

STRATHBOGIE SHIRE COUNCIL

MINUTES OF THE ORDINARY MEETING OF THE STRATHBOGIE SHIRE COUNCIL HELD ON TUESDAY 18TH SEPTEMBER 2012, COMMENCING AT 6.00 P.M. AT THE EUROA COMMUNITY CONFERENCE CENTRE

| Councillors: | Graeme (Mick) Williams (Chair) Colleen Furlanetto Malcolm Little Neil Murray Howard Myers Debra Swan Peter Woodhouse |
|--------------|-----------------------------------------------------------------------------------------------------------------------------------------------|
| Officers: | Steve Crawcour - Chief Executive Officer Roy Hetherington - Director, Asset Services David Woodhams – Director, Corporate and Community |

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

Phil Howard – Director, Sustainable Development

- 4. Confirmation of Minutes of the Ordinary Meeting of Council held on Tuesday 21st August 2012
- 99/12 **CRS. MURRAY/SWAN** : That the Minutes of the Ordinary Meeting of Council held on Tuesday 21st August 2012 be adopted.

CARRIED

- 5. Disclosure of Interests
 - Councillor Furlanetto declared an Indirect Interest in Item 9.7.2 due to her being a member of the Tablelands Community Centre Committee, not the Ruffy Action Group, as per the listing in the Recommendation.
 - Councillor Little declared an Indirect Interest in Item 9.7.7 due to his being the Ward Councillor for the Avenel area and having participated in project discussions
- 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.
- 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) of the Local Government Act 1989
- 12. Urgent Business

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9. <u>REPORTS</u>

9.7 ORGANISATION

9.7.1 Health and Safety Policy Review

Author & Department

Corporate Risk Officer (OHS Coordinator) / Organisational Development Directorate

File Reference

P40/0150/01 Occupational Health & Safety

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

Nil

Summary

The Health and Safety Policy has been reviewed by the Occupational Health and Safety Committee at the meeting of 9 August 2012.

Minor changes are suggested to reflect Council's health and safety obligations to not only workers and contractors, but also volunteers.

RECOMMENDATION

That the revised Health and Safety Policy be adopted.

100/12 CRS. FURLANETTO/MYERS : That the Recommendation be adopted.

CARRIED

Background

The Health and Safety Policy provides overarching principles required for the organisation to achieve legislative obligations. It shows the organisation's commitment to the management of health and safety in the workplace using risk management principles and fostering the development and involvement of employees, contractors and volunteers.

Alternative Options

Nil

Risk Management

Risk management is the key component in the development of health and safety systems. By following effective hazard identification, risk analysis and control implementation, the organization will continually improve occupational health and safety compliance to ensure all parties involved can enjoy a safe work environment.

9.7.1 Health & Safety Policy Review (cont.)

Strategic links - policy implications and relevance to Council Plan

Ensuring we meet our Occupational Health and Safety (OHS) obligations during service and program delivery is critical in meeting community and other agency expectations.

Best Value/National Competition Policy (NCP)/Trade Practices Act (TPA) Implications

Not applicable

Financial/Budgetary Implications

Maintaining OHS compliance is built into development of Council's budget where appropriate.

Economic Implications

Not applicable

Environmental/Amenity Implications

Not applicable

Community implications

The community is a stakeholder in OHS and is involved in consultation processes when necessary.

Victorian Charter of Human Rights and Responsibilities Act 2006

Not applicable

Legal/Statutory Implications

Council has a legal obligation to comply with the Occupational Health and Safety Act 2004 and Occupational Health and Safety Regulations 2007.

Consultation

Consultation plays a vital role in OHS. Council has an effective OHS Committee that provides a conduit for consultation.

Attachments

Health and Safety Policy

POLICY MANUAL

| Subject: |
|----------|
|----------|

| Policy No: | C. & E. 12 |
|-----------------------|------------|
| Responsible Officer/s | s: DCCS |
| Effective Date: | 19/11/02 |
| Revised/Adopted: | 18/10/07 |
| Revised/Adopted: | 17/03/09 |
| Revised/Adopted: | |

HEALTH AND SAFETY POLICY

1. POLICY STATEMENT

Strathbogie Shire Council is committed to the management of health and safety in the workplace using risk management principles and by fostering the development and involvement of Council employees, contractors and volunteers.

2. POLICY APPLICATIONS

Council will demonstrate its commitment by -

- Identification of hazards and implementing controls to mitigate risk
- Establishing measurable objectives and targets to ensure continual improvement aimed at elimination of work-related injury and illness;
- Regularly reviewing work procedures to achieve high standards of safety;
- Auditing its systems to ensure they remain appropriate and effective;
- Complying with all relevant legislation, regulations, standards and compliance codes;
- Consulting with all staff members, the community and other interested parties;
- Providing training, education and resources to staff to implement the Health and Safety system;
- Identifying and quickly resolving health and safety issues;
- Regularly monitoring the health and wellbeing of staff;
- Providing work-based rehabilitation;
- Working with contractors and volunteers to ensure compliance with requirements.

Our commitment to staff includes -

- Skill development of all employees to achieve the Shire's objectives;
- Reviewing and evaluating training needs;
- Assisting employees reach their full potential;

Our commitment to our community includes -

- Identification and control of hazards, which may pose risk to the community, environment or property.
- Providing volunteers with sufficient information, supervision and training to ensure safety is maintained.

This policy will be reviewed annually at the Occupational Health and Safety Management Review to ensure it remains relevant and appropriate to the organisation.

9.7.2 Appointment of Section 86 Committees of Management Members

Author & Department

Community Development Officer / Corporate and Community Directorate

File Reference

C70/0030/16, C70/0030/15, C70/0030/11, C70/0030/12, L10/E180/06, L10/S180/01.

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

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

The Committees of Management members are community volunteers duly elected.

RECOMMENDATION

1. Avenel Action Group

That Council appoints the following persons to the Committee of Management for the term of one year, expiring on 30 June, 2013: Position Name Chairperson Neil Larsen Secretary Jeff Moran **General Member** Lynj James General Member **Bob Buntine General Member Peter Brazil-Smith Jane Starev General Member**

2. Longwood Action Group

General Member

General Member General Member

That Council appoints the following persons to the Committee of Management for the term of one year, expiring on 30 June, 2013: Position Name Chairperson Shona Guest Vice-Chair **Richard Naughton** Secretary/Treasurer Pettina Haub **General Member** Maurie Brodie **General Member Raymond Sanders General Member** Shawn Hearmon **General Member** Margaret Brodie **General Member** Margaret Berry

> Janet Gillson Michael Cannon

Max Cox

9.7.2 Appointment of Section 86 Committees of Management Members (cont.)

3. Ruffy Action Group

| | the following persons to the Committee of one year, expiring on 30 June, 2013 | of |
|-------------------------|-------------------------------------------------------------------------------|----|
| Position | Name | |
| | | |
| Chairperson | Justus Hagen | |
| Vice-Chair | Erwin Weinmann | |
| Secretary | Cathy Artridge | |
| Treasurer | Janet Hagen | |
| General Member | Sharron Batt | |
| General Member | Don Cook | |
| General Member | Bill Eddy | |
| General Member | John Furlanetto | |
| General Member | Colleen Furlanetto | |
| General Member | Ryan Furlanetto | |
| General Member | Glen George | |
| General Member | Gerry Ginnivan | |
| General Member | Fred Haig | |
| General Member | Kerry Hewlett | |
| General Member | Doug MacLean | |
| General Member | George Nove | |
| General Member | Henry Noye | |
| General Member | David Sleigh | |
| General Member | Pam Sprunt | |
| General Member | Ed Sprunt | |
| General Member | Verena Weinmann | |
| | | |
| 4. Strathbogie Tablela | and Action Group | |
| That Council appoints | the following persons to the Committee | of |
| Management for the term | of one year, expiring on 30 June, 2013: | |
| Position | Name | |
| Treasurer | Peter Boyd | |
| General Member | Carol Crowe | |
| | | |
| 5. Euroa Friendlies Re | eserve | |
| That Council appoints | the following persons to the Committee | of |
| Management for the term | of three years, expiring on 30 June, 2015: | |
| Position | Name | |
| Chairperson | Peter Sherwood | |
| Deputy Chairperson | Vin Edwards | |
| Secretary | Bruce Thomson | |
| Treasurer | Lyn Squires | |
| General Member | Gavin Williams | |
| General Member | Davenall Mackrell | |
| General Member | Steven Hicks | |
| General Member | Paul Vidler | |
| General weinder | | |

Г

9.7.2 Appointment of Section 86 Committees of Management Members (cont.)

| 5. Euroa Friendlies Res | serve (cont.) |
|----------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| General Member General Member General Member General Member General Member | Gerard Saxon Col Grace Murray Ick Trevor Grant Phil Squires |
| 6. Strathbogie Recrea | tion Reserve |
| | the following persons to the Committee of of three years, expiring on 30 June, 2015: <u>Name</u> Sim Ayres David Hamilton David Jamieson David Joyce Kim Usher Wally Dunn |
| | ts the retiring members for all the committees for our community during their term of office. |
| subject to the deletion | D/SWAN : That the Recommendation be adopted, on of Colleen Furlanetto in the listing of Committee of ers for the Ruffy Action Group. |
| | CARRIED |

Background

The Euroa Friendlies Reserve and Strathbogie Recreation Reserve Committees of Management has been formed to protect, promote and develop their facility for the use and enjoyment of the local community.

Avenel Action Group, Longwood Action Group, Ruffy Action Group and Strathbogie Tableland Action Group have been formed to implement their Action Plans.

At the recent Annual General Meeting of the Strathbogie Tableland Action Group, new members were appointed to the existing committee.

The formal appointment 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.

9.7.2 Appointment of Section 86 Committees of Management Members (cont.)

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 / Trade Practices Act (TPA) implications

The report is consistent with Best Value, National Competition Policy and Trade Practices 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.

Legal / Statutory Implications

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

Consultation

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

Attachments

Nil.

9.7.3 <u>Contract No. 12/13-04</u> <u>- Roads Surface Resealing Programme</u>

Author & Department

Manager, Projects & Works / Asset Services

File Reference

Contract No 12/13-04

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

Strathbogie Shire Council invited tenders for its 2012/13 Road Surface Resealing Programme. Four companies submitted tenders for the project when the tenders closed on Monday 27 August 2012.

Tenders have been assessed and evaluated by Council Officers. Giving consideration to the evaluation criteria listed in this table, Officers are recommending that Council accept the tender submitted by Primal Surfacing Pty Ltd.

RECOMMENDATION

- 1. That the tender received from Primal Surfacing Pty Ltd of 3 Oban Court, Laverton North Vic 3026 for Contract 12/13-04 – Roads Surface Resealing Programme, for the amount of \$1,273,630.00, excluding GST, be accepted by Council.
- 2. That the unsuccessful tenderers be advised.
- 3. That the associated Confidential Attachments provided to Councillors for their consideration be noted.

102/12 CRS. MYERS/LITTLE : That the Recommendation be adopted.

CARRIED

Background

Tenders were invited from suitably qualified and experienced organizations to undertake Contract 12/13-04 – Roads Surface Resealing Programme.

Council advertised the tender in the following newspapers:

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

9.7.3 <u>Contract No. 12/13-04</u>

- Roads Surface Resealing Programme (cont.)

A total of eight (8) tender documents were issued to prospective contractors for the contract.

Tenders closed at 4.00pm on Monday 27th August 2012 and were opened at 4.30pm on Monday 27th August 2012.

Four companies submitted tenders.

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

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

The principle that underlies the awarding of all Council contracts is that contract is awarded on the basis of the best value for money. This has to do with tenders that offer the most benefit to the community and the greatest advantage to Council.

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

- Pricing (50%)
- Pricing Variations (10%)
- Previous Performance / Experience (20%)
- Quality Systems (10%)
- OH&S Systems (10%)

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

Tender 1 –

The tender submission conformed to the specifications. This company possess very good experience in this field of work and were evaluated highly on their Quality Systems and OH&S Systems. Their tender price is the second lowest of all the prices submitted.

Tender 2 –

The tender from Primal conforms to the specifications. This company also has very good experience in this field of work and were evaluated highly on their Quality Systems and OH&S Systems. Their tender price is the lowest price submitted and is within the available budget. This submission was evaluated as being the best value for money and is deemed to be the preferred tender.

Tender 3 –

This company's submission also showed a sound background and good experience in this field as well as good Quality and OH&S Systems. The company also scored high in reference check from other Councils. However, their tender price was more than the available budget.

9.7.3 <u>Contract No. 12/13-04</u>

- Roads Surface Resealing Programme (cont.)

Tender 4 –

This company showed good experience in this field. Their OH&S Systems were also evaluated highly. Their tender price was however, higher than the available budget.

CONCLUSION

Based on the criteria of the evaluation, the tender received from Primal Surfacing Pty Ltd of 3 Oban Court, Laverton North Vic 3026, for the amount of \$1,273,630.00 plus GST is regarded as providing the best value for money, the most benefit to the community and the greatest advantage to Council.

Therefore, it is recommended that this tender be accepted by Council.

Alternative options

No alternative options for the proposal have been identified.

Risk Management

Various risks associated with this project will be assessed and incorporated in the specifications of the contract. This will ensure that the successful tenderer provides OH&S Safety Systems that adequately address the risks involved with this contract.

Strategic links - policy implications and relevance to Council Plan Not applicable.

Best Value/National Competition Policy (NCP)/Trade Practices Act (TPA) Implications

Not applicable.

Financial/Budgetary implications

The allocated budget for this project is \$1,413,696. It is estimated that an amount of \$110,000.00 will be expended on preparing the listed roads for resealing, leaving an amount of \$1,303,696.00 remaining for the actual resealing works. The price submitted by the preferred tenderer is the only one that falls within this available budget.

Economic implications

Not applicable.

Environmental/Amenity implications

The project is not considered at this time to have any significant environmental or amenity detriment. Environmental and amenity implications will continue to be monitored closely if there are any emerging issues reported.

Community implications

Also refer to "Economic implications"

9.7.3 <u>Contract No. 12/13-04</u>

- Roads Surface Resealing Programme (cont.)

Victorian Charter of Human Rights and Responsibilities Act 2006

The report content is consistent with Council's responsibilities under the Victorian Charter of Human Rights and Responsibilities Act 2006.

Legal/Statutory implications

Not applicable.

Consultation

Considered not necessary at this stage

Attachments

Nil.

9.7.4 <u>Contract No. 12/13-05</u> <u>- Road Pavement Rehabilitation Programme</u>

Author & Department

Manager, Projects & Works / Asset Services

File Reference

Contract No 12/13-05

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

The author of this report and officers 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 its 2012/13 Road Pavement Rehabilitation Programme Contract. Seven companies submitted tenders for the project when the tenders closed on Monday 27 August 2012.

Tenders have been assessed and evaluated by Council Officers. Giving consideration to the evaluation criteria listed in this table, officers are recommending that Council accept the tender submitted by Global Contracting Pty Ltd.

RECOMMENDATION

- 1. That the tender received from Global Contracting Pty Ltd of 194-196 High Street Broadford 3658 for Contract 12/13-05 – Road Pavement Rehabilitation Programme, for the amount of \$615,558.00, excluding GST, be accepted by Council.
- 2. That the unsuccessful tenderers be advised.
- 3. That the associated Confidential Attachments provided to Councillors for their consideration be noted.

103/12 CRS. FURLANETTO'SWAN : That the Recommendation be adopted.

CARRIED

Background

Tenders were invited from suitably qualified and experienced individuals and/or organizations to undertake Contract 12/13-05, Road Pavement Rehabilitation Programme.

Council advertised the tender in the following newspapers

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

9.7.4 Contract No. 12/13-05

- Road Pavement Rehabilitation Programme (cont.)

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

Tenders closed at 4.00pm on Monday 27th August 2012 and were opened at 4.30pm on Monday 27th August 2012.

Seven companies submitted tenders.

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

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

The principles that underlie the awarding of all Council contracts are that, they must offer the

- 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 Specifications (10%)
- Management Systems (10%)
- Previous Performance / Experience (10%)
- Availability of Appropriate Skills (10%)

General descriptions of the tenders received are as follows

Tender 1 –

This tender complied fully with the specifications. The company possess very good experience and appropriate skills in this field of work. Their management systems were also evaluated as being good. The tender price is within the allocated budget.

Tender 2 –

This company's submission also complied fully with the specifications. They have very good experience and appropriate skills in this field of work, with Council utilising their services in the past. Their tender price was the highest of those submitted and is more than the budget available for the program.

Tender 3 –

This company has also been contracted by Council in the past. Again, they were evaluated highly on their compliance with the specifications, their management systems and their availability of appropriate skills. Their tender price is within the allocated budget.

9.7.4 <u>Contract No. 12/13-05</u>

- Road Pavement Rehabilitation Programme (cont.)

Tender 4 –

This submission complied fully with the specifications and rated highly in terms of their previous experience and appropriate skills in this field of work. Their tender price is within the available budget.

Tender 5 –

The submitted tender price is the second lowest of the tenders submitted and is within the available program budget. The submission fully complied with the specifications and their availability of appropriate skills was evaluated very highly.

Tender 6 –

This submission scored very highly in terms of compliance, previous experience, availability of appropriate skills and management systems. Although the tender price is within the available budget, two other tenderers ranked in lower.

Tender 7 –

This company has been contracted by Council for previous rehabilitation works. They possess very good experience and appropriate skills within this field of work, as well as displaying very good management systems and compliance with the specifications. Their tender price is within the available budget and is the lowest price submitted.

Conclusion

Based on the criteria of the evaluation, the tender received from Global Contracting Pty Ltd of 194-196 High Street Broadford 3658 for the amount of \$615,558.00 excluding GST is regarded as providing the best value for money, the most benefit to the community and the greatest advantage to Council.

Therefore, it is recommended that this tender be accepted by Council.

Alternative options

No alternative options for the proposal have been identified.

Risk Management

Various risks associated with this project will be assessed and incorporated in the specifications of the contract. This will ensure that the successful tenderer provides OH&S Safety Systems that adequately address the risks involved with this contract.

Strategic links - policy implications and relevance to Council Plan Not applicable.

Best Value/National Competition Policy (NCP)/Trade Practices Act (TPA) Implications

Not applicable.

Financial/Budgetary implications

The 2012/13 allocated budget for this item is \$994,224.00.

9.7.4 Contract No. 12/13-05

- Road Pavement Rehabilitation Programme (cont.)

Part of this budget will be used for sorting out drainage issues, vegetation trimming and installation of guardrails relating to the roads before the works commence. This component of the works is estimated at approximately \$70,000.

The other component of the total rehabilitation work is the placing of additional crushed rock pavement material. This will ensure that the rehabilitated roads retain their original profile. Rehabilitation in the hilly areas of the Shire generally requires additional crushed rock pavement to retain the original pavement profile. This component of the works is estimated at approximately \$100,000.

Taking these two components into consideration, it is estimated that the available amount remaining for the actual rehabilitation component of the project will be \$824,224.

Economic implications

Not applicable.

Environmental/Amenity implications

The project is not considered at this time to have any significant environmental or amenity detriment. Environmental and amenity implications will continue to be monitored closely if there are any emerging issues reported.

Community implications

Also refer to "Economic implications"

Victorian Charter of Human Rights and Responsibilities Act 2006

The report content is consistent with Council's responsibilities under the Victorian Charter of Human Rights and Responsibilities Act 2006.

Legal/Statutory implications

Not applicable.

Consultation

Considered not necessary at this stage

Attachments

Nil.

9.7.5 <u>Contract No's. 12/13-06, 12/13-07, 12/13-08</u>

- Operation and Management of Avenel, Violet Town and Nagambie Swimming Pool Complexes

Author & Department

Manager, Projects & Works / Asset Services

File Reference

Contract Numbers:

- 12/13-06 OPERATION AND MANAGEMENT OF AVENEL SWIMMING POOL COMPLEX
- 12/13-07 OPERATION AND MANAGEMENT OF VIOLET TOWN SWIMMING POOL COMPLEX
- 12/13-08 OPERATION AND MANAGEMENT OF NAGAMBIE SWIMMING POOL COMPLEX

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

The author of this report and officers 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 operation and management of the following three swimming pool complexes for the 2012/13 season:

- Avenel
- Violet Town and
- Nagambie

Tenders have been assessed and evaluated by Council Officers and the results have been tabulated as 'Appendix 2' in the Confidential Attachments provided to Councillors. Giving consideration to the evaluation criteria listed in this table, officers are recommending that Council accept the following tenders:

- 1. Wenzel's Complete Garden (12/13-06, Operation and Management of **Avenel** Swimming Pool Complex)
- 2. David and Robin Harrison (12/13-07, Operation and Management of **Violet Town** Swimming Pool Complex)
- 3. Wenzel's Complete Garden (12/13-08, Operation and Management of **Nagambie** Swimming Pool Complex)

9.7.5 <u>Contract No's. 12/13-06, 12/13-07, 12/13-08</u>

- Operation and Management of Avenel, Violet Town and Nagambie Swimming Pool Complexes (cont.)

RECOMMENDATION

- 1. That the Tender received from Wenzel's Complete Garden, of 16 Poa Place, Wallan Victoria, 3756 for the Operation and Management of the Avenel Swimming Pool Complex - 2012/2013 Season (Contract No. 12/13-06) for the amount of \$40.90 per hour, excluding GST, be accepted by Council.
- 2. That the Tender received from David and Robin Harrison, of 7 Daisy Street, Violet Town, Victoria, 3669 for the Operation and Management of the Violet Town Swimming Pool Complex - 2012/2013 Season (Contract No. 12/13-07) for the amount of \$39.54 per hour, excluding GST, be accepted by Council.
- 3. That the Tender received from Wenzel's Complete Garden, of 16 Poa Place, Wallan, Victoria, 3756 for the Operation and Management of the Avenel and Nagambie Swimming Pools Complex - 2012/2013 Season (Contract No. 12/13-08) for the amount of \$40.90 per hour, excluding GST, be accepted by Council.

104/12 CRS. MYERS/SWAN : That the Recommendation be adopted.

CARRIED

Background

Tenders were invited from suitably qualified and experienced individuals or organisations for the Operation and Management of the swimming pool complexes at Avenel, Violet Town and Nagambie.

Council advertised these tenders in the following newspapers:

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

Each contract is for one season (2012/13) with an option to extend for a further one term into the following 2013/14 season. The decision to extend will be based on current performance at the sole and absolute discretion of the Council and on terms and conditions agreed to between the parties at the time.

A total of eleven (11) tender documents were provided to prospective contractors.

Tenders closed at 4.00pm on Monday 20 August 2012 and were opened at 9.25 am on 21st of August 2012.

9.7.5 <u>Contract No's. 12/13-06, 12/13-07, 12/13-08</u> <u>- Operation and Management of Avenel, Violet Town and Nagambie Swimming</u> <u>Pool Complexes (cont.)</u>

The following companies / individuals submitted tenders:

- 1. 12/13-06, Operation and Management of Avenel Swimming Pool Complex
 - Wenzel's Complete Garden
- 2. 12/13-07, Operation and Management of Violet Town Swimming Pool Complex
 - David and Robin Harrison
- 3. 12/13-08, Operation and Management of Nagambie Swimming Pool Complex
 - Wenzel's Complete Garden

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

- 1. Mr. Peterson Asante, Manager Projects and Works
- 2. Mr. Corey Martin, Technical Officer; and
- 3. Mr. Hussain AL Rammahi, Contract Officer

The tenders received were assessed and evaluated against the following criteria and weightings:

- Pricing (60%)
- Previous Experience (20%)
- Qualifications (10%)
- References (10%)

David and Robin Harrison submitted tender for only Violet Town while Wenzel's Complete submitted tenders for both Avenel and Nagambie.

The following table is a summary of the weighted scores from the evaluation:

| | David & Robin Harrison (VIOLET TOWN) | Wenzel's Complete Garden (AVENEL & NAGAMBIE) |
|------------------------------|--------------------------------------------------|-------------------------------------------------------|
| Pricing (60%) | 60 | 60 |
| Previous Experience (20%) | 16 | 16 |
| Qualifications (10%) | 8 | 8 |
| References (10%) | 8 | 8 |
| Total Weighted Score | 92.00 | 92.00 |

9.7.5 Contract No's. 12/13-06, 12/13-07, 12/13-08

- Operation and Management of Avenel, Violet Town and Nagambie Swimming Pool Complexes (cont.)

General descriptions of the tenders received are as follows:

Violet Town Swimming Pool Complex – David and Robin Harrison

David and Robin Harrison have successfully operated / managed the Violet Town Swimming Pool Complex for over five years.

They possess all of the relevant qualifications required of the contract and their list of references is quite extensive.

Their principal hourly rate for the 2012/13 season is \$39.54 and, being the sole tenderer, this is obviously the lowest rate submitted for Contract 12/13-07.

Avenel and Nagambie Swimming Pool Complexes – Wenzel's Complete Garden

Wenzel's Complete Garden submitted a tender for both the Avenel (12/13-06) and Nagambie (12/13-08) pool complexes

Their submission highlights more than three years' experience, all of the relevant qualifications required of the contract and an extensive list of references.

Their principal hourly rate for the 2012/13 season is \$40.90 and, being the sole tenderer for the two contracts, this is obviously the lowest rate submitted for Contracts 12/13-06 and 12/13-08.

Conclusion

Based on the criteria of the evaluation, the tenders received from:

- 1. David and Robin Harrison of 7 Daisy Street, Violet Town, Victoria, 3669 for the hourly rate of \$39.54 (excluding GST) and
- 2. Wenzel's Complete Garden, of 16 Poa Place, Wallan Victoria, 3756 for the hourly rate of \$40.90 (excluding GST)

are regarded as providing the best value for money, the most benefit to the community and the greatest advantage to Council.

Therefore, it is recommended that these tenders be accepted by Council.

Alternative Options

As the submissions discussed in this report were the only submissions received and meet all the relevant criteria, the author and other officers evaluating the tenders could not identify any other feasible alternatives.

Risk Management

Various risks associated with the operation of these complexes are assessed and incorporated in the specifications of the contract. This will ensure that the successful tenderer provides OH&S Safety Systems that adequately address the risks involved.

9.7.5 Contract No's. 12/13-06, 12/13-07, 12/13-08

- Operation and Management of Avenel, Violet Town and Nagambie Swimming Pool Complexes (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

Contract 12/13-07

An amount of \$64,500 has been allocated in Council's 2012/2013 Budget for the total operation of the Violet Town Swimming Pool Complex.

The hourly rate submitted of \$39.54 by David and Robin Harrison is within the allocated budget.

Contract 12/13-06 and 12/13-08

An amount of \$118,500 has been allocated in Council's 2012/2013 Budget for the total operation of the Avenel and Nagambie Swimming Pool Complex.

The hourly rate submitted of \$40.90 by Wenzel's Complete Garden is within the allocated 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.

Consultation

The author of this report considers that the matter under consideration did not warrant a community consultation process.

9.7.6 <u>Approval of Financial Statements, Standard Statements and Performance</u> <u>Statement</u>

Author (Position Title) & Department

Manager, Finance / Corporate and Community Directorate

File Reference

F30/0060/01

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

Officers 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 Local Government Act 1989 requires that Council pass a resolution giving its approval to the Annual Financial Statements, Standard Statements and Performance Statement prior to formal submission to the Auditor-General Victoria and the Minister. The Act further requires that Council must authorise two Councillors to approve the statements.

Draft copies of the Financial, Standard and Performance Statements have been circulated to Councillors with this report for their consideration and are tabled for information purposes.

RECOMMENDATION

That Council:

- 1. Approve *in principle* the Financial Statements, Standard Statements and Performance Statement for the 2011/2012 financial year;
- 2. Authorise Councillors Williams and Murray to sign the Financial Statements, Standard Statements and Performance Statement on behalf of, and with the full authority of, the Council; and
- 3. Authorise Stephen Cloney, Manager, Finance, to certify the 2011/2012 Financial and Standard Statements.

105/12 **CRS. MURRAY/LITTLE** : That the Recommendation, as amended (in italics in Recommendation 1, be adopted.

CARRIED

Background

The Auditor-General's service provider conducted an audit of Council's 2011/2012 financial statements during August / September 2012.

9.7.6 <u>Approval of Financial Statements, Standard Statements and Performance</u> <u>Statement (cont.)</u>

The Financial Statements, Standard Statements and Performance Statement were presented at the Audit Committee meeting held on 11th September 2012 with the Auditor General's service provider addressing the meeting. At the time that this report was prepared, Council was awaiting final Victorian Auditor General Certification. No change to the Financial Statements, Standard Statements or Performance Statement is anticipated.

The Audit Committee recommendation from that meeting was:

"That the Financial Report, Standard Statements and Performance Statement for the year ended 30th June 2012 be endorsed by the Audit Committee for presentation to Council for adoption."

The Financial Statements show that Council returned a surplus of \$5.7 million for the year ended 30 June 2012 compared to a budgeted surplus of \$2.3 million.

The value of assets under Council's control has increased from \$204 million at 30 June 2011 to \$210 million at 30 June 2012 and is a result of works for the year and Grants Commission funds for 2012/2013 received early.

Risk Management

Council has addressed any risks associated with the preparation of the reports by applying accepted accounting standards, where applicable.

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 / Trade Practices Act (TPA) implications

The statements have been prepared using the Local Government Model Report 2012 as issued by the Department of Planning and Community Development.

Financial / Budgetary Implications

The financial results are shown in the statements.

Economic Implications

The report has no significant economic implications for Council or the broader community.

Environmental / Amenity Implications

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

Community Implications

The report has no significant community or social implications for Council or the broader community.

Victorian Charter of Human Rights and Responsibilities Act 2006

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

9.7.6 <u>Approval of Financial Statements, Standard Statements and Performance</u> <u>Statement (cont.)</u>

Legal / Statutory Implications

The proposal is consistent with sections 131 and 132 of the Local Government Act 1989 which, amongst other things, requires the Council to "certify the statements in their final form".

Consultation

Council staff and Council's external auditor, the Victorian Auditor-General's Office and Council's Audit Committee have been consulted as part of the preparation of these reports.

Attachments

Nil.

Caretaker Statements

This report has been prepared, and will be considered by Council, before the caretaker provisions are implemented on 25th September 2012.

9.7.7 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:-

| FILE NO. | DOCUMENT DESCRIPTION | NO. OF COPIES |
|-------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|
| 90150105.0000 | Agreement between Strathbogie Shire Council and the Violet Town Pre-School Management Committee for Use and Management of the Violet Town Pre- School Facility | 1 |
| 32400275.0000 | Agreement between Strathbogie Shire Council and the Euroa Pre-School Management Committee for Use and Management of the Euroa Pre-School Facility | 1 |
| 40001890.1100 | Agreement between Strathbogie Shire Council and the Nagambie Pre-School Management Committee for Use and Management of the Nagambie Pre-School Facility | 1 |
| 50043001.0000 | Agreement between Strathbogie Shire Council and the Avenel Pre-School Management Committee for Use and Management of the Avenel Pre-School Facility | 1 |
| Contract 12/13-02 | Deed of Agreement between Strathbogie Shire Council and Southern Vale Constructions for Design and Construction of Netball Clubrooms, Avenel Recreation Reserve | 2 |

RECOMMENDATION

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

106/12 CRS. WOODHOUSE/MYERS : That the Recommendation be adopted.

CARRIED

9.7.8 Business Management System

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

- Building Department August 2012 Statistics
- Planning Department August 2012 Statistics
- Asset Services Customer Service System Statistics August 2012
- Actioning of Council Resolutions Status Report
- Outstanding Actions of Council Resolutions to 31st August 2012
- Review of Council Policies August / September 2012
- Record of Assemblies of Councillors
- Record of Meetings of Section 86 Committees of Council received / held 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.

107/12 CRS. LITTLE/MURRAY : That the Recommendation be adopted.

CARRIED

BUILDING APPROVALS

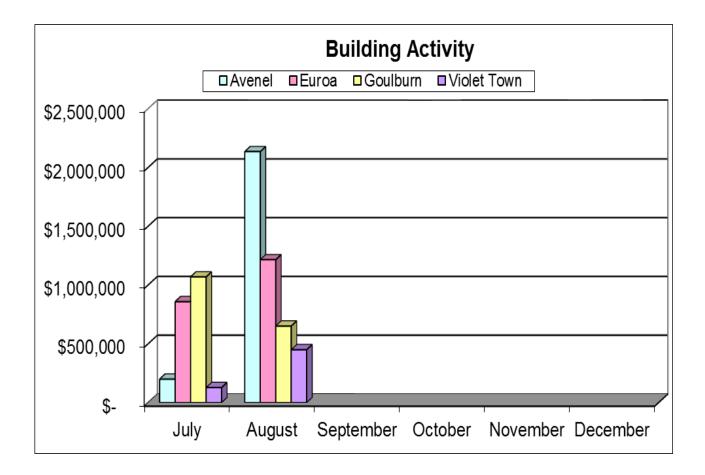
August 2012

The value of Building approvals within the Shire of Strathbogie for the month of August totalLed **\$4,451,140.00**.

Expenditure involved largely works in the domestic sector with the majority of permits issued for dwellings and domestic sheds. Permits where approved for the redevelopment of Avenel Primary School \$1.8M and Service Centre Restaurant, Euroa \$900K, 27 permits have been issued for the month.

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

| | July | August | Totals |
|-------------|-------------|-------------|-------------|
| Avenel | \$200,000 | \$2,134,488 | \$2,334,488 |
| Euroa | \$858,551 | \$1,215,419 | \$2,073,970 |
| Goulburn | \$1,069,325 | \$651,233 | \$1,720,558 |
| Violet Town | \$128,029 | \$450,000 | \$578,029 |
| Totals | \$2,255,905 | \$4,451,140 | \$6,707,045 |

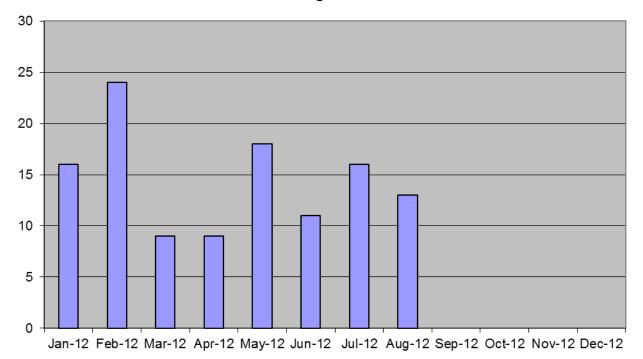


18/09/12

PLANNING PERMIT APPLICATIONS RECEIVED / ISSUED – 2012 MONTHLY COMPARISONS

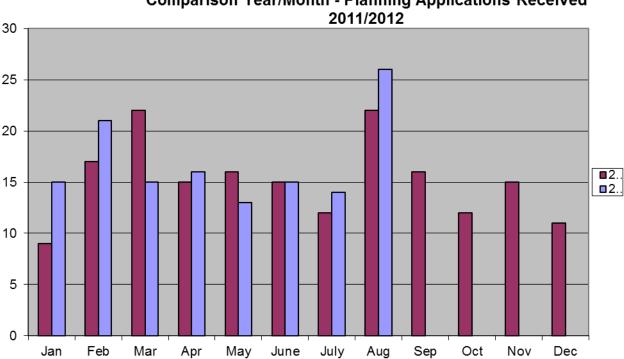
Planning Applications Received 2012

Jan-12 Feb-12 Mar-12 Apr-12 May-12 Jun-12 Jul-12 Aug-12 Sep-12 Oct-12 Nov-12 Dec-12



Planning Permits Issued 2012

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

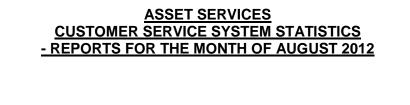


Comparison Year/Month - Planning Applications Received

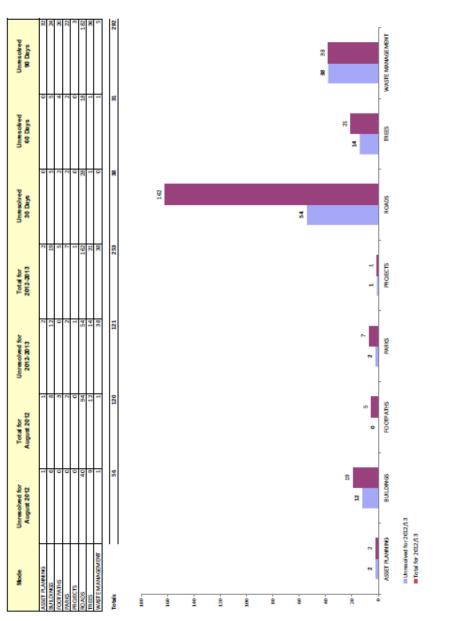
Comparison Year/Month - Planning Permits Issued 2011/2012 35 30 25 20 □2.. ∎2.. 15 10 5 0 Jan Feb Mar Apr May June Jul Aug Sep Oct Nov Dec

Customer Service Requests - August 2012

Strathlogie Skine Council

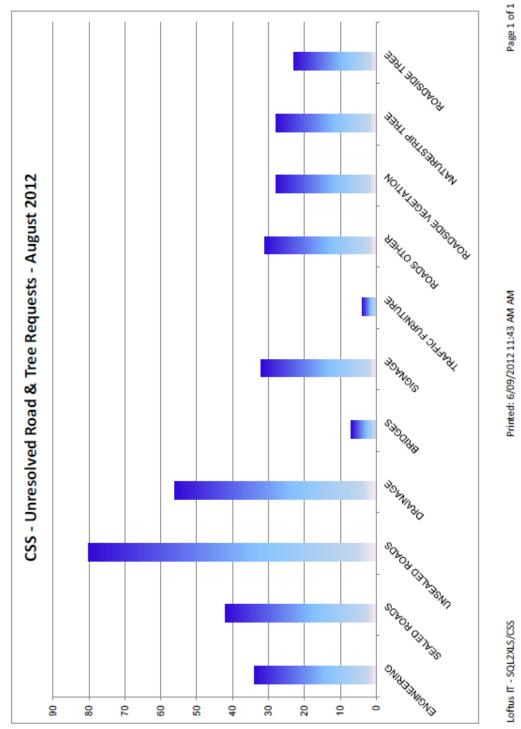


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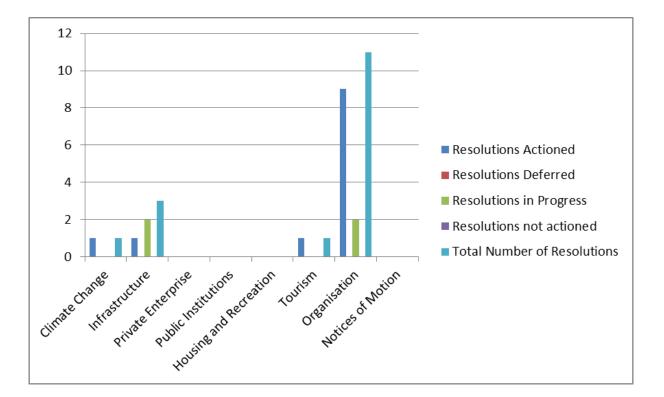
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Strathbogie Shire Council



ACTIONING OF COUNCIL RESOLUTIONS COUNCIL MEETING – 21ST AUGUST 2012

OUTSTANDING ACTIONS OF COUNCIL RESOLUTIONS TO 31ST AUGUST 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.

| Council Meeting Date | Item No. and Description | Action to Date |
|-------------------------|------------------------------------------------------------------------|------------------------------------------------|
| 21/08/12 | 9.2.2 – Birkett Street, Euroa ~ Cul-de-Sac Treatment | Recommendations 2 and 3 – actions in progress. |
| 21/08/12 | 9.2.3 – Parking ~ Avenel Primary School, Anderson Street, Avenel | Recommendations 2 and 3 – actions in progress. |
| 21/08/12 | 9.7.5 ~ Appointment of Section 86 Committees of Management | Recommendation in progress |
| 21/08/12 | 9.7.6 - Domestic Animals Act 1994 Section 84Y Agreements | Recommendation 1 in progress |

REVIEW OF EXISTING COUNCIL POLICIES AND ADOPTION OF NEW POLICIES

| Period of Review | Policy Name | Policy Number | Outcome |
|---------------------|------------------------------|------------------|------------------|
| Aug / Sept | Occupational Health & Safety | C. & E. 12 | Refer Item 9.7.1 |

RECORDS OF ASSEMBLIES OF COUNCILLORS

For period 11th August to 7th September 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: 14th August 2012

Time: 1.00 p.m. to 4.30 p.m.

Attendees:

<u>Councillors</u> Graeme Williams Colleen Furlanetto Malcolm Little Neil Murray Howard Myers Debra Swan

<u>Officer/s</u> Chief Executive Officer Director, Asset Services Director, Corporate and Community Director, Sustainable Development

<u>Apologies</u> Councillor Peter Woodhouse

Matters discussed:

Declarations of Interests

- 1. Ross MacKinnon Euroa Swimming Pool
- 2. Planning Agenda Review
- 3. Sale of 9 Lily Street, Violet Town
- 4. Avenel Traffic, Parking and Signage Improvements
- 5. Assembly of Councillors
 - 5.1 Mayor & Chief Executive Officer Meetings Update
 - 5.2 Councillors Issues Raised
 - 5.3 Councillors Meetings Attendances
 - 5.4 Euroa Mens Shed request for financial contribution to assist in replacing stolen equipment
 - 5.5 Euroa Football Netball Club letter of thanks for donation to Goods and Services Auction
 - 5.6 Incentives
 - 5.7 Australia Day
 - 5.8 Euroa Jumping Classic request for waiving of tip fees
 - 5.9 Cleanliness / Tidiness of Binney Street
 - 5.10 Request for Council's support of World Firefighters Games
 - 5.11 Use of Wesley Hall by Sayers Dance Academy
 - 5.12 SES Opening Saturday 8th September at 3.30 p.m.
- 6. Planning Committee

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:21st August 2012

Time:

3.15 p.m. to 7.30 p.m.

Attendees:

<u>Councillors</u> Graeme Williams Colleen Furlanetto Malcolm Little Neil Murray Howard Myers Debra Swan Peter Woodhouse

<u>Officer/s</u> Chief Executive Officer Director, Asset Services Director, Corporate and Community Director, Sustainable Development

Matters discussed:

2.

Declarations of Interests

1. Agenda Review

- Assembly of Councillors
 - 2.1 Mayor & Chief Executive Officer Meetings Update
 - 2.2 Councillors Issues Raised
 - 2.3 Councillors Meetings Attendances
 - 2.4 Invitation to attend Violet Town Bush Nursing Centre Annual General Meeting
 - 2.5 Euroa Jumping Classic invitation for 6 representatives to attend official sponsor's lunch
 - 2.5 Ballarat Bioenergy Expo Tuesday 30th October 2012
 - 2.6 Unilevers co-generation in Tatura
 - 2.7 Invitation to attend Nagambie Bowling Club 2012/2013 Bowling Season Opening
 - 2.8 Invitation to attend Euroa Bowls Club 2012/2013 Bowling Season Opening
- 3. 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 1 & 3 (relevant reports) | Councillor Little (Interest only) | 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:28th August 2012

Time:

2.00 p.m. – 4.00 p.m.

Attendees:

<u>Councillors</u> Graeme Williams Colleen Furlanetto Malcolm Little Neil Murray Howard Myers Debra Swan Peter Woodhouse

<u>Officer/s</u> Chief Executive Officer Director, Asset Services Director, Corporate and Community Director, Sustainable Development

Matters discussed:

Declarations of Interests

- 1. Friends of the Sevens Project Update
- 2. Assembly of Councillors
 - 2.1 Mayor & Chief Executive Officer Meetings Update
 - 2.2 Councillors Issues Raised
 - 2.3 Councillors Meetings Attendances
 - 2.4 Planning Meeting 11th September Site Inspections Euroa & Avenel, Planning Scheme Review and Costa Submissions
 - 2.5 Euroa Croquet Club invitation to 2012/2013 Croquet Season opening
 - 2.6 TAFE Reform Panel
 - 2.7 Advice from Glenelg Shire Defined Benefits Superannuation Scheme
 - 2.8 Hume Strategy Regional Leadership Gathering

Record of Meetings of Section 86 Committees of Council

Advice of Meetings held, and Minutes received, in the August / September 2012 Period

| Name of Committee | Date of Meeting |
|------------------------------------|-----------------|
| Longwood Community Centre | 24/07/12 |
| Graytown Community Action Group | 27/07/12 |
| Euroa Friendlies Reserve | 30/07/12 |
| Strathbogie Tableland Action Group | 30/07/12 |
| Longwood Action Group | 31/07/12 x 2 |
| Ruffy Recreation Reserve | 06/08/12 |
| Ruffy Community Action Group | 09/08/12 |
| Tablelands Community Centre | 13/08/12 |

10. NOTICES OF MOTION

- 11. CLOSURE OF MEETING TO THE PUBLIC
- 12. URGENT BUSINESS

THERE BEING NO FURTHER BUSINESS, THE MEETING CLOSED AT6.36 P.M.

Confirmed as being a true and accurate record of the Meeting

Chair

Date