

Strathbogie Shire Council

Council Meeting Agenda

Tuesday 21 May 2024

Agenda

Council Meeting

Tuesday 21 May 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

Amanda Tingay – Director People and Governance

John Harvey – Director Sustainable Infrastructure

Rachael Frampton – Director Community and Planning

Rosemary Scott – Executive Manager Communications, Engagement and Advocacy

Meeting Procedure

1. Welcome

2. Acknowledgement of Country

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

3. Privacy Notice

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

4. Governance Principles

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

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

5. Apologies / Leave of Absence

6. Disclosure of Conflicts of Interest

7. Confirmation of Minutes/Decisions of Previous Meetings

RECOMMENDATION

That the Minutes/Decisions of the Council Meeting held on Tuesday, 16 April 2024, including for Confidential Business, be confirmed (Council Meetings and Minutes / Strathbogie Shire)

8. Petitions

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
17 May 2024

Next meeting

The next monthly meeting of the Strathbogie Shire Council is scheduled to be held on Tuesday 18 June 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 20 May 2024, by emailing info@strathbogie.vic.gov.au. No more than two (2) questions may be asked, with each question up to a maximum of 300 characters.

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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	Appendix 1:	Tender Evaluation for Contract No. 23/24-58: Request for Quotation – Collection, Transportation and Processing of Mattresses and Soft Furnishings from Transfer Stations
	Appendix 2:	Tender Evaluation for Contract No. 23/24-50: Construction of Euroa Truck Wash
	Appendix 3:	Tender Evaluation for Contract No. 23/24-64: Refurbishment of Nagambie Comfort Station
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11. OFFICER REPORTS

11.1 STRATEGIC AND STATUTORY PLANNING

11.1.1 Planning Permit Application No. P2023-109: Use and Development of Land for a Dwelling at 1823 Euroa-Strathbogie Road, Kithbrook

Author: Manager Planning and Investment

Responsible Director: Director Community and Planning

EXECUTIVE SUMMARY

The proposal is for the use and development of the land for a dwelling on a Lot less than 40 hectares in the Farming Zone. A small-scale farming operation is proposed featuring chicken egg production, the planting of quince and apricot trees and conservation of onsite landscape values.

The subject site is located approximately two kilometres north of the township of Strathbogie and is set amongst larger farming operations.

The application was notified to adjacent and nearby property owners and occupiers and one objection was received. This objection raised concerns about the need for a dwelling in relation to the small scale and type of farming activity proposed.

The proposal was referred to Goulburn-Murray Water, given the subject site is located in the Special Water Catchment Area, Council's Health Officer and Engineering Department. There were no objections to the proposal and conditional consent was provided by all referral authorities.

Given the topography of the land, the risk of erosion and landslide has been assessed and a report provided shows that it will not be exacerbated by this proposed development.

Officers have undertaken an assessment of the application against the relevant considerations of the Farming Zone. It is considered that supporting the proposal could result in a rural lifestyle outcome given that it proposes a small scale farming activity that is not likely to be highly productive and does not require a dwelling to carry out. The subject land is in proximity to the township of Strathbogie and is an attractive location to those seeking a rural lifestyle opportunity. The subject land is not identified in the Rural Residential Strategy 2004 as an area for rural residential development. Approval of the application has the potential to set a precedent for the area without any formal strategic support.

Officers have undertaken an assessment of the application against the relevant policy considerations of the Strathbogie Planning Scheme. Officers consider that the proposed farming activity does not require a dwelling in order to be undertaken on the land. There is the potential for the proposed farming activity to become secondary to the primary use of the land for a dwelling. Given this, approval of a dwelling has the potential to impact surrounding farming activities and lead to a proliferation of dwellings in this locality that are used for rural lifestyle purposes.

In conclusion, an assessment of the application against the relevant planning considerations does not weigh in favour of support for this proposal. A detailed assessment of the application has been undertaken in the planning report included as Attachment 1 to this report.

11.1.1 Planning Permit Application No. P2023-109: Use and Development of Land for a Dwelling at 1823 Euroa-Strathbogie Road, Kithbrook (cont.)

The applicant for this application has lodged a review at the Victorian Civil and Administrative Tribunal (VCAT) for Council's failure to decide on the application within 60 statutory days. The purpose of this Council report is to seek a position from Council on the application; it is not to decide on the application as that now lies with VCAT.

RECOMMENDATION

That Council:

- ***having caused notice of Planning Application No. P2023-109 to be given under Section 52 of the Planning and Environment Act 1987 and or the planning scheme;***
- ***and having considered all the matters required under Section 60 of the Planning and Environment Act 1987 decides that, should it have the power to determine on the application, Council's position on the matter is to issue a Notice of Decision to Refuse to Grant a Permit under the provisions of the Strathbogie Planning Scheme in respect of the land known as (L1 TP826506 V6294 F750 Parish of Marraweeny), 1823 Euroa-Strathbogie Road, Kithbrook VIC 3666, for the Use and Development of Land for a Dwelling based on the following grounds:***

Grounds of Refusal:

1. ***The proposal does not support the Purpose of the Farming Zone and does not weigh in favour of support when assessed against the appropriate decision guidelines of the Farming Zone:***
 - ***The proposal for a dwelling has no connection to productive farming pursuit that requires a dwelling on the land for its operation;***
 - ***The proposal has the potential to limit operation and expansion of adjoining and nearby agricultural uses; and***
 - ***The proposal has the potential to lead to proliferation of dwellings in the area, which are not connected to farming, with potential for adverse impacts on surrounding agricultural production.***
2. ***The proposal, when assessed against the policy directions throughout the Strathbogie Planning Scheme, is not weighted in favour of support. The relevant policy that provides direction are:***
 - a. ***Clause 02.03-4 – given the proximity to Melbourne and major regional centres, and the scenic nature of the area, there is a continual demand for rural lifestyle development not associated with farming. This leads to land use conflicts between farming and rural industries;***
 - b. ***Clause 14.01-1S – the proposal does not protect the state's agricultural base as it is an incompatible use with farming, in this location; and***
 - c. ***Clause 14.01-1L – the subject land is not identified in the Strathbogie Shire Rural Residential Strategy (Strathbogie Shire Council, 2004) as rural residential.***

11.1.1 Planning Permit Application No. P2023-109: Use and Development of Land for a Dwelling at 1823 Euroa-Strathbogie Road, Kithbrook (cont.)

PURPOSE AND BACKGROUND

This report is brought to Council with an Officer recommendation for refusal. A decision on Council's position on the matter is required given officers do not have delegation to decide on the application given the current appeal at VCAT.

The appeal is being brought under Section 79 of the *Planning and Environment Act 1987* for failure to determine the application within the statutory timeframe of 60 days.

Proposal

It is proposed to use and develop the land for a single dwelling. The dwelling proposed is shown to be a rectangular shaped building that includes the dwelling, garage and production area for the farming enterprise proposed. The dwelling is shown to contain a study, bedroom, master bedroom with ensuite, combined kitchen, dining and living room. The dwelling also contains a production area which is shown to be approximately 21 metres long and 12 metres wide.

The entire building is shown to have an area of 720sqm in addition to the unenclosed undercover canopy.

A Farm Management Plan was submitted in support of the application. In general, the plan proposes:

- egg production through the use of 50 laying chickens. The chickens will be located in the orchards and throughout the site producing 16,000 eggs per year; and
- 400 quince trees planted (annually producing 24-40 tonnes at maturity); and
- 400 apricot trees (annually producing 12-15 tonnes at maturity); and
- Roadside produce stand; and
- Riparian conservation zones for waterways onsite; and
- Soil rehabilitation and improve to control erosion.

11.1.1 Planning Permit Application No. P2023-109: Use and Development of Land for a Dwelling at 1823 Euroa-Strathbogie Road, Kithbrook (cont.)

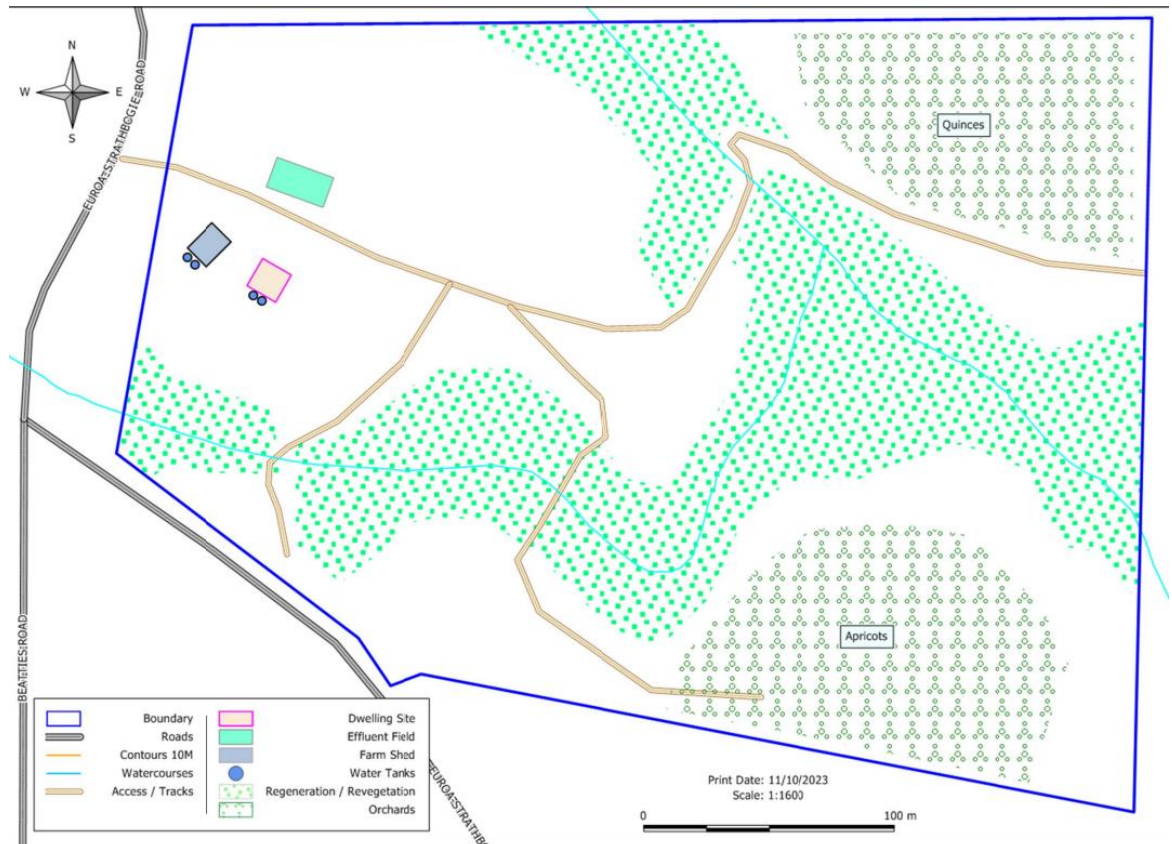


Figure 1: Proposed dwelling and agricultural activities.

Subject site

The subject site is located at 1823 Euroa-Strathbogie Road, Kithbrook with an area of 10.5 hectares. There are two waterways flowing through the site, entering from the north and west and exiting from the east, flowing in a 'Y' shape. The waterway is named as Magiltans Creek. The land significantly slopes down to each waterway, where there is sporadic vegetation plantings and several sections of the waterways have been negatively impacted by cattle grazing. The site has several rocky outcrops and due to the existing waterways is basically split up into three separate areas.

The site contains existing structures in proximity to the western boundary, which appear to have been used for human habitation. There is no evidence of any building or planning approval for these structures on Council’s record system.

The surrounding area is made up of larger parcels of land in the Farming Zone, and on similar undulating topography, generally sloping down from west to east. Several neighbouring and nearby properties contain residences, whilst others are vacant.

On the adjoining lot to the south, Council has issued a notice of decision to grant a permit for the “Use and Development of land for a distillery and associated sales; Use and Development for a manager’s dwelling and associated outbuilding; Use and Development for group accommodation; Signage; and Liquor License”.

11.1.1 Planning Permit Application No. P2023-109: Use and Development of Land for a Dwelling at 1823 Euroa-Strathbogrie Road, Kithbrook (cont.)

This application is currently being considered by Victorian Civil and Administrative Tribunal (VCAT).



Figure 2: Subject land (outlined red).

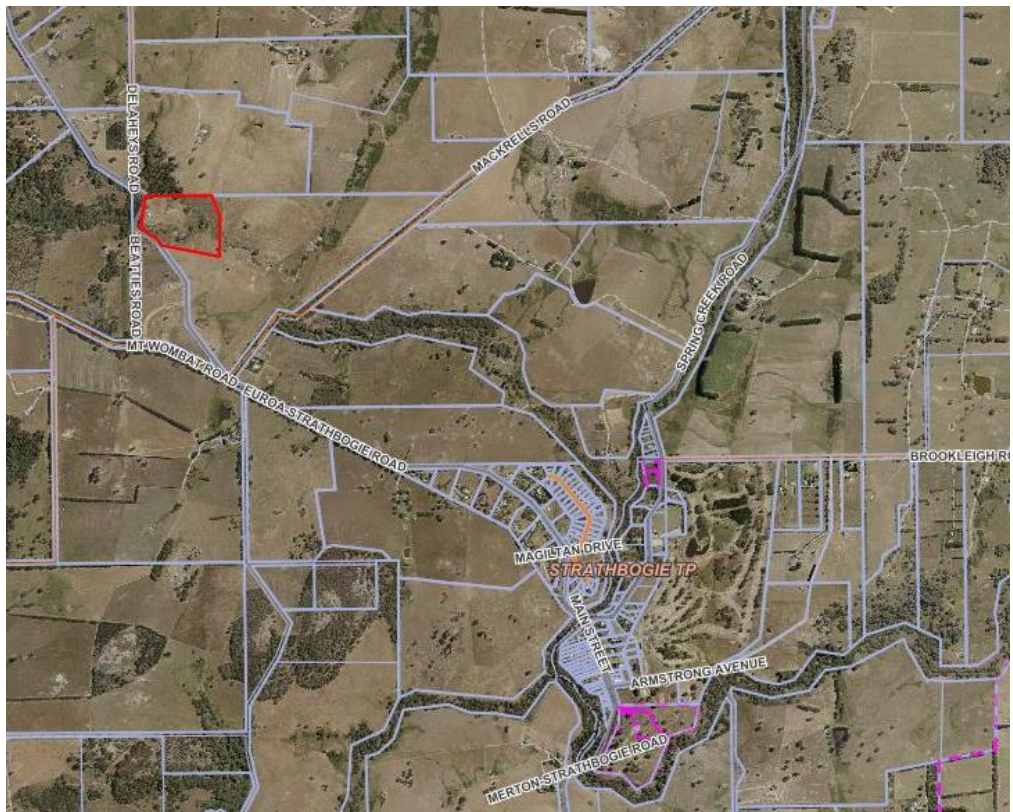


Figure 3: Locality Map

11.1.1 Planning Permit Application No. P2023-109: Use and Development of Land for a Dwelling at 1823 Euroa-Strathbogie Road, Kithbrook (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.

Under delegated authority of Council, Council Officers determine some matters.

This application is to be determined by Council in accordance with Council's S6 Instrument of Delegation - Members of Staff.

The attached planning report provides a detailed assessment of the application.

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 application was notified to adjacent and nearby owners and occupiers, under Section 52 of the Planning and Environment Act 1987. One objection was received. No mediation has been entered into as the objector is opposed to the approval of a dwelling on the land.

POLICY CONSIDERATIONS

Council Plans and Policies

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

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

Our community's goals – We are managing growth carefully to protect the environment and meet our social infrastructure needs.

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:

- Melbourne Plan 2030
- Hume Regional Growth Plan 2014

11.1.1 Planning Permit Application No. P2023-109: Use and Development of Land for a Dwelling at 1823 Euroa-Strathbogie Road, Kithbrook (cont.)

RISK CONSIDERATIONS

Risk(s)	Likelihood	Consequence	Rating	Mitigation Action
VCAT appeal will result in council's position being overturned	Possible	Moderate	Low	Ensure resourcing is adequate to make decisions within the statutory time frame to mitigate risk of appeals for a failure to determine at VCAT. It is important to note that the majority of planning applications are currently determined within the statutory timeframe.

LEGAL CONSIDERATIONS

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

There is no delegation for planning officers to decide on an application when no decision has been made within the statutory timeframe and an appeal under Section 79 is made to VCAT. Officers are required to refer the application to Council to determine what the position on the application is prior to the future VCAT hearing.

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 application is being heard by Council in accordance with the relevant Council delegation. Hearing, the application in a public meeting will allow all parties the opportunity to be heard by Council prior to a position being made on the application.

11.1.1 Planning Permit Application No. P2023-109: Use and Development of Land for a Dwelling at 1823 Euroa-Strathbogrie Road, Kithbrook (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.

Future financial costs could be incurred by Council through the VCAT hearing process.

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 recommendation forming part of this report does not impose any sustainability considerations.

CONCLUSION

Following an assessment of the application against the relevant requirements of the Strathbogrie Planning Scheme, it is recommended that Council form the position that, should it have the power to do so, it would determine to issue a Notice of Decision to Refuse to Grant a Permit.

ATTACHMENTS

Attachment 1: Officer Report for Planning Permit Application No. P2023-109: Use and Development of Land for a Dwelling at 1823 Euroa-Strathbogrie Road, Kithbrook

11.1.2 Planning Applications Received and Planning Applications Determined - 1 to 30 April 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 30 April 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 March 2024. The April 2024 PPARS Figures were not available at the time of writing this report as the monthly figures are not updated until the 15th of each month. The contents of this report are provided for information purposes only.

It is noted that there were seventeen (17) new planning applications received and thirteen (13) planning applications decided on 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 seventeen (17) new planning applications received, and thirteen (13) planning applications decided on during the period of 1 to 30 April 2024; and***
- 2. Note the report.***

PURPOSE AND BACKGROUND

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

ISSUES, OPTIONS AND DISCUSSION

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

Council is a Responsible Authority under the *Planning and Environment Act 1987*. 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.

11.1.2 Planning Applications Received and Planning Applications Determined
- 1 to 30 April 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 the 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, including those under delegation.

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

11.2 COMMUNITY

11.2.1 Greening Euroa – Potential Funding Update

Author: Environment and Waste Coordinator

Responsible Director: Director Sustainable Infrastructure

EXECUTIVE SUMMARY

Due to climate change, our landscape is experiencing persistent and ongoing drought conditions, which leads to decreases in inflows into our catchments and decreases in potable water supplies.

During the drought in 2018/19, inflows into catchments within Strathbogie Shire meant that potable water was required to be tankered into Euroa to ensure ongoing town supply for drinking. This meant that water was not available for our recreation reserves and schools to keep their green spaces green.

In 2020, Council established with Goulburn Valley Water (GV Water), a Project Steering Committee to finalise the detailed design for the recycled water pipeline, undertake community engagement and advocate for funding for the project.

This report provides an update on advocacy and potential funding opportunities that are available to fund the delivery of this project.

RECOMMENDATION

That Council note the report regarding current advocacy and potential Federal Government funding to progress the Greening Euroa Recycling Water Pipeline Project.

PURPOSE AND BACKGROUND

The purpose of this report is to provide an update to the community on advocacy efforts and the current Federal Government funding opportunity for this project.

The Greening Euroa project is a joint initiative between Strathbogie Shire Council, Goulburn Valley Water (GV Water), Goulburn Broken Catchment Management Authority (GBCMA) and local schools and community groups.

The Greening Euroa Committee (the Committee) was established with the aim to construct a pipeline to provide treated, recycled water from the Wastewater Management Facility on Tip Road, Euroa, to Euroa's biggest water users in town.

This project has partnered with local schools and community groups to look into the feasibility of extending infrastructure from the Waste Water Treatment Plant on Tip Road, Euroa, to provide treated recycled water for irrigation to nine playing and recreational fields in Euroa and to reduce the dependence on potable, ground and stream water.

11.2.1 Greening Euroa – Potential Funding Update (cont.)

The Committee, currently in abeyance, consisted of representatives from:

- Strathbogie Shire Council;
- Euroa Secondary College;
- St Johns Primary School;
- Euroa Primary School;
- Euroa Arboretum;
- Memorial Oval Committee of Management;
- Goulburn Valley Water;
- Goulburn Broken Catchment Management Authority;
- Euroa Showgrounds;
- Euroa Croquet Club;
- Euroa Lawn Tennis Club; and
- Friendlies Oval Committee of Management.

As climate change and population growth puts more pressure on the region's water resources, it is more important than ever before to make the most of every drop. GV Water installed a standpipe near the Euroa Golf Course and has carried out improvements at the Euroa Wastewater Management Facility, upgrading the treatment level from Class C to Class B which will allow it to be used for irrigation purposes.

Greening Euroa has been supported by the Victorian Government through Integrated Water Management Program funding.

The whole project comprises of three stages:

- Stage 1 – Euroa facility audits, risk analysis and infrastructure design (completed)
- Stage 2 – Treatment Plant and Route Capital Infrastructure Design and Quantity Surveyor Analysis
- Stage 3 – Project implementation of Construction

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 key aim of Greening Euroa is to extend Euroa's water security and enable the town's schools and outdoor sporting and recreation venues to continue as usable, vibrant social hubs.

After the formation of the Committee, funding was received from Department of Environment, Land, Water and Planning – Integrated Water Management Program to deliver the detailed design for the pipeline. As part of this work, Council and GV Water also contributed \$100,000 each to complete the work.

The total cost for the capital stage of the project is estimated at \$3.8 million. Due to the size of the project, staff from Council and GV Water continue to look for external grant funding for the capital component of this work.

11.2.1 Greening Euroa – Potential Funding Update (cont.)

Since this time, Council, GV Water and the Committee have undertaken significant advocacy to State and Federal Government to secure the required funding. This has included letters to relevant ministers at State and Federal levels, the Standpipe Cup (an initiative between Euroa and Mansfield Football Netball Clubs to compete for a Cup and raise awareness of the Greening Euroa Project), signage at Euroa township entries, magnets, and market appearances. This project remains as one of the five (5) key advocacy projects for Council.

Funding is potentially available through the Regional Precincts and Partnerships Program through the Federal Government. There is no cash contribution required from Council but Council staff would work with the members of the Committee to supply letters of support and ensure that their facilities are ready for the pipeline.

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 around the Greening Euroa Project has been ongoing with information on Council's webpage, regular media releases and ongoing engagement with the Project Steering Committee.

POLICY CONSIDERATIONS

Council Plans and Policies

The *2012-2025 Council Plan* is relevant with the following:

Strategic focus area 3: Protect. Enhance. Adapt.

- Action 3.4: In partnership with Goulburn Valley Water, investigate opportunities to green open spaces in towns with recycled water from the town's wastewater treatment plant.
- Action 3.1.1: Implement the Climate Change Action Plan for Council operations, which explores initiatives such as an urban forest strategy, micro grids for our towns and auditing council facilities to identify opportunities to minimise their net environmental impact

Strathbogie Shire Council Climate Change Action Plan 2022 – 2027

- Action 23 – Water: Continue to support Greening Euroa to get it ready to out to tender once funding has been secured.

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.

- Water for Victoria
- Integrated Water Management Framework 2017
- Climate Change Act 2017
- Urban Water Strategy 2022 – Goulburn Valley Water

11.2.1 Greening Euroa – Potential Funding Update (cont.)

RISK CONSIDERATIONS

Risk(s)	Likelihood	Consequence	Rating	Mitigation Action
Unable to secure funding to deliver the project	Possible	Major	High	Continue to advocate to Government.
Losing community support	Unlikely	Moderate	Low	Continue to keep the community involved in the project.

LEGAL CONSIDERATIONS

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

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

Conflict of Interest Declaration

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

Transparency

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

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 *Local Government Act 2020*.

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 implications from the adoption of this recommendation. If Council and GV Water are successful in receiving funding, there is no cash co-contribution required from Council. GV Water has committed to funding the project management portion and Council staff will contribute in-kind support with the management of the Committee.

11.2.1 Greening Euroa – Potential Funding Update (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

A recycled water pipeline offers economic benefits by conserving freshwater resources, reducing costs for utilities and consumers, and fostering sustainable growth in industries and agriculture.

Social

If this project was funded and the recycled water pipeline was delivered, the social benefit would be that, during times of drought, members of the community would have access to green spaces which has been shown to have positive mental health benefits.

Environmental

In replacing potable or bore water with recycled water, there are significant environmental benefits. This allows more water to be available to be stored within the water table for environmental benefit.

Climate change

Our climate will continue to become more unstable as climate change impacts on our community. This project will allow potable water to be used for drinking and washing with recycled water keeping our green spaces green.

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.

If successful this will be one of the first recycled water pipelines directly servicing community assets in the State. It is an innovative way to use what is currently a surplus product.

COLLABORATION

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

This project has involved collaboration between GV Water, Council, GBCMA, the local community, schools and sporting groups.

HUMAN RIGHTS CONSIDERATIONS

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

11.2.1 Greening Euroa – Potential Funding Update (cont.)

CONCLUSION

The collaborative efforts of Council, GV Water, and the Project Steering Committee have been instrumental in advancing the pipeline project. Initial funding from the Department of Environment, Land, Water and Planning, coupled with contributions from Council and GV Water, has facilitated progress to the detailed design phase. Despite the significant capital cost, ongoing advocacy and strategic initiatives aim to secure additional funding, with potential opportunities available through the Regional Precincts and Partnerships Program.

ATTACHMENTS

Nil.

11.3 **INFRASTRUCTURE**

11.3.1 **Tender for Contract No. 23/24-58: Request for Quotation – Collection, Transportation and Processing of Mattresses and Soft Furnishings from Transfer Stations**

Author: Procurement and Tenders Officer and Waste Management Officer

Responsible Director: Director Sustainable Infrastructure

EXECUTIVE SUMMARY

In collaboration with Mansfield Shire Council and Murrindindi Shire Council, Strathbogie Shire Council has undertaken a request for quotation (RFQ) from suppliers within the waste industry for Contract No. 23/24-58 – Collection and Processing of Mattresses and Soft Furnishings.

This procurement option allows for the targeted and efficient quotes process from industry specialist suppliers, providing group buying pricing. This approach is in accordance with 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 remain compliant with the requirements of the *Local Government Act 2020*.

Mansfield Shire Council was the lead role in this procurement process. The tender was uploaded in TenderLink from Thursday 23 November 2023 until Thursday 14 December 2023. At the close of tenders, two (2) quotation submissions were received. Due to the collaboration required by Officers from each Council, and competing operational commitments, there has been a delay in presenting this report to Council.

Following assessment and evaluation from officers at all three (3) Councils, it is recommended that Council award the RFQ process to WM Waste Management Services Pty Ltd, based in Boronia, for a two-year contract, with an option for a further one year (at Council discretion).

RECOMMENDATION

That Council:

1. ***Note the outcome of the Request for Quotation assessment process for Contract No. 23/24-58 - Collection, Transportation, and Processing of Mattresses and Soft Furnishings from Transfer Stations;***
2. ***Award the Contract No. 23/24-58 - Collection, Transportation, and Processing of Mattresses and Soft Furnishings from Transfer Stations to WM Waste Management Services Pty Ltd for two years, with an option of a further one year at Council discretion;***
3. ***Authorise Officers to advise the unsuccessful quoters; and***
4. ***Authorise the Chief Executive Officer to award the Contract by signing a letter of award.***

11.3.1 Tender for Contract No. 23/24-58: Request for Quotation – Collection, Transportation and Processing of Mattresses and Soft Furnishings from Transfer Stations (cont.)

PURPOSE AND BACKGROUND

This report seeks Council endorsement to note the process and assessment for Contract No. 23/24-58 – Collection, Transportation and Processing of Mattresses and Soft Furnishings and award the contract as recommended in this report.

Council has undertaken a Request for Quotation (RFQ) process from suppliers in the waste industry for Contract No. 23/24-58 for managing the mattresses and soft furnishings disposed of through our transfer stations.

This collaborative procurement option allows for a 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 TenderLink’s portal on Thursday 23 November 2023. By close of RFQ process at 12pm on Thursday 14 December 2023, two (2) quotation submissions had been received.

The two (2) quote submissions were assessed for compliance against the required scope of works. After the initial Evaluation Panel meeting, consisting of Council officers from Mansfield, Murrindindi and Strathbogie, a recommendation report was produced.

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)
Junk Group Discretionary Trust
WM Waste Management Services

Assessment Process

The following Council Officers reviewed the submission:

1. Waste Management Officer – Strathbogie Shire Council
2. Project Officer Waste & Environment – Mansfield Shire Council
3. Coordinator Waste Management – Murrindindi Shire Council

The principle that underpins 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.

11.3.1 Tender for Contract No. 23/24-58: Request for Quotation – Collection, Transportation and Processing of Mattresses and Soft Furnishings from Transfer Stations (cont.)

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

TABLE 1: Evaluation Criteria

Criteria	Weighting (%)
Price	30%
Capability	25%
Capacity	25%
Sustainability	15%
Local Content	5%

The Evaluation Panel was satisfied that WM Waste Management Services Pty Ltd submitted a quotation that demonstrated to be a capable supplier with the capacity to collect and process this waste stream, meeting the required scope of works.

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 did not require community consultation.

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.

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 collaborative procurement, allowing 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.

11.3.1 Tender for Contract No. 23/24-58: Request for Quotation – Collection, Transportation and Processing of Mattresses and Soft Furnishings from Transfer Stations (cont.)

RISK CONSIDERATIONS

Risk(s)	Likelihood	Consequence	Rating	Mitigation Action
Contractor becomes insolvent and cannot operate	Possible	Moderate	Medium	Alternative suppliers can be contacted to continue service until a further procurement process can take place.
Unexpected changes to submitted pricing	Unlikely	Moderate	Low	Contracts to clearly define the fee structure.
Failure of contractor to deliver required outcomes	Possible	Moderate	Medium	Clearly defined scope has been developed and will be monitored regularly against delivery.

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 *Local Government Act 2020* 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 *Local Government Act 2020*.

11.3.1 Tender for Contract No. 23/24-58: Request for Quotation – Collection, Transportation and Processing of Mattresses and Soft Furnishings from Transfer Stations (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.

This is an existing service and can be accommodated within the operational 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

This contract will provide the municipality with a safe and reliable service to dispose of their unwanted mattresses and soft furnishing items.

Environmental

The Scope of Works ensures that the collection, transportation and processing of this waste stream meets all local, state and national compliance and environment requirements.

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 quotes for Contract No. 23/24-58 – Collection, Transportation and Processing of Mattresses and Soft Furnishings from Transfer Stations.

This was a collaborative procurement between Mansfield, Murrindindi and Strathbogie Shire Councils. Submitted quotes were evaluated strictly in accordance with Council's Procurement Policy.

It is proposed that Council endorses the recommended contract and award the tender to WM Waste Management Services based in Boronia, Melbourne.

ATTACHMENTS

Nil.

CONFIDENTIAL APPENDICES

Appendix 1: Tender Evaluation for Contract No. 23/24-58: Request for Quotation – Collection, Transportation and Processing of Mattresses and Soft Furnishings from Transfer Stations (CONFIDENTIAL)

11.3.2 Variation to Contract No. 22/23-27: Streetscape Detailed Design - Euroa, Strathbogie and Violet Town

Author: Senior Project Officer

Responsible Director: Director Sustainable Infrastructure

EXECUTIVE SUMMARY

Council awarded the Contract for CN 22/23-27 Streetscape Detailed Design - Euroa, Strathbogie, and Violet Town to PT Tomkinson & Associates Pty Ltd, based in Bendigo, on 15 December 2022. The contract was valued at a lump sum of \$113,476.00 (including GST) to undertake:

- Euroa: Stage 2 Detailed Design (to replicate Stage 1 works);
- Strathbogie Township: Detailed Design; and
- Violet Town: Detailed Design.

The Euroa and Strathbogie Township components of the project have been delivered by the Consultant. The Euroa component required a variation of \$6,930.00 (including GST), approved under delegation, to complete the detailed design.

Given that the main street of Violet Town is a VicRoads Arterial Road, it has presented unique challenges during the design process. Council diligently followed the necessary processes, including obtaining endorsement from the Department of Transport and Planning (DTP) and engaging in a sequence of community consultations. Unfortunately, there have been delays in completing the design, primarily due to additional requests and design changes mandated by DTP, as well as extended community consultations throughout the process. A proposed variation of \$41,470.00 (including GST) is required to address DTP's additional requests and facilitate the completion of the Violet Town design phase.

The total value of the two (2) variations, being \$6,930.00 (including GST) and \$41,470.00 (including GST), is \$48,400.00 (including GST).

This report seeks Council endorsement for the proposed variation that will facilitate finalising the designs for Violet Town Streetscape and to note the variation approved under delegation to complete the Stage 2 works at Euroa to a total of \$48,400 (including GST).

RECOMMENDATION

That Council:

- 1. Approve the variation of \$41,470.00 (including GST), increasing the value of Contract No. 22/23-37 Streetscape Detailed Design – Euroa, Strathbogie, and Violet Town, to \$161,876.00 (including GST) to cover additional works required to complete the Stage 1 designs;***
- 2. Note the previous project variation of \$6,930.00 (including GST), approved under delegation; and***
- 3. Note that the project variation to cover additional works required to complete Stage 1 designs can be accommodated within existing Streetscape budget allocations.***

11.3.2 Variation to Contract No. 22/23-27: Streetscape Detailed Design - Euroa, Strathbogie and Violet Town (cont.)

PURPOSE AND BACKGROUND

The Strathbogie Shire Streetscape Program commenced in the 2021/22 Financial Year and have progressed utilising additional Federal Government grant funding under the Local Roads and Community Infrastructure Program (LRCIP).

Council awarded the Contract for CN 22/23-27 Streetscape Detailed Design - Euroa, Strathbogie, and Violet Town to PT Tomkinson & Associates Pty Ltd based in Bendigo on 15 December 2022. The contract was valued at a lump sum of \$113,476.00 (including GST) to undertake works as follows:

- Euroa: Stage 2 Detailed Design (to replicate Stage 1 works);
- Strathbogie Township: Stage 1 Detailed Design; and
- Violet Town: Stage 1 Detailed Design.

This report seeks Council endorsement for the proposed variation that will facilitate finalising the designs for Violet Town Streetscape and to note the variation approved under delegation to complete the Stage 2 works at Euroa to a total of \$48,400 (including GST).

ISSUES, OPTIONS AND DISCUSSION

The main street of Violet Town is a VicRoads Arterial Road and has presented unique challenges during the design process. Officers have diligently followed the necessary processes, including obtaining endorsement from the Department of Transport and Planning (DTP) and engaging in a further sequence of community consultations. However, this has resulted in additional costs and project delays to the Streetscape design mandated by the DTP.

The proposed variations mentioned in Table 1 below are necessary to address the DTP's additional requests and facilitate the completion of the Violet Town design phase.

Table 1: Details of variations

No.	Description	Amount (\$ including GST)
1	Design variations for Euroa Stage 2 (approved under officer delegation)	6,930.00
2	Violet Town – Additional Surveying	5,390.00
3	Violet Town – Service Locating/depth	10,120.00
4	Violet Town – Geotechnical Services	17,380.00
5	Violet Town – Engineering & Project Administration	8,580.00
	Total	48,400.00

It should be noted that the Stage 1 Strathbogie Tablelands works were awarded at the 16 April 2024 Council meeting at a cost of \$382,954.55 (including GST).

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.

11.3.2 Variation to Contract No. 22/23-27: Streetscape Detailed Design - Euroa, Strathbogie and Violet Town (cont.)

Extensive community consultation and engagement has informed the Streetscape designs for each town. Council valued and considered community inputs related to the streetscape program through a structured community consultation process led by Council’s Communications and Engagement team. All the designs were developed based on the outcome of the community consultation with dedicated streetscape groups for each town representing the community interests.

POLICY CONSIDERATIONS

Council Plans and Policies

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

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

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

- Strategic Focus Area 1: Engage. Create. Unite
One of the community’s goals is to create welcoming social spaces where people can connect.

RISK CONSIDERATIONS

Risk(s)	Likelihood	Consequence	Rating	Mitigation Action
Budget overrun	Likely	Moderate	High	Ensure detailed project specifications and job prioritisation at tendering.
Delay in completion	Possible	Moderate	Moderate	Ensure detailed project specifications and job prioritisation at commencement.

LEGAL CONSIDERATIONS

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

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

Conflict of Interest Declaration

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

11.3.2 Variation to Contract No. 22/23-27: Streetscape Detailed Design - Euroa, Strathbogie and Violet Town (cont.)

Transparency

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

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

Decisions made by Council will be:

- undertaken in accordance with the *Local Government Act 2020* 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 *Local Government Act 2020*.

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 streetscape program is fully funded through the Local Roads and Community Infrastructure Program (LRCIP) grants where Council input is to manage the design and construction process and maintain the infrastructure created through the program. There are sufficient funds remaining in the Streetscape Budget to cover the aforementioned variations.

The Budget allocated through LRCIP for streetscape renewal works for FY 23/24 is \$1,521,927.00 (including GST) and Council committed \$1,243,277.34 (including GST) of these funds by the end of April 2024. Therefore, the uncommitted portion of the allocation is \$278,649.66 (including GST) as of end April 2024. Below is a summary of commitment (including actual expenditure) for this financial year.

Table 2: Summary of expenditure and commitment FY 23/24

Description	Amount (\$ including GST)
Design (Euroa, Violet Town and Strathbogie)	18,800.63
Avenel – Stage 1 retention release and Stage 2 signage contract	209,679.82
Euroa – Stage 2 works, furniture and concrete pads for seating pods	316,210.39
Nagambie – Detailed design and concrete pads for seating pods	280,802.10
Strathbogie – Streetscape Construction Contract and furniture	393,848.40
Violet Town - Design (Road Safety Audit) and Concrete pads for Seating pods	14,806.00
Longwood – Stage 1 retention release	9,130.00
Total	1,243,277.34

11.3.2 Variation to Contract No. 22/23-27: Streetscape Detailed Design - Euroa, Strathbogie and Violet Town (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

Effective streetscape design:

- Creates a distinctive sense of place for residents, visitors, and businesses;
- Provides a high quality, attractive public space where people want to visit and shop; and
- Improves the attractiveness, comfort, accessibility, connectivity, and safety in each of our main streets or main commercial areas.

Social

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

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

Environmental and Climate change

The streetscape plan aims to improve the environmental function of our townships by:

- Increasing irrigation potential and stormwater drainage;
- Replacing landscape treatments that are at the end of their lifecycle;
- Ensuring the retention and renewal of the significant mature street trees where possible and the character of leafy streetscapes; and
- Increase the number of permeable surfaces, soft landscape areas and shade trees.

HUMAN RIGHTS CONSIDERATIONS

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

CONCLUSION

Council awarded the Contract for CN 22/23-27 Streetscape Detailed Design - Euroa, Strathbogie, and Violet Town to PT Tomkinson & Associates Pty Ltd on 15 December 2022, following a public tender process. The contract was valued at a lump sum of \$113,476.00 (including GST).

The variations listed in this report amount to \$48,400.00 (including GST) and are required to facilitate the completion of Violet Town Design package and Euroa Stage 2 works.

ATTACHMENTS

Nil.

11.3.3 Variation to Contract No. 23/24-35: Euroa Civic Centre Toilets Upgrade

Author: Manager Projects

Responsible Director: Director Sustainable Infrastructure

EXECUTIVE SUMMARY

At its 20 February 2024 meeting, Council formally noted the awarding of Contract 23/24-35 Euroa Civic Centre Toilets Upgrade to Projects and Maintenance Squared Pty Ltd for the tender amount of \$169,382.40 (including GST).

The successful contractors have commenced on-site inspections and, to comply with current Australian Building Standards, have noted that additional works are required to bring the Accessible Toilet up to standards. Furthermore, the existing toilet roofing material contains asbestos and will require removal and disposal in strict accordance with the Environment Protection Authority Victoria requirements. It is important to note that the roofing material in its current form is safe and presents no risk to public health and safety.

These additional works will incur an additional \$93,288.00 (including GST) and will provide a vital upgrade to all users of the facilities.

It is recommended that the additional funds required of \$93,288.00 (including GST) are allocated to the project budget as a result of savings from other 2023/24 Capital Works programs.

RECOMMENDATION

That Council:

- 1. Approve Variation Requests VQR-01 and VQR-02 which increases the total project costs by \$93,288.00 (including GST) for a combined variation of 60.50% above the original contract value, and authorise the Chief Executive Officer to sign the appropriate Variation Quotation Request form;***
- 2. Note that the Euroa Civic Centre will be closed on Tuesday 25 June, Wednesday 26 June and Thursday 27 June 2024 whilst the asbestos removal works are being undertaken. Customer Service will continue to be available online and at the Visitor Information Centre in Nagambie;***
- 3. Note that the Euroa Cinema will be closed to the public from Monday 24 June 2024 to Friday 20 September 2024, inclusive; and***
- 4. Note that Council meetings will be held at the Nagambie Lakes Regatta Centre, Loddings Lane, Nagambie, for the 16 July 2024, 20 August 2024 and 17 September 2024 Council meetings, due to the lack of public toilet access at the Euroa Community Conference Centre during the construction period.***

11.3.3 Variation to Contract No. 23/24-35: Euroa Civic Centre Toilets Upgrade (cont.)

PURPOSE AND BACKGROUND

As a part of the Strathbogie Shire Council Capital Works Program for Financial Year 2023-24, the existing toilets at the Euroa Civic Centre were identified as needing upgrading, having been deemed inadequate and not fit for purpose. For this reason, an upgrade of the facilities is required to provide a better service for the Community, Cinema patrons, Councillors and Strathbogie Shire employees.

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.

Upon commencement of works, the contractor identified that additional works are required to bring the Accessible Toilet up to Australian Building Code Standards. Furthermore, the existing toilet roofing material contains asbestos and will require removal and disposal in strict accordance with the Environment Protection Authority Victoria requirements. It is important to note that the roofing material in its current form is safe and presents no risk to public health and safety.

The additional works required for this project are detailed as follows:

- Removal of all asbestos material identified within the Asbestos audit. The contractor will ensure all appropriate legislative requirements are complied with and the removal of contaminated materials from site and disposed of as per EPA requirements.
Cost: \$34,470.00 (GST Incl);
- Fit out of the refurbished Accessible Toilet facility to comply with legislative and building code standards.
Cost: \$8,764.80 (GST Incl); and
- Removal of existing internal wall and the construction of a new timber framed wall in new location with new beams in ceiling to support floor to second level. These works are required to ensure Council's compliance with all DDA requirements.
Cost: \$50,053 (GST Incl).

During the asbestos removal works, officers propose to close the Euroa Civic Centre to officers and the community to ensure a safe environment for all. As such, the Civic Centre will be closed on Tuesday 25 June, Wednesday 26 June and Thursday 27 June 2024. Customer Service will be available via email at info@strathbogie.vic.gov.au or via phone on 5795 0000. The Customer Service Centre in Nagambie will continue to be open.

Given that all publicly accessible toilets will be disconnected during the 13-week construction period:

- the Euroa Cinema will be closed to the public from Monday 24 June 2024 to Friday 20 September 2024, inclusive; and
- Council meetings will be held at the Nagambie Lakes Regatta Centre, Loddings Lane, Nagambie, for the 16 July 2024, 20 August 2024 and 17 September 2024 Council meetings.

11.3.3 Variation to Contract No. 23/24-35: Euroa Civic Centre Toilets Upgrade (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 project work is listed under the Capital Works Budget in 2023/24.

Officers will personally inform the Cinema Management Group and Volunteers of the works and the broader community will be informed via local newspapers and Council social media channels.

POLICY CONSIDERATIONS

Council Plans and Policies

The report is consistent with Council Policies, key strategic documents, and the Council Plan.

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

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

- Strategic Focus Area 2: Live. Access. Connect
Key Initiative 2.1 Ensure that upgrades of Council facilities, as identified in the capital works program, are compliant with the Disability and Discrimination Act 1992 to improve access for people of all abilities.

Regional, State and National Plans and Policies

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

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

TENDER CONSIDERATIONS

Risk(s)	Likelihood	Consequence	Rating	Mitigation Action
Budget overrun	Likely	Moderate	High	Ensure detailed project specifications and job prioritisation at tendering.
Delay in completion	Unlikely	Minor	Low	Ensure detailed project specifications job prioritisation at commencement.
Asbestos Removal	Certain	Minor	Medium	Staff and community will not have access to the building throughout this process and air monitoring systems will be in place. The removal and disposal of asbestos will be undertaken in strict accordance with Environment Protection Authority Victoria requirements.

11.3.3 Variation to Contract No. 23/24-35: Euroa Civic Centre Toilets Upgrade (cont.)

LEGAL CONSIDERATIONS

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

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

Conflict of Interest Declaration

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

Transparency

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

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 *Local Government Act 2020* 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 *Local Government Act 2020*.

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 \$148,064.00 (exclusive of GST) for the Civic Centre Toilet Upgrade in the 2023-2024 Capital Works Program.

The variations, incurring an additional cost of \$93,288.00 (including GST), can be accommodated within the existing 2023/24 approved budget allocation.

SUSTAINABILITY CONSIDERATIONS

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

Economic and Social

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

11.3.3 Variation to Contract No. 23/24-35: Euroa Civic Centre Toilets Upgrade (cont.)

Environmental and Climate Change

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

HUMAN RIGHTS CONSIDERATIONS

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

CONCLUSION

At the 20 February 2024 Council Meeting, Council awarded Contract 23/24-35 Euroa Civic Centre Toilets Upgrade to Projects and Maintenance Squared Pty Ltd for the tender amount of \$169,382.40 (including GST).

The successful contractors have commenced on-site inspections and, to comply with current Australian Building Standards, have noted that additional works are required to bring the Accessible Toilet up to standards. Furthermore, the existing toilet roofing material contains asbestos and will require removal and disposal in strict accordance with the Environment Protection Authority Victoria requirements.

It is important to note that the roofing material in its current form is safe and presents no risk to public health and safety.

These additional works will incur an additional \$93,288.00 (including GST) and will provide a vital upgrade to all users of the facilities.

In the interests of health and safety, it is proposed that the Euroa Civic Centre is closed during the asbestos removal process. Given that access to public toilets will not be available during the construction period, the Euroa Cinema will be closed from Monday 24 June 2024 to Friday 20 September 2024, inclusive, and Council meetings scheduled for July, August and September 2024 will be relocated to the Nagambie Lakes Regatta Centre.

ATTACHMENTS

Nil.

11.3.4 Variation to Contract No. 23/24-01: Roads Pavement Rehabilitation Program 2023/24

Author: Director Sustainable Infrastructure

Responsible Director: Chief Executive Officer

EXECUTIVE SUMMARY

At its 20 February 2024 Council meeting, Council varied Contract 23/24-01 Roads Pavement Rehabilitation Program 23/24, awarded to Bild Infrastructure, by an amount of \$15,523.20 (including 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 required treatment.

At the 19 March 2024 Council meeting, Council varied this contract by a further amount of \$50,135.00 (including GST) for a combined variation of 20.87% of the original contract value. This variation was implemented to treat the springs at a deeper level, going down a further 300 to 500mm over a 100m distance.

However, in four (4) sections, the subgrade pushed through the rock blanket due to the underground springs, causing this section to fail. Council have negotiated with the contractor to excavate these four (4) sections of the Rock Blanket and complete a layer of Cement Treated Crushed Rock to help stabilise the sections for \$40,072.45 (including GST), for a combined variation of 27.04% of the original contract value.

This amount was negotiated with the contractor and is considered to represent value for money. It is recommended that the additional funds required be assigned to the project budget from the existing 2023/24 Capital Works program budget allocation for Sealed Roads Rehabilitation Operations.

Due to the extent of the treatment required and the road not able to be opened without the works being completed, waiting the formal approvals at the 21 May 2024 Council meeting would have incurred additional costs estimated at \$10,000 per week.

Subsequently, after briefing Council, works were progressed to completion to enable the road to be reopened for the community on Thursday 11 April 2024.

RECOMMENDATION

That Council:

- 1. Formally note the variations required to complete the road rehabilitation works along four (4) sections of Creek Junction Road, Kithbrook;***

11.3.4 Variation to Contract No. 23/24-01: Roads Pavement Rehabilitation Program 2023/24 (cont.)

RECOMMENDATION (cont.)

2. ***Note that these variations increase the total project costs by a further \$40,072.45 (including GST) for a combined variation of 27.04% of the original contract value;***
3. ***Note that officers authorised these variations to expediate the completion of the works thereby reducing further impacts to the community and additional costs to the project;***
4. ***Authorise the Chief Executive Officer to sign the appropriate Variation Quotation Request form; and***
5. ***Note that the project variations can be accommodated within existing 2023/24 approved Capital Works budget allocations.***

PURPOSE AND BACKGROUND

As a part of the Strathbogie Shire Council Capital Works Program for the 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 travelling 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 Variation to Contract No. 23/24-01: Roads Pavement Rehabilitation Program 2023/24 (cont.)

At the 20 February 2024 Council meeting, Council varied Contract 23/24-01 Roads Pavement Rehabilitation Program 23/24, awarded to Bild Infrastructure, by an amount of \$15,523.20 (including 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 within the contract.

Unfortunately, this treatment was unsuccessful in rectifying the unstable nature of the road at its location. At the 19 March 2024 meeting, Council varied this contract by an amount of \$50,135.00 (including GST) for a combined variation of 20.87% of the original contract value. This variation was implemented to treat the springs at a deeper level, going down a further 300 to 500mm over a 100m distance.

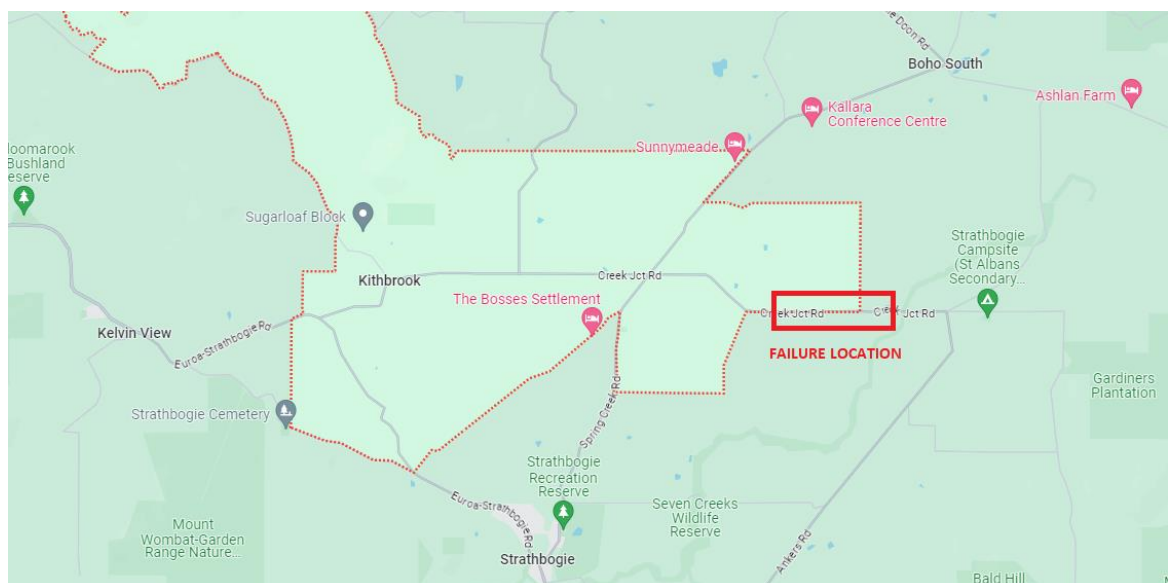
However, in four (4) sections, the subgrade pushed through the rock blanket due to the underground springs, causing this section to fail. Council have negotiated with the contractor to excavate these four (4) sections of the Rock Blanket and complete a layer of Cement Treated Crushed Rock to help stabilise the sections for \$40,072.45 (including GST), for a combined variation of 27.04% of the original contract value.

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. This was due to works disturbing the springs and consequently a significant additional length of the road requiring further treatment.

The figure below shows the location map and current status of excavation.



11.3.4 Variation to Contract No. 23/24-01: Roads Pavement Rehabilitation Program 2023/24 (cont.)

Further investigations 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 was required to be removed and replaced.

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 project work is listed under the 2023/24 Capital Works Budget which was subject to community exhibition. Once the Contract was 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 were advised via letter drop explaining the works and the disruption to access to their properties during the construction period.

POLICY CONSIDERATIONS

Council Plans and Policies

The report is consistent with Council Policies, key strategic documents and Key Initiative 2.1 of the Council Plan.

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

Asset Management Policy

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

Asset Management Strategy

- Ensure the Shire's 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.

11.3.4 Variation to Contract No. 23/24-01: Roads Pavement Rehabilitation Program 2023/24 (cont.)

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.
Poor traveling surface resulting in damage to property or lives	Possible	Major	High	Maintain road in accordance with interventions required in the <i>Road Management Act 2004</i> .
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

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

Transparency

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

11.3.4 Variation to Contract No. 23/24-01: Roads Pavement Rehabilitation Program 2023/24 (cont.)

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 *Local Government Act 2020* 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 *Local Government Act 2020*.

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 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 and Climate Change

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*.

11.3.4 Variation to Contract No. 23/24-01: Roads Pavement Rehabilitation Program 2023/24 (cont.)

CONCLUSION

Council invited tenders for Contract No 23/24-01 Roads Pavement Rehabilitation Program 23/24. 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, which significantly impacted on the construction of the repairs and their long-term life, additional works were 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 27.04%. After briefing Council, works were progressed to completion to enable the road to be reopened for the community on Thursday 11 April 2024 and thereby further reducing any potential delay costs.

ATTACHMENTS

Nil.

11.3.5 Variation to Contract No. 21/22-23: Violet Town Landfill Rehabilitation Project

Author: Environment and Waste Coordinator

Responsible Director: Director Sustainable Infrastructure

EXECUTIVE SUMMARY

Council is required by the Environment Protection Authority (EPA) to complete capping works at the Violet Town Landfill. The competitive tender process for this contract was undertaken in 2022 and awarded to Apex Earthworks Pty Ltd at the July 2022 Council meeting for a total sum of \$2,151,946.50 (including GST). At its meeting in June 2023, Council approved an increase of the project budget to \$2,677,277.42 (including GST) with an additional \$200,000 to cover any additional works and variations that were required.

The project consists of five (5) separate contracts for:

- Construction - Apex Earthworks;
- Project Management - Strac Consulting Engineers;
- Geotechnical investigation and technical authority - Bajwa Enviro Consult;
- Design - SLR Consulting; and
- Environmental auditor - SMEC.

Works were originally scheduled to begin in October 2022 but due to the major flood event, the project was delayed until February 2023. Additional requirements imposed by the Environment Auditor and the EPA have resulted in additional costs. As recommended by the Environment Auditor, the landfill gas system and biofilter is required to be installed as the capping works were being completed as opposed to post construction.

At this stage, Council has received no further requests for variations for this project but it would be expected with the addition of the landfill gas and biofilter works, variations will be encountered to ensure the works have been completed to the EPA's approval. It is recommended that Council authorise the following amounts, if required, to complete the rehabilitation work to the EPA's satisfaction:

- \$50,000 for CN 21-22/24 - Bajwa Environ Consult
- \$50,000 for CN 21-22/49 - SMEC

RECOMMENDATION

That Council:

1. ***Authorise the Chief Executive Officer to accept further variations up to the values listed below for each individual contract***
 - a. ***\$50,000 for CN 21-22/24 – Bajwa Enviro Consult***
 - b. ***\$50,000 for CN 21-22/49 – SMEC; and***
2. ***Note that project variations can be accommodated within the existing Environment and Waste Operational budget.***

11.3.5 Variation to Contract No. 21/22-23: Violet Town Landfill Rehabilitation Project (cont.)

PURPOSE AND BACKGROUND

Strathbogie Shire Council owns a closed landfill located at 190 McDiarmids Road, Violet Town. This landfill commenced its operations prior to 1960 and ceased accepting municipal waste in 2010. The EPA Environmental License ES39830 was surrendered in 2019. This license allowed this two-cell site to receive putrescible waste, asbestos waste of domestic origin, solid inert waste and shredded pneumatic automotive tyres.

The competitive tender process for this contract was undertaken in 2022 and awarded to Apex Earthworks Pty Ltd at the 19 July 2022 Council meeting for a total sum of \$2,151,946.50 (including GST).

At its meeting in June 2023, Council approved an increase of the project budget to \$2,677,277.42 (including GST) with an additional \$200,000 to cover any additional works and variations that may be required to complete the project.

In February 2023 rehabilitation works on site began after being delayed from October 2022 due to major flooding. Practical completion was achieved on site in December 2023.

Once the works began, the Environment Auditor recommended that the landfill gas system and biofilter be installed as the capping works were being completed as opposed to post construction. Other minor variations that were approved, under delegation, including the replacement of a fence, new security gates to ensure separation between the closed landfill and the active transfer station, additional drainage and extra project management due to the additional works.

VARIATION DETAILS

Additional work encountered during construction is summarised as below.

Table 1: Summary of Additional Works

S/N	Description	Amount (Ex. GST)
1.0	<i>Construction of a landfill gas system (already approved under delegation) (Apex Earthworks)</i>	\$182,447.60
2.0	<i>Additional subsoil and constructability issues and additional Auditor requirements (Apex Earthworks)</i>	\$295,125.96
Total Approved at June 2023 Council meeting		\$477,573.56 (excl. GST)

11.3.5 Variation to Contract No. 21/22-23: Violet Town Landfill Rehabilitation Project (cont.)

Table 2: Summary of Additional Works undertaken under delegation

S/N	Description	Amount (Ex. GST)
3.0	Construction of the biofilter to the landfill gas system (Apex Earthworks)	\$133,446.06
4.0	Replacement of the chainmail fence on the eastern boundary (Apex Earthworks)	\$9,953
5.0	Additional access tracks (Apex Earthworks)	\$2,904.83
6.0	New security gates (Apex Earthworks)	\$9,442
7.0	Cartage and additional drainage repairs (Apex Earthworks)	\$9,817.50
8.0	Additional project manager services for design variations, LFG construction management and additional Auditor and GITA liaison (Strac Consulting Engineers)	\$18,592
Total approved under delegation until 30 April 2024 in accordance with the June 2023 Council Meeting resolution		\$184,155.39 (excl. GST)

ISSUES, OPTIONS AND DISCUSSION

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

Accepting to include the additional works was therefore in the best interest of Council as it represents the best value outcome. The variation can be summarised below:

Variation due to changes in detailed design of LFG system and Biofilter construction:

The EPA require appropriate Landfill Gas (LFG) collection and treatment systems to be installed for closed landfills. The EPA approved capping design includes a preliminary gas collection system design for installation after the completion of the capping. Therefore, the LFG system and biofilter were excluded from the original capping construction works and the works included for delivery in the following financial year.

However, during a review of the detailed design of the LFG system, it was recommended by the designer and the Environment Auditor to construct the LFG collection system before the capping to avoid damages to the clay liner. Therefore, it was agreed to bring forward the LFG construction from post-capping to pre-capping works and to include in the current contract.

This has caused a variation to the contract to construct the LFG system and biofilter before the capping construction works are completed and the associated flow on costs to the other contractors required to sign off the project to the EPA's satisfaction.

11.3.5 Variation to Contract No. 21/22-23: Violet Town Landfill Rehabilitation Project (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.

Community consultation is not required as the variations have been triggered at the request of the Environmental Auditor and the EPA.

POLICY CONSIDERATIONS

Council Plans and Policies

The report is consistent with Council Policies, key strategic documents, and the Council Plan.

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

The *2012-2025 Council Plan* is relevant with the following:

Strategic focus area 3: Protect. Enhance. Adapt.

➤ Action 3.1.5: Complete the Violet Town Landfill Rehabilitation project.

➤ *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 Shire's 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. The onus to rehabilitate a landfill after it closes is an EPA requirement and mandated by the State Government.

RISK CONSIDERATIONS

Risk(s)	Likelihood	Consequence	Rating	Mitigation Action
Lack of transparency with community	Unlikely	Moderate	Low	Regular reporting to Council and the community on contracts.
Further works beyond budgeted amount	Possible	Moderate	Low	Additional works were foreseen but were budgeted for the next financial year.

11.3.5 Variation to Contract No. 21/22-23: Violet Town Landfill Rehabilitation Project (cont.)

LEGAL CONSIDERATIONS

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

There are no legal or statutory implications which require the consideration of Council as part of this report.

Conflict of Interest Declaration

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

Transparency

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

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

Decisions made by Council will be:

- undertaken in accordance with the *Local Government Act 2020* 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 *Local Government Act 2020*.

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.

These additional works were scheduled to be completed in the 2024/25 financial year and were included in the draft budget. As they were brought forward to this financial year, they can be funded from operational savings in the Environment and Waste Budget.

SUSTAINABILITY CONSIDERATIONS

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

Economic

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

11.3.5 Variation to Contract No. 21/22-23: Violet Town Landfill Rehabilitation Project (cont.)

Social

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

Environmental

On the recommendation of the Environment Auditor, Council bought forward the construction of the landfill gas system and biofilter to drive better environmental outcomes for the project. The finalisation of this rehabilitation project will ensure that the environment is protected from this legacy landfill moving forward.

Climate change

Bringing forward the completion of the landfill gas system and biofilter has reduced the impacts of landfill gas on the environment and will help Council to achieve its goal of being net zero by 2025.

HUMAN RIGHTS CONSIDERATIONS

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

CONCLUSION

In conclusion, the Violet Town Landfill rehabilitation project, awarded to Apex Earthworks Pty Ltd through a competitive tender process in 2022, has encountered delays and additional requirements, notably from the Environment Auditor and the EPA. These include the construction of the landfill gas system and biofilter, which were integrated into the project instead of being completed post-capping as initially planned. Despite an approved budget increase to accommodate unforeseen costs, further variations may arise to ensure compliance with EPA standards. To facilitate project progress, this report recommends delegating authority to the Chief Executive Officer to approve variations.

ATTACHMENTS

Nil.

11.3.6 Tender for Contract No. 23/24-50: Construction of Euroa Truck Wash

Author: Manager Project Delivery

Responsible Director: Director Sustainable Infrastructure

EXECUTIVE SUMMARY

The Euroa Saleyard is located at the corner of Boundary Road and Birkett Street, Euroa with sales currently held monthly. The Saleyard is owned by the Council and operated in partnership with the Saleyards Committee of Management (the Committee). To enhance and supplement the trade offer, and as a bio-security measure, the Committee proposed that the old truck wash be replaced with a twin bay truck wash.

As reported to the 20 February 2024 Council meeting, a business case was prepared by the Committee that demonstrated a twin truck wash valued at \$500,000 (excluding GST) was viable and the income derived from it would service the loan repayments required to construct the facility. Subsequently, this amount was borrowed, and the funds were received in June 2023 and detailed in the 2023/24 budget to complete the delivery of the project.

Council, using the procurement policies, offered the project to the market three times, varying the scope each time in an attempt to deliver the project within the \$500,000 (excluding GST) business case. All of these procurement processes delivered tender outcomes over the business case value.

Due to the budget challenges, Council had allocated a further \$83,613.00 (excluding GST) from General Revenue to the project in the 2023/24 financial year, subsequently increasing this contribution to \$296,000 (excluding GST), yet at that budget value the procurement processes had not resulted in an acceptable outcome.

In light of the unsuccessful procurement processes and the recommendation submitted for consideration in the February Council meeting to abandon the Project, the Midyear budget, submitted for noting to the same meeting, was adjusted reallocating the \$296,000 (excluding GST) to the Plant Replacement Budget.

At the 20 February 2024 Council meeting, the recommendations to abandon the program and repay the loan were put aside and Council endorsed one further procurement process to be carried out.

The fourth public tender was released on 23 February 2024 via eProcure, Council's tender management software. By the close of tenders at 4.00 pm on 26 March 2024, four (4) tenders were received and evaluated.

The tender evaluation process has identified the tender received from Miepol Pty Ltd of Geelong, for a total amount of \$642,095.85 (including GST) as representing value for money.

A review of the Plant replacement Budget has been completed and it is considered that the additional budget required to enable the awarding of the contract for the \$642,095.85 (including GST) is available from the Plant Replacement Budget.

11.3.6 Tender for Contract No. 23/24-50: Construction of Euroa Truck Wash (cont.)

The Committee was consulted regarding the requirement for all additional costs over and above the contract lump sum to be funded from future maintenance budgets for the Saleyards facility due to Council not having any further Capital Funds available for the project.

The Committee unanimously supported this requirement, subject to it not placing the operation of the facility at risk.

The Committee was informed that any further capital improvements would be subject to Council's asset management approval processes and would be considered on their individual merits and the needs of the entire municipality.

RECOMMENDATION

That Council:

- 1. Receive and note the outcome of the tender assessment process for Contract No 23/24-50 Construction of Euroa Truck Wash;***
- 2. Approve the reallocation of \$85,000 (excluding GST) from the Plant Replacement Budget to the Truck Wash Budget to provide \$643,500 (including GST) budget for the project;***
- 3. Award the tender for contract No 23/24-50 Construction of Euroa Truck Wash - Lump Sum to Miepol Pty Ltd of Geelong, for a total amount of \$642,095.85 (including GST);***
- 4. Authorise officers to advise unsuccessful tenderers; and***
- 5. Authorise the Chief Executive Officer to execute the Contract by signing and affixing the Common Seal of Strathbogie Shire Council.***

PURPOSE AND BACKGROUND

The Euroa Saleyards is located at the corner of Boundary Road and Birkett Street, Euroa, with sales currently held monthly. The Saleyards are owned by Council and are operated in partnership with a Committee of Management. To further supplement the trade offer and as a bio-security measure, the Committee proposed that the old truck wash be replaced with a twin bay truck wash.

As reported to the 20 February 2024 Council meeting, a business case was prepared by the Committee that demonstrated a twin truck wash valued at \$500,000 was viable and the income derived from it would service the loan repayments.

Subsequently, this amount was borrowed, and the funds were received in June 2023 and detailed in the 2023/24 budget to complete the delivery of the project.

11.3.6 Tender for Contract No. 23/24-50: Construction of Euroa Truck Wash (cont.)

It was also reported that as a consequence of the project challenges, Council had allocated a further \$83,613.00 (excluding GST) from General Revenue to the project.

A further procurement process has been completed as requested by the Committee and endorsed by Council at the 20 February 2024 Council meeting. This procurement process has resulted in the tender representing the best value for money being within the 10% of the allocated budget.

The Committee was consulted regarding the requirement for all additional costs over and above the contract lump sum to be funded from future maintenance budgets for the Saleyards facility due to Council not having any further Capital Funds available for the project.

The Committee unanimously supported this requirement subject to it not placing the operation of the facility at risk.

The Committee was informed that any further capital improvements, would be subject to Council's asset management approval processes and would be considered on their individual merits and the needs of the entire municipality.

Therefore, Officers recommend that Council award the Tender for Contract No. 23/24-50 - Construction of Euroa Truck Wash to Miepol Pty Ltd of Geelong, for a total amount of \$642,095.85 (including GST).

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 Saleyards at Boundary Road North and Birkett Street, Euroa, currently consists of an open shed, office building and set of stock pens with access to the site via an unsealed gravel driveway on Boundary Road North and track leading to an existing truck wash area, which is located to the south of the Saleyards open shed.

The Saleyards, owned by Council, is operated in partnership with a Committee of Management. To further supplement the trade offer and as a bio-security measure, the Committee proposed that the old truck wash be replaced with a twin bay truck wash. A business case was prepared by the Committee that demonstrated a twin B-Double truck wash valued at \$550,000.00 (including GST) was viable and the income derived from the truck wash would service the loan repayments. Subsequently, this amount of money was borrowed to complete the delivery of the project.

This project would have facilitated the formation of a new twin bay truck wash with a new driveway access from and to Boundary Road North through the installation of kerb and channel, concrete works, drainage infrastructure, sealed surfacing, and other associated works.

11.3.6 Tender for Contract No. 23/24-50: Construction of Euroa Truck Wash (cont.)

To the west of the saleyards, along the Euroa-Shepparton Road, consists of several services, which include stormwater infrastructure such as grated pits and pipework, overhead electricity lines, Telstra infrastructure, water main and surface drainage. To the north, along Boundary Road North, consists of only surface drainage and overhead electricity lines, which crosses the intersection of Boundary Road North and Euroa - Shepparton Road and travels further north away from the saleyards.

The fourth public tender was released on 23 February 2024 via eProcure, Council's tender management software. By the close of tenders at 4.00 pm on 26 March 2024, four (4) tenders were received and evaluated.

The tender evaluation process has identified the tender received from Miepol Pty Ltd of Geelong, for a total amount of \$642,095.85 (including GST) as representing value for money.

A review of the Plant Replacement Budget has been completed and it is considered that the additional budget required to enable the awarding of the contract for the \$642,095.85 (including GST) is available from the Plant Replacement Budget.

The Committee was consulted regarding the requirement for all additional costs over and above the contract lump sum to be funded from future maintenance budgets for the Saleyards facility due to Council not having any further Capital funds available for the project.

The Committee unanimously supported this requirement subject to it not placing the operation of the facility at risk.

The Committee was informed that any further capital improvements, would be subject to Council's asset management approval processes and would be considered on their individual merits and the needs of the entire municipality.

TENDER PROCESS

Council has undertaken four (4) competitive tender processes for Contract 23/24-50 Construction of Euroa Truck Wash, revising the design each time in an attempt to receive tendered pricing that fell within the approved Council Budget for the works.

Council initially went out to public tender on 13 November 2020. The tender was advertised in The Age newspaper (state-wide reach) and Euroa Gazette the week following release. By the close of tenders at 4.00 p.m. on 9 December 2020, two (2) tenders were received, however, both tenders were over budget and the scope was reviewed.

Council re-designed the Truck Wash and went out a second time to public tender for contract 22/23-09 Construction of Euroa Truck Wash on the 12 August 2022. By the close of tenders at 4.00 p.m. on 7 September 2022, one (1) tender was received, however, this tender was also over budget and the scope was reviewed again.

11.3.6 Tender for Contract No. 23/24-50: Construction of Euroa Truck Wash (cont.)

A third public tender was undertaken with a clearer and reduced design scope on 1 September 2023. By the close of tenders at 4.00 p.m. on 27 September 2023, no tenders were received.

After receiving no responses to the public tender, Council proceeded with a private tender which was released via email on 3 October 2023 to all previous tenderers and local suitably qualified suppliers. By the close of tenders at 4:00 p.m. on 24 October 2023, one (1) tender was received. At the completion of the Officer tender evaluation process, whilst Council Officers were confident that the tenderer was well experienced to complete the works to Council's satisfaction, the tender price was again over budget and further funding would need to be allocated to complete the project.

After the February 2024 Council meeting, a fourth public tender was released on 23 February 2024 via eProcure, Council's tender management software. By the close of tenders at 4.00 pm on 26 March 2024, four (4) tenders were received and evaluated.

Evaluation Moderation Process

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

The Tender Evaluation Panel individually reviewed all tender submissions in detail and assessed the tenderer's submitted schedules and attachments against the evaluation criteria. The Moderator (Procurement & Tender Officer) averaged the scores and highlighted scoring discrepancies larger than three (3) points. On Thursday 4 April 2024, the Panel members and the Moderator met to finalise the evaluation through a moderation meeting.

Panel Assessment Summary

At the completion of the tender evaluation process, Miepol Pty Ltd attained the top ranking with a total score of 79.09%. Miepol Pty Ltd offered the lowest tendered price and thereby received the highest score available on pricing (40%), they also received a good qualitative score of 39.09% out of 60%. The Tender Evaluation Panel was, therefore, satisfied that their tender represents the best value outcome for Council. The company is based in Geelong, Victoria.

Miepol Pty Ltd has proven experience with the tendered works and has completed similar work for other organisations in the past. They have demonstrated the capability to complete the works outlined in the tender with minimal supervision based on their submitted documents. Their references are consistent with their declared project history.

COMMUNITY ENGAGEMENT

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

The surrounding community is aware of the project work as the work is listed under the Capital Works Budget in 2023/24.

11.3.6 Tender for Contract No. 23/24-50: Construction of Euroa Truck Wash (cont.)

The Saleyards Committee has been consulted throughout the process and is aware of the fourth tender process.

POLICY CONSIDERATIONS

Council Plans and Policies

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

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

The *Council Plan* is relevant with the following:

- Key Initiative 2.1.3
Review resources and service standards to align with Asset 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 Shire’s 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
Lack of transparency with community	Unlikely	Moderate	Low	Regular reporting to Council and the community on progress.
Further works beyond budgeted amount	Possible	Moderate	Low	All additional costs over and above the contract lump sum to be funded from future Saleyards maintenance budgets.

11.3.6 Tender for Contract No. 23/24-50: Construction of Euroa Truck Wash (cont.)

LEGAL CONSIDERATIONS

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

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

Conflict of Interest Declaration

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

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 *Local Government Act 2020* 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 *Local Government Act 2020*.

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 \$550,000.00 (including GST) for 'Saleyards relocate Truck Wash' in the 2023/24 mid-year budget review Capital Works Program based on the business case prepared demonstrating that the Facility would repay the funds borrowed to the value.

It is recommended that Council allocated a further \$93,500 (including GST) from Plant Replacement Budget to the project.

All budget required for the any variations to the contract shall be funded from future maintenance budgets allocated to the operation of the Saleyards facility.

SUSTAINABILITY CONSIDERATIONS

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

11.3.6 Tender for Contract No. 23/24-50: Construction of Euroa Truck Wash (cont.)

Economic and Social

The project will improve safety, provide environmental and economic outcomes and increase social participation, based on the business case assessment, but is not viable at the tendered amount.

Environmental and Climate Change

Council officers will monitor the proper use of the existing facility and the continued impact of trucks leaving the sales yards in an unwashed condition.

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 23/24-50 Construction of Euroa Truck Wash. The submitted tenders were sought and evaluated in accordance with the Council's Procurement Policy and against the provided brief and specifications.

It is proposed that Council awards the Construction of Euroa Truck Wash to Miepol Pty Ltd of Geelong, for a total amount of \$642,095.85 (including GST).

ATTACHMENTS

Nil.

CONFIDENTIAL APPENDICES

Appendix 2: Tender Evaluation for Contract No 23/24-50: Construction of Euroa Truck Wash (CONFIDENTIAL)

11.3.7 Tender for Contract No. 23/24-64: Refurbishment of Nagambie Comfort Station

Author: Senior Project Officer - Project Delivery

Responsible Director: Director Sustainable Infrastructure

EXECUTIVE SUMMARY

The current public toilet facilities located in High Street, Nagambie, are inadequate; failing to meet the basic needs of residents and visitors. This includes issues such as outdated amenities, inability to upkeep with ongoing maintenance, lack of accessibility features, and lack of compliance with current health and safety standards. Internal refurbishment is necessary to address these issues and provide a quality, compliant facility service to the community and visitors to our Shire.

Nagambie has experienced recent developments that are attracting many visitors to the town. With continual growth in Nagambie township, having clean and more contemporary comfort station facilities is essential to accommodate the increasing number of visitors. Refurbishment of the public toilets will ensure that the town can sustain its growth trajectory and offer a pleasant experience to all visitors. Clean, well-maintained public toilets contribute significantly to visitor satisfaction and can encourage longer stays and return visits. Positive experiences for visitors can lead to increased tourism revenue and benefit local businesses.

Refurbishing the public toilet facilities represents a strategic investment in essential town infrastructure. Upgraded public toilets not only meet immediate needs but will also contribute to the long-term liveability and attractiveness of Nagambie. This investment demonstrates Council's commitment to quality public amenities and reinforces the town's position as a desirable place to live, work and visit.

Council's detailed designs for Nagambie High Street's future streetscape works present an opportunity to integrate the refurbishment of the public toilet facilities. Improving this public amenity will complement the overall revitalisation of the main business precinct and functional aspects of the area.

Following the invitation for tenders under Contract 23/24-64 for the Refurbishment of Nagambie Comfort Station (Public Toilet Facilities), which was advertised from 27 March 2024 to 29 April 2024, Council received one (1) tender by the closing date. This tenderer submitted both a compliant tender and an alternative tender option, which provided for paint finishes for walls and similar fixtures instead of epoxy finishes and stainless-steel fixtures as specified in the tender requirements. A comprehensive evaluation of both submissions was conducted by the evaluation panel, and a summary of the evaluation results is provided in this report.

This report seeks to award the contract to Projects and Maintenance Squared Pty Ltd based in Reservoir, for a total amount of \$248,383.30 (inclusive of GST). It is anticipated that, pending approval, the project will commence in June 2024 and be completed by August 2024. During the construction period the contractor will supply and maintain temporary toilet facilities for public use. Under the project scope, three (3) single unisex toilets and one (1) ambulant facility will be provided for this purpose.

This project can be accommodated withing Council's existing Streetscape Program funded through the Federal Government Local Roads and Community Infrastructure Program (LRCIP).

11.3.7 Tender for Contract No. 23/24-64: Refurbishment of Nagambie Comfort Station (cont.)

RECOMMENDATION

That Council:

- 1. Receive and note the outcome of the tender assessment process for Contract No. 23/24-64 Refurbishment of Nagambie Comfort Station;***
- 2. Award the tender for contract No. 23/24-64 Refurbishment of Nagambie Comfort Station - Lump Sum compliant offer to Projects and Maintenance Squared Pty Ltd based in Reservoir, for a total amount of \$248,383.30 (inclusive of GST); and***
- 3. Authorise the Chief Executive Officer to execute the Contract by signing and affixing the Common Seal of Strathbogie Shire Council.***

PURPOSE AND BACKGROUND

The current public toilet facilities located in High Street, Nagambie, are inadequate. They are characterised by outdated amenities, an inability to upkeep with ongoing maintenance, lack of accessibility features, and non-compliance with current health and safety standards. Refurbishment is essential to address these issues and enhance the service delivery standard to the community.

The proposed project involves a comprehensive internal refurbishment funded through the streetscape program. The scope of work includes:

- Demolition of existing toilet partitions, fixtures, fittings, and wall tiling;
- Installation of new, durable, low-maintenance epoxy floor and wall finishes;
- Replacement of toilet partitions, internal doors, and associated joinery with commercial-grade materials;
- Supply and installation of stainless steel toilet fixtures, mirrors, basins, hand dryers, and the like;
- Upgrading to new LED lighting fixtures;
- Provision of necessary new signage; and
- Supply and maintenance of temporary toilet facilities for public use during the construction period.

The internal refurbishment of the public toilet facilities in High Street, Nagambie, will address the substandard conditions, support town growth and tourism, and complement ongoing streetscape improvement efforts. This project not only improves essential infrastructure but also contributes to the overall attractiveness and vitality of Nagambie as a thriving community and visitor destination.

TENDER PROCESS

The public tender was released on <https://www.eprocure.com.au/strathbogie/> website on the 27 March 2024. The tender was advertised in Saturday's The Age newspaper (state-wide reach), and Shepparton News in the week following release. By the close of tenders at 4.00pm on 29 April 2024, one (1) tender submission had been received.

11.3.7 Tender for Contract No. 23/24-64: Refurbishment of Nagambie Comfort Station (cont.)

This tender submission was assessed for its compliance including the contractual terms and conditions and the requirements of the response schedules. The tenderer provided two offers for consideration; one offer being compliant with project specifications and an alternative offer for consideration which provided for emulsion paint finishes for walls and similar fixtures instead of epoxy finishes and stainless-steel fixtures as specified in the tender requirements. Both options were assessed and evaluated by a tender evaluation panel consisting of Council officers.

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

Table 1: Tender Submission Summary

Tenderer	Option	Amount (Inc. GST)
Projects and Maintenance Squared Pty Ltd	Offer compliant with specifications	248,383.30
	Alternative offer <ul style="list-style-type: none"> • Similar fixtures to existing in lieu of stainless-steel fixtures as specified. • Paint finishes to walls in lieu of epoxy finish as specified. 	199,640.10

Panel Assessment Process

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

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

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

The principle that underpins 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.

11.3.7 Tender for Contract No. 23/24-64: Refurbishment of Nagambie Comfort Station (cont.)

The tender was assessed and evaluated against the following criteria and weightings:

TABLE 2: Evaluation Criteria

Criteria	Weighting (%)
Price	50
Business and Management Requirements	Evaluator Review
Resources, Capability and current projects Experience, Methodology, Timeline	20
Methodology, Experience, Personnel CVs, Traffic Management Plan	10
Local Content/Regional Benefit	10
Sustainability	10
Compliance/exclusion from Contract	Evaluator Review
Total	100

ISSUES, OPTIONS AND DISCUSSION

Evaluation Moderation Process

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

The Tender Evaluation Panel individually reviewed the tender submission in detail and assessed tenderer submitted schedules and attachments against the evaluation criteria.

The Moderator (Procurement & Tender Officer) averaged the scores and highlighted scoring discrepancies larger than three (3) points. On Tuesday 30 April 2024, the Panel members and the Moderator met to finalise the evaluation through a moderation meeting.

Panel Assessment Summary

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

At the completion of the tender evaluation process, Projects and Maintenance Squared Pty Ltd attained a total score of 78.74% comprised of 28.74% on Qualitative and 50.00% on Quantitative.

The Tender Evaluation Panel was, therefore, satisfied that Projects and Maintenance Squared Pty Ltd represents the best value outcome for Council on their compliant offer (\$248,383.30, inclusive of GST) which meets specified project requirements.

11.3.7 Tender for Contract No. 23/24-64: Refurbishment of Nagambie Comfort Station (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.

It was considered that the matter under discussion does not require community consultation as the project is meant to only be an internal refurbishment of the existing facility.

It should be noted that during the Streetscape engagement process, the issue of the poor internal standard of the public toilets in High Street, Nagambie, was raised by the community.

POLICY CONSIDERATIONS

Council Plans and Policies

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

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

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

- Strategic Focus Area 1: Engage. Create. Unite
One of the community’s goals is to create welcoming social spaces where people can connect.
- Strategic Focus Area 5: Strong. Healthy. Safe
One of the community’s goals is our sporting and recreation facilities, whether they be passive or active spaces, continually adapt to meet changing needs and maximise participation by all sexes, ages and abilities.

RISK CONSIDERATIONS

Risk(s)	Likelihood	Consequence	Rating	Mitigation Action
Cost Overruns	Possible	Increased budget, financial strain	Medium	Conduct thorough cost estimation, regular financial reviews.
Project Delays	Likely	Extended project timeline, increased costs	High	Establish clear timeline, regular progress meetings, and include buffer periods.
Poor Quality Workmanship	Possible	Substandard products, increased maintenance	Low	Select reputable contractors, regular quality inspections, enforce contract standards.

11.3.7 Tender for Contract No. 23/24-64: Refurbishment of Nagambie Comfort Station (cont.)

Risk(s)	Likelihood	Consequence	Rating	Mitigation Action
Safety Incidents	Possible	Injuries, project halts, legal issues	Low	Implement safety protocols (SWMS etc.), safety inductions.
Non-compliance with Specifications	Possible	Redo work, increased costs, delays	Low	Detailed specification review, thorough contractor vetting, regular inspections.
Community Disruption	Likely	Negative public perception, complaints	Medium	Effective communication, provide temporary facilities to ease.
Unforeseen Structural Issues	Unlikely	Increased scope, additional costs	Low	Conduct thorough site surveys.
Supply Chain Disruptions	Possible	Material shortages, delays	Medium	Diversify suppliers, order materials early, maintain good relationships with suppliers.
Environmental Impact	Low	Legal issues, reputational damage	Low	Ensure compliance with environmental regulations, use sustainable materials where applicable.
Temporary Facility Failures	Medium	Public inconvenience, complaints	Medium	Regular maintenance of temporary facilities.

LEGAL CONSIDERATIONS

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

There are no legal matters raised by this project.

Conflict of Interest Declaration

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

Transparency

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

11.3.7 Tender for Contract No. 23/24-64: Refurbishment of Nagambie Comfort Station (cont.)

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 *Local Government Act 2020* 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 *Local Government Act 2020*.

FINANCIAL VIABILITY CONSIDERATIONS

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

The Budget allocated through the Federally funded Local Roads and Community Infrastructure Program (LRCIP) for streetscape renewal works for FY 2023/24 is \$1,521,927.00 (inclusive of GST).

Council has committed \$1,243,277.34 (inclusive of GST) of these funds as at end of April 2024. Therefore, the uncommitted portion of the allocation is \$278,649.66 (inclusive of GST).

Table 3 provides a summary of commitment (including actual expenditure) for this financial year.

Table 3: Summary of expenditure and commitment FY 2023/24

Description	\$ Amount (Inc. GST)
Design (Euroa, Violet Town and Strathbogie)	18,800.63
Avenel – Stage 1 retention release and Stage 2 signage contract	209,679.82
Euroa – Stage 2 works, Furniture and concrete pads for seating pods	316,210.39
Nagambie – Detail Design and concrete pads for seating pods	280,802.10
Strathbogie – Streetscape Construction Contract & Furniture	393,848.40
Violet Town – Design (Road Safety Audit) and Concrete pads for Seating pods	14,806.00
Longwood – Stage 1 retention release	9,130.00
A. Total expenditure and commitment	1,243,277.34
B. 2023/24 Streetscape budget allocation	278,649.66
2023/24 Streetscape budget allocation (A+B)	1,521,927.00

11.3.7 Tender for Contract No. 23/24-64: Refurbishment of Nagambie Comfort Station (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.

Overall, the public toilet refurbishment project is expected to have a positive effect on the local economy, enhance community well-being, and promote sustainable practices, thereby contributing to the long-term socio-economic benefits for Nagambie.

Economic

- Increased foot traffic resulting from improved facilities can boost spending at nearby businesses, supporting the local economy; and
- Enhanced amenities can attract more visitors to Nagambie, leading to increased tourism spending on accommodation, dining, and activities etc.

Social

- Upgraded public facilities contribute to community pride and well-being, providing residents and visitors with essential and pleasant amenities; and
- Compliance with health and safety standards create cleaner and safer public spaces, benefiting the health and comfort of users.

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 23/24-64 Refurbishment of Nagambie Comfort Station (Public Toilet Facilities). The submitted tender was evaluated strictly in accordance with Council's Procurement Policy and against the provided brief and specifications.

It is proposed that Council endorses the recommended contract award for Refurbishment of Nagambie Comfort Station to Projects and Maintenance Squared Pty Ltd for a total amount of \$248,383.30 (inclusive of GST).

ATTACHMENTS

Nil.

Appendix 3: Tender Evaluation for Contract No. 23/24-64: Refurbishment of Nagambie Comfort Station (CONFIDENTIAL)

11.3.8 Tender for Contract No. 23/24-49: Major Patching Program 2023/24

Author: Senior Project Officer - Projects Delivery

Responsible Director: Director Sustainable Infrastructure

EXECUTIVE SUMMARY

Following routine inspections conducted by Operations Officers, several roads have been identified for major patching. The following roads have been prioritised for the 2023/24 major patching program due to the extent of damage, traffic volume, strategic importance, and safety concerns:

1. Creightons Creek Road (60 locations)
2. Euroa-Strathbogie Road (11 locations)
3. Spring Creek Road, Strathbogie (4 locations)
4. Merton-Strathbogie Road (16 locations)

The proposed work under this program aims to enhance road safety, improve commuter comfort and convenience, extend the lifespan of the roads, reduce ongoing maintenance costs, and decrease the frequency of maintenance activities. To implement this major patching program, tender documentation was prepared and publicly advertised.

Council invited tenders for the work under Contract No. 23/24-49, Major Patching Program, through public advertisements in local and state newspapers from 12 April 2024 to 9 May 2024. At the closing of the tender period, six (6) submissions were received. All tenders have been assessed and evaluated by Council Officers, with a detailed summary of the results included in this report.

Based on the tender evaluation outcomes, it is recommended that the Council award the lump sum contract to Central Vic Stabilising Pty Ltd for a total amount of \$717,998.82 (inclusive of GST).

It is proposed that the works commence in June 2024 and conclude August 2024 (weather dependant).

RECOMMENDATION

That Council:

1. ***Note the outcome of the tender assessment process for Contract No. 23/24-49 Major Patching Program;***
2. ***Award the tender for Contract No 23/24-49 Major Patching Program - Lump Sum for a total amount of \$717,998.82 (inclusive of GST) to Central Vic Stabilising Pty Ltd based in Strathdale, Victoria;***
3. ***Authorise officers to advise the unsuccessful tenderers; and***
4. ***Authorise the Chief Executive Officer to execute the Contract by signing and affixing with the Common Seal of Strathbogie Shire Council.***

11.3.8 Tender for Contract No. 23/24-49: Major Patching Program 2023/24 (cont.)

PURPOSE and BACKGROUND

This report seeks Council approval of the recommendations on Tender Evaluation exercise on Contract No 23/24-49 Major Patching Program, and to award the contract to the highest scoring tenderer as provided in this report.

Tender Process

The public tender was released on <https://www.eprocure.com.au/strathbogie/> website on the 12 April 2024. The tender was advertised in Saturday's The Age newspaper (state-wide reach), and Shepparton News in the week following release. By the close of tenders at 4.00pm on 09 May 2024, six (6) tender submissions had been received.

All tender submissions were assessed for compliance with contractual terms, conditions, and response schedule requirements. Each submission was deemed conforming, however, four (4) submissions significantly exceeded the allocated budget for the works. As per Council's Procurement Policy guidelines, it was collectively decided by the tender evaluation panel to omit the evaluation of these submissions. Consequently, the remaining two (2) submissions, which offered the lowest bids, were considered for further evaluation.

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

Table 1: Tender Submissions Received

Tender Submissions Received at the close of Tender Period (in Alphabetical Order)
Bild Infrastructure Pty Ltd
Central Vic Stabilising Pty Ltd
Country Wide Asphalt Pty Ltd
Hiway Stabilizers Australia Pty Ltd
Smart Civil Pty Ltd
Szabolics Construction Pty Ltd

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

Table 2: Tender Offers Received

Tender Offers Received (including GST) at Close of Tender Period in (lowest to highest order)
\$717,998.82
\$874,078.09
\$1,176,242.11
\$1,197,626.70
\$1,245,503.74
\$1,694,054.96

11.3.8 Tender for Contract No. 23/24-49: Major Patching Program 2023/24 (cont.)

Panel Assessment Process

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

The Tender Evaluation Panel members were made up of the following Strathbogie Shire Council officers as follows:

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

The principle that underpins the awarding of all Council contracts is that a contract is awarded based on providing the overall best value, offering the most benefit to the community and the greatest advantage to Council.

The tenders were assessed and evaluated against the following criteria and weightings in line with Council's Procurement Policy:

TABLE 3: Evaluation Criteria

Criteria	Weighting (%)
Price	50
Business and Management Requirements	Evaluator Review
Capacity - Subcontractors, Equipment & Resources, Experience, Current Contracts	20
Capability, Experience, Personnel CVs, Methodology, Traffic Management Plan	10
Local Content/Regional Benefit	10
Sustainability	10
Tender conformance - Compliance/exclusion from Contract	Evaluator Review
Total	100

ISSUES, OPTIONS AND DISCUSSION

Evaluation Moderation Process

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

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

11.3.8 Tender for Contract No. 23/24-49: Major Patching Program 2023/24 (cont.)

The Moderator (Procurement & Tender Officer) averaged the scores and highlighted scoring discrepancies larger than three (3) points. On Tuesday 14 May 2024 the Panel members and the Moderator met to finalise the evaluation through moderation meeting.

Panel Assessment Summary

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

At the completion of the tender evaluation process, Central Vic Stabilising Pty Ltd attained the highest ranking with a total score of 82.23%. Central Vic scored the highest on both qualitative and pricing components, 32.68% and 50% respectively. The Tender Evaluation Panel was, therefore, satisfied that Central Vic Stabilising Pty Ltd represents the best value outcome for Council.

Central Vic Stabilising Pty Ltd is based in Strathdale, Victoria. They have ample experience in roadworks and have completed similar works for other Councils and VicRoads in the past as per their tender submission. They have demonstrated capability to complete Works in the tender with minimal supervision based on their submitted documents.

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 currently. Projects that formed the 2023/24 Capital Works Budget were placed on public exhibition prior to the adoption of the budget in June 2023.

POLICY CONSIDERATIONS

Council Plans and Policies

The author of this report considers that the report is consistent with Council Policies, key strategic documents, and the 2021-2025 Council Plan.

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

The Council Plan is relevant with the following:

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

Asset Management Policy

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

Asset Management Strategy

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

11.3.8 Tender for Contract No. 23/24-49: Major Patching Program 2023/24 (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.

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

Risk Management

Risk(s)	Likelihood	Consequence	Rating	Mitigation Action
Cost Overruns	Possible	Increased budget, financial strain	Medium	Conduct thorough cost estimation, regular financial reviews.
Project Delays	Likely	Extended project timeline, increased costs	High	Establish clear timeline, regular progress meetings, and include buffer periods.
Poor Quality Workmanship	Possible	Substandard outputs, increased maintenance	Low	Select reputable contractors, regular quality inspections, enforce contract standards.
Safety Incidents	Possible	Injuries, project halts, legal issues	Low	Implement safety protocols (SWMS etc.), safety inductions.
Non-compliance with Specifications	Possible	Redo work, increased costs, delays	Low	Detailed specification review, thorough contractor vetting, regular inspections.
Community Disruption	Likely	Negative public perception, complaints	Medium	Effective communication and pre-notifications
Supply Chain Disruptions	Possible	Material shortages, delays	Medium	Diversify suppliers, order materials early, maintain good relationships with suppliers.
Environmental Impact	Low	Legal issues, reputational damage	Low	Ensure compliance with environmental regulations, use sustainable materials where applicable.

11.3.8 Tender for Contract No. 23/24-49: Major Patching Program 2023/24 (cont.)

LEGAL CONSIDERATIONS

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

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

Conflict of Interest Declaration

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

Transparency

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

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

Decisions made by Council will be: -

- undertaken in accordance with the *Local Government Act 2020* 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 *Local Government Act 2020*.

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 allocated budget for the 2023-24 major patching program is \$667,774.80 (including GST). Awarding this contract will require a total of \$717,998.82 (including GST).

The additional \$50,224.02 (including GST) needed can be accommodated within the 2023/24 Capital Works Program surplus funds.

SUSTAINABILITY CONSIDERATIONS

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

11.3.8 Tender for Contract No. 23/24-49: Major Patching Program 2023/24 (cont.)

Economic

By linking producers to markets, workers to jobs, students to school, and the likes, roads are vital to support positive economic outcomes for the community. Well-maintained roads reduce vehicle operating costs by minimising wear and tear on tyres and suspension systems. Enhanced road conditions also improve traffic flow, leading to reduced travel time and fuel consumption, benefiting both individual motorists and commercial transport operations.

Proactive patching prevents minor issues from escalating into severe damage, thereby extending the lifespan of road infrastructure. This approach is cost-effective, offering significant savings compared to the expenses associated with complete road reconstruction.

Social

Community benefit from improved mobility and access to essential services, which enhances their quality of life. Good road conditions also facilitate social connectivity, making it easier for community members to engage in social, recreational, and cultural activities.

Environmental

Efficient road conditions contribute to lower vehicle emissions, supporting environmental sustainability. Additionally, timely patching uses fewer resources compared to extensive rebuilding, further conserving environmental resources.

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 23/24-49 Major Patching Program. The submitted tenders were sought and evaluated strictly in accordance with the Council's Procurement Policy and against the provided brief and specifications. It is proposed that Council endorses the recommended contract award for the 2023-24 Major Patching Program to Central Vic Stabilising Pty Ltd.

ATTACHMENTS

Nil.

Appendix 4: Tender Evaluation for Contract No. 23/24-49: Major Patching Program 2023/24 (CONFIDENTIAL)

11.3.9 Capital Works Program Delivery Status as at 30 April 2024

Author: Director Sustainable Infrastructure

Responsible Director: Director Sustainable Infrastructure

EXECUTIVE SUMMARY

This report provides commentary on the delivery status of all approved capital works projects for the 2023/24 financial year, providing updates in terms of budget phasing comparison and completion timelines.

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, and
- 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.

The preference is for all items to be reported in yellow.

The red and green results context is dependent on the item being reported, i.e. over budget, under budget, late or early delivery. However, generally, both are seen to be not preferred and mitigation action is required.

The monthly Capital Works Report (refer Attachment 1) reflect that most projects are on track to be delivered in this financial year. However, two projects have slipped behind the previously reported completion milestones.

One of the projects is the awarding of the stormwater design for the Nagambie Industrial Estate. It is considered more appropriate to progress the Nagambie Industrial Estate drainage design work following the completion of the Municipal Stormwater Strategy. Carrying over this budget allocation to next financial year will permit this to occur.

The other project that has been delayed is the refurbishment of the toilets in the Euroa Civic Centre. This project has been delayed because of the discovery of asbestos in the ceiling of the existing facility resulting in a requirement for a variation to be approved by Council prior to proceeding with the work. It should be noted that there is currently no risk to users of these toilets and that a full risk mitigation plan will be developed for the removal. A project variation request for the removal of asbestos and additional works to ensure that the Accessible Toilet meets standards is included in the agenda of this meeting (Item 11.3.3) and the project's revised delivery timelines will be considered once this decision is made.

All other projects that are forecast to not be completed in the current financial year will be completed in the 2024/25 financial year.

11.3.9 Capital Works Program Delivery Status as at 30 April 2024 (cont.)

RECOMMENDATION

That Council note the 2023/24 Capital Works Program Delivery status report as at 30 April 2024.

PURPOSE AND BACKGROUND

This report to Council provides an update on the current status of the delivery of the 2023/24 Capital Works Program (the Program) effective 30 April 2024.

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 delivery of Council's Capital Works Program forms part of the annual budget process and allocates expenditure related to Council-owned and managed assets. The Capital Works Program is made up of infrastructure, property, plant and equipment-related projects. Projects are prioritised based on community need and Council's Asset Management Strategy. These projects can be classed as:

- renewal;
- upgrade;
- expansion; or
- new acquisition.

Attachment 1 provides the status of the Program's delivery from both a financial and progress perspective. 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; or
- 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.

The preference is for all items to be reported in yellow.

The red and green results context is dependent on the item being reported, i.e. over budget, under budget, late or early delivery. But generally, both are seen to be not preferred and mitigation action is required.

It is currently forecast that 90% of the current Capital Program, which includes the additional projects required because of the flooding experienced in 2022, 2023 and the recent disaster events that occurred in December 2023 and January 2024, will be delivered.

11.3.9 Capital Works Program Delivery Status as at 30 April 2024 (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.

This report continues to demonstrate that Council is being transparent in reporting its progress on the delivery of the approved 2023/24 Capital Works Program.

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.

Delivery of the annual Capital Works Program on time and budget is one of the core services the Council provides to its ratepayers and residents. The successful delivery of the adopted program is a key component of the maintenance and delivery of the services to the broader community which underpins the financial viability of the community.

Total expenditure to date, at the time of this report being released, is \$9,391,121 with a further \$9,704,178 committed.

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.

11.3.9 Capital Works Program Delivery Status as at 30 April 2024 (cont.)

CONCLUSION

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

ATTACHMENTS

Attachment 1: Capital Works Program Delivery Status Report 30 April 2024

11.3.10 Contracts, Works, Variations and Grants Awarded under Delegation - 1 to 30 April 2024

Author: Procurement and Tenders Officer

Responsible Director: Director People and Governance

EXECUTIVE SUMMARY

The purpose of this report is to inform Council and the community of the status of request for publicly advertised tenders, invitations for written quotations and quotations provided using collaborative and/or third-party contracts which have been awarded under delegation for the period 1 to 30 April 2024. This report specifically relates to works that form part of Council's 2023/24 adopted Budget.

This report also details any grants awarded, or variations approved 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 the:

- 1. Contracts awarded under delegated authority by the Chief Executive Officer;***
- 2. Low value contract variations of up to 15% of original Contract value, but less than \$15,000 (inclusive of GST), awarded under delegation by the Chief Executive Officer;***
- 3. One Quick Response Grant awarded under delegated authority by the Chief Executive Officer; and***
- 4. One Quick Response Grant Variation approved under delegated authority by the Chief Executive Officer.***

PURPOSE AND BACKGROUND

In line with Council's approach to transparency and good governance, the Contracts, Works, Variations and Grants Awarded Under Delegation report will be tabled for information purposes at each Council Meeting. The report details any contracts, works, variations 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

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.

Any contract awarded under delegation is undertaken in line with Council's Procurement Policy.

11.3.10 Contracts, Works, Variations and Grants Awarded under Delegation
- 1 to 30 April 2024 (cont.)

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.

Low value contract price variations are listed in this report. The report lists financial variations which are under 15% of the original Contract price, but less than \$15,000 (including GST) in total and the overall total expenditure remains within budget. Instrument of Delegation to the Chief Executive Officer, as listed above, still applies to overall spend. These contract variations remain within the original project budget allocation.

Council adopted a Community Funding Model at the 18 June 2023 Council Meeting authorising the Chief Executive Officer to award Quick Response Grants, and variations via this report. Officers received one Quick Response Grants, and variations approved in this reporting period.

Contracts Awarded Under Delegated Authority by Chief Executive Officer

Contract No.	CN 23/24-69
Contract Name	<i>CN 23/24-69 – Security system/data cabling installation Nagambie Office.</i>
Contract Details	Lump Sum This is an exemption to obtaining marketplace quotes under of the 2023 Strathbogie Shire Procurement Policy, Item 20 Exemptions: <i>“Information technology, software renewals</i> Allows Council to renew software licenses and maintenance and support, or upgrade existing systems, where there is only one supplier of the software, who holds the intellectual property rights to the software.”
Value Including GST	\$22,333.00 including GST
Supplier	Insight Protection Solutions
Scheduled Commencement	15 April 2024
Scheduled Completion Date	31 May 2024

11.3.10 Contracts, Works, Variations and Grants Awarded under Delegation
 - 1 to 30 April 2024 (cont.)

Contract Variations of up to 15% of original Contract value, but less than \$15,000 including GST, awarded under delegation by Chief Executive Officer

Contract No.	CN 21/22-38
Contract Name	<i>CN 21/22-38 Rural and Residential Land Use Strategy Review</i>
Variation Details	Revised Rural Residential Land supply and Demand Analysis
Contract Supplier	RMCG Pty Ltd
Original Contract Value including GST	\$136,935.70
Variation Amount Including GST	\$8,910.00 – New Total \$145,845.70 including GST = 6.5% increase

Contracts Awarded Under Delegated Authority Director/s
 Nil.

Contracts Awarded Under Delegated Authority Manager/s
 Nil.

Quick Response Grants Awarded Under Delegated Authority by Chief Executive Officer

Applicant	Nagambie Friends of the Pool Inc.
Project Overview	New picnic table and seating sets x 2
Grant Amount approved	\$1,000.00

Quick Response Grant Variations Approved Under Delegated Authority by Chief Executive Officer

Applicant	Euroa Basketball Association
Project Overview	Purchase of 3x3 gazebo
Variation requested	Change in scope Purchase of new uniforms instead of purchase of gazebo
Grant Amount	\$1,000.00

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.

11.3.10 Contracts, Works, Variations and Grants Awarded under Delegation
 - 1 to 30 April 2024 (cont.)

Conflict of Interest Declaration

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

Transparency

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

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

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.

RISK CONSIDERATIONS

The following risk has been identified:

Risk(s)	Likelihood	Consequence	Rating	Mitigation Action
Lack of transparency with community	Unlikely	Moderate	Low	Regular reporting to Council and the community on contracts and grants awarded under delegation.
Without projects being awarded under delegation, delays to progressing approved and budgeted projects and not meeting annual Council plan targets are possible	Possible	Moderate	Low	Delegations in place and regular reporting to Council and the community on contracts and grants awarded under delegation.

SUSTAINABILITY CONSIDERATIONS

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

11.3.10 Contracts, Works, Variations and Grants Awarded under Delegation
- 1 to 30 April 2024 (cont.)

Economic

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

Social

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

Environmental

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

Climate Change

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

HUMAN RIGHTS CONSIDERATIONS

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

CONCLUSION

It is important that decisions and actions taken under delegation be properly documented and transparent in nature. The report details the publicly advertised tenders, invitations for written quotations and quotations provided using collaborative and/or third-party contracts, and/or variations which have been awarded by the Chief Executive Officer, Directors and Managers under delegated authority of the Council during the period 1 to 30 April 2024.

This report also advises Council of any grants awarded, or variations approved under Chief Executive Officer delegation as per Council's adopted Community Funding Model. There was one grant awarded, and one variation during the reporting period.

ATTACHMENTS

Nil.

11.4 CORPORATE

11.4.1 Financial Report to 31 March 2024

Author: Acting Chief Finance Officer

Responsible Director: Director People and Governance

EXECUTIVE SUMMARY

The March Financial Report compares the year-to-date mid-year adopted budget to the actual financial position of March 2024.

The report contains the Operational Performance, Income Statement, Balance Sheet, Cash Flow Statement, and capital performance and other financial data in graphical format.

The current year operating surplus for the nine-month period ending 31 March was \$1,696,869.

As at 31 March 2024, the total expenditure on capital works was \$6,928,511, which excludes committed expenditure.

RECOMMENDATION

That Council receive and note the Financial Report and Financial Statements for the nine months ending 31 March 2024.

PURPOSE AND BACKGROUND

The 2023/24 Budget was prepared in accordance with the *Local Government Act 2020* and was formally adopted at an Extraordinary Council meeting held on 27 June 2023. A Mid-year budget was adopted at the ordinary Council meeting on 20 February 2024.

Council considers and notes monthly Financial Reports in accordance with the *Local Government Act 2020*. Under Section 97, Council must establish and maintain a budgeting and reporting framework that is consistent with the principles of sound financial management. This report satisfies those requirements.

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.

Explanations for significant budget variances are below and also provided in the financial performance overview section.

11.4.1 Financial Report to 31 March 2024 (cont.)

Income variations:

1. **Rates and charges variance of \$26,128 (favourable)** - increase in rates and charges income is due to supplementary rate notices issued.
2. **Statutory fees and fines variance of \$101,463 (unfavourable)** - decrease in statutory fees and fines income is mainly due to decrease in subdivision fee income (\$17k) and the timing of animal registration income receipt (\$63k). Majority of animal registration income is expected to receive in last quarter of the financial year.
3. **User fees variance of \$69,747 (favourable)** - increase in user fees is mainly due to increase in tip fee income (\$45k) and saleyard fee income (\$25k).
4. **Grants – operating variance of \$546,452 (favourable)** - increase in operating grant income is mainly due to early receipt of Natural Disaster Financial Assistance (NDFA) flood and storm support grant (\$500k) which was budgeted to receive in May 2024.
5. **Grants – capital variance of \$271,800 (favourable)** - increase in capital grant income is due to the receipt of Transfer Station Upgrade grant (\$272k).
6. **Net gain on disposal of property, plant and equipment and infrastructure variance of \$129,812 (unfavourable)** - decrease in disposal gains is due to less number of assets disposed of during first 9 months of the financial year.
7. **Other income variance of \$246,182 (favourable)** - increase in other income is due to increase in interest income on investments (\$81k), interest income on overdue rates and charges (\$66k) and due to more than expected income protection recovery income (\$93k).

Expense variations

8. **Employee costs variance of \$53,871 (favourable)** - decrease in employee cost is due to staff vacancies.
9. **Materials and services variance of \$219,230 (unfavourable)** - increase in materials and services is mainly due to increased expenses on natural disaster recovery work (\$385k) and increased expense on plant operating & hire expense (\$287k). This is partly offset by a decrease in assets maintenance expenses (\$212k) and contractors and consultancies expenses (\$179k).
10. **Depreciation and amortisation variance of \$150,605 (unfavourable)** - current depreciation and amortisation expense is a provisional amount and this be reviewed and finalised when infrastructure capital works are finalised at the year end.

COMMUNITY ENGAGEMENT

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

Council officers believe that appropriate community engagement has occurred during the annual budgeting process and the quarterly financial statements are now ready for Council consideration.

POLICY CONSIDERATIONS

This report is consistent with Council Policies, the Long-Term Financial Plan and the Council Plan. The report also addresses Council's desire to review all aspects of Council's operations.

11.4.1 Financial Report to 31 March 2024 (cont.)

Regional, State and National Plans and Policies

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

The consideration of the year-to-date financial position is in accordance with State policies and reflects income and grants received under State and Federal government funding initiatives and priorities.

RISK CONSIDERATIONS

The following risk has been identified:

Risk(s)	Likelihood	Consequence	Rating	Mitigation Action
Poor performance against budget	Possible	Moderate	Medium	Regular monitoring and reporting of performance against budget and forecast variances.

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 consideration of the March 2024 financial statements is in accordance with the financial management principles outlined in section 101 of the *Local Government Act 2020*. The review and noting of quarterly financial reports also ensures Council complies with its legal and statutory obligations.

The *Local Government Act 2020* allows for budget forecasts to change and funds to be reallocated provided that they do not represent a fundamental change to the adopted budget.

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 consideration and noting of the March year-to-date financial statements is one way in which Council’s financial position may be monitored by the community.

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.

11.4.1 Financial Report to 31 March 2024 (cont.)

The March 2024 year-to-date financial statements considers all known economic and financial implications for the financial year ending 30 June 2024. The current financial position shows a surplus of \$1.7 million which is \$0.5 million more than the predicted surplus in the budget. Current cash position is \$1.0 million healthier than the Quarter Three (Q3) budget. This is mainly due to less than budgeted expense on capital projects and receipt of government grants.

Council held cash and cash equivalents with a balance of \$3.46 million and other financial assets with a balance of \$11.1 million (investment in term deposits over 90 days) as at 31 March 2024. As per Council's adopted Investment and Cash Management Policy, there is a maximum investment limit of 40% for the total amount invested with each institution in proportion to the total investment portfolio. Council had exceeded this limit with regard to investment with the Commonwealth Bank (CBA) as at 31 March 2024 due to withdrawal of term deposits to meet cash flow requirements. Management will rectify this imbalance upon either the next investment maturity date, or next opportunity where funds are available for investment, as allowed by the policy.

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 March 2024 year to date financial statements considers all known economic and financial implications for the financial year ending 30 June 2024.

Social

The 2023-24 budget supports the ongoing delivery of community services, facilities and new initiatives to support our community. The March statements highlight expenses and the income received from State and Federal governments to support the community's ongoing recovery from various natural disaster events that have occurred in the municipality during the past two years.

Environmental

The 2023-24 budget include various environmental and sustainable initiatives such as Violet Town landfill restoration work and street tree planting projects.

Climate Change

As highlighted above, the budget includes various environmental and sustainable initiatives which are also intrinsically linked to Council's Climate Change Action Plan.

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 March 2024 financial statements highlight the support provided by State and Federal governments in initiatives around flood recovery, digital transformation, infrastructure and community services.

11.4.1 Financial Report to 31 March 2024 (cont.)

HUMAN RIGHTS CONSIDERATIONS

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

CONCLUSION

The report presents Council's actual financial performance compared to the adopted budget for the nine months ended 31 March 2024.

The financial statements show Council's continued financial sustainability, status of delivery of capital projects and its continued support to community to recover from various natural disaster events that have occurred in the past two years.

ATTACHMENTS

Attachment 1:

- Operational Performance;
- Comprehensive Income Statement;
- Financial Performance Overview;
- Balance Sheet;
- Statement of Cash Flows;
- Capital Performance; and
- Other Financial Data.

11.5 GOVERNANCE AND CUSTOMER SERVICE

11.5.1 Monthly Performance Report

The May 2024 Monthly Performance Report includes reports as follows:

- Building Department – April 2024 Statistics
- Planning Department – Planning Application Approvals – Development Cost (Capital Improved Value) – April 2024
- Customer Enquiry Analysis Report – Report for April 2024
- Waste Management Reporting Year to Date – April 2024
- Transfer Station Date - April 2024
- Textile Recovery at Transfer Stations Quarterly Report – March 2024
- Actioning of Council Reports Resolutions – Council Meeting Tuesday 16 April 2024
- Outstanding Actions of Council Resolutions to 30 April 2024
- Review of Council Policies and Adoption of new Policies – April/May 2024
- Records of Informal Council Briefings / Meetings – 1 to 30 April 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

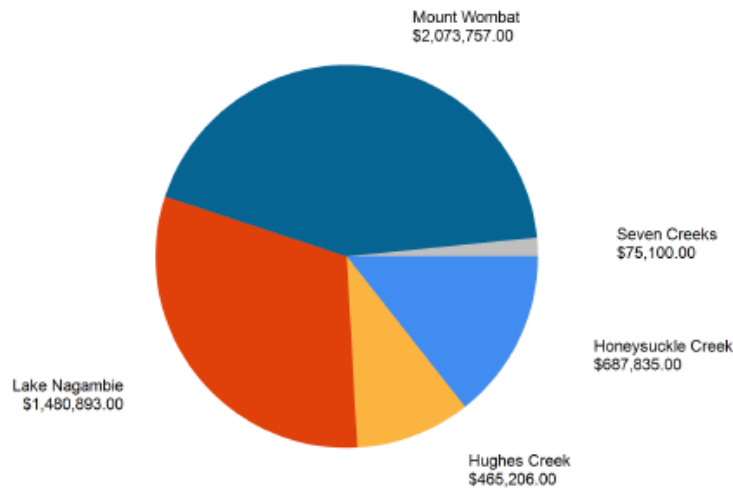
APRIL 2024



Building Activity

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

Ward	Number of Lodgements	Cost Of Works
Honeysuckle Creek	3	\$687,835.00
Hughes Creek	4	\$465,206.00
Lake Nagambie	3	\$1,480,893.00
Mount Wombat	3	\$2,073,757.00
Seven Creeks	2	\$75,100.00
	15	\$4,782,791.00



Honeysuckle Creek

Permit Number	Permit Date	Works	Building Use	Town	Cost Of Works
1855130610983	12/04/2024	Construction of	Farm Shed	Arcadia South	\$45,000.00
8518318434970	17/04/2024	Construction of	Dwelling	Violet Town	\$282,835.00
7722397367306	26/04/2024	Construction of	2x Farm Sheds	Miepoll	\$360,000.00
					\$687,835.00

Hughes Creek

Permit Number	Permit Date	Works	Building Use	Town	Cost Of Works
4840639703261	04/04/2024	Construction of	Verandah	Longwood	\$18,806.00
1771048091893	16/04/2024	Construction of	Dwelling	Avenel	\$400,000.00
7466198448143	19/04/2024	Construction of	Shipping Container	Avenel	\$1,400.00
1113059708910	22/04/2024	Construction of	Retaining Wall	Avenel	\$45,000.00
					\$465,206.00

Lake Nagambie

Permit Number	Permit Date	Works	Building Use	Town	Cost Of Works
8847298011007	17/04/2024	Construction of	Dwelling & Garage	Nagambie	\$410,000.00
4624541807000	23/04/2024	Construction of	Pump Shed	Nagambie	\$1,038,493.00
1435856358049	22/04/2024	Construction of	Shed	Nagambie	\$32,400.00
					\$1,480,893.00

Mount Wombat

Permit Number	Permit Date	Works	Building Use	Town	Cost Of Works
3608225420933	12/04/2024	Change of use	Shed to Habitable Building	Ruffy	\$922,000.00
5547969599638	30/04/2024	Construction of	Dwelling & Garage	Balmattum	\$1,132,652.00
6658969286122	24/04/2024	Construction of	Dwelling	Longwood East	\$19,105.00
					\$2,073,757.00

Seven Creeks

Permit Number	Permit Date	Works	Building Use	Town	Cost Of Works
3772584525039	05/04/2024	Installation of	Swimming Pool, Swimming Pool Barrier	Euroa	\$66,100.00
4397965446560	25/04/2024	Construction of	Deck	Euroa	\$9,000.00
					\$75,100.00

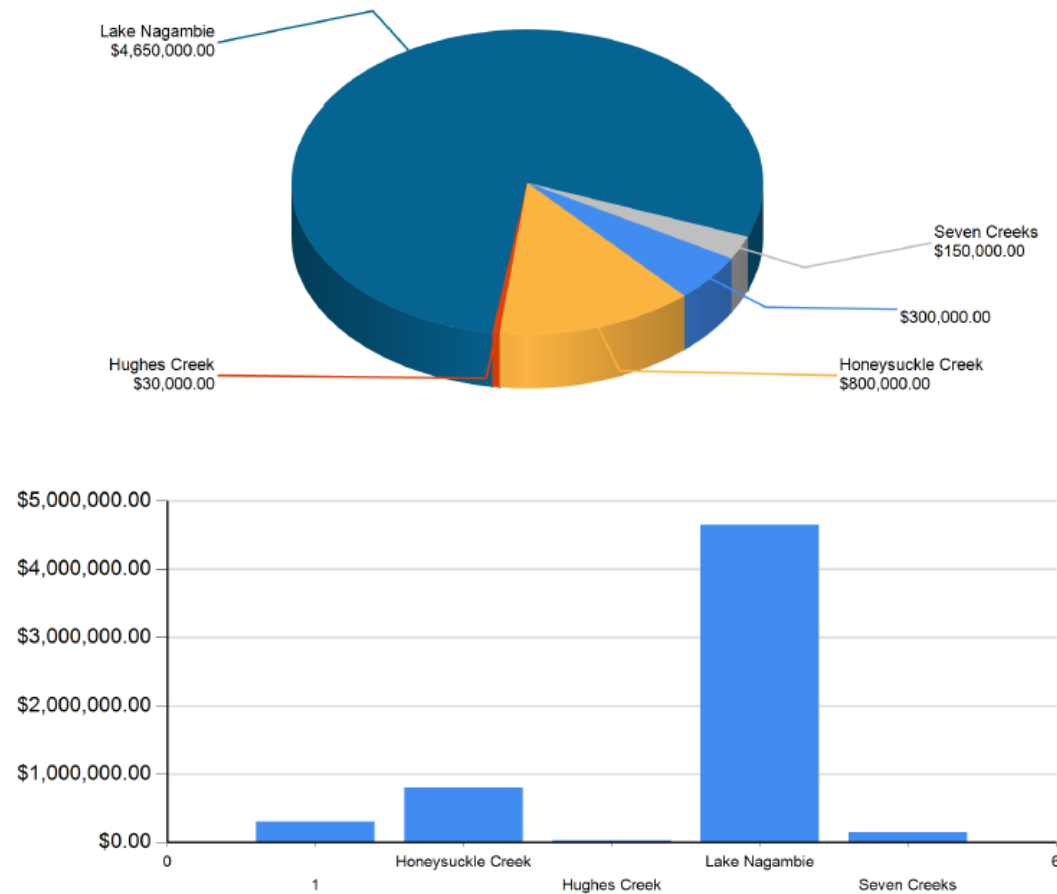
PLANNING APPLICATION APPROVALS – DEVELOPMENT COST (CAPITAL IMPROVED VALUE)
APRIL 2024



Planning Applications Determined

April 2024

	\$300,000.00
Ruffy	\$300,000.00
Honeysuckle Creek	\$800,000.00
Earlston	\$800,000.00
Hughes Creek	\$30,000.00
Mangalore	\$30,000.00
Lake Nagambie	\$4,650,000.00
Graytown	\$200,000.00
Nagambie	\$3,500,000.00
Nagambie	\$450,000.00
Tabilk	\$500,000.00
Seven Creeks	\$150,000.00
Euroa	\$150,000.00
Total Value	\$5,930,000.00



**CUSTOMER ENQUIRY ANALYSIS REPORT
- REPORT FOR APRIL 2024**

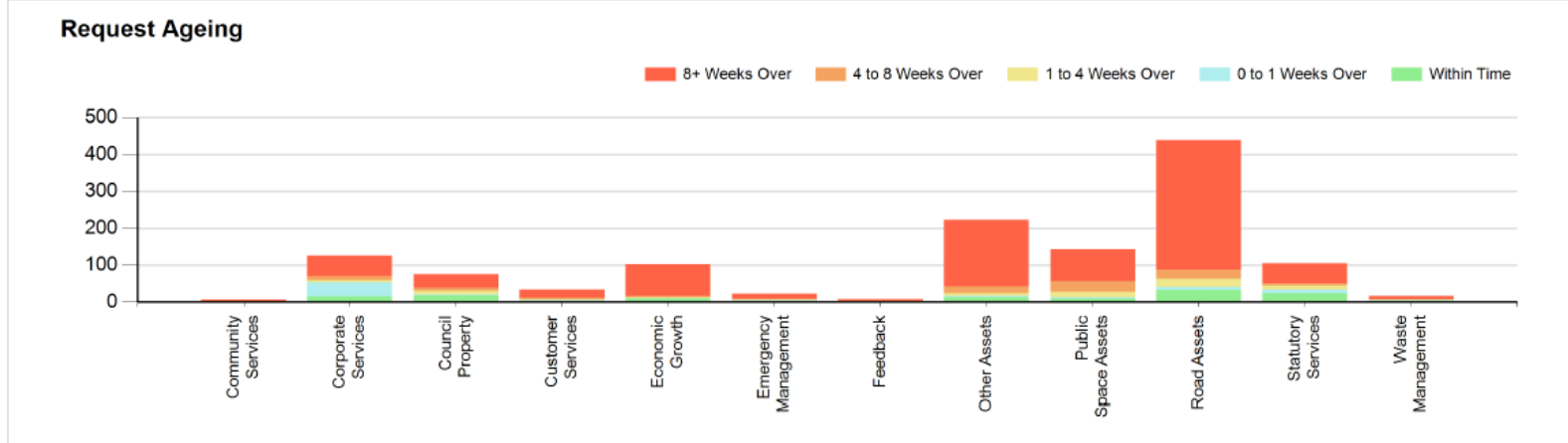


Request Throughput Analysis

01/04/2024 to 30/04/2024

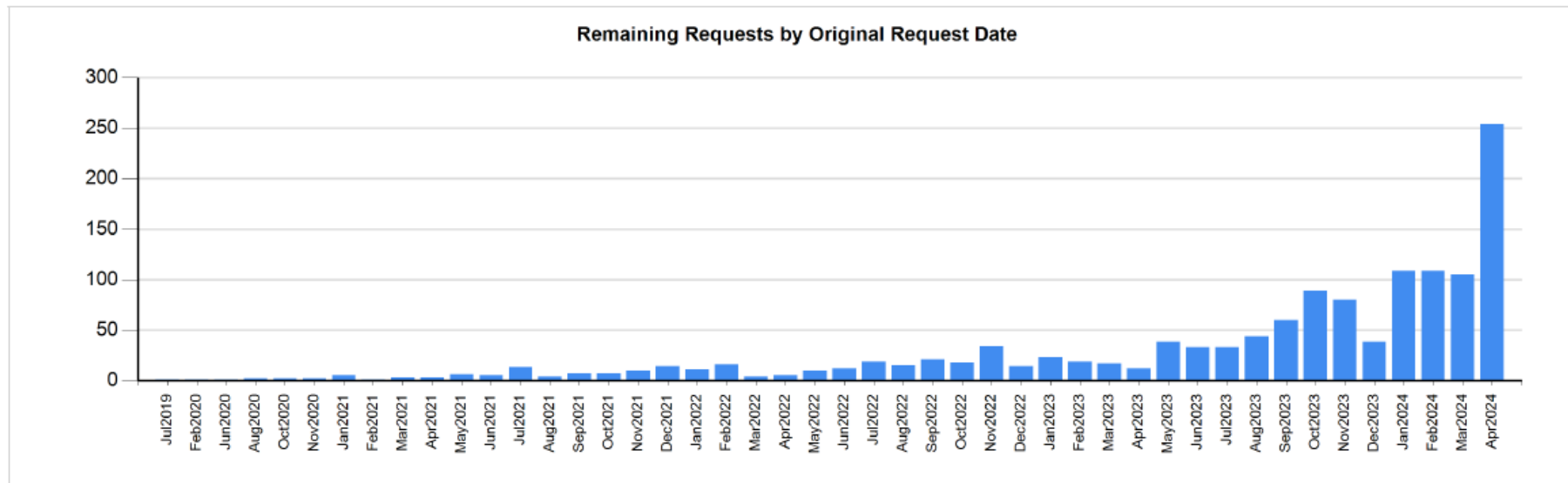
R I D Z P	Complete / New	> 80%	50-80%	< 50%
	Overdue / Remaining	< 33%	34-70%	> 70%

Service Area	Existing Requests	New Requests	Completed Requests	Remaining Requests	C N	Within Time	Over Time	O R	Pending Resources	Service Area Usage
Community Services	9	31	32	8	✓	2	6	✗	0	
Corporate Services	94	107	70	131	⚠	15	116	✗	0	
Council Property	87	57	67	77	✓	17	60	✗	0	
Customer Services	27	14	8	33	⚠	0	33	✗	0	
Economic Growth	100	134	131	103	✓	8	95	✗	0	
Emergency Management	67	17	62	22	✓	2	20	✗	0	
Feedback	4	7	4	7	⚠	1	6	✗	0	
Other Assets	239	29	45	223	✓	12	211	✗	0	
Public Space Assets	190	50	83	149	✓	8	138	✗	8	
Road Assets	510	78	148	439	✓	32	407	✗	1	
Statutory Services	92	163	144	111	✓	24	85	✗	0	
Waste Management	22	61	66	17	✓	2	14	✗	0	
Total	1441	748	860	1320		123	1191		9	



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			
	February												1
	June							1					
2020	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		4		
	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							3		8	1	
	July	1				1		3		14		
	August			1	1	2		5	1	3	2	
	September		1		2	1		1	5	2	7	2
	October				1	3			5		6	3
	November				4	4			11	1	10	4
	December		1			2			2		5	4
2023	January	1			8	1	4		1	1	6	1
	February	1		1		5			1	2	6	3
	March	4						1	3		7	1
	April	1				1				4	5	1
	May	3			1	10			9	3	9	3
	June	1		1		3			9	2	17	
	July	2		1	1	4			8	2	11	4
	August	2		4	1	1			7	2	23	4
	September	3		2		8			8	5	32	2
	October	4		1		13	1		18	6	40	6
	November	9		6		5	1		10	9	36	3
	December	5		2	1	6	3		1	5	11	3
2024	January	2	3	5		8	4	1	28	25	30	3
	February	1	7	6	2	3	1		20	29	31	6
	March		9	13	3	6	2		16	22	22	9

2024	April	4	63	24	7	11	5	3	17	22	48	45	5
Total		8	131	77	33	103	22	7	223	157	440	111	17

Definitions

Service Area Grouping of services by area of responsibility




Existing Requests open prior to reporting period

New Requests made during reporting period

Within Time Remaining Requests where defined deadline is after reporting period

Pending Resources Requests where additional resources are required to continue. This includes labour, materials, and financial resources.

Complete New An indicator showing the ratio of Completed requests and New requests. Designed to represent how well we are keeping up with the demand for a service.

		
$\frac{C}{N}$ Complete / New	> 80%	50-80% < 50%




Service Activities that provide value to the customer

Remaining Requests incomplete at end of reporting period

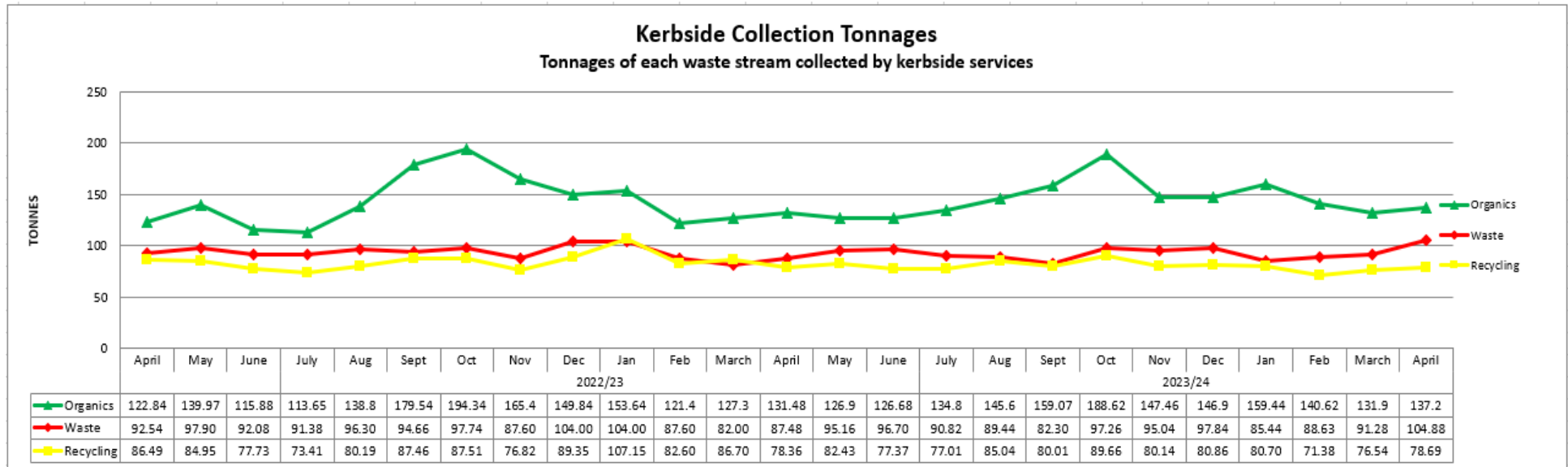
Completed Requests completed during reporting period

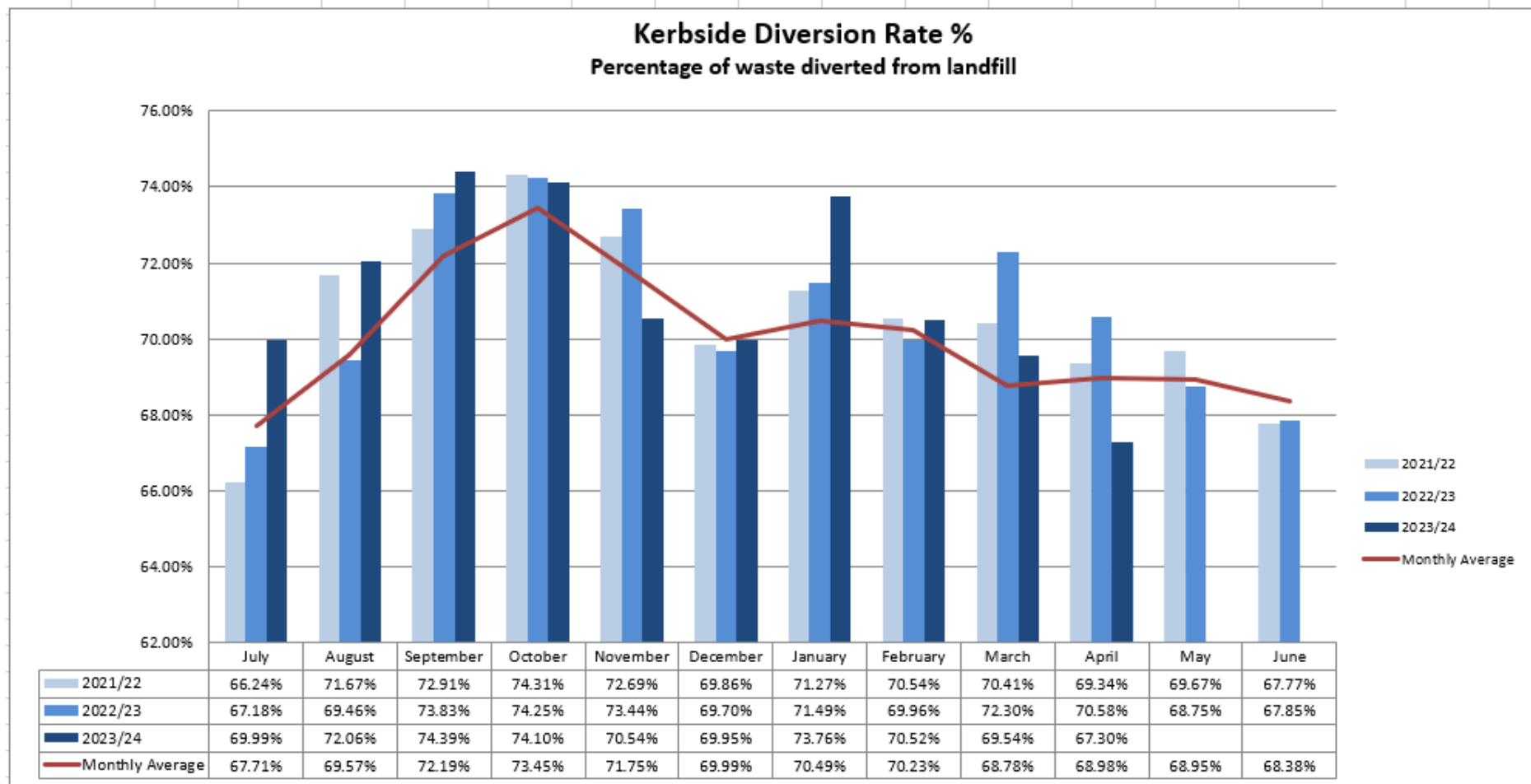
Over Time Remaining Requests where defined deadline is before the end of the reporting period

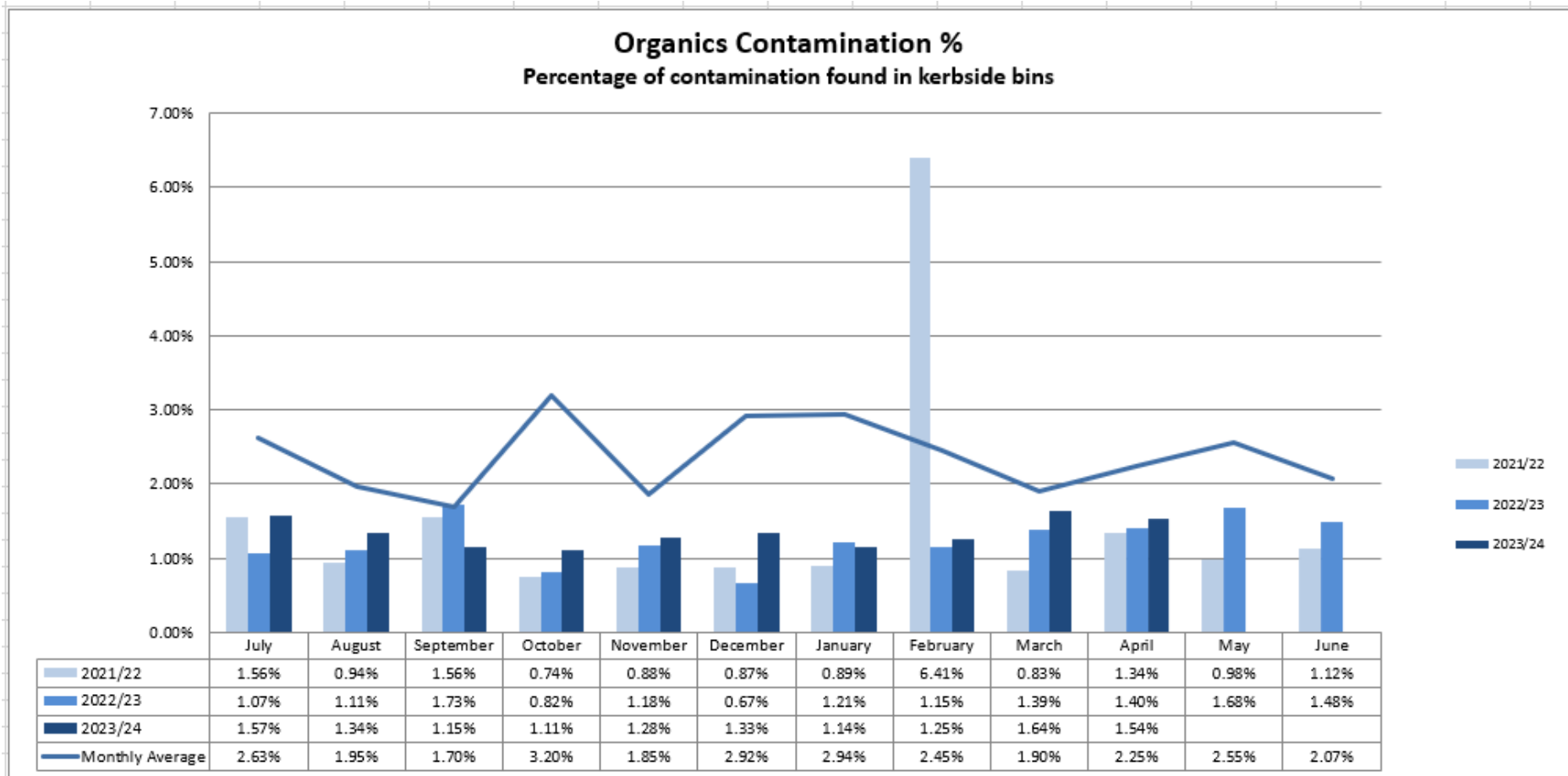
Overdue Remaining An indicator showing the ratio of Overdue requests and Remaining requests. Designed to represent how well we are keeping to the defined deadlines.

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

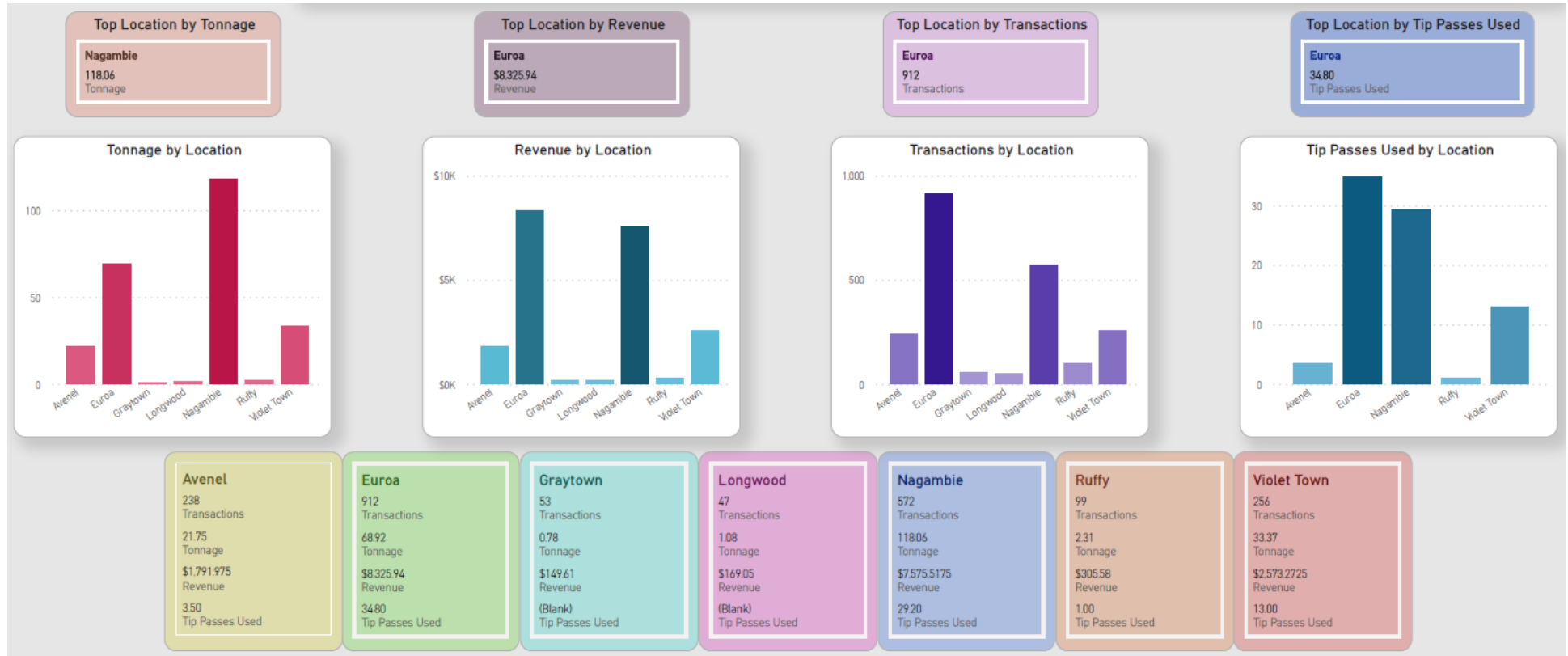
WASTE MANAGEMENT REPORTING
YEAR TO DATE - APRIL 2024







TRANSFER STATION DATA – APRIL 2024

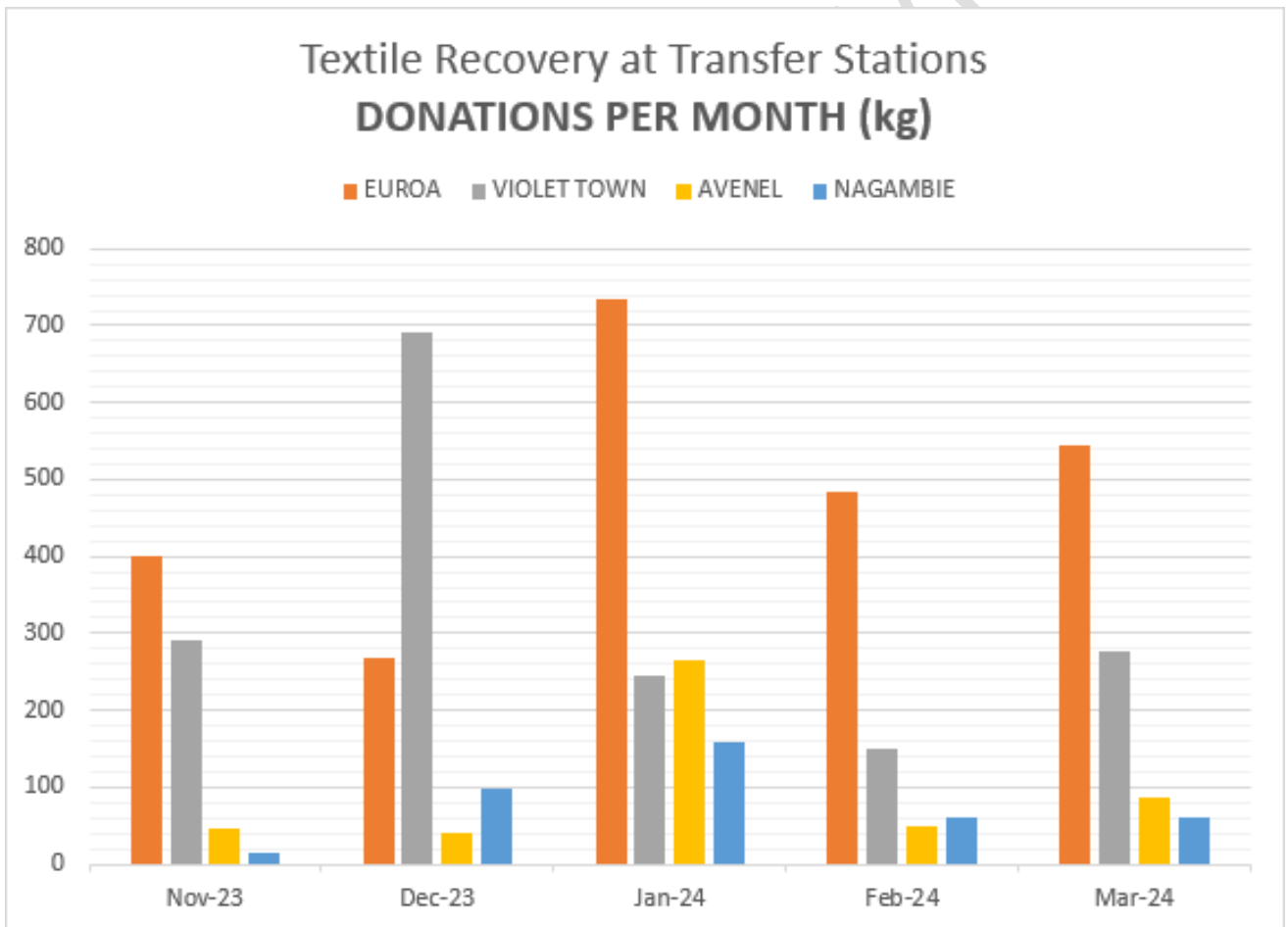


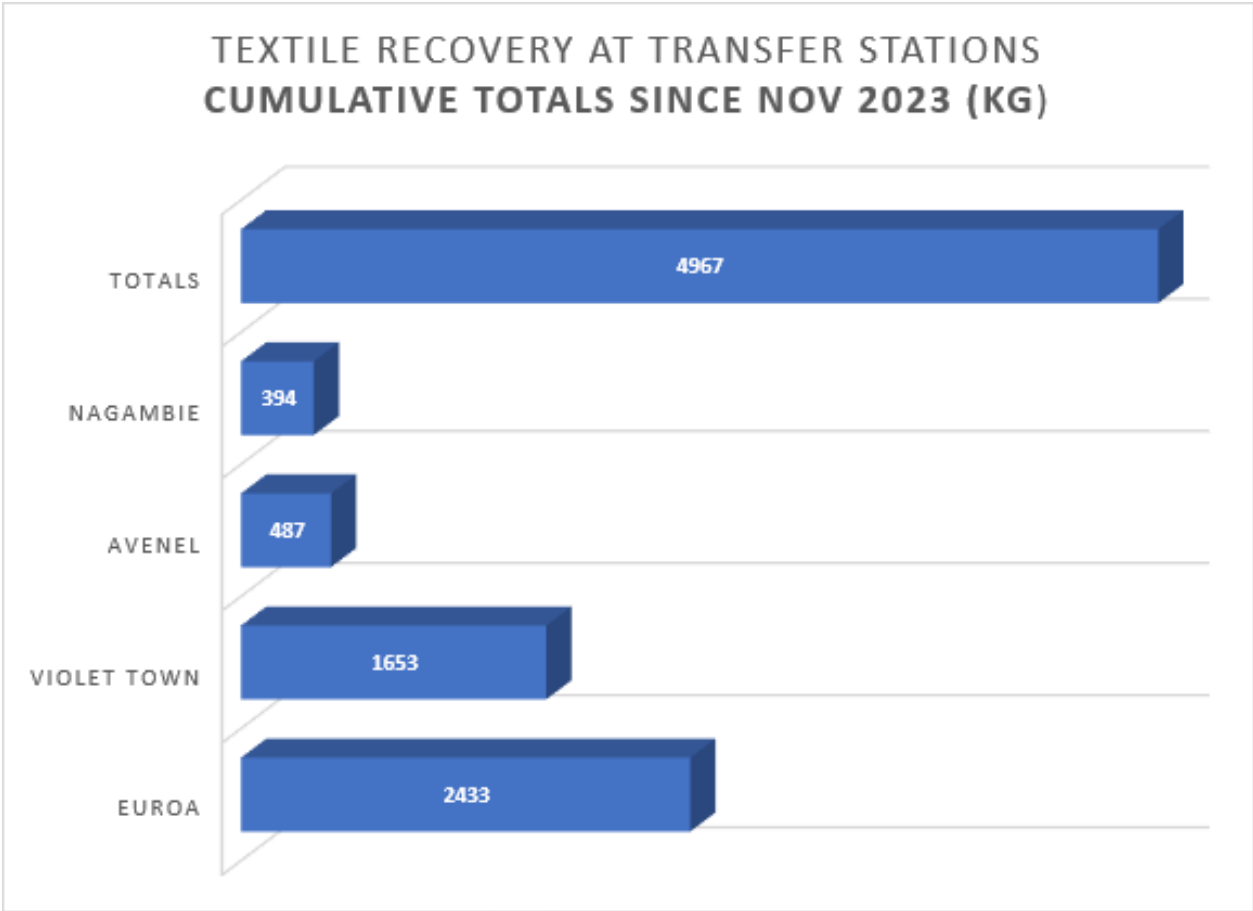
TEXTILE RECOVERY AT TRANSFER STATIONS QUARTERLY REPORT
- MARCH 2024

In November 2023, Strathbogie Shire Council partnered with UpCycle4Better (U4B) to provide the Strathbogie community with an opportunity to dispose of textile items for upcycling.

From the start of November 2023 until the end of March 2024, almost 5,000kg of unwanted textiles has been recovered, meaning five tonnes of clothing, shoes, underwear, home textiles, accessories and soft toys has been diverted from landfill. The Textile Recovery Boxes are at the Euroa, Nagambie, Violet Town and Avenel transfer stations.

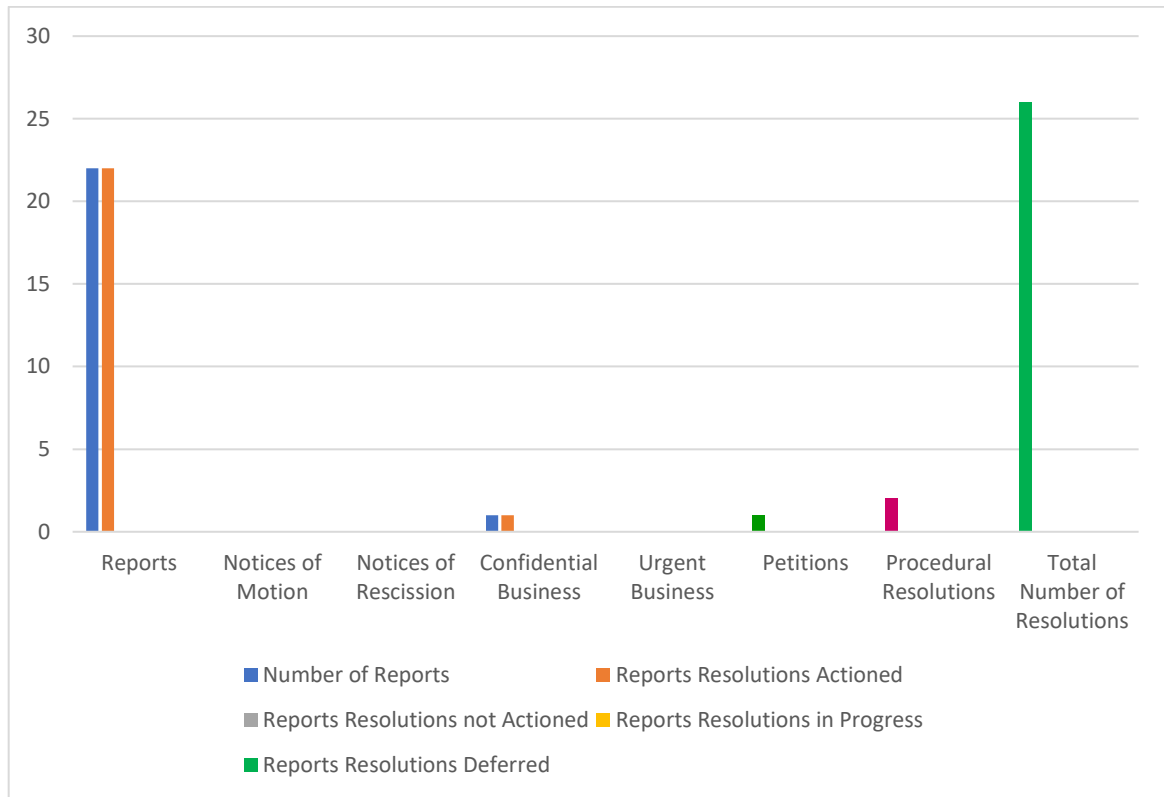
Data for this report is provided quarterly and will be included in the Monthly Performance Report, as applicable





AGENDA F

ACTIONING OF COUNCIL REPORTS RESOLUTIONS
COUNCIL MEETING – TUESDAY 16 APRIL 2024



**OUTSTANDING ACTIONS OF COUNCIL RESOLUTIONS TO
30 APRIL 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
Nil.		

RECORDS OF INFORMAL COUNCIL BRIEFINGS / MEETINGS**FOR PERIOD 1 TO 30 APRIL 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 9 April 2024
Location: Euroa Community Conference Centre
Time: 1.30 pm to 3.00 pm

Attendees:Administrator

Peter Stephenson

Officers

Julie Salomon (Chief Executive Officer)

Amanda Tingay (Director People and Governance)

John Harvey (Director Sustainable Infrastructure)

Braydon Aitken (Acting Director Planning and Community Safety)

Apologies:

Rachael Frampton (Acting Executive Manager Community, Communications and Engagement)

1. Review of draft April 2024 Council Meeting Agenda/Confidential Business/Confidential Appendices
2. Citizenship Ceremony

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

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 16 April 2024

Location: Euroa Community Conference Centre

Time: 3.45 pm to 7.57 pm

Attendees:

Administrator

Peter Stephenson

Officers

Julie Salomon (Chief Executive Officer)

Amanda Tingay (Director People and Governance)

John Harvey (Director Sustainable Infrastructure)

Rachael Frampton (Acting Executive Manager Community, Communications and Engagement)

Braydon Aitken (Acting Director Planning and Community Safety)

Molly O'Connor (Waste and Environment Co-Ordinator) *(Item 1)*

Jack Francis (Acting Manager Planning and Investment) *(Item 2)*

Apologies:

Nil.

1. Kerbside Collection Policy
2. Planning Matters Update
3. April 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 -

Matter No.	LGA 2020 Interest Section	Names of Officer/s who disclosed interest	Did the Officer/s leave the meeting?
3 / 11.3.1	128	Acting Director Planning and Community Safety	Yes <i>(left meeting at 6.38 pm / returned at 6.44 pm)</i>

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 23 April 2024

Time: 2.30 pm – 3.30 pm (Item 1)
4.30 pm to 6.30 pm (Item 2)

Attendees:

Administrator

Peter Stephenson

Officers

Julie Salomon (Chief Executive Officer) (Item 2)

John Harvey (Director Sustainable Infrastructure) (Item 2)

Braydon Aitken (Acting Director Planning and Community Safety) (Item 1)

Apologies:

Nil.

1. Planning Matter - On Site Visit
2. Talk to the Administrator – Violet Town

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

Nil.

11.6 **EXECUTIVE**

11.6.1 **Appointment of Interim Chief Executive Officer**

Author: Chief Executive Officer

EXECUTIVE SUMMARY

Following the resignation of the Chief Executive Officer, Council Administrator Mr Peter Stephenson has determined that the appointment of a Chief Executive Officer should be one of the first tasks of the newly elected Councillors post the 26 October 2024 Council elections.

At the 16 April 2024 Council meeting, a report detailed the process for the appointment of an Interim Chief Executive Officer (Interim CEO) for a period of up to 12 months. During this appointment, the Interim CEO's roles and responsibilities will include inter alia:

- to fulfill the role and responsibilities of the CEO in accordance with the Local Government Act 2020;
- ensure business continuity and stability for the organisation over a period of up to 12 months or until a longer-term CEO is appointed;
- to lead the Councillor Induction Program, post the 26 October 2024 Council Elections; and
- assist the newly elected Councillor team with the recruitment, selection and decision making for the onboarding of the new CEO.

In accordance with the process detailed in resolution from the 16 April 2024 Council Meeting agenda item on this matter, the CEO Employment and Remuneration Committee have appointed Mr Tim Tamlin as Interim CEO for Strathbogies Shire Council.

Mr Tamlin brings extensive experience in senior leadership roles within the Private Sector and Local Government across engineering and infrastructure planning, finance and governance/compliance roles. Moreover, Mr Tamlin was a CEO at South Gippsland Shire Council and has filled interim CEO roles at both Campaspe Shire Council and Kingston City Council.

The appointment of the Interim CEO is consistent with the principles as enunciated in Division 7, sections 44 and 45 of the *Local Government Act 2020*.

With the outgoing CEO, Ms Julie Salomon, concluding the role on 4 July 2024 and the Interim CEO commencing on 15 July 2024, Council, in accordance with section 44 of the Act, must appoint a person to be the Acting Chief Executive Officer. It is proposed that Ms Amanda Tingay, Director People and Governance, be appointed to the role of Acting Chief Executive Officer for the period from 5 July to 14 July

11.6.1 Appointment of Interim Chief Executive Officer (cont.)

RECOMMENDATION

That Council:

1. **Endorse the appointment of Mr Tim Tamlin to the role of Interim Chief Executive Officer (CEO) for Strathbogie Shire Council for a period of up to 12 months, effective 15 July 2024;**
2. **Note that the roles and responsibilities of the Interim CEO will include inter alia:**
 - a) **to fulfill the role and responsibilities of the CEO in accordance with the Local Government Act 2020;**
 - b) **ensure business continuity and stability for the organisation over a period of up to 12 months or until a longer-term CEO is appointed;**
 - c) **to lead the Councillor Induction Program, post the 26 October 2024 Council Elections; and**
 - d) **assist the newly elected Councillor team with the recruitment, selection and decision making for the onboarding of the new CEO.**
3. **Endorse the appointment of Ms Amanda Tingay to the role of Acting Chief Executive Officer for the period 5 July to 14 July 2024.**

PURPOSE AND BACKGROUND

Following the resignation of the Chief Executive Officer, Council Administrator Mr Peter Stephenson has determined that the appointment of a Chief Executive Officer should be one of the first tasks of the newly elected Councillors post the 26 October 2024 Council elections.

This report seeks Council endorsement of the appointment of the Interim Chief Executive Officer.

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.

At the 16 April 2024 Council meeting, a report detailed the process for the appointment of an Interim Chief Executive Officer (CEO) for a period of up to 12 months. During this appointment, the Interim CEO's roles and responsibilities would include inter alia:

- to fulfill the role and responsibilities of the CEO in accordance with the Local Government Act 2020,
- ensure business continuity and stability for the organisation over a period of up to 12 months or until a longer-term CEO is appointed,
- to lead the Councillor Induction Program, post the 26 October 2024 Council Elections, and
- assist the newly elected Councillor team with the recruitment, selection and decision making for the onboarding of the new CEO.

11.6.1 Appointment of Interim Chief Executive Officer (cont.)

In accordance with the process enunciated in the resolution from the 16 April 2024 Council Meeting item on this matter, it was determined that an Interim CEO will be appointed via a selected invitation process targeting experienced former Local Government CEOs. Following this process, the CEO Employment and Remuneration Committee have appointed Mr Tim Tamlin as Interim CEO for Strathbogie Shire Council.

Mr Tamlin brings extensive experience in senior leadership roles within the Private Sector and Local Government across engineering and infrastructure planning, finance and governance/compliance roles. Moreover, Mr Tamlin was the CEO at South Gippsland Shire Council and has filled interim CEO roles at both Campaspe Shire Council and Kingston City Council.

The appointment of Mr Tamlin as Interim CEO is consistent with the principles as enunciated in Division 7, sections 44 and 45 of the *Local Government Act 2020*.

Further, in accordance with section 44, sub-section 4 of the Act, if there is a vacancy in the office of Chief Executive Officer or the Chief Executive Officer is unable to perform the duties of the office of Chief Executive Officer, Council must appoint a person to be the Acting Chief Executive Officer.

With the outgoing CEO, Ms Julie Salomon, concluding the role on 4 July 2024 and with the Interim Chief Executive Officer commencing on 15 July 2024, there will be a short vacancy in the office of the Chief Executive Officer. Therefore, it is proposed that Ms Amanda Tingay, Director People and Governance, be appointed to the role of Acting Chief Executive Officer for the period from 5 July to 14 July 2024, inclusive.

COMMUNITY ENGAGEMENT

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

Council is not required to undertake community consultation in relation to the appointment of a Chief Executive Officer.

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 the Interim CEO is consistent with the principles as enunciated in Division 7, sections 44 and 45 of the *Local Government Act 2020*.

Council Plans and Policies

The appointment of the Interim CEO 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.

11.6.1 Appointment of Interim Chief Executive Officer (cont.)

LEGAL CONSIDERATIONS

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

The *Local Government Act 2020* requires that Councils appoint a CEO to manage the day-to-day operations of the Council and its employees in accordance with the plans and policies set by the Councillors. Furthermore, the CEO provides advice to Council and ensures that Council decisions are implemented.

Conflict of Interest Declaration

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

Transparency

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

In accordance with the process endorsed at the 16 April 2024 Council meeting, this report officially announces the appointment of Mr Tim Tamlin as the Interim CEO for Strathbogie Shire Council.

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 of an Interim CEO will be met from within existing budget allocations as detailed in the draft budget for the 2024-25 financial year.

HUMAN RIGHTS CONSIDERATIONS

The matters discussed in this report do not adversely impact on the *Charter of Human Rights and Responsibilities Act 2006*.

CONCLUSION

Following a selected invitation process targeting experienced former Local Government CEOs, Mr Tim Tamlin has been appointed to the role of Interim CEO for up to a 12-month period.

Mr Tamlin's appointment will ensure the continuity of business operations, oversee the Councillor Induction program and support the newly elected Councillors in the process to appoint a Chief Executive Officer in 2025.

ATTACHMENTS

Nil.

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

These appendices have been classified as being confidential in accordance with section 66(2)(a) and Part 1, section 3 of the *Local Government Act 2020* as they relate to:

- (g) *private commercial information, being information provided by a business, commercial or financial undertaking that –*
- (ii) *if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage*

- C.A. 1 (g) Tender Evaluation for Contract 23/24-58:
Request for Quotation – Collection, Transportation
and Processing of Mattresses and Soft Furnishings
from Transfer Stations
- C.A. 2 (g) Tender Evaluation for Contract No. 23/24-50:
Construction of Euroa Truck Wash
- C.A. 3 (g) Tender Evaluation for Contract No. 23/24-64:
Refurbishment of Nagambie Comfort Station
- C.A. 4 (g) Tender Evaluation for Contract No. 23/24-49:
Major Patching Program 2023/24

NEXT MEETING

The next monthly meeting of the Strathbogie Shire Council is scheduled to be held on Tuesday 18 June 2024, at the Euroa Community Conference Centre, at 6pm.

THERE BEING NO FURTHER BUSINESS, THE MEETING CLOSED AT..... PM