



STRATHBOGIE SHIRE COUNCIL

**MINUTES OF A SPECIAL MEETING OF THE STRATHBOGIE SHIRE COUNCIL HELD
ON TUESDAY 31 OCTOBER 2017 AT THE EUROA COMMUNITY CONFERENCE
CENTRE COMMENCING AT 5.00 P.M.**

Councillors:	Amanda McClaren (Chair)	(Lake Nagambie Ward)
	Malcolm Little	(Hughes Creek Ward)
	John Mason	(Seven Creeks Ward)
	Kate Stothers	(Honeysuckle Creek Ward)
	Debra Swan	(Lake Nagambie Ward)
	Alistair Thomson	(Mount Wombat Ward)
	Graeme (Mick) Williams	(Seven Creeks Ward)

Officers:	Steve Crawcour - Chief Executive Officer (CEO)
	Phil Howard - Director, Sustainable Development (DSD)
	Roy Hetherington - Director, Asset Services (DAS)
	David Roff - Director, Corporate and Liveability (DCL)

BUSINESS

1. Welcome
2. Acknowledgement of Traditional Land Owners
*'I acknowledge the Traditional Owners of the land on which we are meeting.
I pay my respects to their Elders, past and present'*
3. Apologies

Nil.
4. Disclosure of Interests

Nil.
5. Petitions

Nil.
6. Reports of Council Officers
 - 6.1 Climate Change
 - 6.2 Infrastructure
 - 6.3 Private Enterprise
 - 6.4 Public Institutions
 - 6.5 Housing and Recreation
 - 6.6 Tourism
 - 6.7 Organisation

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7. Urgent Business
8. Closure of Meeting to the Public to consider matters listed for consideration in accordance with Section 89(2)(d) of the Local Government Act 1989
9. Confirmation of 'Closed Portion' Decision/s

An audio recording of this meeting is being made for the purpose of verifying the accuracy of the minutes of the meeting, as per Local Law No. 1 - Meeting Procedure (2014) or as updated from time to time through Council Resolution



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	Contractual Matters		
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	C.P. 3	Purchase of Two (2) x Out-Front Mowers ~ Evaluation Report	
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6. REPORTS

6.7 ORGANISATION

6.7.1 Proposed Campbell Street/Palmer Avenue, Euroa, Special Charge Scheme

Author and Department

Director Asset Services / Asset Services Directorate

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 at its Ordinary Meeting held on September 19, 2017, resolved to give public notice of its intention to declare a Special Charge for the construction of kerb and channel, nature strips and driveways, as part of Campbell Street and Palmer Avenue, Euroa

The notice invited submission under Section 163(A), 163(B) and 223 of the Local Government Act 1989 (The Act).

RECOMMENDATION

That Council resolve to:

- 1. Note that no submissions were received in response to the public notice of the intention to declare a Special Charge Scheme in part of Campbell Street and Palmer Avenue, Euroa.**
- 2. Formally determine the outcome of the intention to declare the Special Charge at the Ordinary Council meeting to be held Tuesday November 21, 2017 commencing at 6.00pm at the Euroa Community Conference Centre.**

22/17 **CRS WILLIAMS/MASON** : *That the Recommendation be adopted.*

CARRIED

Background

Council directed that public notice of the intention to declare a Special Charge be given in the Euroa Gazette and the Age. The dates of publication were

Age	25/09/2017
Euroa Gazette	27/09/2017

Council also directed that separate letters enclosing a copy of the notice be sent to the owners of properties within the Special Charge area. The letters were posted 25 September 2017.

6.7.1 Proposed Campbell Street/Palmer Avenue, Euroa, Special Charge Scheme (cont.)

The advertisement advised that:

Any person may make a written submission to the Council under sections 163A and 223 of the Act.

In addition, any person who will be required to pay the Special Charge to be imposed by the proposed declaration has a right to object to the proposed declaration and may also make a written objection to the Council under section 163B of the Act.

Submissions

No submissions were received in relation to this matter at the time of closing for submissions on Thursday 26 October 2017 at 5.00 p.m.

Alternative Options

Any submission would be treated as a section 223 submission, as invited, and would need to be received and heard at the meeting as advertised.

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) / Competition and Consumer Act 2010 (CCA) implications

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

A statement indicating that the report does not limit any human rights under the Victorian Charter of Human Rights and Responsibilities Act 2006.

6.7.1 Proposed Campbell Street/Palmer Avenue, Euroa, Special Charge Scheme (cont.)

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 receiving/hearing of any submissions at the meeting is part of the statutory process to establish the Special Charge Scheme. The process is proceeding in accordance with the timeframes given to residents in the consultation and design phase of the project.

Attachments

Nil



7. URGENT BUSINESS

CRS SWAN/MASON -

That Council deal with other matters under Section 38(2)(c) of Council's Meeting Procedure Local Law No. 1 - "is material to a function of Council".

23/17

ON BEING PUT, THE MOTION WAS CARRIED

CRS SWAN/LITTLE -

That Council votes to accept other matters under Urgent Business.

The other matter is to deal with Tenders from the 17 October 2017 Ordinary Council Meeting, under Section 8 of this Agenda

24/17

ON BEING PUT, THE MOTION WAS CARRIED

8. CLOSURE OF MEETING TO THE PUBLIC

5.05 p.m.

CRS SWAN/LITTLE -

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*

- C.P. 1 Contract No. 17/18-08 ~ Tender Evaluation Report
- Provision of Maintenance Services to the Nagambie Lakes Regatta Centre
- C.P. 2 Contract 17/18-05 ~ Tender Evaluation Report
- Lease of One New Motor Grader
- C.P. 3 Purchase of Two (2) x Out-Front Mowers ~
Evaluation Report
- C.P. 4 Contract No. 17/08-07 ~ Tender Evaluation Report
- Euroa-Mansfield Road Drainage Works - Stages 2 and 3, Euroa
- C.P. 5 Contract No. 17/08-10 ~ Tender Evaluation Report
- Operation and Management of Euroa Swimming Pool Complex
- C.P. 6 Contract No. 17/18-06 ~ Tender Evaluation Report
- Supply and Delivery of Quarry Products within the Strathbogie Shire Council Municipality

25/17

ON BEING PUT, THE MOTION WAS CARRIED

5.18. p.m.

CRS SWAN/WILLIAMS -

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

32/17

ON BEING PUT, THE MOTION WAS CARRIED

9. CONFIRMATION OF 'CLOSED PORTION' DECISION/S

Closed Portion Decision/s -

**C.P. 1 Contract No. 17/18-08 ~ Tender Evaluation Report
- Provision of Maintenance Services to the Nagambie Lakes Regatta Centre**

RECOMMENDATION

1. That the sole tender received from Bonza Repairs and Service for Contract 17-18-08 – Provision of Maintenance Services to the Nagambie Lakes Regatta Centre be accepted by Council, for three years, with a 2 year extension option, with a price of \$127,273.00 for Year 1, excluding GST, with CPI increases thereafter.
2. That Council endorses the signing and sealing of the contract documents once received.

26/17 **CRS LITTLE/SWAN** : *That the Recommendation be adopted.*

CARRIED

9. CONFIRMATION OF 'CLOSED PORTION' DECISION/S (cont.)

**C.P. 2 Contract 17/18-05 ~ Tender Evaluation Report
- Lease of One New Motor Grader**

RECOMMENDATION

1. That the tender received from H&H Rental Sales Pty Ltd for the seven year lease of one new Komatsu GD555-5 motor grader, including a seven year service and maintenance agreement, be accepted by Council.
2. That the unsuccessful tenderers be advised.
3. That Council endorses the signing and sealing of the contract documents once received.

27/17 **CRS WILLIAMS/MASON** : *That the Recommendation be adopted.*

CARRIED

C.P. 3 Purchase of Two (2) x Out-Front Mowers ~ Evaluation Report

RECOMMENDATION

That Council accept the quotation from Bertolis Agricultural for the cost of \$50,400.00, excluding GST, for 2 x Kubota F3690 out-front mowers

28/17 **CRS MASON/SWAN** : *That the Recommendation be adopted.*

CARRIED

9. CONFIRMATION OF 'CLOSED PORTION' DECISION/S (cont.)

C.P. 4 Contract No. 17/08-07 ~ Tender Evaluation Report
- Euroa-Mansfield Road Drainage Works - Stages 2 and 3, Euroa

RECOMMENDATION

1. That the tender received from Wrights Earthmoving Pty Ltd, of 75 Paynes Road Kilmore, for Contract 17-18-07 – Euroa Mansfield Road Drainage Works – Stages 2 & 3, for the lump sum amount of \$232,921.00, excluding GST, be accepted by Council;
2. That the unsuccessful tenderers be advised;
3. That Council endorses the signing and sealing of the contract documents once received.

29/17 **CRS MASON/LITTLE** : *That the Recommendation be adopted.*

CARRIED

C.P. 5 Contract No. 17/08-10 ~ Tender Evaluation Report
- Operation and Management of Euroa Swimming Pool Complex

RECOMMENDATION

1. That the tender received from G.L & B.A Brooks, of 63 Woolshed Road, Euroa 3666, for Contract 17/18-10 – Operation and Management of Euroa Swimming Pool Complex, be accepted by Council.
2. That the unsuccessful tenderers be notified.
3. That Council endorses the signing and sealing of the contract documents once received.

30/17 **CRS SWAN/WILLIAMS** : *That the Recommendation be adopted.*

CARRIED

9. CONFIRMATION OF 'CLOSED PORTION' DECISION/S (cont.)

C.P. 6 Contract 17/18-06 ~ Tender Evaluation Report
- Supply and Delivery of Quarry Products within the Strathbogie Shire Council Municipality

RECOMMENDATION

1. That Council accepts tenders for Contract 17-18-06 for the supply and delivery of quarry products from each of the following tenderers;
 - Violet Town Quarries.
 - L & S Essex Pty Ltd.
 - E B Mawson & Sons Pty Ltd.
 - Nagambie Resources Ltd.
 - Euroa Quarries.
2. That Council endorses the signing and sealing of the contract documents once received.

31/17 **CRS WILLIAMS/MASON** : *That the Recommendation be adopted.*

CARRIED

RECOMMENDATION

CRS SWAN/WILLIAMS -

That the decision/s of Council's 'Closed Portion' considerations be confirmed.

33/17

ON BEING PUT, THE MOTION WAS CARRIED

THERE BEING NO FURTHER BUSINESS, THE MEETING CLOSED AT 5.20 P.M.

Confirmed as being a true and accurate record of the Meeting


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Chair

21.11.2017
.....
Date



