be greater than budget, however is still in line to be cost neutral at the end of the financial year.

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

Not Applicable.

Council Plans and Policies:

Council Plans:

This report supports the following *Council Plan 2021-2025* priorities.

5. Environmental Sustainability - Integrate sustainable environmental management practices into all of our activities.

- 5.8 Continue to implement noxious weed control and monitoring along roadsides within available funding
- 5.9 Continue to implement the tree planting strategy to achieve 40% canopy coverage in urban streets by 2025
- 5.10 Explore the diversification of options for the establishment of native vegetation offset sites
- 5.11 Seek funding to establish a network of electric car charging stations
- 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 hard waste, green waste and agricultural waste management e.g silage wrap
- 5.16 Replace the retaining wall at the Tallangatta Transfer Station
- 5.17 Investigate options for the future of the Corryong Landfill
- 5.18 Implement required measures to ensure management of closed landfills is compliant with EPA requirements

Council Policies:

Climate Adaptation Policy.

Kerbside Refuse and Recycling Collection Policy

Tree Policy

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:

Good progress has been made in relation to the *Council Plan 2021-2025* Environmental Sustainability strategic priorities.

Council Resolution:

**CR ANDERSON
CR WORTMANN**

THAT THE REPORT BE NOTED.

CARRIED

14 Economic and Tourism Development

There are no Economic and Tourism Development reports to present for this meeting.

15 Councillor Reports

15.1 Road Safe North East - Cr Tolsher

Date of Meeting/Event:	Wednesday 4 December 2024
Key information presented/discussed at meeting:	A meeting of Road Safe North East, addressing safe operation of vehicle and motorbike activity; held in Wangaratta.
Members Comments/Thoughts:	In partnership with Police, Road Safe are developing a new project to establish a rest stop on the Omeo Hwy at Razorback Ridge. Spoke about the possibility of developing a short film clip to be aired at local cinemas on road safety. Great committee to be part of with some great outcomes for our Council.
Action Required:	Nil.
Additional Information Available:	Nil

Council Resolution:

**CR TOLSHER
CR PITMAN**

THAT THE REPORT BE NOTED

CARRIED

16 Urgent Business

In accordance with Council's Governance Rules, matters of urgent business can only be considered if:

- a) It relates to or arises out of a matter which has arisen since distribution of the agenda; and
- b) It cannot safely or conveniently be deferred until the next Council meeting; and
- c) The Council resolves to admit an item considered to be urgent business.

Nil.

17 Committee Minutes

There are no Committee Meeting minutes for review or confirmation at this meeting.

18 Council Policies

18.1 Policies for Adoption

As part of the *Local Government (Governance and Integrity) Amendment Regulations 2024*, a Model Councillor Code of Conduct and Internal Resolution Procedures were required to be adopted by all Victorian Councils.

Local Government Victoria (LGV) released a Model Councillor Code of Conduct late last year, as did Legal Firm 'Maddocks' with the release of their Internal Resolution Procedures. These are available for Victorian councils to use to ensure compliance with the Act and Regulations, as well as create a uniform approach towards the Model Code of Conduct.

The draft policy is attached with track changes included for review. The LGV model Councillor Code of Conduct is also attached for reference.

Attachment:

1. DRAFT - Model Councillor Code of Conduct and Internal Resolution Procedure 2025 [**18.1.1** - 32 pages]
2. Model- Councillor- Code-of- Conduct - LGV [**18.1.2** - 4 pages]

Please note the recommended changes are shown in colored text.

Recommendation:

That the Model Councillor Code of Conduct and Internal Resolution Procedure, as amended and presented be adopted, with the Chief Executive Officer authorised to make minor administrative changes where necessary.

Council Resolution:

**CR ANDERSON
CR PITMAN**

THAT THE MODEL COUNCILLOR CODE OF CONDUCT AND INTERNAL RESOLUTION PROCEDURE, AS AMENDED AND PRESENTED, BE ADOPTED, WITH THE CHIEF EXECUTIVE OFFICER AUTHORISED TO MAKE MINOR ADMINISTRATIVE CHANGES WHERE NECESSARY.

CARRIED

19 Sealing of Documents

Nil.

20 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.

Nil.

21 Closure of Meeting

There being no further business, the Mayor declared the meeting closed, the time being 11:42am.