



AGENDA
of the
SCHEDULED MEETING OF COUNCIL
Wednesday 16 September 2020
at
Murrindindi Shire Council
Zoom
Virtual Meeting
Videoconference
6:00pm

This SCHEDULED MEETING OF COUNCIL will be conducted virtually
(as per *COVID-19 Omnibus (Emergency Measures) Act 2020*,
passed by Victorian Parliament on 23 April 2020)

Audio recordings of all Council meetings are taken by Council's Governance Officers
and published on Council's website (Resolution of Council 23 January 2019)

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- 1 PLEDGE AND RECONCILIATION STATEMENT**
- 2 APOLOGIES AND REQUEST FOR LEAVE OF ABSENCE**
- 3 COMMUNITY RECOGNITION**
- 4 DISCLOSURES OF INTEREST OR CONFLICT OF INTEREST**
- 5 CONFIRMATION OF MINUTES**

Minutes of the Ordinary Meeting of Council held on 26 August 2020.

Officer Recommendation

That the minutes of the Ordinary Meeting of Council held on 26 August 2020 be confirmed.

Minutes of the Confidential Meeting of Council held on 26 August 2020.

Officer Recommendation

That the minutes of the Confidential Meeting of Council held on 26 August 2020 be confirmed.

- 6 PETITIONS**
- 7 PUBLIC PARTICIPATION**
- 7.1 Open Forum**
- 7.2 Questions of Council**
- 8 OUR PLACE**
- 8.1 Response to Petition - Kinglake West 80km Zone Extension**

Purpose

This report provides Council with a response to the petition tabled at the Ordinary Meeting of Council, 26 August 2020. The petition requests that Council apply or provide support to an application to Regional Roads Victoria (RRV) to extend the 80km speed zone in Kinglake West.

Officer Recommendation

That Council:

- 1. note this report and that Council officers have reviewed the request from petitioners;**
- 2. request the Manager Community Assets to assess the request to extending the 80km speed zone to the north side of Nichols Road, Kinglake West;**
- 3. if the assessment supports this extension, recommend the change to Regional Roads Victoria for approval;**
- 4. advise the convener of this petition of the outcome of the assessment; and**
- 5. request that the Manager Community Assets write to the convener of this petition advising them of Council's resolution.**

Background

A petition was tabled at the Ordinary Meeting of Council on 26 August 2020. The petition was submitted by Paul Denton and was signed by 5 people.

The petition requests that Council apply or provide support to an application to VicRoads (Regional Roads Victoria) to extend the 80km speed zone to the north side of Nichols Road, Kinglake West to suit the Rural Living Zone and specific road hazards (identified in the petition).

Discussion

Nichols Road is located off the Whittlesea-Yea Road, Kinglake West approximately 2km north of the intersection of Whittlesea-Yea Road and Whittlesea-Kinglake Road. The speed limit along Whittlesea-Yea Road is 80km from Whittlesea to just past the Whittlesea-Yea Road and Whittlesea-Kinglake Road intersection and then becomes 100km. Whittlesea-Yea Road is a Regional Roads Victoria (RRV) managed road. Refer to the below locality plan indicating the extent of the requested speed limit reduction.



The concerns raised by petitioners include:

- A number of subdivisions in this location entering into Whittlesea-Yea Road
- There is a crest in the Whittlesea-Yea Road obstructing views south towards Monarch Close
- There is a school bus stop on Whittlesea-Yea Road
- There are a large number of kangaroos in the land adjoining Whittlesea-Yea Road
- There is a dip over a creek with pooling water on the road also there are regular wombat strikes, fog and deer grazing along this road.

In order for Council to make a submission to RRV seeking approval for speed limit changes, the following process must be followed and will be in accordance with VicRoads Traffic Engineering Manual – Speed Zoning Guidelines.

Council's general approach for seeking approval for speed limit changes is as follows:

- Complete an initial assessment to ensure there is a reasonable basis for any request
- Undertake a V-Limits assessment (i.e., a technical assessment)
- Seek wider community feedback on any changes being proposed
- Seek support for any proposed changes from Victorian Police
- Engage an external Traffic Consultant to complete the speed limit review documentation
- Present proposed changes to RRV for approval.

Council must seek approval from RRV as the authority that decides on speed limit changes, particularly on their own roads.

At this stage no recommendation on speed limit changes on Whittlesea-Yea Road has been made to RRV. Officers are considering petition feedback and will update petitioners on the outcome of the above approach prior to any recommendations being presented to RRV for approval.

Council Plan/Strategies/Policies

This report supports the *Council Plan 2017-2021 Our Place* strategy to “enhance community safety, resilience and liveability through improved planning, community engagement, and a fair and transparent approach to compliance”.

Relevant Legislation

Road Management Act 2004.

Financial Implications and Risk

All costs associated with the engagement of an external traffic consultant will be funded from operational budgets.

Conflict of Interest

There are no declared conflicts of interest by Council officers in relation to this report.

Community and Stakeholder Consultation

Public consultation regarding this matter will occur as part of the assessment process.

8.2 Kinglake Memorial Reserve Master Plan

Attachment(s):

1. *Kinglake Memorial Reserve Master Plan [8.2.1 - 53 pages]*

Purpose

The purpose of this report is to present the draft Kinglake Memorial Reserve Master Plan to Council for adoption.

Officer Recommendation

That Council adopt the Kinglake Memorial Reserve Master Plan.

Background

The Kinglake Memorial Reserve Master Plan (Plan) (Attachment 8.2.1) has been prepared as a key initiative of the Recreation and Open Space Strategy 2018-2028.

Council engaged Michael Smith and Associates in April 2020 to prepare the Plan. COVID-19 restrictions affected our planned methods of community engagement and consultation, however these have been successfully undertaken via online methods.

The preliminary ideas for the Plan were presented to the Kinglake Memorial Reserve User Groups and the broader community for feedback and 150 community responses were received. Council was briefed on the preliminary ideas and community consultation that informed the Draft Plan in early July 2020.

Consultation on the Draft Plan was undertaken during July via online mechanisms and nine responses were received. Council was briefed in August on the outcomes of consultation, with the following changes to key directions made prior to release for the public exhibition period:

1. Item 4 removal of cyclone fence adjacent to the informal car parking area
2. Item 16 to include club consideration for upgrading the away team coaches box
3. Item 17 to include disability access to the tennis club pavilion.

All feedback received from the community during consultation on the draft *Plan* was carefully assessed by the project team and there were no amendments to the plan required.

Discussion

The recent public exhibition period was well promoted via social media, and supported by user group distribution to their membership. Only one submission was received and is summarised as follows:

Item	Recommendation
Item 3 – Sports Pavilion feasibility study. Interest in redesigning for future use	No action required. The feasibility study will guide future investment requirements.
Item 6 and 7 – Landscaping. Support suggested from Kinglake Landcare to reduce cost	No action required. Landcare has not submitted a proposal at this stage.
Item 8 – Cricket nets, chain wire mesh. Concern regarding rebound risk	No action required. The risk associated with rebound has been assessed and will be rectified as a short term priority.
Item 12a and b – Storage for user groups. Unnecessary cost, the containers are working quite adequately for storage	No action required. Shipping containers have been prioritised for removal to provide a fit for purpose and safe storage facility.

Community and user group feedback during the development of the final draft Plan has been thoroughly assessed and where practical included in the key directions of the Plan.

Council Plan/Strategies/Policies

This report supports the *Council Plan 2017-2021 Our People* strategy to “work with our community and groups to connect, collaborate and plan for our future”.

This report supports the *Council Plan 2017-2021 Our Place* strategy to “support recreation opportunities for our residents and visitors that encourage participation and community

connections”.

This report supports the *Council Plan 2017-2021 Our Promise* strategy to “expand our communication and two-way engagement with the community”.

Relevant Legislation

There is no specific legislation in relation to this item.

Financial Implications and Risk

Council budget and external funding opportunities, including community contributions, will be aligned to deliver the priorities contained within the Plan. Funding opportunities will be discussed with Council as the delivery progresses and project elements can be incorporated into the 10 year Capital Works Plan as appropriate.

The 2020/21 budget currently includes Capital Works commitments for the following projects identified in the Plan:

1. Public Toilets
2. Pavilion safety railing associated with concrete steps
3. Cricket nets chain wire mesh conversion
4. Tennis Courts maintenance.

The high level summary of cost estimates contained in Table 1 details future budget expectations:

Table 1: Project scope and budget

ITEM	BUDGET
Basic Oval surface upgrade	600,000
Upgrade to Pathways, Roads, Drainage	446,000
Upgrade to netball shelter, storage shed, pavilion stairway canopy, public toilets, exercise equipment	492,500
Landscape improvements	38,500
Upgrade to signage, bins, seating	61,500
OH&S improvements	70,000
Studies and reports	33,000
Maintenance – cricket nets, tennis surface	18,000
Contingency (20%)	352,000
Project management (2%)	42,500
Design fees (8%)	138,000
Sub Total	2,292,000
Less 2020/21 Council commitments (including overheads)	438,000
Total program	1,854,000

Conflict of Interest

There are no declared conflicts of interest by Council officers in relation to this report.

Community and Stakeholder Consultation

Community engagement has been a central theme throughout this project, and has included regular consultation with the reserve user groups. The Public Exhibition period for the final draft Plan was between 14 - 27 August 2020. Use of project specific databases, traditional and social media avenues were used to advertise the opportunity to community.

8.3 Eildon Reserve Precinct Improvement Plan

Attachment(s):

1. *Eildon Reserve Precinct Improvement Plan [8.3.1 - 63 pages]*

Purpose

The purpose of this report is to present Council with the draft Eildon Reserve Precinct Improvement Plan (Attachment 8.3.1) for adoption.

Officer Recommendation

That Council adopt the Eildon Reserve Precinct Improvement Plan.

Background

Previous Council briefings have provided a summary of consultation processes undertaken in developing the Eildon Reserve Precinct Improvement Plan (Plan). The project commenced in November 2019 with over 100 responses to online and face to face engagement and consultation sessions.

Michael Smith and Associates were engaged in February 2020 to develop the Plan. COVID-19 restrictions affected the community engagement and consultation process. Alternative online methods were delivered successfully in May with 85 submissions received. All feedback was considered through the assessment of merit process which guided the consultant team's design of the draft Plan.

Community consultation during July on the draft Plan was successful with over 50 responses received. Council was briefed on consultation findings in relation to the draft Plan on 5 August, some minor changes were made following the briefing, including:

1. Allowance for lighting along central pathways
2. Allowance for replacement trees following removal of 20 pine trees
3. Allowance for additional seating, litter bins and drinking fountains
4. Scope reduced for public toilets.

Following the Council briefing in August the final draft Plan was then made available for public exhibition between 6 - 27 August 2020.

This project aligns with the strategic direction contained within the Recreation and Open Space Strategy 2018-2028, the Eildon Structure Plan 2016, and the Lake Eildon Masterplan. Investment in recreational ventures has been highlighted as an important factor in stimulating the local economy.

Discussion

The public exhibition period provided further feedback from the broader community. In total there were three responses received during the exhibition period summarised as follows:

Item	Recommendation
Splash Park <ul style="list-style-type: none"> • this will take patronage from an already struggling swimming pool • splash park seems too small 	No action required. The investment in the splash park will have greater economic impact on the community. Future direction of the swimming pool will continue to be monitored.
Easter Market <ul style="list-style-type: none"> • remaining space will be far too small for it to operate successfully 	No action required. Appropriate event management planning, including traffic management, can support suitable outcomes for existing events.
Utah Place <ul style="list-style-type: none"> • remove the road between the two reserves and make one larger one 	No action required. Not considered a negotiable item within this project.
Visitor Information centre	No action required.

<ul style="list-style-type: none"> Concern regarding future use with no commitment to upgrade, only to conduct investigative report 	The focus on the investigative report will guide future direction for service provision.
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Council Plan/Strategies/Policies

This report supports the *Council Plan 2017-2021 Our People* strategy to “work with our community and groups to connect, collaborate and plan for our future”.

This report supports the *Council Plan 2017-2021 Our Place* strategy to “support recreation opportunities for our residents and visitors that encourage participation and community connections”.

This report supports the *Council Plan 2017-2021 Our Promise* strategy to “expand our communication and two-way engagement with the community”.

Relevant Legislation

There is no specific legislation in relation to this item.

Financial Implications and Risk

A high level summary of cost estimates is included in Table 1, summarised from the Plan’s quantity survey report.

Table 1: Project scope and budget

ITEM	BUDGET
Open space improvements (including: picnic shelter, seating, drinking fountains, tree remove/replace and path improvements)	517,000
Lighting	235,000
Swimming pool upgrade (infrastructure and parking)	113,000
Asphalt court	56,000
Investigate the future of the VIC	12,000
Regional playground	984,000
Pump track	211,000
Public toilet refurbishment	670,000
Skate park	446,000
Splash play	1,650,000
Total (includes contingency, project management and design)	4,895,000

Detailed design will be progressed as a priority in 2020/21 and officers have advocated to the State Government for funding support. Completing the detailed design supports the pursuit of further State and Federal Government funding.

Given the scale of the project, delivery is likely to be staged if significant external grant funding cannot be obtained to support the full program. This staged approach to project delivery will need to be carefully communicated with the community to manage community expectations.

Council funding commitments will be considered as part of the 10 Year Capital Works planning process in addition to external funding opportunities to support the Precinct Improvement Plan priorities. Funding opportunities will be discussed with Council as the planning for this project progresses.

Conflict of Interest

There are no declared conflicts of interest by Council officers in relation to this report.

Community and Stakeholder Consultation

Community engagement has been a central theme throughout this project. Most recently the Public Exhibition period was promoted between 6 - 27 August 2019. Use of project specific databases, traditional and social media avenues were used to advertise the opportunity to community.

9 OUR PEOPLE

9.1 Community Planning Grants Program

Attachment(s):

1. *CPP Grant Guidelines Final [9.1.1 - 5 pages]*

Purpose

The purpose of this report is to inform Council of allocations made through the Community Planning Grants Program.

Officer Recommendation

That Council note the grants awarded by officers under delegation:

Application	Reference	Funding Sought	Outcome
Marysville			
Marysville Garden Beautification Committee	CPGM-2021-01	\$6,000	Supported in full Conditional: <ol style="list-style-type: none"> 1. That a signed agreement with Council is in place to document maintenance responsibilities. 2. That Council and IAG are acknowledged with signage.
Marysville Triangle Youth Inc.	CPGM - 2021-02	\$7500	Supported with a grant of \$6,000 Conditional: <ol style="list-style-type: none"> 1. That the budget is adjusted in line with reduced grant. 2. That a Certificate of Occupancy is provided as part of the completion report. 3. That Council and IAG are recognised on signage.
Light Up the Trees Marysville	CPGM-2021-03	\$7500	Supported with a grant of \$6,000 Conditional: <ol style="list-style-type: none"> 1. That the budget is adjusted in line with reduced grant. 2. That Council and IAG are recognised as part of the project.
Marysville Community Planning Committee – Cycling	CPGM-2021-04	\$7500	Supported with a grant of \$6,000 Conditional: <ol style="list-style-type: none"> 1. That the scope of the project is reduced or funds returned if further funding is not sourced to complete the project. 2. That Council and IAG are recognised as part of the project.
Marysville Iconic Trail Project Group	CPGM-2021-05	\$7500	Supported with a grant of \$6,000 Conditional: <ol style="list-style-type: none"> 1. That a plan of signage locations and appropriate permissions is submitted. 2. That the requirements for signage installation is clarified. 3. That Council and IAG are recognised on signage.
Toolangi / Castella			
Honour the Taungurung	CPGY-2021-01	\$7500	Supported in full Conditional: <ol style="list-style-type: none"> 1. That the project and budget is adjusted to remove requirement of building permit. 2. That documentation is provided that clarifies artist fee and consultation.

			3. That Council and IAG are recognised as part of the project.
2030 Yea Inc.	CPGY-2021-03	\$7500	Supported in full Conditional: 1. That Council officers are included as stakeholders in the project and consulted as required. 2. That Council and IAG are recognised on reports produced.
Yea and District Historical Society	CPGY-2021-05	\$7500	Supported in full Conditional: 1. That broader communication with the Yea community of the project intended outcomes occurs 2. That specific engagement occur with current users of the Yea Pioneer Reserve 3. That Council and IAG are recognised as part of the feasibility report
Yea			
Tennis Courts Action Group	CPGTC-2021-01	\$7465	Supported in full Conditional: 1. That a maintenance agreement is established with Council. 2. That Council and IAG are recognised as part of the project.
Trails Action Group	CPGTC-2021-03	\$7500	Supported in full Conditional: 1. That requirement for land use and vegetation planning permits are clarified and budget updated. 2. That Council and IAG are recognised as part of the project.

Background

Murrindindi Shire Council received funding for a three phase community planning project with Insurance Australia Group (IAG) in 2016. The project is now coming to the end of the third phase of piloting the community planning framework. Final Community Plans for the three communities were acknowledged at the May Ordinary Meeting of Council.

The community planning grants program has been established through IAG funding to provide seed funding for priority projects identified in the three pilot townships of Yea, Toolangi-Castella and Marysville. The grants were opened on 13 July and closed on the 28 August 2020.

Total funding of \$30,000 was made available from the IAG funding for each community, with a maximum grant of \$7,500 per application.

Grant guidelines (see Attachment 9.1.1), application forms and further information were advertised on Council's community planning page.

Discussion

The community planning grant program was effective in providing a catalyst for community planning officers to support and inspire Action Teams to develop project plans and work together to implement the community plans. Despite the isolation associated with the Covid-19 pandemic situation, the grants program provided a tangible reason for groups to connect and feel inspired about immediate opportunities for their communities.

Council received 13 grant applications in total, 10 of these applications have been supported and three require some further information before a final assessment.

The applications that have been supported include:

1. CPGM-2021-01 – Marysville Garden Beautification - \$6,000

This grant will be used to establish and plant new raised garden beds and enhance plantings in an existing garden bed near MIRA in Murchison Street, Marysville. The Marysville Garden Beautification Action Group have committed to maintaining the new garden beds and the project auspice is the Triangle Arts Group Inc.

2. CPGM -2021-02 – Finishing the Marysville Youth Space - \$6,000

This grant will be used to complete some key works at the Marysville Youth Space to satisfy occupancy so the building can be utilised by local young people, youth groups and other community groups. This will see a nine year dream come to fruition. Works include completing the bathrooms and establishing a disabled carpark.

3. CPGM-2021-03 – Light in the Trees - \$6,000

This grant will fund stage one of a four stage project to install decorative lighting in the trees in Murchison Street, Marysville. Stage 1 is the purchase of solar panels and lights for the first section of the lighting plan. Funding is also being explored through the Marysville Triangle Community Foundation to support installation of the lights in stage two to complete the first section of the lighting plan.

The Marysville and Triangle Business and Tourism Association has agreed to auspice this project.

4. CPGM-2021-04 – Cycling Trails - \$6,000

This grant will fund a feasibility study of cycling opportunities in the Marysville and surrounding area. The study will look at existing cycling opportunities, new opportunities and explore any potential issues. The study will recommend the best options for increasing cycle tourism and compliment the current Eco Adventure Tourism offerings. It is hoped the study will support further planning, staging and future funding opportunities to provide more trails in the Marysville and Triangle area.

Murrindindi Cycle Club has agreed to auspice this project.

5. CPGM-2021-05 – Iconic Walk Marysville to Dom Dom - \$6,000

This grant will fund the first stage of the Iconic Trail, from Marysville to Dom Dom including trail head signage to be placed at MIRA and Dom Dom, trail signage and promotional materials. The first stage of the trail uses existing roads, trails and infrastructure. The larger vision for the Iconic Trail will extend it from Marysville to Federation Square, with funding for a feasibility study being planned.

Marysville and Triangle Business and Tourism Association has agreed to auspice this project.

6. CPGY-2021-01 – Honour the Taungurung - \$7,500

This grant will fund phase one of the Honour the Taungurung project, including the development of designs for a potential installation honouring local Aboriginal history and culture. The first phase will support broad community consultation on the design and location for the permanent art installation.

The Yea Community House has agreed to auspice this project.

7. CPGY-2021-03 – 2030 Yea Renewable Energy - \$7,500

The 2030 Yea Renewable Energy project seeks to develop 100% renewable energy for Yea over the next 10 years. This grant will fund stage one of the Yea 2030 Renewable Energy project including a community survey and virtual visioning workshop and the delivery of an options paper exploring community energy models suitable for Yea.

8. CPGY-2021-05 – Local museum – A home for the Historical Society - \$7,500

This grant will fund a feasibility study and community consultation to explore a new home for the Yea Historical Society to ensure the sustainability of Yea's local history. This stage of the project will also include community and user group consultation to fully explore site options.

9. CPGTC-2021-01 – Tennis Courts upgrade - \$7,465

This grant will fund the refurbishment of two tennis courts in Toolangi and safety works to support broader community use of the courts. Court surface works will be completed by licensed contractors and supported by in kind labour. The Tennis Courts Action Group have committed to maintaining the courts and are seeking to further develop networks to encourage broad community use.

The Toolangi Castella District Community House has agreed to auspice this project.

10. CPGTC-2021-03 – Trails Project – Castella to Toolangi Link - \$7,500

This grant will fund a feasibility study and approvals required to formalise trails that link Castella Part with the existing Tall Trees trail and Monda Track. This project aims to provide a safe all weather trail for walkers, horse riders and bike riders.

The Toolangi Castella District Community House has agreed to auspice this project.

Council Plan/Strategies/Policies

This report supports the *Council Plan 2017-2021 Our People* strategy to “work with our community and groups to connect, collaborate and plan for our future”.

Further, the project aligns directly with Action 1.2.1 in Council's *Priority Action Plan 2019/20* “Help local communities plan for their future”.

Relevant Legislation

There are no legislative considerations to this report.

Financial Implications and Risk

A total of \$90,000 in funding for this grant program has been provided by IAG as part of their sponsorship of the Community Planning initiative.

The Community Planning Grants that have been approved in this round total \$67,465. A further three grant applications will be assessed in the coming weeks, there is a total of \$22,535 budget remaining to fund the remaining applications.

Conflict of Interest

There are no declared conflicts of interest by Council officers in relation to this report.

Community and Stakeholder Consultation

There has been no formal community consultation with respect to the assessment of the Community Planning Grants program.

10 OUR PROSPERITY

10.1 Grants and Contributions Program

Attachment(s): Nil

Purpose

The purpose of this report is inform Council of the allocations made from the 2019/20 Grants and Contributions Program since the August Ordinary Meeting of Council.

Officer Recommendation

That Council note the grants and contributions approved by Council officers under delegation:

Application	Reference	Funding Sought	Outcome
Community Projects and Events			
Alexandra Community Shed/Eildon & District Woodworkers Guild Inc – kitchen fit out	CPE-20/21-009	\$4600	\$4000 approved
Marysville Community Golf and Bowls Club – Course safety essential works project	CPE-20/21-011	\$5000	\$5000 approved
Community Sponsorship			
Alexandra Secondary College Parents and Friends Committee - Sponsorship of 2020 Dux student	CS-20/21-005	\$600	\$600 approved
Business Growth and Establishment			
Optair Eyecare – Purchase of equipment - OPTOS Ultra Wide Retinal Scanner	BGE-20/21-004	\$20,000	\$20,000
Governance, Skills & Capacity Building			
Sustainable Property and Environmental Solutions – Business Plan	GSCB-20/21-002	\$2750	\$2750 approved

Background

The Grants and Contributions Program provides the opportunity for community groups, not for profit organisations, and businesses to seek funding from Council to support a range of activities and initiatives happening in Murrindindi Shire. There are a range of funding streams under the program including:

- fee reductions (and waivers by exception)
- quick response grants
- sponsorships (including eligible individuals)
- governance and capacity building
- community projects and events
- small and new tourism events
- events of state significance
- business growth or establishment
- industry or economy growth.

Each stream has its own objectives and eligibility criteria.

Assessment occurs monthly to meet timeframes described in the Grants and Contributions Policy.

Discussion**Community Projects and Events (CPE)**

1. Alexandra Community Shed/Eildon & District Woodworkers Guild Inc – kitchen fit out
The project aims to complete the fit out of the kitchenette in the Alexandra Community Shed. This will enable the community group to cater for their events and for themselves from their own facility. The Taungurung Land and Waters Council are now using the main kitchen at the facility and the group requires access to their own facilities for day to day use.

Supported with a grant of \$4000.

2. Marysville Community Golf and Bowls Club – Course safety essential works project Club management committee and members are aware of their obligation to provide safe access across the course for members, visitors and emergency services. The club committee has initiated a course safety program of works, part of which is the up-grading of the bridges on the back nine across the Steavenson River. The bridge decks will be replaced to bring the bridges up to a safe standard to support emergency vehicles and course machinery as well as ensuring safe access for course users.

The Club has been financially impacted by the effects of COVID-19, and this allocation will ensure that safety works can be completed in a timely manner.

Supported with a grant of \$5000.

Community Sponsorship (CS)

1. Alexandra Secondary College Parents and Friends Committee - Sponsorship of 2020 Dux student

This sponsorship is for the annual award for Dux of the College. The presentation evening celebrates the success of the students in the Alexandra College community. The evening will acknowledge the accomplishment of all students; academically, on the sports field, culturally or having displayed great citizenship. The Dux award is the most prestigious award of the evening.

Supported with a sponsorship of \$600.

Governance, Skills & Capacity Building (GSCB)

1. Sustainable Property and Environmental Solutions – Business Plan

The grant will provide professional assistance to develop a business plan which will guide the overall venture. The business plan will provide critical professional and independent advice around investment and financial areas such as budget set up, forecasting and running costs, growth, market potential projections (profit and loss over time). The business plan will assist the applicant to better understand an appropriate business model and growth opportunities, sourcing raw materials, market potential, challengers, packaging, sales and distribution.

In general this grant stream has an upper limit of \$2000 per application, however given the range of possibilities for the site it is noted that the business plan will be more complex in nature.

Supported with a grant of \$2750.

Governance, Skills & Capacity Building (GSCB)

1. Optair Eyecare – Purchase of equipment - OPTOS Ultra Wide Retinal Scanner

The grant will support the purchase of an OPTOS Ultrawide retinal scanner in the township of Yea. OPTOS provides a state of the art retinal examination modality. The best technology for detecting sight reducing retinal conditions such as Macular degeneration, glaucoma, diabetes and other retinal eye diseases. Delivering best quality eye care to the Murrindindi residents. Better co-management of eye conditions with the visiting eye specialists and also Melbourne based specialists.

This project also delivers significant community benefit, in particular reducing the requirement for local to travel to Melbourne to receive optical investigations.

Supported with a grant of \$20,000.

Full details of these applications are provided in the monthly report summary (supplied to Councillors separately).

Council Plan/Strategies/Policies

This report supports the *Council Plan 2017-2021 Our People* strategy to “work with our community and groups to connect, collaborate and plan for our future”.

This report supports the *Council Plan 2017-2021 Our Prosperity* strategic objective to “in partnership with the community we will promote an environment in which business and community can thrive”.

Relevant Legislation

There are no legislative considerations to this report.

Financial Implications and Risk

The below financial table details grant funds allocated to date:

Grant Stream	August allocations	Previous allocations	Total 20/21
Fee Reductions	\$0	\$202.95	202.95
Governance, skills and capacity building	\$2750	\$0	2750
Quick response	\$0	\$0	\$0
Community sponsorship, projects and events	\$10,200	\$14,876	\$25,076
Small and new tourism events	\$0	\$0	\$0
Business growth or establishment	\$20,000	\$20,000	\$40,000
Industry or economic growth	\$0	\$0	\$0
TOTAL	\$32,950	\$35,078.95	\$68,028.95

The indicative total budget of the Grants and Contributions Program for the 20/21 financial year is \$260,000.

Conflict of Interest

There are no declared conflicts of interest by Council officers in relation to this report.

Community and Stakeholder Consultation

There has been no formal community consultation with respect to the assessment of this round of Grants and Contributions Program applications.

11 OUR PROMISE

11.1 Approval of Annual Financial Statements 2019/20

Attachment(s):

1. *Financial Statements 2019-20 [11.1.1 - 48 pages]*
2. *Performance Statement 2019-20 [11.1.2 - 10 pages]*

Purpose

The purpose of this report is to approve ‘in principle’ the draft audited Financial Report and Performance Statement for 2019/20.

The Draft Financial Report 2019/20 shows that Council continues to maintain a sound financial position.

Officer Recommendation

That Council:

1. **approves ‘in principle’ the Murrindindi Shire Council Financial Statements and Performance Statement for the year ended 30 June 2020 as attached to this report**

- 2. authorises the Principal Accounting Officer to make minor amendments to the Financial Statements and Performance Statement for the year ended 30 June 2020 to meet the Victorian Auditor General's (VAGO) requirements**
- 3. authorises Cr Leigh Dunscombe (Mayor), Cr Margaret Rae and the Chief Executive Officer to certify the Financial Report and Performance Statement in its final form after any changes recommended, or agreed to, by the auditor have been made.**

Background

As part of the requirements of Section 131 of the *Local Government Act 1989* and *Local Government (Finance and Reporting) Regulations 2014*, Council must pass a resolution giving its approval 'in principle' to the Annual Financial Statements, which must comprise of the Financial Statements and Performance Statement, prior to submitting the report to the Auditor General.

Audit work has been completed by Council's external auditors and Council officers have prepared a draft 2019/20 Financial Report and Performance Statement for submission to the Victorian Auditor General's Office (VAGO). A copy of the draft report and statements, forming the 'in principle' statements, are attached (refer to Attachments 11.1.1 and 11.1.2).

The following process is required to ensure that Council's Financial Statements and Performance Statement are submitted to VAGO in a timely manner, enabling the Auditor General to officially express an opinion prior to the extended statutory deadline of 30 November 2020.

The initial step in the approval process is for Council's Audit and Risk Committee to review the draft statements and to recommend 'in principle' approval to Council.

It is a requirement for Council to formally review the draft statements and to authorise two Councillors and the Chief Executive Officer to sign the final statements on behalf of, and with the full authority of Council. The 'in principle' approved statements and the Council resolution are provided to the external auditor.

The external auditor checks the 'in principle' approved statements. The statements, Council's resolution, and the external auditor's recommended Audit Report is then forwarded to VAGO for review.

The Auditor General reviews the statements and may request changes where appropriate. Council's Principal Accounting Officer, the Manager Business Services, then incorporates any requested changes by the Auditor General into the 'in principle' approved statements, where appropriate.

The Auditor General's Audit Report will then be issued to Council once the final signed statements have been received and checked by VAGO.

Council's Annual Report 2019/20, which incorporates the audited Financial Statements and Performance Statement and Auditor General's Report, must be forwarded to the Minister for Local Government by the extended due date of 30 November 2020.

Discussion

The draft financial statements that are attached to this report detail Council's financial position as at 30 June 2020, and a record of all financial activity that occurred during the 2019/20 financial year. It should be noted that these statements were prepared in accordance with Australian Accounting Standards and the Model Accounts for Victorian Councils which are developed by Local Government Victoria and VAGO.

It should also be noted that these draft statements have been signed off by Council's external auditor RSD Audit, acting as agent for VAGO.

The financial and performance statements were presented to Council's Audit and Risk Committee on 10 September 2020 where they were endorsed for adoption by Council at this meeting.

A summary of the draft financial results for the year ending 30 June 2020 is provided as follows.

Operating performance – income statement results against budget

	2019/20 Adopted Budget	2019/20 Actual	Variance
Income	\$36,852,000	\$37,647,735	\$795,735
Expenses	\$35,690,000	\$38,409,729	(\$2,719,729)
Surplus/(Deficit)	\$1,162,000	(\$761,994)	(\$1,923,994)

The income statement accounts for all Council revenue, including grants and contributions associated with capital works and all operating expenditure.

The operating deficit posted for the financial year of \$761,994 was largely the result of increased revenue of \$795,735 and increased expenses of \$2.72 million. Major contributing factors to this result include:

Line Item	Variance	Variance explanation
Income		
User Fees	(571,606)	Income from Aged and Disability services was below original budget estimates (\$467,539) as Council withdrew from the service during the financial year. Also, income from landfill (\$124,402) was below budget due to less waste received from commercial sources (45% reduction). This is mostly related to less major construction projects in the region. Variance is partly offset by higher than anticipated saleyard fees \$38,544.
Grants - operating	934,243	Increased funding for Children's Services (\$123,498), Grants Commission (\$132,663). The following grants were received but not budgeted: Working for Victoria (\$787,211), Doing Business Better (\$96,250), Environmental Programs (\$37,774), Eildon Boat Ramp (\$25,000), Storms (National Disaster Funding \$378,330), Lake Eildon Boating & Fishing Show (\$50,000), Moving Murrindindi Community Cars (\$66,100). Offset by lower than budget Aged and Disability grants due to Council withdrawing from the services (\$593,439), and a grant for Spring Valley Recreation Reserve Change Rooms received (\$149,328) in the prior year ahead of budget expectations.
Contributions - non monetary	405,323	Council receives contributions in the form of infrastructure as a result of subdivisions and developer contributions. The timing and amount of such contributions is largely outside Council's control.
Expenses		
Material and services	(1,158,605)	The 2019/20 budget figure does not include carried forward expenditure from 2017/18 (relating to unspent grants and projects). Carry forward adjustments were reported in Council's September Quarterly Financial Report at the 23 October 2019 Council Meeting. The carry forward amount relevant to materials and services was \$1,599,273.
Net loss on disposal of property, infrastructure, plant and equipment	(1,260,184)	Income from the sale of plant was down \$321,119 as items have been retained or the changeover delayed. This income will be partly picked up in the 20/21 year when the plant items are disposed. The depreciated value of infrastructure and buildings renewed was greater than expected.
Increase/(decrease) in provision for landfill Liability	(481,672)	Landfill provision increased following the annual review of provision accounts which indicated the previous allocation for ongoing monitoring of the site was underestimated.

A detailed analysis of all variances greater than \$500,000 or 10% is outlined in note 1.1 of the Financial Statements in Attachment 11.1.1.

Key financial ratios

An analysis of the key financial ratios reviewed by Council's auditors is provided below. This is a subset of all of the indicators which Council is required to report on as a part of its obligations under the Local Government Performance Reporting Framework (LGPRF).

Ratio	2016/17	2017/18	2018/19	2019/20	Comment
Working Capital					
Current assets compared to current liabilities	537.67%	471.11%	590.22%	520.81%	Assesses Council's ability to meet current commitments. A percentage greater than 100% is favourable.
Rates Concentration					
Rates compared to adjusted underlying revenue	55.45%	58.66%	55.94%	59.89%	Indicates Council's dependence on rates income. The higher the percentage, the higher the dependence.
Loans and Borrowings					
Loans and borrowings compared to rates	7.06%	4.98%	3.25%	2.24%	Indicates the level of long term debt being appropriate to Council's rating capacity. Low or decreasing level suggests an improvement in the capacity to meet long term obligations.

Council's working capital remained high in 2019/20 which is reflective of Council's strong cash levels and debt reduction strategy. All other key financial indicators remain well within acceptable limits for a small rural council.

Further financial performance indicators can be found on page 6 and 7 of the Performance Statement in Attachment 11.1.2.

Council Plan/Strategies/Policies

This report supports the *Council Plan 2017-2021 Our Promise* strategy to "maintain Council's financial sustainability through sound financial and asset management".

Relevant Legislation

Council is required to produce audited Annual Financial Report and Performance Statement pursuant to the requirements and process outlined in the *Local Government Act 1989* and the *Local Government (Finance and Reporting) Regulations 2014*.

Financial Implications and Risk

The review by the Audit and Risk Committee and the audit by VAGO's agent reduces the risk to the Council of inaccurate accounts.

The preparation of the annual financial statements is a statutory procedural matter and all associated costs are contained within Council's adopted budget.

Conflict of Interest

There are no declared conflicts of interest by Council officers in relation to this report.

Community and Stakeholder Consultation

The development of the draft Financial Statements and Performance Statement have been undertaken in consultation with Council's external auditors (RSD Audit) and Council's Audit and Risk Committee.

11.2 Audit and Risk Committee Minutes

Attachment(s):

1. 2020-09-10 Audit & Risk Committee Minutes [11.2.1 - 34 pages]

Minutes of the 10 September 2020 Audit and Risk Committee Meeting.

Officer Recommendation

That Council notes and receives the minutes of the Audit and Risk Committee meeting held on 10 September 2020 as contained in Attachment 11.2.1.

11.3 Appointment of Audit and Risk Committee Chairperson

Attachment(s): Nil

Purpose

The purpose of this report is to formally appoint the Chairperson of the Audit and Risk Committee.

Officer Recommendation

That Council formally appoints Mr Claude Baxter Chairperson of the Audit and Risk Committee for the 2020/21 financial year.

Background

The Audit and Risk Committee (the Committee) is an independent advisory committee of Council, established under section 53 of the *Local Government Act 2020* (the Act) to provide oversight, guidance and assurance to Council regarding the adequacy and effectiveness of management's internal control, governance, ethical, risk management and financial practices and potential improvements to these practices.

The Committee consists of three independent external members and two councillors, and in accordance with the Act, the Chairperson of the Committee must not be a Council representative.

Under the Committee Charter adopted by Council at its July 2020 Meeting the Chairperson shall be appointed by Council, upon recommendation of a nominee from the Committee.

The term of the Chairperson is 12 months, with a maximum of three consecutive years. The term of the Chairperson is to commence in the first quarter of each financial year.

Discussion

At the 10 September 2020 Meeting of the Audit and Risk Committee, Mr Claude Baxter was nominated by the Committee for appointment as Committee Chairperson for the 2020/21 financial year. Mr Baxter served as Chairperson for the former Audit and Risk Advisory Committee for the 2019/20 financial year and is eligible to be appointed to the role.

Council Plan/Strategies/Policies

This report supports the *Council Plan 2017-2021 Our Promise* strategic objective to "we will all work in collaboration with our communities to deliver the best possible outcomes in all that we do".

Relevant Legislation

The requirements for Council Audit and Risk Committees are prescribed under Sections 53 and 54 of the *Local Government Act 2020*.

Financial Implications and Risk

There are no financial implications or risks associated with this appointment.

Conflict of Interest

There are no declared conflicts of interest by Council officers in relation to this report.

Community and Stakeholder Consultation

Community consultation was not required for this matter.

11.4 CONT20/18 – Panel for the provision of Maintenance, Programmed Works, Emergency Works, Minor Building Works and Approved Capital Works - Plumbing

Attachment(s): *Nil*

Purpose

The purpose of this report is for Council to appoint a panel of providers for the provision of maintenance, programmed works, emergency works, minor building works and approved capital works - plumbing.

Officer Recommendation**That Council:**

1. **appoint the following suppliers to CONT20/18 – Panel for the Provision of Maintenance, Programmed Works, Emergency Works, Minor Building Works and Approved Capital Works – Plumbing for an initial period of three years commencing 1 December 2020 to 30 November, 2023 with the option for a two year extension:**
 - o **A & C Wood Plumbing Pty Ltd**
 - o **Kinglake Plumbing Pty Ltd**
 - o **Travis Capp Plumbing Pty Ltd**
 - o **Hydrotech Services**
 - o **Plumbtrax Pty Ltd**
 - o **ODM Plumbing Pty Ltd.**
2. **note that the expenditure will not exceed \$1,500,000 (incl. GST) for the 5 year period (includes extension); and**
3. **authorise the Chief Executive Officer to extend the Panel for the Provision of Maintenance, Programmed Works, Emergency Works, Minor Building Works and Approved Capital Works – Plumbing beyond the initial term for a two year period subject to satisfactory performance.**

Background

Plumbing services have previously been procured under a panel arrangement that commenced on 1 December 2015 and will end on 31 November 2020. The optional extensions were exercised in 2018 and 2019.

The plumbing services panel arrangement provides access to a range of professional services to assist Council in the delivery of our maintenance and minor capital programs as well as attending to reactive maintenance issues. As per the contract specification, Council seeks to appoint up to 6 suppliers that have suitably addressed the evaluation criteria.

Council has significant expenditure on services that are required to carry out Council's maintenance activities and capital works program. The majority of these services, individually, are below Council's procurement threshold of \$10,000 (incl. GST) for the requirement of sourcing alternative quotes and as such are not tested against the market. To ensure value for money, tenders have been advertised to the open market to provide a competitive process. Following the success of the initial panel contract this will be the second panel contract engagement for these services.

Discussion

The panels are established through an open market process with a set number of panel members being engaged for services over a contracted period of time. The number of panel contractors was increased from 4 to 6 for this procurement given the volume of works experienced over the existing contract period.

Factors taken into account when determining the number of panel members for each service was as follows:

- The amount of works to be performed under the contract;
- The requirement to have suppliers available for works by users of the panel;
- The scope and specification of works to be performed under the contract and the capacity of suppliers to fulfil the requirements; and
- Ensuring an equitable level of works for panel members.

The objective of this panel is to continue to:

- Achieve value for money and continued improvement in the provision of services for the community.
- Ensure that Council resources are used efficiently and effectively to improve the delivery of Council services to benefit our local community.
- Support local suppliers and contribute to our local economy including supporting local employment opportunities.
- Ensure that Council achieves compliance with required legislative requirements, both statutory and financial.
- Achieve high standards of probity, transparency, accountability, contract and contractor management and risk management.

Having contracted these services previously under a panel contract we have been able to better manage our programmed, reactive and emergency maintenance requirements. Suppliers have been able to provide suitably qualified trade contractors capable of performing the required works under the contract.

Works covered in the contract include the following:

- **Compliance Works** – Compliance works, including statutory works, undertaken to provide temporary or permanent repair to protect against a public safety risk and/or to rectify a failure to restore the asset's intended functionality.
- **Emergency Works** – Emergency works undertaken to provide temporary or permanent repair to protect against a public safety risk and/or to rectify a failure to restore the asset's intended functionality.
- **Reactive Maintenance** – Maintenance works undertaken to provide temporary or permanent repair to protect against a public safety risks and/or to rectify a failure to restore the asset's intended functionality.
- **Routine Maintenance** – Maintenance works undertaken to preserve the life of the asset and ensure that it retains its intended functionality. This includes statutory inspections as required under individual legislative requirements and cyclical maintenance works.
- **Minor Renewal** – Works undertaken to renew or replace an existing asset. The works restore the service potential and life of the asset.
- **Minor New/Upgrade Works** – New installation works up to the value of \$200,000 (Incl. GST).

To obtain value for money and fixed emergency response costs, suppliers were required to provide the following rates:

- Hourly Labour Rates – Normal Working Hours
- Hourly Emergency Call Out Rate – Outside Normal Working Hours (Cost per call Out)
- Margin on materials % on actual invoice.

Appointment to the plumbing supplier's panel contract does not guarantee a commitment by Council to any future projects or works. Engagement will be subject to Council's procurement policy, including requesting quotes and tenders as deemed necessary. Panel suppliers will be continually monitored and evaluated on their performance under the contract including risk management, cost effectiveness and delivery of services to Council.

Council offered a Bidders Briefing to support potential suppliers by assisting them in completing tender documentation and how to submit a conforming tender. In addition, Tender Right was also engaged to conduct an online Tendering Workshop to assist with the tendering process. The opportunity was advertised widely, and the all existing panel suppliers and registered suppliers were invited to this opportunity via the Tender Search Portal.

Council's Procurement Policy requires that all tenders be evaluated by a tender evaluation committee (Committee). To ensure transparency, a probity auditor was included in the evaluation process. The Committee responsible for evaluating this tender comprised of:

- Probity Auditor – Procurement & Risk Management Officer
- Coordinator Facilities
- Coordinator Community Safety
- Coordinator Children's Services.

Tenders were assessed against the following criteria:

- Price – 40%
- Response Times – 10%
- Capacity to deliver (resources & equipment) - 15%
- Capability to deliver (OH&S systems) – 10%
- Understanding of the requirement – 10%
- Relevant Experience - 15%.

An initial evaluation of all submissions was undertaken in relation to their compliance with the contract specification. Any potential risks to Council were also noted. Each submission was then evaluated to consider the suppliers ability to meet the requirements of the contract including their ability to meet the required response times. This was an essential requirement. Tenders were assessed with particular attention to the evaluation criteria requirements. Submissions deemed non-conforming were removed from further evaluation.

Tenderers who were able to meet the required response timelines, demonstrated a sound understanding of the requirement, provided evidence of relevant experience and OHS systems including emergency management and working alone procedures were then shortlisted and evaluated further. A reference check was then completed on all evaluated suppliers new to the panel.

The supplied rates and the tender evaluation has been distributed to the Council separately to ensure confidentiality.

Council Plan/Strategies/Policies

This report supports the *Council Plan 2017-2021 Our Promise* strategy to "maintain Council's financial sustainability through sound financial and asset management".

Relevant Legislation

The procurement process for these works was carried out in accordance with Council's Procurement Policy and section 186 of the *Local Government Act 1989*.

Financial Implications and Risk

Over the life of the current five year contract, Council will spend approximately \$1,082,476.00 (excl. GST) under the existing plumbing services panel. It is anticipated that this trend will continue, and Council could potentially spend up to \$1.5M over the next five years for plumbing services.

All costs associated with the use of this Panel will be funded from operational budgets as well as funded capital works project budgets.

The plumbing panel contract has and will continue to provide significant benefits and efficiencies to Council as less resources will be required to engage suitable suppliers in a timely and cost effective manner, particularly in an emergency call out situation.

Conflict of Interest

A declared conflict of interest (existing professional relationship with potential bidders) was managed by having a probity auditor and an independent evaluation team to evaluate the submissions. No discussion was entered into regarding existing panel contractors until after individual evaluations were completed. No other conflicts of interest were declared in relation to this contract.

Community and Stakeholder Consultation

The opportunity was promoted through advertisements in local papers and uploaded to the Tender Search web portal. All existing plumbing services panel suppliers were invited to participate in the process.

11.5 CONT20/19 - Panel for the Provision of Maintenance, Programmed Works, Emergency Works, Minor Building Works and Approved Capital Works - Electrical

Attachment(s): Nil

Purpose

The purpose of this report is to seek Council's appointment of a panel of providers for the provision of maintenance, programmed works, emergency works, minor building works and approved capital works - electrical.

Officer Recommendation**That Council:**

1. **appoint the following suppliers to CONT20/19 – Panel for the Provision of Maintenance, Programmed Works, Emergency Works, Minor Building Works and Approved Capital Works – Electrical for an initial period of three years commencing 1 December 2020 to 30 November, 2023 with the option for a two year extension:**
 - o J Williams Electrical Pty Ltd
 - o E-Tec Pty Ltd
 - o Allround Electrical Services (Victoria) Pty Ltd
 - o Tollec Electrical Services Pty Ltd
 - o O'Brien Electrical Thomastown.
2. **note that the expenditure will not exceed \$2,500,000 (incl. GST) for the 5 year period (includes extension); and**

3. authorise the Chief Executive Officer to extend the Panel for the Provision of Maintenance, Programmed Works, Emergency Works, Minor Building Works and Approved Capital Works – Electrical beyond the initial term for a two year period subject to satisfactory performance.

Background

Electrical services have previously been procured under a panel arrangement that commenced on 1 December 2015 and will end on 31 November 2020. The optional extensions were exercised in 2018 and 2019.

The electrical services panel arrangement provides access to a range of professional services to assist Council in the delivery of our maintenance and minor capital programs as well as attending to reactive maintenance issues. As per the contract specification, Council seeks to appoint up to 6 suppliers that have suitably addressed the evaluation criteria.

Council has significant expenditure on services that are required to carry out Council's maintenance activities and capital works program. The majority of these services, individually, are below Council's procurement threshold of \$10,000.00 (Inc. GST) for the requirement of sourcing alternative quotes and as such are not tested against the market. To ensure value for money, tenders have been advertised to provide a competitive process. Following the success of the initial panel contract this will be the second panel contract engagement for these services.

Discussion

The panels are established through an open market process with a set number of panel members being engaged for services over a contracted period of time. The number of panel contractors was increased from 4 to 6 for this procurement given the volume of works experienced in the existing contract period.

Factors taken into account when determining the number of panel members for each service is as follows:

- The amount of works to be performed under the contract;
- The requirement to have suppliers available for works by users of the panel;
- The scope and specification of works to be performed under the contract and the capacity of suppliers to fulfil the requirements; and
- Ensuring an equitable level of works for panel members.

The objective of this panel is to continue to:

- Achieve value for money and continued improvement in the provision of services for the community
- Ensure that Council resources are used efficiently and effectively to improve the delivery of Council services to benefit our local community
- Support local suppliers and contribute to our local economy including supporting local employment opportunities
- Ensure that Council achieves compliance with required legislative requirements, both statutory and financial
- Achieve high standards of probity, transparency, accountability, contract and contractor management and risk management.

Having contracted these services previously under a panel contract we have been able to better manage our programmed, reactive and emergency maintenance requirements. Suppliers have been able to provide suitably qualified trade contractors capable of performing the required works under the contract.

Works covered in the contract include the following:

- **Compliance Works** – Compliance works, including Statutory works, undertaken to provide temporary or permanent repair to protect against a public safety risk and/or to rectify a failure to restore the asset's intended functionality.
- **Emergency Works** – Emergency works undertaken to provide temporary or permanent repair to protect against a public safety risk and/or to rectify a failure to restore the asset's intended functionality.
- **Reactive Maintenance** – Maintenance works undertaken to provide temporary or permanent repair to protect against a public safety risks and/or to rectify a failure to restore the asset's intended functionality.
- **Routine Maintenance** – Maintenance works undertaken to preserve the life of the asset and ensure that it retains its intended functionality. This includes statutory inspections as required under individual legislative requirements and cyclical maintenance works.
- **Minor Renewal** – Works undertaken to renew or replace an existing asset. The works restore the service potential and life of the asset.
- **Minor New/Upgrade Works** – New installation works up to the value of \$200,000 (Incl. GST).

To obtain value for money and fixed emergency response costs, suppliers were required to provide the following rates:

- Hourly Labour Rates – Normal Working Hours
- Hourly Emergency Call Out Rate – Outside Normal Working Hours (Cost per call Out)
- Margin on materials % on actual invoice.

Appointment to the electrical supplier's panel contract does not guarantee a commitment by Council to any future projects or works. Engagement will be subject to Council's procurement policy, including requesting quotes and tenders as deemed necessary. Panel suppliers will be continually monitored and evaluated on their performance under the contract including risk management, cost effectiveness and delivery of services to Council.

Council offered a Bidders Briefing to support potential suppliers by assisting them in completing tender documentation and how to submit a conforming tender. In addition, Tender Right was also engaged to conduct an online Tendering Workshop to assist with the tendering process. The opportunity was advertised widely and the all existing panel suppliers and registered suppliers were invited to this opportunity via the Tender Search Portal.

Council's Procurement Policy requires that all tenders be evaluated by a tender evaluation committee (Committee). To ensure transparency, a probity auditor was included in the evaluation process. The committee responsible for evaluating this tender comprised of:

- Probity Auditor – Procurement & Risk Management Officer
- Coordinator Facilities
- Senior Planner
- Access & Inclusion Officer.

Tenders were assessed against the following criteria:

- Price – 40%
- Response Times – 10%
- Capacity to deliver (resources & equipment) - 15%
- Capability to deliver (OH&S systems) – 10%
- Understanding of the requirement – 10%
- Relevant Experience - 15%.

An initial evaluation of all submissions was undertaken in relation to their compliance with the contract specification. Any potential risks to Council were also noted. Each submission was then evaluated to consider the suppliers ability to meet the requirements of the contract including their ability to meet the required response times. This was an essential requirement. Tenders were

assessed with particular attention to the evaluation criteria requirements. Submissions deemed non-conforming were removed from further evaluation.

Tenderers who were able to meet the required response timelines, demonstrated a sound understanding of the requirement, provided evidence of relevant experience and OHS systems including emergency management and working alone procedures were then shortlisted and evaluated further. A reference check was then completed on all evaluated suppliers new to the panel.

The supplied rates and the tender evaluation has been distributed to Council separately to ensure confidentiality.

Council Plan/Strategies/Policies

This report supports the *Council Plan 2017-2021 Our Promise* strategy to “maintain Council’s financial sustainability through sound financial and asset management”.

Relevant Legislation

The procurement process for these works was carried out in accordance with Council’s Procurement Policy and section 186 of the *Local Government Act 1989*.

Financial Implications and Risk

Over the current five year contract, Council will spend approximately \$1,562,991.00 (ex. GST) under the existing electrical services panel. It is anticipated that this trend will continue and increase with Council potentially spending up to \$2.5M over the next five years for electrical services.

All costs associated with the use of this Panel will be funded from operational budgets and well as funded capital works budgets.

The electrical panel contract has and will continue to provide significant benefits and efficiencies to Council as less resources will be required to engage suitable suppliers in a timely and cost effective manner, particularly in an emergency call out situation.

Conflict of Interest

A declared conflict of interest (existing professional relationship with potential bidders) was managed by having a probity auditor and an independent evaluation team to evaluate the submissions. No discussion was entered into regarding existing panel contractors until after individual evaluations were completed. No other conflicts of interest were declared in relation to this contract.

Community and Stakeholder Consultation

No external consultation was undertaken. The opportunity was promoted through advertisements in local papers and uploaded to the Tender Search web portal. All existing electrical services panel suppliers were invited to participate in the process.

11.6 CONT20/16 - Panel for the Provision of Maintenance, Programmed Works, Emergency Works, Minor Building Works and Approved Capital Works - Flooring

Attachment(s): Nil

Purpose

The purpose of this report is for Council to appoint a panel of providers for the provision of maintenance, programmed works, emergency works, minor building works and approved capital works - flooring.

Officer Recommendation**That Council:**

1. **appoint the following suppliers to CONT20/16 – Panel for the Provision of Maintenance, Programmed Works, Emergency Works, Minor Building Works and Approved Capital Works – Flooring for an initial period of three years commencing 1 December 2020 to 30 November, 2023 with the option for a two year extension:**
 - **Chookies Flooring Xtra**
 - **Alternative Epoxy Coatings**
 - **Macdonald Floor.**
2. **note that the expenditure will not exceed \$500,000 (incl. GST) for the 5 year period (includes extension); and**
3. **authorise the Chief Executive Officer to extend the Panel for the Provision of Maintenance, Programmed Works, Emergency Works, Minor Building Works and Approved Capital Works – Flooring beyond the initial term for a two year period subject to satisfactory performance.**

Background

Flooring services have previously been procured under a panel arrangement that commenced on 1 December 2015 and will end on 31 November 2020. The optional extensions were exercised in 2018 and 2019.

The previous contract had one supplier locally who provided services such as vinyl and carpet surface installations. There is also a need to increase the number of suppliers to provide the required surface installations such as the epoxy flooring system currently utilised in the toilet blocks.

The flooring services panel arrangement provides access to a range of professional services to assist Council in the delivery of our maintenance and minor capital works programs as well as attending to maintenance issues. As per the contract specification, Council seeks to appoint up to 4 suppliers that have suitably addressed the evaluation criteria.

Council has significant expenditure on services that are required to carry out Council's service delivery and capital works program. The majority of these services, individually, are below Council's procurement threshold of \$10,000.00 (Incl. GST) for the requirement of sourcing alternative quotes and as such are not tested against the market. To ensure value for money, tenders have been advertised to the open market to provide a competitive process. Following the success of the initial panel contract this will be the second panel contract engagement for these services.

Discussion

The panels are established through an open market process with a set number of panel members being engaged for services over a contracted period of time.

Factors taken into account when determining the number of panel members for each service is as follows:

- The amount of works to be performed under the contract;
- The requirement to have suppliers available for works by users of the panel;
- The scope and specification of works to be performed under the contract and the capacity of suppliers to fulfil the requirements; and
- Ensuring an equitable level of works for panel members.

The number of panel members will not exceed the maximum as advertised in the flooring services tender.

The objective of this panel is to continue to:

- Achieve value for money and continued improvement in the provision of services for the community
- Ensure that Council resources are used efficiently and effectively to improve the delivery of Council services to benefit our local community
- Support local suppliers and contribute to our local economy including supporting local employment opportunities
- Ensure that Council achieves compliance with required legislative requirements, both statutory and financial
- Achieve high standards of probity, transparency, accountability, contract and contractor management and risk management.

Having contracted these services previously under a panel contract we have been able to better manage our programmed, reactive and emergency maintenance requirements. Suppliers have been able to provide suitably qualified trade contractors capable of performing the required works under the contract.

Works covered in the contract include the following:

- **Emergency Works** – Emergency works undertaken to provide temporary or permanent repair to protect against a public safety risk and/or to rectify a failure to restore the asset's intended functionality.
- **Reactive Maintenance** – Maintenance works undertaken to provide temporary or permanent repair to protect against a public safety risks and/or to rectify a failure to restore the asset's intended functionality.
- **Minor Renewal** – Works undertaken to renew or replace an existing asset. The works restore the service potential and life of the asset.
- **Minor New/Upgrade Works** – New installation works up to the value of \$200,000 (Incl. GST).

To obtain value for money and fix emergency response costs, suppliers were required to provide the following rates:

- Hourly labour rates – normal working hours
- Hourly emergency call out rate – outside normal working hours (cost per call out)
- Margin on materials % on actual invoice.

Appointment to the flooring supplier's panel contract does not guarantee a commitment by Council to any future projects or works. Engagement will be subject to Council's procurement policy, including requesting quotes and tenders as deemed necessary. Panel suppliers will be continually monitored and evaluated on their performance under the contract including risk management, cost effectiveness and delivery of services to Council.

The opportunity was advertised from 9 June 2020 in the following publications:

- Alexandra Standard
- Yea Chronicle
- Marysville Triangle
- The Local Paper
- Council Website
- Council Facebook
- Tendersearch portal.

In order to assist local contractors in being able to complete tender documentation and submit a conforming tender, an optional bidder's brief was offered to potential bidders via Zoom. This was held at 11.00am on 20 June 2020. In addition, Tender Right was also engaged to conduct an online Tendering Workshop to assist with the tendering process. There were 2 sessions available to contractors, one during the day and one in the evening of 6 July 2020. All existing panel suppliers and registered suppliers were invited to this opportunity via the Tender Search Portal.

Council's Procurement Policy requires that all tenders be evaluated by a tender evaluation committee (Committee). To ensure transparency, a probity auditor was included in the evaluation process. The Committee responsible for evaluating this tender comprised of:

- Probity Auditor – Procurement & Risk Management Officer
- Coordinator Facilities
- Coordinator Community Safety
- Integrity & Governance Coordinator.

Tenders were assessed against the following criteria:

- Price – 40%
- Response Times – 10%
- Capacity to deliver (resources & equipment) - 15%
- Capability to deliver (OH&S systems) – 10%
- Understanding of the requirement – 10%
- Relevant Experience - 15%.

An initial evaluation of all submissions was undertaken in relation to their compliance with the contract specification. Any potential risks to Council were also noted. Each submission was then evaluated to consider the suppliers ability to meet the requirements of the contract including their ability to meet the required response times. This was an essential requirement. Tenders were assessed with particular attention to the evaluation criteria requirements.

Tenderers who were able to meet the required response timelines, demonstrated a sound understanding of the requirement, provided evidence of relevant experience and OHS systems including emergency management and working alone procedures were then shortlisted and evaluated further. A reference check was then completed on all evaluated suppliers new to the panel.

The supplied rates and the tender evaluation has been distributed to the Council separately to ensure confidentiality.

Council Plan/Strategies/Policies

This report supports the *Council Plan 2017-2021 Our Promise* strategy to “maintain Council’s financial sustainability through sound financial and asset management”.

Relevant Legislation

The procurement process for these works was carried out in accordance with Council’s Procurement Policy and section 186 of the *Local Government Act 1989*.

Financial Implications and Risk

Over the life of the current five year contract, Council will spend approximately \$160,712.40 excl. GST under the existing flooring services panel. It is anticipated that this trend will continue and increase with Council potentially spending up to \$500,000.00 (Incl. GST) over the next five years for flooring services.

All costs associated with the use of this Panel will be funded from operational budgets as well as funded capital works project budgets.

The flooring panel contract has and will continue to provide significant benefits and efficiencies to Council as less resources will be required to engage suitable suppliers in a timely and cost effective manner, particularly in an emergency call out situation.

Conflict of Interest

A declared conflict of interest (existing professional relationship with potential bidders) was managed by having a probity auditor and an independent evaluation team to evaluate the

submissions. No discussion was entered into regarding existing panel contractors until after individual evaluations were completed. No other conflicts of interest were declared in relation to this contract.

Community and Stakeholder Consultation

No external consultation was undertaken. The opportunity was promoted through advertisements in local papers and uploaded to the Tender Search web portal. The existing flooring services panel supplier was invited to participate in the process.

11.7 CONT20/20 - Panel for the Provision of Maintenance, Programmed Works, Emergency Works, Minor Building Works and Approved Capital Works - Painting

Attachment(s): *Nil*

Purpose

The purpose of this report is for Council to appoint a panel of providers for the provision of maintenance, programmed works, emergency works, minor building works and approved capital works - painting.

Officer Recommendation

That Council:

- 1. appoint the following suppliers to CONT20/20 – Panel for the Provision of Maintenance, Programmed Works, Emergency Works, Minor Building Works and Approved Capital Works – Painting for an initial period of three years commencing 1 December 2020 to 30 November, 2023 with the option for a two year extension:**
 - o* **I Paint Melbourne Pty Ltd**
 - o* **Argyle Maintenance Pty Ltd**
 - o* **Melbourne Master Painting and Maintenance Pty Ltd.**
- 2. note that the expenditure will not exceed \$1,000,000 (incl. GST) for the 5 year period (includes extension); and**
- 3. authorise the Chief Executive Officer to extend the Panel for the Provision of Maintenance, Programmed Works, Emergency Works, Minor Building Works and Approved Capital Works – Painting beyond the initial term for a two year period subject to satisfactory performance.**

Background

Painting services have previously been procured under a panel arrangement that commenced on 1 December 2015 and will end on 31 November 2020. The optional extensions were exercised in 2018 and 2019.

The painting services panel arrangement provides access to a range of professional services to assist Council in the delivery of our maintenance programs. As per the contract specification, Council seeks to appoint up to 6 suppliers that have suitably addressed the evaluation criteria. Council has significant expenditure on services that are required to carry out Council's maintenance and capital works program. The majority of the work requested, individually, are below Council's procurement threshold of \$10,000.00 (incl. GST) which would require of sourcing alternative quotes and as such are not tested against the market. To ensure value for money, tenders have been advertised to the open market so as to provide a competitive process. Following the success of the initial panel contract this will be the second panel contract engagement for these services.

Discussion

The panels are established through an open market process with a set number of panel members being engaged for services over a contracted period of time. The number of panel contractors

was increased from 4 to 6 for this procurement given the volume of works required over the existing contract period.

Factors taken into account when determining the number of panel members for each service is as follows:

- The amount of works to be performed under the contract;
- The requirement to have suppliers available for works by users of the panel;
- The scope and specification of works to be performed under the contract and the capacity of suppliers to fulfil the requirements; and
- Ensuring an equitable level of works for panel members.

The number of panel members will not exceed the maximum as advertised in the painting services tender.

The objective of this panel is to continue to:

- Achieve value for money and continued improvement in the provision of services for the community
- Ensure that Council resources are used efficiently and effectively to improve the delivery of Council services to benefit our local community
- Support local suppliers and contribute to our local economy including supporting local employment opportunities
- Ensure that Council achieves compliance with required legislative requirements, both statutory and financial
- Achieve high standards of probity, transparency, accountability, contract and contractor management and risk management.

Having contracted these services previously under a panel contract we have been able to better manage our programmed, reactive and emergency maintenance requirements. Suppliers have been able to provide suitably qualified trade contractors capable of performing the required works under the contract.

Works covered in the contract include the following:

- **Emergency Works** – Emergency works undertaken to provide temporary or permanent repair to protect against a public safety risk and/or to rectify a failure to restore the asset's intended functionality.
- **Reactive Maintenance** – Maintenance works undertaken to provide temporary or permanent repair to protect against a public safety risks and/or to rectify a failure to restore the asset's intended functionality.
- **Minor Renewal** – Works undertaken to renew or replace an existing asset. The works restore the service potential and life of the asset.
- **Minor New/Upgrade Works** – New installation works up to the value of \$200,000 (Incl. GST).

To obtain value for money and assurance of required emergency response costs suppliers were required to provide the following rates:

- Hourly labour rates – Normal working hours
- Hourly emergency call out rate – Outside normal working hours (cost per call out)
- Margin on materials % on actual invoice.

Appointment to the painting supplier's panel contract does not guarantee a commitment by Council to any future projects or works. Engagement will be subject to Council's procurement policy, including requesting quotes and tenders as deemed necessary. Panel suppliers will be continually monitored and evaluated on their performance under the contract including risk management, cost effectiveness and delivery of services to Council.

The opportunity was advertised from 9 June 2020 in the following publications:

- Alexandra Standard
- Yea Chronicle
- Marysville Triangle
- The Local Paper
- Council Website
- Council Facebook
- Tendersearch portal.

In order to assist local contractors in being able to complete tender documentation and submit a conforming tender, an optional bidder's brief was offered to potential bidders via Zoom. This was held at 11.00am on 20 June 2020. In addition, Tender Right was also engaged to conduct an online Tendering Workshop to assist with the tendering process. There were 2 sessions available to contractors, one during the day and one in the evening of 6 July 2020. All existing panel suppliers and registered suppliers were invited to this opportunity via the Tender Search Portal.

Council's Procurement Policy requires that all tenders be evaluated by a tender evaluation committee (Committee). To ensure transparency, a probity auditor was included in the evaluation process. The Committee responsible for evaluating this tender comprised of:

- Probity Auditor – Procurement & Risk Management Officer
- Coordinator Facilities
- Access & Inclusion Officer
- Occupational Health & Safety Coordinator.

Tenders were assessed against the following criteria:

- Price – 40%
- Response Times – 10%
- Capacity to deliver (resources & equipment) - 15%
- Capability to deliver (OH&S systems) – 10%
- Understanding of the requirement – 10%
- Relevant Experience - 15%.

An initial evaluation of all submissions was undertaken in relation to their compliance with the contract specification. Any potential risks to Council were also noted. Each submission was then evaluated to consider the suppliers ability to meet the requirements of the contract including their ability to meet the required response times. This was an essential requirement. Tenders were assessed with particular attention to the evaluation criteria requirements.

Tenderers who were able to meet the required response timelines, demonstrated a sound understanding of the requirement, provided evidence of relevant experience and OHS systems including emergency management and working alone procedures were then shortlisted and evaluated further. A reference check was then completed on all evaluated suppliers new to the panel.

The supplied rates and the tender evaluation has been distributed to the Council separately to ensure confidentiality.

Council Plan/Strategies/Policies

This report supports the *Council Plan 2017-2021 Our Promise* strategy to “maintain Council's financial sustainability through sound financial and asset management”.

Relevant Legislation

The procurement process for these works was carried out in accordance with Council's Procurement Policy and section 186 of the *Local Government Act 1989*.

Financial Implications and Risk

Over the life of the current five year contract, Council will spend approximately \$433,794.55 (excl. GST) under the existing painting services panel. It is anticipated that this trend will continue and increase with Council potentially spending up to \$1M over the next five years for painting services.

All costs associated with the use of this Panel will be funded from operational budgets as well as funded capital works project budgets.

The painting panel contract has and will continue to provide significant benefits and efficiencies to Council as less resources will be required to engage suitable suppliers in a timely and cost effective manner, particularly in an emergency call out situation.

Conflict of Interest

A declared conflict of interest (existing professional relationship with potential bidders) was managed by having a probity auditor and an independent evaluation team to evaluate the submissions. No discussion was entered into regarding existing panel contractors until after individual evaluations were completed. No other conflicts of interest were declared in relation to this contract.

Community and Stakeholder Consultation

No external consultation was undertaken. The opportunity was promoted through advertisements in local papers and uploaded to the Tender Search web portal. All existing painting services panel suppliers were invited to participate in the process.

11.8 CONT20/22 - Panel for the Provision of Slashing Services

Attachment(s): Nil

Purpose

The purpose of this report is for Council to appoint a panel of providers for the provision of slashing services to ensure Council meets its requirements under the municipal fire management plan, roadside code of practice and other general maintenance.

Officer Recommendation**That Council:**

- 1. appoint the following suppliers to CONT20/22 – Panel for the Provision of Slashing Services for an initial period of three years commencing 1 October 2020 to 30 September, 2023 with the option for a one plus one year extension:**
 - Glen McMaster Contractor
 - Yarra Ranges Contracting Pty Ltd
 - Fern Mowing and Maintenance Pty Ltd
 - Bells Civil Excavations Pty Ltd
 - E. S. Hadfield Contractors Pty Ltd.
- 2. note that the expenditure will not exceed \$2,000,000 (incl. GST) for the 5 year period (includes extension); and**
- 3. authorise the Chief Executive Officer to extend the Panel for the Provision of Slashing Services beyond the initial term for a two year period subject to satisfactory performance.**

Background

Fire Prevention Slashing services have previously been procured under a contract arrangement that commenced on 30 October 2016 and was terminated in April 2020. An optional extension was exercised in 2019.

Other maintenance and shared pathway slashing services have been procured via individual quotations and the decision was made to bundle all slashing requirements into a panel contract with multiple suppliers.

Council seeks to appoint up to 5 suppliers that have suitably addressed the evaluation criteria.

Discussion

This panel is established through an open market process with a set number of panel members being engaged for services over a contracted period of time. Volume of works via the panel vary greatly due to seasonal factors and community expectations

Factors taken into account when determining the number of panel members for each service is as follows:

- The amount of works to be performed under the contract;
- The requirement to have suppliers available for works by users of the panel;
- The scope and specification of works to be performed under the contract and the capacity of suppliers to fulfil the requirements; and
- Ensuring an equitable level of works for panel members.

The decision was made to increase the number of suppliers appointed from four to five after the evaluation had two suppliers on equal scoring points.

The objective of this panel is to:

- Achieve value for money and continued improvement in the provision of services for the community
- Ensure that Council resources are used efficiently and effectively to improve the delivery of Council services to benefit our local community
- Support local suppliers and contribute to our local economy including supporting local employment opportunities
- Ensure that Council achieves compliance with required legislative requirements, both statutory and financial
- Achieve high standards of probity, transparency, accountability, contract and contractor management and risk management.

Establishing a panel contract will enable Council officers to better manage programmed, reactive and emergency slashing requirements. Suppliers have been assessed as being able to provide suitably qualified contractors and equipment capable of performing the required works under the contract.

Works covered in the contract include the following:

- Fire Prevention Slashing Works
Under section 43 of the *Country Fire Authority Act 1958*, Councils have to “take all practicable steps (including burning) to prevent the occurrence of fire on, and minimise the danger of the spread of fires from
(a) any land vested in it or under its control or management; and
(b) any road under its care or management.”

In addition the requirements under *S43 CFA Act*, the act goes on to say the following:

- (2) *A municipal council or public authority may—*
- (a) *acquire any equipment;*
 - (b) *do anything;*
 - (c) *expend from its funds any amount—*

that is necessary or expedient for the purpose of fulfilling its duty under subsection (1).

(3) If the cost of maintenance of a road is apportioned between municipal councils or public authorities or both the cost of fulfilling the duty imposed by subsection (1) must be apportioned in the same manner.

The Municipal Fire Planning Management Committee assists in determining the fire prevention slashing program schedule of works. Dependant on the area, the works can range from fence line to fence line slashing, major intersections and specific sections of road/s.

- Other slashing includes General and Shared Path Way Slashing Services – Shire Wide which includes approximately 300kms of roadsides, shared pathways and rail trails.

To obtain value for money, suppliers were required to provide the following rates:

- Flat Deck Slasher – Rate per hour year 1, 2, 3, 4 and 5
- Additional rates could be submitted for various other items of plant such as reach mowers, mulchers, wide deck slashers etc.

Appointment to the slashing panel contract does not guarantee a commitment by Council to any future projects or works. Engagement will be subject to Council's procurement policy, including requesting quotes and tenders as deemed necessary. Panel suppliers will be continually monitored and evaluated on their performance under the contract including risk management, cost effectiveness and delivery of services to Council.

The opportunity was advertised from 29 July 2020 in the following publications:

- Alexandra Standard
- Yea Chronicle
- The Local Paper
- Eyes on Eildon
- Triangle News
- Flowerdale Flyer
- Council Website
- Council Facebook
- Tendersearch portal.

In order to assist local contractors in being able to complete tender documentation and submit a conforming tender, an optional bidder's brief was offered to potential bidders via Zoom. In addition, Tender Right was also engaged to conduct an online Tendering Workshop to assist with Council tendering processes. There were 2 sessions available to contractors, one during the day and one in the evening of 6 July 2020

Council's Procurement Policy requires that all tenders be evaluated by a tender evaluation committee (Committee). The Committee responsible for evaluating this tender comprised of:

- Coordinator Roads and Parks Maintenance
- Coordinator Community Safety
- Coordinator Environmental Programs (Acting).

Tenders were assessed against the following criteria:

- Price – 35 %
- Capacity to deliver (resources & equipment) - 25%
- Capability to deliver (proven project management/on time delivery, general experience and systems) – 25%
- OH & S – 15%.

An initial evaluation of all submissions was undertaken in relation to their compliance with the contract specification. Any potential risks to Council were also noted. Each submission was then evaluated to consider the suppliers ability to meet the requirements of the contract. Tenders were assessed with particular attention to the evaluation criteria requirements. Submissions deemed non-conforming were removed from further evaluation.

Insurances and OH&S systems have been reviewed and all meet requirements. As a result, the evaluation committee is confident that suppliers recommended will provide Council with a depth of experience in slashing services who are available and committed to meet required response times as well as represent value for money.

The supplied rates and the tender evaluation has been distributed to the Council separately to ensure confidentiality.

Council Plan/Strategies/Policies

This report supports the *Council Plan 2017-2021 Our Promise* strategy to “maintain Council’s financial sustainability through sound financial and asset management”.

Relevant Legislation

The procurement process for these works was carried out in accordance with Council’s Procurement Policy and section 186 of the *Local Government Act 1989*.

Financial Implications and Risk

Over the last four years, Council has spent approximately \$720,000 under the existing fire prevention slashing contract. It is anticipated that Council could spend up to \$2M over the next five years for slashing services.

All costs associated with the use of this Panel will be funded from operational budgets.

The slashing panel will provide significant benefits and efficiencies to Council as less resources will be required to engage suitable suppliers in a timely and cost effective manner, particularly where seasonal variations occur.

Conflict of Interest

A declared conflict of interest (existing professional relationship with potential bidders) was managed by having an independent evaluation team to evaluate the submissions. No discussion was entered into regarding existing panel contractors until after individual evaluations were completed. No other conflicts of interest were declared in relation to this contract.

Community and Stakeholder Consultation

No external consultation was undertaken. The opportunity was promoted through advertisements in local papers and uploaded to the Tender Search web portal. The environmental team was actively consulted throughout the process and had input into the specification and a member on the evaluation team. All existing slashing services panel suppliers were invited to participate in the process.

11.9 Sealed Roads - Resealing Program - 2020/21 - Tender

Attachment(s): Nil

Purpose

This report provides the results of a tender process undertaken by Procurement Australia using Council’s panel contract CONT19/1 - Spray Sealing and Associated Services – North East Regional Procurement Excellence Network (RPEN). This report seeks to appoint a contractor from that panel to complete the 2020/21 Sealed Roads – Resealing Program.

Officer Recommendation**That Council:**

1. **accept Tender 1 for CONT20/26 - Sealed Roads – Resealing Program 2020/2021 for the lump sum price of \$1,038,295.37 (including GST) (\$943,904.88 ex. GST), consisting of works to be completed on the following roads:**
 - **Binns McCraes Road, Alexandra**
 - **Briggs Court, Alexandra**
 - **Cooper Street, Alexandra**
 - **Coster Street, Alexandra**
 - **Dunn Court, Alexandra**
 - **Endicott Road, Alexandra**
 - **George Street Alexandra**
 - **Grant Street, Alexandra (including unnamed road between Grant Street and Bunderboweik Street)**
 - **Green Street, Alexandra**
 - **Gordon Street, Alexandra**
 - **Hobans Road, Alexandra**
 - **Johnston Street, Alexandra**
 - **Lamont Street, Alexandra**
 - **Maintongoon Road, Alexandra**
 - **McKenzie Street, Alexandra**
 - **Oswald Drive, Alexandra**
 - **Paynes Avenue, Alexandra**
 - **Peterkin Place, Alexandra**
 - **Peterkin Street, Alexandra**
 - **Shamrock Street, Alexandra**
 - **Station Street, Alexandra**
 - **Taylor Street, Alexandra**
 - **William Street, Alexandra**
 - **Eighth Street, Eildon**
 - **Marr Court, Eildon**
 - **Break O Day Road, Glenburn.**
2. **approve the allocation of a contingency amount (\$56,204.60 Incl. GST) as detailed in this report.**

Background

In 2018 Murrindindi Shire Council entered into a collaborative sealing panel contract (CONT19/1) with Benalla Rural City Council, Towong Shire Council, Wangaratta Rural City Council and Wodonga City Council with Procurement Australia being appointed to act as the tendering agent.

The panel contract enables Council to undertake annual work programs to be awarded on a quotation basis rather than a tender and also ensures competitive prices due to the combined size of projects.

In accordance with the panel contract, Procurement Australia have tendered Murrindindi Shire Council's 2020/21 resealing program to the approved panel contractors.

The following roads were included in this tender with the locations shown on attachment: Sealed Roads – Resealing Program – 2020/2021 – Location Aerials:

Main Program	
Binns McCraes Road, Alexandra	Maintongoon Road, Alexandra
Briggs Court, Alexandra	McKenzie Street, Alexandra
Cooper Street, Alexandra	Oswald Drive, Alexandra
Coster Street, Alexandra	Paynes Avenue, Alexandra

Dunn Court, Alexandra	Peterkin Place, Alexandra
Endicott Road, Alexandra	Peterkin Street, Alexandra
George Street, Alexandra	Shamrock Street, Alexandra
Grant Street, Alexandra (including unnamed road between Grant Street and Bunderboweik Street)	Station Street, Alexandra
Green Street, Alexandra	Taylor Street, Alexandra
Gordon Street, Alexandra	William Street, Alexandra
Hobans Road, Alexandra	Eighth Street, Eildon
Johnston Street, Alexandra	Marr Court, Eildon
Lamont Street, Alexandra	Break O Day Road, Glenburn

Provisional Items	
Main Street, Eildon (Priority 1)	High Street Carpark, Yea (Priority 4)
Utah Place, Eildon (Priority 2)	Wilhelmina Falls Road (Final Seal), Murrindindi (Priority 5)
Breakaway Road, Acheron (Priority 3)	Tenth Street (Final Seal), Eildon (Priority 6)

Discussion

Similar to last year's program, the 2020/21 Sealed Roads Program has been separated into two components, rehabilitation and resealing. This tender is for the reseal component only. This allows the companies that specialise in resealing to tender for the program, providing the most competitive rate. This process was coordinated in conjunction with our partner Councils on the Procurement Australia tender panel with the aim to increase contractor competition and improve overall contract rates for individual Council's.

Council's Procurement Policy requires that all tenders be evaluated by a tender evaluation committee (Committee). The Committee responsible for evaluating this tender comprised:

- Coordinator Project Delivery
- Capital Works Project Engineer
- Capital Works Engineer.

Price was the only evaluation criteria assessed by the Committee. All other criteria was pre-assessed as part of the awarding of the main panel contract.

Prior to the tender being released, Council officers assessed the program based on estimated unit rates. It was estimated that the program costs would be higher than the budget. As a result the works were placed into two categories in the tender specification (main program and provisional works). Roads placed on the provisional list are those that have a lower priority and an application of the final seal could be delayed to next financial year if required however if funding is available it would be ideal to complete this financial year. Tenderers were requested to supply a cost for the full scope of works (main program and provisional items) and a second price to only undertake the main program works.

The supplied rates and the tender evaluation has been distributed to the Council separately to ensure confidentiality.

Prior to the resealing works being undertaken, reseal preparation works are required on the individual road assets. These works are undertaken to ensure the longest possible asset life for the reseals. The scope of these works include minor surface regulation, crack sealing, shoulder grading, table drain cleaning and minor rehabilitation works in the form of major patching. These works will be undertaken separately under Councils civil works panel (CONT17/4), as part of the sealed roads resealing program budget. An estimated amount of \$100,000.00 (ex. GST) has been allocated for these works.

Council Plan/Strategies/Policies

This report supports the *Council Plan 2017-2021 Our Promise* strategy to “maintain Council’s financial sustainability through sound financial and asset management”.

Relevant Legislation

These procurement arrangements are carried out in accordance with section 186(5)(c) of the *Local Government Act 1989* which provides approval for councils to enter into a contract made available by Procurement Australia for the provision of goods, services or works.

Financial Implications and Risk

The approved budget for the 2020/21 - Sealed Roads – Resealing Program is \$1,095,000.00 (excluding GST).

The project costs are summarised below:

Description	Cost (ex GST)
Contract Revised Lump Sum (lowest tender)	\$ 943,904.88
Contingencies (5.4%)	\$ 51,095.12
Preparation Works (separate contractor)	\$ 100,000.00
Total Project Cost	\$ 1,095,000.00

An allowance of \$51,095 (ex GST) for contingencies is proposed to cover latent conditions such as bitumen application rates variables or any unforeseen circumstances.

Below is a budget comparison between the project cost and the project budget:

Project	Budget (ex GST)	Total Project Cost (ex GST)	Variance (ex GST)
Sealed Roads Program	\$ 1,095,000.00	\$ 1,095,000.00	\$ 0

Any savings identified in the preparation works or any unused contingency in the re-sealing program will be used to further works from the provisional items list.

Conflict of Interest

There are no declared conflicts of interest by Council officers in relation to this report.

Community and Stakeholder Consultation

Consultation was undertaken with representatives from Benalla Rural City Council, Towong Shire Council, Wangaratta Rural City Council, Wodonga City Council and Procurement Australia in the finalisation of this tender.

11.10 CONT20/24 - Consultancy Services Panel

Attachment(s): Nil

Purpose

The purpose of this report is for Council to appoint a panel of providers for the provision of consultancy services.

Officer Recommendation

That Council:

1. appoint the following suppliers to CONT20/24 – Consultancy Services Panel for an initial period of three years commencing 1 October 2020 to 30 September 2023 with the option for a 2 year extension:
 - Hodges Facility Management Pty Ltd
 - Xyst Australia Pty Ltd

- **Integr8 Pty Ltd**
 - **Esstev Consulting**
 - **CT Management Group Pty Ltd**
 - **Assetic Australia Pty Ltd**
 - **GHD Pty Ltd**
 - **MBMpl Pty Ltd.**
2. **note that the expenditure will not exceed \$550,000 (incl. GST) for the 5 year period (includes extension); and**
 3. **authorise the Chief Executive Officer to extend the Consultancy Services Panel beyond the initial term for a 2 year period subject to satisfactory service.**

Background

There are a number of operational review projects that are upcoming. This panel arrangement provides access to a range of consultants that will assist Council in the delivery of these project.

Discussion

This panel is established through an open market process with professional consultancy services over a contracted period of time. Volume of works via the panel will vary in accordance with projects required.

Establishing a panel contract will enable Council officers to better manage project requirements. Suppliers have been assessed as being able to provide suitably qualified consultants capable of performing the required works under the contract.

The services required are;

- **Strategic Asset Management Development and Review**
A review and update of the Strategic Asset Management Plan ensures that Council continues to have a sound asset management framework that responds to the influence of broader Council objectives.
- **Asset Management Services and Asset Management Plans – Development and Review**
Asset management plans provide a strategic and practical framework for both Council and the community with regard to the management, protection and care of its assets. Asset management plans aim to develop integrated, evidence based approach towards asset lifecycle management. This approach will equip Council to achieve the ideal balance of levels of service, spending, and risk.
- **Service Reviews**
The intention of a service review is to document issues and provide improvement opportunities.
- **Road Management Plan Reviews**
The purpose of these reviews is to ensure that the standards and priorities in relation to the inspection, maintenance and repair of the roads and the classes of road to which Council's Road Management Plan applies, are safe, efficient and appropriate for use by the community serviced by the Council.
- **Property Development Assessments**
A review of services for a site and develop a business case that considers options including time, cost, efficiency as well as business and service needs. This will require assessments of buildings and the provision of options.
- **Asset System Review**
Undertake a health check of the systems currently used. This includes investigation of any changes or desired functional requirements.

Appointment to the consultancy panel contract does not guarantee a commitment by Council to any future projects or works. Engagement will be subject to Council's Procurement Policy, including requesting quotes and tenders as deemed necessary. Panel suppliers will be

continually monitored and evaluated on their performance under the contract including risk management, cost effectiveness and delivery of services to Council.

The tender was advertised from 28 July 2020 in the following publications:

- Alexandra Standard
- Yea Chronicle
- The Local Paper
- Council Website
- Tendersearch portal.

Council's Procurement Policy requires that all tenders be evaluated by a tender evaluation committee (Committee). The Committee responsible for evaluating this tender comprised of:

- Manager Community Assets
- Coordinator Parks and Roads Maintenance
- Coordinator Facilities.

Tenders were assessed against the following criteria:

- Price – 40%
- Capacity to deliver (resources & equipment) - 10%
- Capability to deliver (OH&S systems) – 5%
- Understanding of the requirement – 15%
- Relevant Experience - 30%.

An initial evaluation of all submissions was undertaken in relation to their compliance with the contract specification. Any potential risks to Council were also noted. Each submission was then evaluated to consider the suppliers ability to meet the requirements of the contract including their ability to meet the required response times. This was an essential requirement. Tenders were assessed with particular attention to the evaluation criteria requirements. Submissions deemed non-conforming were removed from further evaluation.

Tenderers who were able to meet the required response timelines, demonstrated a sound understanding of the requirement, provided evidence of relevant experience and OHS systems including emergency management and working alone procedures were then shortlisted and evaluated further. A reference check was then completed on all evaluated suppliers new to the panel.

The supplied rates and the tender evaluation has been distributed to the Council separately to ensure confidentiality.

Council Plan/Strategies/Policies

This report supports the *Council Plan 2017-2021 Our Promise* strategy to “maintain Council’s financial sustainability through sound financial and asset management”.

Relevant Legislation

The procurement process for these works was carried out in accordance with Council’s Procurement Policy and section 186 of the *Local Government Act 1989*.

Financial Implications and Risk

It is estimated that Council will spend approximately \$500,000 (ex. GST) over the next five years for consultancy services.

All costs associated with the use of this Panel will be funded from operational budgets and well as funded capital works budgets.

Conflict of Interest

A declared conflict of interest (existing professional relationship with potential bidders) was managed by having an independent evaluation team to evaluate the submissions. No discussion was entered into regarding existing panel contractors. No other conflicts of interest were declared in relation to this contract.

Community and Stakeholder Consultation

No external consultation was undertaken.

12 NOTICES OF MOTIONS**13 MATTERS DEFERRED FROM PREVIOUS MEETING****14 URGENT BUSINESS****15 COUNCILLOR REPORTS****15.1 Cr Sandice McAulay****15.2 Cr Jackie Ashe****15.3 Cr Eric Lording****15.4 Cr Charlotte Bisset****15.5 Cr Rebecca Bowles****15.6 Cr Margaret Rae****15.7 Cr Leigh Dunscombe - Mayoral Report****16 CHIEF EXECUTIVE OFFICER REPORT****17 ASSEMBLIES OF COUNCILLORS****Purpose**

This report presents the records of assemblies of Councillors for 26 August 2020 to 9 September 2020, for Council to note in accordance with Section 80A of the *Local Government Act 1989* (the Act).

Officer Recommendation**That Council receives and notes the record of assemblies of Councillors for 24 August 2020 to 11 September 2020.****Background**

In accordance with Section 80A of the Act, written assemblies of Councillors are to be reported at an Ordinary Meeting of Council.

An assembly of Councillors includes advisory committees, where one or more Councillors were present, along with planned or scheduled meetings involving at least half of the Councillors and a Council officer.

A Councillor who has a conflict of interest at an assembly of Councillors, must disclose the conflict of interest, and leave the meeting while the matter is being discussed.

Discussion

A written record is required to be kept of every assembly of Councillors, including the names of all Councillors and staff at the meeting, a list of the matters considered, any conflict of interest disclosed by a Councillor, and whether a Councillor who disclosed a conflict left the meeting.

The following summary details are for 26 August 2020 to 9 September 2020:

Meeting Name/Type	Council Pre-Meet
Meeting Date:	26 August 2020 – via Videoconference
Matters Discussed:	<ol style="list-style-type: none"> 1. Kinglake West Speed Limit Reduction – tabling petition 2. Adoption of Domestic Wastewater Management Plan 3. Adoption of Murrindindi Emergency Management Plan 4. Draft COVID-19 Community Recovery Plan 5. Draft Business Recovery Plan 6. Grants and Contributions Program 7. End of Year Report – Capital Works Program 2019/20 8. Yea Saleyards Fee Structure – Amendment 9. Quarterly Financial Report June 2020 10. Annual Action Plan 11. Adoption of Governance Rules & Governance Local Law 12. Privacy Policy Review 13. S11A – Authorisation of Staff under the Planning and Environment Act (update) 14. Audit and Risk Annual Report 15. Variation – Contract 20/1 – Back Eildon Road, Thornton – Route Improvement 16. Rates Debtors – s181 update
Councillor Attendees:	Cr C Bisset, Cr S McAulay, Cr L Dunscombe, Cr R Bowles, Cr J Ashe, Cr M Rae, Cr E Lording
Council Officer Attendees	C Lloyd, M Chesworth, S Brown, V Albicini, N McNamara, C Lintott, G Haylock, T Carter
Conflict of Interest Disclosures:	Nil

Meeting Name/Type	Briefing Session
Meeting Date:	2 September 2020 – via Videoconference
Matters Discussed:	<ol style="list-style-type: none"> 1. Planning – Moores Road & Kinglake Cemetery 2. Planning – 3 Back Eildon Rd Thornton 3. Recreation & Open Space Strategy 2018-2028 Implementation

	4. Community Planning Update – Phase 3 Draft Interim Report			
	5. VicForests Timber Release Plan – Invitation to Comment			
	6. Carry Forward of Operational Project Budgets			
Councillor Attendees:	Cr C Bisset, Cr S McAulay, Cr L Dunscombe, Cr R Bowles, Cr J Ashe, Cr M Rae, Cr E Lording			
Council Officer Attendees	C Lloyd, M Chesworth, V Albicini, N Stewart, N McNamara, S Coller, J Kirkwood, A Paix, G Haylock			
Conflict of Interest Disclosures: Yes				
Matter No.	Councillor making disclosure	Was a vote taken?	Did the Councillor leave the room?	When? Before or after discussion
2	Cr C Bisset	No	Yes	Before

Meeting Name/Type	Briefing Session
Meeting Date:	9 September 2020 – via Videoconference
Matters Discussed:	<ol style="list-style-type: none"> 1. Final Kinglake Memorial Reserve Master Plan 2. Final Eildon Reserve Precinct Improvement Plan 3. COVID-19 Community Recovery Plan – Progress Report 4. Sealed Roads – Resealing Program – 2020/21 – Tender 5. Tender Report – Panel Contract - Plumbing 6. Tender Report – Panel Contract - Electrical 7. Tender Report – Panel Contract – Flooring 8. Tender Report – Panel Contract – Painting 9. Tender Report – Panel Contract - Slashing 10. CONT20/24 – Consultancy Panel 11. Response to Petition – Kinglake West 80km Speed Limit Reduction 12. Overview of changes to Council Meeting process under Governance rules
Councillor Attendees:	Cr S McAulay, Cr L Dunscombe, Cr R Bowles, Cr J Ashe, Cr M Rae, Cr E Lording
Council Officer Attendees	C Lloyd, M Chesworth, S Brown, V Albicini, N McNamara, S Coller, C Lintott
Conflict of Interest Disclosures: Nil	

Meeting Name/Type	Council Pre-Meet
Meeting Date:	9 September 2020 – via Videoconference
Matters Discussed:	<ol style="list-style-type: none"> 1. 86 Moores Road, Flowerdale – Group Accommodation 2. 2020/97 – 265 Whittlesea-Kinglake Road, Kinglake Central (CA:2023)
Councillor Attendees:	Cr C Bisset, Cr S McAulay, Cr L Dunscombe, Cr R Bowles, Cr J Ashe, Cr M Rae, Cr E Lording
Council Officer Attendees	C Lloyd, M Chesworth, S Brown, V Albicini, N Stewart, M Schreuder, C Gartland
Conflict of Interest Disclosures: Nil	

Council Plan/Strategies/Policies

This matter is consistent with the *Council Plan 2017-2021* 'Our Promise' strategy to 'expand our communication'.

Relevant Legislation

For full details of Council's requirement for assemblies of Councillors, refer to Section 80A of the *Local Government Act 1989*.

Financial Implications and Risk

There are no financial or risk implications.

Conflict of Interest

Any conflicts of interest are noted in the assembly of Councillors tables listed above.

18 SEALING REGISTER

File Reference	Date Seal Affixed	Description of Documents	Signatures of Persons Sealing
CONT20/6	25 August 2020	Formal Instrument of Agreement between Murrindindi Shire Council and Bitu-Mill (Civil) Pty Ltd for Wilhelmina Falls Road Sealing Works	Craig Lloyd Cr Leigh Duncombe
SF/3628	9 September	Murrindindi Shire Council Governance Local Law 2, 2020, Use of Council Seal and Conduct	Craig Lloyd Cr Leigh Duncombe Cr Sandice McAulay

Officer Recommendation

That the list of items to which the Council seal has been affixed be noted.

19 CONFIDENTIAL ITEMS

The Local Government Act 2020 section 66(2)(a) allows Council to resolve to close a meeting to the public to consider confidential information. This is defined under section 3 of the *Local Government Act* this includes information that was confidential information for the purposes of section 77 of the *Local Government Act 1989*.

Where possible Council will resolve to make public any decision it makes in a closed meeting where the resolution does not disclose confidential information. There may be occasions where Council cannot make its decision public.

The report on the Appointment of Acting Chief Executive Officer is being considered in the closed part of this meeting because it is considered confidential under section 3 of *the Local Government Act 2020* as it is considered to be personal information.

Recommendation

That Council, in accordance with section 66(2)(a) of the *Local Government Act 2020* resolve that the meeting be closed to members of the public for the consideration of items:

- Appointment of Acting Chief Executive Officer.