

Strathbogie Shire Council

Council Meeting Agenda

December 13, 2022

Acknowledgement of Country

We acknowledge the traditional custodians of the lands on which we strive, the peoples of the rivers and the hills of the Strathbogie Shire region who walked these lands for generations.

We pay our respects to the elders of the past, and the speakers of the first words, who lived in harmony with this country.

We acknowledge the elders of the present, who seek to regain their culture, and to teach the elders of the future their law, their history and their language.

We pay our respects to them and extend that respect to all Aboriginal and Torres Strait Islander peoples today.

We honour their spirit – and the memory, culture, art and science or the world's oldest living culture through 60,000 years.

Agenda

Council Meeting

Tuesday, December 13, 2022, at 6pm

Meeting to be at the Euroa Community Conference Centre and livestreamed on Council's website:

<https://www.strathbogie.vic.gov.au/council/our-council/council-meetings-and-minutes/>

Council:

Cr Laura Binks (Mt Wombat Ward) – Mayor
Cr Paul Murray (Hughes Creek Ward) – Deputy Mayor
Cr David Andrews (Lake Nagambie Ward)
Cr Reg Dickinson (Lake Nagambie Ward)
Cr Sally Hayes-Burke (Seven Creeks Ward)
Cr Kristy Hourigan (Seven Creeks Ward)
Cr Chris Raeburn (Honeysuckle Creek Ward)

Officers:

Amanda Tingay – Acting Chief Executive Officer
Dawn Bray – Director People and Governance
Vlad Adamek – Director Sustainable Infrastructure
Kristin Favaloro – Executive Manager Communications and Engagement
Rachael Frampton – Acting Director Community and Planning

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1. Welcome
2. Acknowledgement of Country
3. Apologies / Leave of Absence
Julie Salomon – Chief Executive Officer
4. Disclosure of Conflicts of Interest
5. Confirmation of Minutes of Previous Meetings

RECOMMENDATION

That the minutes of the Council Meeting held on Tuesday, November 15, 2022, be confirmed.

6. Petitions
7. Reports of Mayor and Councillors and Delegates
8. Public Question Time
9. Officer Reports
 - 9.1 Strategic and Statutory
 - 9.2 Community
 - 9.3 Infrastructure
 - 9.4 Corporate
 - 9.5 Governance and Customer Service
 - 9.6 Executive
10. Notices of Motion
11. Notices of Rescission
12. Urgent Business
13. Confidential Business

Amanda Tingay
Acting Chief Executive Officer
December 9, 2022

Next meeting

The next monthly meeting of the Strathbogie Shire Council is scheduled to be held on Tuesday, February 21, 2023, at the Euroa Community Conference Centre, at 6pm.
Please note: there is no meeting of Strathbogie Shire Council scheduled to be held in January 2023.

Public question time

Questions for the Ordinary Council Meeting can be submitted to be read, and responded to, by the Mayor during the Public Question Time. Questions must be submitted before 12 noon on Tuesday, December 13, 2022, by emailing info@strathbogie.vic.gov.au.

Public Question Time will be conducted as per Rule 31 of Strathbogie Shire Council's Governance Rules. The required [form](#) for completion and lodgement, and associated [Procedural Guidelines](#), can be found on Council's website at www.strathbogie.vic.gov.au.

As the questions are a permanent public record and to meet the requirements of the Privacy and Data Protection Act 2014, only the initials of the person asking the question will be used in the Minutes of the meeting, together with a Council reference number.

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9. OFFICER REPORTS

9.1 STRATEGIC AND STATUTORY PLANNING

9.1.1 Request for Waiver of Planning Permit Application Fee ~ Planning Permit Application P2022-144: Construction of Verandah Structures at the Euroa Men's Shed – 16 Frost Street, Euroa, and Future Fee Waiver Application Requests

Author: Manager Planning and Investment

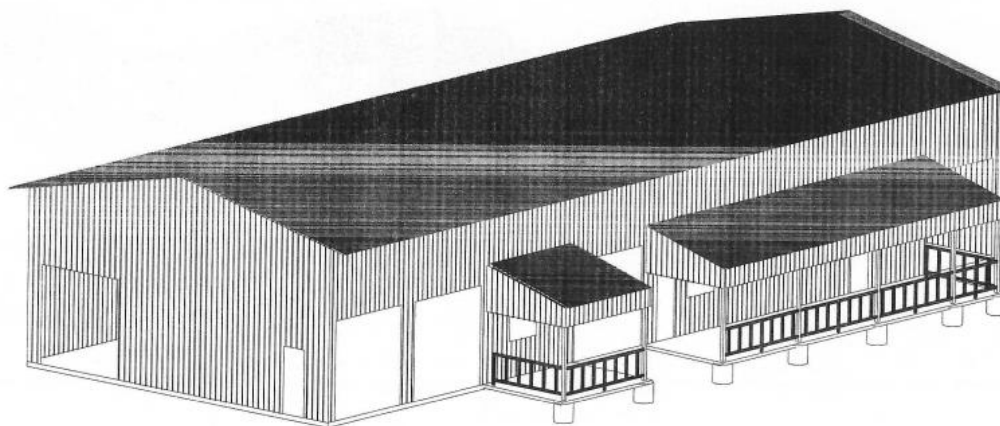
Responsible Director: Director Community and Planning

EXECUTIVE SUMMARY

This report seeks to consider a request for the waiver of the application fee for planning permit application number P2022-144. The fee for this application is \$1,185. The applicant is seeking a full fee waiver.

The request has been made due to the applicant being a not-for-profit community group, the Euroa Men's Shed.

The planning application proposes the construction of verandah structures at the existing Men's Shed Building at 16 Frost Street, Euroa (Euroa Showgrounds). Following the delegate assessment of the application, a planning permit has now been issued.



EUROA MEN'S SHED
PROPOSED VERANDA ADDITION

9.1.1 Request for Waiver of Planning Permit Application Fee ~ Planning Permit Application P2022-144: Construction of Verandah Structures at the Euroa Men's Shed – 16 Frost Street, Euroa, and Future Fee Waiver Application Requests (cont.)

In considering a request to waive fees for an application lodged under Section 47 of the Planning and Environment Act 1987, a fee can only be waived pursuant to section 20 of the Planning and Environment Regulations (Fees) 2016.

The request complies with section 20(d) of these Regulations as the Euroa Men's Shed is a not-for-profit organisation.

Historically requests for a waiver of planning permit application fees have been sent to Council for determination. This is despite the Director Community and Planning and Manager Planning and Investment being delegated to consider a fee waiver or reduction request under the *S6 Instrument of Delegation – Members of Staff*. To avoid the delays for planning permit applicants, it is recommended that future requests for planning permit application fee waivers or reduction be made by officers under delegation.

RECOMMENDATION

That Council:

1. ***Notes the request by the Euroa Men's Shed to waive the application fee for planning permit application P2022-144;***
2. ***Waives the \$1,185 planning permit application fee under Section 20(d) of the Planning and Environment Regulations (Fees) 2016 for application P2022-144 – construction of verandah structures at 16 Frost Street, Euroa; and***
3. ***Resolves to allow future requests for planning permit application fee waivers or reductions to be determined under delegation by officers in accordance with the S6 Instrument of Delegation – Members of Staff.***

PURPOSE AND BACKGROUND

A planning permit application has been approved for the construction of verandah structures at the existing Men's Shed Building at 16 Frost Street, Euroa. To help facilitate the proposal, a fee waiver request from the applicant is being put to Council for consideration.

A decision was made on the application to ensure compliance with the required statutory timeframes.

ISSUES, OPTIONS AND DISCUSSION

One of the overarching governance principles in section 9 of the Local Government Act 2020 is that priority is to be given to achieving the best outcomes for the municipal community, including future generations.

Approval of the fee waiver request will assist Euroa Men's Shed by providing for improved facilities for its members.

9.1.1 Request for Waiver of Planning Permit Application Fee ~ Planning Permit Application P2022-144: Construction of Verandah Structures at the Euroa Men's Shed – 16 Frost Street, Euroa, and Future Fee Waiver Application Requests (cont.)

Should Council allow for future requests for planning permit application fee waivers or reductions to be determined under delegation by officers, this will ensure not for profit organisations providing a valuable service to the community, will be able to make more timely decisions on the viability of their proposed development projects.

COMMUNITY ENGAGEMENT

One of the overarching governance principles in section 9 of the Local Government Act 2020 is that the municipal community is to be engaged in strategic planning and strategic decision making.

The proposed verandah structures are minor in nature and will not cause material detriment to any surrounding landowners. The structures will face inwards overlooking the showgrounds as part of an existing building and will not be located near any existing dwellings.

POLICY CONSIDERATIONS

Council Plans and Policies

Strategic Focus Area 6 of the 2021-2025 Council Plan 'Accountable, Transparent, Responsible' seeks to deliver responsive and timely customer service. Allowing future fee waiver requests to be determined under delegation will help ensure decisions on planning permit applications are made in a timely manner.

Regional, State and National Plans and Policies

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that regional, state and national plans and policies are to be taken into account in strategic planning and decision-making.

There are no relevant regional, state or national plans of policies associated with this recommendation.

LEGAL CONSIDERATIONS

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that Council decisions are to be made and actions taken in accordance with the relevant law.

In considering a request to waive fees for an application lodged under Section 47 of the *Planning and Environment Act 1987*, a fee can only be waived in the following circumstances pursuant to Section 20 of the Planning and Environment Regulations (Fees) 2016:

- (a) *an application is withdrawn, and a new application is submitted in its place; or*
- (b) *in the opinion of the responsible authority or the Minister the payment of the fee is not warranted because—*
 - (i) *of the minor nature of the consideration of the matter decided or to be decided; or*

9.1.1 Request for Waiver of Planning Permit Application Fee ~ Planning Permit Application P2022-144: Construction of Verandah Structures at the Euroa Men's Shed – 16 Frost Street, Euroa, and Future Fee Waiver Application Requests (cont.)

- (ii) the requested service imposes on the responsible authority or the Minister (as the case may be) no appreciable burden or a lesser burden than usual for supplying that service; or*
- (c) in the opinion of the responsible authority or the Minister (as the case may be) the application or determination assists—*
 - (i) the proper development of the State, region or municipal district; or*
 - (ii) the proper development of part of the State, region or municipal district; or*
 - (iii) the preservation of buildings or places in the State, region or municipal district which are of historical or environmental interest; or*
- (d) the application relates to land used exclusively for charitable purposes.*

Consideration for the fee waiver can be made under Sections 20(d) of the regulations.

Conflict of Interest Declaration

All officers, and/or contractors, involved in the preparation of this report have signed a written declaration that they do not have a conflict of interest in the subject matter of this report.

Transparency

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that the transparency of Council decisions, actions and information is to be ensured.

The current process for the consideration of planning permit application fee waiver requests by Council provides transparency in our decision making. Should future decision making on fee waiver requests be made under delegation this process will be documented in the application file and will be publicly available to help ensure transparency in decision making.

FINANCIAL VIABILITY CONSIDERATIONS

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that the ongoing financial viability of the Council is to be ensured.

The author of this report considers that other than the immediate cost of the application fee, there are no significant financial/budgetary implications for Council or the broader community.

SUSTAINABILITY CONSIDERATIONS

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that the economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted.

9.1.1 Request for Waiver of Planning Permit Application Fee ~ Planning Permit Application P2022-144: Construction of Verandah Structures at the Euroa Men's Shed – 16 Frost Street, Euroa, and Future Fee Waiver Application Requests (cont.)

Economic

Approval of the request for a fee waiver by the Euroa Men's Shed will assist the group in being able to retain funds to put towards the proposed development. The Euroa Men's Shed is a not-for-profit group.

Social

The Euroa Men's Shed provides a safe and friendly environment for members of the community who may otherwise lose important social connections. The proposed verandah structures will provide an improved level of amenity for members.

Environmental

The proposed verandah structures have a small footprint and will not result in the removal of any native vegetation.

Climate change

As highlighted above, the proposed verandah structures have a small footprint and will not result in the removal of any native vegetation or have an impact on the local environment.

HUMAN RIGHTS CONSIDERATIONS

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*. The associated planning permit application was assessed in accordance with the relevant legislation and will not impact on any human rights.

CONCLUSION

This report is presented to Council for decision in relation to the waiver of fees for a planning permit application. This request has been made due to the applicant being a not-for-profit community group. Officers consider that the circumstances outlined in Section 20(d) of the regulations are applicable in this instance. That is, the Euroa Men's Shed is operated for charitable purposes and is a 'not for profit' community group.

The Director Community and Planning and Manager Planning and Investment are delegated to consider a planning application fee waiver or reduction request. In future, to avoid any potential delays for planning permit applicants it is recommended that requests for planning permit application fee waivers or reductions be determined by officers under delegation, rather than coming to a Council Meeting for a decision.

ATTACHMENTS

Attachment 1: Request for waiver of fees – Euroa Men's Shed

9.1.2 Nagambie Streetscape Plan

Author: Strategic Planner

Responsible Director: Director Community and Planning

EXECUTIVE SUMMARY

Effective streetscape design is an integral part of shaping a community's identity, increasing civic pride and improving a sense of well-being and belonging. The purpose of a Streetscape Plan is to provide a visual guide for future streetscape development, rather than a literal or specific representation of works to be completed.

The Avenel, Euroa and Longwood Streetscape Plans have been previously adopted by Council. Work is underway to develop the Violet Town and Strathbogie Streetscape Plans. This report seeks the adoption of the Nagambie Streetscape Plan.

The Nagambie Streetscape Plan has identified works to be undertaken in 4 stages;

- Stage 1: Landscaping
- Stage 2: Landscaping, street furniture & pavement treatments
- Stage 3: High Street and Vale Street roundabout works
- Stage 4: Amenities block

To ensure community input into the development of the Nagambie Streetscape Plan, Council officers worked closely with GoNagambie on each step of the project. Council created a planned community engagement program and associated communications campaign that aimed to ensure our community was clear on how to have their say and felt confident in the process.

Our engagement approach was flexible and adapted as we moved through the stages and were impacted by coronavirus (COVID-19) restrictions. It ensured quantitative and qualitative engagement techniques were used to gather community feedback.

Stage 1 consists of landscaping works around Jacobsons Outlook and is identified for immediate action, while future stages will be subject to further community consultation (detailed design), external grant funding and subject to Council annual budgetary process.

The scope of work for the Nagambie Streetscape Plan also entailed the development of a signage audit to address and make recommendations to the visual bulk of signage along O'Dwyer Road and High Street through to the northern Nagambie interchange along Grimwade Road (the main commercial core of Nagambie).

A landscape plan for the beautification works to the southern Nagambie interchange connecting Mitchellstown Road, Tabilk-Monea Road, O'Dwyer Road and the Goulburn Valley Freeway has also been prepared as part of the project. This roundabout has been recommended for beautification works due to it being the main entry point to Nagambie for most visitors and tourists. Any future beautification works on the roundabout will need to be undertaken in conjunction with the Department of Transport, who are the asset owner.

9.1.2 Nagambie Streetscape Plan (cont.)

RECOMMENDATION

That Council:

- 1. Adopts the Nagambie Streetscape Plan, as amended in response to feedback received during the community engagement process;***
- 2. Allocates \$280,000 in funding to proceed with Stage 1 of the Nagambie Streetscape Plan from the 2022/23 Streetscapes budget;***
- 3. Notes the implementation of future stages of the Nagambie Streetscape Plan are subject to Council budget allocation and/or external funding opportunities;***
- 4. Notes the Nagambie Signage Audit, acknowledging that its implementation is subject to further discussions with key stakeholders, and future budget allocations and/or external funding opportunities; and***
- 5. Notes the Nagambie Roundabout Plan, and commences discussions with the Department of Transport regarding its implementation.***

PURPOSE AND BACKGROUND

The aim of the Nagambie Streetscape Plan is to improve the commercial vitality of the Nagambie Township by delivering infrastructure improvements that:

- Create a distinctive sense of place for local residents, visitors and businesses,
- Provide a high quality, attractive public space where people want to visit and shop, and
- Improve the attractiveness, comfort, accessibility, connectivity and safety of the main street area.

The four stages identified in the plan include streetscape projects which can be implemented progressively. Stage 1 identifies the immediate action. Future stages will be subject to further community consultation at the detailed design phase and subject to external grant funding and any future Council budget allocations.

The Goulburn Valley Freeway, Mitchellstown Road roundabout has been identified for beautification works as this is the main entry point for tourists and visitors to the Nagambie region. This work includes low lying, low maintenance vegetation with the existing wine glass sculpture remaining the focal point. Any future beautification works on the roundabout will need to be undertaken in conjunction with the Department of Transport, who are the asset owner.

The signage report prepared as part of the project, assessed all signage between the northern and southern gateway interchanges. The report makes recommendations for signage for each of the major intersections throughout the project area. These include display signage on the Goulburn Valley Freeway, wayfinding signage for the regatta centre, welcome signage and corridor tree plantings as funding becomes available.

9.1.2 Nagambie Streetscape Plan (cont.)

ISSUES, OPTIONS AND DISCUSSION

One of the overarching governance principles in section 9 of the Local Government Act 2020 is that priority is to be given to achieving the best outcomes for the municipal community, including future generations.

Council officers facilitated engagement on the Nagambie Streetscape Plan, Nagambie Signage Audit and the Mitchellstown Road roundabout on two separate occasions, in addition to other engagement methods. Following the first round of consultation Council received a number of comments regarding the need for more parking for cars and long vehicles, the retention of the divided road on the north bound lane and the previously proposed thoroughbred walk.

This feedback was reviewed and considered and the updated Streetscape Plan went back out for public engagement and received positive comments and consensus with the changes included. During the second round of consultation, small changes were identified by the community and have been reflected in the final plan seeking approval. These changes included indicating more footpaths and slightly adjusting the alignment of the Hight Street/ Vale Street roundabout to assist the ongoing operation of an existing business.

The proposed Stage 1 landscaping includes extending the grassed area from the High Street and Goulburn Street roundabout north bound lane only through until the end of the Black Caviar Statue. This is to create more open greenspace to maximise the lake view and create more community space. Stage 1 also includes landscaping the planter boxes throughout the High Street commercial centre. The feedback on this component was overwhelmingly positive.

COMMUNITY ENGAGEMENT

One of the overarching governance principles in section 9 of the Local Government Act 2020 is that the municipal community is to be engaged in strategic planning and strategic decision making.

The engagement plan for this project set the following:

Depth: Consult

Public participation goal: To obtain public feedback on analysis, alternatives and or decisions.

Promise to the public: We will keep you informed, listen to and acknowledge concerns and aspirations and provide feedback on how public input influenced the decision.

Council officers worked closely with GoNagambie at every stage of the project.

Council officers also had two separate public consultation periods, in conjunction with other engagement methods

During the first round of consultation Council officers received feedback regarding a section of road re-alignment. Officers also received comments from community members not wanting a thoroughbred walk. Officers took on board this feedback and have removed references to these items in the final Streetscape Plan, as shown below.

9.1.2 Nagambie Streetscape Plan (cont.)



During the second round of community consultation with the current Streetscape Plan, Council only received positive submissions. The consultation included a second drop-in session at the Mechanics Hall in Nagambie and an online social media promotion.

Council Officers included the signage report and the roundabout landscape plan during both rounds of community consultation, however, the community's focus and interest was on the Nagambie Mainstreet Plan and minimal comments were received to the roundabout landscape plan and the Nagambie signage audit.

Council officers have also meet with the Department of Transport (DoT) and discussed issues and potential solutions for on-ground outcomes. These have been considered and reflected into the suite of documents seeking Council adoption.

POLICY CONSIDERATIONS

Council Plans and Policies

The streetscape project relates to the 2021-2025 Council Plan:

Strategic focus area 1: Engage. Create. Unite.

One of the community's goals is to 'create welcoming social spaces where people can connect'.

9.1.2 Nagambie Streetscape Plan (cont.)

LEGAL CONSIDERATIONS

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that Council decisions are to be made and actions taken in accordance with the relevant law.

There are no legal matters raised by this project and it is noted that community engagement is consistent with the principles outlined in the *Local Government Act 2020*.

Conflict of Interest Declaration

All officers, and/or contractors, involved in the preparation of this report have signed a written declaration that they do not have a conflict of interest in the subject matter of this report.

Transparency

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that the transparency of Council decisions, actions and information is to be ensured.

This report is being discussed in a Council meeting open to the public.

FINANCIAL VIABILITY CONSIDERATIONS

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that the ongoing financial viability of the Council is to be ensured.

Funding has been allocated towards the Streetscapes program in Council's 2022/23 Budget, that includes external financial assistance from the Federal Government's Local Roads and Community Infrastructure Program.

SUSTAINABILITY CONSIDERATIONS

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that the economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted.

Economic

The aim of the streetscape plan is to improve the commercial vitality of the main street by delivering infrastructure improvements that:

- Create a distinctive sense of place for local residents, visitors and businesses
- Provide a high quality, attractive public space where people want to visit and shop, and
- Improve the attractiveness, comfort, accessibility, connectivity and safety of the main street or main commercial areas.

9.1.2 Nagambie Streetscape Plan (cont.)

Social

Effective streetscape design is an integral part of shaping a community's identity, increasing civic pride and improving a sense of wellbeing and belonging. In particular these designs aim to improve connection to place, by:

- Creating a local sense of place by reinforcing identity and telling local stories through the choice of materials and placemaking, and
- Reinforcing visual and physical connections to the surrounding landscape and heritage.

Environmental

The Nagambie Streetscape Plan and the Goulburn Valley Freeway/Mitchellstown Road roundabout include plantings and treatments that reflect the environment they will be situated in and offers an effective maintenance schedule

Climate change

The individual streetscape plans aim to improve the environmental function of our townships by:

- Increasing areas of landscaping to improve passive cooling
- Embracing opportunities to utilise solar energy for lighting
- Increasing irrigation potential and stormwater drainage
- Replacing landscape treatments that are at the end of their lifecycle
- Increasing the capacity of existing green networks to enhance biodiversity and habitat corridors
- Ensuring the retention and renewal of the significant mature street trees where possible and the character of leafy streetscapes
- Increasing the amount of permeable surfaces, soft landscape areas and shade trees.

COLLABORATION

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that collaboration with other councils, levels of government and statutory bodies is to be sought.

This project involved significant collaboration with GoNagambie. This occurred over the life of the project from the inception meetings all the way through to the final draft.

Council officers have collaborated with DoT for comments for all three plans and factored all comments into the finalised plans for adoption.

Council Officers undertook significant consultation with the Nagambie community including two separate engagement periods where feedback was considered and amendments to the Streetscape Design were made to reflect this feedback.

9.1.2 Nagambie Streetscape Plan (cont.)

HUMAN RIGHTS CONSIDERATIONS

The report writer does not consider this report has implications to human rights considerations. The Streetscape Plan sought for adoption has undertaken significant community consultation.

CONCLUSION

Effective streetscape design is an integral part of shaping a community's identity, increasing civic pride and improving a sense of well-being and belonging. The Nagambie Streetscape Plan has undertaken two stages of comprehensive community engagement to refine and identify the community's aspiration for the Nagambie Main Street.

The Nagambie Signage Audit and the Goulburn Valley Freeway/Mitchellstown Road roundabout beautification works have undergone public engagement periods and provide strategic justification for future grant applications to be made to facilitate the recommendations made.

ATTACHMENTS

Attachment 1: Nagambie Streetscape Plan (*separate document*)

Attachment 2: Nagambie Signage Audit (*separate document*)

Attachment 3: Nagambie Roundabout Plan (*separate document*)

Attachment 4: Draft Two Nagambie Streetscape Plan Project Performance Report (Engagement Report) (*separate document*)

9.1.3 Planning Applications Received and Planning Applications Determined - 1 to 30 November 2022

Author: Manager Planning and Investment

Responsible Director: Director Community and Planning

EXECUTIVE SUMMARY

This report provides listings of all Planning Applications Received (Attachment 1) and Planning Applications Determined (Attachment 2) for the period of 1 to 30 November 2022. The latest available Planning Permit Activity Performance Figures are also attached (Attachment 3). The contents of this report are provided for information purposes only.

It is noted that there were seven (7) new planning permit applications received and eighteen (18) planning permit applications decided upon during the reporting period.

RECOMMENDATION

That Council:

- 1. Note that there were seven (7) new planning permit applications received, and eighteen (18) planning permit applications decided on during the period of 1 to 30 November 2022.***
- 2. Note the report.***

PURPOSE AND BACKGROUND

To report to Council on the current planning application activity and matters considered under delegation.

ISSUES, OPTIONS AND DISCUSSION

One of the overarching governance principles in section 9 of the Local Government Act 2020 is that Priority is to be given to achieving the best outcomes for the municipal community, including future generations.

Council is a Responsible Authority under the Planning and Environment Act 1987 (the Act). In this role, Council administers the Strathbogie Planning Scheme (Planning Scheme) and, among other things, determines planning permit applications made for the use and development of the land in the municipality. Under delegated authority of Council, Council officers determine some matters.

Many types of use and development do not require a planning permit and may take place without being recorded as part of the planning approvals data. The statistics presented do not represent all development activity in the municipality. In addition, some planning permits are not acted on, or there may be a delay between when the approval is granted and when works take place.

9.1.3 Planning Applications Received and Planning Applications Determined
- 1 to 30 November 2022 (cont.)

COMMUNITY ENGAGEMENT

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that the municipal community is to be engaged in strategic planning and strategic decision making.

Individual applications consider these requirements through assessment phase of each application as per the Planning and Environment Act 1987 and the provisions of the Strathbogie Planning Scheme.

Conflict of Interest Declaration

All officers, and/or contractors, involved in the preparation of this report have signed a written declaration that they do not have a conflict of interest in the subject matter of this report.

Transparency

One of the overarching governance principles in section 9 of the Local Government Act 2020 is that the transparency of Council decisions, actions and information is to be ensured.

This report continues to demonstrate that Council is being transparent in its position in relation to all applications received and determined by the Council.

CONCLUSION

This report is provided for Council to note the current planning permit application activity.

ATTACHMENTS

Attachments 1-3: Planning Applications Received, Planning Applications Determined and Planning Permit Activity Performance Figures (*separate attachment*)

9.2 **COMMUNITY**

9.2.1 **Community Grants Funding 2022-2023 Allocations Round 2**

Author: Community Development Officer

Responsible Director: Acting Director Community and Planning

EXECUTIVE SUMMARY

Round 2 of the Strathbogie Shire Council Community Grants funding program for 2022/2023 opened on 1 October 2022 and closed on 1 November 2022 with 12 applications received.

The intent of the Community Grants Program is to provide an opportunity for community groups to undertake projects that complement the focus areas of Council and encourage participation in a community activity at all stages of the project from planning to completion.

As specified in the guidelines, applications were invited under one of four below categories:

- Active and Healthy Communities
- Arts and Culture
- Environment and Sustainability
- Facilities and Infrastructure.

It is important to note that the fifth category Small Project Grants remains open all financial year, or until funds are expended.

The 2022/23 Community Grants program has a total budget allocation of \$115,000. A total of \$62,428.00 was distributed to grant recipients in round 1 with a further \$8,000 allocated to support the Small Projects Grants program and \$7,000 allocated to delivery of workshops and training to build the capacity of community.

The budget allocation for Round 2 of the 2022-2023 Community Grants Program is \$37,572.

Council received a total of 12 applications and used a community grant assessment panel to review and score the projects, based on the grant criteria.

This report recommends Council approve 10 community projects to the value of \$37,583.00.

RECOMMENDATION

That Council award funding to ten (10) projects for the total sum of \$37,583.00 to the following organisations;

<u>Application/Organisation</u>	<u>Proposed Funding</u>
<i>Avenel Market Committee</i>	<i>\$3,500.00</i>
<i>Euroa Friendlies Reserve COM</i>	<i>\$4,950.00</i>
<i>Friends of Nagambie Pool</i>	<i>\$5,000.00</i>
<i>Nagambie Lakes Sailing Club Inc.</i>	<i>\$5,000.00</i>
<i>Probus Club of Euroa</i>	<i>\$1,953.00</i>

9.2.1 Community Grants Funding 2022-2023 Allocations Round 2 (cont.)*RECOMMENDATION (cont.)*

<i>Nagambie Petanque Club</i>	<i>\$5,000.00</i>
<i>Euroa Agricultural Society</i>	<i>\$4,180.00</i>
<i>Euroa Historical & Genealogical Society</i>	<i>\$1,865.00</i>
<i>Avenel Jubilee Park COM</i>	<i>\$2,635.00</i>
<i>Friends of Euroa Off Leash Dog Park</i>	<i>\$3,500.00</i>

PURPOSE AND BACKGROUND

A total of 12 applications were received for round 2 of the 2022-23 Community Grants Program. These 12 projects combined requested a total of \$49,698.00. The remaining budget for the program in 2022-23 is \$37,572.

Council received one application from the Longwood Community Centre Committee of Management which was deemed ineligible, based on the funding criteria that 'If in the event that Round two was oversubscribed, applications from groups who had not received funding in Round 1 would be prioritised'. Longwood Community Centre Committee of Management received funding in Round 1.

The 2022-23 applications have been assessed by an Assessment Panel which comprised of the following Council Officers:

- Manager Community and Culture
- Executive Manager Communications and Engagement
- Manager Project Delivery

Additional advice was sought from other departments across Council depending on the nature of the project being applied for.

The applications were evaluated and scored against the funding criteria as detailed below:

- Alignment to Community Grants Outcomes and Strategic Plan (30% weighting)
- Community Need (20% weighting)
- Organisational Capacity (20% weighting)
- Access and Equity (15% weighting)
- Budget (15% weighting)

The assessment panel have recommended that 10 projects receive funding.

Of the 10 projects recommended for funding;

- 3 applications were received under the Active and Healthy Communities stream
- 1 application was received under the Arts and Culture stream
- 6 applications were received under Facilities and Infrastructure stream

9.2.1 Community Grants Funding 2022-2023 Allocations Round 2 (cont.)

ISSUES, OPTIONS AND DISCUSSION

One of the overarching governance principles in section 9 of the Local Government Act 2020 is that Priority is to be given to achieving the best outcomes for the municipal community, including future generations.

Two (2) applications have not been recommended for funding:

- Longwood Community Centre Management Committee, as they received funds for a project in Round 1
- Nagambie Football Netball Club which received the lowest score in the assessment process.

One (1) application is being recommended for partial funding :

The Avenel Jubilee Park Committee of Management application has not been recommended to receive the full amount. \$2,365 of the \$5,000 application was requested to offset a contribution to a State Government Universal Design Grant which the group were successful in obtaining. The eligible item within the project, the installation of blinds, has been recommended for the amount of \$2,635, hence why it is recommended for partial funding.

The terms and conditions for all grants require recipients to formally recognise Strathbogie Shire Council. All facilities and infrastructure grants will also include the requirement that any works being carried out on Council owned buildings must be carried out by qualified tradespeople or professionals and provide all relevant certificates of compliance.

Table 1 below provides a summary of recommended projects.

Table 1: Summary of Proposed Grant Recipients

Applicant/organisation	Name and Project Description	Proposed Funding
Avenel Market Committee	Avenel Market Portable Marquee	\$3,500.00
Euroa Friendlies Reserve Committee of Management	Pavilion Kitchen Insulation	\$4,950.00
Friends of Nagambie Pool	Shared BBQ Installation	\$5,000.00
Nagambie Lakes Sailing Club Incorporated	Re-Launch the Nagambie Lakes Sailing Club	\$5,000.00
Probus Club of Euroa	Building social connections and competence for engaged wellbeing for seniors	\$1,953.00
Nagambie Petanque Club	Piste Upgrade	\$5,000.00
Euroa Agricultural Society	Cattle public address system	\$4,180.00
Euroa Historical and Genealogical Society	Provision of signage & installation, per exhibit, in the machinery sheds	\$1,865.00
Avenel Jubilee Park Committee of management	Refurbishing of Avenel Community Hub space	\$2,635.00
Friends of Euroa Off Leash Dog Park	Euroa Off Leash Dog Park Water Bowl/Drinking Fountain	\$3,500.00

Attachment 1 provides further detail of the proposed Round 2 2022-23 Community Grants recommendations and details the unsuccessful applications.

9.2.1 Community Grants Funding 2022-2023 Allocations Round 2 (cont.)

COMMUNITY ENGAGEMENT

One of the overarching governance principles in section 9 of the Local Government Act 2020 is that the municipal community is to be engaged in strategic planning and strategic decision making.

A communications plan was completed for Round 2 2022-23 Community Grants Program to ensure the community was well informed about the program. The community have also been involved in the development and updates of the Community Grant Guidelines to ensure the guidelines and application process is reflective of community need and remains relevant.

The community was well informed about the Community Grants Program through a range of platforms including website, a media release, social media and emails to community groups, previous recipients, and community networks.

An online after-hours workshop was delivered for the 2022-23 program, the recording of the workshop was made available on Council's website under the Community Grants page. A Community Development Officer was also available through the month of October to answer any questions regarding applications and the Community Grants Program more broadly.

The table below outlines the four stages in the communications and engagement plan. The first three stages are now complete.

Stage	Goal	Tools and methods
One Inform	To inform the community the Community Grant Program is now open. To encourage the community to attend an information session. To remind the community about Grant Program timelines	<ul style="list-style-type: none"> • Media release • Social media • eNews • Website content • Advertising • Frequently asked questions
Two Engage	To provide applicants with the opportunity to seek feedback and assistance from Council Officers on their applications.	<ul style="list-style-type: none"> • Media release • Social Media • eNews • Website content • Advertising
Three Inform	To keep applicants up to date on the process and what to expect	<ul style="list-style-type: none"> • Acknowledgement letter
Four Inform	To inform applicants and the community of the projects which received grants	<ul style="list-style-type: none"> • Letter successful • Letter unsuccessful • Media release • Social media • Advertising • Website content • eNews

9.2.1 Community Grants Funding 2022-2023 Allocations Round 2 (cont.)

POLICY CONSIDERATIONS

Council Plans and Policies

The report is consistent with Council Policies, key strategic documents and the Council Plan, in particular, aligning with:

- Community Planning Program Guidelines
- Community Funding and Investment Policy
- 2021-2025 Council Plan, specifically:
 - Strategic focus area 1: Engage. Create. Unite
 - Strategic focus area 4: Inclusive. Productive. Balanced
 - Strategic focus area 5: Strong. Healthy. Safe
 - Strategic focus area 6: Accountable. Transparent. Responsible

LEGAL CONSIDERATIONS

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that Council decisions are to be made and actions taken in accordance with the relevant law.

The 2022-23 Applications have been assessed against an updated weighted scorecard to ensure consistency, equity and transparency across both rounds of the program.

Conflict of Interest Declaration

All officers, and/or contractors, involved in the preparation of this report have signed a written declaration that they do not have a conflict of interest in the subject matter of this report.

Transparency

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that the transparency of Council decisions, actions and information is to be ensured.

In the interests of transparency and open and honest communication with our community, this report is presented to a public Council meeting.

FINANCIAL VIABILITY CONSIDERATIONS

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that the ongoing financial viability of the Council is to be ensured.

The total budget allocation for the 2022-2023 Community Grants Program is \$115,000. An additional allocation of \$30,000 was made to the Community Grants Program 2022/23 following the 2022/23 draft budget submission period. The total budget for 2022-23 will be exhausted, if the recommendations in this report are approved.

SUSTAINABILITY CONSIDERATIONS

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that the economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted.

9.2.1 Community Grants Funding 2022-2023 Allocations Round 2 (cont.)

Economic

The distribution of funds through Round 2 of the 2022-23 Community Grants Program will greatly assist community groups to progress with important community projects. Many projects will support improvements to facilities and promote participation and engagement which will have a positive impact on the Shire's economic viability. Several projects will also utilise local contractors and services or involve the procurements of goods from local business. It is important to note that many of these community groups (applicants) may have experienced a reduction of income due to the Covid 19 pandemic.

Social

All of the projects recommended for funding will result in a significant social and community benefit. These projects once delivered support essential infrastructure and programs that support community to meet, gather and remain physically and mentally active.

Environmental

Despite Officers encouraging submissions for projects under the Environment and Sustainability category, no submissions were received. All applicants, regardless of the category their projects were submitted under, were required to describe how the project will contribute to environmental and sustainable outcomes and benefits in the Strathbogie Shire.

Climate change

As highlighted above, submissions have been assessed with a climate change lens applied.

INNOVATION AND CONTINUOUS IMPROVEMENT

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is the pursuit of innovation and continuous improvement.

Council officers recently reviewed the community grants program to ensure it remains relatively easy to use and responsibility determines funding and investment into community projects. In 2022-23, an updated application form was developed, to try and simplify the process for applicants. Several applicants commented on the improved form.

Council also introduced an assessment panel of Council Officers from across a range of relevant departments to ensure diversity of views in assessment and to ensure more consultation across departments.

A Gender Impact Assessment was undertaken in April 2022 across the Community Grants Program. This assessment resulted in several improvements being made to the program across all stages of planning, promotion, documentation and assessment to ensure the program took into account gender and potential barriers and enablers to participation and success.

Following the approval of the recommendations in the Round 1 Community grant Council Report at the September Council meeting, a full review of Community Grants was authorised, which is currently underway.

9.2.1 Community Grants Funding 2022-2023 Allocations Round 2 (cont.)

HUMAN RIGHTS CONSIDERATIONS

A number of projects ensure that all people have access to services, programs and facilities that respect human rights and dignity.

CONCLUSION

This report recommends Council approve 10 community projects to the value of \$37,583.00, under the Community Grants 2022-23 Round 2 Funding program.

ATTACHMENTS

Attachment 1: Round 2 2022-23 Community Grant Program – Summary of Applications (*separate document*)

9.2.2 Days of Significance – Flying of Community Flags

Author: Acting Director Community and Planning

Responsible Director: Acting Chief Executive Officer

EXECUTIVE SUMMARY

Council often receives requests to fly flags in recognition of a local community event, group or day of symbolism or celebration (Community Flags). The most recent request Council has received is to fly the Rainbow Flag on International Day Against Homophobia, Biphobia, and Transphobia, held on 17 May annually.

Located at our municipal offices in Euroa, Council has four flag poles flying the Australian, Aboriginal, Torres Strait Islander and Taungurung Flags. The Australian Flag is flown in accordance with the Flags Act 1953 and the Australian Flag Booklet – Part 2: The Protocols, administered by the Department of Prime Minister and Cabinet.

To accommodate requests for Community Flags to be flown, it is proposed to utilise two existing flag poles in the municipality. One flagpole is located in the middle of the roundabout at Binney Street, Euroa and the other in front of the Nagambie Library at High Street, Nagambie. These flag poles owned by Council are currently utilised to fly the Shire Flag which consists of the Shire logo.

This report proposes Council Officers develop a Council protocol to guide the management and approval of requests to fly a community flag from members of Council staff and/or the Community. The draft protocol will be presented to Council for consideration at a future Council Meeting.

RECOMMENDATION

That Council:

- 1. *Develop a draft protocol for the flying of Community Flags using existing Council owned flag poles in Binney Street Euroa and High Street Nagambie in recognition of days of significance and events of symbolism or celebration; and***
- 2. *Present the draft protocol to Council for consideration at the March 2023 Council Meeting.***

PURPOSE AND BACKGROUND

At the Council meeting on 15 November 2022, and in response to a question from a member of the community asking if Council would fly the rainbow pride flag on 17 May, the Chief Executive Officer responded:

We acknowledge that members of the community wish for Council to do more and so we will prepare a report for Council to consider in the near future regarding flying the Rainbow flag on IDAHOBIT day, 17 May.

9.2.3 Days of Significance – Flying of Community Flags (cont.)

Council flies the Australian, Aboriginal, Torres Strait Islander and Taungurung flags at the four available flag poles at the Council offices in Binney Street, Euroa. These flags will continue to be flown, with no change. The Australian Flag is flown in accordance with the *Flags Act 1953* and the Australian Flag Booklet – Part 2: The Protocols, administered by the Department of Prime Minister and Cabinet.

Council also flies the Shire Flag that consists of the shire logo at two existing flag poles in Euroa and Nagambie. These flags are flown at Binney Street in Euroa (middle of the roundabout) and High Street, Nagambie (in front of the Nagambie Library). It is proposed to utilise these existing flagpoles to fly Community Flags.

Community Flags are defined as representing a local community event, charity days or celebrations, festivals and events.

Prior to flying any Community Flag, it is recommended that Officers develop a Community Flags Protocol to provide guidelines for Council and the Community to manage requests to fly Community Flags. As a part of this process, Officers will undertake benchmarking against other Councils to provide insights into current practice regarding flag protocols for flags of this nature.

There are a lot of different ways to raise awareness, but flags and banners have proven themselves to be among the most popular in recent years.

ISSUES, OPTIONS AND DISCUSSION

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that priority is to be given to achieving the best outcomes for the municipal community, including future generations.

The development of a protocol will provide a clear process for the management and approval of community flag flying requests. This will include clarity regarding roles and responsibilities and the rationale associated with flying Community Flags.

The protocol will include (but not be limited to):

- The process for Requests from the community to fly a flag
- Supply of the flag
- Cost implications
- The proposed locations of the flags
- Alignment with Council values, Council Plan, Gender Equity Action Plan existing strategy/policy that promotes inclusiveness
- Rationale or intent behind the flying of certain flags to better inform the community
- The management of multiple requests to fly a Community Flag during the same period.

COMMUNITY ENGAGEMENT

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that the municipal community is to be engaged in strategic planning and strategic decision making.

9.2.3 Days of Significance – Flying of Community Flags (cont.)

There has been no community consultation undertaken in respect of this report. Internal consultation has occurred with the relevant Council Departments. Significant consultation occurred on the Council Plan 2021-2025, where inclusion was identified within the Community Vision.

POLICY CONSIDERATIONS

Council Plans and Policies

This report is intrinsically linked to the Council Plan 2021-25:

Strategic Focus Area 1: Engage. Create. Unite.

Action 1.4 Prepare and adopt a Social Inclusion Strategy which adopts an intersectionality approach to identify the guiding principles to promote equal rights and opportunities for everyone, redressing social and economic inequalities.

Regional, State and National Plans and Policies

There are no relevant Regional, State or National Plans or Policies.

LEGAL CONSIDERATIONS

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that Council decisions are to be made and actions taken in accordance with the relevant law.

There are no legal issues to be considered in this matter.

Conflict of Interest Declaration

All officers, and/or contractors, involved in the preparation of this report have signed a written declaration that they do not have a conflict of interest in the subject matter of this report.

Transparency

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that the transparency of Council decisions, actions and information is to be ensured.

The subject of this report is to be considered in an open Council meeting which the public may attend and is publicly streamed for all to view.

FINANCIAL VIABILITY CONSIDERATIONS

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that the ongoing financial viability of the Council is to be ensured.

Whilst there are no financial considerations associated with this report, the draft protocol will consider cost and resource implications associated with the supply, installation and administration associated with Community Flag flying requests.

SUSTAINABILITY CONSIDERATIONS

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that the economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted.

9.2.3 Days of Significance – Flying of Community Flags (cont.)

Economic

The protocol will consistently manage the use of existing flag poles in the central business areas of Euroa and Nagambie.

Social

The purpose of a protocol enables Council to formally and respectfully support community groups who aim to make desired improvements to social health, well-being, and overall functioning.

Environmental

Environmental considerations will be considered as part of the development of the protocol. The protocol will utilise the existing flag poles, rather than the need to purchase and install new infrastructure.

Climate change

As highlighted above, the proposed protocol aims to utilise existing infrastructure.

HUMAN RIGHTS CONSIDERATIONS

This report does not limit any human rights under the *Victorian Charter of Human Rights and Responsibilities Act 2006* and encourages participation in civic life by our community.

CONCLUSION

This report proposes Council Officers develop a Council protocol to guide the management and approval of these community flag requests from members of Council staff and/or the Community. The draft protocol will be presented to Council for consideration at a future Council Meeting.

ATTACHMENTS

Nil

9.3 INFRASTRUCTURE

9.3.1 Tender for Contract No. 22/23-18: Maintenance of Regatta Centre, Nagambie – Lump Sum

Author: Manager Community & Culture, Visitor Economy & Events Coordinator, Procurement and Tenders Officer

Responsible Director: Director Community & Planning

EXECUTIVE SUMMARY

Council has undertaken a competitive process for the Maintenance of Regatta Centre, Nagambie – Lump Sum tender.

The public tender process for the Regatta Centre Facilities Maintenance has been undertaken to meet Council's compliance requirements under Council's Procurement Policy.

This project is required for the maintenance and cleaning on-land and on-water of the Nagambie Lakes Regatta Centre precinct, including the Regatta Centre building.

Through public advertisement in local and national newspapers, Council invited tenders for the work under Contract 22/23-18, initially advertised between 4 October 2022 and 2 November 2022. At close of tenders on 2 November 2022, one (1) tender was received. The tender was issued for a Contract term of three years with 2 single year extensions available at sole discretion of Council (3 + 1 + 1).

The tender has been assessed and evaluated by Council Officers and, having considered the results of the evaluation, it is recommended that Council awards this contract to Bonza Repairs and Service for the lump sum of \$446,400 (including GST) for a three year period. The Contract is for a period of three years, plus two single year extensions at the discretion of Council.

RECOMMENDATION

That Council:

- 1. Receives and notes the outcome of the tender assessment process for Contract Number 22/23 18 – Maintenance of Regatta Centre, Nagambie – Lump Sum as set out in this report;***
- 2. Awards the tender for Contract No 22/23-18 Maintenance of Regatta Centre, Nagambie – Lump Sum to Bonza Repairs and Service Nagambie for a total amount of \$446,400, including GST, for a three year period with an option for two one-year extensions; and***
- 3. Authorises the Chief Executive Officer to execute the Contract by signing and affixing with the Common Seal of Strathbogie Shire Council.***

9.3.1 Tender for Contract No. 22/23-18: Maintenance of Regatta Centre, Nagambie – Lump Sum (cont.)

PURPOSE AND BACKGROUND

The Nagambie Regatta Centre precinct has been in operation since 1998 and attracts International, National and State sporting competition from a variety of disciplines including rowing, canoeing, canoe polo, dragon boating, fishing, etc.

The annual Maintenance Contract for the Nagambie Lakes Regatta Centre is to be a Lump Sum Contract with a Schedule of Rates used for additional works, as per the Strathbogie Shire Council requirements. The successful contractor will be determined by their relevant experience, capabilities to complete the tasks required, and their price and rates supplied in their tender submission.

As part of maintaining the Facility, a regular maintenance and cleaning program is to be adopted. This will include regular maintenance works, and any other works required for an event occurring at the centre throughout the year. There are 16 days of scheduled events throughout the season (October-April).

Works under the contract will include items such as mowing, edging, collection of rubbish, event signage, car park delineation, road grading, tree maintenance, bunting for walkways/thoroughfares and pruning.

Any repairs falling outside of the general maintenance program will be at the Council's expense. This includes major repairs to infrastructure such as the Regatta Centre Building, Boat Shed, Jayco Toilet Block, and Emergency Power.

The Contractor will also be responsible for the maintenance of on-water infrastructure and the set-up of various equipment for a variety of on water events.

The following are the key areas of maintenance:

- Grass mowing
- Leaf collection
- Edging
- Removal of grass around objects
- Weed control
- Mulching
- Water application
- Fertilising
- Pest and disease control
- Planting
- Tree surgery & pruning
- Litter collection
- Turf Renovation
- Fences, barriers, gates and signs maintenance
- Surface drainage maintenance
- Irrigation system maintenance
- flagpole maintenance
- Paths and paving
- Maintaining beaches
- Grade roads and fill in potholes within precinct
- Cleaning Outdoor Furniture

9.3.1 Tender for Contract No. 22/23-18: Maintenance of Regatta Centre, Nagambie – Lump Sum (cont.)

- Cleaning of public toilets & boat shed
- Maintenance of Boat Ramps
- Toilet cleaning in Boat Shed and Jayco Toilet Block
- Regatta Centre Building maintenance
- External cleaning of Regatta Centre

This report seeks Council approval of the recommendations on Tender Evaluation exercise on Contract No. 22/23-18: Maintenance of Regatta Centre, Nagambie – Lump Sum and to award the contract to the winning tenderer as provided in this report.

TENDER PROCESS

The public tender was released on “Tendersearch” via the Council website on the 4 October 2022. The tender was advertised in Saturday’s The Age newspaper (state-wide reach), Euroa Gazette, in the week following release. By the close of tenders at 4.00pm on 10 November 2022, one (1) tender was received.

The tender submission was assessed for its compliance including the contractual terms and conditions and the requirements of the response schedules and was deemed conforming.

Table 1 below lists the tender that were received at the close of the advertised tender period.

Table 1: Tender Submissions Received

Tender Submission Received at the close of Tender Period (in Alphabetical Order)
Bonza Repairs and Service

Table 2 below lists the tender offer (including GST) at the close of the advertised tender period.

Table 2: Tender Offers Received (including GST)

Tender Offer Received at Close of Tender Period (including GST) in lowest to highest order
\$446,400.00 (conforming)

Panel Assessment Process

In accordance with Council’s Procurement Policy, the evaluation panel and evaluation criteria weightings were determined prior to release of the Tender documentation. The evaluation panel members were nominated prior to release of the tender submissions however some Evaluation Panel members withdrew due to workload from the Flood Emergency. The Evaluation Panel was then updated, and signed ‘Conflict of Interest’ statements completed prior to the evaluation panel viewing the submitted tenders.

9.3.1 Tender for Contract No. 22/23-18: Maintenance of Regatta Centre, Nagambie – Lump Sum (cont.)

The Tender Evaluation Panel members were made up of the following Strathbogie Shire Council staff members:

1. Visitor Economy & Event Coordinator, Community & Planning
2. Finance Officer, Finance Department
3. Manager Project Delivery, Sustainable Infrastructure
4. Procurement & Tender Officer, Finance (moderator, non-voting member).

The principle that underlies the awarding of all Council contracts is that a contract is awarded on the basis of providing the overall Best Value, offering the most benefit to the community and the greatest advantage to Council.

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

- Tendered Price (50%)
This criterion measures the price only – either lump sum or unit rates – submitted by the tenderer. In accordance with Council's Procurement Guidelines, a price weighting of 50% is applied, unless a Council exemption is sought.

The submission was given a weighted score for their submitted price based on a comparative assessment of pricing for all tenders. As no other tenders were received the pricing was awarded the maximum score of 50%.
- Demonstrated Qualifications / Skills and Experience/ (10%)
Due to the high level of technical skills required to provide this service, a weighting of 10% was allocated to this criterium.
- Project Methodology and Capability (10%)
As the Work requires timely completion and elimination/mitigation of work-related risks, this criterium is considered important and therefore allocated a weighting of 10%.
- Management - Schedules (10%)
Quality Management Systems, Policies, Relevant Certifications, and Insurance are likewise considered vital and therefore included with an allocated weighting of 10%.
- Local Content (10%)
In accordance with Procurement Guidelines and being consistent with value for money principles, where different products are of comparable price, quality and equivalent value can be sourced either locally or regionally; preference will be given to local suppliers. A weighting of 10% was allocated to this tender.
- Sustainability (10%)
In accordance with the Council declaration of a Climate Emergency, this criteria shows support for the principals of sustainable procurement within the context of purchasing within a value for money basis. A weighting of 10% was allocated to this tender.

9.3.1 Tender for Contract No. 22/23-18: Maintenance of Regatta Centre, Nagambie – Lump Sum (cont.)

TABLE 3: *Evaluation Criteria*

Criteria	Weighting (%)
Price	50
Qualifications / Skills & Experience	10
Time Delivery, methodology and capacity to deliver	10
Management -Schedules	10
Local Content	10
Sustainability	10
Total	100

ISSUES, OPTIONS AND DISCUSSION

One of the overarching governance principles in section 9 of the Local Government Act 2020 is that priority is to be given to achieving the best outcomes for the municipal community, including future generations.

Evaluation Moderation Process

The purpose of the moderation meeting is to discuss and moderate scoring discrepancies larger than three points and to raise any concerns and/or queries that may need to be put to the tenderers prior to recommending the preferred Tenderer.

No moderation meeting was required for this tender as no scoring was outside of three scoring points and the sole tenderer provided adequate details not requiring Panel discussion.

Panel Assessment Summary

At the completion of the tender evaluation process, Bonza Repairs and Services attained a total score of 78.36%. Whilst they were the sole tenderer, the Tender Evaluation was satisfied they met the required standard to be awarded a Contract from Council, with a qualitative score of 28.36% out of 50%. The Tender Evaluation Panel was therefore satisfied that their tender represents the best value outcome for Council. The company is based in Nagambie within the Strathbogie Shire.

Bonza Repairs and Service have ample experience in maintenance at the Regatta Centre and has been the main contractor at the Regatta Centre for 15 years. They have demonstrated capability to complete the Works outlined in the tender with minimal supervision based on their submitted documents. Their references are good and consistent with their declared project history.

COMMUNITY ENGAGEMENT

One of the overarching governance principles in section 9 of the Local Government Act 2020 is that the municipal community is to be engaged in strategic planning and strategic decision making.

Consultation and Communication

The author of this report considers that no community consultation is required as a result of awarding this Contract.

9.3.1 Tender for Contract No. 22/23-18: Maintenance of Regatta Centre, Nagambie – Lump Sum (cont.)

Community Implications

The proposed maintenance contract will ensure continued excellent reputation of the facilities and attract major events to the centre, which will be a significant economic driver in the region.

Risk Management

The Tender Evaluation Panel considers awarding of this Contract imperative as failure to carry out the maintenance on this Community and Council Asset will eventually leave it in disrepair.

POLICY CONSIDERATIONS

Council Plans and Policies

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

This report is consistent with the Strathbogie Shire Council Procurement Policy.

The *Council Plan* is relevant with the following:

- Key Initiative 2.1
Ensure that upgrades of Council facilities, as identified in the capital works program, are compliant with the Disability and Discrimination Act 1992 to improve access for people with all abilities

Asset Management Policy

- Asset renewal – is the upgrading or replacement of an existing Asset, or a component, that restores the service capability of the Asset to its original functional condition and performance.

Asset Management Strategy

- Ensure the Shires infrastructure enhances efficiency for people and freight movement, service delivery and community amenities.

Regional, State and National Plans and Policies

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that regional, state, and national plans and policies are to be taken into account in strategic planning and decision-making.

There are no regional, state, and national plans or policies relevant to the report.

LEGAL CONSIDERATIONS

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that Council decisions are to be made and actions taken in accordance with the relevant law.

The recommendation has no legal or statutory implications which require the consideration of Council.

9.3.1 Tender for Contract No. 22/23-18: Maintenance of Regatta Centre, Nagambie – Lump Sum (cont.)

Conflict of Interest Declaration

All officers, and/or contractors, involved in the preparation of this report have signed a written declaration that they do not have a conflict of interest in the subject matter of this report.

Transparency

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that the transparency of Council decisions, actions and information is to be ensured.

All steps have been taken in line with Council's Procurement Policy which ensures transparency in the process. Decisions made by Council will be: -

- undertaken in accordance with the Act and the Governance Rules.
- will be conducted in an open and transparent forum with information available via Council reports.

Council meetings will be open to the community or can be viewed on the livestream (and available as a recording) unless closed for reasons permitted by s.66(2) of the Act.

FINANCIAL VIABILITY CONSIDERATIONS

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that the ongoing financial viability of the Council is to be ensured

The budget allocated for financial year 2022/2023 is currently at \$129,200 (excluding GST). The tendered price equates to \$135,151.52 (ex GST) per financial year, which is an increase of \$5,951.52. This increase is within the agreed 10% budget adjustment threshold, and can be adjusted at mid-year budget review.

SUSTAINABILITY CONSIDERATIONS

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that the economic, social, and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted.

Economic

The project will continue to maintain a vital Council asset and keep the relevant facilities and area in great order to promote and increase the useability of the precinct.

Social

The use of this precinct area will promote social benefits such as increased community connectedness through events and activities.

Environmental

The proposed Contractor has provided a site-specific Environmental Management Plan and implement it during the maintenance period in line with tender specification and legislation governing Environmental Protection. Council officers will monitor the proper implementation of Environment Management Plan throughout the tender period.

9.3.1 Tender for Contract No. 22/23-18: Maintenance of Regatta Centre, Nagambie – Lump Sum (cont.)

Climate Change

As highlighted above, officers will monitor the implementation of the Environment Management Plan throughout the contracted period.

HUMAN RIGHTS CONSIDERATIONS

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.

CONCLUSION

Council invited tenders for Contract No. 22/23-18 Maintenance of Regatta Centre, Nagambie – Lump Sum. The submitted tender was evaluated strictly in accordance with the Council's Procurement Policy and against the provided brief and specifications. It is proposed that Council endorses the recommended contract award for the Regatta Centre Facilities Maintenance Contract as discussed herein.

ATTACHMENTS

Nil

APPENDICES

As a sole tender was received, no confidential comparison report is required.

9.3.2 Tender for Contract No. 22/23-26: Design and Construct of 2 Play Spaces – Avenel and Creightons Creek

Author: Manager Project Delivery

Responsible Director: Director Sustainable Infrastructure

EXECUTIVE SUMMARY

Strathbogie Shire Council plans to replace the existing play equipment located at Creightons Creek Recreation Reserve and Jubilee Park in Avenel.

Council recently completed (September 2022) an audit of all its playgrounds and open spaces, and it has been identified that these two play spaces require updating. The construction of an updated play space will provide the community with a multi-functional and adaptable space that will encourage social interaction and promote health and wellbeing.

Council is currently developing a new Playground and Open Space Strategy, and a key component of the new strategy is to identify equipment that doesn't meet regulatory requirements and outline a replacement plan. The two play spaces proposed for replacement require immediate works to ensure safety and compliance and their replacement will also be consistent with best practice play provision.

Council invited tenders for the work under Contract 22/23-26, advertised between 14 October 2022 and 11 November 2022. At close of tender on 11 November 2022, five (5) tenders were received.

Upon Council approval, the successful tenderer will provide Council with options for the play equipment, and Council will conduct community consultation before construction.

RECOMMENDATION***That Council:***

- 1. Receive and note the outcome of the tender assessment process for Contract No. 22/23-26 Design & Construct of 2 Play Spaces – Avenel & Creightons Creek;***
- 2. Awards the tender for Contract No. 22/23-26 Design & Construct of 2 Play Spaces - Lump Sum to Adventure Playgrounds of Thomastown, for a total amount of \$179,267.00, inclusive of GST;***
- 3. Authorise officers to advise unsuccessful tenderers;***
- 4. Authorise the Chief Executive Officer to execute the Contract by signing and affixing the Common Seal of Strathbogie Shire Council; and***
- 5. Notes that construction will be completed by 30 June 2023.***

9.3.2 Tender for Contract No. 22/23-26: Design and Construct of 2 Play Spaces – Avenel and Creightons Creek (cont.)

PURPOSE AND BACKGROUND

Council recently (September 2022) completed an audit of all its playgrounds and open spaces, and it has been identified that the following two play spaces require updating:

- **Creightons Creek Recreation Reserve**

Creightons Creek Recreation Reserve is located 1489 Creighton's Creek Road, Creightons Creek. There is a small park located to the side of the CFA Shed that consists of a double swing set, slide and bear rocker. All existing equipment will need to be removed and replaced. This area will also require kerbing to be installed around the play area and new soft fall, including rubber surfacing under the swing set and slide.

- **Jubilee Park – Avenel**

Jubilee Park is located at the corner of Queen Street and Jubilee Crescent, Avenel. This playground is located near the Avenel Swimming Pool, Tennis Courts, and War Memorial Monument.

The existing footprint of the playground is quite large, and the equipment is spread out. It is expected to reduce the size of the footprint and bring the equipment in closer.

The existing Infinity Climber, Carousel, Climbing Frame and Leg Roll still meet standards and are to be kept. The existing Galvanised Steel Play Unit, Combination Unit/Play Structure, Freestanding Slide, 4 x Spring Rocker Horses and both sets of Double Swings are to be removed and replaced with new equipment. New soft fall will be required, including rubber surfacing under the swing set and slide.

This report seeks Council approval of the recommendations from the Tender Evaluation assessment on Contract No. 22/23-26 Design & Construct of 2 Play Spaces – Avenel & Creightons Creek, and award the contract to the winning tenderer as provided in this report.

TENDER PROCESS

All tender submissions were assessed for their compliance including the contractual terms and conditions and the requirements of the response schedules, five (5) tenders received were deemed conforming.

Table 1 below lists the tenders that were received at the close of the advertised tender period.

Table 1: Tender Submissions Received

Tender Submissions Received at the close of Tender Period (in Alphabetical Order)
A Space Australia Pty Ltd
Adventure Playgrounds Pty Ltd
KOMPAN Playscape Pty Ltd
Omnitech Playgrounds
Safe Play Australia Pty Ltd

9.3.2 Tender for Contract No. 22/23-26: Design and Construct of 2 Play Spaces – Avenel and Creightons Creek (cont.)

Table 2 below lists the tender offer (including GST) at the close of the advertised tender period.

Table 2: Tender Offers Received (including GST)

Tender Offers Received at Close of Tender Period (including GST) in lowest to highest order
\$173,353.40 (conforming)
\$176,000.00 (conforming)
\$179,267.00 (conforming)
\$196,350.00 (conforming)
\$196,354.40 (conforming)

Panel Assessment Process

In accordance with Council's Procurement Policy, the evaluation panel and evaluation criteria weightings were determined prior to release of the Tender documentation. The evaluation panel members were nominated prior to release of the tender submissions for evaluation. The panel signed 'Conflict of Interest' statements prior to the evaluation panel viewing the submitted tenders.

The Tender Evaluation Panel members were made up of the following Strathbogie Shire Council staff members:

1. Project Officer, Sustainable Infrastructure
2. Project Officer, Sustainable Infrastructure
3. Manager Project Delivery, Sustainable Infrastructure, and
4. Procurement & Tender Officer, Finance (moderating).

The principle that underlies the awarding of all Council contracts is that a contract is awarded on the basis of providing the overall Best Value, offering the most benefit to the community and the greatest advantage to Council.

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

- Tendered Price (50%)
This criterion measures the price only – either lump sum or unit rates – submitted by the tenderer. In accordance with Council's Procurement Guidelines, a price weighting of 50% is applied, unless a Council exemption is sought.

All submissions were given a weighted score for their submitted price based on a comparative assessment of pricing for all tenders. The comparative assessment awards the highest evaluation score (50%) to the lowest priced tender submission. The subsequent tender submissions received reduced evaluation scores based on the percentage difference between them and the lowest priced tender.

9.3.2 Tender for Contract No. 22/23-26: Design and Construct of 2 Play Spaces – Avenel and Creightons Creek (cont.)

- Business and Management Requirements (10%)
OHS, EMS, ISO, HR and Business plans, a weighting of 10% was allocated to this criterium.
- Capacity to Deliver (20%)
Tenderer resourcing and qualifications of key personnel; providing the ability to meet deliverables is highly valuable therefore allocated a weighting of 20%.
- Capability, Experience, Methodology (10%)
Resources to undertake project, deadlines, draft detailed project plan, demonstrated understanding of project are considered vital and therefore included with an allocated weighting of 10%.
- Local Content (10%)
In accordance with Procurement Guidelines and being consistent with value for money principles, where different products are of comparable price, quality and equivalent value can be sourced either locally or regionally; preference will be given to local suppliers. A weighting of 10% was allocated to this tender.

TABLE 3: *Evaluation Criteria*

Criteria	Weighting (%)
Price	50
Business and Management Requirements	10
Capacity to Deliver	20
Capability, Experience, Methodology	10
Local Content	10
Total	100

ISSUES, OPTIONS AND DISCUSSION

Evaluation Moderation Process

The purpose of the moderation meeting is to discuss and moderate scoring discrepancies larger than three points and to raise any concerns and/or queries that may need to be put to the tenderers prior to recommending the preferred Tenderer.

The Tender Evaluation Panel individually reviewed all tender submissions in detail and assessed tenderers submitted schedules and attachments against the evaluation criteria.

The Moderator (Procurement & Tender Officer) averaged the scores and highlighted scoring discrepancies larger than three (3) points. On Thursday 17th November 2022 the Panel members and the Moderator met to finalise the evaluation through moderation meeting.

9.3.2 Tender for Contract No. 22/23-26: Design and Construct of 2 Play Spaces – Avenel and Creightons Creek (cont.)

Panel Assessment Summary

One of the overarching governance principles in section 9 of the Local Government Act 2020 is that Priority is to be given to achieving the best outcomes for the municipal community, including future generations.

At the completion of the tender evaluation process, Adventure Playgrounds attained the top ranking with a total score of 83.01%. Adventure Playgrounds received the highest qualitative score and meeting all of Council's scope. The Tender Evaluation Panel was therefore satisfied that their tender represents the best value outcome for Council. The company is based in Thomastown, Victoria.

Adventure Playgrounds have ample experience in Playgrounds and have completed similar work for other organisations in the past. They have demonstrated capability to complete the works outlined in the tender with minimal supervision based on their submitted documents. Their references are good and consistent with their declared project history.

COMMUNITY ENGAGEMENT

One of the overarching governance principles in section 9 of the Local Government Act 2020 is that the municipal community is to be engaged in strategic planning and strategic decision making.

Council stipulated in the scope for the Design & Construct 2 Play Spaces that the successful tenderer will be required to provide Council with options for the play equipment at each location. These options will then be put on Council's Share Strathbogie page for the Community to vote and have a say on the play equipment that will be installed.

Council will also attend local schools, kindergartens and play groups to ensure the main users of the play equipment get a say. Council are also hoping to have onsite sessions, inviting members of the community to come and vote.

Council's Project team will work closely with the members of Jubilee Park Committee of Management and the Creightons Creek CFA to ensure their requirements are taken into consideration.

POLICY CONSIDERATIONS

Council Plans and Policies

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

This report is consistent with the Strathbogie Shire Council Procurement Policy.

The Council Plan 2021-2025 is relevant with the following:

- Strategic Focus Area 2: Live. Access. Connect
- Our strategies to achieve these goals (pg. 22)
 - Our active and passive open spaces cater for all generations and all abilities.

9.3.2 Tender for Contract No. 22/23-26: Design and Construct of 2 Play Spaces – Avenel and Creightons Creek (cont.)

Regional, State and National Plans and Policies

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that regional, state and national plans and policies are to be taken into account in strategic planning and decision-making.

The author of this report considers that there are no regional, state, and national plans or policies relevant to the report.

LEGAL CONSIDERATIONS

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that Council decisions are to be made and actions taken in accordance with the relevant law.

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

Conflict of Interest Declaration

All officers, and/or contractors, involved in the preparation of this report have signed a written declaration that they do not have a conflict of interest in the subject matter of this report.

Transparency

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that the transparency of Council decisions, actions and information is to be ensured.

It is considered by the author of this report that all steps have been taken in line with Council's Procurement Policy which ensures transparency in the process.

Decisions made by Council will be: -

- undertaken in accordance with the Act and the Governance Rules.
- will be conducted in an open and transparent forum with information available via Council reports.

Council meetings will be open to the community or can be viewed on the livestream (and available as a recording) unless closed for reasons permitted by s.66(2) of the Act.

FINANCIAL VIABILITY CONSIDERATIONS

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that the ongoing financial viability of the Council is to be ensured.

Council allocated \$355,300.00 (incl GST) for 'Play & Recreation Spaces – Various' in the 2022-2023 Capital Works Program. Therefore, the recommended tender price of \$179,267.00 (incl GST) implies no shortfall.

Surplus funds are to be used towards Contract 22/23-20 Landscape of Whroovale Estate Open Space, which was approved at the November 2022 Council Meeting.

9.3.2 Tender for Contract No. 22/23-26: Design and Construct of 2 Play Spaces – Avenel and Creightons Creek (cont.)

SUSTAINABILITY CONSIDERATIONS

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that the economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted.

Economic and Social

The project will provide the community with a multi-functional and an adaptable space that will encourage social interaction and promote health and wellbeing.

Environmental

Awarded Contractor shall develop a site-specific Environmental Management Plan, and implement it during the construction period in line with project specification and legislation governing Environmental Protection. Council officers will monitor the proper implementation of Environment Management Plan throughout the project cycle.

Adventure Playgrounds is an advocate of reusing redundant playground equipment to benefit others. In suitable scenarios, they engage Rotary Groups to reinstall old equipment in developing countries. This is a refreshing alternative to the standard recycling procedure.

Climate change

As highlighted above the preferred tenderer is cognisant of opportunities that promote environmental good.

HUMAN RIGHTS CONSIDERATIONS

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.

CONCLUSION

Council invited tenders for Contract No 22/23-26 Design & Construct 2 Play Spaces – Avenel & Creightons Creek. The submitted tenders were sought and evaluated strictly in accordance with Council's Procurement Policy and against the provided brief and specifications. It is proposed that Council endorses the recommended contract award for Design and Construct of 2 Play Spaces – Avenel and Creightons Creek as discussed herein.

ATTACHMENTS

NIL

APPENDICES

Appendix 1: Tender Evaluation for Contract No 22/23-26: Design and Construct 2 Play Spaces – Avenel and Creightons Creek (CONFIDENTIAL)

9.3.3 Contract Variation - Contract No. 19-20-44: Mullers Road ~ Road Reconstruction Stage 2

Author: Manager Projects Delivery

Responsible Director: Director Sustainable Infrastructure

EXECUTIVE SUMMARY

Re-construction of Mullers Stage 2 has been integrated into Strathbogie Shire Capital Work Program for the Financial Year 2022-23, being the second segment of Mullers Road scheduled for reconstruction having completed the reconstruction of a 4km segment of the road under the Stage-1 contract.

At the February 2021 Council Meeting, Council approved to award Contract No 19/20-44 for Mullers Road Reconstruction Stage-2 to Bitu-mill (Civil) Pty Ltd, after emerging as the preferred tenderer following a competitive procurement process. The lumpsum contract was awarded for a total sum of \$556,586.39 inclusive of GST.

Accordingly, the contract was awarded, and Contract Agreement fully executed on 26 July 2021. However, construction work could not commence due to delays arising from Cultural Heritage Management Plan (CHMP) and Planning Permits to remove the impacted trees. The time delay of more than 13 months was due to these delays and coupled with design changes which included new drainage components, additional fill materials and specification of higher grade of safety guard rails. At the September Council Meeting held on 20 September 2022, the Council approved the contract fee variation to accommodate the above delays and design changes which brought the new Contract value to \$758,214.31 inclusive of GST.

Contract work commenced on 14 November 2022 and a significant amount of soft ground treatment emerged as the works progressed which were unforeseen during the design stage. It is essential to perform the required treatment to bring the newly constructed road to its expected durability thus providing best value for the shire asset. This unforeseen condition has resulted in a cost increase of \$130,289.72 GST inclusive which is 17.18% increase on recently revised Contract value. The new Contract value of the project would be \$888,504.03 inclusive of GST, should this variation be approved.

RECOMMENDATION

That Council accept the variation of \$130,289.72 GST inclusive, increasing the value of Contract No 19/20-44 Mullers Road – Road Reconstruction Stage 2, to \$888,504.03 inclusive of GST to cover additional works required to complete this work.

PURPOSE AND BACKGROUND

This report seeks Council approval of the proposal to increase the value of Contract No 19/20-44 – Mullers Road – Road Reconstruction Stage 2 by \$130,289.72 including GST (17.18%) to cover additional works required to complete the work.

9.3.3 Contract Variation - Contract No. 19-20-44: Mullers Road – Road Reconstruction Stage 2 (cont.)

Contract work of Mullers Road Stage 2 commenced on 14 November 2022. A significant area requiring soft ground treatment emerged upon ground disturbance after the work commenced. This had not been identified during the design stage. However, to bring the road up to required standards and durability requirements it is essential to treat this unsuitable ground before further road build takes place.

ISSUES, OPTIONS AND DISCUSSION

One of the overarching governance principles in section 9 of the Local Government Act 2020 is that Priority is to be given to achieving the best outcomes for the municipal community, including future generations.

Accepting this variation will ensure the shire's asset created through this project provides best value in terms of ongoing maintenance and upkeep.

VARIATION DETAILS

Details of the variation details are listed below:

Table 1: Summary of Additional Works

S/N	Description	Amount
1.0	<i>Remove and replace Unsuitable Material from Ch. 4290 to 4760 both sides for a nominal depth of 300mm and 1.5m width and stabilize subgrade with 3% Roadmaker 343(Triple Blend)</i>	\$130,289.72
Total GST Inclusive		\$130,289.72

COMMUNITY ENGAGEMENT

One of the overarching governance principles in section 9 of the Local Government Act 2020 is that the municipal community is to be engaged in strategic planning and strategic decision making.

No community consultation has been undertaken, as this report relates to a contractual matter between the appointed contractor and Council.

POLICY CONSIDERATIONS

Council Plans and Policies

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

This report is consistent with the Strathbogie Shire Council Procurement Policy.

The *Council Plan 2021-2025* is relevant with the following:

Strategic focus area 2: Live. Access. Connect

Strategies: Our asset management framework balances increasing community expectations with delivering value for money and maximum community benefit within our limited resources.

9.3.3 Contract Variation - Contract No. 19-20-44: Mullers Road – Road Reconstruction Stage 2 (cont.)

Asset Management Policy

- Asset renewal – is the upgrading or replacement of an existing Asset, or a component, that restores the service capability of the Asset to its original functional condition and performance.

Asset Management Strategy

- Ensure the Shires infrastructure enhances efficiency for people and freight movement, service delivery and community amenities.

LEGAL CONSIDERATIONS

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that Council decisions are to be made and actions taken in accordance with the relevant law.

Under Council's Procurement Policy, this variation requires the consideration and any subsequent approval via a Council resolution.

Conflicts of Interest Declaration

All officers, and/or contractors, involved in the preparation of this report have signed a written declaration that they do not have a conflict of interest in the subject matter of this report.

Transparency

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that the transparency of Council decisions, actions and information is to be ensured.

It is considered by the author of this report that all steps have been taken in line with Council's Procurement Policy which ensures transparency in the process.

Decisions made by Council will be: -

- undertaken in accordance with the Act and the Governance Rules.
- will be conducted in an open and transparent forum with information available via Council reports.

Council meetings will be open to the community or can be viewed on the livestream (and available as a recording) unless closed for reasons permitted by s.66(2) of the Act.

FINANCIAL VIABILITY CONSIDERATIONS

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that the ongoing financial viability of the Council is to be ensured

The budget allocated to Mullers Road – Reconstruction Stage 2 in the current Financial Year is \$628,052.70 inclusive of GST. With the proposed variation of \$130,289.72 to the contract, the new contract sum will be of \$888,504.03 inclusive of GST. The funds will be sourced with savings from other projects within the capital works program.

9.3.3 Contract Variation - Contract No. 19-20-44: Mullers Road – Road Reconstruction Stage 2 (cont.)

SUSTAINABILITY CONSIDERATIONS

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that the economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted

Economic

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

Social

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

Environmental

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

Climate Change

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

INNOVATION AND CONTINUOUS IMPROVMENT

One of the Overarching governance principles in section 9 of the *Local Government Act 2020* is the pursuit of innovation and continuous improvement.

The outcome of the project would ensure safety and promote social interaction across communities within the shire, this would in turn enhance innovation within the society. The Responsible Officer considers timely consideration of the variation while construction is ongoing as vital to successfully deliver the works under this project. Delay in taking decision could attract further costs.

HUMAN RIGHTS CONSIDERATIONS

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

CONCLUSION

Council approved tender evaluation recommendation to award Contract No. 19/20-44 for Mullers Road Reconstruction Stage-2 to Bitu-mill (Civil) Pty Ltd. The contract was executed in accordance with the Council's Contract Management Guidelines and Procurement Policy. A significant area requiring soft ground treatment emerged upon ground disturbance after the work commenced. It is proposed that Council endorse the recommendation to undertake a variation of the contract to accommodate the necessary works discussed in this report.

ATTACHMENTS

Nil

9.3.4 Tender for Contract No. 22/23-27 Streetscape Design – Euroa Stage 2, and Strathbogie Township and Violet Town Stage 1 (Lump Sum Contract)

Author: Manager Project Delivery

Responsible Director: Director Sustainable Infrastructure

EXECUTIVE SUMMARY

Strathbogie Shire Streetscape Program commenced in the 21/22 financial year with Stage 1 works now completed in Euroa, Longwood and Avenel. External funding received through the Local Roads and Community Infrastructure Program has been assigned to further progress streetscape for Stage 2 at Euroa, Longwood and Avenel and Streetscape Plans developed Strathbogie and Violet Town incorporating Stage 1. The Nagambie Streetscape Plan is subject to a separate Council Report in this meeting agenda.

Contract 22/23-27 focuses on detailed design for Stage 2 at Euroa, Stage 1 at Strathbogie and Stage 1 at Violet Town. As the shire conducted the initial community consultation meetings with the relevant community groups for these three towns there are clear objectives identified.

Council invited tenders for the work under Contract 22/23-27, advertised between 26 October 2022 and 18 November 2022. At the close of tender on 18 November 2022, six compliant (6) tenders had been received. These tenders have been assessed and evaluated by the Tender Evaluation Panel and a summary of results is detailed in this report.

This report recommends Council awards the tender for the contract to Tomkinson Group Pty Ltd for the lump sum of \$113,476 (inc GST) and that the Director of Sustainable Infrastructure execute the contract on Council's behalf as the Acting CEO has declared a conflict of interest in this matter.

RECOMMENDATION***That Council:***

- 1. Receives and notes the outcome of the tender assessment process for Contract No 22/23-27 Streetscape Design – Euroa Stage 2, Strathbogie and Violet Town Stage 1 as set out in the confidential appendices to this report;***
- 2. Awards the tender for contract No 22/23-27 Streetscape Design – Euroa Stage 2, Strathbogie and Violet Town Stage 1 - Lump Sum to Tomkinson Group Pty Ltd of Bendigo, for a total amount of \$113,476.00 inclusive of GST;***
- 3. Authorises officers to advise the unsuccessful tenderers;***
- 4. Authorises the Director Sustainable Infrastructure to execute the Contract by signing and affixing the Common Seal of Strathbogie Shire Council; and***
- 5. Notes that the project will be completed by 31 March 2023.***

9.3.4 Tender for Contract No. 22/23-27 Streetscape Design – Euroa Stage 2, and Strathbogie Township and Violet Town Stage 1 (Lump Sum Contract) (cont.)

PURPOSE AND BACKGROUND

The Streetscape Program commenced in the 21/22 financial year, with Stage 1 works now completed in Euroa, Longwood and Avenel. External funding received through the Local Roads and Community Infrastructure Program has been assigned to further progress streetscape for Stage 2 at Euroa, Longwood and Avenel and Streetscape Plans developed Strathbogie and Violet Town incorporating Stage 1. The Nagambie Streetscape Plan is subject to a separate Council Report in this meeting agenda.

The design work under this tender package is summarised as below;

- Detailed design for Stage 2 Streetscape work for Euroa – replicate the works carried out in Stage 1 at crossing near Newsagency, on the other crossing near the pharmacy in Binney Street
- Detailed Design for Strathbogie Streetscape works (Streetscape Plan incorporating Stage 1 detailed design) – Complete the design for Strathbogie main street, subject to community consultation meeting outputs. The designs shall consider drainage improvements at the main street which is a major issue at the Main Street – Armstrong Avenue Junction.
- Detailed Design for Violet Town Streetscape works (Streetscape Plan incorporating Stage 1 detailed design) – Complete the design of Cowslip Street considering VicRoads requirements and subject to community consultation meeting outputs.

TENDER PROCESS

The public tender was released on <https://www.eprocure.com.au/strathbogie/> website on the 26 October 2022. The tender was advertised in Saturday's The Age newspaper (state-wide reach) and Shepparton News in the week following release. By the close of tenders at 4.00pm on 18 November 2022, six (6) tender submissions had been received. All were assessed to be compliant.

Table 1 below lists the tenders that were received at the close of the advertised tender period.

Table 1: Tender Submissions Received

Tender Submissions Received at the close of Tender Period (in Alphabetical Order)
About Architecture
Beveridge Williams
Michael Smith & Associates
Outlines Landscapes Architecture
Partnear
Tomkinson Group

9.3.4 Tender for Contract No. 22/23-27 Streetscape Design – Euroa Stage 2, and Strathbogie Township and Violet Town Stage 1 (Lump Sum Contract) (cont.)

Table 2 below lists the tender offer (including GST) at the close of the advertised tender period.

Table 2: Tender Offers Received (including GST)

Tender Offers Received at Close of Tender Period (including GST) in lowest to highest order
\$99,396.00 (conforming)
\$113,476.00 (conforming)
\$149,040.00 (conforming)
\$153,291.00 (conforming)
\$256,146.00 (conforming)
\$307,997.80 (conforming)

Panel Assessment Process

In accordance with Council's Procurement Policy, the evaluation panel and evaluation criteria weightings were determined prior to release of the Tender documentation. The evaluation panel members were nominated prior to release of the tender submissions for evaluation. The panel signed Conflict of Interest statements prior to the evaluation panel viewing the submitted tenders.

The Tender Evaluation Panel members were made up of the following Strathbogie Shire Council staff members:

1. Procurement Administrative Assistant, People and Governance
2. Senior Project Officer, Sustainable Infrastructure
3. Manager Project Delivery, Sustainable Infrastructure, and
4. Procurement & Tender Officer, Finance (moderating).

The principle that underlies the awarding of all Council contracts is that a contract is awarded on the basis of providing the overall Best Value, offering the most benefit to the community and the greatest advantage to Council.

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

TABLE 3: Evaluation Criteria

Criteria	Weighting (%)
Price	50
Management Schedules	5
Capacity	5
Capability, Experience, Methodology	10
Tender Conformance	10
Sustainability Schedule	10
Local Content	10
Total	100

9.3.4 Tender for Contract No. 22/23-27 Streetscape Design – Euroa Stage 2, and Strathbogie Township and Violet Town Stage 1 (Lump Sum Contract) (cont.)

ISSUES, OPTIONS AND DISCUSSION

One of the Overarching governance principles in section 9 of the *Local Government Act 2020* is that priority is to be given to achieving the best outcomes for the municipal community, including future generations.

Evaluation Moderation Process

The purpose of the moderation meeting is to discuss and moderate scoring discrepancies larger than three points and to raise any concerns and/or queries that may need to be put to the tenderers prior to recommending the preferred Tenderer.

The Tender Evaluation Panel individually reviewed all tender submissions in detail and assessed tenderers submitted schedules and attachments against the evaluation criteria.

The Moderator (Procurement & Tender Officer) averaged the scores and highlighted scoring discrepancies larger than three (3) points. On Thursday 29 November 2022, the Panel members and the Moderator met to finalise the evaluation through moderation meeting.

Panel Assessment Summary

At the completion of the tender evaluation process, Tomkinson Group attained the highest overall ranking with a total score of 74.49%, composed of 30.69% on Qualitative and 43.80% on Quantitative measures.

The Tender Evaluation Panel was therefore satisfied that Tomkinson Group Pty Ltd represents the best value outcome for Council and the community.

COMMUNITY ENGAGEMENT

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that the municipal community is to be engaged in strategic planning and strategic decision making.

Council valued community inputs related to the streetscape program thoroughly through a structured community engagement process undertaken earlier this year. The designs produced through this tender will also be informed by further consultative processes to be undertaken with local communities.

POLICY CONSIDERATIONS

Council Plans and Policies

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

The tender process has been conducted and assessed in accordance with Council's Procurement Policy.

9.3.4 Tender for Contract No. 22/23-27 Streetscape Design – Euroa Stage 2, and Strathbogie Township and Violet Town Stage 1 (Lump Sum Contract) (cont.)

The Council Plan 2021-2025 is relevant with the community goal under Strategic Focus Area 1: Engage. Create. Unite, which states:

One of the community's goals is to create welcoming social spaces where people can connect.

Strategic Focus Area 6 Accountable. Transparent. Responsible also identifies the following strategies relevant to this report:

Maximise public transparency and accountability around our performance and decision making processes

Be financially responsible, achieving the greatest possible community benefit from the programs, initiatives and services we fund

LEGAL CONSIDERATIONS

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that Council decisions are to be made and actions taken in accordance with the relevant law.

The procurement process has been undertaken in accordance with the principles and requirements outlined in the *Local Government Act 2020*.

Conflict of Interest Declaration

All officers, and/or contractors, involved in the preparation of this report have signed a written declaration that they do not have a conflict of interest in the subject matter of this report. The Acting CEO has declared a general conflict of interest in this matter as they have previously commissioned work from one of the tenderers and so has not been involved in the tender evaluation process or the review of this report.

Transparency

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that the transparency of Council decisions, actions and information is to be ensured.

It is considered by the author of this report that all steps have been taken in line with Council's Procurement Policy which ensures transparency in the process.

Decisions made by Council will be: -

- undertaken in accordance with the Act and the Governance Rules.
- will be conducted in an open and transparent forum with information available via Council reports.

Council meetings will be open to the community or can be viewed on the livestream (and available as a recording) unless closed for reasons permitted by s.66(2) of the Act.

FINANCIAL VIABILITY CONSIDERATIONS

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that the ongoing financial viability of the Council is to be ensured.

There is an allocation of up to \$150,000 for this particular phase of the streetscapes program in the 2022-23 adopted budget, part of which is grant funding from the Local Roads and Community Infrastructure Program.

9.3.4 Tender for Contract No. 22/23-27 Streetscape Design – Euroa Stage 2, and Strathbogie Township and Violet Town Stage 1 (Lump Sum Contract) (cont.)

SUSTAINABILITY CONSIDERATIONS

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that the economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted.

Economic

The economic benefits derived from this project include:

- Creation of a distinctive sense of place for local residents, visitors and businesses
- Provision of a high quality, attractive public spaces where people want to visit and shop; and
- Improving the attractiveness, comfort, accessibility, connectivity and safety each of our main streets or main commercial areas.

Social

Effective streetscape design is an integral part of shaping a community's identity, increasing civic pride and improving a sense of wellbeing and belonging. In particular these designs aim to improve connection to place, by:

- Creating a local sense of place by reinforcing identity and telling local stories through the choice of materials and placemaking, and
- Reinforcing visual and physical connections to the surrounding landscape and heritage.

Climate change

This project aims to improve the environmental function of our townships by:

- Increasing areas of landscaping to improve passive cooling
- Embracing opportunities to utilise solar energy for lighting when feasible
- Increasing irrigation potential and stormwater drainage
- Replacing landscape treatments that are at the end of their lifecycle
- Increasing the capacity of existing green networks to enhance biodiversity and habitat corridors
- Ensuring the retention and renewal of the significant mature street trees where possible and the character of leafy streetscapes
- Increase the amount of permeable surfaces, soft landscape areas and shade trees.

HUMAN RIGHTS CONSIDERATIONS

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*.

9.3.4 Tender for Contract No. 22/23-27 Streetscape Design – Euroa Stage 2, and Strathbogie Township and Violet Town Stage 1 (Lump Sum Contract) (cont.)

CONCLUSION

Council has concluded a public tender process for Contract No 22/23-27 Streetscape Detailed Design – Euroa, Strathbogie and Violet Town. The submitted tenders were evaluated strictly in accordance with Council's Procurement Policy and against the provided brief and specifications. It is proposed that Council endorses the recommended contract award for Streetscape Detailed Design – Euroa, Strathbogie and Violet Town as discussed herein.

ATTACHMENTS

Nil

APPENDICES

Appendix 2: Tender Evaluation for Contract No. 22/23-27 Streetscape Design – Euroa Stage 2, and Strathbogie Township and Violet Town Stage 1 (Lump Sum Contract) (CONFIDENTIAL)

9.3.5 Contracts and Works Awarded Under Delegation

Author: Procurement and Tenders Officer

Responsible Directors: Director Community & Planning / Director Corporate Operations

EXECUTIVE SUMMARY

The purpose of this report is to inform Council and the community of the status of request for the publicly advertised tenders, invitations for written quotations and quotations provided using collaborative and/or third party contracts which have been awarded under delegation for the period 1 to 30 November 2022. This report specifically relates to works that form part of Council's 2022/23 budget.

RECOMMENDATION

That Council note the:

- 1. Contracts awarded under delegated authority by the Chief Executive Officer;***
- 2. Contracts and works awarded under delegated authority by a Director; and***
- 3. Works awarded under delegated authority by a Manager.***

PURPOSE AND BACKGROUND

In line with Council's approach to transparency and good governance, the Contracts and Works Awarded Under Delegation report will be tabled for information purposes at each Council Meeting. The report details any contracts and works that have been awarded under delegated authority by the Chief Executive Officer, a Director, or a Manager within their approved financial threshold. This report specifically relates to works that form part of Council's approved 2022/23 budget.

ISSUES, OPTIONS AND DISCUSSION

Any contract awarded under delegation is undertaken in line with Council's Procurement Policy. Through the *Instrument of Delegation to the Chief Executive Officer* the Council has delegated authority to the following:

- Chief Executive Officer – award a contract up to the value of \$170,000 for goods and services and \$220,000 for works
- A Director – award a contract up to the value of \$100,000 for goods and services or works
- A Manager – delegated limits vary according to the position from between \$10,000 to \$25,000 for goods and services or works.

9.3.5 Contracts and Works Awarded Under Delegation (cont.)**Contracts Awarded Under Delegated Authority by Chief Executive Officer**
Nil.**Contracts Awarded Under Delegated Authority by Directors**

Contract No.	CN 21-23-50 (A)
Contract Name	<i>Contract Management System Advertised as Contract and Tender Management System *both or either</i>
Contract Details	2 + 1 +1
Value Including GST	\$75,900
Awarded to	Open Windows Pty Ltd
Scheduled Commencement	28 February 2023 (projected - after implementation)
Scheduled Completion Date	27 February 2024 +option of two single year extensions
Contract No.	CN 21-23-50 (B)
Contract Name	<i>Tender Management System Advertised as Contract and Tender Management System *both or either</i>
Contract Details	2 + 1 +1
Value Including GST	\$10,285.00
Awarded to	BCI Media (previously known as eProcure)
Scheduled Commencement	12 December 2022
Scheduled Completion Date	11 December 2024 +option of two single year extensions
Contract No.	CN 22/23-12
Contract Name	Strathbogie Memorial Hall Roof Upgrade
Contract Details	16 working days
Value Including GST	\$97,812.00
Awarded to	Lubeck Plumbing P/L
Scheduled Commencement	14 March 2023
Scheduled Completion Date	4 April 2023

9.3.5 Contracts and Works Awarded Under Delegation (cont.)

Contracts Awarded Under Delegated Authority by Manager/s Nil.

COMMUNITY ENGAGEMENT

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that the municipal community is to be engaged in strategic planning and strategic decision making.

Consultation

Where required, external stakeholders have been engaged providing input on relevant projects.

Community Implications

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

Conflict of Interest Declaration

All offices, and/or contracts involved in the preparation of this report have signed a written declaration that they do not have a conflict of interest in the subject matter of this report.

Transparency

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that the transparency of Council decisions, actions and information is to be ensured.

This report demonstrates that Council is being transparent by providing information to the community regarding the awarding of any works projects.

FINANCIAL VIABILITY CONSIDERATIONS

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that the ongoing financial viability of the Council is to be ensured. The contracts awarded under delegation are projects that have formed part of Council's adopted 2022/23 budget.

SUSTAINABILITY CONSIDERATIONS

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that the economic, social, and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted.

Economic

Works awarded under delegation provide an opportunity to generate great economic benefit using local contractors and the purchasing of materials and supplies. In addition, the enhancement of infrastructure continues to make our municipality a place of destination, one where people choose to live, work and play.

Social

Each project includes several social benefits to our community. Some of these benefits include infrastructure that encourages health and wellbeing activities and amenity improvements.

9.3.5 Contracts and Works Awarded Under Delegation (cont.)

Environmental

The works will be undertaken in line with an approved scope of works and ensure that the site is made good upon completion of the works.

Climate Change

The author of this report considers that the recommendation has no significant implications on Climate Change and on the general environment.

HUMAN RIGHTS CONSIDERATIONS

This report considers that the recommendations do not limit any Human Rights under the Victorian Charter of Human Rights and Responsibilities Act 2006.

CONCLUSION

It is important that decisions and actions taken under delegation be properly documented and transparent in nature. The report details the publicly advertised tenders, invitations for written quotations and quotations provided using collaborative and/or third party contracts which have been awarded by the Chief Executive Officer, Directors and Managers under delegated authority of the Council during the period 1 to 30 November 2022.

ATTACHMENTS

Nil.

9.4 CORPORATE

9.4.1 Strathbogie Shire Audit and Risk Committee – Confirmed Minutes of the Meetings held on 1 July, 16 September, 19 September and 7 October 2022

Author and Responsible Director: Director, People & Governance

EXECUTIVE SUMMARY

This report presents the confirmed minutes of meetings of the Audit and Risk Committee of 1 July 2022, 16 and 19 September 2022 and 7 October 2022 for Council's consideration.

The items considered by the Committee at these meetings were as follows:

1 July 2022

- Internal audit for Procurement and Accounts Payable
- Internal audit for the Tree Management Plan
- Internal audit for Past Issues
- Interim Audit and Management Letter for end of year financial reports
- Risk Management Update
- Budget preparation 2022-23 update
- Asset Plan update
- Audit and Risk Committee Workplan update
- Key Strategic Indicators – Human Resources
- Services provided to the community, Community Satisfaction 2022 results and other service indicators.

16 and 19 September 2022

The meeting of the 16 September did not achieve a quorum so the business was discussed further and confirmed at the meeting of the 19 September.

- 2021-22 Annual Financial Reports
- 2021-22 Performance Statement and Governance Management Checklist
- Closing report from the Victorian Auditor General's Office (provided by Crowe Australasia)
- Protective Data Security Plan
- Calendar of meetings for 2022-23 – additional dates for a Policy Review and Strategy meetings
- Audit and Risk Committee webpage and portal
- Annual Committee Performance Report and Biannual Audit and Risk Report
- Internal audit for Business Continuity and Disaster Recovery Planning
- Internal audit program status update and industry updates
- Outstanding Internal Audit Items update
- Policies update
- Strategic Risk Register update
- Audit and Risk Committee workplan
- Key Strategic Indicators – Human Resources.

9.4.1 Strathbogie Shire Audit and Risk Committee – Confirmed Minutes of the Meetings held on 1 July, 16 September, 19 September and 7 October 2022 (cont.)

7 October 2022 - Policy Review

- Procurement Policy review
- Disposal or Sale of Council Assets Policy review
- Purchasing Card Policy review
- Rates and Charges Collection and Hardship Policy review
- Council Expenses Policy review
- Risk Management Policy review.

The confirmed and unconfirmed minutes from the above meetings are presented for Council's review and noting.

RECOMMENDATION

That Council notes the Confirmed Minutes of the 1 July, 16 September, 19 September and 7 October 2022 Audit and Risk Committee meetings.

PURPOSE AND BACKGROUND

The Strathbogie Shire Council Audit and Risk Committee is a Committee appointed by Council and pursuant to section 53 of the *Local Government Act 2020*.

The primary objective of the Audit and Risk Committee is to assist Council in the effective conduct of its responsibilities for compliance with Council policies and legislation, sound financial reporting and financial management, oversight of risk management including the Strategic Risk Register, good corporate governance, maintaining a reliable system of internal controls and facilitating the organization's ethical development.

ISSUES, OPTIONS AND DISCUSSION

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that Priority is to be given to achieving the best outcomes for the municipal community, including future generations.

The independence of the Audit and Risk Committee ensures there is a 'watchdog' over Council operations at all times, which helps ensure the best interests of the municipal community are achieved through Council operations and decisions.

The advice received from the Committee influences financial management, policy, risk management and good governance decisions and frameworks.

COMMUNITY ENGAGEMENT

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that the municipal community is to be engaged in strategic planning and strategic decision making.

9.4.1 Strathbogie Shire Audit and Risk Committee – Confirmed Minutes of the Meetings held on 1 July, 16 September, 19 September and 7 October 2022 (cont.)

Consultation on this matter is not required under Council's Community Engagement Policy given the operational nature of the committee and its operation under the Audit and Risk Committee Charter.

The Committee is comprised of four independent Community representatives and two Councillors (with one Councillor substitute representatives).

POLICY CONSIDERATIONS

Council Plans and Policies

The work of the Committee is consistent with Strategic Focus Area 6: Accountable. Transparent. Responsible, which outlines several strategies :

As a Council we will:

- *Achieve the highest level of good governance across the organization and as an elected Council*
- *Be accountable for the decisions we make and the quality of services we deliver*
- *Maximize public transparency and accountability around our performance and decision making processes*
- *Be financially responsible achieving the greatest possible community benefit from the programs, initiatives and services we fund.*

The Audit and Risk Committee plays a key role in monitoring implementation of these strategies.

Regional, State and National Plans and Policies

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that regional, state and national plans and policies are to be taken into account in strategic planning and decision-making.

The Audit and Risk Committee has been established under State government legislation, while its Workplan and Charter have been developed in accordance with State government guidelines.

LEGAL CONSIDERATIONS

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that Council decisions are to be made and actions taken in accordance with the relevant law.

The Audit and Risk Committee has been constituted and established under sections 53 and 54 of the *Local Government Act 2020*, which requires all councils to appoint a Committee under a Charter.

9.4.1 Strathbogie Shire Audit and Risk Committee – Confirmed Minutes of the Meetings held on 1 July, 16 September, 19 September and 7 October 2022 (cont.)

Conflict of Interest Declaration

All officers, and/or contractors, involved in the preparation of this report have signed a written declaration that they do not have a conflict of interest in the subject matter of this report.

Transparency

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that the transparency of Council decisions, actions and information is to be ensured.

The appointment of an Audit and Risk Committee, along with noting the confirmed and unconfirmed minutes through this Council agenda at a public meeting, ensures transparency around the operation of the Committee and the issues that it is considering/monitoring.

FINANCIAL VIABILITY CONSIDERATIONS

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that the ongoing financial viability of the Council is to be ensured.

The independent overview of Council's financial management processes and performance is a key task undertaken by the Committee to ensure Council's ongoing financial sustainability.

The July meeting saw the presentation of the financial reports for 2021-22, along with the management letter presented by Crowe Australasia, the external auditors appointed by the Victorian Auditor General's Office (the VAGO).

SUSTAINABILITY CONSIDERATIONS

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that the economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted.

The Committee oversees Council's response to legislative requirements such as climate change mitigation and has considered enhancements to the Procurement Policy around sustainable procurement at its October 2022 meeting to strengthen Council's response to its declaration of a Climate Emergency.

INNOVATION AND CONTINUOUS IMPROVEMENT

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is the pursuit of innovation and continuous improvement.

The input of the Audit and Risk Committee into key governance and financial management tools such as the strategic risk register and policy reviews ensures continuous improvement is achieved across the organisation.

Service and value for money improvements are achieved through the internal and external audit process, the former of which is overseen by the Committee.

9.4.1 Strathbogie Shire Audit and Risk Committee – Confirmed Minutes of the Meetings held on 1 July, 16 September, 19 September and 7 October 2022 (cont.)

COLLABORATION

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that collaboration with other councils, levels of government and statutory bodies is to be sought.

The Committee endures collaboration with independent community members, internal auditors and external auditors appointed by the VAGO.

HUMAN RIGHTS CONSIDERATIONS

The Audit and Risk Committee's activities are consistent with the implementation of the Charter of Human Rights and Responsibilities Act 2006 in terms of its role in ensuring Council adheres to legislative requirements

CONCLUSION

This report recommends the noting of the confirmed and unconfirmed minutes of recent Audit and Risk Committee meetings.

ATTACHMENTS

Attachment 1: Confirmed Audit and Risk Committee minutes 1 July 2022 (*separate document*)

Attachment 2: Confirmed Audit and Risk Committee minutes 16 September 2022 (*separate document*)

Attachment 3: Confirmed Audit and Risk Committee minutes 19 September 2022 (*separate document*)

Attachment 4: Confirmed Audit and Risk Committee minutes (policy review) 7 October 2022 (*separate document*)

9.4.2 Council Policy Review – Complaints Policy 2022

Author and Responsible Director: Director People and Governance

EXECUTIVE SUMMARY

Council, at its Ordinary Meeting 14 December 2021, adopted the Complaints Policy in its current form.

The policy is now due for review, which has been undertaken by officers. Only minor changes to translate the policy into the new template and the updating of review date references have been made given that no concerns or issues have been raised since the policy's adoption twelve months ago.

The updated policy is recommended for Council adoption.

RECOMMENDATION

That Council:

- 1. Adopt the updated Complaints Policy 2022.***
- 2. Place the updated policy on Council's website, along with the publication of a notice in Council's weekly newspaper column and social media pages informing the community about the adoption of the updated policy.***

PURPOSE AND BACKGROUND

Council adopted its current Complaints Policy in December 2021 with a review required to be undertaken in December 2022. This review process has now been conducted and minor changes have been suggested.

The purpose of this policy is to set up a best practice framework for the making of complaints by members of the public in relation to Officer behaviour, decision making processes and service performance/quality.

This policy is an important way for Council to receive feedback from its community as a way to achieve continuous improvement and community satisfaction with our services.

ISSUES, OPTIONS AND DISCUSSION

The policy has been in operation for twelve (12) months and no issues of concern or areas of improvement have been identified over this time.

The policy impact analysis tool identifies that the ability to lodge a complaint anonymously, verbally or through a representative ensures equity in the policy's application and ease of access to the process for all sections of our community.

A new Council policy template is now in use and so the review has translated the existing policy into this new format.

The revisions made to the policy are highlighted in red text in Attachment 1.

9.4.2 Council Policy Review – Complaints Policy 2022 (cont.)

COMMUNITY ENGAGEMENT

One of the overarching governance principles in section 9 of the Local Government Act 2020 is that the municipal community is to be engaged in strategic planning and strategic decision making.

This is an internal policy and no consultation has been undertaken given the lack of significant issues that have arisen during the past year of the policy's application and implementation and the minor nature of the proposed amendments to the policy.

POLICY CONSIDERATIONS

Council Plans and Policies

The Complaints Policy is consistent with Strategic Focus Area 6: Live, Access, Connect of the 2021-25 Council Plan.

Its review and adoption is consistent with the strategies outlined in the Council Plan to achieve these goals:

- *Achieve the highest level of good governance across the organisation and as an elected Council*
- *Deliver responsive and timely customer service across the organisation in line with the timeframes set out in our Customer Service Charter*
- *Be accountable for the decisions we make and the quality of service we deliver*
- *Maximise public transparency and accountability around our performance and decision making processes.*

Regional, State and National Plans and Policies

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that regional, state and national plans and policies are to be taken into account in strategic planning and decision-making.

The development of the policy has been informed by State guidance, particularly from the Victorian Ombudsman and other examples of similar policies from other councils.

LEGAL CONSIDERATIONS

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that Council decisions are to be made and actions taken in accordance with the relevant law.

While being a principles-based Act, the *Local Government Act 2020* sets out the following minimum requirements for the complaints policy under section 107(1). The policy must include:

- (a) a process for dealing with complaints made to the Council; and
- (b) a process for reviewing any action, decision or service in respect of which the complaint is made; and
- (c) a discretion for the Council to refuse to deal with a complaint which is otherwise subject to statutory review; and
- (d) the prescribed processes for dealing with complaints about the Council; and

9.4.2 Council Policy Review – Complaints Policy 2022 (cont.)

- (e) the prescribed processes for internal review of complaints made to a Council; and
- (f) the prescribed processes for exercising the discretion referred to in paragraph (c); and
- (g) any other matter prescribed by the regulation.

The policy meets all of these requirements.

Conflict of Interest Declaration

All officers, and/or contractors, involved in the preparation of this report have signed a written declaration that they do not have a conflict of interest in the subject matter of this report.

Transparency

One of the overarching governance principles in section 9 of the Local Government Act 2020 is that the transparency of Council decisions, actions and information is to be ensured.

Setting out how complaints will be dealt with, along with the independent review of complaints ensures that all matters are investigated fully and the complainant informed of the decision and any remedial action to be taken by Council in response to their concerns.

FINANCIAL VIABILITY CONSIDERATIONS

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that the ongoing financial viability of the Council is to be ensured.

Number of cards and card expense limits are set to minimise financial risk.

There are no significant financial implications arising out of the adoption of this policy and the additional work created by the implementation and review of the policy has been met by existing resource allocations.

SUSTAINABILITY CONSIDERATIONS

One of the overarching governance principles in section 9 of the Local Government Act 2020 is that the economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted.

There are no direct sustainability considerations arising out of the adoption of the policy, however it may be that complaints made about actions, decisions and services may relate to sustainability, economic and social outcomes.

INNOVATION AND CONTINUOUS IMPROVEMENT

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is the pursuit of innovation and continuous improvement.

The frequent review of the policy, particularly after its first year of operation, is one means through which continuous improvement is achieved. The analysis outlined by the Policy Impact Assessment Tool is a new process that ensures all legislative requirements are met, along with a deeper consideration of possible human rights and gender equity impacts of the policy's application.

9.4.2 Council Policy Review – Complaints Policy 2022 (cont.)

COLLABORATION

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that collaboration with other councils, levels of government and statutory bodies is to be sought.

This policy review has been informed by information provided by Local Government Victoria, the Victorian Ombudsman and through reviewing a wide range of similar policies recently adopted by other councils across Victoria.

HUMAN RIGHTS CONSIDERATIONS

The Complaints Policy is consistent with the Human Rights Charter, in particular, by promoting the rights of members of the community to take part in public life and ensuring equal access to processes and services.

CONCLUSION

The adoption of the reviewed Complaints Policy ensures Council is compliant with the *Local Government Act 2020* and seeks to provide for a fair, consistent and transparent approach to dealing with complaints about decisions, actions and services.

ATTACHMENTS

Attachment 1: Updated Complaints Policy (*separate document*)

Attachment 2: Policy Impact Assessment Tool - Complaints Policy (*separate document*)

9.4.3 Council Policy Review – Public Interest Disclosure Policy 2022

Author and Responsible Director: Director People and Governance

EXECUTIVE SUMMARY

Council, at its Ordinary Meeting 18 August 2020, adopted the Public Interest Disclosure Policy in its current form. This policy outlines Council's role in the public interest disclosure process as a nominated agency that can receive disclosures, which is a requirement under the *Public Interest Disclosure Act 2012* (formerly the *Whistleblowers Protection Act*).

The policy is now due for review, which has been undertaken by officers. Only minor changes to translate the policy into the new template, along with the updating of Officer titles, the insertion of a definition for a Public Interest Disclosure Officer and some grammatical corrections given that no concerns or issues have been raised since the policy's adoption.

The updated policy is recommended for Council adoption.

RECOMMENDATION

That Council:

- 1. Adopt the updated Public Interest Disclosure Policy 2022.***
- 2. Place the updated policy on Council's website, along with the publication of a notice in Council's weekly newspaper column and social media pages informing the community about the adoption of the updated policy.***

PURPOSE AND BACKGROUND

Council adopted its current Public Interest Disclosures Policy in August 2020, as required by the Public Interest Disclosures Act 2012 (the Act). A review is required to be undertaken every two years, which has now been completed, with only minor changes recommended.

The purpose of this policy is to set up best practice framework to create awareness of the disclosure process, help create a culture where people feel safe in lodging a disclosure that relates to the improper conduct of a Councillor, Council Officer or Contractor.

Improper conduct is defined by the Act as being:

- corrupt conduct
- a criminal offence
- serious professional misconduct
- dishonest performance of public functions
- internal or reckless breach of public trust
- intentional or reckless misuse of information
- substantial mismanagement of public resources
- substantial risk to the health or safety of a person

9.4.3 Council Policy Review – Public Interest Disclosure Policy 2022 (cont.)

- substantial risk to the environment
- conduct of any person that adversely affects the honest performance of a public officer
- or conduct of a person that is intended to adversely affect the effective performance of a public officer for the benefit of the other person.

This policy is an important way for Council to receive confidential feedback from its community as a way to ensure good governance and the highest standards of conduct.

ISSUES, OPTIONS AND DISCUSSION

The policy has been in operation for over two years, with no issues of concern or areas of improvement have been identified over this time.

The policy impact analysis tool identifies that the ability to lodge a disclosure anonymously, verbally or through a representative ensures equity in the policy's application and ease of access to the process for all sections of our community.

A new Council policy template is now in use and so the review has translated the existing policy into this new format.

The revisions made to the policy are highlighted in red text and mark-ups in Attachment 1.

COMMUNITY ENGAGEMENT

One of the overarching governance principles in section 9 of the Local Government Act 2020 is that the municipal community is to be engaged in strategic planning and strategic decision making.

This is an internal policy and no consultation has been undertaken given the lack of significant issues that have arisen during the past two years of the policy's application. The process through which potential disclosures have been dealt with has been tested and the policy/procedures found to be robust.

POLICY CONSIDERATIONS

Council Plans and Policies

The review of the Public Interest Disclosure Policy is consistent with Strategic Focus Area 6: Live, Access, Connect of the 2021-25 Council Plan.

Its review and adoption is consistent with the strategies outlined in the Council Plan to achieve these goals:

- *Achieve the highest level of good governance across the organisation and as an elected Council*
- *Deliver responsive and timely customer service across the organisation in line with the timeframes set out in our Customer Service Charter*
- *Be accountable for the decisions we make and the quality of service we deliver*
- *Maximise public transparency and accountability around our performance and decision making processes.*

9.4.3 Council Policy Review – Public Interest Disclosure Policy 2022 (cont.)

Regional, State and National Plans and Policies

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that regional, state and national plans and policies are to be taken into account in strategic planning and decision-making.

The development of the policy has been informed by State guidance, particularly from IBAC and other examples of similar policies from other councils.

Some relevant documents used in the review and the policy's original development were:

- *Key changes – Integrity and Accountability Legislation Amendment (Public Interest Disclosures, Oversight and Independence) Act 2019*
- *Public Interest Disclosures Act 2012*
- *Public Interest Disclosures Regulations 2019*
- Guidelines for making and handling protected disclosures, IBAC October 2016 (updated to reflect changes introduced in January 2020)
- Guidelines for public interest disclosure welfare management, IBAC January 2020
- Public interest disclosure procedures: requirements for implementation, IBAC September 2019.

LEGAL CONSIDERATIONS

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that Council decisions are to be made and actions taken in accordance with the relevant law.

While being a principles-based Act, the *Local Government Act 2020* sets out the following minimum requirements for the complaints policy under section 107(1). The policy must include:

- (h) a process for dealing with complaints made to the Council; and
- (i) a process for reviewing any action, decision or service in respect of which the complaint is made; and
- (j) a discretion for the Council to refuse to deal with a complaint which is otherwise subject to statutory review; and
- (k) the prescribed processes for dealing with complaints about the Council; and
- (l) the prescribed processes for internal review of complaints made to a Council; and
- (m) the prescribed processes for exercising the discretion referred to in paragraph (c); and
- (n) any other matter prescribed by the regulation.

The policy meets all of these requirements.

Conflict of Interest Declaration

All officers, and/or contractors, involved in the preparation of this report have signed a written declaration that they do not have a conflict of interest in the subject matter of this report.

9.4.3 Council Policy Review – Public Interest Disclosure Policy 2022 (cont.)

Transparency

One of the overarching governance principles in section 9 of the Local Government Act 2020 is that the transparency of Council decisions, actions and information is to be ensured.

Setting out how disclosures will be dealt with, along with the measures to be taken to ensure the safety and welfare of all parties, is an integral part of creating a safe and enabling culture to facilitate disclosures.

FINANCIAL VIABILITY CONSIDERATIONS

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that the ongoing financial viability of the Council is to be ensured. Number of cards and card expense limits are set to minimise financial risk.

The ability to make disclosures around misconduct, which may include fraud and corruption, is an important good governance mechanism to ensure that Council's finances are managed with integrity and probity.

There are no significant financial implications arising out of the adoption of this policy and the additional work created by the implementation and review of the policy has been met by existing resource allocations.

SUSTAINABILITY CONSIDERATIONS

One of the overarching governance principles in section 9 of the Local Government Act 2020 is that the economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted.

There are no direct sustainability considerations arising out of the adoption of the policy.

INNOVATION AND CONTINUOUS IMPROVEMENT

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is the pursuit of innovation and continuous improvement.

The frequent review of the policy is one means through which continuous improvement is achieved. The analysis outlined by the Policy Impact Assessment Tool is a new process that ensures all legislative requirements are met, along with a deeper consideration of possible human rights and gender equity impacts of the policy's application.

COLLABORATION

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that collaboration with other councils, levels of government and statutory bodies is to be sought.

This policy review has been informed by information provided by IBAC and through reviewing a wide range of similar policies recently adopted by other councils across Victoria.

9.4.3 Council Policy Review – Public Interest Disclosure Policy 2022 (cont.)

HUMAN RIGHTS CONSIDERATIONS

The Public Interest Disclosure Policy is consistent with the Human Rights Charter, in particular, by promoting the rights of members of the community to take part in public life and addressing behaviour that may impact on people's safety and privacy.

CONCLUSION

The adoption of the reviewed Public Interest Disclosures Policy ensures Council is compliant with the *Public Interest Disclosures Act 2012* and seeks to provide for a safe, fair, consistent and transparent approach to dealing with disclosures.

ATTACHMENTS

Attachment 1: Updated Public Interest Disclosures Policy (*separate document*)

Attachment 2: Policy Impact Assessment Tool – Public Interest Disclosure Policy 2022 (*separate document*)

9.4.4 Council Policy Review – Special Rate and Charge Scheme Policy 2022

Author: Director People and Governance

Responsible Director: Director Sustainable Infrastructure

EXECUTIVE SUMMARY

Council, at its Ordinary December 2021 meeting, adopted the Special Rate and Charge Scheme Policy in its current form. This policy outlines how special charge schemes are used to partially or completely fund new infrastructure projects where there is a clear and direct benefit to nearby properties that is beyond that enjoyed by the general municipal community.

The policy is now due for review, which has been undertaken by officers. Only minor changes to translate the policy into the new template, along with the updating of Officer titles have been made given that no concerns or issues have been raised since the policy's adoption.

The updated policy is recommended for Council adoption.

RECOMMENDATION***That Council:***

- 1. Adopt the updated Special Rate and Charge Scheme Policy 2022.***
- 2. Place the updated policy on Council's website, along with the publication of a notice in Council's weekly newspaper column and social media pages informing the community about the adoption of the updated policy.***

PURPOSE AND BACKGROUND

Council adopted its current Special Rate and Charge Scheme Policy in December 2021. The policy has been in existence for quite some time, originally being adopted in 2005.

A review is required to be undertaken every two years, which has now been completed, with only minor changes recommended.

The purpose of this policy is to facilitate the use of special charge schemes to partially or completely fund new infrastructure works where there is a clear benefit to nearby properties, that is above and beyond the benefit to the general community.

Council has historically used special charge schemes to provide infrastructure that otherwise would not have been built through rate revenue and grants alone.

This policy is to be used as a strategic and procedural tool to assist with the creation and implementation of all special charge schemes for infrastructure works projects in a fair, equitable and consistent manner.

9.4.4 Council Policy Review – Special Rate and Charge Scheme Policy 2022 (cont.)

ISSUES, OPTIONS AND DISCUSSION

The policy has been in operation for over two years, with no issues of concern or areas of improvement have been identified over this time.

Special charge schemes have not been instigated since the adoption of the current policy and so it is considered that its current procedures and intent remain appropriate and relevant.

A new Council policy template is now in use and so the review has translated the existing policy into this new format. Other minor changes have been made to insert references to ratepayers as well as residents, to update officer titles to reflect the existing organisational structure and to update future review dates.

The revisions made to the policy are highlighted in red text and mark-ups in Attachment 1.

COMMUNITY ENGAGEMENT

One of the overarching governance principles in section 9 of the Local Government Act 2020 is that the municipal community is to be engaged in strategic planning and strategic decision making.

This is an internal policy and no consultation has been undertaken given the lack of significant issues that have arisen during the past year of the policy's application.

One of the policy objectives is to maximise community engagement during the development and proposal of any special charge scheme.

POLICY CONSIDERATIONS

Council Plans and Policies

The review of the Special Rates and Charges Policy is consistent with the strategies outlined in the 2021-25 Council Plan:

Strategic Focus Area 2: Live. Access. Connect.

- *Our asset management framework balances increasing community expectations with delivering value for money and maximum community benefit within our limited resources.*
- *Our integrated service and infrastructure planning enables Council to adapt to and meet changing needs and a growing population.*

Strategic Focus Area 6: Accountable. Transparent. Responsible of the 2021-25 Council Plan.

Its review and adoption is consistent with the strategies outlined in the Council Plan to achieve these goals:

- *Be accountable for the decisions we make and the quality of service we deliver*
- *Maximise public transparency and accountability around our performance and decision making processes*
- *Be financially responsible, achieving the greatest possible community benefit from the programs, initiatives and services we fund.*

9.4.4 Council Policy Review – Special Rate and Charge Scheme Policy 2022 (cont.)

Regional, State and National Plans and Policies

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that regional, state and national plans and policies are to be taken into account in strategic planning and decision-making.

The development of the policy has been informed by State guidance and benchmarking against similar policies from other councils.

LEGAL CONSIDERATIONS

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that Council decisions are to be made and actions taken in accordance with the relevant law.

The policy is consistent with provisions of the Local Government Act 1989 (rating and charges provisions still exist from this Act) and the Local Government Act 2020.

Section 163 of the Local Government Act 1989 relates to special charge schemes and enables a Council to recover the cost of the works from property owners/ratepayers, for works that will be of special benefit to them. The 1989 Act also outlines the statutory consultation process, using the section 223 of the Act, to seek and hear public submissions on the proposal prior to a decision being made by Council on the success or otherwise of the special charge scheme.

Conflict of Interest Declaration

All officers, and/or contractors, involved in the preparation of this report have signed a written declaration that they do not have a conflict of interest in the subject matter of this report.

Transparency

One of the overarching governance principles in section 9 of the Local Government Act 2020 is that the transparency of Council decisions, actions and information is to be ensured.

Setting out how special charge schemes will be developed and implemented is important to inform the community about how such schemes work and the consultation and decision making processes around them.

FINANCIAL VIABILITY CONSIDERATIONS

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that the ongoing financial viability of the Council is to be ensured.

Contributions from residents/ratepayers who disproportionately benefit from an infrastructure project, when compared to the general population, is a longstanding way in which councils have funded infrastructure projects. This is particularly important for a small rural shire where the ratebase is small. Special charge schemes often fund projects that otherwise would not be achievable if Council was responsible for 100% of the project cost.

9.4.4 Council Policy Review – Special Rate and Charge Scheme Policy 2022 (cont.)

SUSTAINABILITY CONSIDERATIONS

One of the overarching governance principles in section 9 of the Local Government Act 2020 is that the economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted.

Sustainable infrastructure design will be part of any future special charge infrastructure project, as per our climate change adaptation responsibilities and Climate Change Action Plan.

INNOVATION AND CONTINUOUS IMPROVEMENT

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is the pursuit of innovation and continuous improvement.

The frequent review of the policy is one means through which continuous improvement is achieved. The analysis outlined by the Policy Impact Assessment Tool is a new process that ensures all legislative requirements are met, along with a deeper consideration of possible human rights and gender equity impacts of the policy's application.

COLLABORATION

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that collaboration with other councils, levels of government and statutory bodies is to be sought.

This policy review has been informed by reviewing a wide range of similar policies recently adopted by other councils across Victoria and discussing best practice with other councils.

HUMAN RIGHTS CONSIDERATIONS

It is considered that the Policy is consistent with the Victorian Human Rights Charter.

CONCLUSION

The adoption of the reviewed Special Rates and Charges Policy ensures Council adopts an open and fair special charge scheme framework that is based on community engagement.

ATTACHMENTS

Attachment 1: Updated Special Rates and Charges Policy 2022 (*separate document*)

Attachment 2: Policy Impact Assessment Tool – Special Rate and Charge Scheme Policy 2022 (*separate document*)

9.4.5 Council Policy Review - Procurement Policy 2022

Author: Chief Financial Officer and Procurement and Tenders Officer

Responsible Director: Director People and Governance

EXECUTIVE SUMMARY

Council, at its Ordinary Meeting 14 December 2021 adopted the Procurement Policy in its current form.

Sections 108 (1) of the Local Government Act 2020 (the Act) requires the Council to prepare, adopt and comply with a Procurement Policy. Section 108(5) of the Act also requires Council to review its Procurement Policy at least once during four year cycle. The current policy requires an annual review, which is to be supported by input from Council's Audit and Risk Committee.

While there is no change to the overall intent of the policy, additional sections have been added to reflect improvements in the governance structures that support procurement, including the introduction of project control groups and clarity around the budgeting and scoping of tenders.

A Sustainable Procurement section has been inserted to strengthen its relationship to Council's Climate Change Action Plan and the consideration of environmental benefits and impacts of procurement choices. This means the policy has a focus on circular procurement and also whole of life costs.

The updated revised policy was presented to the Audit and Risk Committee at its policy meeting in October 2022 and changes have been made in response to their recommendations to strengthen:

- Policy purposes relating to compliance with legislation, responding to the climate emergency and achievements of the objectives of the Memorandum of Understanding with the Taungurung Land and Waters Council (TLaWC)
- Inclusion of the CEO's delegated powers under the Accountabilities and Responsibilities section
- Identification of a weighting of a maximum 3.34% to assist the TLaWC in achieving its goals.

The updated policy is presented to Council for its adoption.

RECOMMENDATION

That Council:

- 1. Having received and considered the feedback from the Audit and Risk Committee, adopt the updated Procurement Policy 2022.***
- 2. Place the updated policy on Council's website, along with the publication of a notice in Council's weekly newspaper column and social media pages informing the community about the adoption of the updated policy.***

9.4.5 Council Policy Review - Procurement Policy 2022 (cont.)

PURPOSE AND BACKGROUND

Council adopted its current Procurement Policy on 14 December 2021. As per the requirements of Sections 108(5) of the Local Government Act 2020 and the existing Procurement Policy, an annual review has been conducted and changes are recommended to further strengthen its provisions.

As part of the Policy adoption in 2021, Council resolved to receive a further report that augments Council's commitment to the Climate Emergency Declaration by strengthening environmental consideration and weightings.

The additional focus on sustainable procurement was outlined in a briefing session to the Council on 4 October 2022.

These suggested changes, along with translating the existing policy into a new policy format and further strengthening governance arrangements around procurement, were presented to Council's Audit and Risk Committee on 7 October 2022. Further refinements to the updated policy have been made in response to the Committee's feedback.

ISSUES, OPTIONS AND DISCUSSION

One of the overarching governance principles in section 9 of the Local Government Act 2020 is that priority is to be given to achieving the best outcomes for the municipal community, including future generations.

The following changes have been updated on the Procurement Policy:

- Table with each Role and their responsibilities added (Page 6)
- Overall value for money added and "Delivery charges and carbon emissions" and to considerations (page 6)
- Clarification on GST "Pricing submissions are to be inclusive of GST" added (Page 7)
- New sub-section (Project control group) added for section 8 (Page 9)
- Collaborative procurement clause added (Page 10)
- New section for "Sustainable Procurement" added (Page 10 – 12)
- Table 2 in page 17 updated
- Evaluation weighting on price changed to 40% from 50%. (Section 21 on page 21)
- New section of "Lump sum breakdown" added (Page 21)
- New sub-section for "Budget and specification formation added. (Page 21)
- New section for "Tender pricing above set budget" added (Page 21).

The changes outlined below have been incorporated into the updated policy:

- Demonstrate compliance with legislative requirements
- Assist development of local enterprises through promotion of local/regional content principles
- Respond to the declare climate emergency by giving preference to the procurement of environmentally sustainable goods and services
- Assist with the achievement of outcomes from the Memorandum of Understanding with the Taungurung Land and Waters Council (TLaWC)
- In the accountability section add the CEO to reflect the significant delegated powers under the policy

9.4.5 Council Policy Review - Procurement Policy 2022 (cont.)

- Added Directors/Exec Managers in this section for delegation approval, discretionary decision making
- In section 8 (Governance) reflect what must happen under the policy rather than 'should' happen
- In section 8 (social procurement) set the weighting – this has been set at 3.34% of the percentage allocation for social procurement component under the regional benefit schedule = 10% overall
- Reflected current practices around the use of a Probity Advisor
- Deleted duplicate lines in the Sustainable Procurement section.

The recommended changes put controls in place to further enhance probity and governance processes providing protection to both Council Officers, Council and the expenditure of public money.

Current updated policy has also added more clarity to achieve best value for the municipality.

The revisions made to the policy are highlighted in yellow in Attachment 1.

COMMUNITY ENGAGEMENT

One of the overarching governance principles in section 9 of the Local Government Act 2020 is that the municipal community is to be engaged in strategic planning and strategic decision making.

This is an internally focussed policy where input from the Audit and Risk Committee, on which four independent community members sit, has been considered in the policy review process.

The inclusion of a sustainable procurement section in the policy directly responds to outcomes of the extensive community engagement process that informed the development of Council's Climate Change Action Plan.

POLICY CONSIDERATIONS

Council Plans and Policies

The review of the Procurement Policy is consistent with Strategic focus area 6: Accountable. Transparent. Responsible of the 2021 - 25 Council Plan. The policy ensures good governance, transparency and accountability in decision making.

Regional, State and National Plans and Policies

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that regional, state and national plans and policies are to be taken into account in strategic planning and decision-making.

The Procurement Policy has been developed in accordance with best practice approaches from other council policies, taking into consideration feedback from an internal audit just undertaken by AFS and Associates in 2022 and considering recommendations from broader sector reviews around procurement by the Victorian Auditor General's Office and the Local Government Inspectorate.

9.4.5 Council Policy Review - Procurement Policy 2022 (cont.)

LEGAL CONSIDERATIONS

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that Council decisions are to be made and actions taken in accordance with the relevant law.

Sections 108 (1) of the Local Government Act 2020 (the Act) requires the Council to prepare, adopt and comply with a Procurement Policy. Section 108(5) of the Act also requires Council to review its Procurement Policy at least once during four-year cycle.

Council is currently reviewing this policy on an annual basis given that our approach to procurement and tendering is undergoing significant changes and the objective is to ensure it reflects best practice.

Conflict of Interest Declaration

All officers, and/or contractors, involved in the preparation of this report have signed a written declaration that they do not have a conflict of interest in the subject matter of this report.

Transparency

One of the Overarching governance principles in section 9 of the Local Government Act 2020 is that the transparency of Council decisions, actions and information is to be ensured.

The adoption of the updated policy will strengthen probity and public transparency through more clarity being given around the use of a probity advisor when a project is valued at \$1 million or over (or where the project is likely to be of high public interest), project control groups and clearer roles and responsibilities throughout the procurement process.

FINANCIAL VIABILITY CONSIDERATIONS

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that the ongoing financial viability of the Council is to be ensured.

The Procurement Policy is one of the key ways in which Council achieves best value for public money and underlines the need for competitive processes as a means of achieving this goal.

New sections around higher standards of the initial budget and scoping process further strengthen financial accountabilities and value for money outcomes.

SUSTAINABILITY CONSIDERATIONS

One of the Overarching governance principles in section 9 of the Local Government Act 2020 is that the economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted.

9.4.5 Council Policy Review - Procurement Policy 2022 (cont.)

There are clear environmental and social benefits arising from the policy review process given the inclusion of a sustainable procurement section to focus on the circular economy and drive environmental benefits (limiting environmental impacts in the process) and helping drive social procurement outcomes through the inclusion of a weighting for TLaWC related tenders.

INNOVATION AND CONTINUOUS IMPROVEMENT

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is the pursuit of innovation and continuous improvement.

The revised policy is based on best practice procurement approaches for the government sector and has been informed by a recent internal audit of Council's procurement processes. The annual review of this policy is aimed at achieving continuous improvement around procurement activities.

HUMAN RIGHTS CONSIDERATIONS

Procurement Policy is consistent with the Human Rights Charter, in particular, by promoting the rights of members of the community to take part in public life.

CONCLUSION

The policy review has been informed by the recent internal audit by AFS and Associates and input from the Audit and Risk Committee. The review ensures continuous improvement in the procurement activities of Council, improving its focus on environmental sustainability, social procurement and transparent decision making.

ATTACHMENTS

Attachment 1: Updated Procurement Policy 2022 (*separate document*)

Attachment 2: Policy Impact Assessment Tool – Procurement Policy (*separate document*)

9.5 GOVERNANCE AND CUSTOMER SERVICE

9.5.1 Ordinary Council Meetings Timetable for 2023

Author: Director People and Governance

EXECUTIVE SUMMARY

Rule 19 of the Governance Rules states that Council must annually fix the date, time and place of all Council meetings for the next 12 months. These dates and times can be altered under Rule 20 and additional meetings held under Rule 21.

Ordinary Council meetings are generally held on the third Tuesday of every month, except January (when no meeting is held), and December (when the meeting is held on the second Tuesday to enable the actioning of any Council resolutions prior to the Christmas/New Year office closure), starting at 6.00 pm in the Euroa Community Conference Centre.

Extraordinary Council meetings are convened as required, for example to hear submissions to the draft Budget and for the adoption of the Budget and Council Plan.

It is recommended that for continuity reasons meetings continue to be held on the third Tuesday of the month except for January and December, starting at 6.00 pm.

Council resolved two years ago to hold meetings in locations other than Euroa. The Covid 19 pandemic and uncertainty around the timing of lockdowns and social distancing provisions meant that this could not occur in 2021 or 2022.

It is considered appropriate to hold three (3) meetings at the Nagambie Regatta Centre during the year in an effort to achieve the wishes of Council to hold meetings in other locations.

The proposed schedule for Ordinary Council meetings in 2023 is -

- Tuesday 21 February 2023
- Tuesday 21 March 2023
- Tuesday 18 April 2023
- Tuesday 16 May 2023
- Tuesday 20 June 2023
- Tuesday 18 July 2023
- Tuesday 15 August 2023
- Tuesday 19 September 2023
- Tuesday 17 October 2023
- Tuesday 21 November
- Tuesday 12 December 2023.

9.5.1 Ordinary Council Meetings Timetable for 2023 (cont.)

RECOMMENDATION

That:

1. ***Ordinary Council meetings be held on the third Tuesday of the month (except January, and December) commencing at 6.00 pm on the following dates:***
 - ***Tuesday 21 February 2023 – Euroa Community Conference Centre***
 - ***Tuesday 21 March 2023 - Euroa Community Conference Centre***
 - ***Tuesday 18 April 2023 – Nagambie Regatta Centre***
 - ***Tuesday 16 May 2023 – Euroa Community Conference Centre***
 - ***Tuesday 20 June 2023 - Euroa Community Conference Centre***
 - ***Tuesday 18 July 2023 - Nagambie Regatta Centre***
 - ***Tuesday 15 August 2023 - Euroa Community Conference Centre***
 - ***Tuesday 19 September 2023 - Euroa Community Conference Centre***
 - ***Tuesday 17 October 2023 - Nagambie Regatta Centre***
 - ***Tuesday 21 November - Euroa Community Conference Centre***
 - ***Tuesday 12 December 2023 - Euroa Community Conference Centre***
2. ***Notice of these meetings be publicised through Council's website, local newspapers and Council's social media pages.***

PURPOSE AND BACKGROUND

Ordinary Council meetings are generally held on the third Tuesday of every month, except January, starting at 6.00 pm. It is also noted that the December Council meeting is held on the second Tuesday to enable the actioning of Council resolutions prior to the office closures over the Christmas/New Year period.

Covid-19 restrictions over the past two years have meant many meetings have been held remotely via online streaming through Council's website to comply with Covid-19 directions from the State Government and Ministerial Good Practice Guideline MGP-1: Virtual Meetings, issued under section 87 of the Local Government Act 2020.

Covid-19 continued to impact on the conduct of Council meetings held in 2022, with some meetings being held in person and some meetings held virtually.

Council had also previously determined to consider holding meetings in other venues throughout the Shire once Covid-19 restrictions were lifted.

Extraordinary Council meetings are convened, as required, where there are a number of submissions from the public to be heard or for more complex, strategic decisions such as the adoption of the Budget and Council Plan.

ISSUES, OPTIONS AND DISCUSSION

One of the overarching governance principles in section 9 of the Local Government Act 2020 is that priority is to be given to achieving the best outcomes for the municipal community, including future generations.

9.5.1 Ordinary Council Meetings Timetable for 2023 (cont.)

It is considered prudent to conduct meetings on a regular monthly basis to ensure transparency in decisions made by Council and enable continuity of Council business. Holding meetings in the evening also gives community members the opportunity to attend Council meetings or watch the livestreaming of meetings.

It is considered appropriate to hold three (3) meetings at the Nagambie Regatta Centre during the year in an effort to achieve the wishes of Council to hold meetings in other locations. The benefits of this location is the technology that exists in the building that facilitates the live streaming of the meetings on Council's website. Such technology does not currently exist in other locations within the Shire.

COMMUNITY ENGAGEMENT

All Council meetings are open to the public and are also livestreamed which gives community members the option of viewing meetings via that means.

POLICY CONSIDERATIONS

Council Plans and Policies

The setting of Council meetings and the addition of the Nagambie Regatta Centre as a venue is consistent with the strategies listed under Strategic Focus Area 6: Accountable. Transparent. Responsible of the 2021-25 Council Plan:

- *Be accountable for the decisions we make and the quality of service we deliver*
- *Maximise public transparency and accountability around our performance and decision making processes*
- *Be financially responsible, achieving the greatest possible community benefit from the programs, initiatives and services we fund.*

LEGAL CONSIDERATIONS

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that Council decisions are to be made and actions taken in accordance with the relevant law.

The setting of the Ordinary meeting schedule ensures Council meets its obligations under the Act and its Governance Rules.

Conflict of Interest Declaration

All officers, and/or contractors, involved in the preparation of this report have signed a written declaration that they do not have a conflict of interest in the subject matter of this report.

Transparency

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that the transparency of Council decisions, actions and information is to be ensured.

Holding formal Council meetings, which can be either attended in person by the general public or viewed via livestreaming, ensures transparency of Council decisions, actions and information.

9.5.1 Ordinary Council Meetings Timetable for 2023 (cont.)

FINANCIAL VIABILITY CONSIDERATIONS

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that the ongoing financial viability of the Council is to be ensured.

Council meetings have been held at the Regatta Centre in the past. Due to lack of inbuilt microphones and a camera, equipment will need to be hired to facilitate the livestreaming of the meeting which has incurred a cost of around \$1500 per meeting in the past. This expenditure can be met from within existing budget allocations.

HUMAN RIGHTS CONSIDERATIONS

This report does not limit any human rights under the *Victorian Charter of Human Rights and Responsibilities Act 2006* and encourages participation in civic life by our community.

CONCLUSION

It is recommended that Council continue to hold its monthly Council meetings on the third Tuesday of the month, except January (when no meeting is held) and December (when the meeting is held on the second Tuesday to enable the actioning of any Council resolutions prior to the Christmas/New Year office closure), starting at 6.00 pm. The location of meetings will be at the Community Conference Centre Euroa and the Nagambie Regatta Centre.

ATTACHMENTS

Nil

9.5.2 Councillor Committees / Boards Representation – 2022/2023

Author and Responsible Director: Director People and Governance

EXECUTIVE SUMMARY

In past years Council has nominated representatives for a number of internal committees as well as external committees and working groups.

The Councillor representative's role is to attend meetings on behalf of Council and to provide Council with briefings and updates on the matters/issues raised for further discussion by the Council as a whole.

Following the Council resolution at its September 2022 meeting, internal Advisory Committees have been replaced by the establishment of a Community Panel to provide input and advice from a broader and more representative cross section of the municipal community.

The purpose of this report is to firstly confirm that Councillor representation is approved and then to nominate the identified number of Councillor representatives on the various groups and bodies.

A summary of the role of each group, along with the representation from Council is being sought, as per the attachment to this report.

RECOMMENDATION

That:

- 1. Council approve Council representation on the list of internal committees, external committees, bodies and working groups attached to this report.***
- 2. Council determine Councillor representatives for a variety of internal committees, external committees, bodies and working groups.***
- 3. The Chief Executive Officer notifies the relevant committees and working groups of the nominated Councillor representative(s).***

PURPOSE AND BACKGROUND

Councillors represent the municipal community in a variety of ways as part of their normal duties. This includes being appointed to one or more of the various committees, bodies, boards and working groups that are run across the State.

ISSUES, OPTIONS AND DISCUSSION

One of the overarching governance principles in section 9 of the Local Government Act 2020 is that priority is to be given to achieving the best outcomes for the municipal community, including future generations.

Councillor representation on the variety of committees and the like outlined in the Attachment is integral to ensuring the needs and interests of the Strathbogie Shire and its municipal community are heard and progressed.

9.5.2 Councillor Committees / Boards Representation – 2022/2023 (cont.)

The purpose of the entity, frequency of meetings and the number of Councillor representatives required to be appointed are outlined in Attachment 1.

COMMUNITY ENGAGEMENT

One of the overarching governance principles in section 9 of the Local Government Act 2020 is that the municipal community is to be engaged in strategic planning and strategic decision making.

A number of the committees, boards and working groups are comprised of community members as part of a broader community engagement and empowerment framework.

It is noted that at its meeting of 20 September 2022 Council resolved to discontinue the operation of all Advisory Committees and replace them with a Community Panel to ensure a broader, more representative cross section of the community were involved in providing Council with advice. There is, therefore, a reduced number of bodies to appoint Councillor representatives in comparison to previous years.

POLICY CONSIDERATIONS

Council Plans and Policies

The appointment of Councillors to a variety of forums and working groups implements the following strategies of Strategic Focus Area 6: Accountable. Transparent. Responsible in the 2021-25 Council Plan:

- *Be accountable for the decisions we make and the quality of service we deliver*
- *Maximise public transparency and accountability around our performance and decision making processes*
- *Be financially responsible, achieving the greatest possible community benefit from the programs, initiatives and services we fund.*

LEGAL CONSIDERATIONS

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that Council decisions are to be made and actions taken in accordance with the relevant law.

Some of the bodies requiring representation are established under legislation, including the Audit and Risk Committee and the Goulburn Valley Regional Library Corporation.

Conflict of Interest Declaration

All officers, and/or contractors, involved in the preparation of this report have signed a written declaration that they do not have a conflict of interest in the subject matter of this report.

Transparency

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that the transparency of Council decisions, actions and information is to be ensured.

9.5.2 Councillor Committees / Boards Representation – 2022/2023 (cont.)

The participation of Councillors in a variety of groups and bodies, some of which are comprised of members of the public, ensures greater transparency and better informs Council in its decision-making processes.

Councillors provide public feedback on their attendance at various meetings and forums through their monthly report to the community during Ordinary Council meetings.

HUMAN RIGHTS CONSIDERATIONS

This report does not limit any human rights under the *Victorian Charter of Human Rights and Responsibilities Act 2006* and encourages participation in civic life by our community.

CONCLUSION

It is recommended that Council appoint representatives to the various boards and organisations outlined in the Attachment and that the Councillor representative(s) be determined to ensure the best outcomes are achieved for our community.

ATTACHMENTS

Attachment 1: Councillor Committees/Boards Representation 2022-23

9.5.3 Ministerial Appointment of an Electoral Representation Advisory Panel

Author and Responsible Director: Director People and Governance

EXECUTIVE SUMMARY

Council has received a letter from the Victorian Electoral Commissioner, Warwick Gately AM, stating that the Minister for Local Government, Melissa Horne, has appointed an Electoral Representation Advisory Panel to review the municipality's electoral structure (Attachment 1).

The Victorian Electoral Commission (VEC) is required under the Act to provide the Panel with administrative support and will therefore be using their social media pages and website to publish notices, along with providing an online submission portal.

A copy of the terms of reference for the Panel was not provided by the Minister but was located on the Local Government Victoria website (Attachment 2).

The purpose of the Panel is to provide the Minister with advice prior to the issue of an Order in Council in relation to the new representation model to be applied to our municipality.

The review will commence on 1 February 2023 and is expected to conclude by 17 May 2023.

The Act states that the electoral structure must provide fair and equitable representation, while facilitating good governance. The default electoral model required by the Act is single councillor wards.

A Panel can, however, be appointed by the Minister to investigate the use of two other electoral models:

- An unsubdivided municipality; or
- Multi-councillor wards, with an equal number of councillors per ward.

The Panel must provide the Minister with advice on the following:

- The total number of councillors to be elected
- Whether the council should be subdivided or unsubdivided
- Ward boundaries (noting that each ward should have approximately the same number of voters, with a maximum variance of 10%)
- Ward names, having regard to the interests of the Taungurung Land and Waters Council.

Community engagement is required to be undertaken by the Panel under section 16 (10) of the Act. However, there is no prescription as to the form of engagement, but the Act does not prescribe deliberative engagement, such as that Council is required to undertake when making key strategic decisions.

Information was provided to Council on 6 December that the proposed consultation process is as follows (refer to Attachment 3):

- VEC Online public information session to be held with three other councils 30 January and 1 February 2023
- VEC Online public submission portal open for written submissions 1 February to 22 February (21 days only)

9.5.3 Ministerial Appointment of an Electoral Representation Advisory Panel (cont.)

- VEC Online public submission portal open for written submissions in response to the proposed final structure 22 March – 12 April 2023 (21 days).

The Act also requires councils to meet the cost of the review. Again, no details as to the quantum of the expected cost have been provided. Attempts have been made through the Municipal Association of Victoria to quantify potential costs, however given this is the first time this particular process has been undertaken, there is no benchmark available.

It is considered prudent, given the lack of information around the process, that Council writes to the Minister for Local Government to stress the importance of conducting a deliberative community engagement process.

Council should also raise concerns about the tight timelines for the Panel to undertake the review. The current timetable does not allow for meaningful community debate or deliberative consultation on a matter that has the potential to adversely affect the representation of smaller townships and outlying areas should an unsubdivided electoral model be implemented. Not only does the initial consultation phase commence just as school holidays end but the period to make submissions on the Panel's recommended option falls within the Easter school holidays (6 – 23 April). This is considered unacceptable and the recommendation requests that any consultation period is outside of Gazetted school holidays.

Lastly, given the impact of the October 2022 flood event and our focus on funding infrastructure and building repairs, it is recommended that Council request the Minister to defer the electoral representation review for Strathbogie Shire for a period of at least six months and also waive the requirement for Council to fund the review process.

The proposed electoral review was discussed at the 2 December 2022 Audit and Risk Committee meeting, with the Committee expressing strong concerns about the proposed timing of the review given we are still in full recovery mode after the flood and the organisation does not have spare capacity to participate in the electoral review in any meaningful way. The Committee recommended that Council request at least a six (6) month deferral of the review process. This is reflected in the recommendation.

A further report regarding the pros and cons of the different electoral structures and the identification of a Council position to advocate to the Panel will be prepared for the February 2023 Council meeting.

9.5.3 Ministerial Appointment of an Electoral Representation Advisory Panel (cont.)**RECOMMENDATION*****That Council:***

1. ***Write to the Minister for Local Government, the Hon Melissa Horne, requesting the following:***
 - (a) ***the deferral of the electoral representation review by at least six (6) months due to Council's focus on flood recovery and the lack of sufficient resources to support a review this point in time;***
 - (b) ***a deliberative engagement process be undertaken by the Electoral Representation Advisory Panel across our municipal district to gain a broad cross section of views in forming its advice to the Minister on the future representation model for Strathbogie Shire Council;***
 - (c) ***an extension of the timelines for the review to allow for meaningful deliberative engagement to be undertaken and for public engagement processes to be held outside of Gazetted school holidays; and***
 - (c) ***the cost of the electoral representation review be met by Local Government Victoria given the averse, long term financial impacts of the October 2022 flood event.***
2. ***Receive a further report at its February 2023 meeting to identify a position to advocate to the Electoral Representation Review Panel.***

PURPOSE AND BACKGROUND

This report provides an overview of the Electoral Representative Advisory Panel's appointment by the Minister of Local Government, the terms of reference for the Panel and the requirements of the Local Government Act 2020 around representation reviews.

The *Local Government Act 2020* (sections 14 – 16) introduced sweeping changes to the electoral representation review process.

The Act states that a review of electoral representation models must be conducted and implemented prior to the October 2024 general election for all councils that are not comprised of single member wards. Strathbogie is one of 39 councils that are to be reviewed in 2023.

The Electoral Representation Advisory Panels recently appointed by the Minister are the first to be created under this new legislation.

ISSUES, OPTIONS AND DISCUSSION

One of the overarching governance principles in section 9 of the Local Government Act 2020 is that priority is to be given to achieving the best outcomes for the municipal community, including future generations.

9.5.3 Ministerial Appointment of an Electoral Representation Advisory Panel (cont.)

The Minister has appointed two Panels to conduct the 39 reviews. At present Council is unaware of which Panel will be undertaking our review but in terms of membership, the Victorian Electoral Commissioner (or delegate) is a member. Other appointed members to form the two Panels are:

- The Honourable Frank Vincent AO KC (Chair of ERAP 1)
- Ms Liz Williams (Member of ERAP 1)
- Ms Julie Eisenbise (Chair of ERAP 2)
- Mr Tim Presnell (Member of ERAP 2)
- Ms Prue Digby (substitute member)
- Ms Janet Dore (substitute member)
- Ms Louise Martin (substitute member)
- Mr Kelvin Spiller (substitute member).

The terms of reference issued by the Minister (Attachment 2) state that the Panel must provide advice on:

- (a) the total number of councillors to be elected
- (b) whether the municipality should be un-subdivided (ie no wards)
- (c) the number of wards and how many councillors are to represent each ward
- (d) the boundaries of any wards
- (e) the names of the wards taking into consideration the Taungurung Land and Waters Council's views.

If the Panel decides that the municipality is to have a ward structure, the number of voters per ward must be as equal as possible and must be within a range of 10% above or below the average number of voters for all the wards.

The Panel prepares a report for the Minister who must, under the Act, consider the advice of the Panel before recommending making an Order in Council which legislates the approved electoral structure.

Electoral roll data has already been requested by, and provided to, the Victorian Electoral Commission (VEC). The VEC must, under the Act, provide administrative support to the Panel.

Further correspondence was received from the VEC about the review process and timing on 6 December 2022 (Attachment 3) and an online meeting was held on 7 December with the four councils in our 'group' (Campaspe Shire, Corangamite Shire and Surf Coast Shire).

Officers informed the VEC of the recommendation from the Audit and Risk Committee, along with the consideration of this report by Council to flag concerns about the consultation process, timing and cost.

The VEC summarised the process as being:

- Step 1: Online public information session with the four councils 30 January and 1 February

9.5.3 Ministerial Appointment of an Electoral Representation Advisory Panel (cont.)

- Step 2: Online ‘preliminary’ public submission portal open from 1 February – 22 February 2023, with submissions to be published online (but personal information redacted)
- Step 3: ‘Preliminary’ submissions considered by the Electoral Review Panel and a preliminary report prepared identifying a proposed electoral structure.
- Step 4: Preliminary report released by the Panel identifying at least one option for the council’s electoral structure.
- Step 5: Online public submission portal open for submissions in response to the Panel’s report 22 March – 12 April.
- Step 6: Online public hearing held by the Electoral Review Panel should any party have requested an opportunity to make a verbal submission in their online comments to the Panel’s report.
- Step 7: Final report and recommendation by the Panel to the Minister for Local Government issued 17 May 2023.

It is felt appropriate that a report be prepared for Council’s consideration to and consider the Minister’s response to Council’s requests and to identify the electoral representation model it will advocate on behalf of the community to the Panel.

COMMUNITY ENGAGEMENT

One of the overarching governance principles in section 9 of the Local Government Act 2020 is that the municipal community is to be engaged in strategic planning and strategic decision making.

Section 16 (10) of the Act states:

An electoral representation advisory panel must ensure that a process for community engagement is followed in conducting the review.

Council’s Community Engagement Policy identifies the framework within which Council engages with its community. It explains methods of engagement and the International Association Public Participation (IAP2) Spectrum, which is a best practice community engagement model.

Councils must, under the Act, undertake a deliberative community engagement process prior to making key, strategic decisions such as adopting a Council Plan.

It is considered that, given the significance of the decision on our community around how they are represented, the Panel should also be required to undertake a deliberative engagement process.

Using the IAP2 framework, it would be expected that such an important, long-term decision would see the engagement level set at either Involve or Collaborate.

9.5.3 Ministerial Appointment of an Electoral Representation Advisory Panel (cont.)

Involve means: To work directly with the public throughout the process to ensure that public concerns and aspirations are consistently understood and considered; this would involve engagement processes such as workshops, deliberative polling and public meetings.

Collaborate means: Looking to the community for advice and innovation in formulating solutions and incorporating your advice and recommendations into the decisions to the maximum extent possible; this would involve engagement processes such as deliberative forums and community panels.

The information provided by the VEC on 6 and 7 December indicate that all engagement will be online and in the form of a public information session outlining the process, online written submissions open for two phases of the project for only 21 days and an opportunity for people to attend an online hearing of submissions should people request an opportunity to present to the Panel.

The VEC proposes to run a traditional information sharing campaign through its website, social media and State-wide newspaper advertisements. Council can opt to pay for additional community information via:

- a Voter Alert mobile phone message to all voters in the municipality about the ability to make submissions
- notices in local newspapers
- targeted social media in the local area.

This level of engagement is, under IAP2, set at Inform and Consult, which are on the lower scale of the consultation spectrum.

It is recommended that the need for deliberative engagement form part of a request to the Minister for Local Government to ensure our community has a meaningful say on the future representation model.

The poor timing of online submission processes, falling on the day that schools return and during the Easter school holidays, further erodes opportunities for any meaningful engagement. Officers have raised concerns about this timing with the VEC in preliminary discussions.

POLICY CONSIDERATIONS

Council Plans and Policies

The recommendations to Council to write to the Minister requesting a deliberative engagement process and to fund the review given the adverse financial impacts of the October 2022 flood event is consistent with the following strategies in the 2021-25 Council Plan:

Strategic Focus Area 1: Engage. Create. Unite.

- *Our innovative community engagement framework ensures all of our municipal community has an opportunity to influence and shape Council strategy and operations.*

9.5.3 Ministerial Appointment of an Electoral Representation Advisory Panel (cont.)

Strategic Focus Area 6: Accountable. Transparent. Responsible:

- *Be accountable for the decisions we make and the quality of service we deliver*
- *Maximise public transparency and accountability around our performance and decision making processes*
- *Be financially responsible, achieving the greatest possible community benefit from the programs, initiatives and services we fund.*

Regional, State and National Plans and Policies

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that regional, state and national plans and policies are to be taken into account in strategic planning and decision-making.

The electoral representation review is part of the State's broader council electoral structure program across Victoria; Strathbogie is one of 39 councils requiring such a review prior to the 2024 general election.

LEGAL CONSIDERATIONS

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that Council decisions are to be made and actions taken in accordance with the relevant law.

Electoral representation reviews and the appointment of an Electoral Representation Advisory Panel are governed by sections 15 and 16 of the *Local Government Act 2020*. The Minister has set Terms of Reference for the Electoral Representation Advisory Panel, which forms Attachment 2 to this report.

Conflict of Interest Declaration

All officers, and/or contractors, involved in the preparation of this report have signed a written declaration that they do not have a conflict of interest in the subject matter of this report.

Transparency

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that the transparency of Council decisions, actions and information is to be ensured.

This report aims to raise awareness across the community of the receipt of notice from the VEC that a representation review will be undertaken in 2023, assisted by recommendations from an Electoral Representation Advisory Panel to the Minister for Local Government.

It is recommended that transparency around the way in which the Minister makes a decision, and the process to be undertaken by the Panel in its development of recommendations, be achieved through a deliberative engagement process.

To date, it is fair to say that the level of information provided around the process and the Panel appointed to review Council's electoral structure is minimal at best. This is why the provision of another report to Council in February is felt to be prudent as it is hoped more information will be provided by the Minister by that time.

9.5.3 Ministerial Appointment of an Electoral Representation Advisory Panel (cont.)

FINANCIAL VIABILITY CONSIDERATIONS

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that the ongoing financial viability of the Council is to be ensured.

The Act states that councils are responsible for paying the ‘reasonable costs’ of an Electoral Representation Advisory Panel.

Although no information has been provided by the Minister around this issue, a new allocation of \$30,000 will need to be included in the mid-year review to cover the costs of the Panel.

It is hoped that the Panel’s costs will be far lower than this, however this is the first time Advisory Panels have been appointed and there is no benchmarking data at this point in time.

COLLABORATION

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that collaboration with other councils, levels of government and statutory bodies is to be sought.

Other councils within the Hume Region are also subject to the appointment of an Electoral Representation Advisory Panel and information sharing has already begun between councils to support each other through this process given the very limited resources we all operate with.

INNOVATION AND CONTINUOUS IMPROVEMENT

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is the pursuit of innovation and continuous improvement.

HUMAN RIGHTS CONSIDERATIONS

The electoral representation model to be applied to the shire can have a significant impact on the human right of participating in civic life. It is essential that the electoral model for our shire enables all communities to have an equal voice, regardless of their size.

Some electoral models have the potential for larger townships to dominate councillor candidates, with the potential to marginalise smaller communities, to the detriment of democracy and equity.

CONCLUSION

It is recommended that Council write to the Minister to ensure a deliberative engagement process is undertaken by the Panel, that the timetable for the review enables meaningful engagement to occur and that Local Government Victoria fund the Panel given the need for Council to divert funds into flood recovery projects.

ATTACHMENTS

Attachment 1: Letter from Warwick Gately AM, Electoral Commissioner Victorian Electoral Commission (*separate attachment*)

Attachment 2: Terms of Reference of the Electoral Representation Advisory Panels (*separate attachment*)

Attachment 3: Advice from Victorian Electoral Commission – Local council electoral structure reviews ~ Summary of Round 1 councils (*separate attachment*)

9.5.4 Monthly Performance Report

The December 2022 Monthly Performance Report includes reports as follows:-

- Building Department – November 2022 Statistics
- Planning Department – Planning Application Approvals – Development Cost (Capital Improved Value) – November 2022
- Customer Enquiry Analysis Report – Report for November 2022
- Waste Management Reporting ~ Year to Date – November 2022
- Transfer Station Data - November 2022
- Actioning of Council Reports Resolutions – Council Meeting Tuesday November 15, 2022
- Outstanding Actions of Council Resolutions to November 30, 2022
- Review of Council Policies and Adoption of new Policies – November/December 2022
- Records of Informal Council Briefings / Meetings – 1 to 30 November 2022

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.

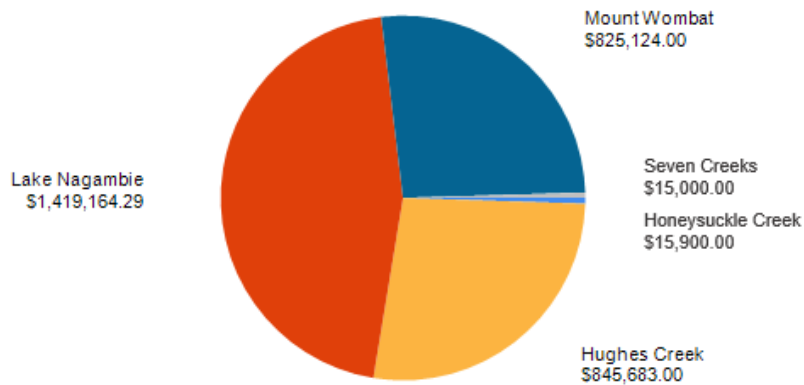
RECOMMENDATION

That the report be noted.

BUILDING ACTIVITY**NOVEMBER 2022****Building Activity**

A report on new building permits recorded in Council's building permit register in
November 2022

Ward	Number of Lodgements	Cost Of Works
Honeysuckle Creek	1	\$15,900.00
Hughes Creek	4	\$845,683.00
Lake Nagambie	7	\$1,419,164.29
Mount Wombat	5	\$825,124.00
Seven Creeks	1	\$15,000.00
	18	\$3,120,871.29



Honeysuckle Creek

Permit Number	Permit Date	Works	Building Use	Town	Cost Of Works
1488364777194	11/11/2022	Demolition of	Dwelling	Violet Town	\$15,900.00
					\$15,900.00

Hughes Creek

Permit Number	Permit Date	Works	Building Use	Town	Cost Of Works
8973100354879	02/11/2022	Construction of	Dwelling & Garage	Avenel	\$367,231.00
4020610334009	13/11/2022	Construction of	Carport	Avenel	\$23,588.00
5898908855882	16/11/2022	Completion of	Shed	Avenel	\$8,000.00
7338956243356	17/11/2022	Construction of	Dwelling, Alfresco & Garage	Avenel	\$446,864.00
					\$845,683.00

Lake Nagambie

Permit Number	Permit Date	Works	Building Use	Town	Cost Of Works
6945352861186	08/11/2022	Construction of	Swimming Pool and Fence	Nagambie	\$57,413.98
2203111291140	11/11/2022	Construction of	Swimming Pool and Fence	Nagambie	\$67,433.31
9576175101925	15/11/2022	Installation of	Swimming Pool and Fence	Kirwans Bridge	\$77,220.00
4133646115151	24/11/2022	Construction of	Dwelling & Garage	Nagambie	\$375,403.00
9276928697581	29/11/2022	Construction of	Dwelling & Carport & Shed	Nagambie	\$407,332.00
1497952363413	29/11/2022	Construction of	Retaining Wall	Nagambie	\$40,000.00
1089337437903	29/11/2022	Construction of	Dwelling & Garage	Nagambie	\$394,362.00
					\$1,419,164.29

Mount Wombat

Permit Number	Permit Date	Works	Building Use	Town	Cost Of Works
2860900979749	14/11/2022	Construction of	Swimming Pool Barrier	Longwood East	\$3,000.00
6889816374039	15/11/2022	Extension to	Community / Recreation Centre	Strathbogie	\$605,001.00
2775270997076	16/11/2022	Construction of	Shed	Strathbogie	\$10,000.00
5930702355400	21/11/2022	Construction of	Machinery Storage Shed	Gooram	\$109,468.00
6294931293868	24/11/2022	Construction of	Verandah	Strathbogie	\$97,655.00
					\$825,124.00

Seven Creeks

Permit Number	Permit Date	Works	Building Use	Town	Cost Of Works
9171055605912	22/11/2022	Restump of	Dwelling	Euroa	\$15,000.00
					\$15,000.00

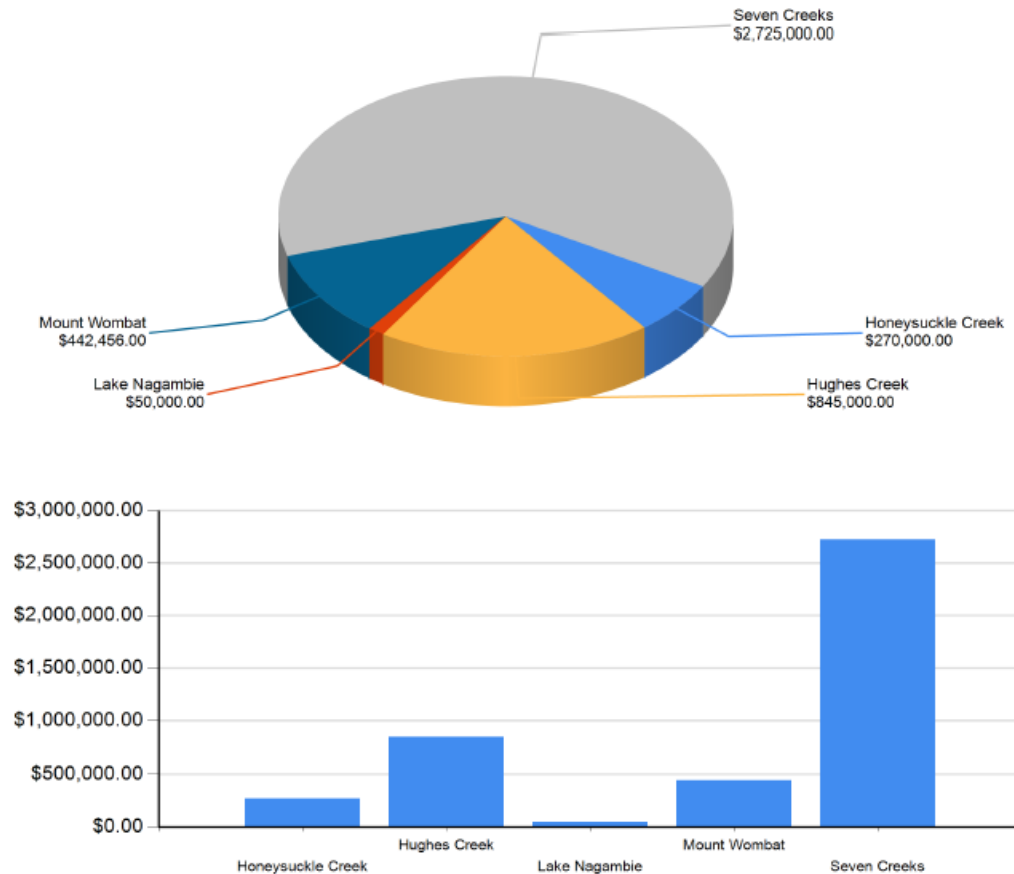
PLANNING APPLICATION APPROVALS – DEVELOPMENT COST (CAPITAL IMPROVED VALUE)
NOVEMBER 2022



Planning Applications Determined

November 2022

Honeysuckle Creek	\$270,000.00
Violet Town	\$270,000.00
Hughes Creek	\$845,000.00
Longwood	\$95,000.00
Mangalore	\$750,000.00
Lake Nagambie	\$50,000.00
Goulburn Weir	\$50,000.00
Mount Wombat	\$442,456.00
Creightons Creek	\$118,000.00
Goram	\$233,090.00
Goram	\$91,366.00
Seven Creeks	\$2,725,000.00
Euroa	\$2,000,000.00
Euroa	\$700,000.00
Euroa	\$25,000.00
Total Value	\$4,332,456.00



CUSTOMER ENQUIRY ANALYSIS REPORT - REPORT FOR NOVEMBER 2022



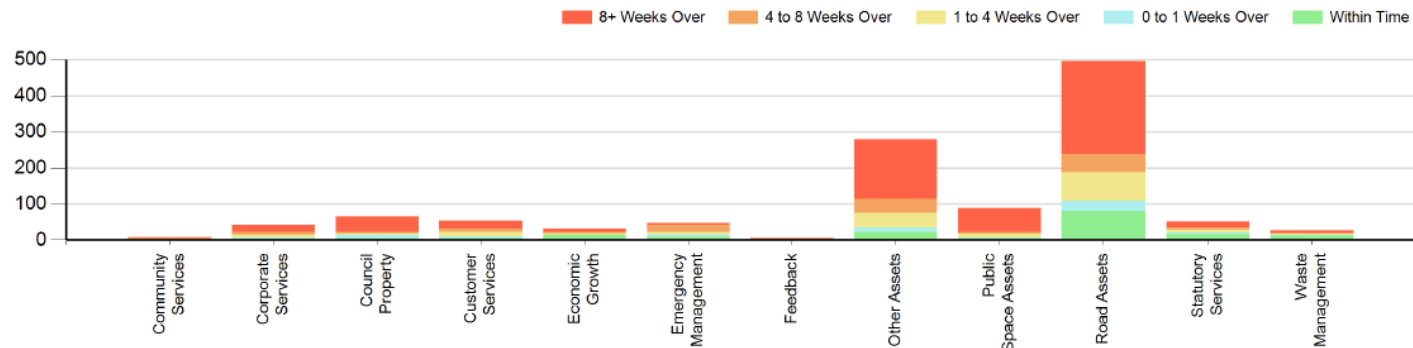
Request Throughput Analysis

01/11/2022 to 30/11/2022

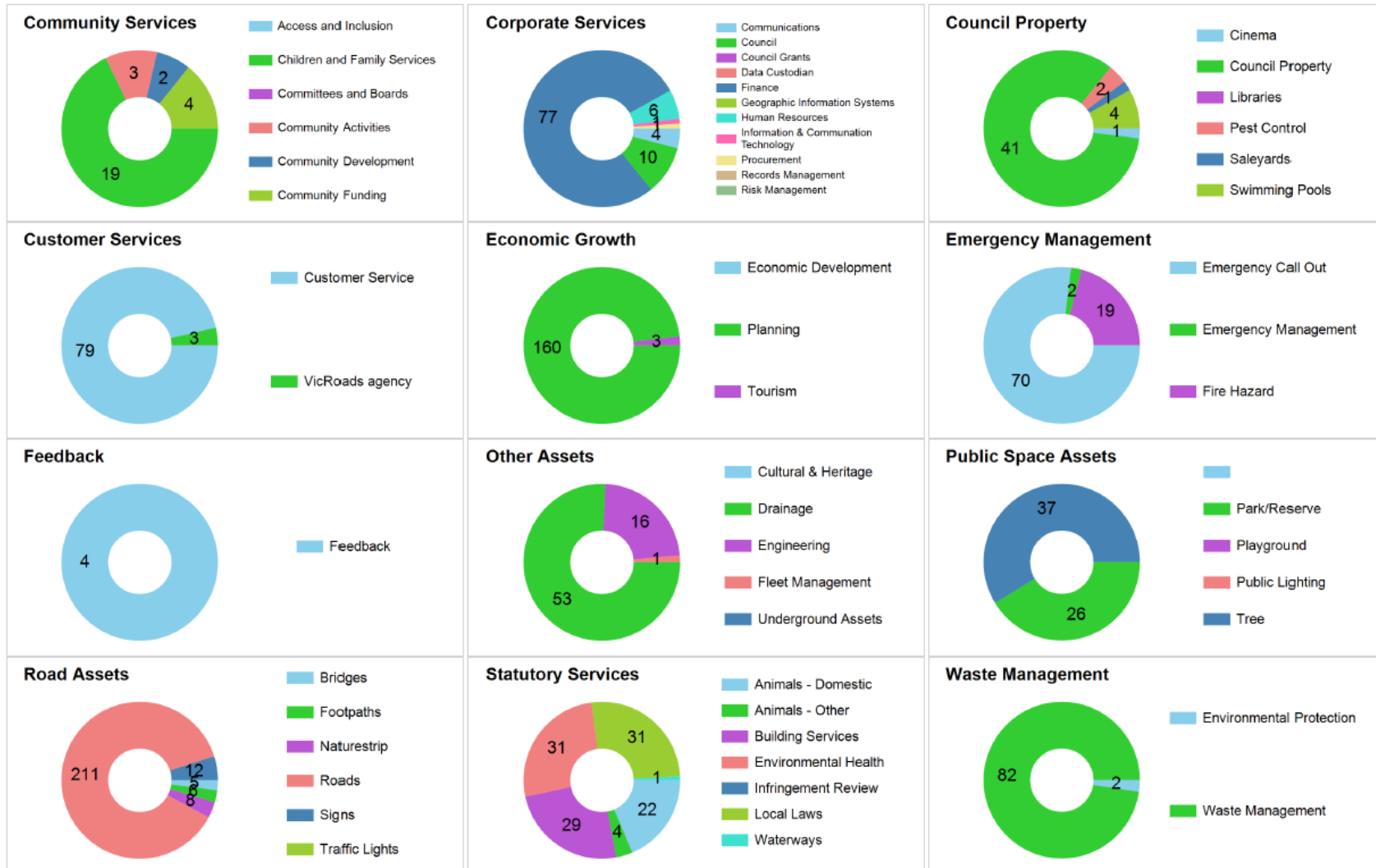
UN PRO	Complete / New		> 80%		50-80%		< 50%
	Overdue / Remaining		< 33%		34-70%		> 70%

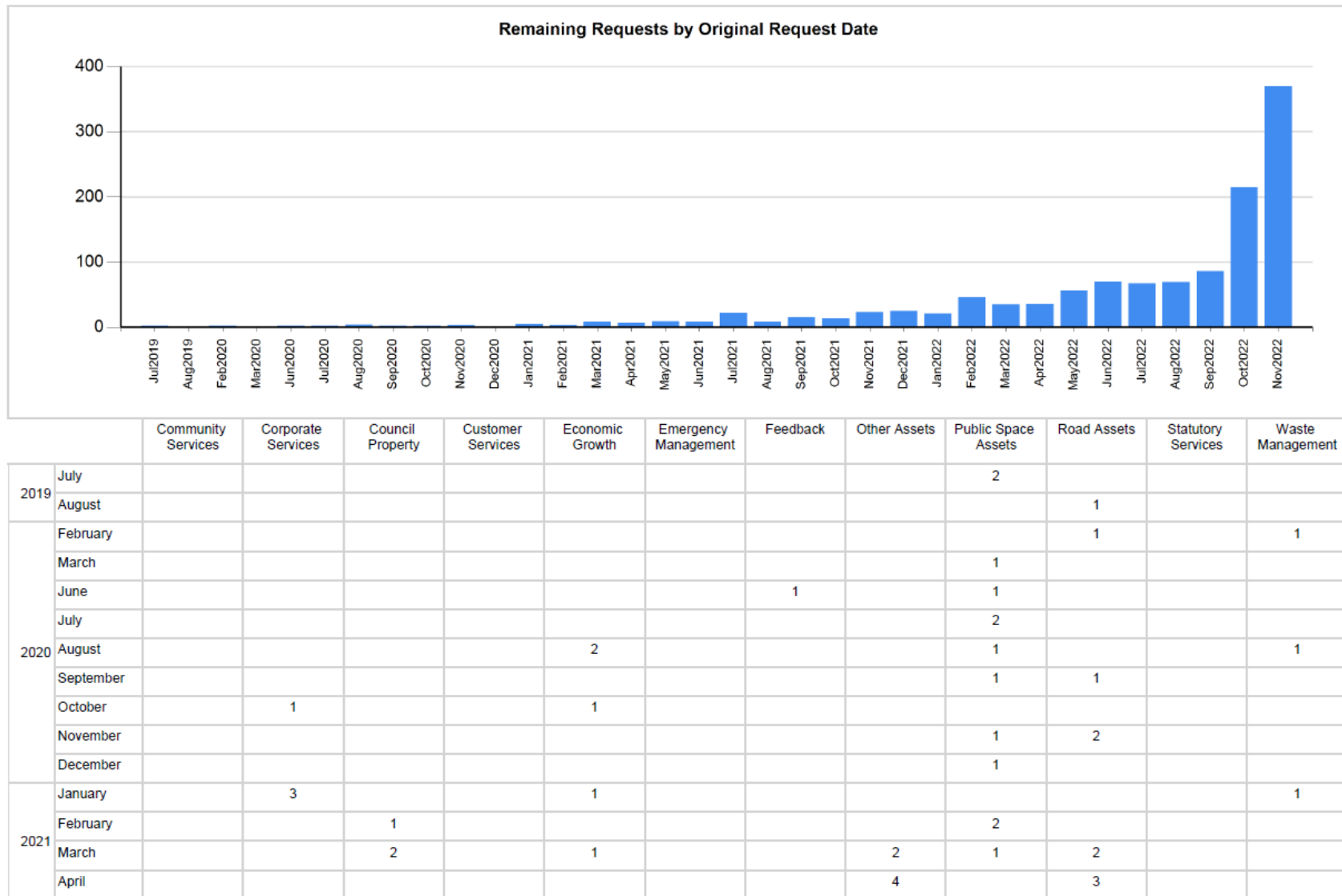
Service Area	Existing Requests	New Requests	Completed Requests	Remaining Requests	C N	Within Time	Over Time	Q R	Pending Resources	Service Area Usage
Community Services	9	28	29	8		2	6		0	
Corporate Services	38	99	94	43		3	40		0	
Council Property	62	49	46	65		5	60		0	
Customer Services	42	82	65	59		5	54		0	
Economic Growth	24	163	155	32		13	19		0	
Emergency Management	88	91	132	47		10	37		0	
Feedback	6	4	4	6		0	6		0	
Other Assets	269	70	54	285		22	263		0	
Public Space Assets	115	63	66	88		5	83		24	
Road Assets	444	242	181	505		81	424		0	
Statutory Services	67	118	133	51		16	35		1	
Waste Management	16	84	74	26		12	14		0	
Total	1180	1093	1033	1215		174	1041		25	

Request Ageing



Service Usage








2021	May								4		5		
	June			1					3	2	2		
	July							1	11	1	9		
	August		2							1	5		
	September			1	1	1			2	6	4		
	October			2	1				1	5	5		
	November			1					5	4	12		1
	December			1			1	1	7	2	13		
2022	January		5	1					3	6	6		
	February			4	1			1	14	10	16		
	March	1	1	3	1		1		13	5	8	2	
	April			2					19	3	11	1	
	May		4	1					24	2	22	2	1
	June		1	2	2				15	5	43	2	
	July	1		8	2	1	1		6	2	44	1	1
	August			7	8	2	2		18	7	21	4	
	September	1	3	6	7	2	1	1	20	8	31	6	
	October	3	10	3	9	6	26		60	8	80	8	2
	November	2	13	19	27	15	15	1	54	22	158	26	18
Total		8	43	65	59	32	47	6	285	112	505	52	26

Definitions




Service Area	Grouping of services by area of responsibility
Existing	Requests open prior to reporting period
New	Requests made during reporting period
Within Time	Remaining Requests where defined deadline is after reporting period
Pending Resources	Requests where additional resources are required to continue. This includes labour, materials, and financial resources.

Complete New An indicator showing the ratio of Completed requests and New requests. Designed to represent how well we are keeping up with the demand for a service.

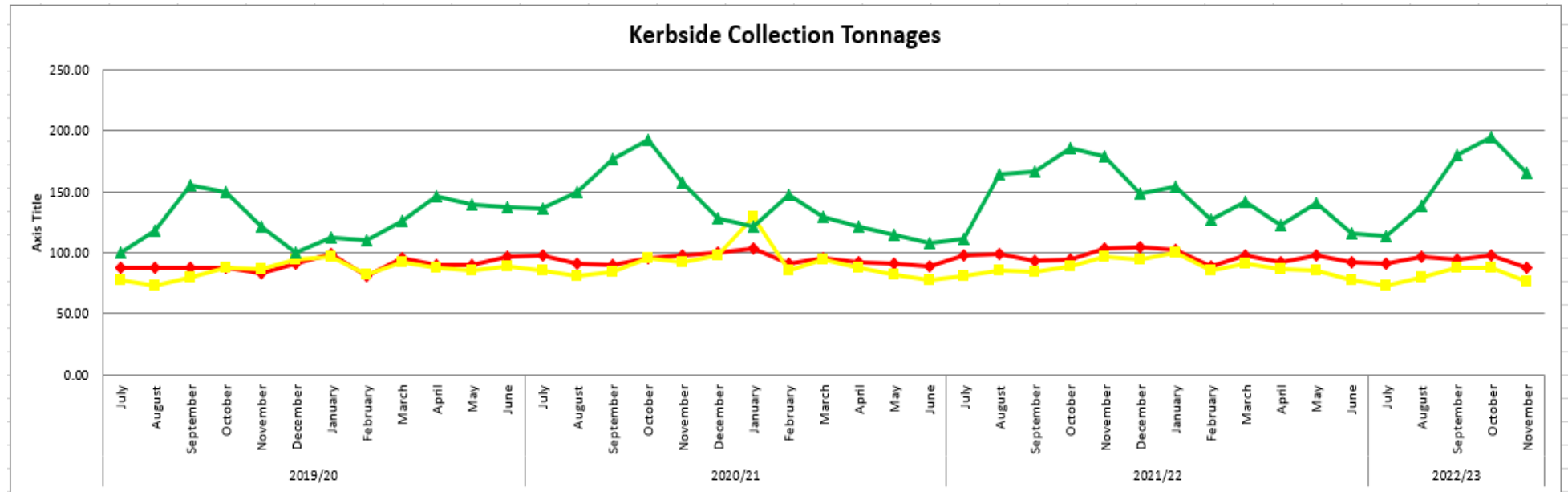
			
$\frac{C}{N}$ Complete / New	> 80%	50-80%	< 50%

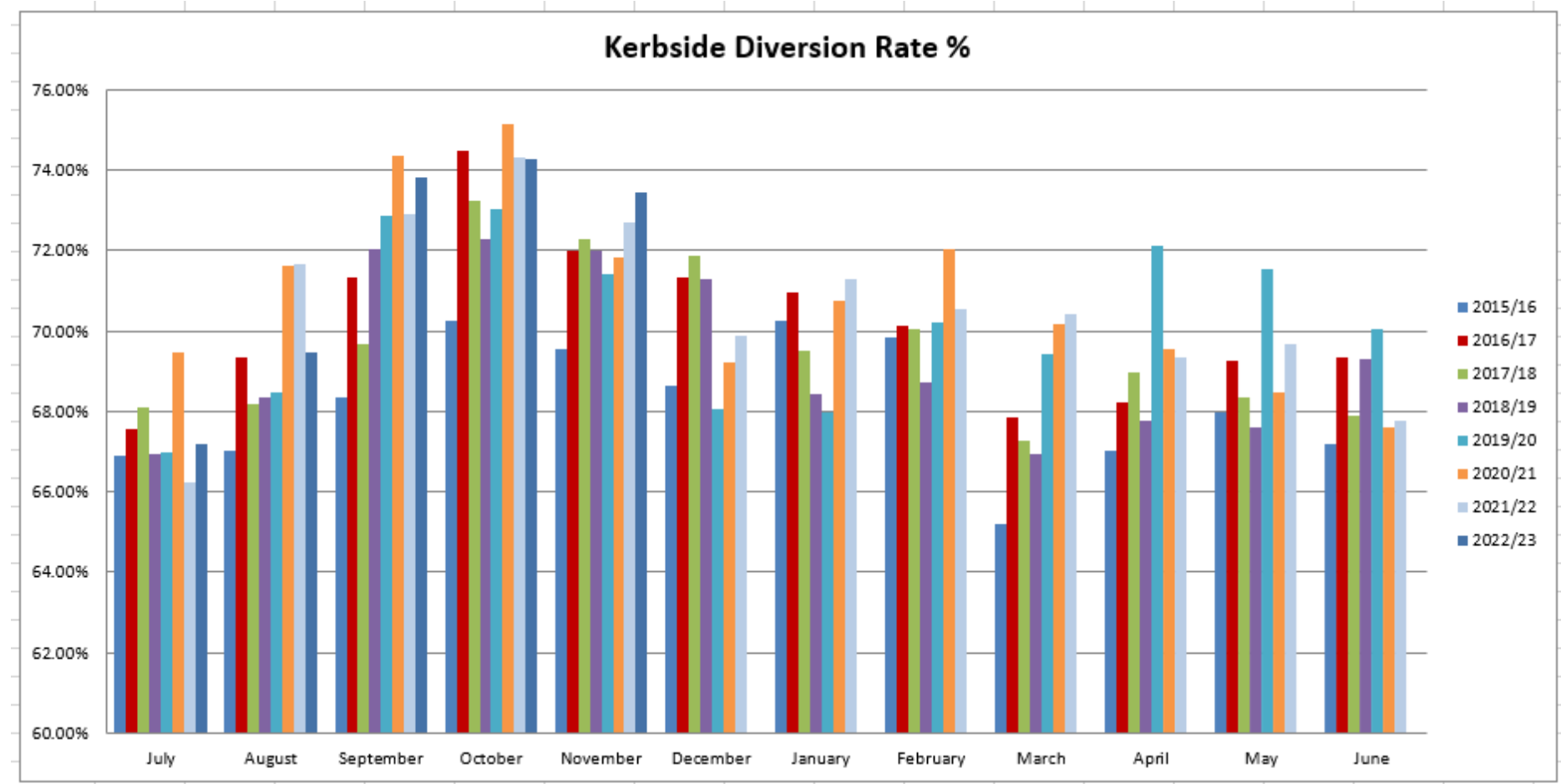
Service	Activities that provide value to the customer
Remaining	Requests incomplete at end of reporting period
Completed	Requests completed during reporting period
Over Time	Remaining Requests where defined deadline is before the end of the reporting period

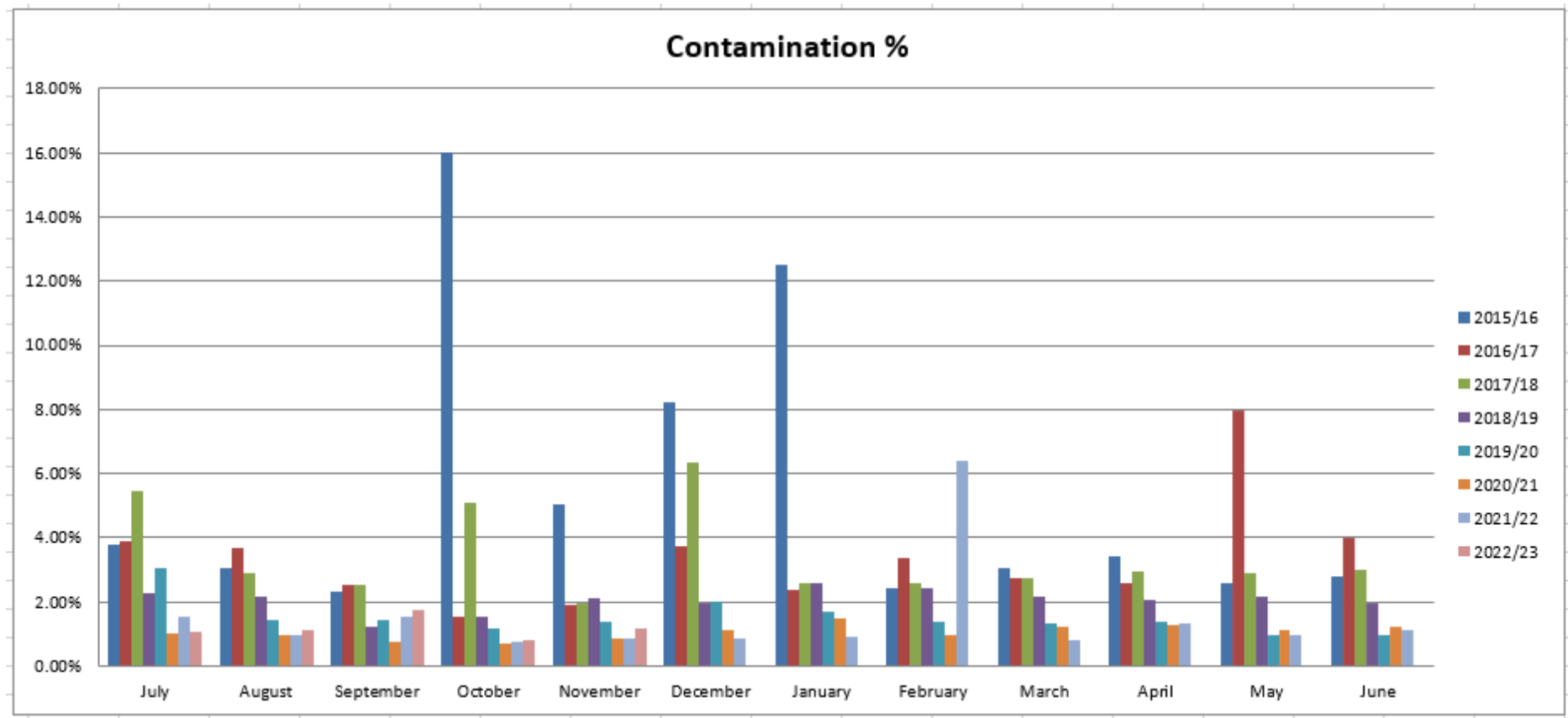
Overdue Remaining An indicator showing the ratio of Overdue requests and Remaining requests. Designed to represent how well we are keeping to the defined deadlines.

			
$\frac{O}{R}$ Overdue / Remaining	< 33%	34-70%	> 70%

WASTE MANAGEMENT REPORTING
YEAR TO DATE - NOVEMBER 2022



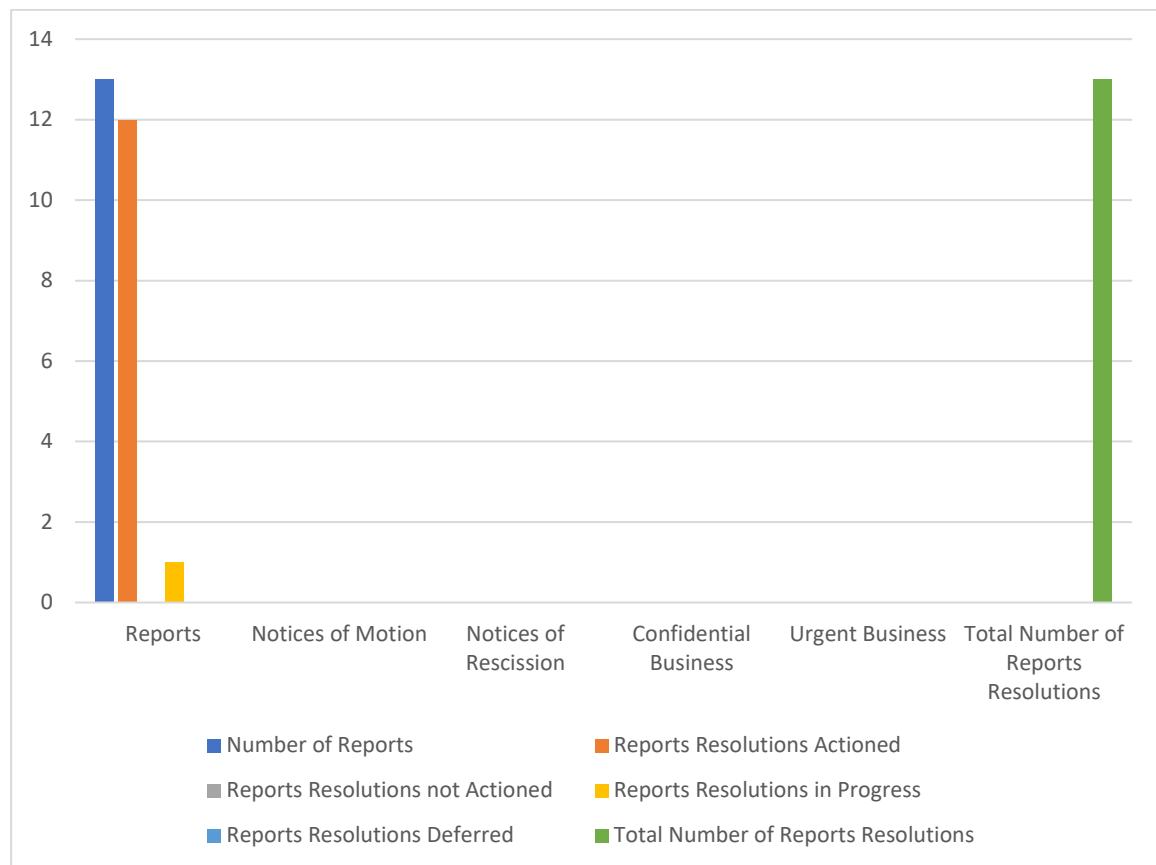




TRANSFER STATION DATA – NOVEMBER 2022



ACTIONING OF COUNCIL REPORTS RESOLUTIONS
COUNCIL MEETING – TUESDAY NOVEMBER 15, 2022



**OUTSTANDING ACTIONS OF COUNCIL RESOLUTIONS TO
30 NOVEMBER 2022**

This Report is to advise the Councillors, Executive Leadership Team 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.	Description
15/11/2022	9.1.2	Part 1 C52strb Flood Mapping Amendment

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

Review of Policy / New Policy	Policy Name	Details
Review	Council Policy Review – Complaints Policy 2022	Refer to Item 9.4.2
Review	Council Policy Review – Public Interest Disclosure Policy 2022	Refer to Item 9.4.3
Review	Council Policy Review – Special Rate and Charge Scheme Policy 2022	Refer to Item 9.4.4
Review	Council Policy Review - Procurement Policy 2022	Refer to Item 9.4.5

RECORDS OF INFORMAL COUNCIL BRIEFINGS / MEETINGS**For period 1 to 30 November 2022**

Record in accordance with Council's Public Transparency Policy 2020

Note: Details of matters discussed at the meeting that have been designated confidential under Rule 103 of the Governance Rules and sections 3 and 125 of the LG Act 2020 are described in a separate "confidential addendum" that will be reported to the next closed Council meeting

Name of Meeting: Informal Council Briefings / Meetings

Date of Meeting: Tuesday 8 November 2022

Time: 2.00 pm – 6.25 pm

Attendees:Councillors

Cr Laura Binks (Mayor)
Paul Murray (Deputy Mayor)
David Andrews
Reg Dickinson
Sally Hayes-Burke
Kristy Hourigan
Chris Raeburn

Officers

Julie Salomon (Chief Executive Officer)
Amanda Tingay (Director, Community and Planning)
Dawn Bray (Director, People and Performance)
Vlad Adamek (Director, Sustainable Infrastructure)
Kristin Favaloro (Executive Manager, Communications and Engagement)
Rachael Frampton (Manager Community and Culture) *[Item 2]*
Molly Odgers (Environment and Waste Co-Ordinator *[Item 3]*)

Apologies

Nil

1. Councillors Discussions
2. William Pearson Bequest
3. Outcomes of Nagambie EV Charging Station Engagement
4. Review of draft November 2022 Council Meeting Agenda
5. Extraordinary Council Meeting, including Annual Statutory Meeting

Declaration of Interest/s under Local Government Act 2020 (General Conflict of Interest - Section 127 / Material Conflict of Interest – Section 128)

Councillor/s - NIL

Officer/s - NIL

Record of Informal Council Briefings / Meetings

Record in accordance with Council's Public Transparency Policy 2020

Note: Details of matters discussed at the meeting that have been designated confidential under Rule 103 of the Governance Rules and sections 3 and 125 of the LG Act 2020 are described in a separate "confidential addendum" that will be reported to the next closed Council meeting

Name of Meeting: Informal Council Briefings / Meetings

Date of Meeting: Tuesday 15 November 2022

Time: 12.30 pm – 7.30 pm

Attendees:

Councillors

Cr Laura Binks (Mayor)

David Andrews

Reg Dickinson

Sally Hayes-Burke

Kristy Hourigan

Chris Raeburn

Officers

Julie Salomon (Chief Executive Officer)

Amanda Tingay (Director, Community and Planning)

Dawn Bray (Director, People and Performance)

Vlad Adamek (Director, Sustainable Infrastructure)

Kristin Favaloro (Executive Manager, Communications and Engagement)

Apologies

Councillor Paul Murray (Deputy Mayor)

1. Councillors Strategy Session
2. Capital Works Update / Euroa Civic Centre Building
3. Question for Public Question Time / Councillors Discussions
4. November 2022 Council Meeting

Declaration of Interest/s under Local Government Act 2020 (General Conflict of Interest - Section 127 / Material Conflict of Interest – Section 128)

Councillor/s - NIL

Officer/s - NIL

Record of Informal Council Briefings / Meetings

Record in accordance with Council's Public Transparency Policy 2020

Note: Details of matters discussed at the meeting that have been designated confidential under Rule 103 of the Governance Rules and sections 3 and 125 of the LG Act 2020 are described in a separate "confidential addendum" that will be reported to the next closed Council meeting

Name of Meeting: Informal Council Briefings / Meetings

Date of Meeting: Tuesday 22 November 2022

Time: 10.00 am – 3.00 pm

Attendees:

Councillors

Cr Laura Binks (Mayor)
Paul Murray (Deputy Mayor)
David Andrews
Reg Dickinson
Sally Hayes-Burke
Kristy Hourigan
Chris Raeburn

Officers

Julie Salomon (Chief Executive Officer)
Amanda Tingay (Director, Community and Planning)
Dawn Bray (Director, People and Performance)
Vlad Adamek (Director, Sustainable Infrastructure)
Kristin Favaloro (Executive Manager, Communications and Engagement)

Apologies

1. Presentation to Councillors by Audit and Risk Committee Community Representatives
2. Governance Rules Workshop
3. Waterways Management
4. Goulburn Valley Libraries briefing

Declaration of Interest/s under Local Government Act 2020 (General Conflict of Interest - Section 127 / Material Conflict of Interest – Section 128)

Councillor/s - NIL

Officer/s - NIL

10. NOTICES OF MOTION**11. NOTICES OF RESCISSION****12. URGENT BUSINESS****13. CONFIDENTIAL BUSINESS*****CLOSURE OF THE MEETING TO CONSIDER MATTERS DEEMED CONFIDENTIAL IN ACCORDANCE WITH SECTION 66(2)(A) AND PART 1, SECTION 3 DEFINITIONS OF THE LOCAL GOVERNMENT ACT 2020***

(f) *personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs*

C.B. 1 2023 Australia Day Awards – Determination of the Shire-wide award recipients

This ground has been applied to this matter as it relates to personal information in relation to nominations for Australia Day 2023 Awards, which must remain confidential until the event.

RECOMMENDATION

That Council, in conformance with section 66(2)(a) and the definitions for confidential matters under Part 1, section 3 the Local Government Act 2020 (the Act), resolve to close the meeting to members of the public for the purpose of considering item/s relating to:-

C.B. 1 2023 Australia Day Awards – Determination of the Shire-wide award recipients

The livestreaming of the meeting to the public stopped at p.m.

The livestreaming of the meeting to the public recommenced at p.m.

13.1 Confirmation of Confidential Business Decision/s***Confidential Business Decision/s*****C.B 1 2023 Australia Day Awards – Determination of the Shire-wide award recipients****RECOMMENDATION*****That Council:***

1. ***Review the list of township Australia Day award recipients to determine the overall Shire-wide award recipients for each of the six (6) award categories as follows:***
 - a. ***Community Organisation of the Year;***
 - b. ***Junior Citizen of the Year (under 15 years at 26/01/2023);***
 - c. ***Young Citizen of the Year (between 15-25 years at 26/01/2023);***
 - d. ***Citizen of the Year (over 25 years at 26/01/2023);***
 - e. ***Senior Citizen of the Year (over 65 years at 26/01/2023);***
 - f. ***Event of the Year (Event occurred after 27/01/2022)***
2. ***Adopt the protocol as set by the National Australia Day Council that the selected Shire-wide award recipients remain confidential until they are officially announced on Australia Day, 26 January 2023.***

Confidential Appendices

These appendices have been classified as being confidential in accordance with section 66(2)(a) and Part 1, section 3 of the Local Government Act 2020 as they relate to:

- (g) *private commercial information, being information provided by a business, commercial or financial undertaking that –*
 - (ii) *if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage*

- | | |
|------------|---|
| C.A. 1 (g) | Tender Evaluation for Contract No. 22/23-26: Design and Construct of 2 Play Spaces – Avenel and Creightons Creek |
| C.A. 2 (g) | Tender Evaluation for Contract No. 22/23-27: Streetscape Design – Euroa Stage 2, and Strathbogie Township and Violet Town Stage 1 (Lump Sum Contract) |

NEXT MEETING

The next monthly meeting of the Strathbogie Shire Council is scheduled to be held on Tuesday, February 21, 2022, at the Euroa Community Conference Centre, at 6pm. Please note: there is no meeting of Strathbogie Shire Council scheduled to be held in January 2023.

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