



## STRATHBOGIE SHIRE COUNCIL

Notice is hereby given that an Ordinary Meeting of the Strathbogie Shire Council will be held on Tuesday 18 December 2012, commencing at 6.00 p.m. at the Euroa Community Conference Centre

**Councillors:** Debra Swan (Chair)  
Colleen Furlanetto  
Malcolm Little  
Alister Purbrick  
Patrick Storer  
Robin Weatherald  
Graeme (Mick) Williams

**Officers:** Steve Crawcour - Chief Executive Officer  
Roy Hetherington - Director, Asset Services  
David Woodhams – Director, Corporate and Community  
Phil Howard – Director, Sustainable Development

### **BUSINESS**

1. Welcome
2. Acknowledgement of Traditional Land Owners  
*'In keeping with the spirit of Reconciliation, we acknowledge the traditional custodians of the land on which we are meeting today. We recognise indigenous people, their elders past and present'.*
3. Apologies
4. Confirmation of Minutes of the Special Meetings of Council held on Tuesday 13 and Tuesday 20 November 2012 and Ordinary Meeting of Council held on Tuesday 20 November 2012
5. Disclosure of Interests
6. Petitions
7. Reports of Mayor and Councillors and Delegates
8. Public Question Time

## EXCERPT FROM MEETING PROCEDURE LOCAL LAW NO. 1

### **CONDUCT OF PUBLIC**

#### **52. VISITORS**

- (1) Visitors must not interject or take part in debate.
- (2) Silence shall be preserved in the gallery at all times.
- (3) If any visitor is called to order by the Chairperson and again acts in breach of this Local Law, the Chairperson may order that person to be removed from the gallery.

#### **53. CALL TO ORDER**

Any person who has been called to order, including any Councillor who fails to comply with the Chairperson's direction, will be guilty of an offence.

Penalty: \$500

#### **54. REMOVAL FOR DISRUPTION**

The Chairperson has discretion to cause the removal of any person, including a Councillor, who disrupts any meeting or fails to comply with a direction under the provisions of this Local Law.

#### 9. Reports of Council Officers

- 9.1 Climate Change
- 9.2 Infrastructure
- 9.3 Private Enterprise
- 9.4 Public Institutions
- 9.5 Housing and Recreation
- 9.6 Tourism
- 9.7 Organisation

#### 10. Notices of Motion

#### 11. Closure of Meeting to the Public to consider matters listed for consideration in accordance with Section 89(2)(d) & (h) of the Local Government Act 1989

89(2)(d): *Contractual Matters*

89(2)(h): *Any other matter which the Council or Special Committee considers would prejudice the Council or any person*

#### 12. Urgent Business

Steve Crawcour  
**CHIEF EXECUTIVE OFFICER**

11 December 2012

### **NEXT MEETING**

Please note: There is no Ordinary Council meeting held in January 2013.

The next Ordinary Meeting of the Strathbogie Shire Council is scheduled to be held on Tuesday 19th February 2013, commencing at 6.00 p.m. at the Euroa Community Conference Centre.

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## **9. REPORTS**

### **9.2 INFRASTRUCTURE**

#### **9.2.1 Avenel Community Information Session – Monday 3 December 2012**

##### **Author & Department**

Director, Asset Services / Asset Services Directorate

##### **File Reference**

T40/0180/02

##### **Disclosure of Conflicts of Interest in relation to advice provided in this report**

The author of this report and officers/contractors providing advice in relation to this report do not have a direct or indirect interest, as provided in accordance with the Local Government Act 1989

##### **Summary**

At a recent Council-convened Community Information Session held at Avenel on 3 December 2012, display materials prepared for three projects were examined and discussed.

These included –

- Options for parking and pedestrian safety improvement – Anderson Street
- Proposal for intersection and parking improvement – Queen and Bank Streets
- Report on progress on Avenel Recreation Reserve – extension for Netball facilities

The session was well attended with approximately 10 to 20 persons in attendance at any time over the two hour period. This included community members, Councillors and staff.

Participants provided Council with valuable comments plus 19 written comments/suggestions on pro formas available at the meeting.

The information will take some time to examine, and will also require comment from VicRoads to be properly conducted.

##### **RECOMMENDATION**

**That Council defer consideration of the submissions received on the proposed reconstruction of Anderson Street, Avenel, and other information received at the Community Information Session, until February 2013.**

### 9.2.1 Avenel Community Information Session – Monday 3 December 2012 (cont.)

#### **Background**

Council resolved at a Special Council meeting of 20 November 2013 to hold the Community Information Session and also to formally consider the submissions in relation to Anderson Street, Avenel, at the Council meeting of 18 December 2012. The additional feedback from the session is extremely valuable and it is proposed that Council take additional time to examine it.

#### **Alternative Options**

The author and other officers providing advice in relation to this report have considered potential alternative courses of action. No feasible alternatives have been identified.

#### **Risk Management**

The author of this report considers that there are no significant Risk Management factors relating to the report and recommendation.

#### **Strategic Links – policy implications and relevance to Council Plan**

The author of this report considers that the report is consistent with Council Policies, key strategic documents and the Council Plan.

#### **Best Value / National Competition Policy (NCP / Trade Practices Act (TPA) implications**

The author of this report considers that the report is consistent with Best Value, National Competition Policy and Trade Practices Act requirements.

#### **Financial / Budgetary Implications**

Funding for all three projects has been allocated in the 2012/2013 Council budget.

#### **Economic Implications**

The author of this report considers that the recommendation has no significant economic implications for Council or the broader community.

#### **Environmental / Amenity Implications**

The author of this report considers that the recommendation has no significant environmental or amenity implications for Council or the broader community.

#### **Community Implications**

The author of this report considers that the recommendation has no significant community or social implications for Council or the broader community.

#### **Victorian Charter of Human Rights and Responsibilities Act 2006**

The author of this report considers that the recommendation does not limit any human rights under the Victorian Charter of Human Rights and Responsibilities Act 2006.

#### **Legal / Statutory Implications**

The author of this report considers that the recommendation has no legal or statutory implications which require the consideration of Council.

9.2.1 Avenel Community Information Session – Monday 3 December 2012 (cont.)

**Consultation**

The author of this report considers that the Section 223 process of inviting submissions to the parking and safety improvement proposal in Anderson Street, Avenel, and the Community Information Session held on Monday 3 December 2012 gave community members the opportunity to provide input and feedback to the proposals. The Community Information Session also strengthened Council's understanding of the issues identified.

**Attachments**

Nil

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## **9.7 ORGANISATION**

### **9.7.1 Strathbogie Shire Municipal Fire Management Plan (MFMP)**

#### **Author & Department**

Emergency Management Fire Coordinator / Asset Services Directorate

#### **File Reference**

S20/0060/04

#### **Disclosure of Conflicts of Interest in relation to advice provided in this report**

The author of this report and officers/contractors providing advice in relation to this report do not have a direct or indirect interest, as provided in accordance with the Local Government Act 1989

#### **Summary**

The Strathbogie Shire Municipal Fire Management Plan (MFMP) is a new approach to fire management planning across Strathbogie Shire. The plan puts in place an integrated fire management strategy for the shire, as recommended by the Victorian Bushfire Royal Commission. It also links into the Hume Regional Strategic Fire Management Plan to enable planning across municipalities throughout the Hume region and Victoria.

Integrated Fire Management Planning (IFMP) is a co-coordinated whole of government approach to fire management planning in Victoria. Established under the *Emergency Management Act 1986*, IFMP is the new fire planning process being rolled out across the state at both regional and municipal level. IFMP involves fire planning with other agencies and organizations to produce a combined Municipal Fire Management Plan (MFMP) for each municipality in the Hume region.

IFMP provides a framework for consistent and effective fire management planning. To do this, it provides a multi-agency approach, bringing together fire management planners and other stakeholders, including emergency service agencies, government departments, private organizations and the community. Working together these key stakeholders build on and create new relationships and share information to plan across both public and private land tenures for all types of fire. IFMP is based on analysis and management of risk, utilizes best practices and builds on existing information, such as the Victorian Fire Risk Register, Fire Operations and Management Plans, mitigation strategies, roadside and environmental plans, township protection plans, recovery plans etc.

The MFMP has been developed over the past 18 months by the Strathbogie Shire Municipal Fire Management Planning Committee (MFMP). The MFMP comprises representatives from Strathbogie Shire Council, the Country Fire Authority and the Department of Sustainability & Environment. The MFMP is a sub-committee of the Strathbogie Shire Municipal Emergency Management Planning Committee (MEMPC).

### 9.7.1 Strathbogie Shire Municipal Fire Management Plan (MFMP) (cont.)

The main focus of the MFMP is to address the overall risk of bushfire. Risks relating to structural fires and hazardous materials incidents will be addressed in future editions of the plan. These additions will be incorporated within the three year life cycle of the plan (MFMP due for full review in 2014).

The draft MFMP was endorsed by council for public comment on the 24<sup>th</sup> of July 2012 and was subsequently released on public exhibition for 28 days. Public comments were received and a number of small changes were made to the document. Since then, the draft plan has been endorsed by both the Strathbogie Shire MFMPC and the Strathbogie Shire MEMPC. It has also been viewed and commented upon favorably by the Hume Regional Strategic Fire Management Planning Committee. The final step in the process is for council to consider the MFMP for adoption. Once adopted, the MFMP will form the main fire related document at council. Although not 'owned' by council, the MFMP is maintained and stored at the council, in a similar way to the Municipal Emergency Management Plan. Once finalized, the plan will be available to the public on both the Strathbogie Shire Council and IFMP Websites. It will be reviewed annually with a full re-write every 3 years.

The Plan has been distributed to Councillors for their information and is tabled for identification purposes.

#### **RECOMMENDATION**

**That Council endorse the Strathbogie Shire Municipal Fire Management Plan as the Fire Plan for the Shire of Strathbogie in accordance with the *Emergency Management Act 1986***

#### **Background**

The 2002-03 Victorian Bushfire Inquiry (VBI) recognised the 'high degree of professionalism' in the emergency response effort to the fires but identified that the planning framework under which it was executed was 'a less than satisfactory process'. Lessons learnt from these bushfires provided the motivation for improvement to existing operations. VBI recommendations were implemented through funding from the State Government and the Integrated Municipal Fire Management Planning project was established.

IFMP committee structure consists of:

State Fire Management Planning Committee (SFMPC) is responsible for enabling the development and implementation of the IFMP. It provides high level policy direction on the integrated approach to fire management planning and has established, actioned and is tracking the implementation of IFMP, ensuring consistency and the ongoing life cycle of IFMP. The Committee is responsible for the development and review of the State Fire Management Strategy.

### 9.7.1 Strathbogie Shire Municipal Fire Management Plan (MFMP) (cont.)

Regional Strategic Fire Management Planning Committees (RSFMPC) brings together regional stakeholders to work together, within regions and across those boundaries. Flexibility in membership promotes attention to specific areas of need and participation and improves planning and co-ordination for incidents that are beyond municipal scale. Relationships developed with other emergency response and recovery committees promote sharing of knowledge for more effective emergency management planning. The RSFMPC develop regional strategic fire management plans.

Municipal Fire Management Planning Committees (MFMPC) put into practice the fire management planning processes for activities at municipal and local level. Its functions are outlined in the Emergency Management Manual of Victoria. The MFMPs chairperson is elected from representatives within the Committee, with prescribed members from relevant fire management services (DSE & CFA in the Hume Region), local municipality or alpine resort. The MFMPC develops a municipal fire management plan, using the process documented in the IFMP Guidelines with guidance and support from the RSFMPC and the assistance of the IFMP Technical and Administrative Project Officer.

The strategic intent of the Municipal Committee is to:

- identify and prioritise the risks and vulnerabilities across the municipal area;
- reduce the likelihood and consequence of fire hazards within local communities in the municipal area;
- manage local priorities relating to protection of communities and assets;
- develop and implement works programs for the management of fires, including hazard removal and fuel management;
- engage community in activities;
- identify reliable water supplies;
- encourage increased responsibility by the community;
- give consideration to planning across municipal boundaries;
- elevate matters to the regional fire management planning committees when appropriate.

#### **Alternative Options**

The author and other officers providing advice in relation to this report have considered potential alternative courses of action. No feasible alternatives have been identified.”

#### **Risk Management**

The author of this report considers that this report aligns Strathbogie Shire’s fire management with both the Hume Region and Victoria and that there are no significant Risk Management factors relating to the report and recommendation.

#### **Strategic Links – policy implications and relevance to Council Plan**

The author of this report considers that the report is consistent with Council Policies, key strategic documents and the Council Plan

#### 9.7.1 Strathbogie Shire Municipal Fire Management Plan (MFMP) (cont.)

##### **Best Value / National Competition Policy (NCP / Competition and Consumer Act 2010 implications**

The author of this report considers that the report is consistent with Best Value, National Competition Policy and Competition and Consumer Act 2010 requirements.

##### **Financial / Budgetary Implications**

The author of this report considers that the recommendation has no capital or recurrent budget considerations.

##### **Economic Implications**

The author of this report considers that the recommendation has no significant economic implications for Council or the broader community.”

##### **Environmental / Amenity Implications**

The author of this report considers that the recommendation has no significant environmental or amenity implications for Council or the broader community.

##### **Community Implications**

The author of this report considers that the recommendation has no significant community or social implications for Council or the broader community

##### **Victorian Charter of Human Rights and Responsibilities Act 2006**

The author of this report considers that the recommendation does not limit any human rights under the Victorian Charter of Human Rights and Responsibilities Act 2006.

##### **Legal / Statutory Implications**

The author of this report considers that the recommendation has no legal or statutory implications which require the consideration of Council

##### **Consultation**

The author of this report considers that a community consultation process has already been undertaken with the public release of the draft document for 28 days. No further public consultation is required at this time.

##### **Attachments**

Nil.

**9.7.2 Section 86 Committee of Management Instrument of Delegation –  
Creightons Creek Recreation Reserve**  
**- Amendment**  
**- Appointment of Section 86 Committee of Management members**

**Author & Department**

Community Development Officer / Corporate and Community Directorate

**File Reference**

L10/0180/04

**Disclosure of Conflicts of Interest in relation to advice provided in this report**

The author of this report and officers/contractors providing advice in relation to this report do not have a direct or indirect interest, as provided in accordance with the Local Government Act 1989.

**Summary**

The Creightons' Creek Recreation Reserve Committee has requested that the committee structure not be limited to nine persons as set out in the Instrument of Delegation.

Appointment of Section 86 Committees of Management is as per Section 86 of the Local Government Act 1989.

The Committees of Management members are community volunteers duly elected.

**RECOMMENDATION**

- 1. That Clause 5, paragraph one of the Creighton's Creek Recreation Reserve's Instrument of Delegation be amended in part to read:**  
  
**"The Committee shall comprise of no less than five (5) persons".**
- 2. That Council appoint the following persons to the Creighton's Creek Recreation Reserve's Committee of Management for the term of three years, expiring on 30 June, 2015:**

**Position**

**General Member**

**General Member**

**Name**

**John Chiswell**

**Brian Sheehan**

9.7.2 Section 86 Committee of Management Instrument of Delegation – Creightons Creek Recreation Reserve  
- Amendment  
- Appointment of Section 86 Committee of Management members (cont.)

**Background**

The Creighton's Creek Recreation Reserve's Instrument of Delegation limits the committee structure to no more than nine persons. The Committee believes that removing membership restrictions is a positive step for good community relations.

Creighton's Creek Recreation Reserve Committees of Management has been formed to protect, promote and develop their facility for the use and enjoyment of the local community.

The formal member appointments by Council also ensures clarity and assurance for committee members regarding coverage from Council's insurance in undertaking activities under the Instrument of Delegation

**Alternative Options**

Officers providing advice in relation to this report have considered potential alternative courses of action. No feasible alternatives have been identified.

**Risk Management**

A risk assessment has been undertaken and it is considered that there are no significant Risk Management factors relating to the report and recommendation.

**Strategic Links – policy implications and relevance to Council Plan**

The report is consistent with Council Policies, key strategic documents and the Council Plan.

**Best Value / National Competition Policy (NCP / Competition and Consumers Act (CCA) implications**

The report is consistent with Best Value, National Competition Policy and Competitions and Consumers Act requirements.

**Financial / Budgetary Implications**

There are no capital or recurrent budget implications.

**Environmental / Amenity Implications**

The recommendation has no significant environmental or amenity implications for Council or the broader community.

**Community Implications**

The committees comprise persons sourced from the community and the Instrument of Delegation guides the committee in undertaking their activities for the benefit of the broader community.

**Victorian Charter of Human Rights and Responsibilities Act 2006**

The recommendation does not limit any human rights under the Victorian Charter of Human Rights and Responsibilities Act 2006.

- 9.7.2 Section 86 Committee of Management Instrument of Delegation – Creightons Creek Recreation Reserve  
- Amendment  
- Appointment of Section 86 Committee of Management members (cont.)

**Legal / Statutory Implications**

There are no legal or statutory implications which require the consideration of Council.

**Consultation**

The Committee of Management invited community members, via public notice, to nominate for membership on the Committee of Management

**Attachments**

Nil.

**9.7.3 Contract No. 12/13-15  
- Gravel Roads Resheet Contract**

**Author & Department**

Manager, Projects & Works / Asset Services Directorate

**File Reference**

Contract No 12/13-15

**Disclosure of Conflicts of Interest in relation to advice provided in this report**

The author of this report and officers/contractors providing advice in relation to this report do not have a direct or indirect interest, as provided in accordance with the Local Government Act 1989.

**Summary**

Strathbogje Shire Council invited tenders for its 2012/13 Gravel Roads Resheet Programme. Two companies submitted tenders for the project when the tenders closed on Friday 30 November 2012.

A Tender Evaluation Panel, consisting of Council Officers, has assessed the tenders. Tabulated results of the evaluation are attached to the confidential report as 'Appendix 2'.

Giving consideration to the evaluation criteria listed in this table, the Tender Evaluation Panel recommends that Council accept the tender submitted by Precision Grading Pty Ltd.

**RECOMMENDATION**

- 1. That the tender received from Precision Grading Pty Ltd of 10 Maxwell Street, Shepparton Vic 3630 for Contract 12/13-15 – Gravel Roads Resheet Contract for the amount of \$247,338.16, excluding GST, be accepted by Council.**
- 2. That Council set aside 10% of the tender sum as contingency to cover for any additional drainage and / or vegetation requirements.**
- 3. That the remaining budget from the project be used to carry out similar works on additional sections of road within the Shire.**
- 4. That the unsuccessful tenderers be advised.**
- 5. That the associated Confidential Attachments provided to Councillors for their consideration be noted.**



9.7.3 Contract No. 12/13-15  
- Gravel Roads Resheet Contract (cont.)

**Background**

Tenders were invited from suitably qualified and experienced organizations to undertake Contract 12/13-15 – Gravel Roads Resheet Contract.

Under the contract the following works are to be undertaken:

- Apply, spread and compact a 100mm layer of gravel to the existing surface of the unsealed road
- Reshape any uneven shoulders on the existing road.
- Clean out, regrade and shape the table drains and mitre drains on both sides of the road.

The tender was advertised in the following newspapers:

- Shepparton News
- Euroa Gazette
- Benalla Ensign
- Seymour Telegraph

A total of ten (10) tender documents were issued to prospective contractors for the contract.

Tenders closed at 4.00pm on Friday 30<sup>th</sup> November 2012 and were opened at 4.00pm on Friday 30<sup>th</sup> November 2012. Two tenders were received for the Contract.

Both tenders submitted were evaluated by a panel consisting of the following Strathbogje Shire Council staff members:

1. Mr .Peterson Asante, Manager Projects and Works
2. Mr .Darren Ritchie, Waste Engineer; and
3. Mr .Hussain AL Rammahi, Contract Officer

In evaluating the tenders, the Tender Evaluation Panel considered the following principles:

- best value for money
- most benefit to the community, and
- greatest advantage to Council.

Tenders were progressively assessed and evaluated against the following criteria and weightings:

- Pricing (60%)
- Compliance with Specification (10%)
- Management Systems (10%)
- Track Record (10%)
- Availability of Appropriate Skills (10%)

9.7.3 Contract No. 12/13-15  
- Gravel Roads Resheet Contract (cont.)

The following is a summary of the evaluation of the tenders received:

**Tenderer 1:**

This tender submission conformed to the specifications. The company possesses good experience and appropriate skills in this field of work as well as in flood recovery work on roads within nearby municipalities. Reference checks from officers at nearby Councils highlighted the company's abilities to work effectively with Council and their good quality workmanship.

Their tender price is the lowest of all the prices submitted and is well within the available budget.

This submission was evaluated as being the best value for money and is deemed to be the preferred tender.

**Tenderer 2:**

This tender also conforms to the specifications. This company also has sound experience in this field of work and have provided good quality contracting services for Council in the past.

Their tender price is well above that of the preferred tenderer. As is evident in Appendix 1, a majority of the price difference relates to the Site Preparation and Contract Specific Quality Plan costs. The tender price is also more than Council's available budget.

**Financial / Budgetary Implications**

The 2012/13 allocated budget for this project is \$363,398. The price submitted by the preferred tenderer is the only one that falls within this available budget.

In addition to costing the road sections programmed for re-sheeting, tenderers were also asked to provide costs for a number of supplementary road sections. The price submitted by the preferred tenderer allows Council the opportunity to add a number of these supplementary road sections to the program whilst still ensuring enough funds are available to cover any contingencies.

**CONCLUSION**

Based on the criteria of the evaluation, the tender received from Precision Grading Pty Ltd of 10 Maxwell Street, Shepparton Vic 3630, is regarded as providing the best value for money, the most benefit to the community and the greatest advantage to Council.

The Tender Evaluation Panel therefore recommends that this tender be accepted by Council.

**9.7.4 Contract No. 12/13-13**  
**- Implementation of Violet Town Flood Mitigation Project**

**Author & Department**

Manager, Projects and Works / Asset Services Directorate

**File Reference**

Contract No 12/13-13

**Disclosure of Conflicts of Interest in relation to advice provided in this report**

The author of this report and officers/contractors providing advice in relation to this report do not have a direct or indirect interest, as provided in accordance with the Local Government Act 1989.

**Summary**

Strathbogie Shire Council invited tenders for the Implementation of the Violet Town Flood Mitigation project. Three companies submitted tenders for the project when the tenders closed on Wednesday 5 December 2012.

A Tender Evaluation Panel, consisting of 2 Council Officers and an Officer from the Goulburn Broken Catchment Management Authority (GBCMA) has assessed the tenders. Tabulated results of the evaluation are attached to the confidential report as 'Appendix 1'.

The Tender Evaluation Panel has given consideration to the assessment criteria set out in the tender documents and recommends that Council accept the tender submitted by GMR Engineering Services..

**RECOMMENDATION**

**That -**

- 1. Council accept the tender received from GMR Engineering Services of 164 Maude Street, Shepparton Vic 3632 for Contract 12/13-13 – Implementation of Violet Town Flood Mitigation Project, Part A, for the amount of \$82,500 excluding GST.**
- 2. Council set aside 10% of the tender sum (approximately \$8,250) as contingency to cover items that may be required for the successful delivery of the project but not included in the tender price.**
- 3. The remaining allocated project budget is used to carry out Part B works of the Contract using other approved procurement methods.**
- 4. The unsuccessful tenderers be advised.**
- 5. That the associated Confidential Attachments provided to Councillors for their consideration be noted.**

9.7.4 Contract No. 12/13-13  
- Implementation of Violet Town Flood Mitigation Project (cont.)

**Background**

Council invited tenders from suitably qualified and experienced consultants to undertake Contract 12/13-13 Implementation of the Violet Town Flood Mitigation project.

There are 2 parts of project. They involve the design of infrastructure and preparation of management plans.

**Part A**

The design and specification aspects of the proposed flood mitigation works involves the following

- Detailed design of approximately 980 metres of levee bank
- Design of two culvert structures
- Protection of 6 houses and 1 Community building from flooding either by raising the floor level or by other means
- Easement Creation
- Design of a flash flood reporting system
- Preparation of tender specification and schedules

**Part B**

The preparation of the management plans include

- Preparation of a Cultural Heritage Management Plan
- Preparation of an Environmental Management Plan
- Preparation of an Offset Vegetation Management Plan

Due to the specialised nature of the works, Council invited only qualified consultants to tender for the works. Seven consultants were invited to tender, with each of the invited consultants receiving a tender document and supporting information.

Tenders closed at 4.00pm on Wednesday 5 December 2012 and were opened on the same day. Three tenders were received.

All tenders submitted were evaluated by a panel consisting of

1. Mr .Peterson Asante, Manager Projects and Works, Strathbogie Shire Council
2. Mr .Darren Ritchie, Waste Engineer, Strathbogie Shire Council
3. Mr .Guy Tierney, Statutory Planning and Floodplain Manager, Goulburn Broken Catchment Management Authority

In evaluating the tenders, the Tender Evaluation Panel considered the following principles

- best value for money
- most benefit to the community, and
- greatest advantage to Council.

9.7.4 Contract No. 12/13-13  
- Implementation of Violet Town Flood Mitigation Project (cont.)

The Tender Evaluation Panel considered that Council will have best value for money if only Part A of the contract is let. Therefore, the assessment was for only Part A of the contract.

Tenders were progressively assessed against the following criteria and weightings

- Relevant experience (15%)
- Technical Skills of nominated staff (15%)
- Management Skills (10%)
- Track Record (10%)
- Methodology (15)
- Price (35%)

The tenders were assessed using the Association of Consulting Engineers Australia (ACEA) Guidelines. Using that guideline, each tender is scored out of 5 and the highest scoring tender becomes the successful tenderer, summarised as follows -

Tenderer	Final Score	Ranking
Tenderer 1	1.98	3 <sup>rd</sup>
Tenderer 2	2.58	2 <sup>nd</sup>
Tenderer 3	2.98	1 <sup>st</sup>

The following is a summary of the evaluation of the tenders received:

**Tenderer 1:**

This tender submission conformed to the specifications. The company possesses good experience and appropriate skills in this field of work. They have undertaken similar works for Strathbogie Shire Council in the past on the Euroa Floodplain Management and levee bank design works. They have also worked for nearby municipalities on similar projects.

Although the organisational team put together by Tenderer 1 is made up of experienced engineers at the top level, the nominated Project Engineer has only 2 years working experience in investigation and design of urban and rural water resources infrastructure. The Tender Evaluation Team is of the view that the complexities of the project requires a more experienced engineer to carry out the works, otherwise, it will overwhelm the inexperienced engineer. We consider that to be a significant risk to Council.

The tender price for Part A is the highest priced tender received and higher than the available budget.

This submission was deemed not to be the best value for money hence the lowest scoring in the assessment.

9.7.4 Contract No. 12/13-13  
- Implementation of Violet Town Flood Mitigation Project (cont.)

**Tenderer 2:**

The tender from Tenderer 2 conforms to the specifications in many respects. The company has undertaken similar works for other municipalities in different roles. No evidence that they were the lead engineers.

The company has no experience in preparation of flash flood reporting system and therefore teamed up with another consultant to undertake that activity.

Although the tender outlined a good methodology of work, there was no evidence to suggest that the firm has good understanding and skills required to undertake a detailed engineering work of the magnitude expected in this project. This was seen by the fact that there was no organisational structure nor nominated experienced persons assigned to various tasks

Even though tender price is the lowest and within budget, the Evaluation Panel scored them low and consider them high risk because of the lack of relevant experience, technical skills of nominated staff, track record and overall understanding of the project.

**Tenderer 3:**

This tender submission conforms to the specifications. The company has a good track record, relevant experience and good structure to deliver the project. The tender has provided a good methodology of work and nominated a well-experienced and respected Project Engineer to take the lead in the works. The Managing Director, who is himself a qualified engineer, has nominated himself as the Project Manager.

Additionally, in areas that Tenderer 3 is not specialised, they have identified sub-consultants who will carry out those works. The tender price is the second lowest.

The Tenderer has good reputation with Strathbogie Shire Council because they have carried out a number of projects for us and continue to deliver satisfactory outcomes to Council.

The Tender Evaluation Panel is of the view that this tender is of low risk to Council and will deliver value for money because of the calibre of team put together for the project, making them the preferred tender.

**Financial / Budgetary Implications**

The 2012/13 allocated budget for this project is \$105,000. This budget has increased to \$150,000 when Council received additional funding of \$45,000. The price submitted by the preferred tenderer falls within this available budget.

After delivering Part A of the project, the remaining budget will be used in executing Part B of the project. This includes the development of Cultural Heritage, Environmental and Vegetation Management Plans.

9.7.4 Contract No. 12/13-13  
- Implementation of Violet Town Flood Mitigation Project (cont.)

**CONCLUSION**

Based on the criteria of the evaluation, the tender received from Tenderer 3 for the amount of \$82,500.00 plus GST is regarded as providing the best value for money, the most benefit to the community and the greatest advantage to Council.

The Tender Evaluation Panel therefore recommends that this tender be accepted by Council.

### **9.7.5 Proposed Sale of 33 Filson Street, Nagambie**

#### **Author and Department**

Director Sustainable Development/Sustainable Development Directorate

#### **File Reference**

P40001360.0701

#### **Disclosure of Conflicts of Interest in relation to advice provided in this report**

The author of this report and officers/contractors providing advice in relation to this report do not have a direct or indirect interest, as provided in accordance with the *Local Government Act 1989*.

#### **Summary**

Council has been approached by the owner of 318 High St, Nagambie to ascertain if we would be interested in selling property at Filson St that is directly behind his takeaway food shop in High St.

Investigations by Council staff have established that Council does not maintain this parcel and has no future plans for the land. It is deemed to be surplus to Council's needs.

The land does provide access to the rear of the National Bank which is used by staff for car parking. Any sale/transfer of the land would require the creation of an easement on title to provide legal access to the National Bank property (there is no access to the rear of the Bank from High St).

The land has been valued at \$65,000 which is its current market value as at August 2012. It is approximately 1153 square metres and of a rectangle shape.

#### **RECOMMENDATION**

**That Council resolve to:**

- 1. Sell 33 Filson St, Nagambie (Lot 3 PS347738H) by private treaty to the owner of 318 High St, Nagambie (Tony Maroudas), subject to consideration of submissions under Section 223 of the *Local Government Act 1989*.**
- 2. Invite submissions under Section 223 of the *Local Government Act 1989*.**
- 3. Proceed with sale if no submissions are received under Section 223 of the *Local Government Act 1989*.**



#### 9.7.5 Proposed Sale of 33 Filson Street, Nagambie (cont.)

##### **Background**

The land is currently utilised by the owner of 318 High St, and also the land provides formal access to the rear of the National Bank in High St. It abuts the Tavern Hotel's rear outdoor area but provides no access to this land, except illegal entry through a very poor fence structure. The former mechanics workshop and house on the corner of Prentice and Filson Sts does not require access from the subject site, i.e. there are ample access points already and the site is now only used for residential purposes and the owner has indicated to the proponent that he would like a fence erected to delineate the parcels.

The land abutting to the west has been recently fenced (colour bond) the whole length of the boundary with no common/shared access. The proponent has constructed and maintained the internal road on the land at this own expense.

The proponent believes the sale of the land to him will prevent the following issues he has with the vacant block:

- Illegal vagrant camping (mostly in vans or cars) which can be for a number of days.
- Vandals and alcohol effected people illegally accessing and leaving the pub grounds.
- Illegal parking of motor vehicles.

He proposes (if he acquires the land from Council) the mutual benefits will be:

- He will provide fencing along the eastern boundary at his own cost which will stop illegal entry to the pub grounds and provide proper delineation for the Prentice/Filson St block.
- He will provide a carriageway easement to ensure that the bank staff have proper access to their property.
- The land will be maintained at a good standard by him and increase the amenity of the area.

In summation the land is surplus to Council's requirements and has no strategic function or benefit into the future. It is appropriate to realise community assets that are not utilised by Council and which have no direct benefit for the ratepayers.

##### **Alternative Options**

The alternatives are:

1. Not to proceed with the sale and keep the land.
2. Sell the land by "Auction" not private treaty.

If Council was to keep the land then we would be under obligation to maintain the land for access and compliance needs, i.e. the land would start to be a liability not an asset. An auction sale would cost Council more and is considered unlikely to yield a greater price, as the restrictions of the required easements and shape and size of the block limits its development potential. The greatest advantage is to the owner of 318 High St as the land abuts the rear of his shop and can be utilised for his business (and to mitigate the nuisances listed above).

##### **Risk Management**

The author considers that there are no significant Risk Management factors relating to the report and recommendation.

#### 9.7.5 Proposed Sale of 33 Filson Street, Nagambie (cont.)

##### **Strategic Links – policy implications and relevance to Council Plan**

The author of this report considers that the report is consistent with Council Policies, key strategic documents and the Council Plan.

##### **Best Value / National Competition Policy (NCP / Trade Practices Act (TPA) implications**

The author of this report considers that the report is consistent with Best Value, National Competition Policy and Trade Practices Act requirements.

##### **Financial / Budgetary Implications**

The proposed sale has not been specifically included in the 2012/13 budget program. The sale will extract the full property valuation cash return which will be used to offset extraordinary items occurred this financial year, e.g. superannuation liability. In addition the land post sale will be rated which increases Council's ongoing income.

##### **Economic Implications**

The author of this report considers that the recommendation has no significant economic implications for Council or the broader community.

##### **Environmental / Amenity**

The author of this report considers that the recommendation has no significant environmental or amenity implications for Council or the broader community.

##### **Community Implications**

The author of this report considers that the recommendation has no significant community or social implications for Council or the broader community.

##### **Victorian Charter of Human Rights and Responsibilities Act 2006**

The author of this report considers that the recommendation does not limit any human rights under the Victorian Charter of *Human Rights and Responsibilities Act 2006*.

##### **Legal / Statutory Implications**

The sale of land will follow the due process set out in the *Local Government Act 1989*.

##### **Consultation**

Consultation will be via the Section 223 process calling for public submissions on the sale.

##### **Attachments**

Site plan.



**9.7.6 Documents for Signing and Sealing**

Documents are submitted for Council signing and sealing.

The details are as follows and are also included in Council's Seal Register:-

<b>FILE NO.</b>	<b>DOCUMENT DESCRIPTION</b>	<b>NO. OF COPIES</b>
90180095.6200	Contract of Sale between Strathbogie Shire Council and G.C. Bennett and V.A. Brooks - 9 Lily Street, Violet Town	2

**RECOMMENDATION**

**That the Documents be signed and affixed with the Common Seal of Strathbogie Shire Council.**

### **9.7.7 Business Management System**

The December 2012 Business Management System Report includes reports as follows:-

- Building Department – November/December 2012 Statistics
- Planning Department – December 2012 Statistics
- Asset Services – Customer Service System Statistics – November/December 2012
- Actioning of Council Resolutions – Status Report
- Outstanding Actions of Council Resolutions to 30th November 2012
- Review of Council Policies – November/December 2012
- Record of Assemblies of Councillors
- Record of Meetings of Section 86 Committees of Council received in the past month

By reporting on a monthly basis, Council can effectively manage any risks that may arise. The Business Management System will also incorporate Council's corporate goals and objectives.

#### **RECOMMENDATION**

**That the report be noted.**

## BUILDING APPROVALS

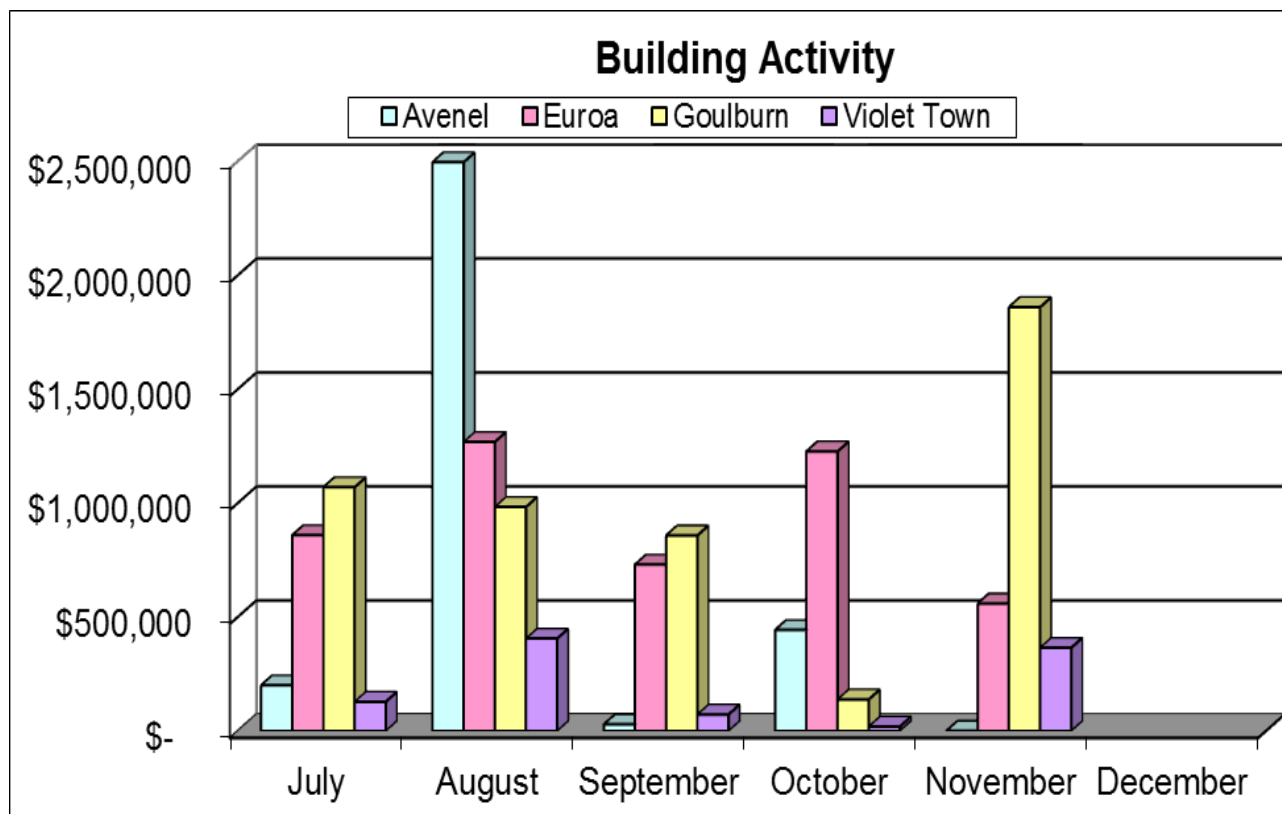
### September to November 2012

The value of Building approvals within the Shire of Strathbogrie for the period September to November totaled **\$6,297,422**.

Expenditure involved largely works in the domestic sector with the majority of permits issued for dwellings and domestic sheds, 62 permits have been issued for this period.

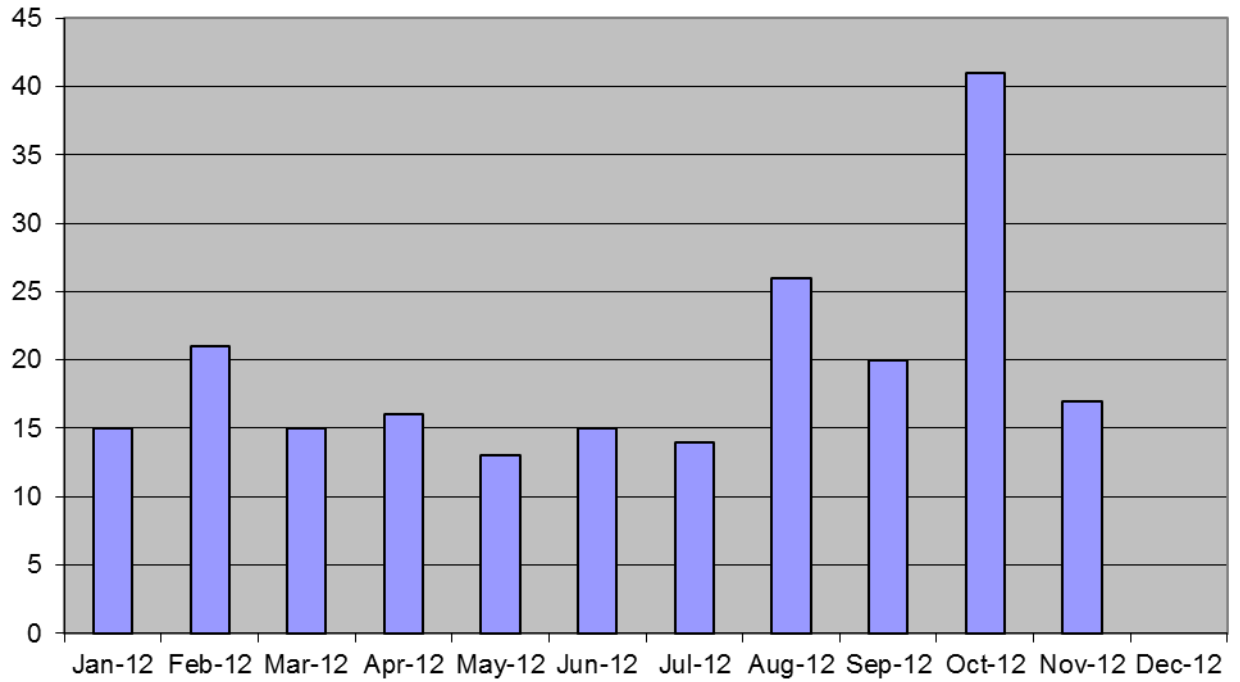
Charts illustrating the distribution of building permit expenditure for 2012-2013 over the four localities within the Shire are below.

	July	August	September	October	November	Totals
Avenel	\$200,000	\$2,495,988	\$28,023	\$442,946		\$3,166,957
Euroa	\$858,551	\$1,268,419	\$729,708	\$1,226,540	\$558,799	\$4,642,017
Goulburn	\$1,069,325	\$982,766	\$857,707	\$138,153	\$1,859,903	\$4,907,854
Violet Town	\$128,029	\$405,000	\$71,833	\$19,000	\$364,810	\$988,672
<b>Totals</b>	<b>\$2,255,905</b>	<b>\$5,152,173</b>	<b>\$1,687,271</b>	<b>\$1,826,639</b>	<b>\$2,783,512</b>	<b>\$13,705,500</b>

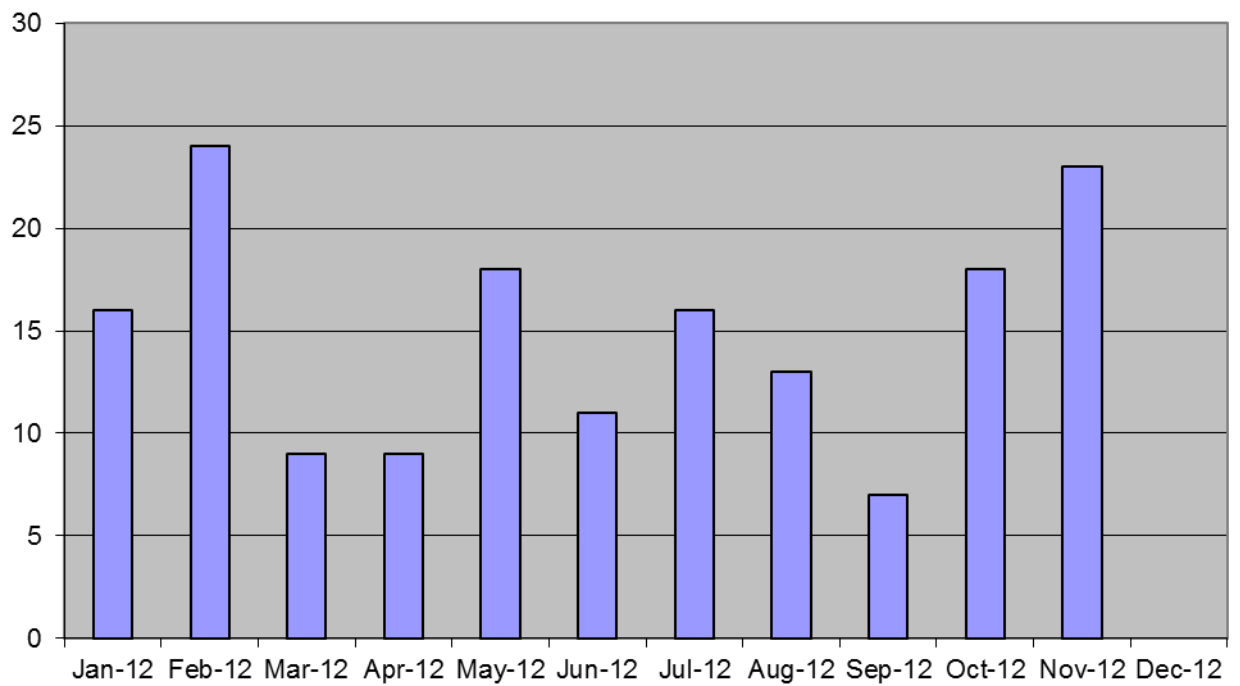


**PLANNING PERMIT APPLICATIONS**  
**RECEIVED / ISSUED – 2012**  
**MONTHLY COMPARISONS**

**Planning Applications Received 2012**

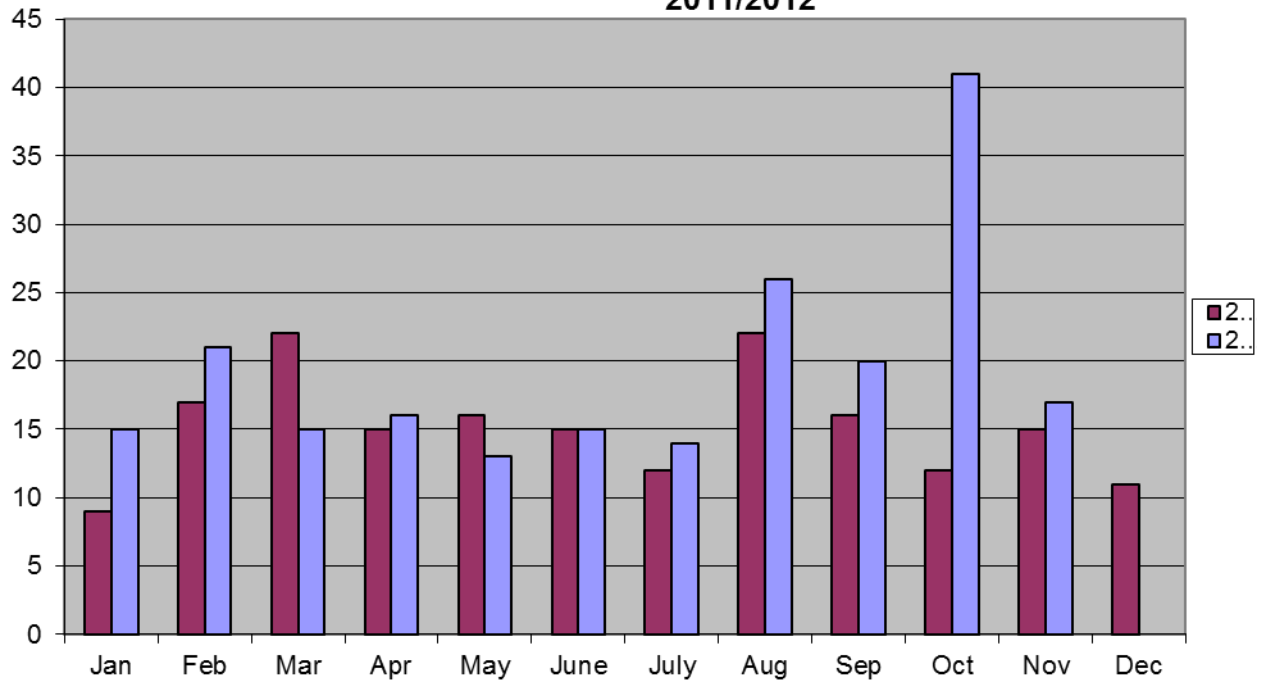


**Planning Permits Issued 2012**

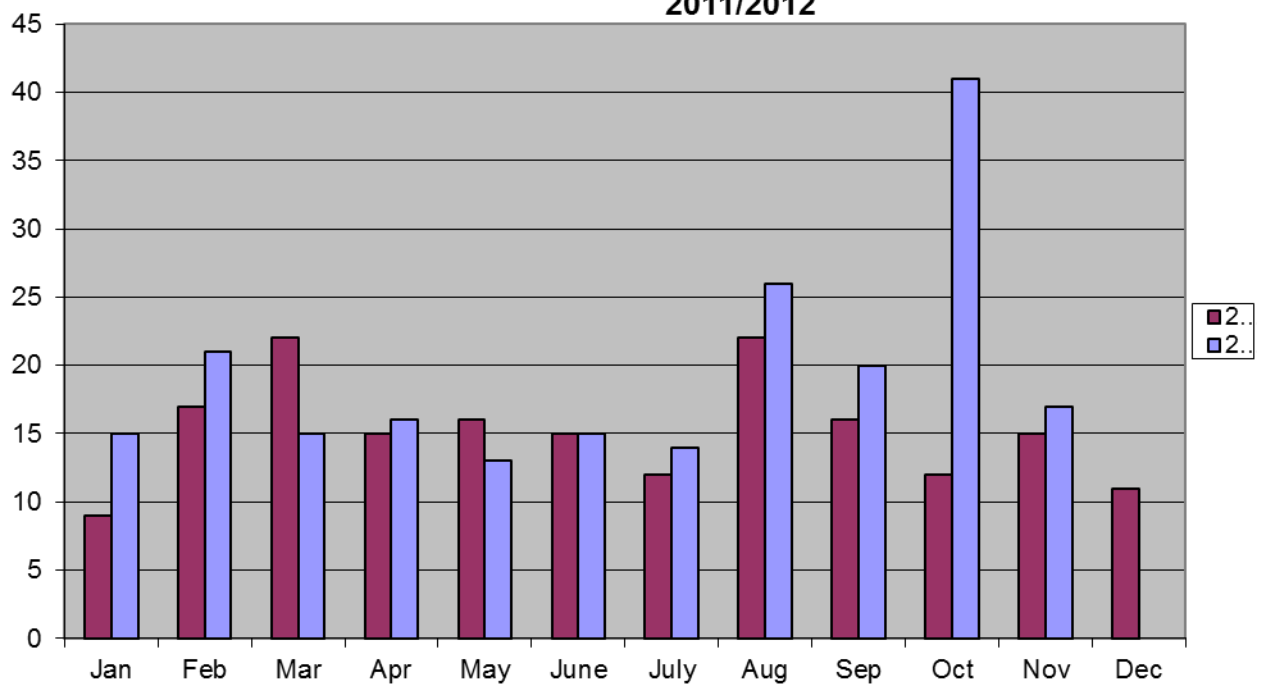


**PLANNING PERMIT APPLICATIONS  
RECEIVED / ISSUED  
2011/2012 MONTHLY COMPARISONS**

**Comparison Year/Month - Planning Applications Received  
2011/2012**



**Comparison Year/Month - Planning Applications Received  
2011/2012**



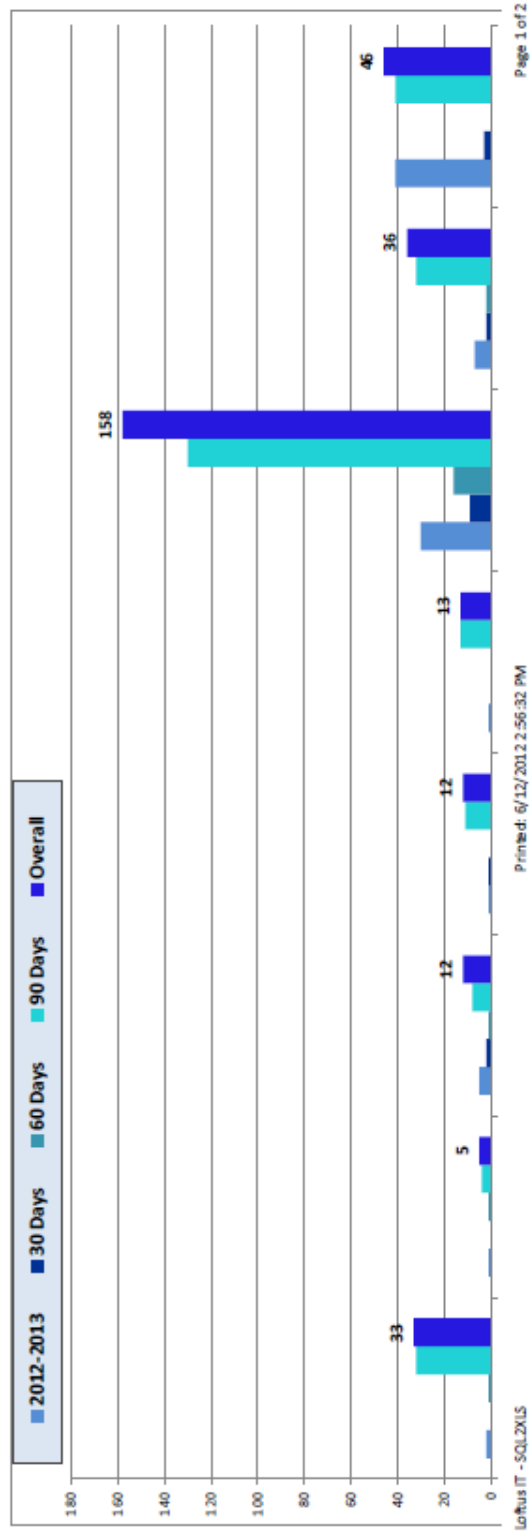




Strathbogie Shire Council

### Customer Service requests (CSS) - November 2012

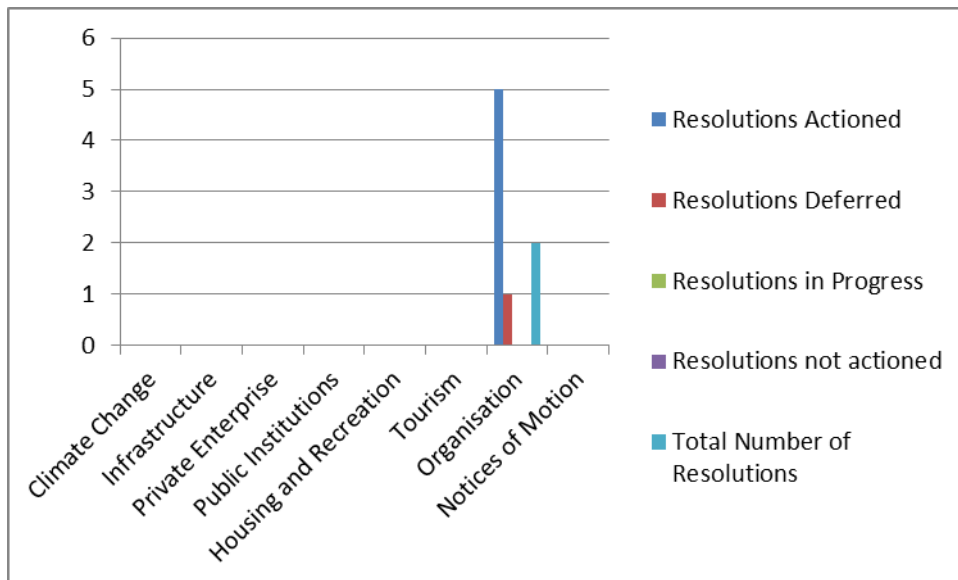
Mode	Unresolved					Overall
	November 2012	2012-2013	30 Days	60 Days	90 Days	
ASSET PLANNING	0	2	1	0	1	33
BUILDINGS	0	1	0	0	1	4
COMMUNITY SERVICES	0	5	2	1	8	12
COUNCIL BUILDINGS	0	1	1	0	1	12
PARKS	0	1	0	0	0	13
ROADS	0	30	9	16	130	158
TREES	0	7	2	2	32	36
WASTE MANAGEMENT	0	41	3	0	41	46
<b>Totals</b>	<b>0</b>	<b>88</b>	<b>17</b>	<b>21</b>	<b>271</b>	<b>315</b>



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**ACTIONING OF COUNCIL RESOLUTIONS**  
**COUNCIL MEETING – NOVEMBER 2012**



**OUTSTANDING ACTIONS OF COUNCIL RESOLUTIONS TO  
30TH NOVEMBER 2012**

*This Report is to advise the Senior Management Team, Councillors and the community of the status of previous Council resolutions which are in progress but are yet to be finalised.*

<b>Council Meeting Date</b>	<b>Item No. Description &amp; Recommendation</b>	<b>Action to Date</b>
<i>There are no report resolutions with outstanding actions yet to be finalised</i>		

**REVIEW OF EXISTING COUNCIL POLICIES  
AND ADOPTION OF NEW POLICIES**

<b>Period of Review</b>	<b>Policy Name</b>	<b>Policy Number</b>	<b>Outcome</b>
<i>There were no new Policies prepared or Policy reviews in the November/December period</i>			

## **RECORDS OF ASSEMBLIES OF COUNCILLORS**

### **For period 10th November to 7th December 2012**

Record in accordance with sections 77 and 80A(1) of the *Local Government Act 1989*

*Note: Details of matters discussed at the meeting that have been designated confidential under section 77 of the Local Government Act 1989 are described in a separate "confidential addendum" that will be reported to the next closed Council meeting]*

**Name of Meeting:** Councillors Forum  
**Date of Meeting:** 13th November 2012  
**Time:** 11.30 a.m. – 5.30 p.m.

#### **Attendees:**

##### Councillors

Debra Swan  
Colleen Furlanetto  
Malcolm Little  
Alister Purbrick (attended at 1.00 p.m.)  
Pat Storer  
Graeme Williams

##### Officer/s

Chief Executive Officer  
Director, Corporate and Community  
Director, Asset Services  
Director, Sustainable Development  
Manager, Organisational Development

##### Apologies

Councillor Robin Weatherald

##### Matters discussed:

###### Declarations of Interests

1. iPad Training
2. Special Council Meeting Agenda Review
3. Briefing on Financial Report
4. Planning Agenda Review
5. Assembly of Councillors
  - 5.1 Mayor & Chief Executive Officer Meetings Update
  - 5.2 Councillors Meetings Attendances / Matters raised
  - 5.3 Councillors Issues raised for follow up by EMT (eg. 'Random' Site Inspections not in Budget / Capital Works Program or Council Plan).
  - 5.4 Municipal Association of Victoria – Annual Conference
  - 5.5 Invitation to view Ceramic Fuel Cell at Warramunda Village, Kyabram
  - 5.6 Official opening of Violet Town Transfer Station, arrangements and participants to be determined by Council
  - 5.7 Goulburn Broken Greenhouse Alliance – Memorandum of Understanding
  - 5.8 Friends of the Sevens Committee
  - 5.9 Community Voice Articles
6. Planning Committee
7. Special Council Meeting – Receiving / Hearing of Submissions ~ Sale of 9 Lily Street, Violet Town

Declaration of Interest/s / Direct or Indirect

Matter No.	Names of Councillor/s who disclosed interest	Did the Councillor/s leave the meeting?
Item 6 – 6.2	Councillor Furlanetto	Yes
Item 7 – 5.2.1	Councillor Storer	No

## Record of Assembly of Councillors

Record in accordance with sections 77 and 80A(1) of the *Local Government Act 1989*

*Note: Details of matters discussed at the meeting that have been designated confidential under section 77 of the Local Government Act 1989 are described in a separate "confidential addendum" that will be reported to the next closed Council meeting]*

**Name of Meeting:** Councillors Forum

**Date of Meeting:** 20th November 2012

**Time:** 2.30 p.m. – 6.30 p.m.

### **Attendees:**

#### Councillors

Debra Swan

Colleen Furlanetto

Malcolm Little

Alister Purbrick (attended at 5.00 p.m.)

Pat Storer

Graeme Williams

#### Officer/s

Chief Executive Officer

Director, Corporate and Community

Director, Asset Services

Director, Sustainable Development

Manager, Organisational Development

#### Apologies

Councillor Robin Weatherald

#### Matters discussed:

Declarations of Interests

iPad Training

1. Agenda Review
2. Assembly of Councillors
  - 2.1 Mayor & Chief Executive Officer Meetings Update
  - 2.2 Councillors Meetings Attendances / Matters raised
  - 2.3 Councillors Issues raised for follow up by EMT (eg. 'Random' Site Inspections not in Budget / Capital Works Program or Council Plan).
  - 2.4 Comments from Councillor Weatherald – re: Euroa Caravan Park
  - 2.5 Minister for Women's Affairs – inviting nominations for 2013 Honour Roll for Women
  - 2.6 Tabletop Presentation Time-Keeper
  - 2.7 Athletics Euroa – invitation to 2013 Strathbogie Gift
  - 2.8 Invitation from the Hon. Dr Sharman Stone to attend special meeting on crime prevention – Wednesday 5th December 2012 at Shepparton
  - 2.9 Mayoral Allowance Determination
  - 2.10 HREP – Works along Honeysuckle Creek and Track
  - 2.11 Bio-Diesel coming to Euroa – launch of market testing program
  - 2.12 VLGA Board Elections Information
  - 2.13 White Ribbon March 23rd November 2012
  - 2.14 Fowles Wines
  - 2.15 Council Policies

3. Special Council Meeting – Receiving of Submissions to Anderson Street, Avenel, Reconstruction
4. Council Meeting

Declaration of Interest/s / Direct or Indirect

Matter No.	Names of Councillor/s who disclosed interest	Did the Councillor/s leave the meeting?
Item 2.11	Councillor Weatherald	No
Item 3 – 5.2.1	Councillor Little	No
Item 4 – 9.7.2	Councillor Furlanetto	No



## Record of Assembly of Councillors

Record in accordance with sections 77 and 80A(1) of the *Local Government Act 1989*

*Note: Details of matters discussed at the meeting that have been designated confidential under section 77 of the Local Government Act 1989 are described in a separate "confidential addendum" that will be reported to the next closed Council meeting]*

**Name of Meeting:** Councillors Forum

**Date of Meeting:** 27th November 2012

**Time:** 9.15 a.m. – 4.30 p.m.

### **Attendees:**

#### Councillors

Debra Swan

Colleen Furlanetto

Malcolm Little

Alister Purbrick (attended at 11.00 a.m.)

Pat Storer

Robin Weatherald (attended at 11.00 a.m.)

Graeme Williams

#### Officer/s

Chief Executive Officer

Director, Corporate and Community

Director, Asset Services

Director, Sustainable Development

Manager, Organisational Development

### Matters discussed:

Declarations of Interests

1. Review of Australia Day Award nominations
2. Briefing on Library Services provided by Goulburn Valley Regional Library Corporation – Charles Gentner, Chief Executive Officer
3. Briefing by Mark Hayes (Maddocks) – Local Government Act / Other Acts / Legislation
4. Planning Agenda Review
5. Assembly of Councillors
  - 5.1 Mayor & Chief Executive Officer Meetings Update
  - 5.2 Councillors Meetings Attendances / Matters raised
  - 5.3 Councillors Issues raised for follow up by EMT (eg. 'Random' Site Inspections not in Budget / Capital Works Program or Council Plan)
  - 5.4 Violet Town RSL – Anzac Avenue ~ Centenary in Violet Town
  - 5.5 Offer of Land and Finance for Aged Care Facility in Nagambie
  - 5.6 Notice and Display Board Information – Euroa
  - 5.7 Shire Matters – as raised by Councillor Purbrick / response from Mayor
  - 5.8 Municipal Association of Victoria Committee – Expressions of Interest
6. Planning Committee

**Record of Meetings of Section 86 Committees of Council**

**Minutes of Meetings received in the November / December 2012 Period**

<b>Name of Committee</b>	<b>Date of Meeting</b>
Violet Town Recreation Reserve	25/07/12
Longwood Community Centre	25/09/12
Tablelands Community Centre	08/10/12
Strathbogie Tableland Action Group	15/10/12
Creightons Creek Recreation Reserve	22/10/12

**10. NOTICES OF MOTION**

**11. CLOSURE OF MEETING TO THE PUBLIC**

.....

**CRS** .....

**That Council, in conformance with Section 89(2) of the Local Government Act 1989, resolve to close the meeting to members of the public for the purpose of considering items relating to:-**

- **Ground(s) under section 89(2):**
  - 89(2)(d): Contractual Matters**
  - 89(2)(h): Any other matter which the Council or Special Committee considers would prejudice the Council or any person**

..... P.M.

**CRS.** .....

**That Council open the meeting to members of the public and resume normal business.**

**12. URGENT BUSINESS**

***THERE BEING NO FURTHER BUSINESS, THE MEETING CLOSED AT..... P.M.***