

# Strathbogie Shire Council

# Council Meeting Agenda

December 12, 2023

# **Agenda**

## **Council Meeting**

**Tuesday, December 12, 2023, at 6pm**

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

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

**Administrator:**

Peter Stephenson

**Officers:**

Amanda Tingay – Acting Chief Executive Officer

John Harvey – Director Sustainable Infrastructure

Rachael Frampton – Acting Director Community and Planning

## Meeting Procedure

### 1. Welcome

### 2. Acknowledgement of Country

*We acknowledge the Traditional Custodians of the places we live, work and play. We recognise and respect the enduring relationship they have with their lands and waters, and we pay respects to the Elders past, present and emerging. Today we are meeting on the lands of the Taungurung peoples of the Eastern Kulin nation, whose sovereignty here has never been ceded.*

### 3. Privacy Notice

*This public meeting is being streamed live via our website ([Council Meetings and Minutes | Strathbogie Shire](#)) and made available for public access on our website along with the official Minutes/Decisions 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/Decisions.*

### 4. Governance Principles

*Council considers that the recommendations contained in this Agenda 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

Julie Salomon – Chief Executive Officer

### 6. Disclosure of Conflicts of Interest

## **7. Confirmation of Minutes/Decisions of Previous Meetings**

### **RECOMMENDATION**

*That the Minutes/Decisions of the Council Meeting held on Tuesday, November 21, 2023, be confirmed.*

## **8. Petitions**

## **9. Report of Administrator**

## **10. Public Question Time**

## **11. Officer Reports**

11.1 Strategic and Statutory

11.2 Community

11.3 Infrastructure

11.4 Corporate

11.5 Governance and Customer Service

11.6 Executive

## **12. Notices of Motion**

## **13. Notices of Rescission**

## **14. Urgent Business**

## **15. Confidential Business**

**Amanda Tingay**  
**Acting Chief Executive Officer**  
**December 8, 2023**

### **Next meeting**

The schedule for monthly meetings of Strathbogie Shire Council in 2024 is to be determined at the December 2023 Council meeting

**Public question time**

Questions for the Ordinary Council Meeting can be submitted to be read, and responded to, by the Chair, or a member of Council staff nominated by the Chair, during Public Question Time. Questions must be submitted before 12 noon on Monday, December 11, 2023, by emailing [info@strathbogie.vic.gov.au](mailto:info@strathbogie.vic.gov.au).

Public Question Time will be conducted as per Rule 35 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](http://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/Decisions of the meeting, together with a Council reference number.

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	Appendix 1:	Evaluation Outcome for Project Collaborative Digital Innovation (CODI) Information Management Pricing Update
	Appendix 2:	Tender Evaluation for Contract No. 23/24-22: Design and Construct Play Space and Bike Education Track at Bicentennial Park

## 11. OFFICER REPORTS

### 11.1 STRATEGIC AND STATUTORY PLANNING

#### 11.1.1 Planning Applications Received and Determined - 1 to 30 November 2023

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<sup>st</sup> to 30<sup>th</sup> November 2023. The latest available Planning Permit Activity Performance (PPARS) Figures are also attached (Attachment 3). It should be noted that the latest PPARS Figures are for the month of October 2023. The November PPARS Figures were not available at the time of writing this report as the monthly figures are not updated until 15<sup>th</sup> of each month. The contents of this report are provided for information purposes only.

It is noted that there were fifteen (15) new planning applications received and nine (9) planning applications decided upon during the reporting period.

Attachment 4 to this report provides an update on current Victorian Civil and Administrative Tribunal (VCAT) appeals where no decision has been made.

#### **RECOMMENDATION**

##### ***That Council:***

1. ***Note that there were fifteen (15) new planning applications received, and nine (9) planning applications decided on during the period of 1<sup>st</sup> to 30<sup>th</sup> November 2023; and***
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.



### 11.1.1 Planning Applications Received and Determined - 1 to 30 November 2023 (cont.)

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.

#### **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**

**Attachment 1:** Planning Applications Received

**Attachment 2:** Planning Applications Determined

**Attachment 3:** Planning Permit Activity Performance Figures

**Attachment 4:** Current Victorian Civil and Administrative Tribunal (VCAT) Appeals

## **11.2 COMMUNITY**

### **11.2.1 In-Principle Funding Support: Longwood Recreation Reserve Female Friendly Changerooms**

Author: Acting Manager Community and Culture

Responsible Director: Acting Director Community and Planning

#### ***EXECUTIVE SUMMARY***

In July 2023 the Victorian Government announced the decision to pull out of hosting the 2026 Regional Victorian Commonwealth Games, citing high costs exceeding \$6 billion, more than twice the estimated economic benefit, as the reason for the decision. The cancelling of the Games was a lost opportunity for regional Councils to improve infrastructure and showcase communities to an international audience. As a result, the Victorian Government announced a \$2 billion package for regional Victoria.

The package includes \$60 million Regional Community Sport Development Fund to encourage families and children to keep physically active, including \$35 million for infrastructure and \$25 million for community sport programs.

The Regional Community Sport Development Fund may provide an opportunity for Council to apply for funding to deliver significant sports infrastructure projects. In consultation with Sport and Recreation Victoria Council have been advised that the funding guidelines and grant will be released in December.

Officers have reviewed the priority projects within the municipality and have identified the Longwood Recreation Reserve infrastructure project to deliver female friendly changerooms. The proposed project will deliver a prefabricated modular facility which meets the Disability Discrimination Act (DDA) requirements and Netball Victoria regulations. The project also includes a septic renewal to accommodate the additional infrastructure.

Due to the timing of the funding opportunity and the Council Meeting schedule, officers are seeking in-principle support for a Council contribution of \$150,000, if the grant application was to be successful. Officers anticipate a Council co-contribution will be required to be eligible, as per other similar funding rounds through Sport and Recreation Victoria in the past.

If approved, these funds would be allocated in the 2024/25 Capital budget to support this grant application to install female friendly changerooms and facilities at the Longwood Recreation Reserve. In addition, Council would support the project through in-kind project management to value of \$56,400. Council's total contribution to the project would be approximately \$206,000, however this is dependent on grant eligibility and funding ratios, which are unknown.

The design for this project also includes a DDA compliant toilet. This approval and Council's subsequent application will be subject to the project's eligibility pending the release of the grant guidelines.

If successful, this project would be delivered as a part of the 2024/25 Capital delivery program.

### 11.2.1 In-Principle Funding Support: Longwood Recreation Reserve Female Friendly Changerooms (cont.)

#### **RECOMMENDATION**

##### ***That Council:***

1. ***Approve in-principle, an allocation of \$150,000 in the 2024/25 capital budget to support an eligible grant application for the installation of female changerroom facilities at Longwood Recreation Reserve, subject to the projects' eligibility.***
2. ***Note the provision of in-kind Project Management, to the value of \$56,400 to oversee the delivery of the project in 2024/25.***

#### **PURPOSE AND BACKGROUND**

This report provides information in preparation for the Regional Community Sport Development Fund 2023 and demonstrates the need for a financial commitment from Council should the nominated project be awarded funding by the Department of Sport and Recreation Victoria.

Council has been working with the Longwood Community for several years to finalise the plans and costings of an upgraded facility at the Longwood Recreation Reserve to provide female friendly change room facilities. This has now been completed with detailed designs and scoping documents provided to Council and approved by Netball Victoria, elevating the project to be shovel ready and eligible for funding.

The proposed design is to deliver a custom-built modular building that meets DDA requirements and Netball Victoria regulations. The building includes home and away change rooms with two toilets and a shower in each changerroom as well as an umpires change room with toilet and shower. The building includes an accessible toilet and shower and ramp access to the building.

Council is aware that the existing septic infrastructure is at capacity and the pressure and load created by additional toilets and showers cannot be accommodated. To accommodate the increased demand the new infrastructure will create, a septic renewal is a part of the required works.

The estimated total project cost is \$620,400 with a proposed breakdown of costs provided below in Table 1.

**Table 1**

Type	Amount
Build 90m2 at \$4000 per m2	\$360,000
Landscaping and group preparation (15%)	\$ 54,000
Septic upgrade	\$150,000
Project Management (10%)	\$ 56,400
<b>Total Cost</b>	<b>\$620,400</b>

#### 11.2.1 In-Principle Funding Support: Longwood Recreation Reserve Female Friendly Changerooms (cont.)

This project has been identified in Council's Sport and Recreation pipeline document for several years, and community, and Longwood Football Netball Club in particular, have been advocating for the project strongly. This is also demonstrated by the Club's commitment to providing a financial contribution to the delivery of the project.

Sport is a highly visible and valued feature of Strathbogie Shire's culture and identity. The sport and recreation sector provides opportunities for enriching our communities through the promotion of respect and fair mindedness for all people, while also supporting the physical and mental wellbeing of all Victorians.

Strathbogie Shire is well positioned to implement infrastructure that progress gender equality by increasing female participation in community sport.

Council is committed to developing an environment for all residents to live in a safe and equal society, have access to equal power, resources, and opportunities, and are treated with dignity, respect, and fairness.

#### ***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.

As Longwood Recreation Reserve is located on Crown Land, any proposed new use or development, i.e. extending, adding, altering, removing or otherwise changing an asset (built or natural), must be consistent with the purpose for which the land is reserved and must consider the impact on existing activities undertaken at the reserve. Council officers have begun consultation with Department of Energy, Environment and Climate Action (DEECA) to ensure that appropriate processes are followed, including any required permits and/or consents.

DEECA consent is not required for the day-to-day maintenance of the reserve or its buildings and assets. However, there are various requirements regarding Aboriginal cultural heritage and Traditional Owner rights, local government by-laws and regulations regarding native vegetation clearing and protected flora controls that need to be considered as a part of the delivery of this project.

Approvals required under the Aboriginal Heritage Act 2006 and Aboriginal Heritage Regulations 2018 need to be obtained by the Committee of Management before proceeding with any development work or other activities that disturb the ground or vegetation in a way that could impact on Aboriginal cultural heritage.

A planning permit may be required for works on the reserve if there are any heritage overlays and if the committee of management wishes to remove, destroy or lop native vegetation. Once a planning permit has been issued for works a building permit needs to be sought.

The Committee of Management are in support of this project and have been working with the Longwood Football Netball Club to finalise the placement and overall amenity in relation to the project. Strathbogie Shire Council's Project Management Framework will be used to plan and deliver the project.

### 11.2.1 In-Principle Funding Support: Longwood Recreation Reserve Female Friendly Changerooms (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.

Council Officers reviewed the priority projects within the community and discussed current and funding options with projects that are shovel-ready and would best align with the expected funding guidelines.

Longwood's 2023-2033 Master plan, from which this project is listed as a priority, undertook broad community consultation which consisted of a community survey, a community drop-in session, key stakeholder interviews and a Share Strathbogie page to garner feedback on draft report.

Letters of support will also be obtained to support the grant application from several stakeholders involved in the project. These are likely to include; Longwood Football Netball Club, Longwood Recreation Reserve Incorporated and Longwood Action Group Incorporated.

#### **POLICY CONSIDERATIONS**

##### Council Plans and Policies

Council Plans and Policies The following goals of the Council Plan 2021-2025 have been identified:

Strategic focus area 1: Engage. Create. Unite.

- We create welcoming social spaces where people can connect.

Strategic focus area 2: Live. Access. Connect.

- We are focussed on activities that build economic, financial and social security.

Strategic focus area 4: Inclusive. Productive. Balanced.

- We partner with our community to achieve great things.

Strategic focus area 5: Strong. Healthy. Safe

- We are encouraging health and wellbeing activities in sport and recreation.

Furthermore, the 2023 – 2032 Longwood Master plan identifies development of female change rooms as a priority.

##### 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.

#### 11.2.1 In-Principle Funding Support: Longwood Recreation Reserve Female Friendly Changerooms (cont.)

Under the Gender Equality Act 2020, Council is responsible for conducting Gender Impact Assessments (GIA) on all new policies, programs, communications, and services, including those up for review, which directly and significantly impact the public (Gender Equality Act 2020).

This is further strengthened by the requirement of Local Government to introduce and apply a Fair Access Policy in 2024. The introduction of this policy will improve the access to, and use of, community sports infrastructure for women and girls.

The access and use of community sports infrastructure is an example of policy that has a direct and significant impact on the public.

#### **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 significant legal implications associated with 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.

In the interest of transparency and open and honest communication with our community it is recommended that this request for in-principle funding be acknowledged in a public forum providing full disclosure of the project being put forward for funding and the amount of Council contribution to be allocated in the funding application.

#### **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 considerations and Council contribution in the funding application towards the project as described are summarised below:

- a) Allocation of \$150,000 (based on current market value) toward the Longwood Recreation Reserve female change room facilities and associated works; for the provision of co-funding of these projects; and
- b) Providing in-kind Project Management contribution (10% of the total Value of the project) to oversee the delivery of the project including communication and engagement support.

This recommendation seeks Council's acknowledgement to make these funds provisionally available should the application for funding with the Department of Sport and Recreation be successful.

### 11.2.1 In-Principle Funding Support: Longwood Recreation Reserve Female Friendly Changerooms (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**

Upgrading the identified infrastructure has potential to increase the financial viability for Longwood Football and Netball Club in the future. The new facilities will encourage female participants to stay on at the facility after games and spend money at the kiosk. It is also anticipated that new female facilities will help increase participation numbers for the club as well as attracting finals game to Longwood which deliver a significant financial boost to the club.

##### **Social**

The new facilities will support Council in taking positive action to make community sport accessible and inclusive for more people. The upgrade has the potential to deliver significant social benefits for Longwood through increased participation of women in sport. Increased participation will foster an increased sense of community and improve the health and well-being of the female population.

##### **Environmental**

The design of the upgraded facilities incorporates environmentally sustainable design features. Officers and stakeholders are also investigating solar options for the facility to determine if renewable energy is a viable for this project, subject to funding available, grant ratios and eligibility.

##### **Climate change**

Offsite construction of modular infrastructure delivers speed of construction, construction accuracy, and the potential for improved overall quality. Speed of construction offsite reduces delays, inefficient material handling, site waste, and overall transport requirements. All these lead to lower overall carbon emissions.

#### ***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 installation of a new modular building that delivers female friendly changerooms for user groups at the Longwood Recreation Reserve and is delivering innovation and continuous improvement to facilities available for our community.

#### ***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.

Council officers will continue to collaborate with local community groups and key stakeholders in the development of the funding application.

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11.2.1 In-Principle Funding Support: Longwood Recreation Reserve Female Friendly Changerooms (cont.)

***HUMAN RIGHTS CONSIDERATIONS***

The author of this report considers that the recommendation supports human rights under the Victorian charter of Human Rights and Responsibilities Act 2006 specifically;

Section 18 - Taking part in public life

- (1) Every person in Victoria has the right, and is to have the opportunity, without discrimination, to participate in the conduct of public affairs, directly or through freely chosen representatives.

***CONCLUSION***

The Regional Community Sport Development Fund is an opportunity for Council to apply for financial assistance to deliver a community led project to help build stronger regional communities into the future and specifically to support women in sport.

***ATTACHMENTS***

**Attachment 1:** Modular Change Room Proposed Design

**Attachment 2:** Longwood Recreation Reserve Community Master Plan



### **11.2.2 Goulburn Region Visitor Economy Partnership**

Author: Acting Director Community and Planning

Responsible Director: Acting Director Community and Planning

#### **EXECUTIVE SUMMARY**

The Victorian Government have released the Visitor Economy Partnership Framework, a new approach to regional tourism in the state of Victoria. This Framework details that Visitor Economy Partnerships will become the peak bodies for all visitor economy (tourism) related matters within regions of Victoria. This report details the proposed establishment of a Visitor Economy Partnership, named Goulburn Region Tourism for the Local Government Areas of Greater Shepparton City Council, Strathbogie Shire Council and Mitchell Shire Council.

The report details the co-design process that the Victorian Government, partner Councils and industry have participated in to create the proposed entity and legal structure. It seeks Council's support to join Goulburn Region Tourism Incorporated and outlines the financial commitment required from Council. The formation of Goulburn Region Tourism Incorporated will strengthen and grow the visitor economy of the region, provide an increase in opportunities to funding and programs and lead to significant economic benefit across our municipality.

#### **RECOMMENDATION**

##### ***That Council:***

- 1. Authorise the Chief Executive Officer to join Goulburn Region Tourism Incorporated, the recognised Visitor Economy Partnership for the Region;**
- 2. Subject to Council's annual budgetary process;  
a) Allocate a contribution of \$39,000 for financial year 2024/2025 to the partnership; and  
b) Note that the annual contribution will be outlined in a Memorandum of Understanding, for a fixed term aligning with the State Government funding Agreement, with the future entity, once the entity is legalised; and**
- 3. Note the Goulburn Region Destination Management Plan as the key strategic document for the future entity to deliver.**

#### **PURPOSE AND BACKGROUND**

Historically, Regional Tourism Networks have been supported by the Victorian Government through the funding of Regional Tourism Boards. These existing structures did not support or recognise Strathbogie Shire Council area and the Goulburn Region. This has created an inequity of delivery of regional tourism services and has disadvantaged the region in relation to advocacy, funding and resources.

### 11.2.2 Goulburn Region Visitor Economy Partnership (cont.)

In 2019 the Victorian Government conducted the Regional Tourism Review. It was an extensive review to understand how to improve the management of regional tourism in Victoria. Unfortunately, the findings of the review were not fully realised due to the 2019- 2020 bushfires and then the Covid-19 pandemic. The Victorian Government did commit to support enhancing the sector with the Experience Victoria 2033 Plan and changes to the Regional Tourism Network.

In 2023 the Victorian Government released the Visitor Economy Partnership (VEP) Framework, which changed how regional tourism is supported in the state of Victoria. The ambition of the Visitor Economy Partnership Framework is to transition Regional Tourism Boards to new entities called Visitor Economy Partnerships and to ensure that all regions have equitable access to these entities. Visitor Economy Partnerships will be the official peak tourism bodies for regions. They will deliver supply and demand activities, such as advocacy, policy development and marketing to support growth of the visitor economy whilst also managing growth. Visitor Economy Partnerships will have improved governance and create clarity of roles and responsibilities within the visitor economy.

The Victorian Government's Visitor Economy Partnership Framework details that entities with three to five regional councils, including a regional city, will be eligible for \$350,000 of funding per year from the State Government. To be eligible for the Victorian Government funding, all Councils must financially contribute to the partnership. Council contributions are not prescribed due to the different nature of structures with each Visitor Economy Partnership. In addition, entities are required to be independent from Councils.

The Goulburn Region, including Greater Shepparton City Council, Strathbogie Shire Council and Mitchell Shire Council were prioritised to transition to a VEP due to the lack of current representation by a Regional Tourism Board, forming the Interim Goulburn Region Tourism Partnership (GRTP). This partnership received funding of \$300,000 in 2022-2023, to fund a partnership across the three Council areas.

#### **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 establishment and participation in the regional tourism entity will lead to significant economic benefits and potential tourism growth across the region, whilst delivering efficiencies and economies of scale for the municipality.

During its 18 months of operation, the interim Goulburn Region Tourism Partnership (GRTP) has:

- Developed a Goulburn Region Destination Management Plan; the key strategic document to support and manage the visitor economy of the region for the next five years;
- Co-designed, with the State Government and Industry, a permanent legal structure and entity, proposed as Goulburn Region Tourism Incorporated, to drive tourism in the region;

### 11.2.2 Goulburn Region Visitor Economy Partnership (cont.)

- Advocated to a range of stakeholders on issues pertinent to the Visitor Economy sector in our Region;
- Applied for funding for several joint activities and initiatives, including the Visitor Servicing Fund, Streams A and B; and
- Delivered an Industry Program to increase engagement within the region's visitor economy and build the capacity and skills of the sector for future Visitor Economy initiatives.

The three Councils have worked closely with the State Government and Industry to develop and refine the proposed VEP structure and model. In addition, a comprehensive industry engagement plan was delivered as part of the program to ensure the voices and perspectives of local tourism and business networks was heard and reflected in the direction of the entity. This includes Euroa Chamber of Business and Commerce, GoNagambie and Taungurung Land and Waters Council.

Specifically, the objectives of the co-design process was to:

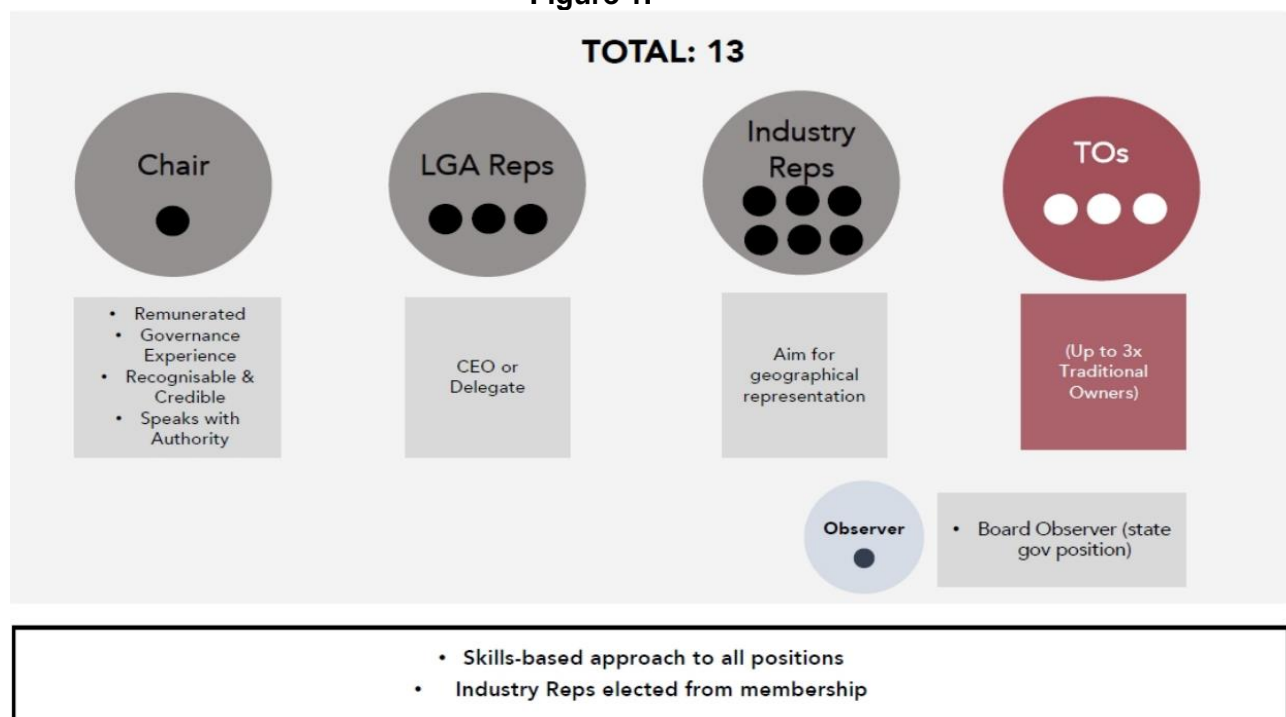
- determine the legal structure of the partnership;
- set the purpose for the VEP;
- determine the membership of the VEP;
- develop a financial contribution methodology for local government contributions;
- develop the Rules of Association/ Governance arrangements for the proposed entity; and
- set the strategic focus of the VEP through the development of a Destination Management Plan.

The outcomes from the co-design process developed by the GRTP has resulted in the proposed establishment of *Goulburn Region Tourism Incorporated*. The entity is proposed as an *Incorporated Association* under the *Associations Incorporation Reform Act 2012*. The purpose of the entity is 'to drive the sustainable growth of the visitor economy throughout the Goulburn Region'.

This entity type designates a board structure for its governance model. Feedback from industry and partners was that this entity must be industry led and have strong industry representation at a board level. This feedback has been reflected into the proposed board model. The model is outlined in figure 1 below and can be found in Attachment 1. It is important to note that in accordance with the industry feedback, the Chair of this entity will be an independent chair.

11.2.2 Goulburn Region Visitor Economy Partnership (cont.)

Figure 1.



To progress the creation of the entity, Association Model Rules, referred to as Rules for Goulburn Region Tourism has been created to establish strong governance for the organisation. These are attached in Attachment 2.

Transition to the entity will begin in early 2024 with the formation of the establishment committee to appoint the chair and board members. The establishment committee will comprise of one representative from each Council, and an industry representative from each local government area, and a human resources advisor. The position descriptions for both the Independent Chair and the Chief Executive Officer have been drafted. This recruitment process will commence in Quarter 1 2024.

The financial model proposed to support the entity in 2024/25 is a combination of State Government funding and Local Government contributions. In time, the entity may move to a financial membership-based model for all members once the entity matures and the products and services on offer can expand.

The proposed total budget for Goulburn Region Tourism Incorporated for 2024/25 is \$585,000, combining the local government contribution of \$235,000 with the State Government Grant of \$350,000.

The financial contribution formula for Local Government contributions has been modelled on the visitation numbers to each Local Government Area. This was identified as the fairest model to allow for different Council size and capacity, and reflective of potential cost benefit back to each region.

### 11.2.2 Goulburn Region Visitor Economy Partnership (cont.)

The financial contribution is outlined below in Table 1.

**Table 1: Financial Contributions**

<b>Council</b>	<b>Proportion of regional visitation (%) (TRA Data 2019)</b>	<b>Funding Contribution 2024/25 (\$)</b>
Strathbogie Shire Council	16%	39,000
Greater Shepparton City Council	52%	121,000
Mitchell Shire Council	32%	75,000
<b>Annual 2024/25 Local Government Contribution</b>		<b>\$235,000</b>
<b>Total Budget for Goulburn Region Tourism INC (Local Government + State Government VEP Grant)</b>		<b>\$585,000</b>

Annual contributions for 2025/26 and beyond will be determined via a Memorandum of Understanding with Council once Goulburn Region Tourism Incorporated is legally established.

With the establishment of a VEP, there may be several funding streams that may be available for additional funding for events, marketing, tourism initiatives and industry capability building.

Local Government Funding to support the establishment and initial operations of the entity for the financial year 2023/24 will be dependent on the month of establishment. These will be calculated based on the above figure - in Strathbogie Shire Council's case, \$39,000 pro rata, depending on the number of months in operation this financial year. These funds will come from the existing Council operating budget 2023/24, as funds were allocated for this purpose.

The Strategic Plan for the Goulburn Region Tourism Incorporated is set in the destination Management Plan, refer to Attachment 3.

This Strategy sets Strategic Directions and Priorities for the future work of the entity. The four strategic priorities are:

1. Improved and coordinated Regional Tourism Governance
2. Regional Product Growth
3. Industry Capability
4. Regional Brand Marketing

#### **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 detailed industry engagement plan was developed and delivered through the co-design process. The purpose, membership and decision-making principles have been focused on what industry told us throughout engagement. This includes Euroa Chamber of Business and Commerce, GoNagambie and Taungurung Land and Waters Council.

### 11.2.2 Goulburn Region Visitor Economy Partnership (cont.)

There was also a significant amount of engagement delivered through the development of the Destination Management Plan which helps to inform the direction and focus of the new entity.

#### **POLICY CONSIDERATIONS**

##### Council Plans and Policies

Council Plan 2021-2025

*Strategic Focus Area 1: Engage. Create. Unite*

*Strategic Focus Area 4: Inclusive. Productive. Balanced.*

*4.2 Develop and adopt a Tourism and Events Strategy to broaden and diversify the calendar of events, with a focus on eco-tourism.*

This report is also consistent with the objectives of the Strathbogie Shire Council Economic Development Strategy 2023-27, specifically *Theme 4 A Thriving Visitor Economy*.

##### 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.

This report is consistent with:

- Goulburn Regional Economic Development Strategy 2022
- Experience Victoria 2033

Visit Victoria have also been consulted regarding the establishment of Goulburn Region Tourism Inc and are committed to support the region's demand, driving activities to promote the regions and its offerings to visitors.

The Visit Victoria Brand Framework articulates the state-wide positioning that Goulburn Region Tourism future marketing efforts will align to.

#### **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 legal entity will be established as an *Incorporated Association* under the *Associations Incorporation Reform Act 2012*. Council will be a board member of this Association.

The Association model rules have been reviewed by a legal advisor to ensure consistency with the legislation and accuracy.

##### **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.

### 11.2.2 Goulburn Region Visitor Economy Partnership (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.

This report is presented to the community in a Council meeting open to the public. This supports Council's commitment to transparency and ensures the community are aware of how decisions are made and funding is allocated.

#### ***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 financial model proposed to support the entity in 2024/25 is a combination of State Government funding and Local Government contributions. In time, the entity may move to a financial membership-based model for all members once the entity matures and the products and services on offer can expand.

The proposed total budget for Goulburn Region Tourism Incorporated for 2024/25 is \$585,000, combining the local government contribution of \$235,000 with the State Government Grant of \$350,000. Council's contribution will be \$39,000 per annum indexed.

These funds will come from the existing Council operating budget 2023/24, as funds were allocated for this purpose.

#### ***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**

Visitor economy businesses, organisations and events will benefit from the support from Goulburn Region Tourism Incorporated as a recognised peak body for tourism in the region. This entity will have strong connections with the Victorian Government and regional network to unlock the potential of our region as a destination. This will likely unlock additional funding streams and opportunities that have previously been accessed by Regional Tourism Boards, additional to the identified core funding.

Goulburn Region Tourism Incorporated will be responsible for the implementation of the Goulburn Region Destination Management Plan. This Plan highlights key economic measures of success to be achieved by 2030, including increasing visitation to the region from 2 million visitors (2.6 million pre Covid) to 3 million visitors, increasing overnight visitors from 700,000 to 1 million and gross revenue from \$337 million to \$500 million. Once established, Goulburn Region Tourism Incorporated will deliver marketing that will provide greater promotion of businesses and attractions. There will also be an increase in awareness of the region's attractions which will likely increase the length of stay and visitor spend in the region.

### 11.2.2 Goulburn Region Visitor Economy Partnership (cont.)

#### **Social**

Goulburn Region Tourism Incorporated will be a recognised peak body to support this visitor economy of the region. This body will be advocating for investment into the visitor economy which will likely create a broader range of activities available for both local and visitors to experience. The entity will also be involved in regional marketing which may increase local pride for the region and increase connection to an individual's community and the greater region.

#### **Environmental**

There are no significant environmental implications associated with this report.

#### **Climate change**

There are no climate change implications associated with this report.

#### ***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 has long recognised the importance of the visitor economy of our municipality and our region. With no tourism board in place, the visitor economy partnership model provides Council with a sustainable, viable and modern approach to driving tourism locally.

#### ***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 outcomes of the GRTP is evidence of significant Local Government collaboration. The essence of this report centres around the value of partnerships and collaboration and the process to date has been codesign and industry engagement. This project demonstrates the significant value of working in partnership for a common goal; this will be further demonstrated in years to come as the partnership matures. There are also several efficiencies and economies of scale for Strathbogie Shire Council undertaking this work in partnership with two other Councils.

#### ***HUMAN RIGHTS CONSIDERATIONS***

There are no direct or indirect human rights implications associated with this report.

#### ***CONCLUSION***

The establishment of a Visitor Economy Partnership for the region, Goulburn Region Tourism will increase collaboration, support industry, and unlock the potential of the region's visitor economy. This entity will be funded by the State and Local Government and will be the official peak body to support tourism in the region.

The establishment, transition and support of this entity will create opportunities that the region has historically not been able to access.



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#### 11.2.2 Goulburn Region Visitor Economy Partnership (cont.)

This report recommends Council formally joins Goulburn Region Tourism Incorporated, the official Visitor Economy Partnership for the region and authorises the in principle financial contribution, subject to Council's annual budgetary process.

##### ***ATTACHMENTS***

**Attachment 1:** Goulburn Region Tourism Board Structure

**Attachment 2:** Goulburn Region Tourism Incorporation Rules Draft

**Attachment 3:** Goulburn Region Destination Management Plan

### **11.3 INFRASTRUCTURE**

#### **11.3.1 Project Collaborative Digital Innovation (CODI) Information Management Pricing Update**

Author: Greg Underhill, Manager Digital Innovation and Technology

Responsible Director: Chief Executive Officer

##### ***EXECUTIVE SUMMARY***

In July 2023 Logicalis, through an open tender process, was selected as the preferred supplier to deliver an Information Management solution to the four Lower North Eastern Regional Councils. OpenOffice was the only other vendor to submit a response to provide an Information Management solution.

In October 2023 and post contract signing, Logicalis advised that they had identified a material cost error in their original Request for Proposal (RFP) response and requested that the implementation costs be amended to the amount listed in the confidential attachment. It is considered that the costing error was a genuine mistake made when transcribing implementation costs. Logicalis have readily admitted the mistakes and have taken steps to minimise the actual cost to LNERCC by providing substantial discounts, as indicated in their letter.

An impact assessment has been undertaken, the results of which are detailed in this report, a summary being:

- The pricing only impacts the one-off implementation costs which are all contained within the Mansfield contract with Logicalis, as Mansfield is the lead implementation Council;
- The revised RFP price evaluation scoring results in Logicalis remaining the preferred supplier; and
- The cost increase can be absorbed within the existing program budget, no additional funding is required.

This report recommends that Logicalis remain the preferred supplier of the Information Management Solution and that the cost increase be accepted, and approvals sought from the Program Steering Committee and Councils for the increase of implementation costs.

##### ***RECOMMENDATION***

###### ***That Council:***

- 1. Note the requested increased lump sum cost variation amount for the implementation of the Information Management module by Logicalis Pty Ltd of \$157,870 excluding GST (and inclusive of 10% contingency);***
- 2. Note that this change in pricing continues to meet best value in accordance with the procurement guidelines for the four (4) partner Councils;***
- 3. Note that the financial impact will be absorbed within the existing Project CODI implementation budget; and***

### 11.3.1 Project Collaborative Digital Innovation (CODI) Information Management Pricing Update (cont.)

#### *MOTION (cont.)*

4. ***Authorise the Chief Executive Officer to advise Mansfield Council of Strathbogie Shire Councils approval to execute the contract variation and confirm the award of the contract in accordance with the Memorandum of Understanding signed by all four (4) Councils, including payment of all agreed contributions.***

#### **PURPOSE**

To seek Council approval to increase the cost of the 'Information Management' implementation contract with Logicalis Pty. Ltd. due to a pricing error made by Logicalis when submitting their response to the Enterprise System Replacement request for proposal.

#### **ISSUES, OPTIONS AND DISCUSSION**

##### **Background**

In May 2023 as part of the Victoria Government's Rural Council Transformation Program the Lower North East Regional Councils (LNERC), consisting of Mansfield, Benalla, Strathbogie and Murrindindi, issued a public tender for the evaluation and selection of an Enterprise System Replacement to support the following business functions:

- Information Management
- Planning, Building and Regulatory
- Customer/Citizen Relationship Management
- Property/Rates
- Finance

Two (2) Vendors submitted responses to deliver the Information Management solution, being:

- OpenOffice
- Logicalis

Both Vendors proposed AvePoint as the underlying technology platform for the solution. Logicalis was selected as the preferred supplier and in October 2023 negotiations were completed and Mansfield, Murrindindi and Benalla signed contracts with Logicalis to deliver the solution. Strathbogie Information Management implementation is scheduled to be final of the four councils therefore the contract was not previously signed. A pilot program with the other three councils is being run to ensure current system functionality is maintained with the new solution.

### 11.3.1 Project Collaborative Digital Innovation (CODI) Information Management Pricing Update (cont.)

#### **Logicalis Pricing Correction**

On the 10 October 2023, Logicalis, sent an email requesting that the Mansfield contract, which included all implementation costs, be put on hold and voided due to a pricing error.

On the 16 October 2023, a letter was received from Logicalis formally advising of the pricing error in their original RPF response, resulting in a cost deficit. This pricing deficit was contained within costs associated with AvePoint services for the implementation of Cloud Records solution and related data migration.

#### **Legal Advice**

Maddocks Lawyers were briefed on the situation and advised that the following options were available to LNERCC:

- Hold Logicalis to the current price,
- Entertain a fee uplift (provided they still represent overall best value for money), or
- Terminate the signed contracts by consent and enliven the earlier tender process to go to another tenderer (assuming that is still possible under the RFT terms).

Additionally, they agreed with the assessment that “when there are material cost miscalculations, it creates a lose-lose situation and may compromise the quality and functionality of the system.

#### ***COMMUNITY ENGAGEMENT***

Community engagement is not considered required with Project CODI as it involves the implementation of IT System upgrades to support improved operational efficiencies and is part of a collaborative tender process with four (4) partner councils.

#### ***POLICY CONSIDERATIONS***

##### Council Plans and Policies

This tender aligns with the below three strategic focus areas in the Council Plan:

- Strategic focus area 4.3 Upgrade online and automated processes for approvals and permits wherever possible to support the construction sector.
- Strategic focus area 6.2 Develop and implement an Information Technology Strategy to ensure the organisation has a suite of fully integrated systems to maximise operational efficiency.
- Strategic focus area 6.1.9 Develop a business case for an integrated enterprise resource management system.

##### Regional, State and National Plans and Policies

The tender has been undertaken in compliance with all four (4) Council partners Procurement Policies, as required by the *Local Government Act 2020*. This stipulates that the purchase of all goods and services for which the estimated expenditure exceeds \$200,000 for building and construction works must be undertaken by public tender.

### 11.3.1 Project Collaborative Digital Innovation (CODI) Information Management Pricing Update (cont.)

The conditions of tendering have been prepared in conformance with the Mansfield Shire Council Contract Conditions, which set out the ethics and obligations of the Principal and Contractor in the tender process.

#### **LEGAL CONSIDERATIONS**

The Legal considerations are covered off in the Memorandum of Understanding that each of the four councils have signed off on that was endorsed at the September 20, 2022 Council meeting: [20220920 Item-9.4.2 Attachment-2 Final-Draft-Memorandum-of-Understanding-RCTP.pdf \(strathbogie.vic.gov.au\)](#).

Furthermore, whilst it may be legally possible to hold Logicalis to the original price submitted, it is considered that this would result in an inferior delivery outcome for the Councils.

#### **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**

This report contains confidential information pursuant to the provisions of Section 66(2) of the *Local Government Act 2020* under Section 3(g) - private commercial information, being information provided by a business, commercial or financial undertaking that:

- (i) relates to trade secrets; or
- (ii) if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage.

#### **FINANCIAL VIABILITY CONSIDERATIONS**

The financial impact of \$157,870 excluding GST (and inclusive of 10% contingency) can be accommodated absorbed within the existing project implementation budget. No further allocation of funds is required.

#### **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 introduction of improved systems will enable the Councils to provide better and more efficient services to the community and support economic development of the regions through streamlined processes. The costs associated with maintaining legacy systems and manual processes will be significantly reduced however this saving will offset the ongoing licensing costs.

#### **Social**

The introduction of improved systems will enable the Councils to engage better with their communities and with each other to collaborate on delivering the best outcomes to meet the needs of the communities.

### 11.3.1 Project Collaborative Digital Innovation (CODI) Information Management Pricing Update (cont.)

#### **Environmental**

There are no environmental considerations to be made at this time as the changes proposed are digital in nature. Future stages of the project may need to consider environmentally friendly disposal processes for redundant infrastructure.

#### **Climate change**

This proposal will lead to cloud based systems which reduces the requirement for councils to house traditional on premise infrastructure, thereby reducing power consumption.

#### ***INNOVATION AND CONTINUOUS IMPROVEMENT***

Project CODI will provide continuous improvement and innovation for all four councils with improved programs to help deliver key services of Council. Project and contract management procedures are regularly reviewed to further improve project and contract outcomes, as well as conducting performance reviews and seeking feedback from contractors and suppliers.

#### ***COLLABORATION***

Project CODI is a joint collaboration with Strathbogie, Murrindindi, Mansfield, and Benalla Councils as part of the Rural Councils Transformation Program and Business Acceleration Fund. Upon completion of the project, both systems and processes will be aligned across the four Councils thereby enabling further options for shared services.

#### ***HUMAN RIGHTS CONSIDERATIONS***

There have been no identified human rights implications from this proposal.

#### ***CONCLUSION***

It is considered that the pricing issue was a genuine mistake when transposing the AvePoint costs into the Logicalis proposal. Logicalis have further discounted the pricing error to minimise the cost impact on the Councils. Following a further evaluation of tender prices, Logicalis remained the preferred supplier after adjusting the RFP evaluation scoring to take the pricing change into account and will deliver the best value outcomes for the project.

#### ***ATTACHMENTS***

Nil

#### ***APPENDICES***

**Appendix 1:** Evaluation Outcome for Project Collaborative Digital Innovation (CODI) Information Management Pricing Update - CONFIDENTIAL

### **11.3.2 Tender for Contract No. 23/24-20: Land Slip Repair Treatments**

Author: Manager Assets Planning and Procurement and Tender Officer

Responsible Director: Director Sustainable Infrastructure

#### **EXECUTIVE SUMMARY**

Council has undertaken a competitive tender process for the rectification of the flood damage to roadside infrastructure (batter slopes) in the form of erosion or land slip, caused by the October 2022 flood event (AGRN 1037).

Sections along the following roads have been identified for the rectification works:

- Harrys Creek Road
- Harrys Creek Road
- Harrys Creek Road
- Harrys Creek Road
- Horse Gully Road
- Avenel Longwood Road

This is a component of the Flood Recovery Program to be funded through the National Disaster Funding Assistance (NDFA). The Department of Transport and Planning assesses submitted flood defects for funding approval on behalf of Emergency Management Victoria (EMV). Since the event, Council have had regular update meetings with the assessor and received provisional approval to commence reconstruction works provisioned here in this report.

Through public advertisement in local and state-wide newspapers, Council invited tenders for the Land Slip Repair Treatments with the initial tender opening at 9am Friday 25 August 2023. At close of the initial tender on Wednesday 20 September 2023, one (1) tender submission was received.

This report seeks Council's authorisation to constitute this Contract and authorise the Chief Executive Officer to execute the Contract accordingly.

#### **RECOMMENDATION**

##### ***That Council:***

- 1. Award Contract No 23/24-20 - Land Slip Repair Treatments to Kialla Lawn and Garden Pty Ltd from Shepparton for the amount of \$269,635, including GST;**
- 2. Authorise the Chief Executive Officer to execute the Contract by signing and affixing with the Common Seal of Strathbogie Shire Council; and**
- 3. Note that the tender works will commence on 5 January 2024 and conclude on 5 January 2025.**

#### **PURPOSE AND BACKGROUND**

This report seeks Council approval of the recommendations from the Asset Planning Department on Contract Number 22/23-20 - Provision of Land Slip Repair Treatments and to award the contract to the tenderer as detailed in this report.

### 11.3.2 Tender for Contract No. 23/24-20: Land Slip Repair Treatments (cont.)

#### **TENDER PROCESS**

Tenders were invited by advertising on “Tendersearch” via the Council website on 25 August 2023. Council also advertised in Saturday’s The Age newspaper (providing state-wide reach), Shepparton News, Euroa Gazette, Benalla Ensign, Violet Town Village Voice, in the week following release. By the close of tenders at 4.00pm on 20 September 2023, one tender submission had been received.

The tender submission from Kialla Lawn and Garden for a lump sum of \$269,635.00 (inclusive of GST) was assessed for compliance including the contractual terms and conditions and the requirements of the response schedules and was deemed conforming.

#### **Scope of Works**

The tender called for an experienced Contractor to perform the land slip repair treatments (as opposed to road works). The seed mix used for the works shall be a combination of seed from the seed stock from the “Strathbogie Ranges Enhanced Revegetation Species List” as detailed in the tender specifications. The scope of works includes:

- The supply of all materials and services required to deliver the treatments as detailed;
- Maintenance of the treatments for a 12-month period, which shall include the watering and weed control, once a month at a minimum to ensure successful germination and rigorous growth of the seed applied as part of the treatment;
- The removal and disposal of all surplus materials and any waste generated by the execution of the works; and
- Traffic control services required during the execution of the works and any maintenance activities during the 12-month maintenance/defect liability period.

#### **Assessment Process**

The Strathbogie Shire Staff members reviewing the submission were made up of the following:

1. Manager Asset Planning
2. Infrastructure Development Engineer
3. Technical Officer Asset Planning
4. Procurement and Tender Officer (process facilitator, 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.



### 11.3.2 Tender for Contract No. 23/24-20: Land Slip Repair Treatments (cont.)

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

- Business & Management Requirements - OHS, Insurance, Quality, Risk, Management, HR, QMS/ISO (Pass/Fail)  
Quality Management Systems, Policies, Relevant Certifications, and Insurance, a weighting of 0 % (pass/fail) was allocated to this criterium.
- Capacity - Subcontractors, Equipment & Resources & Managing Contract with current commitment (10%)  
Opportunity for tenderers to advise of any subcontractors they will be engaging (which is not only important for the Contract but also for evaluation panel conflict of interest declarations), and detailing equipment and current commitments.
- Capability, Experience, Personnel CVs, Methodology, Timeline (30%)  
As the work requires timely completion and elimination/mitigation of work-related risks, this criterium is considered important therefore allocated a weighting of 30%.
- Tender Conformance, Offer of Alternative Tender, Request for Contract Changes/Exclusions (Pass/Fail) 0%  
Due to the importance for the tender to meet the specification, a weighting of pass/fail (0)% was allocated to this criterium.
- 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 1: Evaluation Criteria**

<b>Criteria</b>	<b>Weighting (%)</b>
<b>Price</b>	<b>50%</b>
<b>Business &amp; Management Requirements</b>	<b>Pass/Fail (0%)</b>
<b>Capacity, Sub-Contractors, Equipment and Current Commitments</b>	<b>10%</b>
<b>Capability, Methodology and Experience</b>	<b>30%</b>
<b>Regional Benefit</b>	<b>10%</b>
<b>Conformance to Contract and Specification</b>	<b>Pass/Fail (0%)</b>

The officers tasked with reviewing the submission agreed that the single tenderer was suitable to be awarded the Contract.

### 11.3.2 Tender for Contract No. 23/24-20: Land Slip Repair Treatments (cont.)

The Evaluation Panel were satisfied that Kialla Lawn and Garden from Shepparton submitted a tender which demonstrated to be an experienced and capable supplier, and therefore overall Best Value outcome for Council.

#### **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.

Community consultation is not required at this stage of the project. Residents impacted by the works will be notified of the commencement dates and impacts associated with the project delivery.

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

2.1.2 Review resources and service standards to align with the Asset Plan and Road Management Plan.

5.8 Monitor the compliance of Council's emergency management framework with changing legislative requirements.

#### **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. Procurement was undertaken in accordance with the Strathbogie Shire Procurement Policy.

#### **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 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.

### 11.3.2 Tender for Contract No. 23/24-20: Land Slip Repair Treatments (cont.)

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.

Assigned Council staff work closely with the assessor and EMV to ensure the Victoria's *Natural Disaster Financial Assistance (NDFA)* funding guidelines are strictly followed in lead up to all awarded works packages, during execution of the works, as well as at completion when finally logging claims for reimbursement of all eligible costs incurred by Council.

#### **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**

There will be no significant economic sustainability impact due to repair works being in accordance with the requirements of the funding body *Natural Disaster Financial Assistance (NDFA)* as stated above.

##### **Social**

The received tender and conduct the allocated works will provide social sustainability to the community being serviced by the roads and associated infrastructure relevant to this report.

##### **Environmental**

The repair works will contribute to the environmental sustainability of the respective regions. The specified works are scheduled with consideration toward the existing vegetation and the reinstatement of the natural environment and to prevent further erosion of the respective sites.

##### **Climate change**

Reinstatement of the roadside batters with suitable material and natural vegetation will provide a like for like replacement of the existing environmental conditions to maintain the existing state. As previously mentioned above, this reinstatement/revegetation will stabilise the batter slopes to prevent further loss of material or vegetation and return the roadside to its existing state prior to the October 2022 flood event.

#### **HUMAN RIGHTS CONSIDERATIONS**

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

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### 11.3.2 Tender for Contract No. 23/24-20: Land Slip Repair Treatments (cont.)

**CONCLUSION**

Following the procurement process, this report seeks endorsement to appoint Kialla Lawn and Garden Pty Ltd Shepparton to undertake the delivery of Contract No. 23/24-20 - Land Slip Repair Treatments to be funded under the *Natural Disaster Financial Assistance (NDFA)*. The Procurement Policy was followed when completing the formal Request for Tender process.

**ATTACHMENTS**

Nil

### **11.3.3 Tender for Contract No. 23/24-22: Design and Construct Play Space and Bike Education Track at Bicentennial Park**

**Author:** Manager Project Delivery

**Responsible Director:** Director of Sustainable Infrastructure

#### ***EXECUTIVE SUMMARY***

Strathbogie Shire Council plans to replace the existing play equipment located at the Bicentennial Park, Euroa.

In September 2023, Council completed an audit of all its playgrounds and open spaces, with Bicentennial Park being identified as requiring 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 play space proposed for replacement requires immediate works to ensure safety and compliance and its replacement will also be consistent with best practice play provision.

Council invited tenders for the work under Contract 23/24-22, advertised between 25 October 2022 and 24 November 2023. At the close of tender on 24 November 2023, seven (7) tenders were received.

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

#### ***RECOMMENDATION***

##### ***That Council:***

- 1. Receive and note the outcome of the tender assessment process for Contract No 23/24-22 Design and Construct Play Space and Bike Education Track at Bicentennial Park, Euroa;***
- 2. Award the tender for contract No 23/24-22 Design and Construct Play Space and Bike Education Track at Bicentennial Park, Euroa - Lump Sum to Kialla Lawn and Garden of Kialla, for a total amount of \$239,019.00 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. Note that construction will be completed by 30 June 2024.***

### 11.3.3 Tender for Contract No. 23/24-22: Design and Construct Play Space and Bike Education Track at Bicentennial Park (cont.)

#### **PURPOSE AND BACKGROUND**

Strathbogie Shire Council plans to replace the existing play equipment located at the Bicentennial Park in Euroa.

In September 2023, Council completed an audit of all its playgrounds and open spaces, with Bicentennial Park being identified as requiring updating. This also aligns with the Play and Open Space Strategy currently being developed.

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 well-being.

The successful tenderer has been asked to provide a number of options for equipment that we plan to engage with the community to seek feedback via a vote on our Share Strathbogie Engagement Hub so that they can have a say on the equipment that will be installed. Officers will also attend local schools, kindergartens and play groups to ensure the main users of the play equipment get a say.

This report seeks Council approval of the recommendations from the Tender Evaluation assessment on contract 23/24-22 Design and Construct Play Space and Bike Education Track at Bicentennial Park, Euroa, and award the contract to Kialla Lawn and Garden as detailed 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**

<b>Tender Submissions Received at the close of Tender Period (in Alphabetical Order)</b>
A Space Australia Pty Ltd
Allison Joy Coster trading as A Joy Collective
CRS Creative Recreation Solutions Pty Ltd
Kialla Lawn and Garden
LM Landscaping & Irrigation Pty Ltd
Moduplay Group
Plastic Protection Pty Ltd trading as Omnitech Playgrounds

### 11.3.3 Tender for Contract No. 23/24-22: Design and Construct Play Space and Bike Education Track at Bicentennial Park (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)**

<b>Tender Offers Received at Close of Tender Period (including GST) in lowest to highest order</b>
\$231,000.00 (conforming)
\$238,800.00 (conforming)
\$239,019.00 (conforming)
\$244,846.00 (conforming)
\$244,992.00 (conforming)
\$244,961.81 (conforming)
\$293,283.00 (non-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. Coordinator Community Services and Inclusion, Community and Planning
3. Manager Project Delivery, Sustainable Infrastructure
4. Procurement and 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 (40%)  
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 40% is applied, unless a Council exemption is sought.
- Business and Management Requirements (10%)  
OHS, EMS, ISO, HR and Business plans, a weighting of 10% was allocated to this.
- 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%.

### 11.3.3 Tender for Contract No. 23/24-22: Design and Construct Play Space and Bike Education Track at Bicentennial Park (cont.)

- 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.
- Sustainability (10%)  
In accordance with Procurement Guidelines (for procurement over \$150,000) and being consistent with Environmental and Sustainability principles.

**TABLE 3: *Evaluation Criteria***

Criteria	Weighting (%)
Price	40
Business and Management Requirements	10
Capacity to Deliver	20
Capability, Experience, Methodology	10
Local Content	10
Sustainability	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 and Tender Officer) averaged the scores and highlighted scoring discrepancies larger than three (3) points. On Thursday 29 November 2023 the Panel members and the Moderator met to finalise the evaluation through moderation meeting.

#### **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.



### 11.3.3 Tender for Contract No. 23/24-22: Design and Construct Play Space and Bike Education Track at Bicentennial Park (cont.)

At the completion of the tender evaluation process, Kialla Lawn and Garden attained the highest ranking with a total score of 79.61%. Kialla Lawn and Garden received the highest qualitative score and meet 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 Kialla, Victoria.

Kialla Lawn and Garden have demonstrated 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 and Construct of the Play Space 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.

#### **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
- Our active and passive open spaces cater for all generations and all abilities.

##### 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.

### 11.3.3 Tender for Contract No. 23/24-22: Design and Construct Play Space and Bike Education Track at Bicentennial Park (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.

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 \$248,231.50 (incl. GST) for 'Play and Recreation Spaces – Various' in the 2023-2024 Capital Works Program. The recommended tender price of \$239,019.00 (incl. GST) is within 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 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.

### 11.3.3 Tender for Contract No. 23/24-22: Design and Construct Play Space and Bike Education Track at Bicentennial Park (cont.)

#### **Environmental**

The 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.

#### **Climate change**

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

#### ***HUMAN RIGHTS CONSIDERATIONS***

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 23/24-22 Design and Construct Play Space and Bike Education Track at Bicentennial Park, Euroa. 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 Play Space and Bike Education Track at Bicentennial Park, Euroa as discussed herein.

#### ***ATTACHMENTS***

Nil

#### ***APPENDICES:***

***Appendix 2:*** Tender Evaluation Contract No 23/24-22: Design and Construct Play Space and Bike Education Track at Bicentennial Park, Euroa - CONFIDENTIAL

### **11.3.4 Contracts, Works and Grants Awarded under Delegation**

Author: Procurement and Tenders Officer

Responsible Directors: Acting Director People and Governance

#### ***EXECUTIVE SUMMARY***

The purpose of this report is to inform Council and the community of the status of requests for 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 2023. This report specifically relates to works that form part of Council's 2023/24 budget.

This report also details any grants awarded under delegation as per Council's adopted Community Funding Model. Council adopted a Community Funding Model at the June Council Meeting authorising the Chief Executive Officer to award Quick Response Grants.

#### ***RECOMMENDATION***

***That Council:***

- 1. Note the Contract awarded under delegated authority by the Chief Executive Officer; and***
- 2. Note the Contracts awarded under delegated authority by a Director; and***
- 3. Note the Grants awarded under delegated authority by the Chief Executive Officer.***

#### ***PURPOSE AND BACKGROUND***

In line with Council's approach to transparency and good governance, the Contracts, Works and Grants Awarded Under Delegation report will be tabled for information purposes at each Council Meeting. The report details any contracts, works or grants 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 and/or services that formed part of Council's approved 2023/24 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, Services and Works
- A Manager – varies in value depending on the functionality contained within the portfolio, awarding of contracts up to the value of between \$10,000 to \$50,000 for Goods and Services and Works.

#### 11.3.4 Contracts, Works and Grants Awarded under Delegation (cont.)

Council adopted a Community Funding Model at the 18 June 2023 Council Meeting authorising the Chief Executive Officer to award Quick Response Grants via this report. One (1) Quick Response Grant was received in this period. This application was assessed against the grant criteria as per Council's assessment process and was recommended by Officers for funding. Under delegation, the Chief Executive Officer approved this application.

**Contracts Awarded Under Delegated Authority by Chief Executive Officer**  
NIL

**Contracts Awarded Under Delegated Authority by Director**  
NIL

#### **Grants Awarded Under CEO Delegation: Quick Response Grants**

<b>Applicant</b>	Avenel Bowling Club
<b>Project Overview</b>	Replacement outdoor seating
<b>Grant Amount approved</b>	\$944.00

#### **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 2023/24 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.

#### 11.3.4 Contracts, Works and Grants Awarded under Delegation (cont.)

##### **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.

##### **Environmental**

There are no environmental or sustainability impacts associated with this report.

##### **Climate Change**

There are no climate change impacts associated with this report.

#### ***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 2023.

This report also advises Council of any grants awarded under CEO delegation as per Council's adopted Community Funding Model.

#### ***ATTACHMENTS***

Nil.

## **11.4 CORPORATE**

### **11.4.1 Strathbogie Shire Council Audit and Risk Committee – Confirmed Minutes of the Policy Review Meeting held on Friday 6 October 2023**

Author: Coordinator Governance and Records Management

Responsible Director: Acting Director People and Governance

#### ***EXECUTIVE SUMMARY***

This report presents the confirmed minutes of the Policy Review meeting held on Friday 6 October 2023, endorsed by the Audit and Risk Committee meeting held Monday 27 November 2023.

The items considered by the Committee at the 6 October 2023 meeting were as follows:

Business - Draft Updated Policies and Policy Impact Assessment Tools for Review included:

- Draft Procurement Policy and Procedure
- Draft Fraud and Corruption Policy and Control System Procedures
- Draft Gifts, Benefits and Hospitality Policy
- Draft Chief Executive Officer Employment and Remuneration Policy
- Draft Councillor Expenses Policy
- Draft Asset Management Policy
- Draft Rates Payment and Collection Policy and Procedure (New)
- Draft Rates Budgeting and Notice Issuing Policy and Procedure (New)
- Draft Information Security Policy
- Draft Investment and Cash Management Policy
- Review of the Audit and Risk Committee Charter
- For Information Only – Policy Audit Update
- Introduction of Cr Weatherald – The Audit and Risk Committee members were formally introduced to Cr Weatherald as part of his formal induction.

Seven of the above Draft Policies and the Audit and Risk Committee Charter were endorsed at the October 17 Council meeting, and an additional two policies were endorsed at the November 21 Council meeting.

The confirmed minutes from the above meeting are presented for Council's receipt and noting.

#### ***RECOMMENDATION***

***That Council receive and note the Confirmed Minutes of the Strathbogie Shire Council Audit and Risk Committee meeting of Friday 6 October 2023.***

#### ***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*.

#### 11.4.1 Strathbogie Shire Council Audit and Risk Committee – Confirmed Minutes of the Policy Review Meeting held on Friday 6 October 2023 (cont.)

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 organisation'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 strategic financial management, policy, risk management and good governance and decision-making 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.

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 members 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.



#### 11.4.1 Strathbogie Shire Council Audit and Risk Committee – Confirmed Minutes of the Policy Review Meeting held on Friday 6 October 2023 (cont.)

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 organisation 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.

#### **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 receipt and noting confirmed 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.

#### 11.4.1 Strathbogie Shire Council Audit and Risk Committee – Confirmed Minutes of the Policy Review Meeting held on Friday 6 October 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.

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.

##### **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 Audit and Risk Committee assists Council in fulfilling its oversight responsibilities including financial management, occupational health and safety, risk, privacy, and governance.

##### **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.

##### **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 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 receipt and noting of the confirmed minutes of the recent Strathbogie Shire Council Audit and Risk Committee meeting.

##### **ATTACHMENTS**

**Attachment 1:** Confirmed Strathbogie Shire Council Audit and Risk Committee minutes of Friday 6 October 2023

#### **11.4.2 New Council Policy: Draft Related Party Disclosures Policy 2023**

Author: Chief Financial Officer

Responsible Director: Acting Director People and Governance

##### ***EXECUTIVE SUMMARY***

This policy aims to guide and ensure compliance with the Australian Accounting Standard AASB 124 Related Party Disclosures, emphasising transparency in related party transactions involving Key Management Personnel (KMP), including councillors and the executive leadership team.

The policy mandates detailed disclosures in annual financial statements, covering KMP compensation and related party transactions. KMP must submit disclosures at specific intervals, notifying of any relevant transactions, and are encouraged to consult the Chief Financial Officer if a related party transaction is suspected.

Aligning with the *Local Government Act 2020*, the policy upholds governance principles prioritising the best outcomes for the municipal community, providing a clear framework for optimal transparency in financial statements while adhering to privacy laws.

##### ***RECOMMENDATION***

***That Council:***

- 1. Adopt the Draft Related Party Disclosures Policy 2023; and***
- 2. Place the updated policy on Council's website, along with the publication of a notice in Council's newspaper columns and social media pages informing the community about the adoption of the policy.***

##### ***PURPOSE AND BACKGROUND***

The purpose of this policy is to provide guidance in the application of and compliance with the Australian Accounting Standard AASB 124 Related Party Disclosures (AASB 124) and the Australian Implementation Guidance for Not-for-profit Public Sector Entities, and to ensure transparency to community regarding any related party transactions.

Related parties include Key Management Personnel (KMP) consists of councillors and executive leadership team.

##### ***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. This policy specifies disclosure requirements and set up framework for best disclosure requirement for the financial statements.

#### 11.4.2 New Council Policy: Draft Related Party Disclosures Policy 2023 (cont.)

Council makes several disclosures in the annual financial statements. Under AASB 124, Council disclose two key set of information in the annual financial statements.

First, Compensation for the KMP. Compensation includes the following:

- (i) short-term employee benefits
- (ii) post-employment benefits
- (iii) other long term benefits and
- (iv) termination benefits.

Second, related party transactions will be disclosed for any material transactions with the following persons during the periods covered by the Financial Statement:

- (i) Council's key management personnel
- (ii) Other related parties, comprising:
  - a close family member of a key management personnel of Council
  - entities controlled or jointly controlled by a key management personnel of Council
  - entities controlled or jointly controlled by a close family member of a key management personnel of Council; and
  - other entities.

For each category of related party transactions specified in Section 6.1, Council will disclose the following information in Council's Financial Statements where applicable:

- (a) the nature of the related party relationship
- (b) the amount of the transactions
- (c) the amount of outstanding balances, including commitments, and:
  - i. their terms and conditions, including whether they are secured, and the nature of the consideration to be provided in settlement; and
  - ii. details of any guarantees given or received
- (d) provisions for doubtful debts related to the amount of outstanding balances; and
- (e) any expense recognised during the period in respect of bad or doubtful debts due from related parties. For each related party disclosed Council will disclose information above separately and will also disclose the name of the related party subject to compliance with the *Privacy and Data Protection Act 2014*.

Key management personnel must provide a related party disclosure in the form set out in the attachments to the policy, notifying any existing or potential related party transactions between Council and either themselves, their close family members or entities controlled or jointly controlled by them or any of their close family members, excluding ordinary citizens transactions, to the Director People and Governance by no later than the following periods:

- (a) 30 days after a key management personnel commences their term or employment with Council
- (b) 30 June each year.
- (c) on the day a key management personnel terminates their position or terminate their employment with the Council.
- (d) on the day of resignation from the position of councillor, dismissal of the position of councillor or end of Council term.

#### 11.4.2 New Council Policy: Draft Related Party Disclosures Policy 2023 (cont.)

If a key management person suspects that a transaction may constitute a related party transaction, the key management person should discuss a related party disclosure to the Chief Financial Officer for consideration and determination.

##### **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.

Development of this Policy is an internal matter and as such, community input has not been sought given its operational nature.

##### **POLICY CONSIDERATIONS**

###### Council Plans and Policies

The development of this policy is consistent with the values outlined in the Council Plan 2021-25 of being ethical, open and transparent. This policy will meet: *Strategic focus area 6; Accountable. Transparent. Responsible.*

###### 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.

This policy satisfy following plans, acts and guidelines.

- *Local Government Act 2020*
- AASB 124 Related Party Disclosures
- Model Financial Statements issued by Local Government Victoria

##### **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.

As highlighted above, the policy satisfies a number of acts and guidelines.

##### **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 policy provides disclosure requirements and the influence forms related party transactions for the financial statements.

#### 11.4.2 New Council Policy: Draft Related Party Disclosures Policy 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.

There is no financial impact from this policy. However, it strengthens financial disclosure requirements when preparing financial statements.

##### **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 significant sustainability impacts arising from this 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 adoption of this policy is a continuation of the implementation of good governance and transparency principles under the Act.

##### **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 has been informed by information provided by Local Government Victoria and through reviewing a wide range of similar policies recently adopted by other Councils across Victoria.

##### **HUMAN RIGHTS CONSIDERATIONS**

It is considered that the adoption of this Policy has no material impact on the *Charter of Human Rights and Responsibilities Act 2006*.

##### **CONCLUSION**

The adoption of the Related Party Disclosures Policy ensures Council is compliant with the *Local Government Act 2020* and is to provide guidance in the application of, and compliance with, the Australian Accounting Standard AASB 124 Related Party Disclosures (AASB 124) and the Australian Implementation Guidance for Not-for-profit Public Sector Entities, and to ensure transparency to the community regarding any related party transactions.

##### **ATTACHMENTS**

**Attachment 1:** Draft Related Party Disclosures Policy 2023

**Attachment 2:** Related Party Disclosures Policy 2023 Policy Impact Assessment Tool

### **11.4.3 Future Governance of Goulburn Valley Regional Library Corporation**

Author: Acting Director People and Governance

Responsible Director: Chief Executive Officer

#### ***EXECUTIVE SUMMARY***

The Goulburn Valley Regional Library Corporation (trading as Goulburn Valley Libraries) was formed in agreement between Moira Shire Council, Greater Shepparton City Council and Strathbogie Shire Council to deliver library services on behalf of the member councils.

The *Local Government Act 2020* (the Act) requires that regional library corporations move to alternative governance arrangements by 2030.

Goulburn Valley Regional Library Corporation (GVRLC) member councils are currently considering how they will deliver their library services and then transition to new governance and operating arrangements by 2030.

This paper sets out the possible models, the efficiency and effectiveness benefits of collaboration and proposes a future governance model – recommended by the Goulburn Valley Regional Library Corporation Board – for further development, planning and negotiation.

#### ***RECOMMENDATION***

##### ***That Council:***

- 1. Provide in principle approval for the continued collaboration in the delivery of library services by Strathbogie Shire Council with the current member councils (Greater Shepparton City Council and Moira Shire Council) of the Goulburn Valley Regional Library Corporation;***
- 2. Provide in principle approval for the adoption of the ‘Not-for-profit, Company Limited by Guarantee’ model, registered under the Corporations Act 2001 and registered as a charity with the Australian Charities and Not-for-profits Commission, as the preferred future governance model for the Goulburn Valley Regional Library Corporation; and***
- 3. Note and encourage a review of member Council cost contributions as part of any future collaborative governance model agreement.***

#### ***PURPOSE AND BACKGROUND***

The purpose of this report is to seek Council's endorsement to transition to a new Governance Model for the Goulburn Valley Regional Library Corporation to a not-for-profit, Company Limited by Guarantee model, registered under the *Corporations Act 2001* and a registered charity with the Australian Charities and Not-for-profits Commission.

#### 11.4.3 Future Governance of Goulburn Valley Regional Library Corporation (cont.)

Under the superseded *Local Government Act 1989* (1989 Act), a group of councils were able to apply to the Minister for Local Government for approval to enter into a regional library agreement and form a Regional Library Corporation (s196). This provision enabled the formation of the current Goulburn Valley Regional Library Corporation. Regional Library Corporations (RLC) were required to comply with specified provisions of the *Local Government Act 1989* as though they were a council. The winding up of a RLC must be done in accordance with this Act and the member Library Agreement.

The *Local Government Act 2020* (2020 Act) does not refer to RLCs but enables councils to form 'Beneficial Enterprises', of a type not specified, to share services and resources. The 2020 Act allows existing RLC's to be grandfathered, and continue to operate under the 1989 Act (s330) until 2030. Any change to an existing RLC Library Agreement triggers the change to evolve to a beneficial enterprise.

#### **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 first decision that each member council needs to make in the transition to new governance arrangements is if they wish to continue to collaborate with the other member councils in the delivery of library services.

Whilst the current RLC model to deliver library services may have suited each council in the past, circumstances may have changed and the rationale for the current arrangements may not still apply.

The 2020 Act provides an opportunity for each council to review the underlying rationale for how they can best serve their community.

Collaboration options have been described in detail in Mach2 Consulting's 2018 *Regional Library Collaboration, Discussion paper* commissioned by Local Government Victoria (see Attachment 1). These are summarised and explained below:

##### **1. Council agreement options**

Councils can provide library services to other councils by agreement (unincorporated models) – contracts, memoranda of understanding, service level agreements.

In the case of Goulburn Valley (GV) Libraries, the most likely council with capacity to provide these services to the other member councils would be Greater Shepparton City Council. Greater Shepparton, is the largest council by population, income, employees and resources, centrally located and is currently providing payroll and financial services by agreement to GV Libraries.

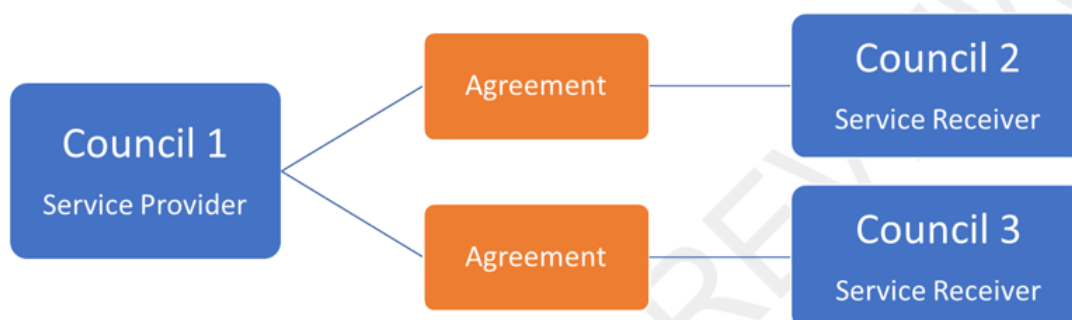


### 11.4.3 Future Governance of Goulburn Valley Regional Library Corporation (cont.)

There are two options for consideration under this arrangement: bi-lateral agreement/contract or multi-lateral agreement/contract.

#### i) Bi-lateral agreement/contract

This is an agreement or contract between two (2) councils where one (1) council purchases components of the library services from the other council under agreed terms and for an agreed price. The agreement can be as simple or detailed as the parties need. This is basically a 1:1 contract service delivery arrangement.



An example of this is the Central Highlands Libraries group, where the City of Ballarat provides services to a group of smaller local councils. Services provided include:

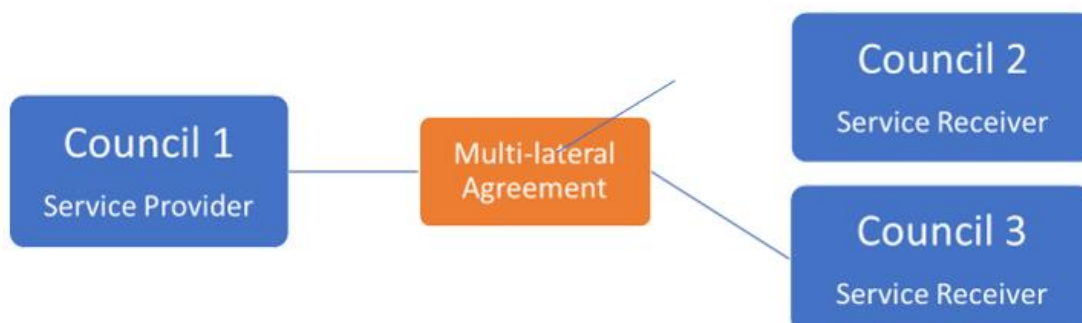
- Administration,
- collection management, and
- library management system and support.

Each council owns and maintains its own libraries, equipment, collections and provides and manages staff for each library.

#### ii) Multi-lateral agreement

This is an arrangement where a single multi-council agreement or contract is executed between two or more councils. Through this agreement, one of the councils is nominated as the 'service provider' (or 'hub' council). Under the agreement, the members agree to purchase specified services from the hub service provider under agreed terms and prices set out in the agreement.

This is similar to the bi-lateral model, except there is only one (1) agreement in place executed by all parties.



### 11.4.3 Future Governance of Goulburn Valley Regional Library Corporation (cont.)

An example of this is the High Country Library network, where Alpine Shire provides the 'hub' shared services to Benalla, Mansfield and Wangaratta councils.

#### 2. **Separate incorporated entity options**

Two (2) or more councils can form a separately incorporated 'beneficial enterprise' or entity to provide library services and share resources. Options for separate incorporated entities include:

- 1) *Associations Incorporations Act* – 5 member minimum  
This not an option in the current member configuration and is not considered further.
- 2) *Cooperatives Act* – 5 member minimum  
This not an option in the current member configuration and is not considered further.
- 3) *Corporations Act 2001* options  
Corporations Act options involve the formation of a separate legal incorporated entity. This basically means the 'entity' can enter into contracts, employ staff, own assets etc. as a council or other business can do.

Each incorporated option protects the members and office bearers against personal liability in some way. The following summarises the key features of these two types of company:

- a) Proprietary companies - unlimited or limited by shares  
An 'unlimited' proprietary company has an input share capital with each member contributing their 'share', with member liabilities not limited to the share capital.

A 'limited by shares' company is similar but the liabilities of members are limited to the amount they agreed to pay for the shares. Proprietary companies limited by shares is the most common type of proprietary company although there are no examples of this being used to deliver collaborative public library services in Australia. A board structure would likely be based on member representation based on shares held with the potential to add skills based members.

Proprietary companies are more suited to small to large private enterprise companies and are not considered a suitable model for GV Libraries' future governance.

- b) Company limited by guarantee - For profit or Not-for-profit  
A company limited by guarantee does not need a share capital. Rather members agree to its establishment and guarantee that any future liabilities up to a maximum amount (a nominal amount, say \$10 per member) if the company is wound up. A Board structure would likely be based on equal member representation with the potential to add skills based members.

#### 11.4.3 Future Governance of Goulburn Valley Regional Library Corporation (cont.)

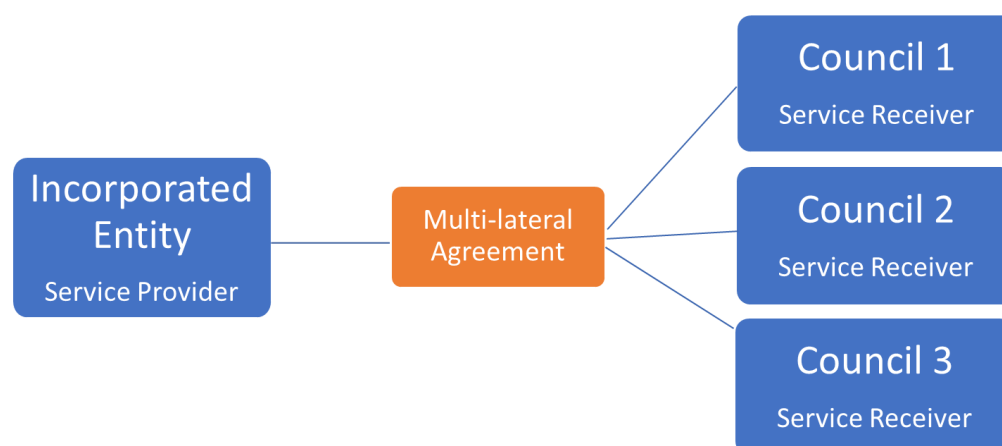
A company limited by guarantee is suitable for small to medium enterprises with two (2) or more members.

In general, a company limited by guarantee is likely to be the most appropriate corporate structure for collaborative library service delivery between councils.

A company limited by guarantee would provide more protection for member councils and board members through the nominal guarantee amount and is the preferred model for Victorian Councils who have embarked on the separate entity Beneficial Enterprise path. *See the Current Status of RLC's in Victoria below.*

In general, the company limited by guarantee would be the option available that most closely resembles and enables simple continuity of all the functions, services of an existing Regional Library Corporation.

This is the recommended option as proposed by the Goulburn Valley Regional Library Corporation Board.



The existing registered business name 'Goulburn Valley Libraries' could be transferred to the new entity therefore providing minimal disruption to patrons, or a new business name sought to reflect a new entity.

Either model could enable expansion with additional members added in future or provide mechanisms if a member Council wanted to leave the entity.

Either model can apply to be registered as a charity (not-for-profit) with the Australian Charities and Not-for-profits Commission and receive Deductible Gift Recipient status.

### 11.4.3 Future Governance of Goulburn Valley Regional Library Corporation (cont.)

#### Option Analysis

While not exhaustive of all possible models for delivery of library services, the below table aims to analysis the costs and benefits of the three main options.

Delivery Model	Pros	Cons
Council delivering library services individually/directly	<ul style="list-style-type: none"> <li>Greater control of library operations and direction</li> </ul>	<ul style="list-style-type: none"> <li>Loss of GV Libraries brand</li> <li>Ability to access inter-library lending/ resource/collection sharing between libraries</li> <li>Missed opportunities to reduce costs through sharing services or outsourcing.</li> <li>Greater cost to Council (loss of economies of scale)</li> </ul>
<b>Officer Comment:</b> Whilst this option offers greater control over library operations, it is not recommended by Officers. As detailed throughout the report, joint collaboration provides for many economies of scale, and this option would see a missed opportunity to share the costs of delivering a library service.		
Delivery Model	Pros	Cons
Councils delivering library services through a contract/shared service agreement (Unincorporated model)	<ul style="list-style-type: none"> <li>Opportunity to reduce cost through sharing services or outsourcing</li> <li>More service autonomy and flexibility than compared to a more formalised model</li> </ul>	<ul style="list-style-type: none"> <li>Impediments of resources and scale to be able to act as a 'seller' of library services to other Councils</li> <li>Availability of neighbouring Councils interested in Unincorporated model</li> </ul>
<b>Officer comment:</b> Whilst this option does offer collaboration, it is not recommended by officers as there are impediments of resources and scale to be able to act as a 'seller' of library services to other Councils.		
Delivery Model	Pros	Cons
Councils delivering library services through a contract/shared service agreement (Incorporated model – Corporate Act)	<ul style="list-style-type: none"> <li>Opportunity to reduce cost through sharing services or outsourcing</li> <li>Available to small groups of councils wanting to collaborate (2 or 3 member councils)</li> <li>Retention of GV Libraries brand</li> </ul>	<ul style="list-style-type: none"> <li>Costs involved in establishing a constitution / separate legal entity</li> <li>Control of library operations and direction overseen by Board of separate legal entity</li> </ul>
<b>Officer comment:</b> Officers support this as the recommended option as proposed by the Goulburn Valley Regional Library Corporation Board. This model has proven to be an effective method of collaboration that delivers multiple benefits to member Councils. This option provides economy of scales, shared overheads, administration and associated cost savings. In addition, this option offers wider collection and resource sharing across the member council network and the wider state-wide sharing networks. In a collaborative model the library resources are shared across all locations and the wider state-wide networks, providing better options for patrons.		

### 11.4.3 Future Governance of Goulburn Valley Regional Library Corporation (cont.)

The Victorian Auditor-General's Office 2019 audit on Council Libraries undertook a data envelopment analysis (DEA) to benchmark efficiency amongst Victorian Libraries for the 2017/18 financial year. The table below shows the analysis results on average for the two main delivery models at the time. While not assessing the cost of delivering (or the quality of) the service, this analysis aims to measure the efficiency of each delivery model, with a score of one meaning the library service is the most efficient of the group.

Delivery Model	Core Library Services	Programs and Events
Council (individually)	0.64	0.73
Shared Service (RLC)	0.79	0.86

#### Current status of RLC's in Victoria.

For councils that were part of a RLC when the 2020 Act commenced and that are continuing to collaborate, the Corporation, Limited by Guarantee - Not for Profit is the preferred model for the continuation of services with a separate entity model.

Regional Library Corporation	Status
West Gippsland RLC	NFP Corporation Limited by guarantee. " <i>Myli</i> ". Transition completed. RLC decommissioned.
Casey Cardinia RLC	Cardinia Council has joined " <i>Myli</i> " and Casey Council has retained the RLC and is renaming to " <i>Connected Libraries</i> " and is returning services in house.
Eastern Regional RLC	Knox, Maroondah and Yarra Ranges Councils. Actively transitioning to NFP Corporation Limited by guarantee. " <i>Your library</i> ".
Geelong RLC	No decision – waiting. Planning for NFP Corporation limited by guarantee.
Goldfields RLC	No decision – waiting, undertaking strategic planning.
Yarra Plenty RLC	Banyule, Whittlesea, Nillumbik Councils. Likely NFP Corporation Limited by guarantee. Not commenced yet seeking agreement at all Councils.
Wimmera RLC	Decision made to dissolve RLC 30 June 2024. Horsham Rural City Council will manage library services by agreement for West Wimmera Shire Council.
Whitehorse Manningham RLC	No decision – engaged with councils, likely to remain a shared service. .
Corangamite RLC	Previously dissolved with Corangamite Council providing services to Moyne Council by agreement. Geelong RLC assuming Queenscliff and Surf Coast.
Goulburn Valley RLC	No decision – waiting. Planning for NFP Corporation limited by guarantee.

### 11.4.3 Future Governance of Goulburn Valley Regional Library Corporation (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.

The CEO of Goulburn Valley Libraries has briefed all member Councils on the proposed governance model. A similar report was presented to Moira Shire and Greater Shepparton City Councils at their respective scheduled council meetings for a decision. Both Councils supported the recommendation.

While the transition to alternative governance arrangements is essentially an administrative matter with limited impacts of service delivery to the community, it is appropriate for the community to be kept informed, and to be further engaged if changes to service delivery are envisaged.

#### **POLICY CONSIDERATIONS**

##### Council Plans and Policies

Strategic focus area 6: Accountable. Transparent. Responsible.

- 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.

This plan is linked to the Goulburn Valley Libraries Library Plan 2022-2026.

#### **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.

Compliance with *Local Government Act 2020* provisions, including transitional provisions providing for RLCs to operate as they did under the *Local Government Act 1989* until 2030. Depending on the preferred library service model, compliance may be required during and post-transition with the *Corporations Act 2001* and the requirements of the Australian Charities and Not-for-profits Commission.

##### 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.

#### 11.4.3 Future Governance of Goulburn Valley Regional Library Corporation (cont.)

This report is being presented in a public open meeting which provides the opportunity to keep the community informed of forthcoming changes to the Goulburn Valley Regional Library Corporation.

##### **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 has budgeted for 2023/2024 for an annual contribution to the library service of \$286,648 which has been based on historical population splits between the three founding member councils.

The eventual change in governance model is likely to see a rebalancing of the future contribution amount as per proposed recommendation.

##### **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.

##### **Social**

Libraries are no longer a place just for borrowing books but are also places where the community can access e-resources, WIFI, computers, meeting rooms, art spaces, and diverse child, youth and adult programs. Public libraries are vibrant community hubs that provide all with universal access to information.

##### **Environmental**

There are no environmental or sustainability impacts associated with this report.

##### **Climate change**

There are no environmental or sustainability impacts associated with this report.

##### **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 first decision that each member Council needs to make in the transition to new governance arrangements is if they wish to continue to collaborate with the other member councils in the delivery of library services.

Whilst the current RLC model to deliver library services may have suited each council in the past, circumstances may have changed and the rationale for the current arrangements may not still apply.

The 2020 Act provides an opportunity for each council to review the underlying rationale for how they can best serve their community.

#### 11.4.3 Future Governance of Goulburn Valley Regional Library Corporation (cont.)

The case for collaboration:

The existing RLC model is a proven method of collaboration that delivers multiple benefits to member Councils.

- Economies of scale, shared overheads, administration and associated cost savings. This is a prime driver for collaboration, reducing costs to councils and ratepayers.
- VAGO report. In 2019 the Victorian Auditor General's Office conducted an Audit of Council Library Services. This report found that *"RLCs and co-operative models are overall, more efficient than stand-alone council libraries...."*. <https://www.audit.vic.gov.au/report/council-libraries#page-anchor>
- Standardised and equitable service levels across councils. Smaller Councils often find it difficult to maintain a standard level of service at disparate locations.
- Access to specialist library staff, skills and training. Recruitment of specialist library staff outside metro areas is difficult. Larger organisations that present promotion, training and development opportunities are more attractive to potential professional and skilled staff.
- Access to wider collection and resource sharing across the member council network and the wider state-wide sharing networks. In a collaborative model the library resources are shared across all locations and the wider state-wide networks, providing better options for patrons.
- Better ability to adapt to the changing nature of the role of public libraries (i.e. the shift from narrower resource lending towards information access, community programs and activities). A specialist service organisation separate from councils has the ability to be more responsive to patron needs and changes in the current environment.
- For RLC's, direct Councillor, senior staff and community involvement in governance and direction through Board composition. Councils can nominate and provide Councillors, senior staff and community members to be involved in service monitoring and decision making.

The case against collaboration:

- Councils may wish to have more control over the delivery of library services (as opposed to indirect delivery through an intermediary entity such as a RLC).
- Councils may wish to have more service integration between library services and other community services through library facilities. In some locations council services have been integrated with libraries in new hub type developments.
- Councils may wish to have more direct control over library service investment, collection curation, and policy and programming.
- Councils may have concern about costs/overheads associated with having a separate entity (i.e. with separate head office, CEO, administration staff, facilities, governance, audit etc.)
- Councils may have concern about the equity of cost sharing arrangements/financial contributions by members under the Regional Library Agreement and how this relates to service delivery and / or representation on the board of the RLC.



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#### 11.4.3 Future Governance of Goulburn Valley Regional Library Corporation (cont.)

In the event that a choice is made by a council to bring library services back within their own mainstream organisational/ service structure, detailed planning for the implementation for that decision should be undertaken. There is significant transition work and risk analysis to be undertaken in this event to resume services, staff and resources, and to close down a RLC.

#### ***HUMAN RIGHTS CONSIDERATIONS***

There are no negative human rights considerations associated with this report.

#### ***CONCLUSION***

Cooperative management arrangements between councils have been demonstrated to achieve operational efficiencies and enhanced, specialised library service provision to communities.

Goulburn Valley Libraries has successfully provided library services to the communities of Moira, Greater Shepparton and Strathbogie as a Regional Library Corporation over many years. Given the efficiency benefits of collaboration, it is proposed that collaboration continues as a Beneficial Enterprise under the *Local Government Act 2020*, with a company limited by guarantee -Not-for-profit the recommended model for further planning and negotiation.

#### ***ATTACHMENTS***

**Attachment 1:** Regional Library Collaboration Discussion Paper

#### **11.4.4 Council Meetings Timetable for Forthcoming Year**

Responsible Director: Chief Executive Officer

##### ***EXECUTIVE SUMMARY***

Rule 22 of the Governance Rules state 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 23 and additional meetings held under Rule 24.

Ordinary Council meetings are generally held on the third Tuesday of every month, except January (when normally 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.

Council has previously determined to conduct some meetings at the Nagambie Lakes Regatta Centre. At the three meetings held at that location in 2023, very few community members took the opportunity to attend, and due to the cost of officer resources to attend, the provision of administration support, and the requirement for reliable all abilities access, it is not considered time or cost effective to continue this practice. Furthermore, those who did attend advised that the audio quality was poor and as such this would need to be upgraded.

In addition, all Council meetings are live streamed online through Council's website to provide greater access to the public.

It is recommended that meetings continue to be held on the third Tuesday of the month (except January and December, as detailed above) starting at 6.00 pm and be held at the Euroa Community Conference Centre.

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.

The proposed schedule for Council meetings in 2024 is:

- Tuesday 20 February 2024
- Tuesday 19 March 2024
- Tuesday 16 April 2024
- Tuesday 21 May 2024
- Tuesday 18 June 2024
- Tuesday 16 July 2024
- Tuesday 20 August 2024
- Tuesday 17 September 2024
- Tuesday 15 October 2024
- Tuesday 19 November 2024
- Tuesday 10 December 2024

#### 11.4.4 Council Meetings Timetable for Forthcoming Year (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 20 February 2024***
  - ***Tuesday 19 March 2024***
  - ***Tuesday 16 April 2024***
  - ***Tuesday 21 May 2024***
  - ***Tuesday 18 June 2024***
  - ***Tuesday 16 July 2024***
  - ***Tuesday 20 August 2024***
  - ***Tuesday 17 September 2024***
  - ***Tuesday 15 October 2024***
  - ***Tuesday 19 November 2024***
  - ***Tuesday 10 December 2024 (held on the second Tuesday of the month)***
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.

In general, meetings have been held in the Euroa Community Conference Centre, however, three meetings in 2023 were held at the Nagambie Lakes Regatta Centre. By and large, very few community members took the opportunity to attend the meetings held at the Nagambie Lakes Regatta Centre. In addition, all Council meetings were live streamed online through Council's website to provide greater access to the public.

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.

The purpose of Council Meetings is for Council to conduct the business of Council. Council Meetings are open to the public and community members are welcome to attend and observe proceedings.

#### 11.4.4 Council Meetings Timetable for Forthcoming Year (cont.)

At these meetings, Councillors debate issues, make decisions, approve proposals, fulfil the statutory requirements of the Council, approve its budget and plan for the future. Councillors makes decisions on Council policy, financial and resource allocation, community development, infrastructure and planning requirements.

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 in accordance with the requirements of the *Local Government Act 2020* (the Act) and Council's Governance Rules. Holding meetings in the evening also gives community members the opportunity to attend Council meetings or watch the livestreaming of meetings. A copy of the Council meeting agenda may be viewed and is easily accessible from Council's website on the Friday evening prior to the meeting.

Council has previously determined to conduct some meetings at the Nagambie Lakes Regatta Centre. At the three meetings held at that location in 2023, very few community members took the opportunity to attend, and due to the cost of officer resources to attend, the provision of administration support, and the requirement for reliable all abilities access, it is not considered time or cost effective to continue this practice. Furthermore, those who did attend advised that the audio quality was poor and as such this would need to be upgraded.

In addition, all Council meetings are live streamed online through Council's website to provide greater access to the public.

It is proposed that meetings continue to be held on the third Tuesday of the month (except January and December, as detailed above) starting at 6.00 pm and be held at the Euroa Community Conference Centre

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.

#### **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 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.*

#### 11.4.4 Council Meetings Timetable for Forthcoming Year (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.

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.

##### **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 are no additional costs incurred by Council in the conduct of its monthly Council meeting or any Extraordinary Council meetings as proposed.

##### **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 Euroa Community Conference Centre.

##### **ATTACHMENTS**

Nil

#### **11.4.5 Grattan Institute Report: Potholes & Pitfalls: How to fix local roads**

Author: Chief Executive Officer

##### **EXECUTIVE SUMMARY**

On 13 November 2023, the Grattan Institute released their report on local roads funding - [Potholes and pitfalls: How to fix local roads \(grattan.edu.au\)](https://grattan.edu.au/potholes-and-pitfalls-how-to-fix-local-roads).

Council welcomes the Grattan Institute's independent analysis confirming there is a significant shortfall in local roads funding and that urgent action is required by other levels of government to address the deteriorating state of the local roads network. The *Grattan Institute Report: Potholes & Pitfalls: how to fix local roads* (the report) supports Council's ongoing roads funding shortfall advocacy undertaken over the past two years. The key findings in the report include:

- Demand for local roads and the cost of maintaining them have gone up, but untied grants to councils are not keeping pace with need or cost escalations,
- Spending on transport has decreased proportionally as the role of councils has expanded, and
- Councils (especially small rural Councils such as Strathbogie) cannot raise the required revenue on their own.

The report (refer Attachment 1) recommends an injection of \$1 billion to keep the local road network in its current state. To address the maintenance gap, it considers an annual (indexed) increase of \$1 billion in untied grant funding will be required. It recommends an annual increase of around \$600 million in Federal Assistance Grants and \$400 million through Roads to Recovery.

The report also recommends establishing a \$200 million per year fund to assess and upgrade local roads identified as priority freight routes. It outlines the problems with tied grants as well as the sector's asset management challenges.

It is worth noting that the report recommends a review of the Federal Assistance Grants distribution model so that funding is targeted towards less populous areas. It is proposed that Council joins the Australian Local Government Association's (ALGA) national campaign to advocate for increased funding for road maintenance in accordance with the Grattan Institute's recommendations.

##### **RECOMMENDATION**

###### ***That Council:***

- 1. Note the Grattan Institute Report: Potholes and Pitfalls: How to fix local roads;***
- 2. Participate in the national advocacy campaign coordinated by the Australian Local Government Association in accordance with their template media release; and***
- 3. Write to the Hon Catherine King MP, Dr Helen Haines MP and Mr Sam Birrell MP seeking their support to review the level of funding to local government in accordance with the recommendations of the Grattan Institute Report.***

#### 11.4.5 Grattan Institute Report: Potholes & Pitfalls: How to fix local roads (cont.)

##### **PURPOSE AND BACKGROUND**

Australian councils are responsible for more than three quarters (77 per cent) of Australia's roads by length, equating to about 678,000km. The Australian Local Government Associations (ALGA) [2021 National State of the Assets](#) report found eight per cent of sealed local government roads and 14 per cent of unsealed local government roads in Australia are in poor condition, function and capacity.

At the local level, Strathbogie is responsible for the maintenance of more than 2,210 km of roads – 1,465 kms of unsealed and 748 kms of sealed. On top of this, there are 521 bridges and culverts and 37 kms of cycleways and over 14 kms of formed walking tracks to maintain.

Building on from Council's previous advocacy for increased road funding (refer Attachment 2: Strathbogie Shire Council Advocacy Ask), this report seeks Council's endorsement to participate in the national advocacy campaign led by ALGA commencing with the media release as per Attachment 3.

##### **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.

Strathbogie Shire Council is committed to providing a safe environment for the residents and travelling public; however, our road infrastructure has sustained a significant increase of reactive road maintenance repairs over recent years.

Compared to their rate base and ability to generate revenue, small rural shires such as Strathbogie are an asset heavy level of government. With the majority of revenue coming from rates and charges, the ability to raise the rates has been significantly constrained by the rate capping since 2016 which has not kept pace with actual costs required to construct, maintain and upgrade roads and other assets.

Strathbogie has managed its road maintenance responsibility prudently, considering the combined impacts of climatic conditions, rate capping and reduced government grants. Over time, continued less than ideal investment in roads, maintenance and infrastructure renewal, will have long-term impacts on the quality and safety of local roads across Strathbogie Shire and rural/regional councils in Victoria more broadly.

The current Federal Government funding falls short of our road maintenance requirements and will require urgent and sustained government funding intervention.

Over time, the under-investment in roads, maintenance and infrastructure renewal by councils will have long-term impacts on the quality and safety of local roads, and the availability of community facilities across Victoria. Small rural shires such as Strathbogie do not have the rate revenue to manage the negative impact of the recent climatic conditions on our shires road network.

#### 11.4.5 Grattan Institute Report: Potholes & Pitfalls: How to fix local roads (cont.)

The *Grattan Institute Report: Potholes & Pitfalls: how to fix local roads* (the report) supports Council's ongoing roads funding shortfall advocacy undertaken over the past two years. The key findings in the report include:

- Demand for local roads and the cost of maintaining them have gone up, but untied grants to councils are not keeping pace with need or cost escalations;
- Spending on transport has decreased proportionally as the role of councils has expanded, and
- Councils (especially small rural Councils such as Strathbogie) cannot raise the required revenue on their own.

The report recommends a number of funding investment increases including:

- an injection of \$1 billion to keep the local road network in its current state,
- to address the maintenance gap, an annual (indexed) increase of \$1 billion in untied grant funding will be required,
- an annual increase of around \$600 billion in Federal Assistance Grants and \$400 billion through Roads to Recovery,
- establishing a \$200 million per year fund to assess and upgrade local roads identified as priority freight routes,
- a review of the Federal Assistance Grants distribution model so that funding is targeted towards less populous areas.

Furthermore, the report outlines the problems with tied grants as well as the sector's asset management challenges.

Council has strongly advocated for a dedicated and sustained Government grant funding program to assist rural Shires such as Strathbogie to undertake local road maintenance projects thereby ensuring safe connectivity for our community and visitors and improve access for agriculture and supply chains.

Therefore, it is proposed that Council joins the Australian Local Government Association's (ALGA) national campaign to advocate for increased funding for road maintenance in accordance with the Grattan Institutes recommendations.

#### **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 continued advocacy is based on feedback that we have heard from our community.

#### **POLICY CONSIDERATIONS**

##### Council Plans and Policies

This report is consistent with Strategic Focus Area 2, Live. Access. Connect. as detailed in the Strathbogie Shire 2021 – 2025 Council Plan.



#### 11.4.5 Grattan Institute Report: Potholes & Pitfalls: How to fix local roads (cont.)

The report also aligns with the following Council strategies and plans:

- Asset Management Plan 2021/31
- Public Road Register
- Road Management Plan
- Stormwater Management Plan Vol 1
- Stormwater Management Plan Vol 2

#### **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.

This report considers:

- *Road Management Act 2004 (VIC)*
- *Local Government Act 2020*
- *Occupational Health and Safety Act 2004 (VIC)*
- *Flora and Fauna Act 1988*
- *Heritage Act 1995*

#### **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 presented to an open Council meeting and is available on Council's website.

#### **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 implications associated with this advocacy, increased funding as detailed in the Grattan Institute Report, will ensure that Council can provide an improved and safer road network for the residents and travelling public. Currently, Federal grants for road (bridges and culverts) maintenance and upgrades are as follows:

#### **Roads to Recovery Program**

- Roads to Recovery funding is provided to local governments to support the construction and maintenance of the nation's local roads.
- In the 2023/24 Federal Budget, \$484 million was allocated to the Roads to Recovery program.
- Strathbogie Shire received \$1,763,582 under this program in 2023/24.

#### 11.4.5 Grattan Institute Report: Potholes & Pitfalls: How to fix local roads (cont.)

##### Financial Assistance Grants

- In the last Federal Budget, Australia's councils received a total of \$3.1 billion in Financial Assistance Grants.
- The value of Financial Assistance Grants as a percentage of Commonwealth taxation revenue has declined from 1 percent in 1996 to 0.5% today.
- Financial Assistance Grants are indexed annually based on increases to population and CPI, but this indexation was frozen for three years from 2014/15.
- Strathbogie Shire received \$6,990,199 under this grant program in 2023/24.

##### ***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**

Poorly maintained roads can have a negative impact on the local community.

##### **Social**

Community health and wellbeing will be improved with the required maintenance standards of our roads and associated infrastructure.

##### **Environmental**

A well-maintained infrastructure will provide a sustainable impact on our environment.

##### **Climate change**

Climate Change has seen our local and rural roads network deteriorate much faster than normal due to the La Nina effect over three years and further impacted by the October 2022 and 2023 flood events.

##### ***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 intent of joining the ALGA national advocacy campaign is to progress urgent talks with the Federal Government which, it is hoped, will lead to increased funding for rural Councils to address their road infrastructure.

##### ***HUMAN RIGHTS CONSIDERATIONS***

There are no human rights implications associated with the proposed project.

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#### 11.4.5 Grattan Institute Report: Potholes & Pitfalls: How to fix local roads (cont.)

**CONCLUSION**

Strathbogie has managed its road maintenance responsibility prudently, considering the combined impacts of climatic conditions, rate capping and reduced government grants. Over time continued less than ideal investment in roads, maintenance and infrastructure renewal, will have long-term impacts on the quality and safety of local roads across Strathbogie Shire and rural/regional councils in Victoria more broadly.

Following the release of the *Grattan Institute Report: Potholes & Pitfalls: how to fix local roads* report, it is proposed that Council participates in the ALGA advocacy campaign to see increased funding for roads (bridges and culverts) maintenance and upgrades.

**ATTACHMENTS**

**Attachment 1:** The Grattan Institute Report: Potholes & Pitfalls: how to fix local roads report: [Potholes and pitfalls: How to fix local roads \(grattan.edu.au\)](https://grattan.edu.au/potholes-and-pitfalls-how-to-fix-local-roads)

**Attachment 2:** Strathbogie Shire Council Advocacy Ask

**Attachment 3:** ALGA Advocacy Campaign: Strathbogie Shire Council Media Release

#### **11.4.6 Council Policy Review: Draft Asset Management Policy 2023**

Author: Asset Officers and Asset Management steering Committee (AMSC)

Responsible Director: Acting Director Sustainable Infrastructure

##### **EXECUTIVE SUMMARY**

This policy outlines the framework for the management and development of all physical assets (Assets) within the Strathbogie Shire.

The current policy was adopted at its Ordinary Council Meeting on 21 November 2017 and is now due for review.

Since 2017, Council's Asset Management approach has continued to develop and mature. The revised Policy considers the recent community feedback on the development of Capital Projects and the request for additional transparency on the management of risks in the detailed design development process for Capital Projects.

It reflects a clear structured approach, is based on best practice standards, and recognises Council's commitment to the practices that will be adopted, to ensure our success in achieving Council's obligations in relation to Assets.

The updated policy is recommended to Council for adoption.

##### **RECOMMENDATION**

###### ***That Council:***

- 1. Adopt the updated Asset Management Policy 2023;**
- 2. Note that whilst every effort will be made to ensure road safety compliance is achieved for road upgrade works in accordance with the Infrastructure Design Manual (IDM), in the event that works require deviations from the IDM or the complexity of the works introduce increased risk, an independent Road Safety Audit will be undertaken; and**
- 3. 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 information the community about the adoption of the policy.**

##### **PURPOSE AND BACKGROUND**

The Asset Management Policy (the Policy) sets out the intention of Council in regards Asset Management practises to be adopted and provides a guide to the development of subsequent documents such as Asset Management Framework and Asset Management Strategy, etc., to inform and guide the decision-making process.

#### 11.4.6 Council Policy Review: Draft Asset Management Policy 2023 (cont.)

The *Local Government Act 2020* (the Act) required Councils to develop an Asset Plan by 31 October in the year following a general election. This was endorsed at the 21 June 2022 Council Meeting. The Asset Plan will continue to evolve as new processes and information comes to light.

This revised Asset Management Policy represents Council's intention to bring together all the outputs from this work into a coherent structured system based on best practice standards, providing the basis for fact-based decision-making.

#### **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 core of the Policy is a structured “whole of asset lifecycle” view. Through this approach future generations will understand the implications on the asset base, and financial demand, because of the decisions being made today. The production of 10-25-year asset management plans, including required skills and resources, will enable Council staff to understand the implications when planning and funding future direction.

The management of Council's assets represents:

- the key to achieving the many Council Plan objectives.
- the challenge of applying a significant share of Council's budgeted expenditure.
- is critical to being able to respond to challenges associated with Climate Change and abnormal/extreme weather events.

The need for high quality service levels from our assets, balanced against the escalating cost of maintenance and renewals demand that Council further develop our Asset Management processes to ensure that decisions:

- are inclusive of the “whole” business;
- target expenditure towards the right areas and assets;
- are identified and made before issues escalate and impact ratepayers;
- enable planning of resources, both financial and physical, to ensure readiness;
- provide opportunity to explore alternate methods and approaches to works;
- provide opportunities to capitalise on synergies through specialisation and training;
- enable decision makers to understand the risks and consequences of action or no action;
- are reflected and consequences measured correctly to enable learnings to be accurately identified and included in future decision making; and
- reduce or remove the degree of unknowns or reactive approaches.

#### 11.4.6 Council Policy Review: Draft Asset Management Policy 2023 (cont.)

##### Road Safety Compliance

Council is committed to maintaining a strong emphasis on Road Safety and the importance of Road Safety audits to ensure decision making around works design is compliant. Given this commitment, every effort will be made to ensure works comply with the requirements of the Infrastructure Design Manual (IDM), ensuring Road Safety compliance. In the event that works require deviations from the IDM or the complexity of the works introduce increased risk, an independent Road Safety Audit will be implemented prior to the final design or works progressing.

##### **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 Asset Management Policy relies on this Council Plan and associated strategic documents to understand its direction and, therefore, specific Community Engagement has not been appropriate.

Every Asset Management decision will have a clear line of sight back to the Council Plan strategic direction.

As such, the adoption of this Policy has been discussed with representatives across all areas of the Council business and has been universally accepted.

##### **POLICY CONSIDERATIONS**

##### Council Plans and Policies

This policy recognises firstly that for the Council Plan objectives to be met, assets will need to be maintained at a high service level, providing a quality experience to both our residents and visitors alike.

This policy affirms the Strathbogie Shire Council's commitment to applying best practice Asset Management practises to support the achievement of our Council Plan's future vision:

- **Engage. Create. Unite:** In the future we foster and support creative responses in the community.
- **Live. Access. Connect:** In the future our people and places are connected,
- **Protect. Enhance. Adapt:** In the future we consider Climate Change in everything we do.
- **Inclusive. Productive. Balanced:** In the future we involve the community in decisions that affect them.
- **Strong. Healthy. Safe:** In the future our communities are filled with happy, healthy people.
- Whilst ensuring we, as the elected Council, remain **transparent, accountable, and responsible**, behaving without bias or prejudice.

Over the coming months a number of workshops and reviews will take place to ensure that Council Plan objectives are clearly and accurately translated into Asset Management direction.

#### 11.4.6 Council Policy Review: Draft Asset Management Policy 2023 (cont.)

##### Regional, State and National Plans and Policies

The *Local Government Act 2020*, Part 4, section 92 lays out the overarching governance principles required by our Asset Management approach, which adheres to the principles of ISO 55001 Asset Management Standard.

In addition, the Asset Management Accountability Framework, as mandated by Victorian Government Treasury and Finance, identifies a number of requirements that will be included in our Asset Management approach as recognised in this policy.

##### **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.

By implementing this Policy, Council will meet its legal obligation to the ratepayers by exercising its general power under s.10 of the Act:

- Which provides that subject to any limitations or restrictions imposed by the Act or any other Act, Council has the power to do all things necessary or convenient to be done in connection with the performance of its role.
- In addition, the Policy recognises the requirement for the compliance of buildings, roads, parks and playgrounds etc. under various legislative acts and will embrace these in the life cycle analysis and decision-making process.

##### **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**

Given the overarching governance principles in section 9 of the *Local Government Act 2020* around the transparency of Council decisions, actions and information, this Policy and the intentions defined within are ideal.

The principle of collecting information through the Asset Management System, applying various techniques around risk, change, whole of asset life cycle costings and the like will ensure all decisions are factually based and fully transparent.

##### **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 adoption of this Policy which includes a full lifecycle costing and a targeted approach to asset spending should ensure an increased return from the Council's investment. This will be achieved through:

- Less reactionary demand
- Greater time period for planning and packaging works
- Opportunities for developing in-house skills as opposed to expensive contractors

#### 11.4.6 Council Policy Review: Draft Asset Management Policy 2023 (cont.)

- Greater awareness of potential issues and risks and opportunities to alleviate these
- Opportunity to rationalise asset types

##### ***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.

Whether economic, social, environmental, climate change or staff development, this Policy has identified sustainability, as a core principle and key driver in Council's Asset Management.

In addition, whether in the areas of (for example):

- providing welcoming social spaces where all peoples can connect
- enabling movement between and within our townships
- providing activities that build economic, financial and social security
- championing best practises in road safety, environmental, climate change and economic sustainability
- building a more inclusive, productive, safe and balanced infrastructure base
- or simply protecting the things that make "Strathbogie Shire" great

this Policy will require these objectives be quantified in terms of specific assets.

##### **Climate change**

Specifically, the Council's Climate Change Action Plan 2022-2027 will be a key source of direction for Asset Management decision-making.

##### ***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.

Similarly, the standard adopted by this Policy, identifies the analysis of experiences, behaviours and outcomes a key driver to the continuous improvement of the Asset Management process.

Information gathering, feedback loops, root core analysis and lessons learned reporting will all be part of the continuous improvement strategy encompassed in this policy.

##### ***COLLABORATION***

This Policy review has been informed by information available from Australian Asset Management Council, NEAMG (North Eastern Asset Management Group) and through reviewing a wide range of similar policies adopted by other councils across Victoria.



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#### 11.4.6 Council Policy Review: Draft Asset Management Policy 2023 (cont.)

**HUMAN RIGHTS CONSIDERATIONS**

The Policy is consistent with the Human Rights Charter by promoting the rights of all members of the community to benefit from Shire assets and addresses service levels of assets without bias.

There are no human rights implications with the Policy but in developing all subsequent modelling, the *Charter of Human Rights and Responsibilities Act 2006* will be applied.

**CONCLUSION**

The adoption of the reviewed Asset Management Policy will ensure Council is compliant with legislation and provides Assets a service level compatible with its stated objectives.

**ATTACHMENTS**

**Attachment 1:** Draft Asset Management Policy 2023

**Attachment 2:** Draft Asset Management Policy 2023 Policy Impact Assessment Tool

## **11.5 GOVERNANCE AND CUSTOMER SERVICE**

### **11.5.1 Councillor (Administrator) Committees / Boards Representation – 2023/2024**

Author and Responsible Director: Chief Executive Officer

#### ***EXECUTIVE SUMMARY***

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

The Councillor (Administrator) 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 (Administrator) representation is approved and then to nominate the identified number of Councillor (Administrator) 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. Councillor (Administrator) representation on the list of internal committees, external committees, bodies and working groups attached to this report, be approved;***
- 2. Councillor (Administrator) representatives for a variety of internal committees, external committees, bodies and working groups, be approved; and***
- 3. The Chief Executive Officer notifies the relevant committees and working groups of the nominated Councillor (Administrator) representative(s).***

#### ***PURPOSE AND BACKGROUND***

Councillors (Administrators) 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.

#### 11.5.1 Councillor (Administrator) Committees / Boards Representation – 2023/2024 (cont.)

Councillor (Administrator) 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.

The purpose of the entity, frequency of meetings and the number of Councillor (Administrator) 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 (Administrator) representatives in comparison to previous years.

#### **POLICY CONSIDERATIONS**

##### Council Plans and Policies

The appointment of Councillors (Administrators) 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 Strathbogie Shire Council 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.

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11.5.1 Councillor (Administrator) Committees / Boards Representation – 2023/2024 (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.

The participation of Councillors (Administrators) 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 (Administrators) 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 outline in the Attachment and that the Councillor (Administrator) representative(s) be determined to ensure the best outcomes are achieved for our community.

**ATTACHMENTS**

**Attachment 1:** Committee/Boards Representations 2023/2024

### **11.5.2 Appointment of Administrator**

Author: Chief Executive Officer

#### **EXECUTIVE SUMMARY**

On 5 December 2023, the Minister for Local Government, the Hon Melissa Horne MP (the Minister), announced that the Strathbogie Shire Council has been suspended for the remainder of its term and an administrator appointed (refer Attachment 1) in response to Municipal Monitor Peter Stephenson's final report (refer Attachment 2).

The suspension under section 257 of the Act applies to all elected members of Strathbogie Shire Council and took effect from Wednesday, 6 December until the next local council elections in October 2024.

The Council and Councillors were provided with the opportunity to consider the Monitor's report and provide a response to the Minister for Local Government. The Minister made the decision to suspend the Council after considering the responses received from the Council and individual Councillors.

Mr Peter Stephenson has been appointed Strathbogie Shire Administrator from 6 December 2023 until 6 March 2024 (both days inclusive) until an ongoing administrator is appointed for the Council. As administrator, Mr Stephenson will provide support and continuity to the Council's operations. Under section 230 of the *Local Government Act.2020*, Mr Stephenson will constitute the Council and will perform all its functions, powers and duties.

In accordance with the terms and conditions as set by the Minister for Local Government (refer Attachment 2), Mr Stephenson will be remunerated \$160,000 per annum for the part time statutory role plus superannuation and reimbursement of reasonable out-of-pocket expenses incurred in exercising the functions, powers, duties of administrator.

Mr Stephenson has held senior roles in a range of organisations including government, community services, higher education and health sectors. He is a former Councillor and Mayor of Darebin City Council. He was appointed in March 2023 as the second Municipal Monitor for Strathbogie Shire Council and was previously a Municipal Monitor for South Gippsland Shire Council and the Rural City of Wangaratta.

#### **RECOMMENDATION**

***That Council note:***

- 1. The appointment of Mr Peter Stephenson announced by the Minister for Local Government the Hon Melissa Horne MP, as the Administrator (part time) for Strathbogie Shire Council effective 6 December 2023 – 6 March 2024 (both days inclusive);***
- 2. The Instrument Fixing Conditions, Remuneration and Allowances of Administrator (the Instrument) for Strathbogie Council under section 231 of the Local Government Act 2020 as set by the Minister for Local Government for the period of Mr. Stephenson's appointment; and***

### 11.5.2 Appointment of Administrator (cont.)

#### *RECOMMENDATION (cont.)*

3. ***In accordance with the Instrument, the remuneration set for the Administrator (part time) is \$160,000 per annum plus superannuation and reasonable expenses incurred in exercising the functions, powers, or duties of the role.***

#### **PURPOSE AND BACKGROUND**

On 5 December 2023, the Minister for Local Government, the Hon Melissa Horne MP (the Minister), announced that the Strathbogie Shire Council has been suspended for the remainder of its term and an interim administrator appointed (refer Attachment 1) in response to Municipal Monitor Peter Stephenson's final report (refer Attachment 2).

The suspension under section 257 of the Act applies to all elected members of Strathbogie Shire Council and took effect from Wednesday 6 December until the next local Council elections in October 2024.

The Council and Councillors were provided with the opportunity to consider the Monitor's report and provide a response to the Minister for Local Government. The Minister made the decision to suspend the Council after considering the responses received from the Council and individual Councillors.

#### **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.

Mr Peter Stephenson has been appointed Strathbogie Shire Interim Administrator from 6 December 2023 until 6 March 2024 (both days inclusive) until an ongoing administrator is appointed for the Council. As administrator, Mr Stephenson will provide support and continuity to the Council's operations. Under section 230 of the *Local Government Act.2020*, Mr Stephenson will constitute the Council and will perform all its functions, powers and duties.

Section 231(1)(a) of the Act provides that the Administrator constitutes the Council and must perform all the functions, powers and duties of the Council, which must be treated as if they were performed by the Council.

Mr Stephenson has held senior roles in a range of organisations including government, community services, higher education and health sectors. He is a former Councillor and Mayor of Darebin City Council. He was appointed in March 2023 as the second Municipal Monitor for Strathbogie Shire Council and was previously a Municipal Monitor for South Gippsland Shire Council and the Rural City of Wangaratta.

### 11.5.2 Appointment of Administrator (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.

The Minister is not required to undertake consultation with either Council or the community in relation to the appointment of an Administrator.

#### **POLICY CONSIDERATIONS**

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 appointment of an Administrator is consistent with State policies and legislation around good governance practices across the State and Local government sectors.

#### Council Plans and Policies

The appointment of the Administrator is consistent with Strategic Focus Area 6 of the 2021-25 Council Plan – Accountable. Transparent. Responsible in that it assists Council to achieve the highest level of good governance across the organisation.

Action 6.4 also relates to the provision of an ongoing good governance program for Councillors (Administrators).

#### **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 Administrator is appointed by the Minister for Local Government (Minister) under section 230 of the *Local Government Act 2020*. Under section 231(1)(c), the Administrator must be remunerated by Council as set out in the *Instrument Fixing Conditions, Remuneration and Allowances of Administrator for the Strathbogie Shire Council* as fixed by the Minister (refer Attachment 3).

#### **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 purpose of this report is to inform our community that an Administrator has been appointed to provide support and continuity to the Shire's operations. Under section 230 of the *Local Government Act 2020*, Mr Stephenson will constitute the Council and will perform all its functions, powers, and duties.

### 11.5.2 Appointment of Administrator (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 remuneration costs for this part time statutory appointment can be met from within existing budget allocations for the 2023-24 financial year and the draft budget for the 2024-25 financial year.

The Minister for Local Government, under section 231(1)(c) of the Act has fixed the conditions, allowances and conditions of employment of Mr Stephenson. In accordance with the *Instrument Fixing Conditions, Remuneration and Allowances of Administrator for the Strathbogie Shire Council*, the remuneration of the Administrator is fixed at \$160,000 per annum plus superannuation for the part time statutory appointment.

The Administrator is eligible to be reimbursed by the Council for reasonable out of pocket expenses such as travelling, accommodation, meals and other incidental expenses in connection with performing the functions and exercising the powers of the role. Such reimbursement is not to exceed the reasonable allowance expense amounts determined by the Commissioner of Taxation for the income year in which the expense is claimed.

#### **HUMAN RIGHTS CONSIDERATIONS**

The matters discussed in this report do not adversely impact on the *Charter of Human Rights and Responsibilities Act 2006* but it must be noted that the support and advice from the Municipal Monitor over the past six months has had a positive impact on:

- privacy and reputation;
- freedom of thought, conscience, religion and belief;
- freedom of expression;
- taking part in public life;
- cultural rights; and
- fair hearing.

#### **CONCLUSION**

On 5 December 2023, the Minister for Local Government, the Hon Melissa Horne MP (the Minister), announced that the Strathbogie Shire Council has been suspended for the remainder of its term and an Interim Administrator appointed in response to Municipal Monitor Peter Stephenson's final report.

The Minister appointed Mr Peter Stephenson as the Strathbogie Shire Interim Administrator effective from 6 December 2023 until 6 March 2024 (both days inclusive) to provide support and continuity to the Shire's operations. Under section 230 of the *Local Government Act 2020*, Mr Stephenson will constitute the Council and will perform all its functions, powers and duties.

#### **ATTACHMENTS**

**Attachment 1:** Order in Council: Victorian Government Gazette Notice - 5 December 2023

**Attachment 2:** Municipal Monitor Mr Peter Stephenson Final Report

**Attachment 3:** Instrument Fixing Conditions, Remuneration and Allowances of Administrator for the Strathbogie Shire Council



### **11.5.3 Monthly Performance Report**

The December 2023 Monthly Performance Report includes reports as follows:-

- Building Department – November 2023 Statistics
- Planning Department – Planning Application Approvals – Development Cost (Capital Improved Value) – November 2023
- Customer Enquiry Analysis Report – Report for November 2023
- Waste Management Reporting ~ Year to Date – November 2023 *(due to the earlier date for the December Council meeting, data was yet to be provided by the waste contractors. Details will be included in the next Council meeting Agenda)*
- Transfer Station Date - November 2023
- Actioning of Council Reports Resolutions – Council Meeting Tuesday 21 November 2023
- Outstanding Actions of Council Resolutions to 30 November 2023
- Review of Council Policies and Adoption of new Policies – November 2023
- Records of Informal Council Briefings / Meetings – 1 to 30 November 2023

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.

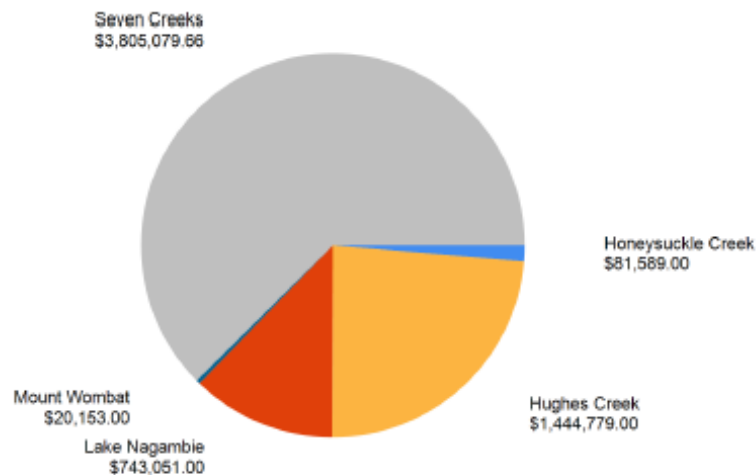
#### **RECOMMENDATION**

***That the report be accepted.***

**BUILDING ACTIVITY****NOVEMBER 2023****Building Activity**

A report on new building permits recorded in Council's building permit register in November 2023

Ward	Number of Lodgements	Cost Of Works
Honeysuckle Creek	1	\$81,589.00
Hughes Creek	6	\$1,444,779.00
Lake Nagambie	5	\$743,051.00
Mount Wombat	1	\$20,153.00
Seven Creeks	3	\$3,805,079.66
	16	\$6,094,651.66

**Honeysuckle Creek**

Permit Number	Permit Date	Works	Building Use	Town	Cost Of Works
3193271708912	02/11/2023	Additions to	Dwelling	Violet Town	\$81,589.00
					\$81,589.00

## Hughes Creek

Permit Number	Permit Date	Works	Building Use	Town	Cost Of Works
1673181074423	08/11/2023	Construction of	Dwelling & Garage	Avenel	\$581,760.00
3939022059778	03/11/2023	Construction of	Shed	Avenel	\$59,019.00
5909216142025	13/11/2023	Construction of	Pergola	Avenel	\$594,000.00
4840601920207	14/11/2023	Alterations & Additions to, Construction of	Dwelling	Avenel	\$15,000.00
8964796085340	14/11/2023	Alterations & Additions to, Construction of	Dwelling	Avenel	\$195,000.00
4108716774830	16/11/2023	Construction of	Shed	Avenel	\$0.00
					<b>\$1,444,779.00</b>

## Lake Nagambie

Permit Number	Permit Date	Works	Building Use	Town	Cost Of Works
4858033489139	06/11/2023	Construction of	Dwelling & Garage	Nagambie	\$443,723.00
7934681908057	13/11/2023	Construction of	Patio	Nagambie	\$24,789.00
1103156068979	17/11/2023	Extension to	Dwelling	Nagambie	\$243,800.00
7422361811517	20/11/2023	Construction of	Carport	Nagambie	\$25,739.00
3189433449973	19/11/2023	Demolition of	Dwelling	Nagambie	\$5,000.00
					<b>\$743,051.00</b>

## Mount Wombat

Permit Number	Permit Date	Works	Building Use	Town	Cost Of Works
8664395977796	10/11/2023	Construction of	Shade sail	Creightons Creek	\$20,153.00
					<b>\$20,153.00</b>

## Seven Creeks

Permit Number	Permit Date	Works	Building Use	Town	Cost Of Works
3590307607218	01/11/2023	Demolition of	Dwelling	Euroa	\$150,000.00
5939366128849	02/11/2023	Alterations & Additions to	Dwelling	Euroa	\$25,000.00
2373553774359	25/11/2023	Construction of	Fence, Ambulance Station, Carport	Euroa	\$3,630,079.66
					<b>\$3,805,079.66</b>

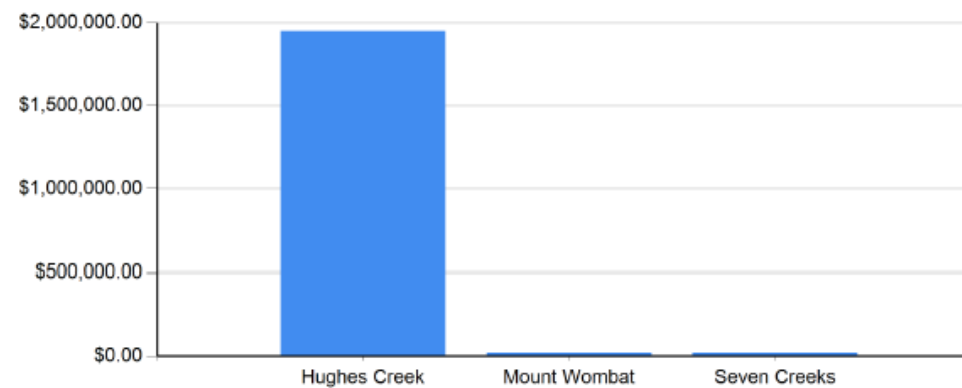
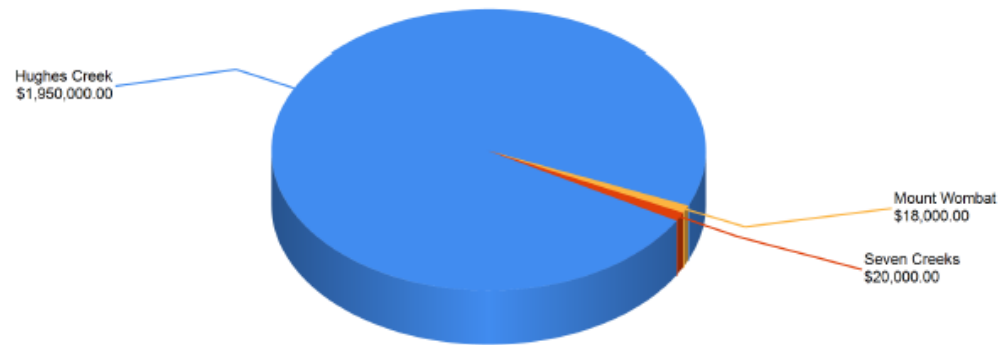
**PLANNING APPLICATION APPROVALS – DEVELOPMENT COST (CAPITAL IMPROVED VALUE)**  
**NOVEMBER 2023**



**Planning Applications Determined**

November 2023

<b>Hughes Creek</b>	<b>\$1,950,000.00</b>
Locksley	\$450,000.00
Locksley	\$1,500,000.00
<b>Mount Wombat</b>	<b>\$18,000.00</b>
Creightons Creek	\$18,000.00
<b>Seven Creeks</b>	<b>\$20,000.00</b>
Euroa	\$20,000.00
<b>Total Value</b>	<b>\$1,988,000.00</b>



## CUSTOMER ENQUIRY ANALYSIS REPORT - REPORT FOR NOVEMBER 2023



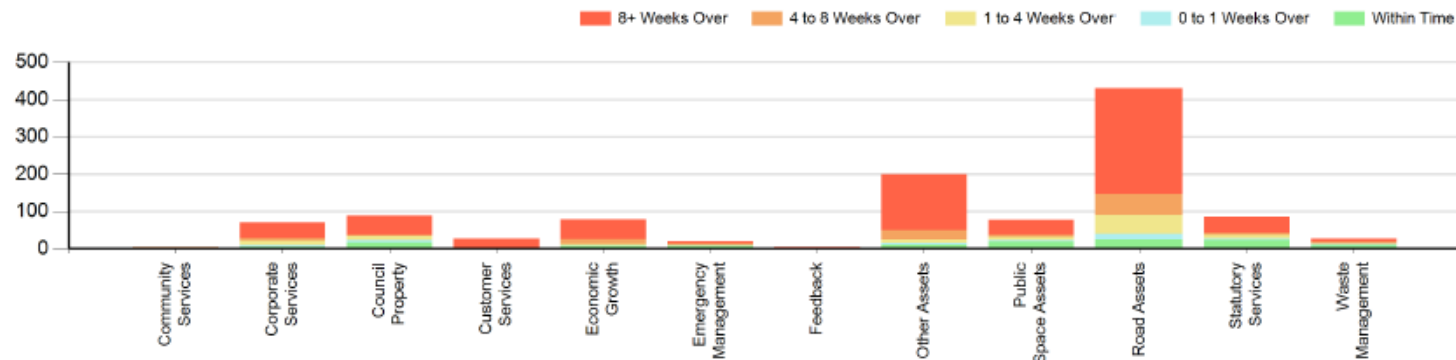
### Request Throughput Analysis

01/11/2023 to 30/11/2023

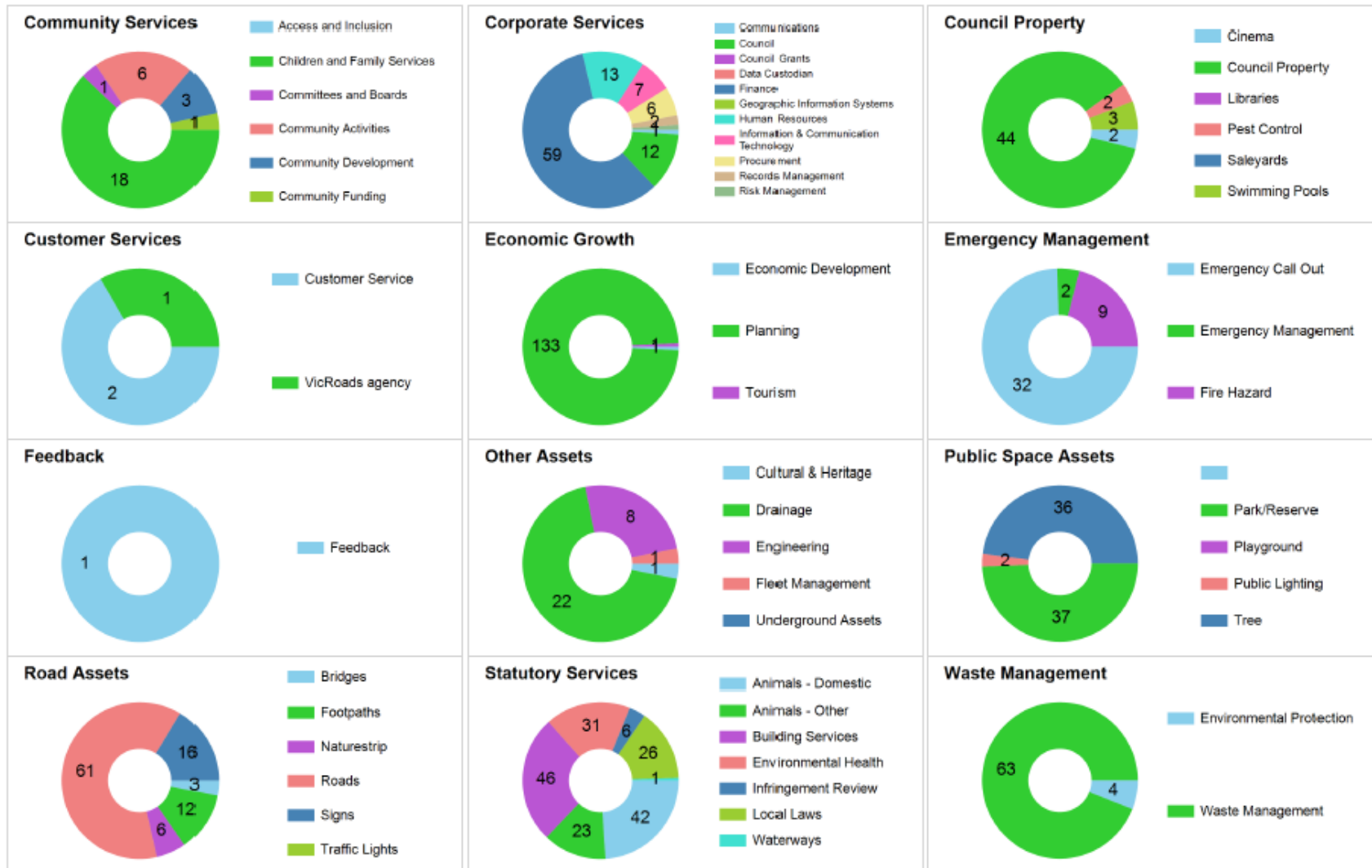
C N	Complete / New	> 80%	50-80%	< 50%
	Overdue / Remaining	< 33%	34-70%	> 70%

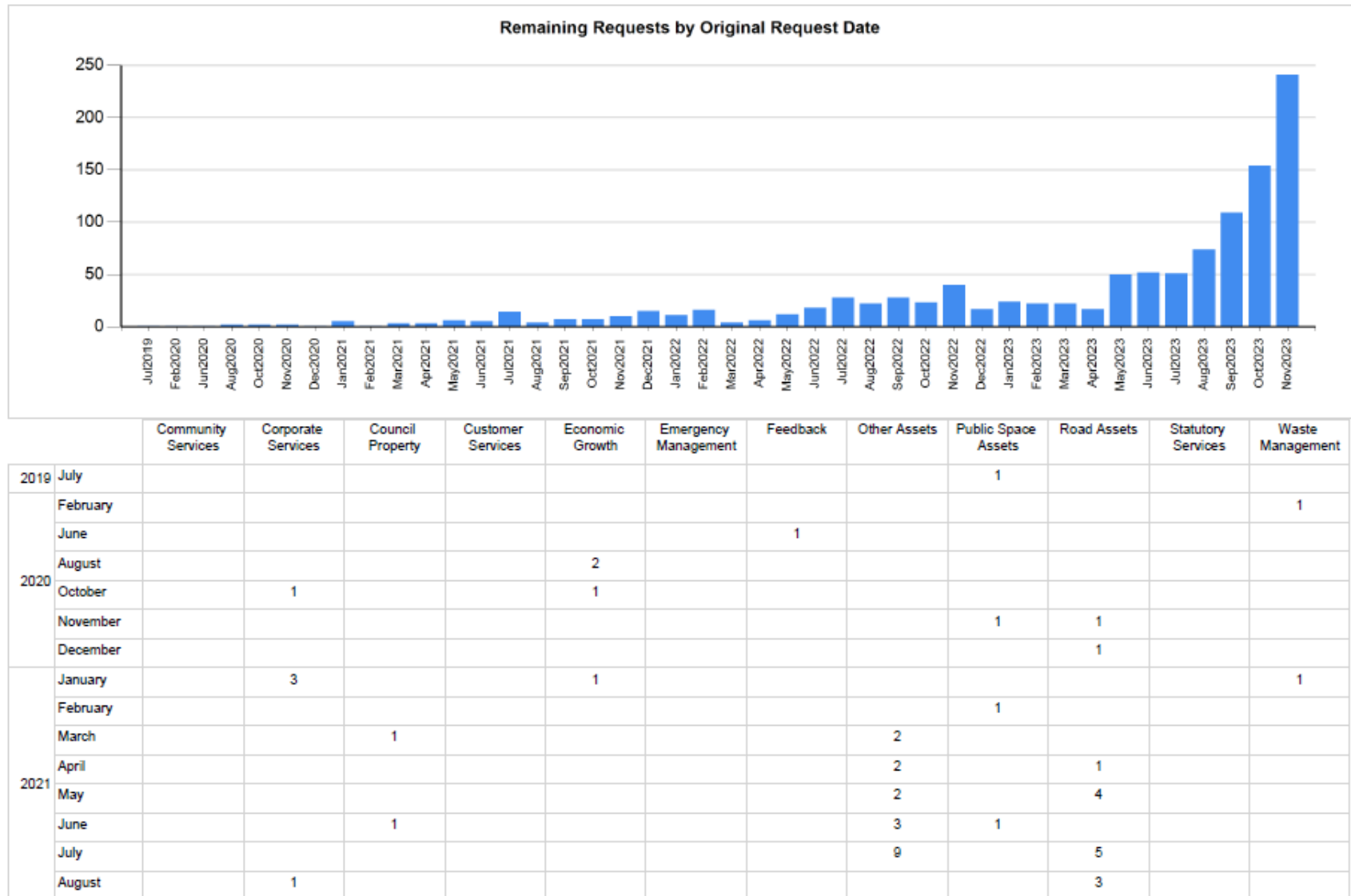
Service Area	Existing Requests	New Requests	Completed Requests	Remaining Requests	C N	Within Time	Over Time	O R	Pending Resources	Service Area Usage
Community Services	7	29	30	6	✓	4	2	✓	0	
Corporate Services	89	101	119	71	✓	4	67	✗	0	
Council Property	70	51	31	90	⚠	16	74	✗	0	
Customer Services	30	3	6	27	✓	0	27	✗	0	
Economic Growth	70	135	125	80	✓	7	73	✗	0	
Emergency Management	17	43	40	20	✓	7	13	⚠	0	
Feedback	3	1	0	4	⚠	0	4	✗	0	
Other Assets	186	32	19	199	⚠	11	188	✗	0	
Public Space Assets	84	75	73	78	✓	19	59	✗	8	
Road Assets	419	98	83	433	✓	24	409	✗	1	
Statutory Services	70	175	157	88	✓	22	66	✗	0	
Waste Management	26	67	67	26	✓	9	17	⚠	0	
<b>Total</b>	<b>1071</b>	<b>810</b>	<b>750</b>	<b>1122</b>		<b>123</b>	<b>999</b>		<b>9</b>	

#### Request Ageing



### Service Usage








2021	September			1	1	1			1	1	2		
	October			2						2	3		
	November			1					1		8		
	December			1			1		4		9		
2022	January		5	1					1	2	2		
	February			1					4	3	8		
	March			1						1	2		
	April			1					2		3		
	May		1						3	1	5	1	1
	June		1	1					5		10	1	
	July	1		5	1	1			3		16	1	
	August			2	2	2			9	1	3	3	
	September		1		3	1		1	7	2	11	2	
	October				1	3			10		6	3	
	November				5	5			12	1	13	4	
	December		1			2			3		6	5	
2023	January		1		8	1	4		1	1	7	1	
	February		1	1		5			2	3	7	3	
	March		4	1				1	3		10	1	2
	April		1			1				4	9	2	
	May		5	6	1	10			10	3	11	3	1
	June		2	2		3	1		19	3	22		
	July		7	3	1	4			13	3	16	4	
	August		2	12	3	1	1		10	3	35	7	
	September		5	8		9			10	7	66	3	1
	October		7	8	1	15	3		29	10	64	12	5
	November	5	22	30		12	10	1	19	31	65	32	14
Total		6	71	90	27	80	20	4	199	86	434	88	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

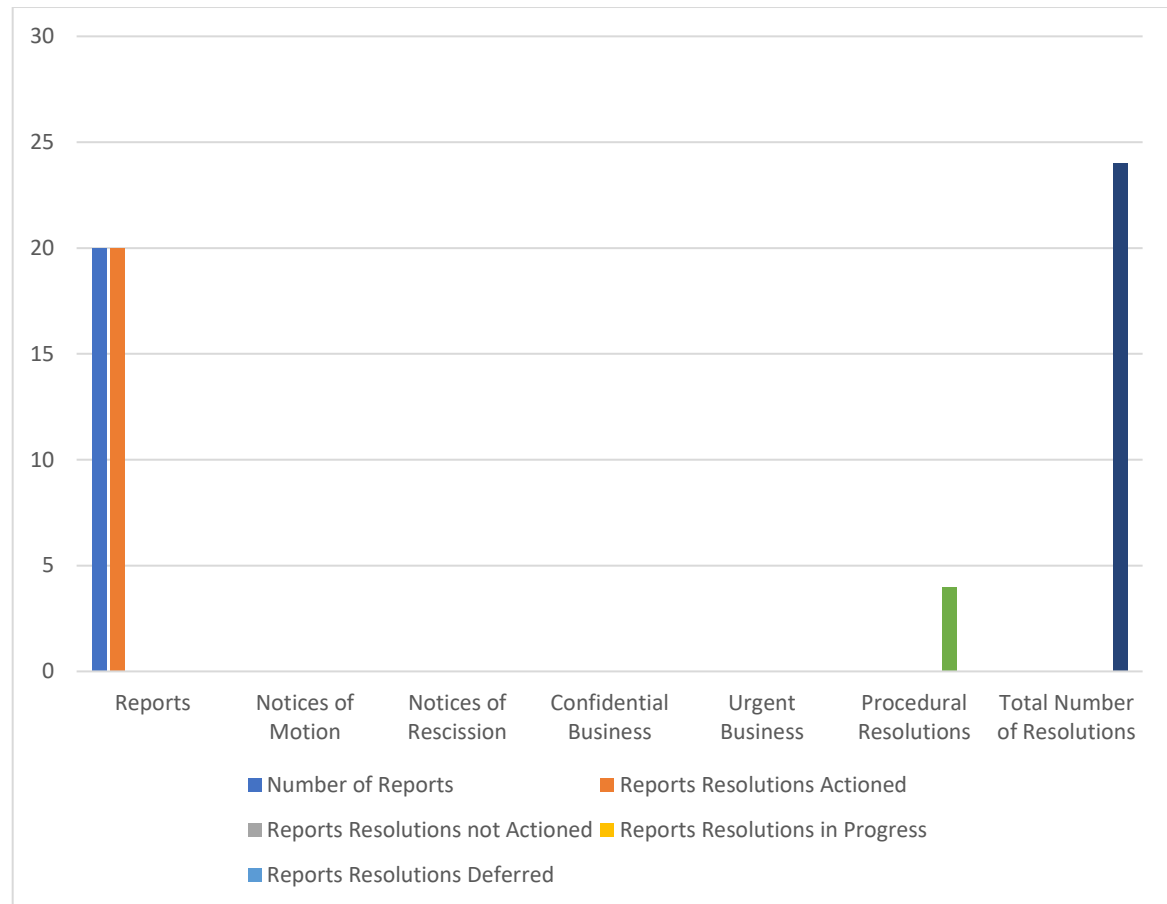
Overdue Remaining An indicator showing the ratio of Overdue requests and Remaining requests. Designed to represent how well we are keeping to the defined deadlines.

			
$\frac{O}{R}$ Overdue / Remaining	< 33%	34-70%	> 70%

## TRANSFER STATION DATA – NOVEMBER 2023



**ACTIONING OF COUNCIL REPORTS RESOLUTIONS**  
**COUNCIL MEETING – 21 NOVEMBER 2023**



**OUTSTANDING ACTIONS OF COUNCIL RESOLUTIONS TO  
30 NOVEMBER 2023**

*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.*

<b>Council Meeting Date</b>	<b>Item No.</b>	<b>Description</b>
Nil		

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

<b>Review of Policy / New Policy</b>	<b>Policy Name</b>	<b>Details</b>
New	Draft Related Party Disclosure Policy 2023	Refer to Item 11.4.2
Review	Draft Asset Management Policy	Refer to Item 11.4.7

**RECORDS OF INFORMAL COUNCIL BRIEFINGS / MEETINGS****FOR PERIOD 1 TO 30 NOVEMBER 2023**

Record in accordance with Council's Public Transparency Policy 2022

*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 Local Government 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 14 November 2023

**Location:** Euroa Community Conference Centre

**Time:** 12.30 pm – 2.45 pm

**Attendees:**Councillors

Cr Laura Binks (Mayor)

Cr Paul Murray (Deputy Mayor)

Cr Sally Hayes-Burke

Cr Chris Raeburn

Cr Robin Weatherald

Officers

Julie Salomon (Chief Executive Officer)

Amanda Tingay (Director People and Governance-Acting)

Rachael Frampton (Acting Director Community and Planning)

Kristin Favaloro (Executive Manager Communications and Engagement)

Phillip Carruthers (Governance Advisor)

David Roff (Director Sustainable Infrastructure (Interim))

Apologies:

1. Review of draft November 2023 Council Meeting Agenda/Confidential Appendices
2. Briefing: Nagambie Locksley Road Tree Removal

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 2022

*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 Local Government 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 21 November 2023

**Location:** Euroa Community Conference Centre

**Time:** 4.00 pm to 9.52 pm, at lapsing of November 2023 Council Meeting

### **Attendees:**

#### Councillors

Cr Laura Binks (Mayor)

Cr Paul Murray (Deputy Mayor)

Cr Sally Hayes-Burke

Cr Chris Raeburn

Cr Robin Weatherald

#### Officers

Julie Salomon (Chief Executive Officer)

Amanda Tingay (Director People and Governance-Acting)

Rachael Frampton (Acting Director Community and Planning)

Kristin Favaloro (Executive Manager Communications and Engagement)

Phillip Carruthers (Governance Advisor)

David Roff (Director Sustainable Infrastructure (Interim)

John Harvey (Sustainable Infrastructure)

#### Apologies:

1. November 2023 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 2022

*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 Local Government 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 28 November 2023

**Location:** Euroa Community Conference Centre

**Time:** 2.00 pm (*A quorum was not achieved for the reconvening of the 21 November 2023 Council meeting, therefore it did not commence*)

### Attendees:

#### Councillors

Cr Laura Binks (Mayor)

Cr Paul Murray (Deputy Mayor)

Cr Robin Weatherald

#### Officers

Julie Salomon (Chief Executive Officer)

Rachael Frampton (Acting Director Community and Planning)

Phillip Carruthers (Governance Advisor)

David Roff (Director Sustainable Infrastructure (Interim))

#### Apologies:

1. Reconvening of 21 November 2023 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

**12. NOTICES OF MOTION****13. NOTICES OF RESCISSION****14. URGENT BUSINESS****15. CONFIDENTIAL BUSINESS****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) Evaluation Outcome for Project Collaborative Digital Innovation (CODI) Information Management Pricing Update

C.A.2 (g) Tender Evaluation for Contract No. 23/24-22: Design and Construct Play Space and Bike Education Track at Bicentennial Park

**NEXT MEETING**

The schedule for monthly meetings of Strathbogie Shire Council in 2024 is to be determined at the December 2023 Council meeting

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