

Strathbogie Shire Council

Extraordinary Council Meeting Agenda

Tuesday February 6, 2024

Agenda

Extraordinary Council Meeting

Tuesday February 6, 2024, at 6.00 pm

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

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

Interim Administrator:

Peter Stephenson

Officers:

Julie Salomon – Chief Executive Officer

Amanda Tingay – Acting Director People and Governance

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

6. Disclosure of Conflicts of Interest

7. Petitions

A petition has been received by Council from Dean Hurlston, President of Council Watch Inc, which reads -

We the undersigned, petition that Council should LEAVE AUSTRALIA DAY ALONE.

Australia Day means different things to many.

It is still a day to be proud and acknowledge the sum of all Australians.

It is also a day to acknowledge those who have served, fought, and died under our flag, defending our freedoms.

For some Australia Day may be painful.

We believe that the debate about Australia Day is NOT THE ROLE OF LOCAL COUNCILS – who should be focused on local issues.

We ask that Council LEAVE AUSTRALIA DAY ALONE and hold community events that:

Celebrate Australia Day

Acknowledge Indigenous Culture

Mark Australia Day with Citizenship Ceremonies

‘

The petition comprises 13 pages of signatories.

RECOMMENDATION

That the petition be noted.

8. Public Question Time

9. Officer Reports

9.1 Strategic and Statutory

9.2 Community

9.3 Infrastructure

9.4 Corporate

9.5 Governance and Customer Service

9.6 Executive

Julie Salomon

CHIEF EXECUTIVE OFFICER

February 2, 2024

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9. OFFICER REPORTS

9.2 COMMUNITY

9.2.1 Event Grant Applications Received - Avenel Active Inc and Nagambie Lakes Sailing Club

Author: Visitor Economy and Events Coordinator

Responsible Director: A/Director Community and Planning

EXECUTIVE SUMMARY

Council adopted a community funding model at the June 2023 Council Meeting. This model sets out the strategic direction and associated guidelines for the distribution of community funding for Strathbogie Shire Council. Event Grants provide grants of up to \$5,000 to eligible organisations and associations for events that align with the objectives of the Council Plan 2021-25, submitted in line with Council's Event Guidelines.

Council has received two (2) Event Grant applications for Council's consideration.

An application was received from Avenel Active Inc to support the delivery of the Nagambie Lake Parkrun commencing from Saturday 6 April 2024, and each Saturday thereafter. The Nagambie Lake Parkrun covers a 5km course every Saturday morning along the newly installed Nagambie Boardwalk, enabling Nagambie, Avenel and regional residents and visitors to participate in exercise in a safe, natural environment. Avenel Active Inc have applied for a total of \$5,000, to cover the cost of licensing and equipment.

An application was also received from Nagambie Lakes Sailing Club Inc to support the delivery of Sailing activities during the Nagambie On Water Festival (NOW) 2024 being held on 24 February 2024. The Nagambie Lakes Sailing Club Inc. will host a sailing event as part of the Festival which will include coaching sessions for club members and sailing opportunities for the public. Sessions will be facilitated by Australian Sailing – Smooth Sailing School as well as the Shepparton Sailability Club. This event will be followed by a series of events throughout March 2024 for the public to enjoy that promote sailing and recreation. The funds have been requested to cover the cost of facilitation and delivery by Australian Sailing.

Both events will result in several significant social and economic benefits to the Strathbogie Shire community and will be delivered in line with Council's Events and Regulatory policies and procedures.

Council has a budget of \$50,000 allocated to Event Grants under the Community Funding Model in the 2023/2024 Budget. Applications have been submitted in line with the Event Grant Guidelines 2023-24 adopted on 20 June 2023 and have been assessed in accordance with the relevant assessment process. The current applications are of an acceptable standard and officers are recommending them for funding.

9.2.1 Event Grant Applications Received
- Avenel Active Inc and Nagambie Lakes Sailing Club (cont.)

RECOMMENDATION

That Council:

1. ***Approve the Event Grant application from Avenel Active Inc to the value of \$5,000 in cash, to support the establishment of Nagambie Parkrun;***
2. ***Approve the Event Grant application from Nagambie Lakes Sailing Club Inc to the value of \$5,000 in cash, to support the establishment and delivery of Sailing activities at the Nagambie On Water Festival 2024 to be held on the 24 February 2024, and during March 2024; and***
3. ***Work with both event organisers, as a condition of funding, to reduce overall waste produced at the event through the implementation of the objectives of both the Waste Wise Events Guidelines and Sustainable Strathbogie 2030 in being “A Zero Waste Shire”.***

PURPOSE AND BACKGROUND

Council adopted a community funding model at the 20 June 2023 Council Meeting. This model sets out the strategic direction and associated guidelines for the distribution of community funding for Strathbogie Shire Council.

Council recognises the importance of events and tourism to the social and economic growth of our region. Furthermore, Council has a strong history of supporting and delivering events across the Shire. This is demonstrated by an investment in events through Council's Event Grants.

Event Grants provide grants of up to \$5,000 to eligible organisations and associations for events that align with the objectives of the Council Plan 2021-25.

Council has received two Event Grant applications for Council's consideration, detailed below in Table 1.

Table 1: Event Grant Applications received

Applicant	Event	Total amount requested	Cash contribution requested from Council	In kind contribution requested from Council
Avenel Active Inc	Nagambie Lake Parkrun	\$5,000	\$5,000	\$0
Nagambie Lakes Sailing Club Inc	Sailing at Nagambie On Water Festival 2024 and associated community coaching series	\$5,000	\$5,000	\$0

9.2.1 Event Grant Applications Received
- Avenel Active Inc and Nagambie Lakes Sailing Club (cont.)

ISSUES, OPTIONS AND DISCUSSION

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

Council adopted a community funding model at the June 2023 Council meeting. This model sets out the strategic direction and associated guidelines for the distribution of community funding for Strathbogie Shire Council. Event Grants provide grants of up to \$5,000 to eligible organisations and associations for events that align with the objectives of the Council Plan 2021-25, submitted in line with Council's Event Guidelines.

Council has received two (2) Event grant applications for Council's consideration.

Nagambie Lake Parkrun

Nagambie Lake Parkrun is a free, community event where you can walk, jog, run, volunteer or spectate. Parkrun offers a course that is 5km long and takes place every Saturday morning. The proposed course will run from Buckley Park to the Regatta Centre and back. Parkrun events pride themselves in being positive, welcoming and inclusive, there is no time limit and no one finishes last. Everyone is welcome.

There are currently 486 parkrun events around the country, including a well-established one in Euroa. Once a participant is registered with parkrun, participants can attend any event across the nation.

The funds have been requested to help cover the costs of Parkrun Australia licensing and associated equipment. GoNagambie and other community partners are also supporting the introduction of this regular community event.

Sailing at Nagambie On Water Festival 2024

The Nagambie Lakes Sailing club Inc. will host a sailing event as part of the Nagambie On Water (NOW) Festival on the 24 February 2024. The club will engage Australian Sailing - Smooth Sailing School, to conduct sailing coaching for club members and sails for the public in multi seater Pacer yachts. The Shepparton Sailability Club will also conduct sailing coaching for members and sails for the public in two-seater Hansa Access sail boats. The club aims to also provide weekly sailing experiences for members and the public during March 2024 to promote recreation and physical health and wellbeing. The funds have been requested to cover the cost of facilitation and delivery by Australian Sailing.

The two (2) applications submitted have been assessed as eligible in line with the relevant evaluation process and officers recommend them both for funding to the value requested in their respective applications.

Both events will result in social, and health and wellbeing benefits to the Strathbogie Shire Community and will be delivered in accordance with Council's Events and Regulatory policies and procedures.

9.2.1 Event Grant Applications Received
- Avenel Active Inc and Nagambie Lakes Sailing Club (cont.)

As part of the conditions for funding, the event organisers must obtain Event Approval from Strathbogie Shire Council and deliver zero waste events. All required documentation including, risk plans, and public liability insurance will be provided.

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.

Key stakeholders in the community have been engaged with the organisers of these events from their initial planning stages. Both events are being delivered by dedicated community groups and organisations with sound reputations for the delivery of events of this nature.

The event organisers provide regular event updates through a range of media platforms.

POLICY CONSIDERATIONS

Council Plans and Policies

This initiative addresses the key objectives of the Council Plan 2021 – 2025 as follows:

- Strategic focus area 1: Engage. Create. Unite.

Our community's goals – We create welcoming social spaces where people can connect.

- Strategic focus area 2: Live. Access. Connect

Our community's goals - We are focused on activities that build economic, financial and social security

- Strategic focus area 4: Inclusive. Productive. Balanced.

Our community's goals – We target economic development to enhance our region; we are capitalising on our region's strengths. We partner with our community to achieve great things.

- Strategic Focus Area 5: Strong. Healthy. Safe

Our community's goals – We are encouraging health and wellbeing activities in sport and recreation; we have protected the 'vibe' we love

LEGAL CONSIDERATIONS

One of the overarching governance principles under 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 considerations associated with this report.

Conflict of Interest Declaration

The author of this report and officers/contractors providing advice in relation to this report do not have a direct or indirect interest, as provided in accordance with the *Local Government Act 2020*.

9.2.1 Event Grant Applications Received
- Avenel Active Inc and Nagambie Lakes Sailing Club (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.

In the interest of transparency and open and honest communication with community, this request for event grant funding will be acknowledged in a public forum providing full disclosure of how community funding is being distributed within the community. This action is also consistent with the requirements of the adopted Community Funding Model, where only Council through a Council resolution, can determine the outcome of an Event grant 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.

Council adopted an Event Grant budget allocation of \$50,000 in the 2023/24 operating budget. This allocation falls within the Community Funding Budget line item.

Table 2 – 2023/24 Event Budget overview

Adopted Budget 2023/24 Event Grants	\$50,000
Number of Event Grants approved 2023/24	8
Total value of Event Grants approved 2023/24	\$27,800
2023/24 Allocation Remaining	\$22,200

Table 3: 2023/24 Event Grants Approved

Applicant	Event	Amount Requested	Amount approved by Council
Strathbogie Tablelands History Group (auspice: Strathbogie Tablelands Action Group Inc	Strathbogie Cup Weekend Festival	\$5,000	\$5,000
Cranksters Rod and Kustom Club Inc	Cranksters Cruise Nagambie	\$1,940	\$1,940
Euroa Show and Shine Inc	Australian National Show and Shine	\$5,000	\$5,000
Nagambie Lakes Community House Inc	Nagambie Christmas Carols Event	\$5,000	\$5,000
Ruffy Tablelands Community Centre Inc	Centre Ruffy Tableland Christmas	\$1,618	\$1,618
Nagambie Lakes Tourism and Commerce Inc	GoNagambie Campsite for Comedy in the Vines event	\$5,000	\$5,000
Euroa Citizens Band Inc	Euroa Carols By Candlelight	\$1,300	\$1,300
Euroa Chamber of business and Commerce Inc	Twilight shop local event	\$2,942	\$2,942

9.2.1 Event Grant Applications Received
- Avenel Active Inc and Nagambie Lakes Sailing Club (cont.)

Both proposed budgets show a significant co-contribution demonstrating strong support from the organisers and local community.

Table 4: Nagambie Parkrun – Proposed Budget

INCOME		EXPENDITURE	
Shire Grant	\$5,000	Defibrillator	\$2,500
Go Nagambie Donation	\$2,500	Parkrun Australia licence and equipment	\$5,000
Total	\$ 7,500.00	Total	\$7,500.00

Table 5: Sailing at Nagambie On Water Festival 2024 Proposed Budget

INCOME		EXPENDITURE	
Shire Grant	\$5,000	Smooth Sailing School	\$6,000
Club Member Course Fees	\$2,000	Shepparton Sailability	\$2,500
Club Fundraising	\$500		
General Public Sail Pass	\$1000		
Total	\$ 8,500.00	Total	\$8,500.00

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

Both events will result in several economic benefits to the Strathbogie Shire community, attracting members from the region to participate in these events. All items relating to the event will be sourced locally, where possible, and several vendors will be sourced from the local community.

Social

The events will offer significant social benefits to the local community and those attending the event. The event provides an opportunity for participants, community, and visitors alike to connect, re-engage and explore the local area, share interests, sports and hobbies and make lasting relationships. Both events will be delivered through volunteer groups and associations, groups like these add significant social capital to the local community and for a key aspect of community life. The benefits of volunteering have been well documented, and include improved health and wellbeing, social connection, improved skills, capacity and employability.

There is also significant Health and Wellbeing outcomes for participants associated with the activities in both these applications.

9.2.1 Event Grant Applications Received
- Avenel Active Inc and Nagambie Lakes Sailing Club (cont.)

Environmental

Council officers will work with both event organisers to support the delivery of the events and reduce the overall waste produced at the events through the implementation of the objectives of both the Waste Wise Events Guidelines and Sustainable Strathbogie 2030 in being “A Zero Waste Shire”.

Climate change

Officers will work with event organisers to implement initiatives as a part of the Waste Wise Events Guidelines, showcasing how a waste wise event should be run and encouraging all to reduce their consumption of raw materials in a further effort to reduce the effects of climate change.

HUMAN RIGHTS CONSIDERATIONS

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

CONCLUSION

It is recommended that Council approve both event funding applications, to the values requested by the respective applicants.

Both applications have been assessed as per Council’s Event Grant process and are recommended for funding. These events will result in significant economic and social benefits to the community and the broader region, aligning with the objectives of the Council Plan 2021-2025 and Council’s adopted Community Funding Model.

ATTACHMENTS

Nil

9.3 INFRASTRUCTURE

9.3.1 Tender for Contract No. 23/24-26: Consultant to Provide Detailed Options and Design – Civic Accommodation and Outdoor Operations

Author: Manager Project Delivery

Responsible Director: Director Sustainable Infrastructure

EXECUTIVE SUMMARY

The Strathbogie Shire Council recognises the imperative to enhance its civic presence and administrative capabilities to meet the evolving needs of the community. The existing Euroa-based civic office and operational depots are deemed inadequate in poor condition with water entering office during rain events at many locations, necessitating a comprehensive study to explore contemporary alternatives. This project aims to conduct a feasibility study to assess options for a renewed civic presence that aligns with the community's changing demographics and ensures efficient service delivery.

The project scope encompasses a thorough examination of the existing Euroa Civic Centre, the library service in Nagambie, operational depots in Euroa and Nagambie, and smaller satellite sites in Avenel, Violet Town and Strathbogie. The study aims to deliver location options and preliminary designs with indicative costing for civic office accommodations and outdoor operations hubs, considering the unique needs of the community and stakeholders. These deliverables will guide Council in making informed decisions for future development, ensuring alignment with community needs and preferences.

It is crucial to note that any subsequent works resulting from this feasibility study are contingent on securing funding and grant applications. Council acknowledges the growing population in Avenel and Nagambie, signalling the timeliness of addressing the inadequacies of the current facilities to better serve the community, shire, and stakeholders.

Through public advertisement in local and state newspapers, Council invited tenders for the work under Contract No. 23/24-26, between 03/11/2023 and 06/12/2023. At the closing of the Tender, eight (8) tender submissions received. These tenders have been assessed and evaluated by Council Officers and a summary of results is detailed in this report.

It is recommended that the Council awards this lump sum contract to Workshop Architecture Pty Ltd based in Melbourne, for a total amount of \$183,755.00 (including GST).

RECOMMENDATION

That Council:

- 1. Note the outcome of the tender assessment process for Contract No 23/24-26 Consultant to provide detailed options and design – civic accommodation and outdoor operations;***

9.3.1 Tender for Contract No. 23/24-26: Consultant to Provide Detailed Options and Design – Civic Accommodation and Outdoor Operations (cont.)

RECOMMENDATION (cont.)

2. ***Awards the tender for Contract No 23/24-26 Consultant to provide detailed options and design – civic accommodation and outdoor operations - Lump Sum for a total amount of \$183,755.00 (including GST) to Workshop Architecture Pty Ltd based in Melbourne;***
3. ***Authorises officers to advise the unsuccessful tenderers; and***
4. ***Authorises the Chief Executive Officer to execute the Contract by signing and affixing with the Common Seal of Strathbogie Shire Council.***

PURPOSE AND BACKGROUND

Strathbogie Shire Council recognises the imperative to adapt to the evolving needs of its community in response to changing demographics and requirements. The current civic building in Euroa is no longer fit for purpose and the recent storm events leading to water damage highlight this need.

Considering this, Council has undertaken a commitment to explore and analyse potential avenues for the development of a revitalized civic presence.

This initiative aims to enhance administrative functions, including those related to Councillor activities, provide appropriate office amenities to the staff providing Council services and optimise outdoor operations. The current facilities, namely the Euroa based civic office accommodation and two operational depots, have become inadequate and no longer serve their intended purposes. The feasibility study will also consider the needs of the Nagambie Library to support long term service delivery.

Tender Process

The public tender was released on <https://www.eprocure.com.au/strathbogie/> website on the 03/11/2023. The tender was advertised in Saturday's The Age newspaper (state-wide reach), and Shepparton News in the week following release. By the close of tenders at 4.00pm on 06/12/2023, eight (8) tender submissions had been received.

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

9.3.1 Tender for Contract No. 23/24-26: Consultant to Provide Detailed Options and Design – Civic Accommodation and Outdoor Operations (cont.)

Table 1: Tender Submissions Received

Tender Submissions Received at the close of Tender Period (in Alphabetical Order)
Concept Black Pty Ltd
Currie & Brown Pty Ltd
Four18 Architecture Pty Ltd
GMR Engineering Services Pty Ltd
Graham Jones Design Pty Ltd
Lake Social Enterprises Pty Ltd
Workshop Architecture Pty Ltd
Young, Lehmann & Co Pty Ltd

Table 2 below lists the tender offer at the close of the advertised tender period.

Table 2: Tender Offers Received

Tender Offers Received at Close of Tender Period in highest to lowest order	
\$ 201,080.00	Conforming Tenders
\$ 196,790.00	
\$ 183,755.00	
\$ 182,181.00	
\$171,050.00	Non-conforming Tenders
\$127,680.00	
\$92,191.00	
\$49,500.00	

Following an evaluation of all tender submissions, a comprehensive assessment was conducted to ascertain compliance with contractual terms, conditions, and the stipulated response schedules. Among the eight (8) submissions scrutinized, four (4) were identified as non-conforming. The non-compliance was based on a deviation from the specified tender requirements, coupled with a demonstrated lack of understanding regarding the project's scope and deliverables.

This deficiency in compliance is further underscored by an analysis of their pricing submissions, revealing that the aforementioned four (4) submissions presented the lowest pricing among all submissions. This notable trend was also a factor in the collective decision of the tender assessment panel during the tender moderation. Consequently, to uphold the integrity and fairness of the tender process, the comprehensive assessment process was undertaken on the four (4) conforming tender submissions.

9.3.1 Tender for Contract No. 23/24-26: Consultant to Provide Detailed Options and Design – Civic Accommodation and Outdoor Operations (cont.)

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 officers as follows:

1. Manager, Project Delivery - Sustainable Infrastructure
2. Senior Project Officer, Project Delivery - Sustainable Infrastructure
3. Principal Property Officer, Project Delivery - Sustainable Infrastructure
4. Procurement & Tender Officer, People and Governance (moderating).

The principle that underlies the awarding of all Council contracts is that a contract is awarded based on 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 in line with the Council Procurement Policy:

TABLE 3: Evaluation Criteria

Criteria	Weighting (%)
Price	50
Business and Management Requirements	5
Capacity - Subcontractors and Current commitments	5
Capability, Previous Project Experience, Personnel CVs, Methodology	20
Local Content, Strathbogie Shire Regional Benefit, Social Procurement	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 & Tender Officer) averaged the scores and highlighted scoring discrepancies larger than three (3) points. On Monday 11 December 2023, the Panel members and the Moderator met to finalise the evaluation through a moderation meeting.

9.3.1 Tender for Contract No. 23/24-26: Consultant to Provide Detailed Options and Design – Civic Accommodation and Outdoor Operations (cont.)

Panel Assessment Summary

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

At the completion of the tender evaluation process, Workshop Architecture Pty Ltd attained the highest ranking with a total score of 87.01%. Balancing both quality and cost-effectiveness, Workshop Architecture showcased a comprehensive understanding of the project requirements and an ability to deliver the tender.

The Tender Evaluation Panel was therefore satisfied that Workshop Architecture Pty Ltd represents the best value outcome for Council.

Workshop Architecture Pty Ltd, based in Melbourne Victoria, along with their proposed subcontractors, has successfully undertaken projects of a similar nature. Their collective experience extends across collaborations with regional Councils, government bodies, and private entities, as evidenced in their detailed submission. Moreover, their submission underscores a distinct capability to execute the tendered works with minimal oversight, reflecting a high level of self-sufficiency and competence in adhering to project specifications.

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 matter under consideration does not require a broader community consultation process at this phase as it is a feasibility study that is conducted at the early stages of this development to assess its viability, potential impact, and overall feasibility. During this phase, the details and specifics of the project may not be fully defined, making it challenging to provide the community with meaningful information for consultation.

Conducting a feasibility study like this, before public consultations, ensures that decision-makers and the public are equipped with accurate and comprehensive information. This approach promotes a more transparent, informed, and constructive engagement process, setting the stage for successful project development and community involvement.

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 2021-2025 Council Plan.

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

9.3.1 Tender for Contract No. 23/24-26: Consultant to Provide Detailed Options and Design – Civic Accommodation and Outdoor Operations (cont.)

This report is relevant with all 6 strategic focus areas listed in 2021-2025 Council Plan as follows:

- Strategic focus area 1 - Engage. Create. Unite;
- Strategic focus area 2 - Live. Access. Connect;
- Strategic focus area 3 - Protect. Enhance. Adapt;
- Strategic focus area 4 - Inclusive. Productive. Balanced;
- Strategic focus area 5 - Strong. Healthy. Safe;
- Strategic focus area 6 - Accountable. Transparent. Responsible;

Asset Management Policy

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

Asset Management Strategy

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

LEGAL CONSIDERATIONS

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

The recommendations have 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 that this report meets 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.

9.3.1 Tender for Contract No. 23/24-26: Consultant to Provide Detailed Options and Design – Civic Accommodation and Outdoor Operations (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 budget allocation for this work under the 23/24 budget is \$250,000.00. This contract award (\$183,755.00) is within the allocated 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

The feasibility study for the renewed Council Civic presence has potential to deliver substantial economic benefits for the Council and the community alike. By conducting a thorough analysis of the project's viability, the study allows decision-makers to make informed choices that can lead to optimal resource allocation and financial sustainability. The study's cost-benefit analysis will provide a clear understanding of the potential return on investment, ensuring that the economic resources invested in the project align with the anticipated benefits.

Moreover, a successful feasibility study can activate local economic development by creating job opportunities during the construction phase, stimulating business activity, and potentially increasing property values in the surrounding area. As the project progresses, the study aids in identifying revenue-generating opportunities, such as leasing surplus space or hosting events, contributing to the long-term financial health of the Council. The economic benefits derived from a well-executed feasibility study extend beyond the immediate project scope, fostering a more resilient and economically vibrant community.

Social

By thoroughly assessing social implications, the feasibility study can inform decision-makers about the potential impact of the renewed Council Civic presence on the community's sense of identity, access to services, health and well-being, educational opportunities, and transportation needs. This holistic understanding is essential for creating a development that not only meets the functional requirements but also enhances the overall social interactions of the community.

Environmental

This feasibility study offers distinct environmental benefits by providing a systematic and informed approach to the project's planning and development. It allows for a comprehensive assessment of potential environmental impacts and the incorporation of sustainable practices. By analysing factors such as site selection, resource utilization, and energy efficiency, decision-makers can make informed choices that minimize the ecological footprint of the project.

9.3.1 Tender for Contract No. 23/24-26: Consultant to Provide Detailed Options and Design – Civic Accommodation and Outdoor Operations (cont.)

In addition, the study may explore strategies to enhance biodiversity, manage waste effectively, and mitigate any potential negative effects on the local ecosystem. Through careful consideration of environmental implications, the feasibility study lays the groundwork for a development that not only meets the community's needs but also aligns with contemporary sustainability standards, fostering a resilient and environmentally conscious civic presence for the future.

Climate change

By thoroughly assessing the project's environmental footprint, this study can identify opportunities to mitigate climate change impacts. This includes considerations such as energy efficiency, renewable energy sources, and environmentally conscious construction materials, all of which contribute to a lower carbon footprint. The feasibility study serves as a crucial instrument for incorporating climate resilience measures, helping the community adapt to changing environmental conditions. Additionally, the study may explore strategies to reduce greenhouse gas emissions, improve energy efficiency, and enhance the overall environmental sustainability of the civic presence. By prioritizing climate-conscious decision-making, the feasibility study aligns the project with global efforts to combat climate change and also positions the renewed Council civic presence as a model for environmentally responsible development.

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.

Through a systematic analysis of project viability, the study provides a platform for embracing innovative approaches and technologies and opportunities for efficiency, cost-effectiveness, and sustainability.

HUMAN RIGHTS CONSIDERATIONS

The recommendations have no human rights implications which require the consideration of Council.

CONCLUSION

The overarching goal of this project is to ensure that the Strathbogie Shire Council can provide optimal services to its residents, while also exploring ways to minimize environmental impacts and costs to ratepayers. It is important to note that any subsequent actions will be contingent on securing funding and successful grant applications, emphasizing the Council's commitment to responsible resource allocation and sustainable development.

In conclusion, the Strathbogie Shire Council is committed to exploring innovative solutions that not only address immediate deficiencies but also position the municipality for sustainable growth and more tailored service delivery to the community. Through this feasibility study, the Council aims to lay the groundwork for a potential renewed civic presence and library services in Nagambie that promotes efficient and contemporary service delivery across the Shire, supports environmental responsibility, and increased community access and engagement.

9.3.1 Tender for Contract No. 23/24-26: Consultant to Provide Detailed Options and Design – Civic Accommodation and Outdoor Operations (cont.)

ATTACHMENTS

Nil.

APPENDICES

Appendix 1: Tender Evaluation for Contract No. 23/24-26: Consultant to Provide Detailed Options and Design – Civic Accommodation and Outdoor Operations (CONFIDENTIAL)

9.3.2 Tender for Contract 23/24-38: Nagambie-Locksley Road Bridge and Road Reconstruction at Charles Creek, Locksley - Stage 1

Author: Manager - Projects Delivery

Responsible Director: Director Sustainable Infrastructure

EXECUTIVE SUMMARY

Strathbogie Shire is committed to managing local transport infrastructure, ensuring safe and efficient access to the road network for the broader community within the municipality, maintaining a consistent standard.

The Nagambie Locksley Road Bridge over Charles Creek, situated approximately 12km from Nagambie, is currently inadequate and unsuitable for present and future road usage due to insufficient load capacity. Safety concerns are exacerbated by a compromised road alignment, impacting visibility and the overall speed environment.

During 2022 and 2023, a comprehensive assessment of requirements, along with detailed design considerations, including cultural heritage and environmental evaluations, was completed. The project successfully obtained a planning permit for the necessary native vegetation removal, and required offsets were secured.

Acknowledging budget constraints, the project was strategically divided into two stages. Stage 1 involves the urgent reconstruction of the bridge, coupled with road realignments in the immediate vicinity. Stage 2 focuses on the remaining road realignment, which will be completed as funds become available. By prioritising Stage 1, immediate concerns related to the bridge's structural integrity and safety are addressed.

Tender documentation for Stage 1 was prepared in the final quarter of 2023. Through public advertisement in local and state newspapers, Council invited tenders for the Contract No. 23/24-38 Nagambie-Locksley Road Bridge and Road Reconstruction at Charles Creek Locksley - Stage 1, between 22/11/2023 and 22/12/2023. By the close of tenders at 4.00pm on 22 December 2023, five (5) tender submissions had been received.

Following the tender and assessment process, this report recommends awarding the lump sum contract for Stage 1 to Apex Earthworks Pty Ltd. Their proposal, totalling \$1,854,988.60 (including GST), aligns with project objectives and has been selected based on comprehensive evaluation outcomes.

The recommendation in this report signifies a crucial step towards achieving a safer and more efficient road network within the Strathbogie Shire. It mirrors the municipality's unwavering commitment to maintaining a consistent standard for local transport infrastructure.

The successful execution of this project aims to make a significant contribution to the enhancement of road network access and safety for the community.

9.3.2 Tender for Contract 23/24-38: Nagambie-Locksley Road Bridge and Road Reconstruction at Charles Creek, Locksley - Stage 1 (cont.)

RECOMMENDATION

That Council:

1. ***Notes the outcome of the tender assessment process for Contract No 23/24-38 Nagambie-Locksley Road Bridge and Road Reconstruction at Charles Creek Locksley Stage 1;***
2. ***Awards the tender for Contract No 23/24-38 Nagambie-Locksley Road Bridge and Road Reconstruction at Charles Creek Locksley Stage 1 - Lump Sum for a total amount of \$1,854,988.60 (including GST) to Apex Earthworks Pty Ltd based in Congupna;***
3. ***Notes that there will be a road closure with detours established on sealed roads in effect during the construction period;***
4. ***Authorises officers to advise the unsuccessful tenderers; and***
5. ***Authorises the Chief Executive Officer to execute the Contract by signing and affixing with the Common Seal of Strathbogie Shire Council.***

PURPOSE and BACKGROUND

Nagambie/Locksley Road serves as a Class 2 Link Road and designated bus route, establishing essential connections between major roads and regions. Identified as a Freight Route by the Council, this road acts as a critical connector for various entities, including Broiler Farms, Mixed farming and grazing areas, Wastewater Management Facility, Transfer Station, Mine, and Arterial Road and Freeway networks. Currently accommodating approximately 347 vehicles per day, of which 17% are commercial, within a 100-km/hr speed zone, the road necessitates a clear zone width of 7.5 meters for optimal safety.

The existing road alignment poses challenges, particularly the narrow width (6.2m) on and around the bridge, compromising safety by reducing visibility and impacting the speed environment. The bridge itself, constructed in 1955 with a subsequent upgrade with concrete overlay in 2004, faces limitations with a current load rating of 44 tonnes. The proposed enhancement aims to raise the load limit to 160 tonnes, accommodating the evolving needs of heavy vehicles. Safety improvements encompass the removal of speed restrictions, addressing roadside hazards, and optimizing road geometry and cross-sectional widths. These enhancements aim to not only meet safety requirements but also facilitate unrestricted access for heavy and oversized vehicles, linking key townships such as Nagambie, Locksley, Longwood, and Euroa to local arterial roads.

9.3.2 Tender for Contract 23/24-38: Nagambie-Locksley Road Bridge and Road Reconstruction at Charles Creek, Locksley - Stage 1 (cont.)

The project aims to resolve existing challenges related to cross-sectional widths and roadside hazards. The proposed new bridge is 9.66m in width. Associated road work will feature a total seal width of 10.0 meters with two 3.5m wide traffic lanes. Safety barriers on either side of the bridge will ensure comprehensive safety measures. Beyond infrastructure upgrades, the project aligns with the growing needs of the rapidly expanding Nagambie community, ensuring key access roads are not only fit for purpose but also compliant with evolving safety standards and the increased demands of heavy vehicles.

This report seeks Council approval of the recommendations from the Tender Evaluation exercise on Contract No 23/24-38 Nagambie-Locksley Road Bridge and Road Reconstruction at Charles Creek Locksley Stage 1, and to award the contract to Apex Earthworks Pty Ltd.

Tender Process

The public tender was released on <https://www.eprocure.com.au/strathbogies/> website on the 22 November 2023. The tender was advertised in Saturday's The Age newspaper (state-wide reach), and Shepparton News in the week following release. By the close of tenders at 4.00pm on 22 December 2023, five (5) tender submissions had been received.

All tender submissions were assessed for their compliance including the contractual terms, conditions, and the requirements of the response schedules. All tender submissions were deemed conforming.

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

Table 1: Tender Submissions Received

Tender Submissions Received at the close of Tender Period (in Alphabetical Order)
Apex Earthworks Pty Ltd
Bild Infrastructure Pty Ltd
BridgeCon Pty Ltd
Gradian Projects Pty Ltd
Mawson Constructions Pty Ltd

Table 2 below lists the tender offer at the close of the advertised tender period.

Table 2: Tender Offers Received

Tender Offers Received at Close of Tender Period in lowest to highest order
\$ 1,510,015.00
\$ 1,914,685.97
\$ 2,032,652.60
\$ 2,039,337.01
\$ 3,455,942.84

9.3.2 Tender for Contract 23/24-38: Nagambie-Locksley Road Bridge and Road Reconstruction at Charles Creek, Locksley - Stage 1 (cont.)

Since a substantial portion of the received offers exceeded the available budget designated by the Council for the project, all prospective tenderers were duly invited to submit their optimal and conclusive proposals (best and final offer) on 05/01/2024 through the tender portal.

The objective is to ensure the attainment of the highest value for money towards the Council, aligning with financial considerations, without compromising the defined scope of work. Table 3 below lists the final offers received by the close of cutoff date 15/01/2024.

Table 3: Tender Offers Received

Tender Offers Received at Close of Request for Final Offer in lowest to highest order	
	\$ 1,510,016.00
	\$ 1,854,988.60
	\$ 1,986,335.92
	\$ 2,054,627.35
	\$ 3,406,537.19

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 officers as follows:

1. Director – Sustainable Infrastructure
 2. Manager, Project Delivery – Sustainable Infrastructure
 3. Infrastructure Development Engineer – Sustainable Infrastructure
 4. Procurement & Tender Officer, People and Governance (moderating).
- **Tendered Price (60%)**
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 60% is applied, unless a Council exemption is sought.

Officers placed a 60% weighting on the tender price due to pricing considered slightly more important than qualitative criteria to achieve best value outcomes for the community.

9.3.2 Tender for Contract 23/24-38: Nagambie-Locksley Road Bridge and Road Reconstruction at Charles Creek, Locksley - Stage 1 (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 (60%) 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 (Evaluator review – pass/fail)
Quality Management Systems, Policies, Relevant Certifications, and Insurance, a weighting of 10 % was allocated to this criterium.
- Capacity, Subcontractors, equipment, and Current Commitments (10%)
Tenderer to demonstrate they have the capacity and equipment (or access to) to deliver the project, and a 10% weighting is allocated to this criterium.
- Capability, Experience, Personnel CVs, Methodology, Timeline (10%)
As the Work requires timely completion and elimination/mitigation of work-related risks, this criterium is considered important therefore allocated a weighting of 10%.
- Local Content and Regional Benefit (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/Environment (10%)
Strathbogie Shire Council has declared a Climate Emergency and is committed to purchasing practicing that support the principals of sustainable procurement within the context of purchasing within a value for money basis. In accordance with the currently Procurement Policy a 10% weighting was allocated.

The principle that underlies the awarding of all Council contracts is that a contract is awarded based on 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 in line with the Council Procurement Policy:

9.3.2 Tender for Contract 23/24-38: Nagambie-Locksley Road Bridge and Road Reconstruction at Charles Creek, Locksley - Stage 1 (cont.)

Table 4: Evaluation Criteria

Criteria	Weighting (%)
Price	60
Business and Management Requirements	Evaluator review
Capacity - Subcontractors, Equipment & Resources, Experience, Current Contracts	10
Capability, Experience, Personnel CVs, Methodology, Traffic Management Plan	10
Local Content/Regional Benefit	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 (3) points and to raise any concerns and/or queries that may need to be put to the tenderers prior to recommending the preferred Tenderer.

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

The Moderator (Procurement & Tender Officer) averaged the scores and highlighted scoring discrepancies larger than three (3) points. On Monday 22 January 2024 the Panel members and the Moderator met to finalise the evaluation.

Panel Assessment Summary

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

At the completion of the tender evaluation process, Apex Earthworks Pty Ltd attained the highest ranking with a total score of 75.48%. Apex scored the highest on qualitative criteria scoring 26.64% and second highest in pricing criteria scoring 48.84%. All other tenderers scored significantly below the Apex total in either criteria of selection.

The Tender Evaluation Panel was therefore satisfied that Apex Earthworks Pty Ltd represents the best value outcome for Council.

Apex Earthworks Pty Ltd is based in Congupna Victoria and have demonstrated experience in roadworks and general civil construction in the region. They have completed similar works for other regional councils in the past, based on their submission. The submitted tender methodology, program schedule and traffic detour route comply with the contract requirements and provide a clear understanding of the specified requirements.

9.3.2 Tender for Contract 23/24-38: Nagambie-Locksley Road Bridge and Road Reconstruction at Charles Creek, Locksley - Stage 1 (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 matter under consideration does not require a community consultation process.

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 2021-2025 Council Plan.

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

The Council Plan is relevant with the following:

- Strategic focus area 2 - Live. Access. Connect;
- Strategic focus area 4 - Inclusive. Productive. Balanced;
- Strategic focus area 5 - Strong. Healthy. Safe;

Asset Management Policy

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

Asset Management Strategy

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

Regional, State and National Plans and Policies

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

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

LEGAL CONSIDERATIONS

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

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

Conflict of Interest Declaration

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

9.3.2 Tender for Contract 23/24-38: Nagambie-Locksley Road Bridge and Road Reconstruction at Charles Creek, Locksley - Stage 1 (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.

It is considered that this report meets Council's Procurement Policy which ensures transparency in the process.

Decisions made by Council will be: -

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

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

FINANCIAL VIABILITY CONSIDERATIONS

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

The current available budget for the project is \$2,013,586.47 (incl. GST). This award \$1,854,988.60 (incl. GST) is within the available 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

By linking producers to markets, workers to jobs, students to school, and the likes, roads are vital to support positive economic outcomes for the community.

Social

Improved sight distance with widened paved surface of the roads will enhance the safety of travellers, emissions and fuel consumptions.

Environmental

The proposed project will diligently address and mitigate any potential environmental impacts on wildlife and roadside reserves. Comprehensive environmental management plans will be diligently executed throughout the entire construction period.

During the design phase, Council officers adhered to the detailed assessment pathway for Native Vegetation Removal assessment. This approach is designed to minimize the potential impact on flora and fauna within the work site. Consequently, council officers have diligently navigated the formal process with the Department of Environment, Energy, and Climate Action (DEECA), securing the requisite permits and offsets essential for the project to progress.

9.3.2 Tender for Contract 23/24-38: Nagambie-Locksley Road Bridge and Road Reconstruction at Charles Creek, Locksley - Stage 1 (cont.)

Climate change

The construction works under this project may contribute to carbon emissions, impacting the project's carbon footprint. Implementing sustainable construction practices, using eco-friendly materials as far as practicable, and considering low-carbon transportation for construction activities can help minimize the project's contribution to greenhouse gas emissions, aligning with broader climate change mitigation goals.

HUMAN RIGHTS CONSIDERATIONS

Victorian Charter of Human Rights and Responsibilities Act 2006

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

CONCLUSION

Council invited tenders for Contract No 23/24-38 Nagambie-Locksley Road Bridge and Road Reconstruction at Charles Creek Locksley Stage 1. The submitted tenders were sought and evaluated strictly in accordance with the Council's Procurement Policy and against the provided brief and specifications. It is proposed that Council endorses the recommended contract award to Apex Earthworks Pty Ltd.

ATTACHMENTS

Attachment 1: Nagambie Locksley Road Bridge Locality Map

APPENDICES

Appendix 2: Tender Evaluation for Contract 23/24-38: Nagambie-Locksley Road Bridge and Road Reconstruction at Charles Creek, Locksley - Stage 1 (CONFIDENTIAL)

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