

Strathbogie Shire Council

Council Meeting Agenda

Tuesday 19 March 2024

Agenda

Council Meeting

Tuesday 19 March 2024, 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:

Julie Salomon – 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

Amanda Tingay – Director People and Governance

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, 20 February 2024, be confirmed (Council Meetings and Minutes | Strathbogie Shire)

8. Petitions

Correspondence was received in April 2022, from Colin and Josie Burton, which included letters from four adjoining residents/landholders of Neelands Road, Euroa, raising concerns with the road surface and dust concerns of Neelands Road due to increased traffic along this road, for reasons outlined in their letters.

On recently becoming aware of these letters, it is now considered they be deemed a Petition for presentation to Council.

The letters primarily read -

The road has gone from a low volume local traffic road to the main connecting road between Mansfield Road and Strathbogie Road. An ever-increasing number of cars and more importantly livestock trucks and other heavy vehicles now use this road.

The road has no speed restrictions.

Neelands Road is a dirt road which is experiencing ever increasing traffic and this is contributing to ever increasing dust problems for the residents that reside along this road.

The traffic volume has increased due to a number of reasons, including:

(I) The "Willows" bridge weight limit over the Seven Creeks has been removed with the renewal of the bridge, allowing trucks and other heavy vehicles to use the road.

{II} The Hume Freeway and traffic lights on the old Hume Highway in Euroa has encouraged cars and trucks to seek Neelands Road as an alternative (and quicker) route between Mansfield Road and Strathbogie Road.

{III} There is an increasing number of residents and particularly horse studs in the area, which use the road as a thoroughfare between Mansfield Road and Strathbogie Road.

{IV} The Shire of Strathbogie has kept this road in better condition in recent years and this has encouraged more traffic to use the road, and subsequently we are experiencing significantly more dust.

{V} The clearance of overhead tree branches encouraging larger trucks.

This road is a main connecting road between Mansfield Road and Strathbogie Road and carries a large volume of traffic.

We, the undersigned residents/adjoining landholders are requesting the Shire of Strathbogie to upgrade this road to a sealed bitumen surface, to better handle the increased volume of traffic (particularly heavy vehicles) and eliminate the major dust problem as a matter of urgency. Further, a sealed road offers much safer road conditions for all road users.

RECOMMENDATION

- That Council accept the petition in relation to the road surface and dust concerns of Neelands Road, Euroa, submitted by five residents of Neelands Road, Euroa; and***

8. Petitions (cont.)

RECOMMENDATION (cont.)

2. ***That the petition be referred to the Director Sustainable Infrastructure for consideration and response.***

9. **Reports 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**

Julie Salomon
Chief Executive Officer
15 March 2024

Next meeting

The next monthly meeting of the Strathbogie Shire Council is scheduled to be held on Tuesday 16 April 2024, at the Euroa Community Conference Centre, at 6pm.

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 the Public Question Time. Questions must be submitted before 12 noon on Monday 18 March 2024, by emailing 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.

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

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	(f) <i>personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs</i>	
C.B. 1	Chief Executive Officer Performance Review – March 2023 to March 2024	
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11. OFFICER REPORTS

11.1 STRATEGIC AND STATUTORY PLANNING

11.1.1 Planning Applications Received and Planning Applications Determined - 1 to 29 February 2024

Author: Manager Planning and Investment

Responsible Director: Director Community and Planning

EXECUTIVE SUMMARY

This report provides listings of all Planning Applications Received (Attachment 1) and Planning Applications Determined (Attachment 2) for the period of 1 to 29 February 2024. 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 January 2024. The February 2024 PPARS Figures were not available at the time of writing this report as the monthly figures are not updated until 15th of each month. The contents of this report are provided for information purposes only.

It is noted that there were eight (8) new planning applications received and twelve (12) 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 eight (8) new planning applications received, and twelve (12) planning applications decided on during the period of 1 to 29 February 2024.***
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 Planning Applications Determined - 1 to 29 February 2024 (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.

RISK CONSIDERATIONS

Risk(s)	Likelihood	Consequence	Rating	Mitigation Action
Failure to notify Council of a planning permit application of significant public interest or that is controversial in nature.	Possible	Moderate	Low	Regular reporting on planning permit applications received and decided.

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 VCAT Appeals

11.3 INFRASTRUCTURE

11.3.1 Capital Program Delivery Status – Six Monthly Report

Author: Director Sustainable Infrastructure

Responsible Director: Director Sustainable Infrastructure

EXECUTIVE SUMMARY

This report provides commentary on the delivery status of all approved capital projects for the 2023/24 financial year providing updates on their delivery status in terms of budget phasing comparison and completions timelines as at 29 February 2024 (refer Attachment 1).

These key areas of the report are highlighted using a traffic light system with the following reporting condition:

- if the project actual expenses or the timeline for completion is within +/- 10% of the forecasted status the information is provided in yellow.
- if the current actual expenses are greater than the phased budget forecast or the timeline for completion is past the original planned date the information is reported in red.
- if the current actual expenses are less than the phased budget forecast or the timeline for completion is before the original planned date the information is reported in green.

These delivery timelines are reflecting most projects are on track to be delivered in this financial year.

Projects that are forecast to not be completed in the current financial year will be completed in the 2024/25 financial year. These projects have external funding streams that provide for delivery timelines across two financial years and do not place the receipt of funding at risk. Furthermore, their late delivery will not impact on the delivery of the 2024/25 financial years Capital Program.

RECOMMENDATION

That Council note the progress of the 2023/24 Capital Works Program with most projects anticipated to be completed by the end of the 2023/24 Financial Year.

PURPOSE AND BACKGROUND

The 2023/24 Capital Works Budget was endorsed by Council at the 27 June 2023 Council meeting as part of the suite of budget documents. This report provides an update on the current status of the delivery of the 2023/24 adopted Capital Works program.

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.

11.3.1 Capital Program Delivery Status – Six Monthly Report (cont.)

The delivery of Capital Projects identified through the asset management framework provides the best outcomes for the community, both current and future, on the maintenance of Council's current assets and where appropriate deliver new or improved assets to meet the community's needs.

Significant impacts on the delivery of the Capital Program have occurred this financial year as staff have been redirected from its delivery into support roles for dealing with the emergency weather events experienced this and last financial year. These impacts have been further compounded by changes to senior staff within the division.

The introduction of the format of this report has also required changes to management and reporting practices within the infrastructure division and the broader organisation. Financial progress against each project is not currently included in the attachment detailing the programs status, however the overall financial status of the program is monitored regularly and over and under expenditure adjusted accordingly. These issues shall be rectified in future months to produce a report reflective of the status of the Program's delivery from both a financial and progress perspective in future months reporting.

The key areas of the report are highlighted using a traffic light system with the following reporting condition:

- if the project actual expenses or the timeline for completion is within +/- 10% of the forecasted status the information is provided in yellow.
- if the current actual expenses are greater than the phased budget forecast or the timeline for completion is past the original planned date the information is reported in red.
- if the current actual expenses are less than the phased budget forecast or the timeline for completion is before the original planned date the information is reported in green.

Items reported in the yellow are on track. Those reported in red and green are either over budget, under budget, late or early delivery. Generally, both are seen to be not preferred and mitigation action is required.

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 reporting its progress on its delivery of the approved 2023/24 Capital Budget program.

11.3.1 Capital Program Delivery Status – Six Monthly Report (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 attached report provides an update of the progress of the delivery of the Capital Works program for the 2023/24 (current) financial year.

Delivery of the Capital Works program on time and budget is one of the core services the Council provides to its rate payers. The programs successful delivery is a key component of the maintenance and delivery of the services to the broader community which underpins the Financial Viability of the community.

RISK CONSIDERATIONS

Risk(s)	Likelihood	Consequence	Rating	Mitigation Action
Capital Program not delivered resulting in delayed maintenance of assets	Possible	Major	High	Monitor progress of projects delivery, adjusting subject to emerging needs and deterioration of current assets
Capital Program not delivered resulting in delayed access to new assets	Possible	Major	High	Monitor progress of projects delivery, adjusting subject to emerging needs and community expectations
Capital Program not delivered resulting in loss of grant funding and subsequent financial loss and reputational damage to Council.	Possible	Major	High	Monitor progress of projects delivery, adjusting subject to emerging conditions of grant funding.

CONCLUSION

This report is provided for Council to note the status of the delivery of the 2023/24 Capital Program.

ATTACHMENTS

Attachment 1: 2023/24 Reconciliation Project Allocation – Adopted 2023/24 Capital Works Budget

11.3.2 Contract No. 23/24-36: Out Front Deck Mowers x 2 - Request for Quotation

Author: Procurement and Tenders Officer and Manager Operations

Responsible Director: Director of Sustainable Infrastructure

EXECUTIVE SUMMARY

Council has undertaken a request for quotation (RFQ) process from supplier members of the Municipal Association of Victoria's (MAV) Light Plant & Equipment Purchasing Contract (LP20091) for Contract No. 23/24-36 - x2 Out Front Deck Mowers. This procurement option was utilised as it allows for the targeted and efficient quotes process from industry specialist suppliers, providing group buying pricing and is permitted by Strathbogie Shire Council's Procurement Policy (last update November 2023) clause 20, Exemptions, Collaborative Engagement. It allows for Council to continue to meet its obligation to obtain Best Value, and compliance requirements of the *Local Government Act 2020*.

Through advertising in MAV's sourcing portal Vendor panel, Council invited quotes for the two (2) Out Front Deck Mowers with the initial RFQ opening at Thursday 2 of November 2023. At the close of the RFQ process at 4pm Wednesday 15 November 2023, three (3) quotation submissions were received.

After initial independent assessment, evaluation and in-person inspection and test operation, the result of the officer evaluations is summarised in the tables within this report. It is recommended that Council award the RFQ process to Kubota Australia Pty Ltd, via their agent Bertoli Farm Machinery Shepparton for a total amount of \$131,890.00 (including GST).

RECOMMENDATION***That Council:***

- 1. Notes the outcome of the Request for Quotation assessment process for Contract No. 23/24-36 - Out Front Deck Mowers utilizing MAV Light Plant & Equipment Purchasing Contract (LP20091);***
- 2. Awards the Contract No. 23/24-36 - Out Front Deck Mowers utilising MAV Light Plant & Equipment Purchasing Contract (LP20091) for a total amount of \$131,890.00 (including GST) to Kubota Australia Pty Ltd, via their agent Bertoli Farm Machinery Shepparton;***
- 3. Authorises Officers to advise the unsuccessful quoters; and***
- 4. Authorises the Chief Executive Officer to award the Contract by signing a letter of award and approving a purchase order for the amount above.***

PURPOSE AND BACKGROUND

This report seeks Council endorsement to note the process and assessment for Contract No. 23/24-36 – Out Front Deck Mowers utilising MAV Light Plant & Equipment Purchasing Contract (LP20091) and award the contract as recommended in this report.

11.3.2 Contract No. 23/24-36: Out Front Deck Mowers x 2 - Request for Quotation (cont.)

Council has undertaken a Request for Quotation (RFQ) process from supplier members of the Municipal Association of Victoria's (MAV) Light Plant & Equipment Purchasing Contract (LP20091) for Contract No. 23/24-36 for two (2) Out Front Deck Mowers.

This procurement option was utilised as it allows for the targeted and efficient quotes process from industry specialist suppliers, providing group buying pricing and is permitted by Strathbogie Shire Council's Procurement Policy (last update November 2023) clause 20, Exemptions, Collaborative Engagement.

REQUEST FOR QUOTATION PROCESS

Suppliers were invited by advertising on the MAV's sourcing portal Vendor panel on Thursday 2 of November 2023. By close of RFQ process at 5.00pm on Wednesday 15 November 2023, three (3) quotation submissions had been received.

The three (3) quote submissions were initially assessed for compliance against the required specification. After the initial Evaluation Panel meeting, a second stage of evaluations was undertaken which was an inspection and test operation. At the completion of this process, one (1) supplier's mower was determined to be non-conforming to Council requirements, with another quoter being determined to be non-conforming on price as 15% over budget. The single conforming supplier was assessed for award suitability from this stage.

Table 1 below lists the quoters that were received at the close of the Quotation period.

Table 1: Quotation Submissions Received

Quotation Submissions Received at the close of Quotation Period (in Alphabetical Order)
AGCO Pty Ltd via agent John Sanderson Machinery P/L Nagambie
Kubota Australia Pty Ltd via agent Bertoli Farm Machinery Shepparton
Toro Australia Group Sales Pty Ltd via agent AgPower Lilydale

Table 2 below lists the quotation offer at the close of the quotation period.

Table 2: Quotation Offers Received

Offers Received at Close of Quotation Period in lowest to highest order
\$131,890 including GST
\$155,100 including GST
\$170,500 including GST

Assessment Process

The following Strathbogie Shire Council Officers reviewed the submission:

1. Operations Co-ordinator
2. Works Supervisor – Parks and Gardens
3. Technical Officer Operations
4. Procurement and Tenders Officer (process facilitator, non-voting member)

11.3.2 Contract No. 23/24-36: Out Front Deck Mowers x 2 - Request for Quotation (cont.)

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 quotations were assessed and evaluated against the following criteria and weightings:

- **Tendered Price (70%)**

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 70% was applied.

Officers placed a 70% weighting on the tender price due to pricing being considered most important as quantitative criteria to ensure the purchase is affordable but can still deliver the functions required.

All submissions were given a weighted score for their submitted price based on a comparative assessment of pricing for all quoter. The comparative assessment awards the highest evaluation score (70%) 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 quoter.

- **Capability, Delivery and Meeting Specification (20%)**

As the work requires timely completion and meeting the required technical specifications this criterium is considered important therefore allocated a weighting of 20%.

- **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 quotation process.

TABLE 1: Evaluation Criteria

Criteria	Weighting (%)
Price	70%
Capability, Delivery and Meeting Specification	20%
Regional Benefit	10%

The Evaluation Panel was satisfied that the sole conforming quoter, Kubota Australia Pty Ltd supplied via Bertoli Farm Machinery Shepparton Victoria submitted a quotation that demonstrated to be a capable supplier with the capacity to deliver the mowers that best meet the required technical specifications within the requested timeframe and budget.

11.3.2 Contract No. 23/24-36: Out Front Deck Mowers x 2 - Request for Quotation (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 community consultation process as it is operational.

POLICY CONSIDERATIONS

Council Plans and Policies

The report is consistent with Council Policies, key strategic documents, the Council Plan and the Strathbogie Shire Council Procurement Policy.

Contract No. 23/24-36 – x 2 Out Front Deck Mowers is in accordance with Strathbogie Shire Council's Approved Plant and Fleet Capital Replacement Plan.

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 RFQ process utilised the MAV Light Plant & Equipment Purchasing Contract (LP20091). This procurement option allows for the targeted and efficient quotes process from industry specialist suppliers, providing group buying pricing and is in accordance with the Strathbogie Shire Council's Procurement Policy

RISK CONSIDERATIONS

Risk(s)	Likelihood	Consequence	Rating	Mitigation Action
Plant and equipment not maintained and breaks down resulting in assets out of intervention standards	Possible	Moderate	Medium	Maintain plant and equipment in accordance with manufacturers recommendations
Plant and equipment not maintained and breaks down resulting in assets out of intervention standards	Possible	Moderate	Medium	Replace plant and equipment in a timely fashion to decrease likelihood of breakdowns
Replacement of plant and equipment costs higher than expected	Possible	Major	Medium	Plant and Equipment replaced frequently to maximise resale value of trade in

11.3.2 Contract No. 23/24-36: Out Front Deck Mowers x 2 - Request for Quotation (cont.)

Replacement of plant and equipment costs higher than expected	Possible	Major	Medium	Provide sufficient budget for scheduled plant replacement
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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.

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 \$1,416,728.00 to the overall 2023/24 Mid-Year plant Budget. An internal estimate for the two (2) mowers was \$112,547.78 excluding GST, noting that the last 'approved' Capital replacement Budget was completed in 2019 and significant increases in inflation have occurred since then.

The cost of the mowers is \$131,890.00 (including GST) which is 6.5% over the initial allocated budget for these machines but within expected inflation levels. The proposed purchase is well within the means of the 2023/24 Plant and Fleet Capital Replacement Budget.

11.3.2 Contract No. 23/24-36: Out Front Deck Mowers x 2 - Request for Quotation (cont.)

SUSTAINABILITY CONSIDERATIONS

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

Economic and Social

The project will provide the Council staff with safe and reliable all weather equipment to maintain the many public parks and venues that are treasured by our community across the Shire. These outdoor spaces encourage social interaction and promote health and wellbeing.

Environmental

The Specifications of these machines included best practice criteria for emissions and the recommended mower adhered to all specification requirements.

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 proposed purchase of these machines will ensure that Council staff have reliable and suitable Mowers in order to maintain our many Parks and outdoor spaces as part of our ethos of continuous improvement across the Shire.

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 quoters for Contract No. 23/24-36 – two (2) Out Front Deck Mowers utilising MAV Light Plant & Equipment Purchasing Contract (LP20091). The submitted quotes were evaluated strictly in accordance with the Council's Procurement Policy, against the provided technical specifications, onsite test operation and ability to meet Council's delivery timeframes and budget. It is proposed that Council endorses the recommended contract award to Kubota Australia Pty Ltd via its agent, Bertoli Farm Machinery Shepparton.

ATTACHMENTS

Nil

APPENDICES

Appendix 2: Quotation Evaluation for Contract No. 23/24-36: Out Front Deck Mowers x 2 - Request for Quotation (CONFIDENTIAL)

11.3.3 Project Collaborative Digital Innovation (CODI) IT Systems Alignment - Enterprise Resource Planning (ERP) Solution

Author: Greg Underhill, Manager Digital Innovation and Technology

Responsible Director: Chief Executive Officer

EXECUTIVE SUMMARY

The Lower North Eastern Regional Councils (LNERC) Rural Councils Transformation Program is a business transformation program of work across four Councils, being the Shire Councils of Mansfield, Murrindindi and Strathbogie and the Benalla Rural City Council, to *“improve service delivery and enhance Councils’ collaboration through the transformation of ICT and Digital Systems, the adoption of aligned business capabilities (people, process and technology) and modern ways of working”*.

The program has been funded with a \$1,000,000 grant from the Rural Councils Transformation Program (RCTP), \$888,000 from the Business Acceleration Fund (BAF) and \$2,276,480 from the four Councils (equating to a contribution of \$569,120 per Council), across three financial years. To date, all funding milestones have been achieved resulting in all grant funding being acquitted to Mansfield Shire Council, as the lead Council.

A previous procurement process was undertaken for delivery of Building, Planning and Regulatory, and Information Management solutions. To finalise the selection of solutions to meet the goals of the transformation program, a further procurement process for an Enterprise Resource Planning (ERP) solution was successfully completed.

As a result, the officer recommendation is to award contracts for the delivery of an ERP solution incorporating modules for Finance, Customer Relationship Management, and Property/Rates to Civica, with an option to include Human Resources and Payroll as an additional module.

RECOMMENDATION

That Council:

- 1. Awards the lump sum contract for the implementation of the Enterprise Resource Planning to Civica for implementation of the Finance, Customer Relationship Management and Property/Rates modules into Mansfield, Murrindindi and Strathbogie Shire Councils, and Benalla Rural City Council;**
- 2. Authorise the Chief Executive Officer to advise Mansfield Shire Council of Strathbogie Shire Council’s approval to award the contract in accordance with the Memorandum of Understanding signed by all four (4) Councils, including payment of all agreed contributions;**
- 3. Supports the option to award the lump sum contract to Civica for the implementation of the HR/Payroll module into Mansfield, Murrindindi and Strathbogie Shire Councils, and Benalla Rural City Council following the approval of a formal change request to include the module in the Project CODI schedule;**

11.3.3 Project Collaborative Digital Innovation (CODI) IT Systems Alignment - Enterprise Resource Planning (ERP) Solution (cont.)

RECOMMENDATION (cont.)

- 4. Award the contracts for ongoing servicing agreements between Strathbogie Shire Council and the selected vendor as follows:**
 - a. Awards the ongoing servicing agreement for the licencing of the Enterprise Resource Planning Finance, Customer Relationship Management and Property/Rates modules between Strathbogie Shire Council and Civica for the amount of \$731,566, for a term of 5 years.**
 - b. Awards the ongoing servicing agreement for the licencing of the HR/Payroll module between Strathbogie Shire Council and Civica for the amount of \$26,523 excluding GST, for a term of 5 years following the approval of a formal change request to include the module in the Project CODI schedule;.**
- 5. Note the contract period of 5 years is effective from 1 April 2024 till 31 March 2029, with options of two x 2 year extensions;**
- 6. Note that pricing for the ERP modules is accommodated within the project budget for implementation and Council's annual budget for annual commitments;**
- 7. Note that pricing for the Human Resources and Payroll module will require additional budget of \$62,964 excluding GST including 10% contingency as Strathbogie Shire Council's contribution to the implementation costs, and ongoing licensing will be accommodated within Council's annual budget; and**
- 8. Authorise the Chief Executive Officer to execute the contracts as detailed in recommendation 4.**

PURPOSE AND BACKGROUND

To seek Council approval to award contracts for the delivery of an Enterprise Resource Planning solution to improve service delivery and support shared services across four partner Councils: Mansfield Shire Council, Murrindindi Shire Council, Strathbogie Shire Council, and Benalla Rural City Council.

The contract for implementation of the solution is to be awarded by Mansfield Shire Council as the lead Council for the project, following endorsement from the partner Councils in accordance with the MOU and governance arrangements for the project. The ongoing licencing (SaaS) and support contracts are to be awarded individually by each partner Council.

The solution aims to underpin a high standard of delivery for Customer Relationship Management, Finance, Property/Rates and, HR/Payroll services to both internal and external stakeholders.

11.3.3 Project Collaborative Digital Innovation (CODI) IT Systems Alignment - Enterprise Resource Planning (ERP) Solution (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.

The LNERC vision is “To transform ICT & Digital Systems to enable “Customer First” service delivery whilst supporting efficient and productive business processes and enhancing shared capabilities for Councils' collaboration.” which is supported by the delivery of the Project CODI program of work.

In May 2023 as part of the Victoria Government's Rural Councils Transformation Program, the Lower North East Regional and Rural Councils (LNERRC), 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 Services
- Customer/Citizen Relationship Management (CRM)
- Property/Rates
- Finance

The tender was constructed to allow suppliers to respond with a ‘best of breed’ solution to either one or more of the functions or provide a holistic Enterprise Resource Planning (ERP) solution that would support all functions within a single enterprise platform.

Through the Request for Proposal (RFP) evaluation, eVis and Logicalis/AvePoint were selected to provide ‘best of breed’ solutions for ‘Planning, Building and Regulatory’ and ‘Information Management’ respectively. Suppliers were not selected for the remaining modules as they were unable to satisfactorily meet the evaluation criteria.

To achieve the goals of the transformation program, solutions were still required for the remaining functions of CRM, Property/Rates and Finance. Throughout this process, it was also identified that there were opportunities to collaborate on a solution for Human Resources (HR) and Payroll, which would benefit from being integrated as part of an ERP platform.

As a result, the consortium undertook a structured evaluation and procurement approach consisting of:

1. Market Analysis, and
2. Procurement.

Market Analysis

The market analysis was undertaken by transformation program resources and involved the investigation, assessment and reporting on:

- Experience of other Councils:
Insights were gathered from multiple Victorian Rural, Regional, and Metropolitan Councils, highlighting diverse approaches to enterprise systems.

11.3.3 Project Collaborative Digital Innovation (CODI) IT Systems Alignment - Enterprise Resource Planning (ERP) Solution (cont.)

- **Best of Breed vs. Best of Suite:**
The pros and cons of adopting either a specialised "Best of Breed" approach or an integrated "Best of Suite" (ERP) solution were considered.
- **ERP Solution Providers:**
An examination of ERP providers operating in the local government context of Victoria.

The result of the analysis recommended that the consortium:

- Adopt a strategic direction of "Best of Suite" for enterprise system replacement and procure and implement a holistic Enterprise Resource Planning (ERP) system which has been successfully deployed within Victoria Local Government,
- Only evaluate the "Top 2" cloud ERP suppliers within the Victoria Local Regional/Rural Government environment,
- Undertake structured competitive process with the two (2) vendors, overseen by a Probitry Adviser and led by an experienced procurement officer, and
- Evaluate suppliers solely on their business and operational capability and pricing.

The recommendations were endorsed by the Project Control Group and approved by the Project Steering Committee.

Procurement

The structured competitive procurement approach was possible as a public tender had previously been undertaken and hence requirements under the procurement policies have been met. Local Government Victoria advised that they had no objections to the procurement approach as long as the process complied with all procurement policies.

The two (2) ERP vendors were engaged in the procurement process between 13 October and 8 December 2023. The process consisted of:

- An "affordability" assessment to obtain indicative prices to ensure solution financial viability within the Councils,
- Invitation to tender, via TenderLink lockbox, to submit a written response to LNERC's ERP requirements,
- Evaluation of the written responses and the development of consensus scoring for each evaluation criteria,
- Presentation from each vendor on their response and capability for each evaluation criteria,
- Demonstration from each vendor of their solution,
- Evaluation of the presentations and demonstrations and update of the consensus scores,
- Invitation to the respondents to submit Best and Final Offers (BAFO) in a structured format to enable like-for-like comparison,
- Evaluation of the BAFOs and update of the consensus scores, and
- Endorsement of a preferred supplier, for approval of the Steering Committee.

11.3.3 Project Collaborative Digital Innovation (CODI) IT Systems Alignment - Enterprise Resource Planning (ERP) Solution (cont.)

The procurement process was led by Strathbogie Shire Council's Procurement and Tenders Officer with probity oversight provided by independent Probity Advisors, Dench McClean Carlson.

Evaluation Criteria

The Evaluation Committee consisted of the voting members of the PCG (one member for each Council). Each member engaged subject matter experts within their Council to assist them with the evaluation and scoring.

The evaluation criteria and weightings were:

Criteria	Weighting
Total Cost of Ownership	25%
Business Function Capability	15%
Strategic Roadmap	10%
Implementation Approach	25%
Integration Capabilities	10%
Post Implementation Support	15%

There were also the following requirements that needed to be met by the vendors:

- Satisfaction of insurance requirements,
- Adoption of the Victoria Government eServices Register Contract,
- Fully Cloud Based Solution, and
- Solution able to integrate with SharePoint based information management systems.

Both vendors actively participated in the procurement process.

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.

Community engagement is not considered required for the procurement stage of 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.

Future stages of the project may include community engagement processes where service delivery methods are undergoing significant transformation.

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 - Development and implement an Information Technology Strategy to ensure the organisation has a suite of fully integrated systems to maximise operational efficiency.

11.3.3 Project Collaborative Digital Innovation (CODI) IT Systems Alignment - Enterprise Resource Planning (ERP) Solution (cont.)

- 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 procurement has been undertaken in compliance with all four Council's 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.

The conditions of procurement 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 procurement process.

RISK CONSIDERATIONS

The following risks to the project have been considered and mitigations strategies developed as detailed in table 1 below.

Risk(s)	Likelihood	Consequence	Rating	Mitigation Action
Unexpected changes to submitted pricing	Unlikely	Moderate	Low	Contracts will clearly define the pricing and appropriate scope as per procurement processes. Adjustments to be managed through project change control processes.
Failure of vendor to deliver required outcomes	Possible	Moderate	Medium	Clearly defined scope of works has been developed and will be monitored regularly against delivery.
Dissolving of Council partnership	Unlikely	Moderate	Low	Ongoing collaborative approaches to project delivery to foster harmonious partnership. Individual servicing contracts will allow Council to deliver significant outcomes and maintain operations should this scenario eventuate.

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.

11.3.3 Project Collaborative Digital Innovation (CODI) IT Systems Alignment - Enterprise Resource Planning (ERP) Solution (cont.)

All contracts will be entered into with due consideration of relevant legislation and will utilise Victoria Government eServices Register contract.

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 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:

- if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage.

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.

Project CODI has been funded with a \$1,000,000 grant from the Rural Councils Transformation Program (RCTP), \$888,000 from the Business Acceleration Fund (BAF) and \$2,276,480 from the four partner Councils (equating to a contribution of \$596,120 per Council), across three financial years. Both funds have very tight timeframes, with the BAF originally required to be expended by December 2023 and the RCTP required to be expended by June 2024.

The tendered price is within the project budget and requires an ongoing licensing fee from Council of approximately \$132,395 per annum.

The overall funding for the project, per component, has been allocated as detailed in the below table:

Component	RCTP Funding	BAF Funding	Council Contribution	Total Budget
Program Management	\$224,289	\$82,000	\$510,591	\$816,880
Non-System Components	\$26,736	Nil	\$60,864	\$87,600
MS365 Alignment and Governance	\$20,144	Nil	\$45,856	\$66,000
Information Management	\$164,506	Nil	\$374,494	\$539,000
Financials	\$262,477	Nil	\$597,523	\$860,000

11.3.3 Project Collaborative Digital Innovation (CODI) IT Systems Alignment - Enterprise Resource Planning (ERP) Solution (cont.)

Component	RCTP Funding	BAF Funding	Council Contribution	Total Budget
Customer Relationship Management	\$119,030	Nil	\$270,970	\$390,000
Property and Rating Management	\$182,818	Nil	\$416,182	\$599,000
Planning, Building and Regulatory Services	Nil	\$806,000	Nil	\$806,000
TOTAL	\$1,000,000	\$888,000	\$2,276,480	\$4,164,480
Per Council			\$569,120	

Furthermore, Council will be required to contribute a further \$62,964 (one off) for implementation and \$26,523 ongoing for the licensing of the Human Resources and Payroll module which is currently outside the project scope of works.

Each partner Council will need to make additional contributions for the implementation of the HR and Payroll modules as these are outside of the original agreed project scope of works.

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.

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.

11.3.3 Project Collaborative Digital Innovation (CODI) IT Systems Alignment - Enterprise Resource Planning (ERP) Solution (cont.)

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.

This project 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

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 has been a collaboration with Murrindindi and Mansfield Shire Councils and Benalla Rural City Council as part of the Rural Councils Transformation Program and the Business Acceleration Fund.

HUMAN RIGHTS CONSIDERATIONS

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

CONCLUSION

The evaluation panel concluded that Civica provided the most advantageous tender for the delivery of an Enterprise Resource Planning solution for Finance, Property and Rates, Customer Relationship Management, with the possibility to extend to Payroll and Human Resources.

This report recommends awarding of the contracts to Civica for the implementation and ongoing servicing of their Enterprise Resource Planning solution.

Due to the nature of the project, the implementation contract will be awarded and managed by Mansfield Shire Council as the lead Council for the project, with servicing agreements to be entered into by all four Council's for the ongoing costs associated with the solution.

ATTACHMENTS

Nil

APPENDICES

Appendix 1: Tender Evaluation for Project Collaborative Digital Innovation (CODI) IT Systems Alignment - Enterprise Resource Planning (ERP) Solution (CONFIDENTIAL)

11.3.4 Contract 23/24-01: Roads Pavement Rehabilitation Program 2023/24

Author: Director Sustainable Infrastructure

Responsible Director: Chief Executive Officer

EXECUTIVE SUMMARY

At the 20 February 2024 Meeting, Council varied Contract 23/24-01 Roads Pavement Rehabilitation Program 2023/24, awarded to Bild Infrastructure, by an amount of \$15,523.20 inclusive of GST, for a combined variation of 12.9% of the original contract value. This variation was to implement a treatment of the active springs encountered during the rehabilitation of the Creek Junction Road sites at Kithbrook within the contract.

Unfortunately, this treatment was unsuccessful in rectifying the unstable nature of the road at its location and as a consequence of disturbing the springs a significant additional length of the road now requires treatment.

Further investigations have identified that pavement materials previously placed will need to be removed and a further depth of 300 to 500 mm of the existing subgrade for a distance over 100m for the full width of the road is required to be removed and replaced.

The materials placed previously, and the existing pavement materials will be reused for the repair where suitable, however the entire additional treatments are valued at \$198,759.79 including GST.

This amount has been negotiated with the contractor and is considered to represent value for money. To fund these works, the planned 2023/24 pavement rehabilitation works program on the prioritised thirteen (13) segments on four (4) Council roads will be reduced. As such, the planned Spring Creek Road at Kithbrook works (four (4) segments) will be removed and deferred to next year's rehabilitation program, to provide \$127,346.00 inclusive GST.

It is recommended that the additional funds required be obtained from currently uncommitted funds of \$50,135 incl GST allocated to the Locksley-Nagambie Road bridge project and the balance from the Sealed Roads Rehabilitation Budget.

Due to the extent of the treatment required and the road not able to be opened without the works, and no additional sites available for the Contractor to move onto awaiting the approvals at the March 2024 Council Meeting, the variation would have incurred additional costs estimated at \$10,000 per week.

Subsequently, after briefing Council and the Chief Executive Officer, works were progressed to completion to enable the road to be reopened for the community at the earliest opportunity.

11.3.4 Contract 23/24-01: Roads Pavement Rehabilitation Program 2023/24 (cont.)

RECOMMENDATION

That Council:

1. ***Approve Variation Quotation Request VQR-04 and VQR-05 which increases the total project costs by a further \$198,759.79 incl GST for a combined variation of 20.87% of the original contract value and authorise the Chief Executive Officer to sign the appropriate Variation Quotation Request form; and***
2. ***Note that the project variations can be accommodated within existing budget allocations specifically from the Road Rehabilitation Budget, after deferring the Spring Creek Road rehabilitation sections and utilising the unallocated funds from the Locksley Nagambie Road Bridge works and the Sealed Roads Rehabilitation Budget, which combined currently has sufficient budget to cover this expenditure.***

PURPOSE AND BACKGROUND

As a part of the Strathbogie Shire Council Capital Works Program for Financial Year 2023-24, selected municipal roads requiring rehabilitation have been placed under Council's annual Pavement Rehabilitation Program to carry out pavement rehabilitation of selected sections of the municipal roads.

This maintenance program ensures Council roads retain their quality and their lifespans are extended, thus providing long-term cost savings to Council by ensuring that ongoing maintenance is reduced. Under the adopted 2023/24 works program, it was planned to carry out pavement rehabilitation works on thirteen (13) segments on four (4) Council roads which were prioritised based on the road conditions assessment carried out as follows:

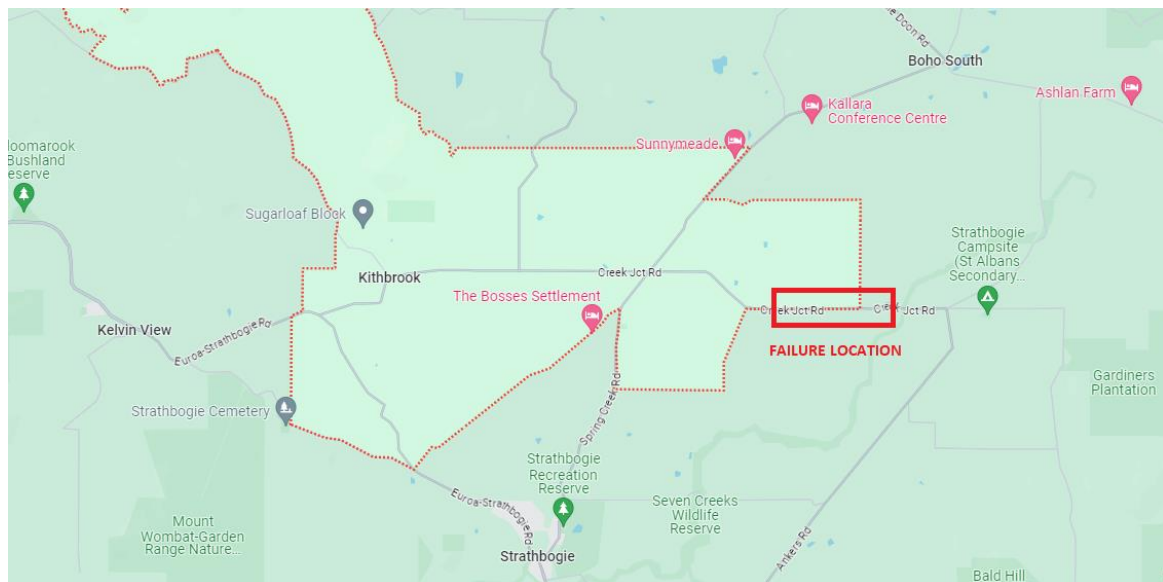
- Creek Junction Road at Kithbrook (3 segments),
- Spring Creek Road at Kithbrook (4 segments),
- Euroa-Strathbogie Road at Strathbogie (5 segments), and
- Alexandersons Road at Locksley (1 segment).

Prior to the commencement of the works, the condition of the network was assessed and repairs to alternate sections of road were given higher priority than those listed in the original tender schedule for this contract. The roads were prioritised due to the accelerated deterioration of the pavement in these areas, resulting in an increased risk to the traveling public, compared to the locations in the original scope. Subsequently,

- Alexandersons Road was removed from the scope
- The five (5) segments on the Euroa-Strathbogie Road were combined to increase the treatment at one (1) location,
- Creek Junction Road had an additional 100m² proposed treatment, and
- Spring Creek Road had an additional proposed 302 m² treatment.

11.3.4 Contract 23/24-01: Roads Pavement Rehabilitation Program 2023/24 (cont.)

At the 20 February 2024 Meeting, Council varied Contract 23/24-01 Roads Pavement Rehabilitation Program 23/24 awarded to Bild Infrastructure by an amount of \$15,523.20 inclusive of GST, for a combined variation of 12.9% of the original contract value. This variation was to implement a treatment of the active springs encountered during the rehabilitation of the Creek Junction Road, Kithbrook, sites within the contract.



11.3.4 Contract 23/24-01: Roads Pavement Rehabilitation Program 2023/24 (cont.)

During the execution of the treatments, active springs were encountered in the subgrade of the failed pavements which required treatment as variations to the Contract. The number of sites where this has been encountered has resulted in the cost of the treatments being greater than 10% of the original contract which subsequently requires Council approval.

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 Pavement Rehabilitation Program treatment proposed at the Creek Junction Road site were unsuccessful in rectifying the unstable nature of the road at its location and as a consequence of disturbing the springs a significant additional length of the road now requires treatment. Figures below shows the location map and current status of excavation.

Further investigations have identified that pavement materials previously placed will need to be removed and a further depth of 300 to 500 mm of the existing subgrade for a distance over 100m for the full width of the road is required to be removed and replaced.

The materials placed previously, and the existing pavement materials will be reused for the repair where suitable, however the entire additional treatments are valued at \$198,759.79 including GST.

This amount has been negotiated with the contractor and is considered to represent value for money. To fund these works, the planned 2023/24 pavement rehabilitation works program on the prioritised thirteen (13) segments on four (4) Council will be reduced. As such, the planned Spring Creek Road works (four (4) segments) will be removed and deferred to next year's rehabilitation program, to provide \$127,346.00 inclusive GST.

It is recommended that the additional funds required be obtained from currently uncommitted funds of \$50,135 inclusive GST allocated to the Locksley-Nagambie Rd bridge project and the balance from the Operations Sealed Roads rehabilitation Budget.

Due to the extent of the treatment required and the road not able to be opened without the works, and no additional sites available for the Contractor to move onto awaiting the approvals at the march 2024 Council Meeting, the variation would have incurred additional costs estimated at \$10,000 per week.

Subsequently, after briefing Council and the Chief Executive Officer, works were progressed to completion to enable the road to be reopened to the community at the earliest opportunity.

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.

11.3.4 Contract 23/24-01: Roads Pavement Rehabilitation Program 2023/24 (cont.)

The project work as the work is listed under the 2023/24 Capital Works Budget which was subject to community exhibition. Once the Contract is awarded, the immediate community was notified about the works via local newspapers and Council social media channels prior to the commencement of construction works.

The residents along relevant roads will also receive a letter explaining the works and the disruption to access to their properties whilst the work is completed.

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.

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.

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.

RISK CONSIDERATIONS

Risk(s)	Likelihood	Consequence	Rating	Mitigation Action
Pavement rehab treatment not providing life anticipated	Possible	Major	High	Design of initial treatment to suit anticipated conditions
ground conditions encountered note those anticipated	Possible	Major	High	Investigation of existing conditions and proposed treatment designed to produce required outcomes
ground conditions encountered note those anticipated	Possible	Major	High	Design treatment to rectify conditions encountered to provide required repair life

11.3.4 Contract 23/24-01: Roads Pavement Rehabilitation Program 2023/24 (cont.)

Poor traveling surface resulting in damage to property or lives	Possible	Major	High	Maintain road in accordance with interventions required in the road management act
Road being closed for extended period due to poor traveling surface	Unlikely	Moderate	Medium	Treatment of traveling surface to reopen road under revised speed limit and signage of hazard

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

The panel signed 'Conflict of Interest' statements prior to the evaluation panel viewing the submitted tenders. Originally Council's Procurement and Tender Officer fulfils the nominated role as moderator (non-voting member) however, a conflict was declared and this position was subsequently filled by the Chief Finance Officer.

All other officers 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 or were removed from the process if a conflict was declared.

Transparency

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

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

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

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

FINANCIAL VIABILITY CONSIDERATIONS

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

11.3.4 Contract 23/24-01: Roads Pavement Rehabilitation Program 2023/24 (cont.)

The approved Capital Budget for the combined Reseal and Rehabilitation Programs for the 2023-24 financial year amounts to \$2,149,000.00. Council officers are committed to prudently managing these funds to ensure the successful execution of both the reseal and rehabilitation programs within this budget. This will be achieved by prioritising those road segments with the most pressing needs, as determined by the outcomes of the condition audit.

Council has previously awarded the Reseal Program at \$1,425,000.00 leaving the remaining balance of \$724,000.00 to be directed towards the Rehabilitation Program. The contract of \$649,174.57 was within this budget allocation. All additional funds required to fund the execution of these works will be obtained from the Sealed Roads Rehabilitation Operations 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 improve safety, provide environmental and economic outcomes and increase social participation.

Environmental

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

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 23/24-01 Roads Pavement Rehabilitation Program 2023/24. At the 21 November 2023 Council Meeting, Council awarded the Construction of Roads Pavement Rehabilitation Program 2023/24 to Bild Infrastructure Pty Ltd.

Due to unexpected spring activity encountered significantly impacting on the construction of the repairs and their long term life, additional works are required for the successful rehabilitation of the Creek Junction Road at Kithbrook.

These additional works have resulted in variations in the contract sum of a combined 20.87% and the deferral of four sections of Spring Creek Road at Kithbrook to next year's program to fund the additional works. Further budget was also required to be provided from unexpended funds from the Locksley Nagambie Bridge Project and the Sealed Road operations budgets.

ATTACHMENTS

Nil

11.3.5 Contracts, Works and Grants Awarded under Delegation - 1 to 29 February 2024

Author: Procurement and Tenders Officer

Responsible Directors: Director People and Governance

EXECUTIVE SUMMARY

The purpose of this report is to inform Council and the community of the status of request for the publicly advertised tenders, invitations for written quotations and quotations provided using collaborative and/or third-party contracts which have been awarded under delegation for the period 1 February 2024 to 29 February 2024. This report specifically relates to works that form part of Council's 2023/24 adopted 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 2023 Council Meeting authorising the Chief Executive Officer to award Quick Response Grants.

RECOMMENDATION

That Council note:

- 1. The Contracts awarded under delegated authority by the Chief Executive Officer and the Director Sustainable Infrastructure; and***
- 2. That no quick response grant applications were received during the reporting period.***

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

11.3.5 Contracts, Works and Grants Awarded under Delegation - 1 to 29 February 2024 (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. Officers received no Quick Response Grants in this reporting period.

Contracts Awarded Under Delegated Authority by Chief Executive Officer

Contract No.	CN 23/24-52
Contract Name	<i>Trees for Tree planting program</i>
Contract Details	Lump Sum Contract
Value Including GST	\$22,476.30.00 including GST
Supplier	Mt William Advanced Tree Nursery As part of Strathbogie Shire's Street tree planting program Council have identified locations suitable for planting specific trees in particular locations. An exemption was granted under clause 20 of the Procurement Policy given that this nursery was the only supplier within Victoria for the specific tree types in the size suitable for the mid-autumn planting program, and that was able to cater for the large bulk order Strathbogie Shire required.
Scheduled Commencement	29 February 2024
Scheduled Completion Date	30 April 2024 (weather dependent)

Contracts Awarded Under Delegated Authority by Director

Contract No.	CN 23/24-44
Contract Name	<i>Tarcombe Road Culvert Design</i>
Contract Details	Lump Sum
Value Including GST	\$42,290.00 GST
Supplier	Infrastructure Solutions Pty Ltd
Scheduled Commencement	6 February 2024
Scheduled Completion Date	31 March 2024

Contracts Awarded Under Delegated Authority Manager/s
Nil.

11.3.5 Contracts, Works and Grants Awarded under Delegation - 1 to 29 February 2024 (cont.)

Quick Response Grants Awarded Under Delegated Authority by Chief Executive Officer

Nil.

COMMUNITY ENGAGEMENT

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

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

Conflict of Interest Declaration

All officers, 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.

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.

11.3.5 Contracts, Works and Grants Awarded under Delegation
- 1 to 29 February 2024 (cont.)

Environmental

The works to be undertaken for Contract No. 23/24-52 will include the planting of appropriate species of trees.

Climate Change

Tree planting is one of the simplest and most effective ways of tackling climate change caused by greenhouse gas. As trees grow, they absorb carbon dioxide (CO₂), a major greenhouse gas in the atmosphere.

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 29 February 2024.

This report also advises Council of any grants awarded under CEO delegation as per Council's adopted Community Funding Model. There were no grants awarded during the reporting period.

ATTACHMENTS

Nil

11.4 CORPORATE

11.4.1 New Council Policy: Draft Council Policy Management Policy

Author: Director People and Governance

Responsible Director: Chief Executive Officer

EXECUTIVE SUMMARY

Organisational policies provide the framework Council's business operations need, and a structure which ensures good governance, risk and compliance.

The new draft Policy Management Policy will govern how Council creates, communicates and maintains all policy documents across Council consistent with the principles of good governance and the *Local Government Act 2020*.

Specifically, the draft Policy Management Policy (the draft Policy) defines and characterises all level of policy documents within Council. Furthermore, the draft Policy ensures a clear and consistent approach in the development of Council and Management endorsed policy through:

- the application of principles that underpin good policy,
- a consistent process for approval, review and rescission of policy,
- a consistent process for documenting and recording policy,
- a consistent process for dissemination of policy, and
- flexibility in establishing municipal specific, sector generic and operational policies.

RECOMMENDATION

That Council:

- 1. Adopt the draft Policy Management Policy; and***
- 2. Place the Policy Management 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

Policy holds a key role in the good governance of the Council and supports the objectives and functions of Council as described in the *Local Government Act 2020*.

Council develops and reviews documents and records policies through consistent processes that ensure all policies are necessary, current, consistent, document recorded and effectively disseminated.

Council policy is governed by the following principles of good policy:

- maintain a distinction between Council Policy (public policy) adopted by Council and Operational Policy (CEO Directives/internal applications) authorised by the Chief Executive Officer,
- policy serves to ensure uniform direction, understanding and administration, identifies accountability and underpins transparency,

11.4.1 New Council Policy: Draft Council Policy Management Policy (cont.)

- policy is developed in response to regulatory or legislative requirements, identified operational needs and/or to establish strategic positions based on issues raised by the community, the Local, State or Federal Governments,
- policy aligns with regulatory and legislative requirements and reflects established codes, standards and the Council's adopted organisational values and Council Plan,
- policy is based on accurate, quality research and data, recognised best practice, and guidelines and recommendations issued by governing and peak bodies,
- policy is informed by inclusive consultation with relevant stakeholders and with reference to Strategic Policy, Legislative Policy, Strategy and decisions of the Council,
- policy considers risk, legal and financial implications broadly across Council,
- policy is reviewed, amended or rescinded in a timely manner and in accordance with established timeframes. These timeframes should be informed by legislative requirements, best practice, changes to regulatory frameworks, Council direction and community expectations,
- formally revokes stand-alone Council and Operational Policies that have been reviewed and are no longer deemed relevant or have been incorporated into key strategies or other policies adopted by Council (Council Policy) or the Chief Executive Officer (CEO Directive). As far as is practicable the revocation of stand-alone policy(s) would be sought in the same report that seeks the adoption of a key strategy or replacing policy, and
- policy documentation is recorded consistently and listed in a policy register that is managed centrally.

All adopted policy is effectively disseminated to Council officers, Councillors and the community, and is publicly available on Council's website.

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 draft Policy Management Policy defines and characterises all levels of policy documents within Council. The scope of this Policy applies to all Council policies.

These policies incorporate:

- Mandatory policies required under legislation or regulation,
- Policies required to articulate a matter of public policy, statement or strategic direction of Council for decision making purposes in matters affecting the wider community. These may include establishing Council policies in response to policy or strategy directions established by others,
- Policies that establish the required behaviours, conduct, safety and well-being of Councillors and staff; and
- Policies required to give direction to the operational areas of Council in the delivery of services and corporate administration.

This Policy excludes the review of external, regional or policies of other government entities that are not Council or Chief Executive Officer adopted policies.

11.4.1 New Council Policy: Draft Council Policy Management Policy (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.

No community engagement was undertaken in the development of the draft policy given the inward facing nature of the policy.

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.

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

This draft Policy is consistent with the *Local Government Act 2020*.

RISK CONSIDERATIONS

Risks have been considered in the development of this overarching Policy and are detailed in the table 1 below.

Table 1: Risk Considerations

Risk(s)	Likelihood	Consequence	Rating	Mitigation Action
Non-compliance with Policy	Unlikely	Minor	Low	Policy is available on staff intranet
Monitoring any changes to legislation or practice that may trigger an interim policy review, while also scheduling the periodic scheduled review.	Unlikely	Minor	Low	Automation of scheduling the periodic review in place. Officers part of distribution networks to monitor any changes to legislation and practice.

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 in the report, this draft Policy is consistent with the *Local Government Act 2020*.

11.4.1 New Council Policy: Draft Council Policy Management Policy (cont.)

Conflict of Interest Declaration

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

Transparency

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

This report is being considered in an open Council meeting, that is available for the community to attend.

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 financial impacts stemming from this report.

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 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*.

11.4.1 New Council Policy: Draft Council Policy Management Policy (cont.)

CONCLUSION

A Policy Management Policy governs how Council develops, manages and communicates all policy documents across the Council consistent with the principles of good governance and the *Local Government Act 2020*. This new Policy will ensure a clear and consistent approach in the development of Council and Management endorsed policy and is presented to Council for consideration and endorsement.

ATTACHMENTS

Attachment 1: Draft Policy Management Policy

Attachment 2: Policy Impact Assessment Tool - Draft Policy Management Policy

11.4.2 New Council Policy: Draft Councillor Briefing Policy

Author: Director People and Governance

Responsible Director: Chief Executive Officer

EXECUTIVE SUMMARY

Organisational policies provide the framework and structure for Council's business operations to ensure application of good governance, risk and compliance.

The application of the draft Councillor Briefing Policy is to provide a clear process for the operation of councillor briefings and means that Council:

- Provide transparent governance and strong leadership, demonstrating excellence in the way we do business by being innovative and responsive,
- Ensure that Councillors have access to timely and detailed information and make informed decisions in the best interests of the municipality on matters that will, or are likely to, require a formal decision of Council sometime in the future, and
- Ensure good contemporary governance through accountable and transparent practices, appropriate risk management and continuous improvement.

Briefings do not provide transparency into decision-making. As such, there is no delegated authority to make decisions on Council's behalf or legally binding decisions are made in these forums. Moreover, these forums are to provide Councillors with the opportunity to seek clarification, provide feedback on proposals and reports that will later come to Council, receive updates and if necessary be provided with additional information on matters before Council.

Council Officers may use these forums to advise Councillors and receive direction on issues for which they have delegated authority.

This new policy is scheduled for review at least two years from the date of adoption.

RECOMMENDATION

That Council:

- 1. Adopt the draft Councillor Briefing Policy; and***
- 2. Place the new 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 Councillor briefings is, amongst other things, a Council process whereby Councillors can become informed about matters which are subject to Council decisions. They provide a forum to provide Councillors with:

- Information on complex matters coming to Council for resolution, and to allow them to request further information or additional research,

11.4.2 New Council Policy: Draft Councillor Briefing Policy (cont.)

- Information about complex or controversial issues that will be dealt with by officers under the powers delegated by the Council,
- A forum in which to explore strategic issues, including political advocacy, business development, long term infrastructure projects, community development, and environmental sustainability, and
- An opportunity to raise community issues, where it is not appropriate for these to be dealt with through the Council's customer request system.

Briefings do not provide transparency into decision-making. As such, there is no delegated authority to make decisions on Council's behalf or legally binding decisions are made in these forums. Rather, briefings are a preparatory stage, leading to the decision at a Council meeting. Moreover, these forums are to provide Councillors with the opportunity to seek clarification, provide feedback on proposals and reports that will later come to Council, receive updates and if necessary be provided with additional information on matters before Council. It is in the debate at an open Council meeting where transparency is required, and the place where the community is able hear the thinking of Councillors on a matter and why they voted in a certain way.

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 briefings are part of the good decision-making processes, and therefore good governance and share several characteristics. All have a positive effect on various aspects of local government including consultation policies and practices, meeting procedures, service quality protocols, Councillor and officer conduct, role clarification and good working relationships.

Further, they provide a valuable opportunity to enhance the decision-making process and are a forum for the Chief Executive Officer and senior Council officers to provide information and address any Councillor questions and provide additional background on matters coming before the Council for decision. Council briefings should foster an environment where:

- Councillors will be more confident that they are across the issues, that they can trust the advice they are given, that their views will be respected even if everyone doesn't agree with them, and that the Council chamber is a safe place for debate and decision making, and
- Officers feel confident in providing timely, frank and fearless advice which is acknowledged and respected by Councillors.
- While no decisions are made at briefings, preliminary views may be formed and stated. Protocols around Council briefings still apply and means that the terms set in Council's Councillor Code of Conduct and Council Staff Code of Conduct are still enforceable.

Briefings allow for free-flowing discussion and an open exchange of views with senior officers in a confidential matter and are not a forum for debate. Councillor Briefings are not open to the public as some information remains confidential.

11.4.2 New Council Policy: Draft Councillor Briefing Policy (cont.)

All matters requiring a Council decision (i.e. those that are not to be dealt with by a member of Council staff with the appropriate delegated authority) will be presented to a meeting of the Council 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.

No community engagement was undertaken in the development of the draft policy given the internal and operational nature of the policy.

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.

Council Plans and Policies

The development of this policy is consistent with the values outlined in the Council Plan 2021-2025 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.

As a type of meeting, Councillor briefings are addressed in the *Local Government Act 2020* (the Act), the Local Government (Governance and Integrity) Regulations 2020 (the Regs), and the Governance Rules.

RISK CONSIDERATIONS

Risk(s)	Likelihood	Consequence	Rating	Mitigation Action
Good governance and legislative obligations may be jeopardised if robust policies are not in place	Unlikely	Minor	Low	The application of this policy by Councillors and officers identifies key processes and standards in briefing sessions ensuring good governance and practice

LEGAL CONSIDERATIONS

As a type of meeting, Councillor briefings are addressed in the *Local Government Act 2020* (the Act), the Local Government (Governance and Integrity) Regulations 2020 (the Regs), and the Governance Rules.

11.4.2 New Council Policy: Draft Councillor Briefing Policy (cont.)

Section 131(1) of the Act recognises meetings that are conducted “under the auspices of Council”, of which a Councillor briefing can be so defined.

The Standards of Conduct (schedule one of the Regs) include the requirement that:

A Councillor must, in performing the role of a Councillor, do everything reasonably necessary to ensure that the Councillor performs the role of a Councillor effectively and responsibly, including by ensuring that the Councillor—

b) diligently uses Council processes to become informed about matters which are subject to Council decisions

Councillor briefings are a Council process that enables Councillors to be informed about matters which are subject to Council decisions:

Chapter 3 Rule 114.1.1 (Informal Meetings of Councillors) of the Governance Rules provides for meetings of Councillors that are “scheduled or planned for the purpose of discussing the business of Council or briefing Councillors”.

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 considered in a Council meeting which is open to the public to attend in person or online. The policy will be available on Council’s website should it be endorsed.

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 financial impacts arising from this report.

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 sustainability 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.

The adoption of this policy is a continuation of the implementation of good governance and transparency principles under the Act.

11.4.2 New Council Policy: Draft Councillor Briefing Policy (cont.)

COLLABORATION

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

This policy has been developed by Council Officers and no external collaboration was undertaken.

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 application of a Council Briefing Policy will encourage good decision-making processes and good governance practice. Briefing sessions also provide an opportunity for Councillors and Council Officers to build strong working relationships in a respectful environment.

ATTACHMENTS

Attachment 1: Draft Councillor Briefing Policy

Attachment 2: Policy Impact Assessment Tool - Draft Councillor Briefing Policy

11.4.3 Council Policy Review: Draft Tourism Related Directional Signage Policy

Author: Acting Director Community and Planning

Responsible Director: Chief Executive Officer

EXECUTIVE SUMMARY

Organisational policies provide the framework and structure for Councils business operations to ensure application of good governance, risk and compliance.

The purpose of this Policy is to establish clear principles and guidelines to assist the management of tourist attraction, community facility and community services (i.e. tourism related) directional signage within the municipality.

This Policy has been updated to Council's new policy template and only minor changes have been made to wording, grammar and the responsible officer, reflecting Council's current structure and positions. No changes of significance were made to this policy.

This policy is scheduled for review two years from the date of adoption.

RECOMMENDATION

That Council:

- 1. Adopt the draft Tourism Related Directional Signage Policy; 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 revised policy.***

PURPOSE AND BACKGROUND

This Policy provides a framework for assessing tourism related signage applications for Council Roads and for referral of applications for roads under VicRoads jurisdiction. It also sets out a set of Policy principles Council is committed to relevant to the assessing and managing Tourism related directional signage.

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 provides oversight of how Council assesses applications for this type of signage and outline the processes, principles and requirements of this assessment. It also details the permit process and process pertaining to the removal of illegal signs.

11.4.3 Council Policy Review: Draft Tourism Related Directional Signage Policy (cont.)

The updates to this policy are minor. The revised policy is presented in the new policy format, with some grammatical corrections and updates to positions reflecting the current structure of the organisation. It also details the related policies and legislation relevant to this matter.

There are no changes of substance to the revised policy as presented 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.

No community engagement was undertaken to inform the revision of this Policy.

POLICY CONSIDERATIONS

Council Plans and Policies

The development of this policy is consistent with the values outlined in the Council Plan 2021-2025 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.

There are no plans or policies relevant to this report.

RISK CONSIDERATIONS

Risk(s)	Likelihood	Consequence	Rating	Mitigation Action
Good governance and legislative obligations may be jeopardised if robust policies are not in place	Unlikely	Minor	Low	The application of this policy by officers ensures a consistent and methodological approach to the assessment of Tourism related directional signage

LEGAL CONSIDERATIONS

This policy is relevant to the below pieces of Legislation and Australian Standards:

- *Road Management Act 2004*
- *Local Government Act 2020*
- VicRoads Tourism Signage Guidelines 2009
- Australian Standards AS1742, Uniform Traffic Control Devices
- Australian Standard AS1743, Road Sign Specifications

11.4.3 Council Policy Review: Draft Tourism Related Directional Signage Policy (cont.)

- Australian Standard AS1744, Standard Alphabets for Road Signs
- Australian Standard AS2342, Development , Testing and Implementation of Information and Safety Symbols and Symbolic Signs

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 considered in a council meeting which is open to the public to attend in person or online. The policy will be available on Council's website should it be endorsed.

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 financial impacts arising from this report.

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 sustainability 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.

The regular update of policies provides an opportunity to review the existing content and make changes over time to continuously improve their application and understanding.

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 revised by Council Officers and no external collaboration was undertaken.

11.4.3 Council Policy Review: Draft Tourism Related Directional Signage Policy (cont.)

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 application of this policy ensures Council have a consistent and methodological approach to the assessment of Tourism related directional signage in the municipality.

ATTACHMENTS

Attachment 1: Draft Tourism Related Directional Signage

Attachment 2: Policy Impact Assessment Tool - Tourism Related Directional Signage

11.4.4 Council Policy Review: Draft Roadside Fatality Memorials Policy

Author: Director Sustainable Infrastructure

Responsible Director: Chief Executive Officer

EXECUTIVE SUMMARY

Organisational policies provide the framework Councils business operations need, and a structure which ensures good governance, risk and compliance.

The draft Roadside Fatality Memorials Policy will govern how Council and the community creates and maintains Roadside Fatality Memorials across the Municipality consistent with the principles of good governance and the *Local Government Act 2020*.

RECOMMENDATION

That Council:

- 1. Adopt the draft Roadside Fatality Memorials Policy; and***
- 2. Place the Roadside Fatality Memorials 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

Policy holds a key role in the establishment and maintenance of roadside fatality memorials and supports the objectives and functions of Council as described in the *Local Government Act 2020*.

Council develops and reviews documents and records policies through consistent processes that ensure all policies are necessary, current, consistent, document recorded and effectively disseminated.

Council policy is governed by the following principles of good policy:

- policy serves to ensure uniform direction, understanding and administration, identifies accountability and underpins transparency,
- policy aligns with regulatory and legislative requirements and reflects established codes, standards and the Council's adopted organisational values and Council Plan,
- policy considers risk, legal and financial implications broadly across Council,
- policy is reviewed, amended or rescinded in a timely manner and in accordance with established timeframes. These timeframes should be informed by legislative requirements, best practice, changes to regulatory frameworks, Council direction and community expectations,

All adopted policy is effectively disseminated to Council officers, Councillors and the community, and is publicly available on Council's website.

11.4.4 Council Policy Review: Draft Roadside Fatality Memorials Policy (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.

The draft Roadside Fatality Memorials Policy (the Policy) aims to establish a framework for the installation, construction and placement of roadside fatality memorials on roads for which Strathbogie Shire Council is the Coordinating Authority. The Policy is based on the existing policy with minor typographical errors corrected. The intent and operation of the draft policy has not altered from the current policy.

COMMUNITY ENGAGEMENT

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

No community engagement was undertaken in the development of the draft policy given the inward facing nature of the policy.

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.

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

This draft Policy is consistent with the *Local Government Act 2020*.

RISK CONSIDERATIONS

Risks have been considered in the development of this overarching Policy and are detailed in the table 1 below.

Table 1: Risk Considerations

Risk(s)	Likelihood	Consequence	Rating	Mitigation Action
Non-compliance with Policy	Unlikely	Minor	Low	Policy is available on staff intranet
Monitoring any changes to legislation or practice that may trigger an interim policy review, while also scheduling the periodic scheduled review.	Unlikely	Minor	Low	Automation of scheduling the periodic review in place. Officers part of distribution networks to monitor any changes to legislation and practice.

11.4.4 Council Policy Review: Draft Roadside Fatality Memorials Policy (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.

As highlighted in the report, this draft Policy is consistent with the *Local Government Act 2020*.

Conflict of Interest Declaration

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

Transparency

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

This report is being considered in an open council meeting, that is available for the community to attend.

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 financial impacts stemming from this report.

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 through reviewing a wide range of similar policies recently adopted by other Councils across Victoria.

11.4.4 Council Policy Review: Draft Roadside Fatality Memorials Policy (cont.)

HUMAN RIGHTS CONSIDERATIONS

The adoption of this Policy has no material impact on the *Charter of Human Rights and Responsibilities Act 2006*.

CONCLUSION

A Roadside Fatality Memorials Policy governs how Council develops, manages and maintains roadside fatality memorials across the Council consistent with the principles of good governance and the *Local Government Act 2020* and is presented to Council for consideration and endorsement.

ATTACHMENTS

Attachment 1: Draft Roadside Fatality Memorials Policy

Attachment 2: Policy Impact Assessment Tool – Draft Roadside Fatality Memorials Policy

11.4.5 S5 – Instrument of Delegation to the Chief Executive Officer Update

Author: Coordinator Governance and Records Management

Responsible Director: Director People and Governance

EXECUTIVE SUMMARY

One of the key instruments of delegation that facilitates efficient and effective Council operations and decision making is the S5 Instrument, through which Council delegates the bulk of its powers to the Chief Executive Officer (CEO).

This instrument identifies the decisions that cannot be made by the CEO, as prescribed by the *Local Government Act 2020* (the Act), such as amending the Council Plan, expenditure of Council funds outside of certain parameters, amending local laws or the Governance Rules, approving the borrowing of money or amending/creating policies required to be adopted through a Council resolution.

The existing instrument of delegation from Council to the CEO was approved by Council on 19 October 2023. Six monthly reviews and updates of the S5 Instrument are undertaken to respond to changing circumstances. There have been no substantive changes to the S5 Instrument of Delegation since that time.

The authorisation of these delegations to the CEO ensures the ongoing efficiency of Council operations and a clear legal framework through which day to day decisions are made. The Instrument also enables the elected Council to focus on strategic matters rather than operational decisions in accordance with the Act.

RECOMMENDATION

That Council in the exercise of the power conferred by S11(1)(b) of the Local Government Act 2020 (the Act), Strathbogie Shire Council (Council) resolves that:

- 1. There be delegated to the person holding the position, or acting in or performing the duties, of Chief Executive Officer the powers, duties and functions set out in the attached Instrument of Delegation to the Chief Executive Officer, subject to the conditions and limitations specified in that Instrument;***
- 2. The Instrument comes into effect immediately upon the Common Seal of Council is affixed to the Instrument;***
- 3. On the coming into force of the Instrument, all previous delegations to the Chief Executive Officer are revoked; and***
- 4. The duties and functions set out in the Instrument must be performed, and the powers set out in the Instruments must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.***

11.4.5 S5 – Instrument of Delegation to the Chief Executive Officer Update (cont.)

PURPOSE AND BACKGROUND

This report is designed to ensure that the S5 Council to CEO delegation instrument is kept up to date and relevant to current circumstances and reflects the direction of the current elected Council.

The S5 Instrument of Delegation is the key method by which the majority of decision-making powers and responsibility for ensuring compliance with legislation is passed from Council to the Chief Executive Officer (CEO). In turn, the CEO can delegate these powers to other Officers, provided they hold appropriate levels of authority and qualifications.

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 updating of the S5 Instrument of Delegation from Council to the CEO is one way in which good corporate governance is achieved and practiced.

This instrument ensures that the elected Council maintains a strategic focus and oversight in accordance with the *Local Government Act 2020* (the Act) and as such focuses on the Council Plan, Budget and Community Vision as opposed to day-to-day operational decision making.

It is important to note that although the CEO has extensive delegations from Council, it does not mean that the CEO will automatically exercise these powers. A CEO is highly unlikely to exercise a legal power to make decisions on matters that are of significant interest to the community and where a decision may have an impact on the overall strategic direction of the organisation.

These matters will come before Council for their 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.

The updating of an instrument which delegates power from Council to the CEO is not a matter where community consultation would provide any meaningful direction and therefore no engagement process has been undertaken.

POLICY CONSIDERATIONS

Council Plans and Policies

Efficient and effective decision making, as provided through the S5 Instrument of Delegation is consistent with Strategic Focus Area 6 – Accountable. Transparent. Responsible, including the following strategies outlined in the Council Plan:

“As a Council we will:

- *Achieve the highest level of good governance across the organisation and as an elected Council.*
- *Maximise public transparency and accountability around our performance and decision making processes”.*

11.4.5 S5 – Instrument of Delegation to the Chief Executive Officer Update (cont.)

Regional, State and National Plans and Policies

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

All Councils across Victoria delegate to the CEO through this instrument. This authorisation ensures that the day to day operations are administered by the CEO.

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.

Updating the S5 Instrument of Delegation is to be undertaken within 12 months of a general election of Council under the Act. The Instrument is based on a template provided by Maddocks, Council's Legal Counsel in these matters to ensure it is in keeping with the Act's provisions. Updates to the S5 Instrument of Delegation occur six monthly.

A copy of the instrument will be made available to the public in accordance with the *Local Government Act 2020* and regulations.

Conflict of Interest Declaration

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

Transparency

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

The purpose of this report is to ensure that the delegation of powers from Council to the CEO is carried out in a public manner. This instrument of delegation is available to the public on request.

RISK CONSIDERATION

The following risk has been considered:

Risk(s)	Likelihood	Consequence	Rating	Mitigation Action
If the delegations are not up to date, the enforceability of decisions and actions taken may be compromised and there may be legal and administrative problems for the Council.	Possible	Moderate	Medium	Legal and reputational risk is minimised by maintaining the currency of delegations and reviewing them every six months.

11.4.5 S5 – Instrument of Delegation to the Chief Executive Officer Update (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 CEO has the ability to invest Council funds of up to \$3 million, and this is considered prudent so that funds can be moved to where returns are greatest without the need for delay via a Council resolution. It is important to note that any such decision is reported to the Audit and Risk Committee so that there is transparency and accountability for these types of decisions.

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 the updating of the S5 Instrument of Delegation.

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.

Updating the instrument of delegation ensures that efficient decision making can be made on a day-to-day basis via the Administration. Six monthly reviews and updates of the S5 Instrument are undertaken to respond to changing circumstances.

HUMAN RIGHTS CONSIDERATIONS

It is considered that the updating of this Instrument of Delegation has no material impacts on the *Charter of Human Rights and Responsibilities*.

CONCLUSION

The authorisation of the S5 Instrument of Delegation from Council to the Chief Executive Officer ensures the ongoing efficiency of Council operations and a clear legal framework through which day to day decisions are made.

ATTACHMENTS

Attachment 1: S5 – Instrument of Delegation to the Chief Executive Officer

11.4.6 S6 – Instrument of Delegation to Members of Staff Update

Author: Coordinator Governance and Records Management

Responsible Director: Director People and Governance

EXECUTIVE SUMMARY

The *Local Government Act 2020* (the Act) requires regular review of all instruments of delegation.

The Council to Officers Instrument of Delegation is the way in which Council enables day to day decisions, made under a raft of legislation and local laws, to be made. Without this delegation of power, all decisions would have to be made by a resolution of Council, which would become unsustainable due to the volume of decisions made by the administration on behalf of Council every day.

This instrument provides for delegations that cannot be sub delegated by the Chief Executive Officer (CEO), that is, they must be directly delegated from Council to the subject matter experts. The delegations relate to specialised legislation such as the *Planning and Environment Act 1987*, *Roads Management Act 2004*, and the *Environmental Protection Act 1970*.

The Instrument before Council is based on the current delegation. There are some powers, such as setting fees, that are not delegated to any officer. The draft instrument before Council reflects the current organisational structural.

There are conditions against some delegated powers requiring notification of the CEO or Council through written notice within a specified period of a decision being made to ensure transparency and that information flows between the delegated officers and Council.

A public register of delegations must be maintained by the CEO under the Act and Council's Public Transparency Policy, and so this instrument, once signed, will be available for inspection by the public upon request.

RECOMMENDATION

That in the exercise of the powers conferred by the legislation referred to in the attached S6 Instrument of Delegation to Members of Council Staff, Strathbogie Shire Council (Council) resolves that:

- 1. There be delegation to the members of Council staff holding, acting in or performing the duties of the officers or positions referred to in the attached Instrument of Delegation to members of Council staff, the powers, duties, and functions set out in that Instrument, subject to the conditions and limitations specified in the Instrument.***
- 2. The Instrument comes into force immediately when the Common Seal of Council is affixed to the Instrument.***

11.4.6 S6 – Instrument of Delegation to Members of Staff Update (cont.)

3. ***On the coming into force of the Instrument, the Instrument endorsed at its meeting of 21 November 2023 be revoked and replaced by the 19 March 2024 Instrument; and***
4. ***The duties and functions set out in the Instrument must be performed, and the powers set out in the Instruments must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.***

PURPOSE AND BACKGROUND

The *Local Government Act 2020* requires the preparation and adoption of a set of Instruments of Delegation. The various acts and regulations referred to in the instrument allow the delegation of powers from Council to members of Council staff. The Instrument before Council has been reviewed and is based on six monthly legislative updates received from Maddocks, Council's legal counsel in these matters.

The draft instrument before Council reflects organisational structural changes and position title changes that have occurred in recent months to hold authority under a range of legislation. The purpose of this report is to facilitate the adoption of the S6 Instrument so that Council's day to day decision making is efficient and seamless.

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 Council to Officers instrument of delegation is the way in which Council enables day to day decisions, made under a raft of legislation and local laws, to be made. Without this delegation of power, all decisions would have to be made by a resolution of Council, which becomes unsustainable due to the large volume of decisions made by the administration on behalf of Council every day.

This instrument provides for delegations that our legal counsel state cannot be sub delegated by the Chief Executive Officer (CEO), that is, they must be directly delegated from Council to the subject matter experts. The delegations cover specialised legislation such as the *Planning and Environment Act 1987*, *Roads Management Act 2004*, and the *Environmental Protection Act 1970*.

The draft Instrument before Council is based on the current legislation. There are some powers, such as setting fees, that are not delegated to any officer. The draft instrument before Council reflects organisational structural changes and position title changes that have occurred since the previous update in November 2023.

11.4.6 S6 – Instrument of Delegation to Members of Staff Update (cont.)

There are conditions against some delegated powers requiring notification of the CEO or Council through written notice within a specified period of a decision being made to ensure transparency and that information flows between the delegated officers and Council. A public register of delegations must be maintained by the CEO under the Act and Council's Public Transparency Policy, and so this instrument, once signed, will be available for inspection by the public upon request.

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. Given that the instruments of delegations are internal documents responding to a legislative requirement community engagement is not considered necessary.

POLICY CONSIDERATIONS

Council Plans and Policies

The report is consistent with Council Policies, key strategic documents, and the 2021-2025 Council Plan in terms of ensuring officers can legally perform their roles under a variety of legislation. Efficient and effective decision making, as provided through the S6 Instrument of Delegation is consistent with Strategic Focus Area 6 (of the Council Plan) – Accountable. Transparent. Responsible, including the following strategies outlined in the Council Plan: As a Council we will:

- Achieve the highest level of good governance across the organisation and as an elected Council.
- Maximise public transparency and accountability around our performance and decision making processes.

Regional, State and National Plans and Policies

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

The instrument of delegation to Council officers enables them to work efficiently to ensure compliance with specialised legislation such as the *Planning and Environment Act 1987*, *Roads Management Act 2004*, and the *Environmental Protection Act 1970*.

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 not maintaining currency of the authorisation instruments can potentially impact on the enforcement of legislation and jeopardises Council's compliance with its legal obligations. A copy of the instrument will be made available to the public in accordance with the *Local Government Act 2020* and regulations.

11.4.6 S6 – Instrument of Delegation to Members of Staff Update (cont.)

Conflict of interest declaration

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

Transparency

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

By considering this report the community becomes aware of some structures that Council has in place to administer various pieces of legislation. The Act requires Council to maintain a public register of instruments of delegations. A copy of the instrument will be made available to the public in accordance with the *Local Government Act 2020* and regulations.

RISK CONSIDERATION

The following risk has been identified:

Risk(s)	Likelihood	Consequence	Rating	Mitigation Action
If the delegations and authorisations are not up to date, the enforceability of decisions and actions taken may be compromised and there may be legal, reputational and administrative problems for the Council.	Possible	Moderate	Medium	Legal, reputational and administrative risk is minimised by maintaining the currency of delegations and reviewing them every six months

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 significant financial implications arising from the updating of this instrument.

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 sustainability impacts arising from the updating of this instrument.

11.4.6 S6 – Instrument of Delegation to Members of Staff Update (cont.)

INNOVATION AND CONTINUOUS IMPROVEMENT

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

The frequent review of instruments of delegation and authorisation is the means through which continuous improvement is achieved and that legislative and regulatory obligations are maintained.

All Instruments of Delegation and Authorisation are reviewed and updated six monthly.

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 is not a major consideration in this case, however ensuing officers have appropriate authorisations enables a coordinated approach to emergency management and domestic animal enforcement with State agencies.

HUMAN RIGHTS CONSIDERATIONS

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

CONCLUSION

Council endorsement of instruments of authorisation enables Council to fulfil its obligations in relation to public safety matters and enforcement of legislative and statutory requirements.

ATTACHMENTS

Attachment 1: S6 – Instrument of Delegation to Members of Staff

11.4.7 S11, S11A and S11B - Instruments of Appointment and Authorisation Update

Author: Coordinator Governance and Records Management

Responsible Director: Director People and Governance

EXECUTIVE SUMMARY

Regular reviews are required to be made to the S11 Instrument of Appointment and Authorisation, S11A Instrument of Appointment and Authorisation *Planning and Environment Act 1987* and the S11B Instrument of Appointment and Authorisation *Environment Protection Act 2017* to ensure the instruments are reflective of the current organisation structure.

The *Local Government Act 1989* is still active in relation to the appointment of authorised officers, not the 2020 Act.

These instruments give specified officers the ability to enforce legislation and are essential to ensuring any enforcement action is undertaken on behalf of Council in a legal and robust manner. The Instruments also appoint officers to key roles and positions including the Municipal Building Surveyor, Municipal Emergency Management Officer and appointment of Councillor Conduct Officer.

The updated instruments, once approved by Council, will remain in force until the next update is prepared in response to legislative changes, changes in position titles or staff changes.

RECOMMENDATION

That in the exercise of the powers conferred by section 224 of the Local Government Act 1989 (the Act) and the other legislation referred to in the attached Instruments of Appointment and Authorisation (S11, S11A and S11B), Strathbogie Shire Council (Council) resolves that:

- 1. The members of Council staff referred to in the Instruments be appointed and authorised as set out in the Instruments;***
- 2. The S11 Instrument of Appointment and Authorisation endorsed by Council at its meeting of 17 October 2023 be revoked and replaced by the 19 March 2024 instrument;***
- 3. The S11A Instrument of Appointment and Authorisation endorsed by Council as its meeting of 19 September 2023 be revoked and replaced by the 19 March 2024 instrument;***
- 4. The S11B Instrument of Appointment and Authorisation endorsed by Council as its meeting of 19 September 2023 be revoked and replaced by the 19 March 2024 instrument;***
- 5. The instruments be signed and sealed by Council under the Strathbogie Shire Council Local Law No 1 Use of the Common Seal 2020; and***

11.4.7 S11, S11A and S11B - Instruments of Appointment and Authorisation Update (cont.)

RECOMMENDATION (cont.)

6. ***The instruments come into force immediately when the Common Seal of Council is affixed to the Instruments and remains in force until Council determines to vary or revoke it/them.***

PURPOSE AND BACKGROUND

There is a basic distinction between a delegation and an appointment to authorise an officer. A delegate acts on behalf of the Council, exercising the Council's powers. In contrast, a person who is appointed to a position has the authority to exercise the powers of that position directly from the enabling legislation.

Appointments identify the office to which the person is being authorised to exercise the powers legislation provides to it.

Although the *Local Government Act 2020* is largely in place, the power to authorise an officer still sits under the *Local Government 1989* (the old Act).

Authorisations also allow the relevant officers of Council to generally institute proceedings for offences against Acts and regulations as Authorised Officers under the various Act/s.

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's endorsement of the S11, S11A and S11B Instruments means that:

- Updated Instruments of Appointment reflect the current organisation structure
- Council is practicing good governance in line with its obligations under the *Local Government Act 2020* and other statutory bodies that affect Council operations
- Public safety is monitored and maintained in line with our legislative obligations

These instruments give specified officers the ability to enforce legislation and are essential to ensuring any enforcement action is undertaken on behalf of Council in a legal and robust manner. The instruments also appoint officers to key roles and positions including the Municipal Building Surveyor, Municipal Emergency Management Officer and appointment of Councillor Conduct Officer.

It is important that the Instruments be updated to reflect the names and position titles of the officers that hold authority under a range of legislation.

11.4.7 S11, S11A and S11B - Instruments of Appointment and Authorisation Update (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.

Given that the instruments of authorisation are internal documents responding to a legislative requirement community engagement is not considered necessary.

POLICY CONSIDERATIONS

Council Plans and Policies

The report is consistent with Council Policies, key strategic documents, and the Council Plan 2021-2025 in terms of ensuring officers can legally perform their roles under a variety of legislation.

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 authorisation of officers enables them to work with other agencies to ensure compliance with legislation, particularly in the local laws, environment protection and emergency management areas.

RISK CONSIDERATION

The following risk has been identified:

Risk	Likelihood	Consequence	Rating	Mitigation Action
If the delegations and authorisations are not current, the enforceability of decisions and actions taken may be compromised and there may be legal, reputational and administrative concern for the Council.	Possible	Moderate	Medium	Legal, reputational and administrative risk is minimised by maintaining the currency of delegations and authorisation and reviewing them every six months

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.

Failure to maintain instruments of authorisation up to date can potentially impact on the enforcement of legislation and jeopardises Council's compliance with its legal obligations.

11.4.7 S11, S11A and S11B - Instruments of Appointment and Authorisation Update (cont.)

A copy of the instrument will be made available to the public in accordance with the *Local Government Act 2020* and regulations.

Conflict of Interest Declaration

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

Transparency

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

By considering this report the community becomes aware of legislative structures Council has in place to manage public safety and authorised officers capable of administering various pieces of legislation.

These instruments of delegation are available on request.

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 negative financial implications 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.

Ensuing officers have appropriate authorisations enables a coordinated approach to emergency management and domestic animal enforcement with State agencies.

HUMAN RIGHTS CONSIDERATIONS

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

CONCLUSION

Council endorsement of instruments of authorisation enables Council to fulfil its obligations in relation to public safety matters and enforcement of legislative and statutory requirements.

ATTACHMENTS

Attachment 1: S11 Instrument of Appointment and Authorisation

Attachment 2: S11A Instrument of Appointment and Authorisation *Planning and Environment Act 1987*

Attachment 3: S11B Instrument of Appointment and Authorisation *Environment Protection Act 2017*

11.4.8 S18 – Instrument of Sub-Delegation under the Environment Protection Act 2017 Update

Author: Coordinator Governance and Records Management

Responsible Director: Director People and Governance

EXECUTIVE SUMMARY

The *Environment Protection Act 2017* (the new EP Act) and Environment Protection Regulations 2021 came into effect on 1 July 2021. Under the new EP Act the scope of local government's role as a regulator has not changed, but there are changes to the laws and powers of local governments, including a delegation of powers from the Environment Protection Authority (EPA) to Councils. The S18 sub-delegates Council's powers (delegated to it by the EPA) to members of Council staff.

This Instrument provides for delegations that cannot be sub-delegated by the Chief Executive Officer (CEO), that is, they must be directly delegated from Council to the subject matter experts. The delegations relate to specialised legislation, in this case the *Environmental Protection Act 1970*.

The S18 Instrument of Sub-Delegation Environment Protection Act 2017 is updated six monthly ensuring currency of positions within the organisation structure and changes to state government legislative frameworks.

A public register of delegations must be maintained by the CEO under the Act and Council's Public Transparency Policy, and so this instrument, once signed, will be available for inspection by the public upon request.

RECOMMENDATION

That in the exercise of the powers conferred by the legislation referred to in the attached S18 Instrument of Sub-Delegation under the Environment Protection Act 2017, Strathbogie Shire Council (Council) resolves that:

- 1. The members of staff referred to in the S18 Instrument of Sub-delegation under the Environment Protection Act (EPA) 2017 be appointed and authorised as set out in the instrument,***
- 2. The instrument come into force immediately when the Common Seal of Council is affixed to the instrument and remains in force until Council determines to vary or revoke it, and***
- 3. The instrument be signed and sealed by Council under the Strathbogie Shire Council Local Law No. 1 – Use of the Common Seal 2020.***

PURPOSE AND BACKGROUND

This report is designed to ensure that the S18 Instrument of Sub Delegation EPA Act 2017 is kept up to date and relevant to current legislation and in line with the direction of the current elected Council.

11.4.8 S18 – Instrument of Sub-Delegation under the Environment Protection Act 2017 Update (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's endorsement of the S18 Instrument means that:

- Updated Instruments of Appointment reflect the current organisation structure,
- Council is practicing good governance in line with its obligations under the *Local Government Act 2020* and other statutory bodies that affect Council operations, and
- Public safety is monitored and maintained in line with our legislative obligations.

Authorisations also allow the relevant Council Officers to generally institute proceedings for offences against Acts and regulations as Authorised Officers under the various Act/s.

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 updating of an instrument which delegates power from Council to the CEO is not a matter where community consultation would provide any meaningful direction and therefore no engagement process has been undertaken.

POLICY CONSIDERATIONS

Council Plans and Policies

Efficient and effective decision making, as provided through the S18 Instrument of Sub Delegation EPA Act 2017 is consistent with Strategic Focus Area 6 – Accountable. Transparent. Responsible, including the following strategies outlined in the Council Plan:

As a Council we will:

- *Achieve the highest level of good governance across the organisation and as an elected Council.*
- *Maximise public transparency and accountability around our performance and decision making processes.*

Regional, State and National Plans and Policies

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

All Councils across Victoria authorise Council Officers through this instrument. The authorisation of officers enables them to work with other agencies to ensure compliance with legislation, particularly adherence to the powers under the *Environment Protection Act 2017*.

11.4.8 S18 – Instrument of Sub-Delegation under the Environment Protection Act 2017 Update (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.

Failure to keep instruments of authorisation up to date can potentially impact on the enforcement of legislation and jeopardises Council's compliance with its legal obligations.

A copy of the instrument will be made available to the public in accordance with the *Local Government Act 2020* and regulations.

Conflict of Interest Declaration

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

Transparency

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

By considering this report the community becomes aware of legislative structures Council has in place to manage public safety and authorised officers capable of administering various pieces of legislation

This instrument of delegation will be available upon request.

RISK CONSIDERATION

The following risk was considered:

Risk(s)	Likelihood	Consequence	Rating	Mitigation Action
If the delegations are not up to date, the enforceability of decisions and actions taken may be compromised and there may be legal and administrative problems for the Council.	Possible	Moderate	Medium	Legal and reputational risk is minimised by maintaining the currency of delegations and reviewing them every six months

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.

11.4.8 S18 – Instrument of Sub-Delegation under the Environment Protection Act 2017 Update (cont.)

There are no significant financial implications arising out of the review and updating these instruments and the additional work created by the review of the instruments has been met by existing resource allocations.

SUSTAINABILITY CONSIDERATIONS

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

There are no significant sustainability impacts arising from the updating of this instrument.

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.

Updating the S18 Instrument of Sub-Delegation under the Environment Protection Act 2017 ensures that efficient and effective decision making is made on a day-to-day basis via Council delegated Officers.

The frequent review of instruments of delegation and authorisation is the means through which continuous improvement is achieved and that legislative and regulatory obligations are maintained.

HUMAN RIGHTS CONSIDERATIONS

It is considered that the updating of this Instrument of Delegation has no material impacts on the *Charter of Human Rights and Responsibilities*.

CONCLUSION

Council's endorsement of instruments of authorisation enables Council to fulfil its obligations in relation to public safety matters and enforcement of legislative and statutory requirements.

ATTACHMENTS

Attachment 1: S18 Instrument of Sub-Delegation under the Environment Protection Act 2017

11.4.9 Strathbogie Shire Council Audit and Risk Committee – Confirmed Minutes of the Ordinary Meeting held on 27 November 2023

Author: Coordinator Governance and Records Management

Responsible Director: Director People & Governance

EXECUTIVE SUMMARY

This report presents the confirmed minutes of the ordinary meeting held on 27 November 2023 endorsed by the Audit and Risk Committee at its meeting held 1 March 2024.

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

Business:

- 2023 Audit and Risk Committee Annual Committee Performance Report Jan23-Dec23
- Recruitment of Audit and Risk Committee Independent Member
- Monitor Climate Change Action Plan Progress
- 2023/2024 Mid-Year Budget Update
- Internal Audit Updates – RSD Audit
- Outstanding Internal Audit Items
- Policy Review
- Risk Management Internal Audit update
- Audit and Risk Committee 2023/2024 annual workplan progress review
- Human Resources Key Strategic Indicators report
- Strathbogie Shire Council Enterprise Agreement no10 2023 update
- Councillor Reimbursements quarterly report
- Chief Executive Officer Purchasing Card quarterly report
- Fraud Risk Management Report
- Investment and Borrowings Report quarterly report
- Items raised by the Committee

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

RECOMMENDATION

That Council receive and note the Confirmed Minutes of the Strathbogie Shire Council Audit and Risk Committee meeting of 27 November 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*.

11.4.9 Strathbogie Shire Council Audit and Risk Committee – Confirmed Minutes of the Ordinary Meeting held on 27 November 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.

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.

11.4.9 Strathbogie Shire Council Audit and Risk Committee – Confirmed Minutes of the Ordinary Meeting held on 27 November 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 the 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.

RISK CONSIDERATIONS

The following risks have been considered below.

Risk(s)	Likelihood	Consequence	Rating	Mitigation Action
Not meeting the requirements of the local government act Division 8 – Audit and Risk Committee	Unlikely	Major	Medium	Internal systems in place to support requirements for the <i>Local Government Act 2020</i> and the requirements of the Audit and Risk Committee.

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 established under State government legislation, while its Workplan and Charter have been developed in accordance with State government guidelines.

11.4.9 Strathbogie Shire Council Audit and Risk Committee – Confirmed Minutes of the Ordinary Meeting held on 27 November 2023 (cont.)

Conflict of Interest Declaration

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

Transparency

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

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

FINANCIAL VIABILITY CONSIDERATIONS

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

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

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.

11.4.9 Strathbogie Shire Council Audit and Risk Committee – Confirmed Minutes of the Ordinary Meeting held on 27 November 2023 (cont.)

HUMAN RIGHTS CONSIDERATIONS

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

CONCLUSION

This report recommends the noting of the confirmed minutes of the recent Strathbogie Shire Council Audit and Risk Committee meeting.

ATTACHMENTS

Attachment 1: Confirmed Audit and Risk Committee Minutes 27 November 2023

11.4.10 Strathbogie Shire Council – Victorian Electoral Structure Review Outcome

Author: Director People and Governance

Responsible Director: Chief Executive Officer

EXECUTIVE SUMMARY

The *Local Government Act 2020* (sections 14 – 16) introduced changes to the electoral representation review process. The *Local Government Act 2020* (the Act) states that a review of electoral representation models must be conducted and implemented prior to the October 2024 general election for all Councils that are not comprised of single member wards. Strathbogie was one of 39 Councils that were reviewed in 2023. An independent electoral structure review panel appointed by the Minister for Local Government has reviewed the electoral structure of Strathbogie Shire Council.

The panel looked at:

- whether the Council had an appropriate number of Councillors, and
- whether it should be unsubdivided or subdivided.

The panel considered a range of factors when deciding on the models, including:

- research and analysis,
- voter growth or decline over time , and
- public submissions.

The electoral representation advisory panel recommended that Strathbogie adopt an unsubdivided electoral structure, represented by 7 Councillors. This advice was submitted to the Minister for Local Government as required by the Terms of Reference of the electoral representation advisory panel and the Act.

The Minister for Local Government supported the panel's decision and announced the new electoral structure of Strathbogie Shire Council on Thursday 15 February 2024. In accordance with this announcement, Strathbogie Shire Council will change to an unsubdivided electoral structure, with seven Councillors. The change will apply at the next Council general election in October 2024.

RECOMMENDATION

That Council note the outcome of the Strathbogie Shire Council electoral structure review, acknowledging that Strathbogie will move to an unsubdivided electoral structure with seven Councillors effective October 2024.

PURPOSE AND BACKGROUND

Strathbogie Shire Council is currently divided into five (5) wards with a total of seven (7) Councillors:

- two (2) wards with two (2) Councillors each (Lake Nagambie and Seven Creeks wards), and
- three (3) single member wards (Honeysuckle Creek, Hughes Creek and Mount Wombat wards).

11.4.10 Strathbogie Shire Council – Victorian Electoral Structure Review Outcome (cont.)

In April 2020, the Victorian Government committed to electoral structure reviews for 39 Councils. On 23 April 2020, a notice was gazetted which provided that:

- all metropolitan, interface and regional city Councils must have a single-member ward structure, and
- all rural Councils (31 in total) are permitted to have any of the three (3) permissible electoral structures.

This was in recognition that in some cases it may be impractical to divide these Councils into single-member wards, for example, Councils with large geographical areas and small populations.

In October 2022, the Minister for Local Government formed 2 Electoral Representation Advisory Panels (panel) to review the electoral structures of 39 local Councils, under section 16 of the *Local Government Act 2020* (the Act) to undertake reviews of 39 Councils whose electoral structures were not compliant with the requirements of the Act. Panel members were selected based on their extensive experience and understanding of local government, relevant legislation and electoral systems. The Victorian Electoral Commission (VEC) provided the panels with all technical and administrative support.

As mentioned above, the Act introduced several changes to local government representation, including the types of electoral structures local Councils may have.

Large and small rural shire Councils (including Strathbogie Shire Council) can have one of 3 electoral structures:

- unsubdivided (entire council area with no wards)
- single-Councillor wards
- multi-Councillor wards with the same number of councillors per ward.

For Strathbogie Shire Council, the electoral representation advisory panel examined:

- the number of Councillors
- whether the Council should be subdivided into wards or unsubdivided.

For subdivided structures, it is also examined:

- the number of wards
- where the ward boundaries should be
- the name of each ward
- how many Councillors should be elected for each ward.

The Act requires electoral structures to provide fair and equitable representation and facilitate good governance. For subdivided structures, each ward must have an approximately equal number of voters per Councillor (within +/-10% of the average).

The panels provided their final reports to the Minister for Local Government on 17 May 2023.

On Thursday 15 February 2024, the Minister announced that Strathbogie Shire Council will move to an unsubdivided structure, retaining seven Councillors.

11.4.10 Strathbogie Shire Council – Victorian Electoral Structure Review Outcome (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.

After initial consultation and research, the panel presented the following electoral structure models for final public consultation:

- Model 1: an unsubdivided electoral structure with 7 Councillors.
- Model 2: a subdivided electoral structure with a total of 6 Councillors, 2 wards and 3 Councillors per ward.
- Model 3: a subdivided electoral structure with a total of 6 Councillors, 3 wards and 2 Councillors per ward.

The panel's electoral structure models were developed through careful consideration of:

- research and analysis conducted by the VEC support team, including geospatial and demographic factors
- rates or patterns of population and voter growth or decline over time, and relevant forecasts of growth or decline based on forecast information provided by .id (informed decisions, a company specialising in demographics and forecasting)
- input received from the public in written submissions during the preliminary submissions phase.

Models that were considered by the panel, but not put forward further consideration or consultation were:

- Multi-Councillor ward with 4 wards and 2 Councillors in each ward – as it was necessary to split Euroa across 3 wards dividing the town along Seven Creeks and the Hume Freeway. A rural part of Mount Wombat Ward was also split along part of Seven Creeks to balance voter numbers.
- Single-Councillor ward structure with 7 Councillors - the 7-Councillor model preserved existing communities of interest with minimal changes to the current boundaries. However, to create 7 wards, both Nagambie and Euroa had to be divided to meet the voter per Councillor requirement. While boundaries were designed to respond to expected growth in Nagambie and Euroa, the panel did not feel these reflected functional communities of interest.

When developing electoral structure models for Strathbogie Shire Council, the panel considered these criteria:

- whether the structure would comply with section 15(2) of the Act (see below), and for how long it would likely comply
- the appropriate number of Councillors, as outlined above
- whether meaningful and effective ward boundaries can be established and whether these would be easily identifiable to local communities
- representation of communities of interest
- the voter distribution and physical features of the area, and the impact these may have on the shape and size of any wards

11.4.10 Strathbogie Shire Council – Victorian Electoral Structure Review Outcome (cont.)

- past elections for the Council, including:
 - numbers of candidates nominating
 - incidences of uncontested elections
 - rates of informal voting.
- other matters raised in public submissions not already listed above.

The panel's provided their final reports to the Minister for Local Government on 17 May 2023.

On Thursday 15 February 2024, the Minister announced that Strathbogie Shire Council will move to an unsubdivided structure, retaining seven Councillors.

The panel found that an unsubdivided electoral structure with 7 Councillors (model 1) to provide the best model for promoting fair and equitable representations for voters in Strathbogie Shire Council and consequently facilitate good governance.

In addition, model one:

- provides effective and equitable representation through the ability of voters to have a voice in electing all 7 Councillors and to choose between candidates from any part of the shire
- would keep communities of interest intact, and that the challenges of balancing uneven population growth across wards would be removed
- seen to be the most appropriate structure, and best supported the expressed desire to foster a whole of shire approach in Council
- challenges of balancing uneven population growth across wards would be removed.

COMMUNITY ENGAGEMENT

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

Section 16 (10) of the Act states: *An electoral representation advisory panel must ensure that a process for community engagement is followed in conducting the review.*

There were an initial six (6) submissions to the preliminary Strathbogie Shire Council electoral structure review submission period that closed on 22 February 2023.

On 22 March 2023, the panel published a preliminary report with the following electoral structure models for public consultation (with consultation closing on 12 April 2023):

- Model 1: an unsubdivided electoral structure with 7 Councillors.
- Model 2: a subdivided electoral structure with a total of 6 Councillors, 2 wards and 3 Councillors per ward.
- Model 3: a subdivided electoral structure with a total of 6 Councillors, 3 wards and 2 Councillors per ward.

The panel received four (4) submissions to the Strathbogie Shire Council preliminary report. The panel also held an online briefing for those wishing to speak to their submissions, with two people speaking at the hearing.

11.4.10 Strathbogie Shire Council – Victorian Electoral Structure Review Outcome (cont.)

Response submissions to the preliminary report can be found commencing page 15 of the Local Council Electoral Structure Review – Final Report – Strathbogie Shire Council (Attachment 1). Page 7 of this report also details the public engagement process undertaken by the Victorian Electoral Commission.

POLICY CONSIDERATIONS

Council Plans and Policies

This report aligns with the Council Plan through:

Strategic Focus Area 1:

Engage. Create. Unite.

- Our innovative community engagement framework ensures all of our municipal community has an opportunity to influence and shape Council strategy and operations.

Strategic Focus Area 6:

Accountable. Transparent. Responsible:

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

Regional, State and National Plans and Policies

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

The electoral representation review is part of the State's broader Council electoral structure program across Victoria; Strathbogie is one of 39 Councils requiring such a review prior to the 2024 general election.

RISK CONSIDERATIONS

The following risk is considered with this report:

Risk(s)	Likelihood	Consequence	Rating	Mitigation Action
Community uninformed of electorate change	Possible	Low	Low	Advising community of change to an unsubdivided structure for the 2024 elections through Council Report, media and potential candidate information sessions.

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.

11.4.10 Strathbogie Shire Council – Victorian Electoral Structure Review Outcome (cont.)

Electoral representation reviews and the appointment of an Electoral Representation Advisory Panel are governed by sections 15 and 16 of the *Local Government Act 2020*. The Minister set Terms of Reference for the Electoral Representation Advisory Panel.

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 details the outcome of the Victorian Electoral Commission Electoral Review. This topic has been subject to a number of Council reports and Councillor Notice of Motions over the last 12 months.

FINANCIAL VIABILITY CONSIDERATIONS

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

The Act states that Councils are responsible for paying the 'reasonable costs' of an Electoral Representation Advisory Panel. The cost of the Electoral Review process was \$60,556.45 (including GST) with an adjustment made in the 2022/23 mid-year budget review to cover this expense.

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 negative sustainability considerations 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.

The *Local Government Act 2020* (sections 14 – 16) introduced changes to the electoral representation review process. The Act states that a review of electoral representation models must be conducted and implemented prior to the October 2024 general election for all Councils that are not comprised of single member wards.

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.

11.4.10 Strathbogie Shire Council – Victorian Electoral Structure Review Outcome (cont.)

Other Councils within the Hume Region are also subject to the appointment of an Electoral Representation Advisory Panel and information sharing occurred between Councils to support each other through this process given the very limited resources we all operate with.

HUMAN RIGHTS CONSIDERATIONS

The electoral representation model to be applied to the Shire can have a significant impact on the human right of participating in civic life. It is essential that the electoral model for our shire enables all communities to have an equal voice, regardless of their size.

CONCLUSION

This report provides an overview of the outcome of the Victorian Electoral Review. The Minister for Local Government supported the electoral representation advisory panel's decision, and the Minister for Local Government announced the structure of Strathbogie Shire Council on Thursday 15 February 2024. As such, Strathbogie Shire Council will change to an unsubdivided structure, with seven Councillors. The change will apply at the next Council general election in October 2024.

ATTACHMENTS

Attachment 1: Local Council Electoral Structure Review - Final Report – Strathbogie Shire Council [Microsoft Word - Strathbogie Shire Council electoral structure review - Final Report - July 2023.docx \(localgovernment.vic.gov.au\)](#)

11.5 GOVERNANCE AND CUSTOMER SERVICE

11.5.1 Re-Appointment of Administrator

Author: Chief Executive Officer

EXECUTIVE SUMMARY

On the 7 March 2024, the Minister for Local Government, the Hon Melissa Horne MP (the Minister) announced the re-appointment of Mr Peter Stephenson as the Administrator for Strathbogie Council effective from 7 March 2024 until 6.00 am on the day of the October 2024 Council elections (refer Attachment 1). Notice of the Orders in Council, affirming the appointment, was published in the Victorian Government Gazette on 7 March 2024 (refer Attachment 2).

This follows the Minister's announcement on 5 December 2023, where Strathbogie Shire Council (elected members) was suspended under section 257 of the *Local Government Act 2020* for the remainder of its term and Mr. Stephenson was appointed as interim Administrator until (12.00 midnight) 6 March 2024.

As Administrator, Mr Stephenson will continue to provide support, leadership and strategic oversight of 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 \$254,300.00 per annum (inclusive of superannuation) for the part time (for a minimum of three days/week) statutory role, plus 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 re-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 7 March 2024 until 6.00 am on the day of the October 2024 Council elections;***
- 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***
- 3. *In accordance with the Instrument, the remuneration set for the Administrator (part time) is \$254,300.00 per annum (inclusive of superannuation), plus reasonable expenses incurred in exercising the functions, powers, and duties of the role.***

11.5.1 Re-Appointment of Administrator (cont.)

PURPOSE AND BACKGROUND

On the 7 March 2024 the Minister for Local Government, the Hon Melissa Horne MP (the Minister) announced the re-appointment of Mr Peter Stephenson as the Administrator for Strathbogie Council effective from the 7 March 2024 until 6.00 am on the day of the October 2024 Council elections (refer Attachment 1). Publication of the Order in Council was advertised in the Victorian Government Gazette on 7 March 2024 (refer Attachment 2).

This follows the Minister's announcement on 5 December 2023, where Strathbogie Shire Council (elected members) had been suspended under section 257 of the *Local Government Act 2020* (the Act) for the remainder of its term and an interim administrator appointed until 6 March 2024.

As administrator, Mr Stephenson will provide support, leadership and strategic oversight of Council's operations. Under section 230 of the Act, Mr Stephenson will constitute the Council and will perform all its functions, powers, and duties.

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 now been re-appointed as the Strathbogie Shire Administrator effective from 7 March 2024 until the October 2024 Council elections.

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 (elected members).

Furthermore, Mr Stephenson will provide the CEO and senior officers with the strategic direction, oversight and leadership required to fulfil all statutory functions of Council (including the 2024/25 Council Plan and 2024/25 Budget) and to ensure good governance across all aspects of the business.

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 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.

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.

11.5.1 Re-Appointment of Administrator (cont.)

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.

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.

11.5.1 Re-Appointment of Administrator (cont.)

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 \$254,300.00 per annum (inclusive of superannuation) for the part time (for a minimum of three days/week) 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*.

CONCLUSION

The Minister has re-appointed Mr Peter Stephenson as the Strathbogie Shire Administrator effective from 7 March 2024 until 6.00 am on the day of the October 2024 Council elections to provide support, leadership and strategic oversight of 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.

ATTACHMENTS

Attachment 1: Letter to Strathbogie CEO - Peter Stephenson Re-appointment

Attachment 2: Orders in Council: Victorian Government Gazette Notice – 7 March 2024

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

11.5.2 Monthly Performance Report

The March 2024 Monthly Performance Report includes reports as follows:-

- Building Department – February 2024 Statistics
- Planning Department – Planning Application Approvals – Development Cost (Capital Improved Value) – February 2024
- Customer Enquiry Analysis Report – Report for February 2024
- Waste Management Reporting ~ Year to Date – February 2024
- Transfer Station Date - February 2024
- Actioning of Council Reports Resolutions – Council Meeting Tuesday 20 February 2024
- Outstanding Actions of Council Resolutions to 29 February 2024
- Review of Council Policies and Adoption of new Policies – February 2024
- Records of Informal Council Briefings / Meetings – 1 to 29 February. 2024

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.

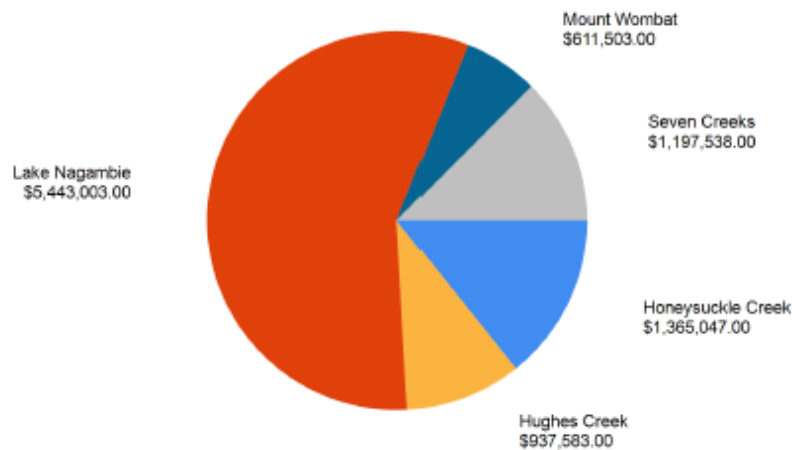
RECOMMENDATION

That the report be accepted.

BUILDING ACTIVITY**FEBRUARY 2024****Building Activity**

A report on new building permits recorded in Council's building permit register in February 2024

Ward	Number of Lodgements	Cost Of Works
Honeysuckle Creek	3	\$1,365,047.00
Hughes Creek	3	\$937,583.00
Lake Nagambie	19	\$5,443,003.00
Mount Wombat	2	\$611,503.00
Seven Creeks	5	\$1,197,538.00
	32	\$9,554,674.00

**Honeysuckle Creek**

Permit Number	Permit Date	Works	Building Use	Town	Cost Of Works
3848002124289	07/02/2024	Construction of	Swimming Pool and Fence	Boho	\$238,480.00
3822036054828	07/02/2024	Construction of	Dwelling & Garage	Violet Town	\$876,567.00
1453392124253	28/02/2024	Construction of	Telecommunications Tower	Boho South	\$250,000.00
					\$1,365,047.00

Hughes Creek

Permit Number	Permit Date	Works	Building Use	Town	Cost Of Works
7618560414141	22/02/2024	Re-erection of	Carport	Avenel	\$5,000.00
1470483001116	22/02/2024	Construction of	Dwelling & Garage	Avenel	\$555,720.00
5094537608672	29/02/2024	Construction of	Dwelling & Garage	Avenel	\$376,863.00
					\$937,583.00

Lake Nagambie

Permit Number	Permit Date	Works	Building Use	Town	Cost Of Works
7999872900519	05/02/2024	Construction of	Shade Structure	Graytown	\$15,000.00
1960895901757	06/02/2024	Construction of	Dwelling	Mitchellstown	\$400,000.00
1431682361561	07/02/2024	Construction of	Dwelling & Carport	Nagambie	\$260,887.00
2218634789548	05/02/2024	Construction of	Shed	Nagambie	\$11,000.00
3110586866095	13/02/2024	Construction of	Dwelling & Garage	Nagambie	\$382,473.00
5771398927033	23/02/2024	Construction of	Swimming Pool	Nagambie	\$99,500.00
6581391712673	26/02/2024	Construction of	Spa & Safety Barrier	Nagambie	\$14,200.00
2777458358038	24/02/2024	Construction of	Fam Shed	Goulburn Weir	\$137,500.00
6963673956460	26/02/2024	Installation of	Swimming Pool Barrier	Bailieston	\$65,026.00
8552122305662	12/02/2024	Alterations & Additions to	Dwelling	Bailieston	\$1,330,000.00
2392677556518	12/02/2024	Construction of	Swimming Pool, Swimming Pool Barrier	Bailieston	\$405,900.00
7145337850381	26/02/2024	Construction of	Dwelling & Garage	Nagambie	\$312,920.00
3361571531462	28/02/2024	Construction of	Dwelling & Garage	Nagambie	\$331,622.00
4998417392457	28/02/2024	Construction of	Dwelling & Garage	Nagambie	\$326,885.00
5325514258332	28/02/2024	Construction of	Dwelling & Garage	Nagambie	\$331,698.00
6290728495906	28/02/2024	Construction of	Dwelling & Garage	Nagambie	\$306,307.00
3315067221194	28/02/2024	Construction of	Dwelling & Garage	Nagambie	\$332,857.00
3367698538406	28/02/2024	Construction of	Dwelling & Garage	Nagambie	\$332,821.00
7398044470550	25/02/2024	Construction of	Fam Shed	Bailieston	\$46,407.00
					\$5,443,003.00

Mount Wombat

Permit Number	Permit Date	Works	Building Use	Town	Cost Of Works
6127737174413	06/02/2024	Construction of	Dwelling & Veranda	Euroa	\$533,703.00
2732798080064	05/02/2024	Construction of	Machinery Shed	Longwood East	\$77,800.00
					\$611,503.00

Seven Creeks

Permit Number	Permit Date	Works	Building Use	Town	Cost Of Works
7315092701787	05/02/2024	Construction of	Dwelling & Carport	Euroa	\$0.00
1654998585209	06/02/2024	Repairs to	Dwelling	Euroa	\$60,036.00
3575713101294	26/02/2024	Construction of	Dwelling & Garage	Euroa	\$755,502.00
2638334301692	27/02/2024	Restump of	Dwelling	Euroa	\$330,000.00
5870428993376	27/02/2024	Demolition of	Dwelling & Shed	Euroa	\$52,000.00
					\$1,197,538.00

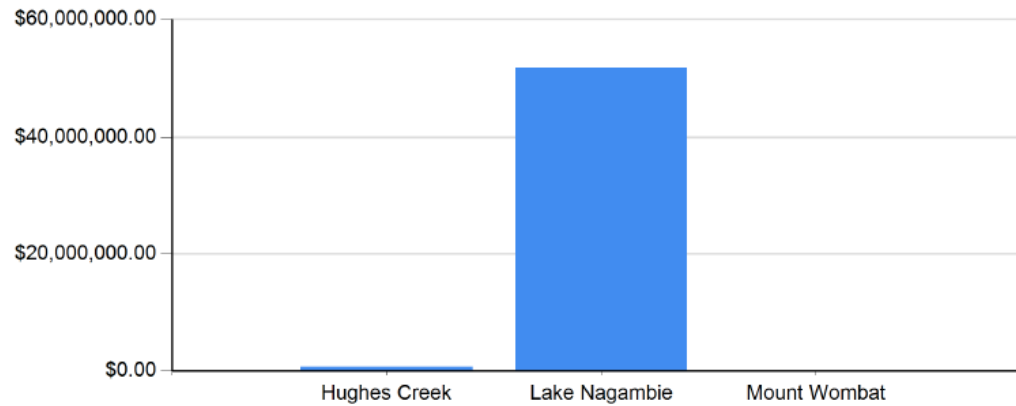
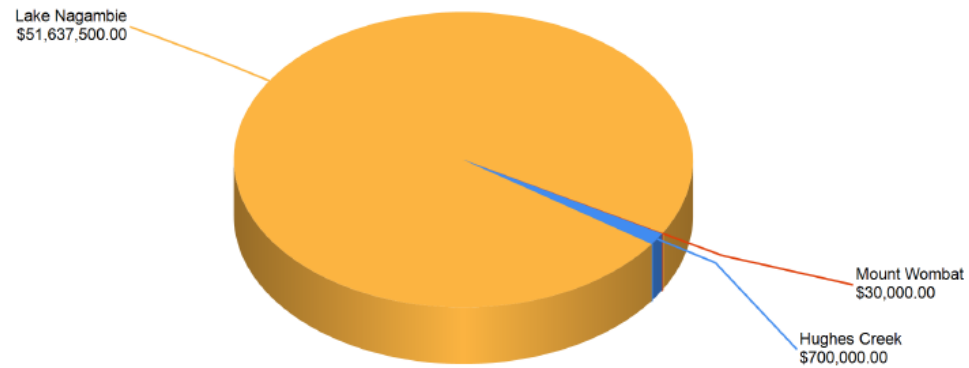
PLANNING APPLICATION APPROVALS – DEVELOPMENT COST (CAPITAL IMPROVED VALUE)
FEBRUARY 2024



Planning Applications Determined

February 2024

Hughes Creek	\$700,000.00
Avenel	\$700,000.00
Lake Nagambie	\$51,637,500.00
Goulburn Weir	\$137,500.00
Nagambie	\$50,000,000.00
Nagambie	\$1,500,000.00
Mount Wombat	\$30,000.00
Strathbogie	\$30,000.00
Total Value	\$52,367,500.00



CUSTOMER ENQUIRY ANALYSIS REPORT - REPORT FOR FEBRUARY 2024



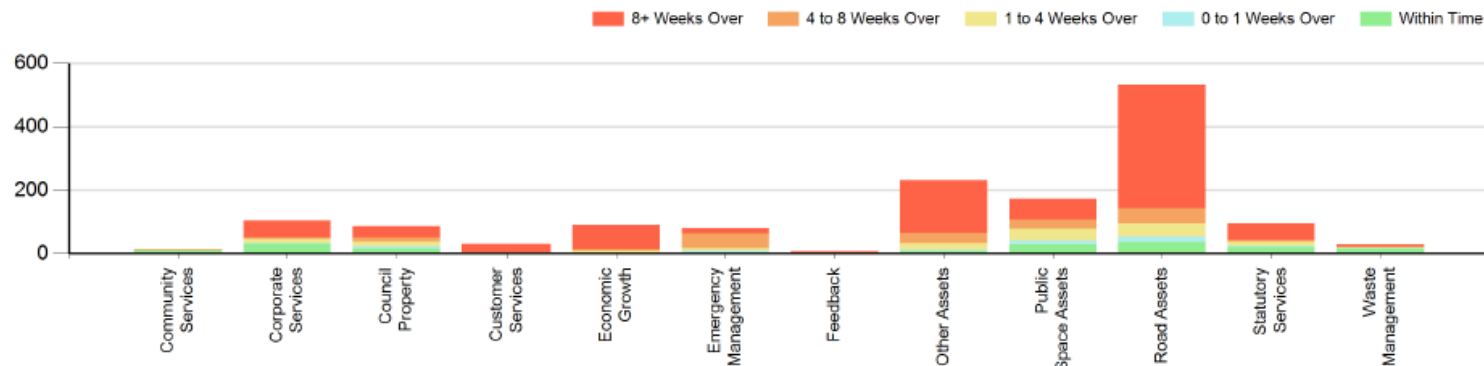
Request Throughput Analysis

01/02/2024 to 29/02/2024

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

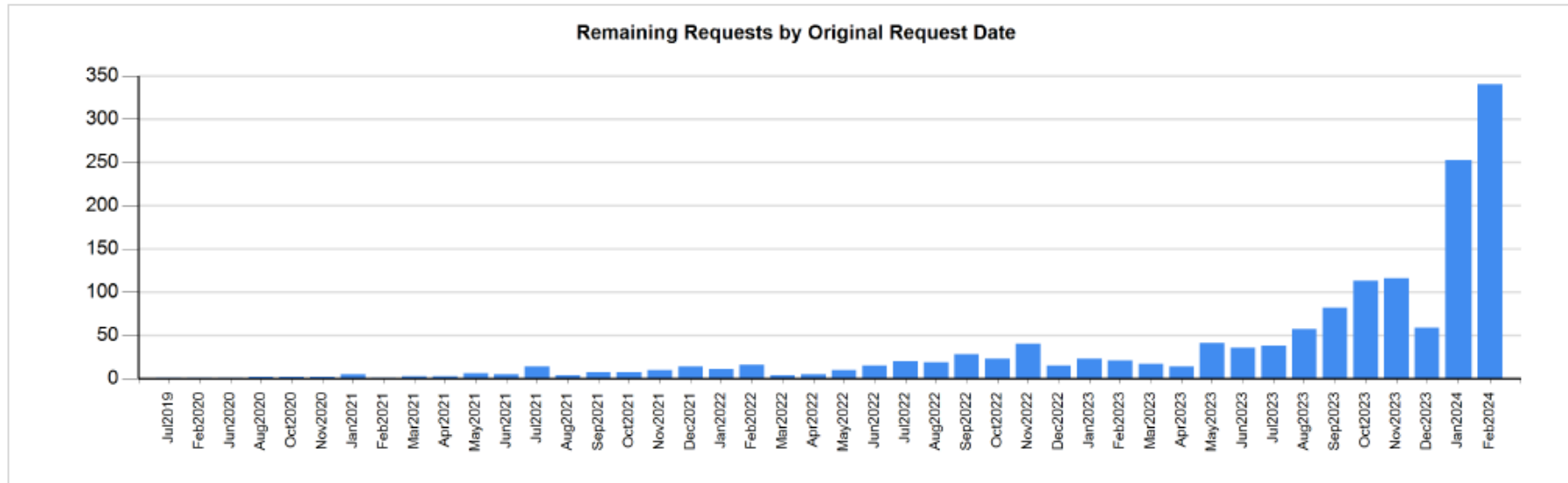
Service Area	Existing Requests	New Requests	Completed Requests	Remaining Requests	C N	Within Time	Over Time	O R	Pending Resources	Service Area Usage
Community Services	10	56	51	15		10	5		0	
Corporate Services	69	114	79	104		30	74		0	
Council Property	72	72	57	87		16	71		0	
Customer Services	29	11	10	30		0	30		0	
Economic Growth	92	131	132	91		2	89		0	
Emergency Management	83	79	83	79		3	76		0	
Feedback	6	3	2	7		0	7		0	
Other Assets	229	41	37	233		7	226		0	
Public Space Assets	176	100	89	182		29	150		5	
Road Assets	490	99	53	535		37	498		1	
Statutory Services	91	127	116	102		21	77		0	
Waste Management	44	63	74	33		16	17		0	
Total	1391	896	783	1498		171	1320		6	

Request Ageing



Service Usage





		Community Services	Corporate Services	Council Property	Customer Services	Economic Growth	Emergency Management	Feedback	Other Assets	Public Space Assets	Road Assets	Statutory Services	Waste Management
2019	July									1			
2020	February												1
	June							1					
	August					2							
	October		1			1							
	November									1	1		
2021	January		3			1							1
	February									1			
	March			1					2				
	April								2		1		
	May								2		4		
	June			1					3	1			
	July								9		5		
	August		1								3		
	September			1	1	1			1	1	2		

2021	October			2					2	3			
	November			1				1		8			
	December			1		1		4		8			
2022	January		5	1				1	2	2			
	February			1				4	3	8			
	March			1					1	2			
	April							2		3			
	May		1					2	1	4	1	1	
	June							5		9	1		
	July	1			1	1		3		14			
	August			1	2	2		7	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		5	4		
2023	January		1		8	1	4		1	1	6	1	
	February		1	1		5			2	2	7	3	
	March		4					1	3		7	1	1
	April		1			1				4	6	2	
	May		4	1	1	10			10	3	9	3	
	June		1	1		3			11	2	18		
	July		2	1	1	4			9	2	15	4	
	August		2	5	2	1	1		7	3	32	4	
	September		4	2		8			9	6	50	3	
	October		5	2		14	3		19	8	55	7	
	November		10	9		5	2	1	13	17	53	4	2
	December		6	3	1	6	5	1	4	7	21	4	1
2024	January	2	6	19		8	48	1	42	48	70	8	1
	February	12	44	32	4	6	15	1	23	66	72	40	25
Total		15	104	87	30	91	79	7	233	187	536	102	33

Definitions

Service Area Grouping of services by area of responsibility

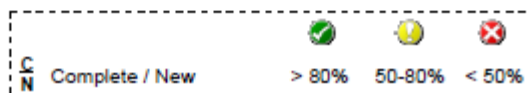
Existing Requests open prior to reporting period

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.



Service Activities that provide value to the customer

Remaining Requests incomplete at end of reporting period

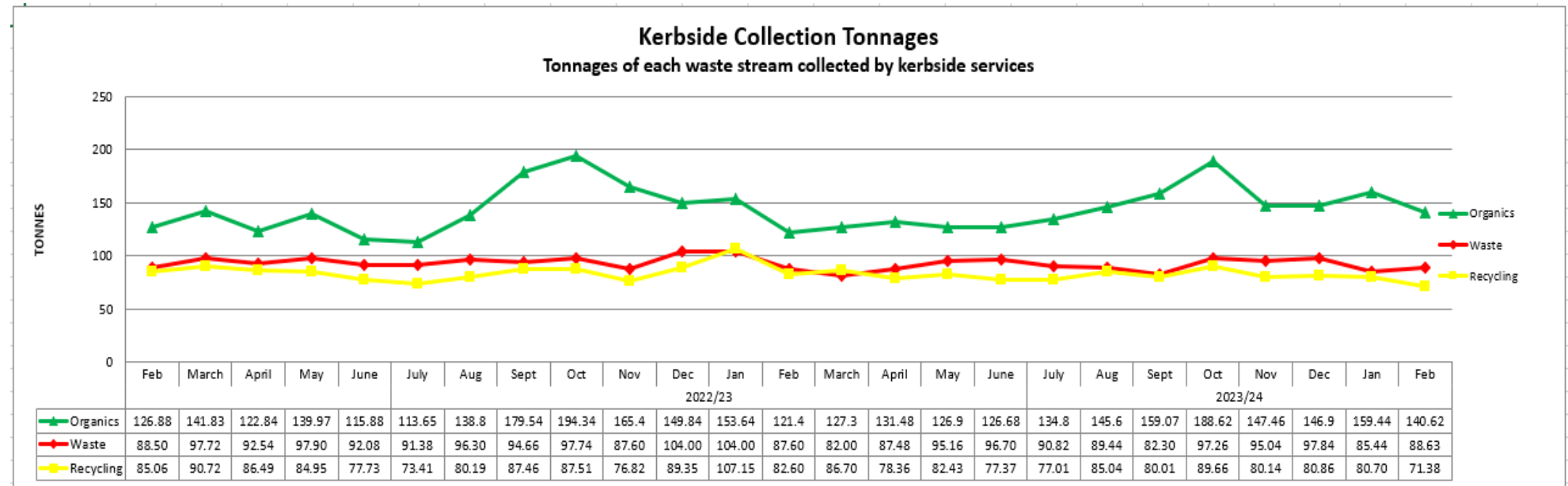
Completed Requests completed during reporting period

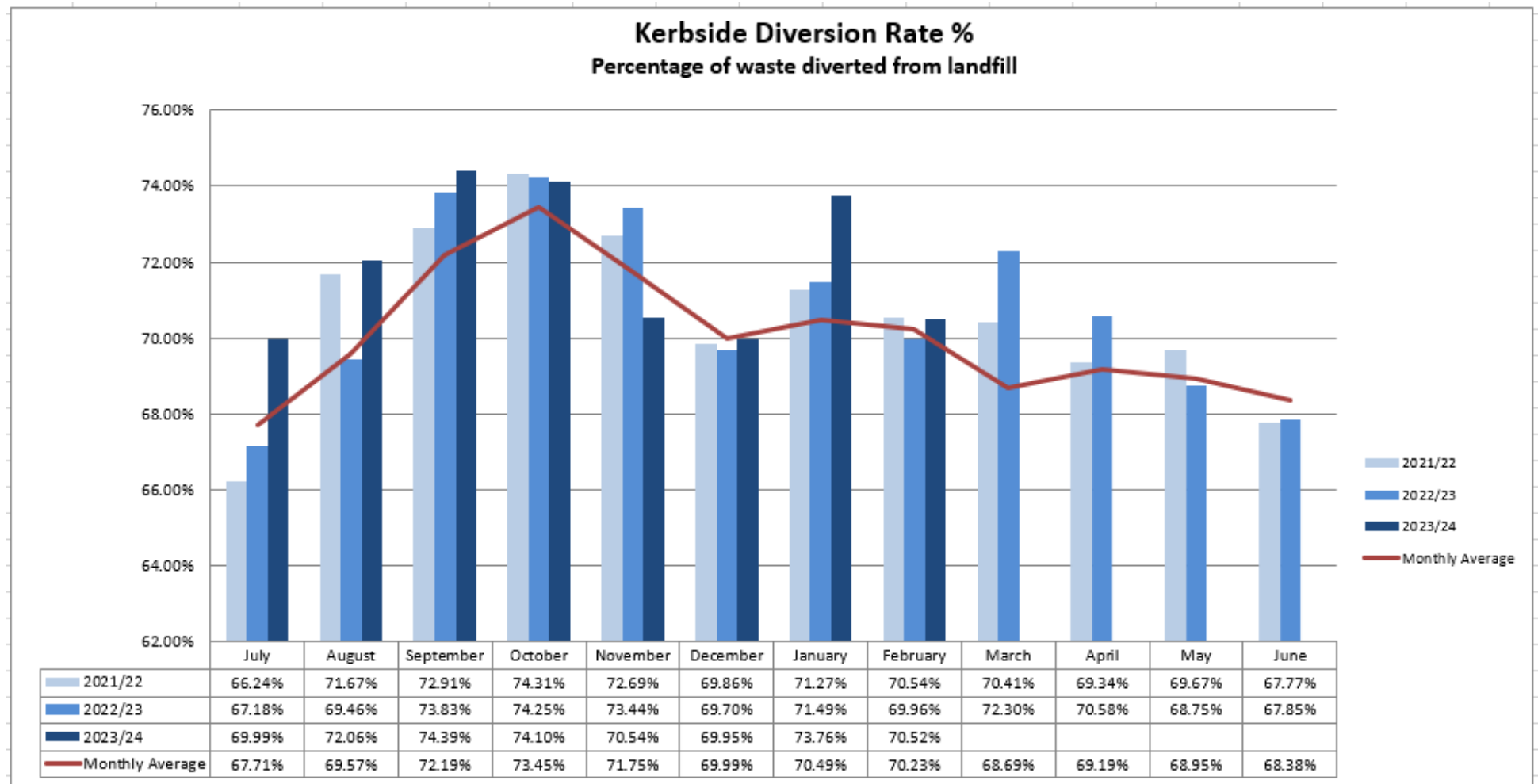
Over Time Remaining Requests where defined deadline is before the end of the reporting period

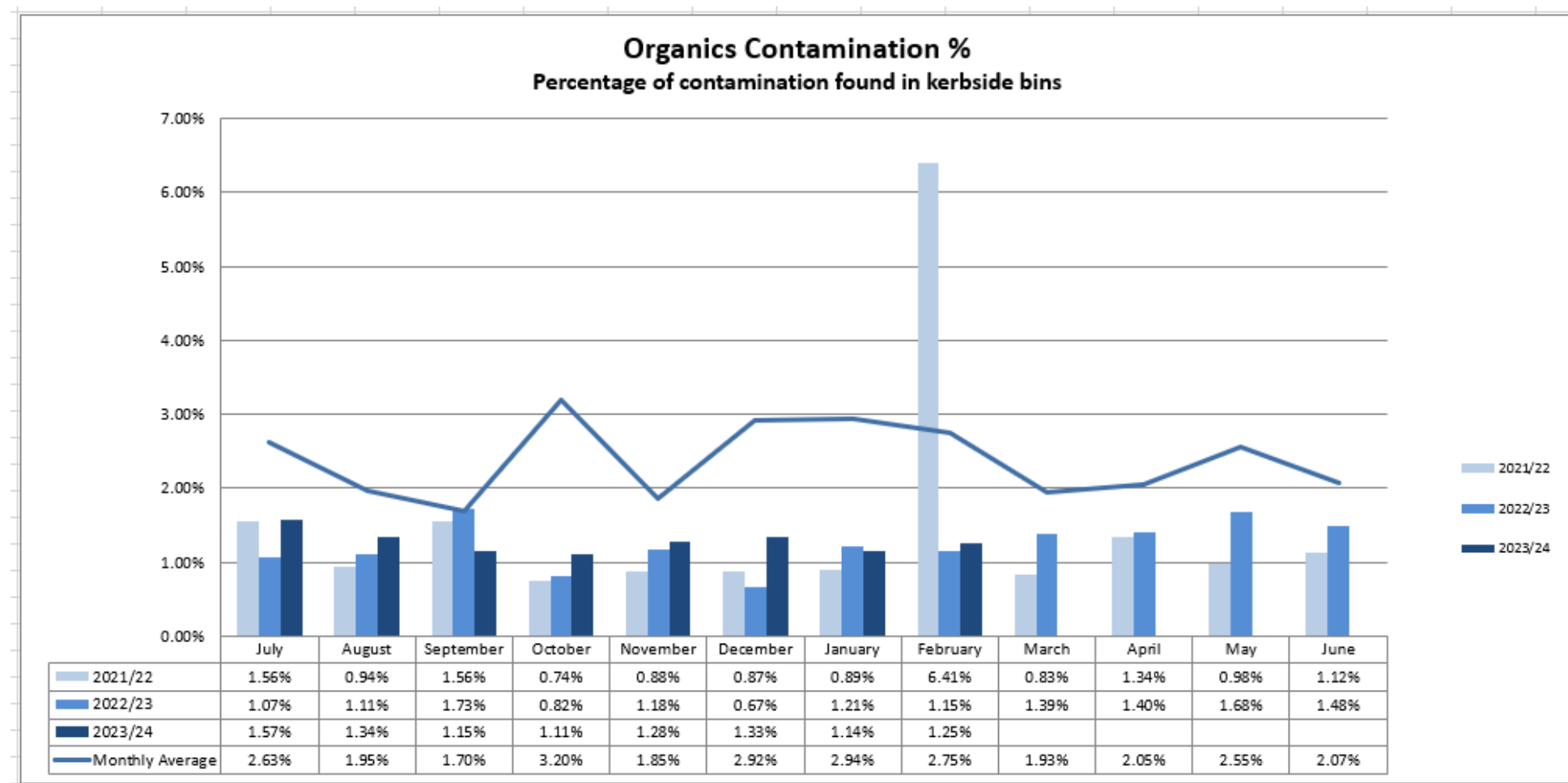
Overdue
Remaining An indicator showing the ratio of Overdue requests and Remaining requests. Designed to represent how well we are keeping to the defined deadlines.



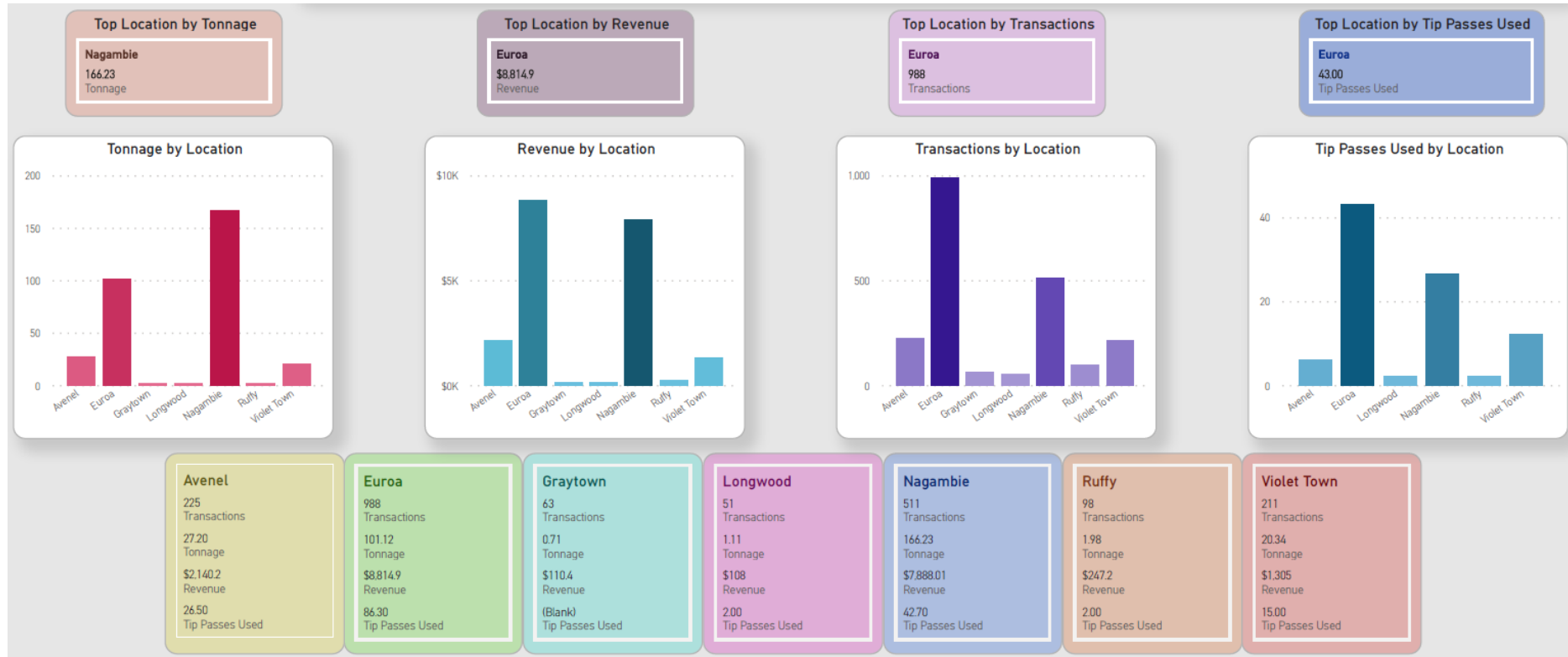
WASTE MANAGEMENT REPORTING **YEAR TO DATE - FEBRUARY 2024**



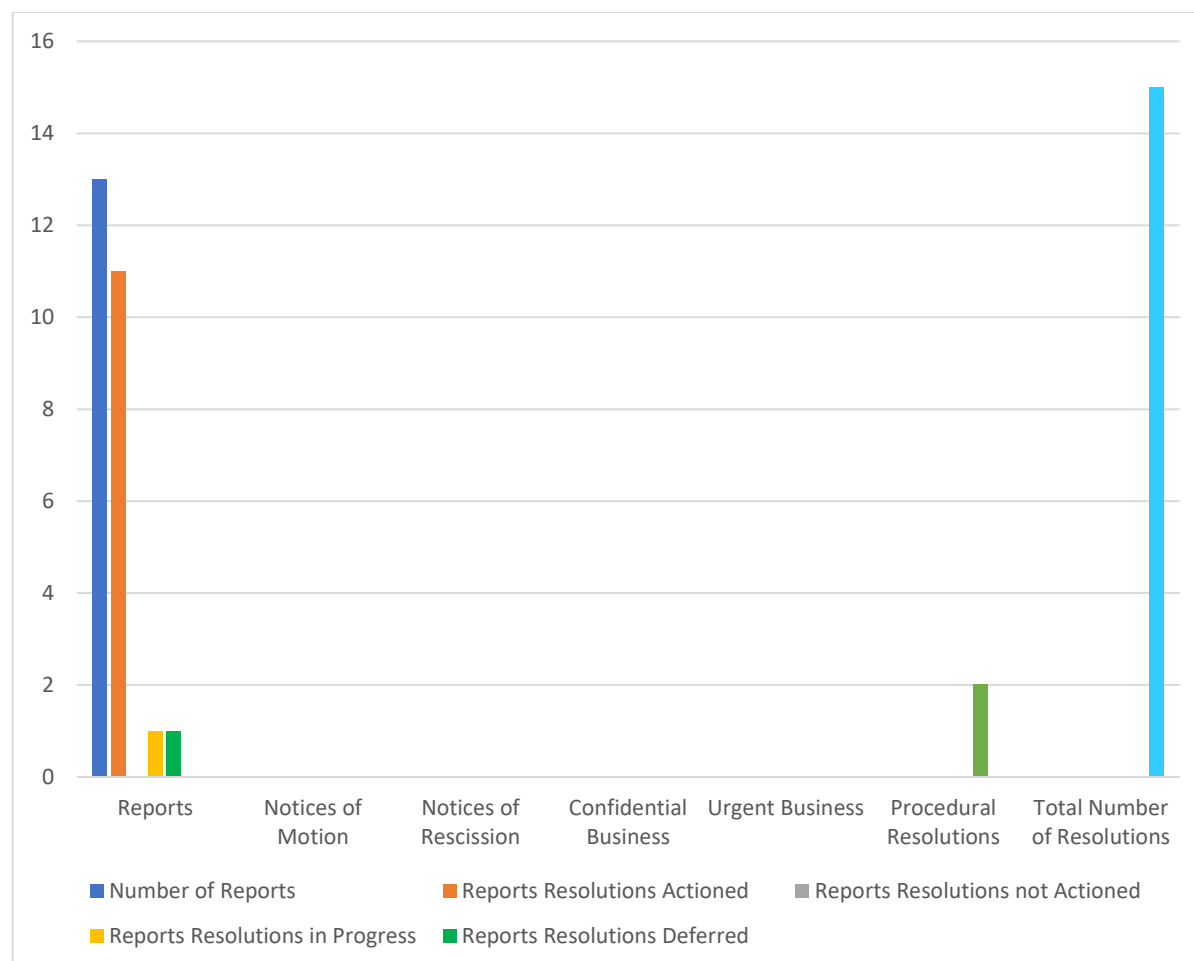




TRANSFER STATION DATA – FEBRUARY 2024



ACTIONING OF COUNCIL REPORTS RESOLUTIONS
COUNCIL MEETING – TUESDAY 20 FEBRUARY 2024



**OUTSTANDING ACTIONS OF COUNCIL RESOLUTIONS TO
29 FEBRUARY 2024**

This Report is to advise the Administrator, Executive Leadership Team and the community of the status of previous Council resolutions which are in progress but are yet to be finalised.

Council Meeting Date	Item No.	Description
20/02/2024	11.4.5	Master Inland Rail Development Agreement – Australian Rail Track Corporation

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

Review of Policy / New Policy	Policy Name	Details
New Policy	Draft Council Policy Management Policy	Refer to Item 11.4.1
New Policy	Draft Councillor Briefing Policy	Refer to Item 11.4.2
Policy Review	Draft Tourism Related Directional Signage Policy	Refer to Item 11.4.3
Policy Review	Draft Roadside Fatality Memorials Policy	Refer to Item 11.4.4

RECORDS OF INFORMAL COUNCIL BRIEFINGS / MEETINGS**FOR PERIOD 1 TO 29 FEBRUARY 2024**

Record in accordance with Council's Public Transparency Policy 2020

Note: Details of matters discussed at the meeting that have been designated confidential under Rule 103 of the Governance Rules and sections 3 and 125 of the LG Act 2020 are described in a separate "confidential addendum" that will be reported to the next closed Council meeting

Name of Meeting: Informal Council Briefings / Meetings

Date of Meeting: Tuesday 6 February 2024

Location: Euroa Community Conference Centre

Time: 1.30 pm – 6.26 pm

Attendees:

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)

Braydon Aitken (Manager Planning and Investment) [Item 1]

David Roff (Acting Chief Financial Officer) [Items 2 & 3]

Sagara Gunasekara (Finance Co-Ordinator) [Items 2 & 3]

1. Planning Matter/s Update
2. 2023/24 Mid-Year Budget Review
3. 2024/25 Budget Workshop No. 1
4. Extraordinary Council Meeting

Declaration of Interest/s under *Local Government Act 2020* (General Conflict of Interest - Section 127 / Material Conflict of Interest – Section 128)

Officer/s - NIL

Record of Informal Council Briefings / Meetings

Record in accordance with Council's Public Transparency Policy 2020

Note: Details of matters discussed at the meeting that have been designated confidential under Rule 103 of the Governance Rules and sections 3 and 125 of the 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 13 February 2024

Location: Euroa Community Conference Centre

Time: 1.15 pm – 3.30 pm (*Items 1 & 2*)
4.30 pm – 6.00 pm (*Item 3*)

Attendees:

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)

1. Power Supply
2. Review of draft February 2024 Council Meeting Agenda/ Confidential Appendices

Declaration of Interest/s under *Local Government Act 2020* (General Conflict of Interest - Section 127 / Material Conflict of Interest – Section 128)

Officer/s - NIL

Record of Informal Council Briefings / Meetings

Record in accordance with Council's Public Transparency Policy 2020

Note: Details of matters discussed at the meeting that have been designated confidential under Rule 103 of the Governance Rules and sections 3 and 125 of the 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 20 February 2024
Location: Euroa Community Conference Centre
Time: 4.45 pm – 7.27 pm

Attendees:

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)
David Roff (Acting Chief Financial Officer) (*Item 2*)
Kate McKernan (Manager Community and Culture) (*Item 1*)

1. Local Legends Campaign
2. February 2024 Council Meeting

Declaration of Interest/s under *Local Government Act 2020* (General Conflict of Interest - Section 127 / Material Conflict of Interest – Section 128)

Officer/s - NIL

12. NOTICES OF MOTION**13. NOTICES OF RESCISSION****14. URGENT BUSINESS****15. CONFIDENTIAL BUSINESS**

The Administrator has declared the following item -

- Chief Executive Officer Performance Review – March 2023 to March 2024

to be Confidential in accordance with Section 66(2)(A) and Part 1, Section 3 Definitions of the *Local Government Act 2020* -

(f) *personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs*

This ground has been applied to this matter as it relates to the Chief Executive Officer's Annual Performance Review (refer to the Confidential Business Certificate attached).

CLOSURE OF THE MEETING TO THE PUBLIC TO CONSIDER MATTERS DEEMED CONFIDENTIAL IN ACCORDANCE WITH SECTION 66(2)(A) AND PART 1, SECTION 3 DEFINITIONS OF THE LOCAL GOVERNMENT ACT 2020

RECOMMENDATION

That Council, in conformance with section 66(2)(a) and the definitions for confidential matters under Part 1, section 3 the Local Government Act 2020 (the Act), resolve to close the meeting to members of the public for the purpose of considering item/s relating to:-

- Chief Executive Officer Performance Review – March 2023 to March 2024

The public gallery was closed and livestreaming of the meeting to the public ceased at pm

RECOMMENDATION

That Council reopen the meeting to the public.

The livestreaming of the meeting to the public recommenced at pm

Confirmation of Confidential Business Decision/s

Confidential Business Decision/s

C.B. 1 Chief Executive Officer Performance Review – March 2023 to March 2024

RECOMMENDATION

That the decisions made in camera be ratified by Council.

NEXT MEETING

The next monthly meeting of the Strathbogie Shire Council is scheduled to be held on Tuesday 16 April 2024, at the Euroa Community Conference Centre, at 6pm.

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