

Strathbogie Shire Council

Extraordinary Council Meeting Minutes/Decisions

June 6, 2023

Minutes/Decisions

Extraordinary Council Meeting

Tuesday, June 6, 2023, at 6pm

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

<https://www.strathbogje.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 Reg Dickinson (Lake Nagambie Ward)
Cr Sally Hayes-Burke (Seven Creeks Ward)
Cr Kristy Hourigan (Seven Creeks Ward)
Cr Chris Raeburn (Honeysuckle Creek Ward)

Municipal Monitor:

Peter Stephenson

Officers:

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

Meeting Procedure

1. Welcome

2. 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 of the world's oldest living culture through 60,000 years.

3. Privacy Notice

This public meeting was streamed live via our website ([Council Meetings and Minutes | Strathbogie Shire](#)) and is made available for public access on our website along with the official Minutes of this meeting. All care is taken to maintain your privacy; however, as a visitor in the public gallery, it is assumed that your consent is given in the event that your image is broadcast to the public. It is also assumed that your consent is given to the use and disclosure of any information that you share at the meeting (including personal or sensitive information) to any person who accesses those recordings or Minutes.

4. Governance Principles

Council considers that the recommendations contained in these Minutes gives effect to the overarching governance principles stated in Section 9(2) of the Local Government Act 2020. These principles are as follows:

- 1. Council decisions are to be made and actions taken in accordance with the relevant law;*
- 2. priority is to be given to achieving the best outcomes for the municipal community, including future generations;*
- 3. the economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted;*
- 4. the municipal community is to be engaged in strategic planning and strategic decision making;*
- 5. innovation and continuous improvement is to be pursued;*
- 6. collaboration with other Councils and Governments and statutory bodies is to be sought;*
- 7. the ongoing financial viability of the Council is to be ensured;*
- 8. regional, state and national plans and policies are to be taken into account in strategic planning and decision making;*
- 9. the transparency of Council decisions, actions and information is to be ensured.*

5. Apologies / Leave of Absence

Cr David Andrews (Lake Nagambie Ward)

6. Disclosure of Conflicts of Interest

Cr Hourigan declared a possible material interest under section 128 of the Local Government Act 2020 in Item 7.4.1, but interest was dependent on a budget submitter addressing Council. It is noted that the budget submitter did not attend the meeting to address their submission.

7. Officer Reports

- 7.1 Strategic and Statutory
- 7.2 Community
- 7.3 Infrastructure
- 7.4 Corporate
- 7.5 Governance and Customer Service
- 7.6 Executive

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7. OFFICER REPORTS

7.3 INFRASTRUCTURE

7.3.1 Contract Variation - Contract No. 21/22-23: Violet Town Landfill Rehabilitation

Author: Environment and Waste Coordinator

Responsible Director: Director Sustainable Infrastructure

EXECUTIVE SUMMARY

Council is required by the Environment Protection Authority (EPA) to complete capping works at the Violet Town Landfill. The competitive tender process for this contract was undertaken in 2022 and awarded to Apex Earthworks Pty Ltd at the July 2022 Council meeting for a total sum of \$2,151,946.50 inclusive of GST.

Works were originally scheduled to begin in October 2022 but due to the flood event were delayed until February 2023. Additional requirements imposed by the Environment Auditor and the EPA have resulted in a cost increase of \$525,330.92 inclusive of GST. This will result in a total contract price of \$2,677,277.42, inclusive of GST, should this variation be approved.

Work is still required to complete the biofilter for the landfill gas system and the work will now be moving into winter and as all wet weather days have been used there is potential for further variations for stand down costs to complete the project.

The landfill gas system variation was approved under delegation but due to the total amount exceeding 10% a report is now being presented to Council for the additional amount plus a contingency.

MOVED: COUNCILLOR MURRAY

SECONDED: COUNCILLOR RAEBURN

That Council:

- 1. Accept the variation of \$525,330.92, including GST, increasing the value of Contract No 21/22-23 Rehabilitation of the Violet Town Landfill, to \$2,677,277.42, including GST, to cover additional works required to complete the work;***
- 2. Authorise responsible council officers to accept further variations up to the value of \$200,000 to cover any possible additional works required to complete the project; and***
- 3. Note that the cost of the variations form part of the provisional sums allocated to the project when originally awarded at the 19 July 2022 Council meeting***

EM-21-22/23 CARRIED

7.3.2 Tender for Contract No. 22/23-70: Balmattum Hill Mountain Bike Trail Consultancy

Authors: Procurement and Tenders Officer and Economic Development and Projects Co-ordinator

Responsible Director: Director Community and Planning

EXECUTIVE SUMMARY

In late 2022 the Shire was successful in achieving \$241,600 in funding under the Victorian Government's Investment Fact Track Fund to investigate, scope, plan and cost an "All abilities Mountain Bike Facility on Balmattum Hill". Council committed to provide \$50,400 towards the project.

Through public advertisement in local and national newspapers, Council invited tenders for a consultant to deliver the shovel ready design for a mountain bike facility on Balmattum Hill, with the initial tender opening on 9am Friday 20 January 2023. At close of the initial tender on Thursday 23 February 2023, three (3) tender submissions were received.

After initial independent assessment and evaluation by a panel of Council Officers, clarification was requested of the three (3) tenderers to ensure that all submissions complied with the Council's Scope, and the supplied pricing was reflective of the Scope requirements. Upon return of the clarification responses, a further assessment and evaluation was undertaken, and the final result of Council Officer's evaluations is summarised in the tables within this report.

This report seeks Council's endorsement to award the Contract to Stantec Australia Pty Ltd and authorise the Chief Executive Officer to execute the Contract accordingly.

MOVED: COUNCILLOR HAYES-BURKE

SECONDED: COUNCILLOR MURRAY

That Council:

- 1. Awards Contract No 22/23-70 – Balmattum Hill Mountain Bike Trail Planning Consultancy to Stantec Australia Pty Ltd to be managed in two stages, for maximum price of \$309,791.00 including GST;***
- 2. Authorises officers to advise the unsuccessful tenderers; and***
- 3. Authorises the Chief Executive Officer to execute the Contract by signing and affixing with the Common Seal of Strathbogie Shire Council.***

EM-22-22/23 CARRIED

7.4 CORPORATE**7.4.1 Hearing of Submissions to Draft 2023/24 Strathbogie Shire Council Budget and Fees and Charges**

Author: Chief Financial Officer

Responsible Director: Director People & Governance

EXECUTIVE SUMMARY

The purpose of this report is to receive / hear submissions made under the Local Government Act 2020 ("The Act") in relation to the Draft 2023/24 Budget Report and the Draft 2023/24 Fees and Charges.

At its 2 May 2023 Extraordinary meeting, Council resolved to seek community comment on the draft 2023/24 Budget and Fees and Charges.

The closing date for submissions was Wednesday 31 May 2023 at 5.00 pm.

There were fifteen (15) submissions received for the 2023/24 Draft Budget. Five (5) submitters requested to speak to their Budget submissions.

Copies of all submissions have been distributed to Councillors for their information.

It is noted there were no submissions received for the Draft 2023/2024 Fees and Charges.

Four submitters to the draft Budget addressed Council in support of their written submissions.

MOVED: COUNCILLOR HAYES-BURKE

SECONDED: COUNCILLOR MURRAY

That Council:

- 1. Note the fifteen (15) submissions received in response to the public advertisement of the Draft 203/24 Budget;***
- 2. Hear those who wish to be heard in support of their written submissions; and***
- 3. Formally consider all received submissions and the adoption of the Draft 2023/24 Budget and Draft 2023/24 Fees and Charges at an Extraordinary Meeting of Council to be held on Tuesday 27 June 2023 at the Euroa Community Conference Centre, commencing at 6.00 pm.***

EM-23-22/23 CARRIED

THERE BEING NO FURTHER BUSINESS, THE MEETING CLOSED AT 6.59 P.M.

Confirmed as being a true and accurate record of the Meeting

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Chair

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Date