



Murrindindi
Shire Council

Scheduled Meeting of Council

Agenda

Wednesday 24 August 2022
Alexandra Council Chambers
Perkins Street
6:00 PM

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1 ACKNOWLEDGEMENT OF COUNTRY AND COUNCILLORS' PLEDGE

1.1 Acknowledgement of Country

The meeting will be opened with the Mayor reading the following on behalf of the Murrindindi Shire Council:

“Murrindindi Shire Council is proud to acknowledge the Taungurung and Wurundjeri people as the traditional custodians of the land we now call Murrindindi Shire.

We pay our respects to their Elders past, present and emerging, who are the keepers of history, traditions, knowledge and culture of this land.”

1.2 Councillors' Pledge

“The Councillors, democratically elected to represent our community as the Murrindindi Shire Council, are committed to working together in the best interests of the people who live in our municipality, those who conduct business here and those who visit.”

2 PROCEDURAL MATTERS

2.1 Privacy Note

This public meeting is being streamed live via our Facebook page and made available for public access on its website along with the official Minutes of this meeting.

2.2 Apologies and Request for Leave of Absence

2.3 Disclosure of Interest or Conflict of Interest

In accordance with section 130 (1)(a) of the *Local Government Act 2020* Councillors are required to disclose any “conflict of interest” in respect of a matter to be considered at a Council Meeting.

Disclosure must occur immediately before the matter is considered or discussed.

2.4 Confirmation of Minutes

Minutes of the Scheduled Meeting of Council held on 27 July 2022.

RECOMMENDATION

That Council confirm the minutes of the 27 July 2022 Scheduled Meeting of Council.

2.5 Petitions

Petitions received will be tabled at the Scheduled Meeting of Council.

2.6 Community Recognition

Council may suspend standing orders to thank and acknowledge particular community achievements.

2.7 Matters Deferred from Previous Meeting

Council may resolve to defer a matter to a future meeting for consideration for various reasons. Where a matter has been previously deferred it will be tabled for consideration under this section.

2.8 Urgent Business

Council may by resolution admit an item of urgent business only if:

- a. it relates to or arises out of a matter which has arisen since distribution of the Agenda; and
- b. deferring the item until the next Meeting will mean a decision on the item will not have any effect on the matter; or
- c. the item involves a matter of urgency as determined by the Chief Executive Officer; and
- d. it cannot be addressed through an operational service request process.
- e. Provided the matter does not:
 - I. substantially affect the levels of Council service
 - II. commit Council to significant expenditure not included in the adopted budget
 - III. establish or amend Council Policy.

3 PUBLIC PARTICIPATION

3.1 Open Forum

Section 8 of the *Governance Rules 2020* allows for Community Participation in Council Meetings. Open Forum is an opportunity for the general public to present to Council on a matter listed on the Agenda or any other matter.

3.2 Questions of Council

Questions of Council are an opportunity for the general public to submit a question prior to the Scheduled Meeting and receive a response from Council in the Questions of Council time.

4 REPORTS - ASSETS AND DEVELOPMENT DIRECTORATE

4.1 Contract 22/7 - Panel Contract Builders 2022-2025

Attachment(s)	Confidential Attachment 1 – Contract 22/7 Panel Contract Builders 2022-2025
Presenter	V Albicini, Director Assets & Development
Approved by	Director Assets & Development
Purpose	For decision

Executive Summary

The purpose of this report is to appoint CONT 22/7 Panel - Contract Builders for a three-year contract not exceeding a total of five years including all optional extensions.

A detailed evaluation process was undertaken in line with Council's Procurement Policy and against the tender evaluation criteria by a Tender Evaluation Committee.

Based on the analysis undertaken, the Committee recommended that all three tenderers be appointed to the panel CONT22/7 Panel – Contract Builders for a three year contract with an option of a two-year extension, not exceeding a total of five years including all optional extensions commencing 15 September 2022 and ending no later than 14 September 2027 executing all available extensions. The Contract being a panel contract will not exceed a total spend of \$2,500,000 over the five year term if all options are exercised.

RECOMMENDATION

That Council:

1. **appoint the following suppliers to Contract 22/7 - Panel Contract Building Services:**

- Tenderer 1
- Tenderer 2
- Tenderer 3.

for an initial period of three years commencing 15 September 2022 and ending 14 September 2025 with an option for a two-year extension;

2. **approve a total contract amount of \$2,500,000 over the five-year contract period;**
3. **authorise the Chief Executive Officer to extend Contract 22/7 - Panel Contract Building Services for the optional two-year period subject to satisfactory performance: and**
4. **release the name of Tenderers 1, 2 and 3 into the Minutes of the Scheduled Meeting of the 24 August 2022.**

Background

At the 27 September 2017 Council meeting, the Panel for Provision of Building Maintenance and Minor Building Works – Builders (CONT17/17) was awarded to three contractors for a period of three years.

At the 16 December 2020 Council meeting Council endorsed a two-year contract extension and variation to the total contract amount which will expire on 14 September 2022.

Tenders were called for the Builders Contract Services on 11 May 2022 closing 30 June 2022 and were advertised on Murrindindi and Mansfield Councils website, Facebook pages, The Age and Local Shire's Newspapers. A total of three submissions were received.

Council's Builders Services contract is to provide building maintenance and capital works improvements to Council's owned and maintained facilities.

Discussion

Council's procurement policy requires that all tenders be evaluated by a tender evaluation committee. The committee responsible for evaluating this tender comprised:

- Acting Manager Community Assets (Murrindindi Shire Council – Chair)
- Coordinator Facilities (Murrindindi Shire Council)
- Procurement Officer (Murrindindi Shire Council non-scoring probity)
- Project Officer Capital Works (Mansfield Shire Council)
- Manager Operations & Capital Works (Mansfield Shire Council).

A pre-evaluation meeting concluded all tenders to be conforming to proceed to evaluation.

Tenders were assessed against the following criteria:

- Price - 40%
- Capacity to deliver (resources, equipment) – 15%
- Capability to deliver (OHS & Systems) – 10%
- Understanding the requirement – 10%
- Relevant experience – 15%
- Social/Sustainable/Environmental Procurement – 10%
- Each submission was then evaluated individually to consider the Tenderer's ability to meet the requirements of the contract. Tenders were assessed with particular attention to the evaluation criteria requirements.

The Committee, including the probity advisor, convened as a group at the completion of the individual evaluations to discuss the outcomes. Pricing was not part of this conversation. All panel members assessed the submissions according to the criteria. Individual scores were then averaged and applied to the master spreadsheet and pricing included. This provided an overall score for each Tenderer.

A detailed evaluation of the tenders is provided as a confidential attachment to this report.

Based on the analysis undertaken, the Committee recommends that the three Tenderers be appointed to CONT22/7 Panel Contract – Building Services for a three-year contract not exceeding a total of five years including all optional extensions. The total Contract spend will not exceed \$2,500,000 over the total contract term.

Council Plan/Strategies/Policies

This report supports the *Council Plan 2021-2025 Beautiful Towns and Rural Settings* strategic objective "to provide fit-for-purpose infrastructure that meets current and future service demands and needs for our community".

This report supports the *Council Plan 2021-2025 Transparency, Inclusion and Accountability* strategy to "ensure Council remains financially-sustainable through sound management, forward planning, innovative service delivery and asset consolidation as appropriate".

Relevant Legislation

Local Government Act 2020.

Financial Implications and Risk

The contract sum represents an estimate of the value of works to be performed under the contract for the five-year contract term.

Council allocates budget for programmed works annually with minor works being funded by the approved building maintenance budget. Projects identified are individually quoted as per Council's Procurement Policy.

Appointing three suppliers in a panel contract mitigates risk of supply by having multiple options for quoting and execution of works, whilst creating efficiencies in the procurement process with a list of nominated pre-qualified contractors.

Conflict of Interest

There were no conflicts of interest declared by Council officers in relation to the matters contained in this report.

Community and Stakeholder Consultation

No external community or stakeholder consultation was required for this matter.

4.2 End of Year Report Capital Works 2021-22

Attachment(s)	Nil
Presenter	V Albicini, Director Assets & Development
Approved by	Director Assets & Development
Purpose	For decision

Executive Summary

The purpose of this report is to inform Council of the end of year result of the delivery of the 2021/22 Capital Works Program and to recommend carry forward projects for the inclusion into the 2022/23 Capital Works Program.

RECOMMENDATION

That Council:

1. note the End of Year Report – Capital Works Program 2021/22;
2. endorse the reallocation of residual funds of \$470,314 (to be confirmed through external audit) to the relevant reserves as outlined in Table 1 within this report; and
3. endorse the projects and total funds of \$7,806,419 as listed in Table 2 to be carry forward to the 2022/23 year as outlined in the report.

Background

This report is the final report on the Capital Works Program (CWP) for the last financial year. The period of reporting is from 1 July 2021 to 30 June 2022.

The CWP is comprised of projects:

- endorsed by Council as part of the 2021/22 capital works budget
- carried forward from the 2020/21 CWP
- added to the CWP during the 2021/22 financial year.

Discussion

The original adopted total capital works budget for 2020/21 was \$14.69million.

Carry forwards and additional projects resulted in a revised total capital budget of \$20.232 million and \$539,348 of large grant funded / non-capital works. After delivering approximately \$12.454 million of the revised CWP, \$7.806 million will be recommended for carry forward.

Excluding the savings outlined in Table 1 below, 64.2% of the revised program budget (\$20.232 million) has been delivered. This represents 96% of the original adopted budget.

There were delays in the delivery of the program due to several different issues. Some fleet and plant items were not delivered due to delays in supply that were related to COVID and other global disruptions to the supply chain. Other delays are the result of difficulty in delivering new projects that were required to be designed and constructed within the financial year, material supply delays, retendering to seek competitive pricing and shortages of contractors being available for delivery.

Aside from these issues Council delivered a total of \$12.337 million for the CWP budget this financial year up from \$10.69 million for the 2020/21 financial year.

A number of infrastructure projects were added to the CWP during the year following receipt of grant funding or through reallocation of savings. The additional projects included:

- The Local Roads & Community Infrastructure (LRCI) Program phase 2 (\$1,105,181):
 - Kinglake-Glenburn Road, Kinglake – Drainage Upgrade (Drainage)
 - Main Street/Utah Place, Eildon – Road Repairs (Rehabilitation)
 - Mt Kitchener Avenue, Marysville– Drainage Upgrade (Drainage)
 - Leckie Park – Cricket Net Upgrade (Cnr Vickery & Station Street, Alexandra – Sporting & Recreation Facilities)
 - Kinglake Memorial Reserve – Tennis Court 2 surface replacement (Extons Road, Kinglake – Sporting & Recreation Facilities)
 - Eildon Swimming Pool – Repairs and installation of liner (High Street, Eildon – Sporting & Recreation Facilities).
- Yea Lawn Cemetery – Upgrade (Non-Capital)
- Skyline Road – Upgrade & Sealing – Design Stage
- Outdoor Activation Fund (Non-Capital)
- GVRT Art Installation & Signage
- Blue Gums Trail - Eildon
- Eildon PlaySpace – Stage 1 Schematic design
- Footpath Extension and connection – Halls Street Alexandra – Downey to Nihil St – Construction
- Resource Recovery Centres (RRC) Infrastructure Upgrades.

Also, over the last quarter of reporting, three projects have been highlighted as requiring additional funds that have previously been reported to Council. These projects are:

- Leckie Park Cricket nets LRCI phase 2
- Eildon Play Space Design Stage 1
- Main Street Utah Place Pavement Rehabilitation LRCI 2.

Funding for these projects will be adjusted as part of the carry forward budget adjustment process.

Overall, there was a CWP savings of \$470,314 (to be confirmed by external audit). The funds will be returned to the various reserves in line with Council's policy as shown by table 1 below:

Table 1 – project funds to be returned to reserve or reallocated:

Total funding adjustments to reserves (Draft, to be finalised through confirmation of audits)	
Total Infrastructure reserve	\$17,519
Total Waste reserve	\$455,348
Total Saleyards reserve	-\$2,553
Total Caravan Park Reserve	\$0
Total	\$470,314

Carry Forward Recommendations

The following table provides commentary of projects where a recommendation is made to carry forward funds.

Table 2 – is a list of projects to the value of \$7,806,419 of works that are in progress, were not completed in the 2021/22 financial year, and are either now complete or will be completed in the 2022/23 financial year. Subject to Council endorsement these budgets will be carried forward.

Table 2 – Capital - works to be carried forward:

No	Project	Comment	Carry Forward amount (\$)
1	Sealed Roads renewal (Reseals)	Renewal program not fully completed due to cooler, wetter weather.	\$115,926
2	Roads - Major maintenance	Remaining funds required for works to upgrade Bunderboweik St Alexandra following youth precinct works.	\$29,172
3	Castella Road Upgrade & Sealing – Design stage	Project was placed on hold to be completed in 2022/23.	\$32,000
4	Melbourne Rd Pathway Stage 1 (Design & Development)	Project was placed on hold to be completed in 2022/23.	\$29,576
5	Yea Children's Centre - Stage 1 - Schematic Design Development (Preparation for Grant application)	Project scope was changed from capital design to investigation of service and future growth to assess future service delivery needs. Project is not completed.	\$25,000
6	Blue Gums Rail Trail	Delays in confirming the contractor has impacted the start date.	\$439,022
7	Alexandra Playground (Visitor Activity Project), Construction (Rotary Park)	The original adopted project budget was to deliver part of the overall masterplan however a successful grant application obtained an additional \$800,000 to complete the full park	\$798,735

No	Project	Comment	Carry Forward amount (\$)
		precinct upgrade scope. The full upgrade project has commenced.	
8	Break O'Day Rd Bridge (Pincombes) Upgrade (Stage 2 Construction)	Delayed due to Contractor not commencing construction works on time.	\$1,463,538
9	McDonalds Bridge Renewal - Yarck Rd Gobur	Project delayed due to weather as area has been too wet at times to lift bridge beams. Project completion in September 2022.	\$784,391
10	Yea Caravan Park Bridge Renewal - Stage 2 Construction	Bridge replacement not able to be started due to finalising Goulburn Valley Water infrastructure needs. Also required additional grant funding which is now available.	\$747,220
11	Snobs Creek Road - Widening (Road Safety) - HVSP - Grant 937	Design complexities to provide a safer road have delayed the start of construction until later this calendar year.	\$195,656
12	Mt Kitchener Rd Drainage & Kerb Upgrade LRCI 2	Contractor withdrew from contract. Has been retendered with Falls Road footpath works.	\$302,186
13	Kinglake Glenburn Rd - Drainage Upgrade LRCI 2	This project was delayed due to tender pricing being much higher than budget. Scope is being revisited with the aim to deliver the project within budget.	\$292,327
14	Main street Utah place Eildon LRCI 2	These works were delayed due wet weather when works were underway.	\$44,542
15	Bower St Entry & Realignment Stage 2, Kinglake	The contractor awarded these works failed to initiate the project and after repeated warnings to commence the works, Council officers were forced to cancel the contract. These works will now be completed late 2022.	\$41,678
16	Myles Bridge: Load Replacement Stage 1 (Design & Development)	The current level of works in the industry prevented the completion of the geotechnical investigation of this site. Works will begin shortly.	\$18,510
17	Renewal - Pathways	These works were delayed due to no contractor resources being available. These works are now underway.	\$359,763
18	Footpath Extension - Falls Road - Gallipoli Park to Gould Terrace, Marysville Stage 2 Construction) Stage 1	This work was combined with the Mt Kitchener drainage to achieve better value for money. The project has been retendered and tenders are currently being evaluated.	\$88,585
19	Footpath extension and connection - Williams Street and Station Street, Alexandra (Design & Construction)	Works are largely complete but the contractor's failure to attend site to complete defect repairs has delayed final payment. The outstanding works are being finalised.	\$17,455
20	Footpath extension and connection - Halls Street - West side Downey St to Nihil St - Construction	Works were delayed due to Council requiring to retender the project as the initial tender did not provide competitive tenders within budget. These works were planned for completion by June 30 th	\$91,502

No	Project	Comment	Carry Forward amount (\$)
		however rain prevented concrete kerb being poured and pushed the timeline out into July.	
21	Drainage Renewal - 58 Meters long, inside Alexandra Cemetery	Works were planned for completion by May however the contractor was unable to source new pipes for the pipe renewal works, as such they were delayed awaiting resolution of the disruption to the supply chain.	\$61,179
22	Drainage Renewal - 15 Meter Long, 8 Bon St, Alexandra	Works were planned for completion by May however the contractor was unable to source new pipes for the pipe renewal works, as such they were delayed awaiting resolution of the disruption to the supply chain.	\$12,500
23	Halls Flat Rd Drainage Upgrade for Subdivision Development	Works were awarded however pipes were not available.	\$81,702
24	MCH & CWA Perkins Street Alexandra building structure renewal	Original scope of works has been completed. Some additional items required to complete the works.	\$67,760
25	(LRCI) Grant Leckie Park, Alexandra - Cricket Net Upgrade	Works were awarded late but are near completion.	\$120,610
26	RV Friendly Town Implementation - Phase 1 - Marysville, Yea and Alexandra	Works were not completed within the financial year.	\$48,831
27	Alexandra Tennis Pavilion Replace Pergola including shade cover	The panel contractors were very busy and were not able to begin these works until June.	\$29,311
28	Kinglake Memorial Reserve - New Bore	The new bore is installed however the refurbishment of the old bore was delayed into winter to prevent any disruption to supply.	\$9,283
29	Library and Customer Services - Updated signage at all three sites (including new branding for Alex building to reflect inclusion of customer service)	There were significant delays in receiving signoff from the project sponsors on the design of the new signs following some redrafting. Signage design now finalised, and project is progressing.	\$13,000
30	Security swipe readers - scoping and design development for installation across 3 library and customer service branches	Delay in delivering material however project is now proceeding.	\$14,000
31	Alexandra Swimming Pool LRCI 1	Contractor did not complete works in time, this is a grant funded project need to ensure carry forward and completion.	\$22,647

No	Project	Comment	Carry Forward amount (\$)
32	Marysville Swimming Pool Truck Bund Compliance Works	Standards have changed regarding bunding requirements and chemicals required, funds still required but further scoping now needed.	\$34,016
33	Marysville Swimming Pool Replacement of Backwash valves on filters	Not delivered in time, still required, now progressing	\$10,000
34	Eildon Swimming pool liner renewal LRCI 2	Works were awarded quite early then delayed for the summer pool season due to COVID19. When project commenced after the closure of the pool, Contractor experienced supply delivery delay that delayed to completion of the project by June 2022.	\$125,188
35	RRC Relocation / redevelopment, Yea - Pre-feasibility and due diligence investigations & design	Feasibility study is not completed and being finalised.	\$40,000
36	Kinglake - Investigation and design for closed landfill rehabilitation	Design was delayed by wet weather; it was not possible to dig the required test holes to determine extent of waste capped.	\$35,653
37	Alexandra Landfill - Cell development and design	Delays in completing the final designs due to EPA approval process.	\$28,622
38	Infrastructure Upgrade - Grant 981 - Various Sites Yea, Eildon, Marysville, Kinglake, Alexandra	Grant funds given with minimal scope, now finalise scope.	\$122,815
39	Repair and replacement of fences - ongoing	Delays in finalising scope, repairs still needed.	\$30,726
40	Resource Recovery Centres - Construction new cages to store gas bottles	Delivery delayed but now underway.	\$8,000
41	Auxiliary Works - Roads & Stormwater Upgrades	Drainage control measures near access road into the Landfill still required.	\$6,832
42	Recycling Infrastructure	Delays resolving best items to suit requirement for RRC operations.	\$50,000
43	Digital futures initiatives - Project funding {includes new RFID pads at 4 library branches - replacing (ageing) existing pads}	Delayed due to finalisation of the RCTP funding agreement.	\$38,387
44	Geographic Information System (GIS) Mapping	Delays by the supplier of the rural imagery delayed	\$26,700
45	Information Technology Hardware	IT Hardware replacement program delayed due to longer lead times for supply	\$24,332
46	Software Allocation	To support integration between Council's corporate project management and financial systems	\$15,450

No	Project	Comment	Carry Forward amount (\$)
47	Passenger vehicles (Fleet)	A number of vehicles have been ordered and are awaiting supply. Some other vehicles are still pending an order.	\$100,936
48	Major Plant & Machinery	A number of items have been ordered and are awaiting supply. Some other items are still pending an order.	\$708,706
49	Yea Fossil Path	All primary works complete however, minor electrical installation on the signs was delayed due to COVID staff disruptions and supply delay.	\$2,449
Total Carry Forward			\$7,806,419

Council Plan/Strategies/Policies

This report supports the *Council Plan 2021-2025 Beautiful Townships and Rural Settings* strategy “to create a better place for our community and visitors to live in harmony with our rural character, natural beauty and heritage”.

This report supports the *Council Plan 2021-2025 Beautiful Towns and Rural Settings* strategy to “connect our communities through improved roads, footpaths and public transport”.

This report supports the *Council Plan 2021-2025 Beautiful Towns and Rural Settings* strategy to “deliver efficient, sustainable land use planning outcomes to enhance liveability, protect our unique rural character and natural beauty, and to enable growth”.

This report supports the *Council Plan 2021-2025 Beautiful Towns and Rural Settings* strategic objective “to provide fit-for-purpose infrastructure that meets current and future service demands and needs for our community”.

This report supports the *Council Plan 2021-2025 Beautiful Towns and Rural Settings* strategy to “provide spaces within our towns that are vibrant, attractive, safe and accessible”.

Relevant Legislation

Nil.

Financial Implications and Risk

Timely reporting of financial issues assists in early identification of the need for corrective action or reallocation of budget where required. Reporting of project progress also provides Council and the community with an understanding of when projects will commence and communicates delays if they occur.

There is a saving of \$470,314 (amount to be confirmed by external audit) that is recommended to be returned to various Council reserves. This will provide funding for future capital works.

It is recommended to carry forward \$7,806,419 for 49 projects to be spent in the 2022/23 financial year.

This will be added to the adopted 2022/23 Capital Works Program for a total of \$26,556,419 and has the potential to impact on the delivery of the whole program within the financial year.

Program planning for the delivery of all capital works projects has been conducted to minimise this risk.

Conflict of Interest

There were no conflicts of interest declared by Council officers in relation to the matters contained in this report.

Community and Stakeholder Consultation

No external community or stakeholder consultation was required for this matter.

5 REPORTS - COMMUNITY ENGAGEMENT DIRECTORATE

5.1 Library Strategy and Action Plan 2022-2026

Attachment(s)	Attachment 1 - Library Strategy [5.1.1 - 26 pages]
Presenter	S Murphy, Director Community Engagement
Approved by	Director Community Engagement
Purpose	For decision

Executive Summary

This report presents the Library Strategy and Action Plan 2022-2026 to Councillors for adoption.

RECOMMENDATION

That Council adopt the Library Strategy and Action Plan 2022-2026 as contained in Attachment 5.1.1.

Background

The review of the Murrindindi Library Service and work on a Library Strategy and Action Plan 2022-2026 (the Strategy) began in March 2022, following the appointment of I & J Management consultancy.

Community engagement was undertaken throughout April and May 2022 to seek feedback about our existing library services and input about how our libraries should work in future. 173 surveys were returned, either by paper or online.

In conjunction with the survey, a program of engagement with key community partners and stakeholders was carried out, and benchmarking against best practice locally and abroad, and demographic analysis of the Murrindindi communities was undertaken.

Discussion

A key step to delivering the Strategy was the Library Service Review, undertaken by I & J Management. The review found that Murrindindi Shire Council offers the full range of activities and programs expected of a contemporary public library service.

Murrindindi Shire Council delivers community-based library services through a network comprising three library branches (at Alexandra, Yea and Kinglake), a Mobile Library (which stops at eight locations over a fortnightly cycle), and the library website (which is the Shire's 5th 'branch'). With the assistance of volunteers, the library operates a Home Library Service (HLS) that delivers books and collection items to homebound people and residents living in aged care facilities. There are Friends of the Library groups in Alexandra and Yea. The library branches at Yea and Kinglake and the Mobile Service are also Council Customer Service points.

Through the community consultation and Library Service Review, many ideas were raised about ways in which the Murrindindi Library Service could be improved and better serve the Murrindindi community.

The Library Strategy and Action Plan provide a series of suggestions and propose actions that will help guide Council to deliver a service that will meet the evolving needs of our community. Each of the actions is linked to one of the Strategic Priorities. The Action Plan provides an indication of the action required, the lead responsibility for implementation and the expected outcome. The allocation of funding to enable delivery of the Strategy is subject to separate Council budget approval.

The Strategy:

- gives effect to the community goals described in the Murrindindi Shire Council Plan 2021-2025
- reflects and builds on the feedback provided through our consultation with the Murrindindi Shire community
- responds to the emerging and evolving needs of our community in a post-COVID world
- recognises the external factors which are influencing demand for, and delivery of, a modern library service
- stays true to what makes our libraries amongst Murrindindi Shire's most well-loved and well-used services – as welcoming, safe, trusted and local places at the heart of our community.

Council Plan/Strategies/Policies

This report supports the *Council Plan 2021-2025 Resilient Communities* strategic objective to “deliver support and promote opportunities for all people to connect with each other, collaborate and plan for our future”.

This report supports the *Council Plan 2021-2025 Resilient Communities* strategy to “provide and promote safe, passive and active recreational opportunities that will enhance the health, and wellbeing of residents and visitors”.

Relevant Legislation

Nil.

Financial Implications and Risk

Requests for funding in the form of business cases will come to Council for consideration, following adoption of the Library Strategy and Action Plan 2022-2026 as part of the annual budget process.

Conflict of Interest

There were no conflicts of interest declared by Council officers in relation to the matters contained in this report.

Community and Stakeholder Consultation

The strategy has been informed by an extensive community engagement process including

- Survey of library users
- Survey of non-library users.

The survey resulted in 260 visitors to the page on The Loop, 222 individual contributions made as feedback and 174 survey responses submitted.

Further consultation activities included:

- On site consultation activities
- Consultation with key community stakeholders and focus groups
- Council staff

- Councillor briefings
- draft version of the Strategy made available for public consultation in July, the version for adoption incorporates the feedback provided.

Full results of the community consultation for this project can be found on The Loop at:

<https://theloop.murrindindi.vic.gov.au/turning-page>

5.2 Eildon Community Plan

Attachment(s)	Attachment 1 - Eildon Community Plan - Final [5.2.1 - 16 pages]
Presenter	S Murphy, Director Community Engagement
Approved by	Director Community Engagement
Purpose	For acknowledgement

Executive Summary

The purpose of this report is for the Eildon Community Plan to be presented to Council for acknowledgment.

RECOMMENDATION

That Council acknowledge the Eildon Community Plan as contained in Attachment 5.2.1.

Background

Council officers began working with the Eildon community in September 2021 to put together a program to lead the development of the Eildon Community Plan.

Discussion

The first activity in Eildon was the formation of a Core Team of local people to guide the process and ensure strong local ownership. This Core Team has remained essential to the running of the program. New members have joined, and others have had to step off the team, with five members remaining.

The Core Team have guided all engagement activities that have led to the content of the Plan, including planning of and participation in the following events:

- The community BBQ to launch the program, held Saturday 26 February 2022
- The series of five 'Community Conversations' held from March to May 2022, with related follow-up discussions
- The community dinner and prioritisation session held Saturday 28 May 2022.

The Core Team have also led the process of drafting and designing the Eildon Community Plan (*attached*) as well as processing the feedback from community review to enable the Plan to be finalised.

Highlights from the Eildon Community Plan include the Vision which includes valuing the past, embracing the present and looking to the future, and an acknowledgement of the importance of the work of Eildon's community volunteers.

The Eildon Community Plan also lists its priority projects:

- Advocating to attract a medical practice/doctor for Eildon
- Opening a community-run gym
- Creating an artistic mural on the Eildon spillway
- Forming a dedicated group to promote the unique asset that is the Eildon Pondage
- Live music for Eildon
- Forming a rowing club.

Eildon Action will provide oversight for the delivery of the Eildon Community Plan, through a sub-committee. The Core Team will report regularly to the sub-committee, ensuring sustainability of the Plan.

Council Plan/Strategies/Policies

This report supports the *Council Plan 2021-2025 Resilient Communities* strategy to “deliver, support and promote opportunities for all people to connect with each other, collaborate and plan for the future”.

Relevant Legislation

There is no significant legislation related to this initiative.

Financial Implications and Risk

There are no direct financial implications for Council as a result of this Plan. However, as community groups begin implementing the priorities outlined in the Eildon Community Plan, there will be impacts on staff time as we support community with their projects.

Conflict of Interest

There were no conflicts of interest declared by Council officers in relation to the matters contained in this report.

Community and Stakeholder Consultation

As referenced in the report extensive community consultation has taken place in the development of the content of the Eildon Community Plan.

5.3 Grants and Contributions Program - August Allocations

Attachment(s)	Nil
Presenter	S Murphy, Director Community Engagement
Approved by	Director Assets & Development
Purpose	For decision

Executive Summary

This purpose of this report is to present Council with the July 2022 Grants and Contributions Program applications and variations for noting and endorsement.

RECOMMENDATION

That Council:

1. Endorse the following variations recommended by the Grants and Contributions Assessment Panel:

Application	Original Grant Awarded	Variation Request
BGE20/21008 – Relax and Unwind Massage Therapy	\$10,000	Timing change

2. Endorse the following allocations recommended by the Grants and Contributions Assessment Panel:

Application	Amount
FR-22/23-001 – Buxton Progress Association – Making our Fire Station Better for Volunteers	\$1,602.80
CPE-21/22-034 - Eildon Action Inc. - Eildon Community Stage	\$5,000

3. Note the grants allocated by the Grants and Contributions Assessment Panel under delegation:

Application	Amount
FR-22/23-003 – Yea Primary School – Junklandia	\$225

4. Request officers to review the Grants and Contribution Policy and Guidelines to clarify the process for applications that propose works which create new or modify existing Council infrastructure.

Background

The Grants and Contributions Program provides the opportunity for not-for-profit community groups and organisations, social enterprises and businesses to seek funding from Council to support events, activities and projects that align with the *Murrindindi Shire Council 2021-2025 Council Plan*.

The funding streams provided under the program are:

- Fee Reductions (and waivers by exception)
- Quick Response
- Governance, Skills and Capacity Building
- Sponsorships (including eligible individuals)
- Community Projects and Events
- Small and New Tourism Events
- Events of State Significance
- Business Plan Support.

Each stream has its own objectives, eligibility and assessment criteria and can be found in the Program Guidelines on Council's website.

Assessment occurs monthly for Fee Reductions, Quick Response and Governance, Skills and Capacity Building grant streams and in March, July and October for all other streams.

Councillors have previously received full application information as part of their briefing packs.

Discussion

There has been an increase in the number of applications to the Grants and Contributions Program for activities that will create new or modify existing Council infrastructure, and which will be the responsibility of Council to maintain in the future. The Program guidelines state that 'programs or activities considered the responsibility of Local, State and Federal Government' are not eligible. Projects involving the building, maintenance or enhancement of Council infrastructure have previously been referred to Council's annual budget process, to be considered as part of budgeted works, and not funded through the Grants and Contributions Program.

As Council places a high priority on supporting the community to deliver Community plans, it is proposed that the Grants and Contributions Program be reviewed to ensure that these community led initiatives are supported in ways that capture the momentum behind initiatives, while still maintaining high levels of governance around Council spending.

Council officers have assessed the following grant variations and provide the following recommendations:

Variation Requests

1. Relax and Unwind Massage Therapy - Wellness, Massage & Beauty Studio

This project aims to develop a studio and create a wellness space that people can come too, to enjoy a selection of massage and beauty treatments.

The project has previously been impacted by COVID-19 restrictions and more recently the applicant suffered some health issues that have impacted the studio build for a further few months. The build has now recommenced, and the applicant has requested additional time due to these setbacks.

Grant variation recommended.

New applications

Council officers have assessed the following grant applications and provided recommendation for decision by Council:

Fee Reductions

1. FR-22/23-001 – Buxton Progress Association – Making our Fire Station Better for Volunteers

Buxton Progress Association is supporting Buxton CFA's master plan to improve the station grounds; those works are intended to enhance facilities at the fire station and comprise four key works: upgrade of the station flagpole, a seating area for firefighters to relax and debrief, establish a fire-safe garden, and replace the current manual fire danger rating sign with an electronic signboard which will also provide fire-safety messaging along with opportunities for Community Groups to promote local activities.

The application is for a full fee waiver of the Building and Planning permit fees.

Grant recommended \$1602.80

2. FR-22/23-003 – Yea Primary School – Junklandia

All Yea Primary School and Sacred Heart Primary School students will be attending Yea Shire Hall for a regional arts performance of Junklandia - a live show.

The application is for a full fee waiver of the Yea Shire Hall cost.

Grant allocated by the Grants and Contributions Assessment Panel under delegation \$225

Community Projects and Events

1. Eildon Community Stage

This project will deliver a community stage at the rear of the Lions Rotunda wall – Riverside Drive in Eildon.

The draft Eildon Community Plan has Live music for Eildon as a Top Priority Area for delivery. The recent success of the Eildon twilight Markets has instigated the need to better establish the location, eliminate the necessity to call upon limited, aging volunteers whenever an event requires a stage, and greatly reduce OH&S issues with volunteers.

The stage will provide a permanent location and the base for a sound shell which can be used by numerous community groups/clubs such as Lions, CFA, Eildon Primary School, Eildon Community Centre, Eildon Action, Opera/Music on the Pondage, as well as attracting other artists, events, clubs, community groups.

Grant recommended \$5,000

Council Plan/Strategies/Policies

This report supports the *Council Plan 2021-2025 Growth and Opportunity* strategic objective “to prioritise and promote a culture in which the economy, businesses and community can grow and thrive”.

This report supports the *Council Plan 2021-2025 Growth and Opportunity* strategy to “boost local investment and employment opportunities through activities that encourage businesses, social enterprise, and industry sectors to thrive and grow”.

This report supports the *Council Plan 2021-2025 Growth and Opportunity* strategy “support and promote our tourism and events sector to boost the economy through increased visitation”.

Relevant Legislation

There are no legislative considerations to this report.

Financial Implications and Risk

The below financial table shows grant funds allocated to date in this Financial Year:

Grant Stream	July allocations	Previous allocations	Total 22/23
Fee Reductions	\$1,827.80	\$0	\$1,827.80
Governance, Skills and Capacity Building	\$0	\$0	\$0
Quick Response	\$0	\$0	\$0
Community Sponsorship, Projects and Events	\$5,0000	\$11,500	\$16,500
Tourism Events	\$0	\$0	\$0
Business Plan Support	\$0	\$0	\$0
Funds returned to Council	\$0	\$0	\$0
TOTAL	\$6,827.80	\$11,500	\$18,327.80

The indicative total budget of the Grants and Contributions Program for the 22/23 financial year is \$180,000.

Conflict of Interest

There were no conflicts of interest declared by Council officers in relation to the matters contained in this report.

Community and Stakeholder Consultation

No external community or stakeholder consultation was required for this matter.

6 REPORTS - CORPORATE & SHARED SERVICES DIRECTORATE

6.1 Governance Rules Review

Attachment(s)	Attachment 1 - Murrindindi Shire Council Governance Rules (including Election Period Policy) [6.1.1 - 72 pages]
Presenter	T Carter, Manager Governance & Risk
Approved by	Director Corporate & Shared Services
Purpose	For decision

Executive Summary

The Governance Rules 2020 were adopted by Council to ensure there are rules in place to guide Council decision making, ensure meetings are open to the public and encourage engagement, and to set the standards for conduct expected during a meeting of Council.

COVID-19 restrictions led to the introduction of virtual meetings under the *COVID-19 Omnibus (Emergency Measure) Act 2020*. The provisions of this Act have been extended to allow for virtual meeting attendance until 1 September 2022. After this date for Council to continue to conduct meetings using virtual means or virtual attendance then its Governance Rules must be revised to accommodate this.

The Governance Rules have been reviewed and new provisions for in-person, hybrid and virtual meetings have been added and other minor updates have been made. The Draft Governance Rules were released for community consultation.

RECOMMENDATION

That Council adopt the revised Governance Rules as contained in Attachment 6.1.1 effective 25 August 2022.

Background

The *Local Government Act 2020*, section 60 requires councils to adopt a set of Governance Rules that cover the following:

- a) the conduct of council meetings;
- b) the conduct of meetings of delegated committees;
- c) the form and availability of meeting records;
- d) the election of the Mayor and the Deputy Mayor;
- e) the appointment of an Acting Mayor;
- f) an election period policy in accordance with section 69;
- g) the procedures for the disclosure of a conflict of interest by a councillor or a member of a delegated committee under section 130;
- h) the procedure for the disclosure of a conflict of interest by a councillor under section 131;
- i) the disclosure of a conflict of interest by a member of council staff when providing information in respect of a matter within the meaning of section 126(1);
- j) any other matters prescribed by the regulations.

On 24 June 2020 Council adopted its Governance Rules 2020. The introduction of virtual meetings and the opportunity to attend meetings virtually was born out of necessity during the

COVID-19 restriction period and was enacted in legislation to ensure decision making was maintained. The Minister for Local Government has indicated that from 2 September 2022, in order to be able to proceed with virtual attendance at meetings, a council's Governance Rules must include:

1. provision for virtual attendance to occur and defining the circumstances - i.e. hybrid meetings, public attendance, councillor attendance
2. the process for requests to attend virtually
3. the approval process required.

Discussion

Following the review of the Governance Rules the following revisions are proposed:

- inclusion of the acknowledgement of country
- gender neutral language such as the use of 'they' instead of 'he/she'
- Inclusion of "in person", "virtual" and "hybrid" meeting options and embedding these terms
- ability for participants (councillors, officers and community members) to remotely attend
- process for councillors requesting remote attendance and the instances where that would be agreed for a Council meeting, including notification periods and defining "attendance" requirements
- Change naming of "Unscheduled Meetings" to "Special Meetings"
- simplification of wording to provide procedural clarity.

Community Feedback

The Draft Governance Rules were made available for community feedback via Council's consultation platform "the Loop" from 24 June 2022 until 7 August 2022. The Draft Governance Rules were viewed 79 times via the loop and one submission was received.

The single submission received was from the Victorian Pride Lobby. The submission identified where gender neutral edits had been missed. These have been made in the version being presented to Council. The Lobby also and requested that the role of the Chief Executive Officer in the petition process be reviewed. Subsequently, the Draft Governance Rules have been revised to clarify the role of the Chief Executive Officer being to assess a petition against the criteria and to ensure all petitions, whether in written or electronic format, are presented to Council when they meet the requirements of the Governance Rules (Section 8.30).

Council Plan/Strategies/Policies

This report supports the *Council Plan 2021-2025 Transparency, Inclusion and Accountability* strategic objective "to ensure our services, people and systems deliver the best possible outcomes for our communities now and into the future".

Relevant Legislation

Section 60 of the *Local Government Act 2020* requires Council to have in place Governance Rules.

Financial Implications and Risk

Council has invested in technology to allow for Councillors, officers, and the public to attend meetings virtually, therefore the adoption of the Governance Rules will not have additional budgetary impact.

The adoption of the attached revised Governance Rules enables Council to continue to provide for remote attendance and virtual meetings beyond 1 September 2022, as required by the Minister for Local Government.

Conflict of Interest

There were no conflicts of interest declared by Council officers in relation to the matters contained in this report.

Community and Stakeholder Consultation

Under the *Local Government Act 2020* and in accordance with Council's Community Engagement Policy where Council is adopting a Policy that impacts the community in some way then Council has an obligation to engage. Council placed the Draft Governance Rules on its engagement platform 'The Loop' for an initial period from 24 June 2022 to 22 July 2022, following limited engagement the period was extended to 7 August 2022. The opportunity to make a submission was advertised and promoted on social media platforms and via print advertisements.

6.2 Quarterly Finance Report June 2022

Attachment(s)	Attachment 1 - Management Statement June 2022 [6.2.1 - 4 pages]
Presenter	M Chesworth, Director Corporate & Shared Services
Approved by	Director Corporate & Shared Services
Purpose	For noting

Executive Summary

This report provides the quarterly financial report for the period ending 30 June 2022. It should be noted that the figures included in the report are the interim, pre-audited results, and may differ from the final audited annual financial results included in the 2021/22 Annual Report.

RECOMMENDATION

That Council receive the Quarterly Financial Report to 30 June 2022.

Background

The interim Quarterly Financial Report for the period ended 30 June 2022 is presented for consideration by Council, in accordance with the *Local Government Act 2020* ("the Act").

The report includes the following statements:

- Comprehensive Income Statement
- Balance Sheet
- Statement of Cash Flow.

Discussion

The interim statements for the fourth quarter to 30 June 2022 are included in Attachment 6.2.1.

Income Statement (Statement A)

The interim Income Statement for the period 1 July 2021 to 30 June 2022, also within the above attachment is reproduced below.

The operating surplus of \$3.59 million for the 2021/22 financial year is a \$351,000 unfavourable variance to the annual revised budget. The explanations for this variance are outlined in Table 1: Explanation of Budget Variances below.

The Income statement below provides information on two budgetary components:

1. **Forecast adjustments:** adjustments to the March revised budget figures to reflect the predicted result at the end of the 2021/22 financial year (refer to the column titled “(1) Forecast Adjustment”).
2. **Year-to-date budget variances:** variances between June revised year-to-date budget and the year-to-date result (refer to column titled “(2) Budget Actual Variance”).

Statement A

Murrindindi Shire Council Income Statement For the period ended 30th June 2022

	NOTE	March Revised Budget 2021/22 \$	(1) Forecast Adjustment 2021/22 \$	Annual Revised Budget 2021/22 \$	Actual 2021/22 \$	(2) YTD Budget V Actual Variance 2021/22 \$	YTD Budget V Actual Variance 2021/22 %
Revenue							
Rates & Charges	1	22,030,713	-	22,030,713	22,104,549	73,836	0%
Statutory fees and fines	2	1,404,840	-	1,404,840	1,346,299	(58,541)	-4%
User fees	3	1,080,846	-	1,080,846	1,288,392	207,546	19%
Grants - Operating	4	8,963,386	30,000	8,993,386	8,907,015	(86,371)	-1%
Grants -Capital	5	6,652,699	150,000	6,802,699	3,510,055	(3,292,644)	-48%
Contributions - Cash	6	325,803	151,000	476,803	394,470	(82,333)	-17%
Contributions - Non Cash	7	600,000	-	600,000	1,204,062	604,062	0%
Reimbursements	8	353,532	99,300	452,832	304,438	(148,394)	-33%
Other revenue	9	825,824	-	825,824	1,181,143	355,319	43%
Total Revenue		42,237,643	430,300	42,667,943	40,240,423	(2,427,520)	-6%
Expenses							
Employee Benefits	10	15,612,690	40,193	15,652,883	14,785,116	867,767	6%
Materials and Services	11	13,430,381	354,784	13,785,165	12,368,862	1,416,303	10%
Depreciation and amortisation	12	8,305,822	-	8,305,822	8,440,819	134,997	0%
Bad and Doubtful Debts	13	-	-	-	8,968	(8,968)	0%
Other Expense	14	388,886	-	388,886	543,227	(154,341)	-40%
Total Expenses		37,737,779	394,977	38,132,756	36,146,992	2,255,758	6%
Net gain/(loss) on disposal of property, infrastructure, plant and equipment.	15	(596,364)	-	(596,364)	(229,176)	367,188	-62%
Increase Landfill Provision	16	-	-	-	(276,566)	(276,566)	0%
Surplus (deficit) for the period		3,903,500	35,323	3,938,823	3,587,689	(351,134)	-9%
Total Materials and Contractors							
Utilities		499,332	-	499,332	448,920	50,412	10%
Contractors		9,255,567	353,784	9,609,351	9,054,819	554,532	6%
Software and related IT		557,031	-	557,031	497,999	59,032	11%
Legal Expenses		252,745	-	252,745	193,373	59,372	23%
Insurance		691,638	-	691,638	603,386	88,252	13%
Materials		866,054	-	866,054	793,293	72,761	8%
Contributions		978,036	-	978,036	587,617	390,419	40%

Consultants	329,978	1,000	330,978	189,455	141,523	43%
	13,430,381	354,784	13,785,165	12,368,862	1,416,303	10%

Table 1: Explanation of Budget Variances

Table 1 below explains by income and expense line items the reasons for the following:

1. **Forecast adjustments:** adjustments to the March revised budget figures to reflect the predicted result at the end of the 2021/22 financial year (refer to the column titled “(1) Forecast Adjustment”).
2. **Year-to-date budget variances:** variances between June revised year-to-date budget and the year-to-date result (refer to column titled “(2) Budget Actual Variance”).

Note	Line item	(1) Explanation Forecast Adjustment	(2) Explanation YTD Budget V Actual Variance
1	Rates & Charges	No Change	\$73,836 additional revenue due to supplementary rates.
2	Statutory fees and fines	No Change	\$58,541 reduced revenue <ul style="list-style-type: none"> • \$ 28,420 reduced income development services and plan checking fees. • \$ 20,314 reduced building permit fees • \$17,777 reduced planning fees. • \$8,353 increased revenue from collection of election fines.
3	User fees	No Change	\$207,545 increased revenue, <ul style="list-style-type: none"> •\$151,077 increased saleyard fees. •\$50,561 increased landfill and resource recovery fees.
4	Grants – Operating	\$30,000 additional revenue. <ul style="list-style-type: none"> •Local Government Business Concierge and Hospitality grant. 	\$86,369 reduced revenue, <ul style="list-style-type: none"> • \$148,590 reduced revenue from Family Day-care Service due to reduced service provision • \$60,000 reduced revenue from the Natural Disaster Financial Assistance (NDFA) grant for the June 2021 storm event. Claim yet to be finalised, • \$81,000 increased revenue new grant received, Free from Violence Local Government Program • \$58,120 increased revenue additional grant funds received Rubicon Village Waste Water project.
5	Grants - Capital	\$150,000 additional revenue. <ul style="list-style-type: none"> •DITRDC Additional Bridge renewal grant 	\$3,292,644 reduced income. Capital grants are recognised as the capital works program is completed. Delays in works will influence the timing of the recognition of the grants. The recognition of the following grants will be delayed and reported in the 2022/23 accounting period. <ul style="list-style-type: none"> • \$2,015,800 DITRDC Bridge renewal. • \$721,868 Local Road and Community infrastructure Program Stage 2 • \$439,022 Blue Gums to Eildon Trail
6	Contributions - Cash	\$151,000 additional revenue <ul style="list-style-type: none"> • \$150,000 Goulburn Valley Water contribution to Yea Caravan Park Bridge. •\$1,000 minor contribution to infrastructure works. 	\$82,333 reduced income. <ul style="list-style-type: none"> • \$150,000 reduced Income Goulburn Valley Water contribution yet to be received. • \$67,500 increased income Public Open Space contributions.

Note	Line item	(1) Explanation Forecast Adjustment	(2) Explanation YTD Budget V Actual Variance
7	Contributions - Non-Cash	No Change	\$604,062 additional income. The timing and value of assets gifted to Council is determined by the subdivision development during the year. It is difficult to budget for this item as Council does not directly control it. The current year's total of \$1,204,064 included \$448,562 land and land under roads, and \$755,498 for infrastructure assets.
8	Reimbursements	\$99,300 additional revenue. •Project undertaken on behalf of the Yea Cemetery Trust with costs being reimbursed by the Yea Cemetery Trust.	\$148,394 decreased income. • \$75,320 reduced recovery of rate collection legal fees as the expense was not incurred as debt collection activities have been curtailed. • \$99,300 reduced recovery Yea Cemetery project, expense have not been incurred, income and expenses will now be recognised in 2022/23. • \$27,273 increased recovery from CFA for tree removal works at Kinglake.
9	Other revenue	No Change	\$355,319 increased income. • \$156,048 increased income due to the recognition of the value of volunteer contributions as covid restrictions eased. This is a book entry with corresponding recognition under other expenditure. No impact on operating result. • \$79,477 increased interest earnings, as interest rates increased, and the cash held increased due to grants being received in advance of expenditure. • \$77,769 increased revenue from the sale of scrap metal. • \$12,270 Increased income. Administration charged for services to Goulburn Murray Climate Alliance (GMCA) not budgeted.
10	Employee Benefits	\$40,193 additional expenditure. •\$30,000 offset against new grants. • \$8,600 Yea Cemetery Trust project fully recoverable. • \$2,313 minor adjustments moving from wages to creditors.	\$867,767 decreased expenditure. Note that an estimated liability has been recognised for funds owed to staff due to the ongoing EBA negotiations. In addition, the variances below are generally due to vacant positions. • \$274,768 decreased expenditure road and infrastructure, funds partially used to engage temporary labour hire services which are included under the materials and services line item. • \$182,377 decreased expenditure road and infrastructure maintenance, funds partially used to engage temporary labour hire services which are included under the materials and services line. • \$79,862 decreased expenditure environmental programs, vacant positions, and staff changeovers. • \$68,986 decreased expenditure environmental health, vacant positions and staff changeovers and use of temporary labour hire and contractors.

Note	Line item	(1) Explanation Forecast Adjustment	(2) Explanation YTD Budget V Actual Variance
11	Materials and Services	\$354,977 additional expenditure. •\$257,677 expenditure Kinglake Streetscape project previous budgeted as capital, but now identified as Regional Roads Victoria assets. • \$90,000 Yea Cemetery Trust project fully recoverable. • \$7,000 Essential Services Measures, buildings monitoring and audit budget moved from capital projects.	\$1,1416,303 decreased expenditure. Note: variances below partially relate to unspent operating grants and specific operational projects, the expenditure will now be carried forward and incurred in the 2022/23 year. • \$271,782 decreased expenditure grants and contributions program. • \$240,328 decreased expenditure plant and fleet. • \$168,966 decreased expenditure children services. • \$150,330 decreased expenditure human resources and occupational health. • \$101,190 decreased expenditure community development. • \$98,305 decreased expenditure procurement, insurance, and risk. • The balance or reduced expenditure was across various areas and projects. <i>An alternative summary of the materials and services line item is located at the bottom of the income statement.</i>
12	Depreciation and amortisation	No Change	\$134,997 decreased expenditure. Mostly due to decreased value of landfill airspace consumption \$122,916. Airspace consumption is dependent upon the amount and compaction of waste delivered to landfill. This item is difficult to budget.
13	Bad and Doubtful Debts	No Change	\$8,968 increased expenditure. A provisional allocation has been made in anticipation that a percentage of Community Safety fines will be uncollected.
14	Other Expense	No Change	\$154,341 increased expenditure. • \$ 156,048 increased expenditure due to recognising the value of volunteer contributions, this amount has an offsetting book entry see note 9. It has no impact on the operating result. •Balance being small variances across several areas.
15	Net gain/(loss) on disposal of property, infrastructure, plant and equipment.	No Change	\$367,188 favourable outcome. There are two components to this item, the disposal of realisable assets like plant and equipment, and the disposal of non-realisable property and infrastructure assets renewed and upgraded as part of the capital works program • \$88,457 favourable outcome plant and equipment. While the changeover of many items was delayed due to market constraints, the items that were transacted achieved results above the recorded book value. The budgets for the changeover of the items not completed in the current year will be recommended to be carried forward, with changeovers now to occur in the 2022-23 year • \$278,731 decreased in the book value cost of property and infrastructure renewed. This reflects that several capital works jobs were not completed at year end, the cost of writing out the book value of the renewed underlying assets will now be recorded in the 2022-23 year.

Note	Line item	(1) Explanation Forecast Adjustment	(2) Explanation YTD Budget V Actual Variance
16	Increase Landfill Provision	No Change	\$276,566 increased expenditure. The recent sharp upturn in construction costs has required an increase to the liability provision established to cap, rehabilitate and monitor the landfill site. The increased provision is required to satisfy EPA and Accounting Standards requirements.

Balance Sheet (Statement B)

The Balance Sheet is included Attachment 6.2.1.

The Commentary below refers to Column (2) interim year-end result to revised budget variance.

Assets

The statement shows the movement of Cash (decrease \$18.5 million) and Financial Assets (term deposits with maturity greater than 90 days. increase \$29.4 million) a net result of an additional \$10.9 million cash. This reflects the value of cash collected and held to fund carry forward projects, and grants received in the financial year with the associated expenditure to be incurred in the 2022/23 year, and the receipt of 75% of the Financial Assistance Grants (FAG Victorian Grants Commission) being received in advance. A more detailed explanation is provided within the Cashflow statement.

Non-current assets are \$16.6 million above expectations due to a combination of increased asset values resulting from asset revaluations, \$23 million, partly offset by delayed capital works.

Liabilities

The major variance is \$4.2 million for the value of grants received in advance. These grants will be recognised as income in 2022/23 when the matching expenditure is incurred. The funds held for contract retentions, bonds, and amounts in trust is above budget by \$438 thousand.

Equity

The statements show a favourable variance, of \$22.7 million due to the movement in the asset revaluation reserve. This is partly offset by the small reduction in the budgeted operating surplus. The operating surplus is explained in more detail by the commentary outlined in Statement A – Income Statement.

Cash Flow Statement (Statement C)

This statement combines the cash related movements from the Income Statement and the Balance Sheet into one statement. This Statement shows how funds are generated and consumed. The unaudited improvement in the cash position is \$10.9 million. The movement is explained by the three activities for generating and consuming cash:

Cash flow from operating activities

The statement shows an improvement of \$3.7 million, relating to receipt of grants and lower payments to suppliers.

Cash flow from investing activities

An increase of \$7.3 million mostly due to delays in the completion of capital work projects or savings. Several projects will be carried forwarded into the 2022/23 financial year. There was also a decline in expected cash from assets sales, \$629,000 as the changeover of various vehicle and plant items was delayed.

Cash flow from financing activities

No borrowing activities were undertaken.

Councillor Expenses (GST Exclusive):

As required in the adopted Councillor Reimbursement Policy (July 2020), Council reports quarterly on the Councillor related expenses. The following table details Councillor expenses for the fourth quarter period ending 30 June 2022.

Councillor Expenses for 3 months ended 30 June 2022:

	Allowances	Travel Expenses	Childcare Expenses	Information & Communications Expenses	Conference & Training Expenses	Other Expenses
Cr Carpenter	\$16,445.11	\$2,468.63	\$-	\$199.92	\$243.36	\$110.91
Cr Gallagher	\$11,020.38	\$4,028.24	\$-	\$199.92	\$118.36	\$110.91
Cr Gerencser	\$5,047.49	\$2,373.84	\$-	\$199.92	\$1,111.40	\$110.91
Cr Haslam	\$5,047.49	\$1,457.20	\$-	\$199.92	\$218.36	\$110.91
Cr Lording	\$5,047.49	\$1,649.68	\$-	\$199.93	\$118.36	\$110.91
Cr McAulay	\$5,047.49	\$2,088.63	\$-	\$199.92	\$1,354.19	\$120.66
Cr Walsh	\$5,047.49	\$1,145.06	\$-	\$199.92	\$118.36	\$110.91

It should be noted that accommodation and travel costs include the reimbursement of the claims, which a Councillor may choose to submit for travelling to Council meetings, briefings, and other functions, which they attend in their capacity as a Councillor. Where a Councillor's residence is greater than fifty (50) kilometres from the location of a Council meeting, they may also claim the statutory remote area allowance.

It should also be noted that Councillors can elect for part of their allowance to be deducted for superannuation purposes.

Council Plan/Strategies/Policies

This report supports the *Council Plan 2021-2025 Transparency, Inclusion and Accountability* strategy to "ensure Council remains financially-sustainable through sound management, forward planning, innovative service delivery and asset consolidation as appropriate".

Relevant Legislation

Section 97 of the *Local Government Act 2020* requires that at the end of each quarter of the financial year, a quarterly budget report is presented to the Council at a Council meeting which is open to the public

Financial Implications and Risk

The financial governance of a council is a significant role for Councillors. The risk of poor financial management can have a significant impact upon the governance of the Council. The financial implications flowing from this quarterly financial review are outlined in this report.

Conflict of Interest

There were no conflicts of interest declared by Council officers in relation to the matters contained in this report.

Community and Stakeholder Consultation

No external community or stakeholder consultation was required for this matter.

6.3 Audit and Risk Committee - Independent Member Appointment

Attachment(s)	Nil
Presenter	M Chesworth, Director Corporate & Shared Services
Approved by	Director Corporate & Shared Services
Purpose	For decision

Executive Summary

The purpose of this report is to recommend to Council the appointment of an external independent member to Council's Audit and Risk Committee in accordance with the requirements under the *Local Government Act 2020*.

RECOMMENDATION

That Council appoint Mr Steve Schinck as an Audit and Risk Committee Independent Member for a three-year term ending 30 June 2025.

Background

The primary objective of the Council's Audit and Risk Committee is to assist Council in the effective conduct of its responsibilities for financial reporting, management of risk, maintaining a reliable system of internal controls and facilitating the organisation's ethical development.

The Charter of the Audit and Risk Committee is the primary instrument outlining the composition, roles and responsibilities of the Committee and its members.

Currently one vacancy exists for an independent Committee member.

Discussion

Council officers sought expressions of interest to fill the vacant position on the Committee. 16 expressions of interest were received.

A selection panel consisting of the Mayor, a Councillor member of the Committee (Deputy Mayor), the Chief Executive Officer and the Director Corporate and Shared Services considered the submissions, and three candidates were interviewed.

The selection panel recommends that Mr Steve Schinck be appointed to the vacant position. Mr Schinck has experience as an independent member of Audit and Risk Committees in Local Government, State Government and for other statutory bodies. He has also held Board positions for a community health service and a State owned enterprise delivering technology solutions. His work experience includes senior roles in State procurement, State Treasury and Finance and in management consulting. The panel feels Mr Schinck will provide valuable and relevant expertise to Council's Audit and Risk Committee.

Council Plan/Strategies/Policies

This report supports the *Council Plan 2021-2025 Transparency, Inclusion and Accountability* strategy to "ensure Council remains financially-sustainable through sound management, forward planning, innovative service delivery and asset consolidation as appropriate".

Relevant Legislation

Audit and Risk Committees are mandated under section 53 and 54 of *Local Government Act 2020*. Appointment of the new Audit and Risk Committee member will support Council's compliance with the Act.

Financial Implications and Risk

There are no significant financial implications associated with this report. The Committee has a role to assess the adequacy of Council's Risk Management Framework. An honorarium of \$500 per quarter is paid to each independent member during their term.

Conflict of Interest

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

Community and Stakeholder Consultation

The Expression of Interest was advertised on Council's website and through local publications and via social media on Council's LinkedIn page.

7 COUNCILLOR AND CEO REPORTS

7.1 Notices of Motions

7.2 Cr Karine Haslam

7.3 Cr Ilona Gerencser

7.4 Cr Eric Lording

7.5 Cr John Walsh

7.6 Cr Sandice McAulay

7.7 Cr Damien Gallagher

7.8 Cr Sue Carpenter - Mayoral Report

7.9 Chief Executive Officer Report

8 ASSEMBLIES OF COUNCILLORS

Purpose

For noting.

Executive Summary

This report presents the records of assemblies of Councillors for 25 July 2022 to 17 August 2022, for Council to note.

RECOMMENDATION

That Council receive and note the records of assembly of Councillors for 27 July 2022 to 19 August 2022.

Background

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 27 July 2022 to 17 August 2022:

Meeting Name/Type		Council Pre-Meet (Virtual meeting)		
Meeting Date:		27 July 2022		
Matters Discussed:		<ol style="list-style-type: none"> 1. Climate Change Policy 2. Contract 22/4 Street Sweeping Services 2022-2025 3. Blue Gums to Eildon Recreational Trail Contract Award 4. Child Safety and Wellbeing Policy 5. Grants and Contributions Program - July Allocations 6. S6. Instrument of Delegation to Staff 		
Councillor Attendees:		Cr S Carpenter, Cr D Gallagher, Cr K Haslam, Cr E Lording, Cr S McAulay, Cr J Walsh, Cr I Gerencser		
Council Officer Attendees:		M Chesworth, S Murphy, V Albicini, D Echeverry		
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?
5	Cr S McAulay	No	Yes	Before
5	Cr J Walsh	No	Yes	Before
5	Cr K Haslam	No	Yes	Before

Meeting Name/Type		Briefing Session		
Meeting Date:		3 August 2022		
Matters Discussed:		<ol style="list-style-type: none"> 1. Youth Leadership Program 2. Unsealed Roads Condition and Potholes 		
Councillor Attendees:		Cr S Carpenter, Cr D Gallagher, Cr E Lording, Cr S McAulay, Cr J Walsh, Cr I Gerencser (V)		
Council Officer Attendees:		L Bonazzi (V), M Chesworth, S Murphy, V Albicini, N Carter (V), S Coller (V), S Russell (V)		
Conflict of Interest Disclosures: Nil				

Meeting Name/Type		Briefing Session		
Meeting Date:		10 August 2022		
Matters Discussed:		<ol style="list-style-type: none"> 1. Advocacy Priorities - Cindy McLeish & Shadow Minister Riordian 2. External Presentation from Nick Soloczynskij - Ukrainian Youth Association 3. Eildon Reserves Redevelopment update 4. Contract 22/7 - Panel Contract Builders 2022-2025 5. Development Services - Planning Report July 2022 6. Planning - facts about planning #4 		
Councillor Attendees:		Cr S Carpenter, Cr D Gallagher, Cr K Haslam (V), Cr S McAulay, Cr J Walsh, Cr I Gerencser		
Council Officer Attendees:		L Bonazzi, M Chesworth, S Murphy, V Albicini, P Bain (V), S Coller (V), J Carns (V), S Russell (V), M Spinks (V), C Fraser (V), N Stewart (V)		
Conflict of Interest Disclosures: Nil				

Meeting Name/Type	Briefing Session
Meeting Date:	17 August 2022
Matters Discussed:	<ol style="list-style-type: none"> 1. CEO Remuneration Committee 2. Governance Rules Review 3. External Guests – Eildon Community Plan – Presentation from Core Group 4. Reconciliation Action Plan – Draft 5. Grants and Contributions Program – August Allocations 6. End of Year Report Capital Works 2021-22 7. Finance – Annual Carry Forwards 8. Eildon Funding Model and Communication Plan Update 9. External Guest – Housing & Settlement Strategy – Presentation from Tom Harrington
Councillor Attendees:	Cr S Carpenter, Cr D Gallagher, Cr K Haslam, Cr S McAulay, Cr J Walsh
Council Officer Attendees:	L Bonazzi, M Chesworth, S Murphy, N Stewart, T Carter (V), A Paix, C Fraser, J Carns (V), P Bain (V), C Nickels-Beattie (V), E Kubeil
Conflict of Interest Disclosures:	Nil

Council Plan/Strategies/Policies

This matter is consistent with the *Council Plan 2021-2025 Transparency, Inclusion and Accountability* strategy to “maintain transparent, inclusive and accountable governance practices”.

Relevant Legislation

This report supports the *Local Government Act 2020* overarching governance principles, in particular “the transparency of Council decisions, actions and information is to be ensured”.

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.

9 SEALING REGISTER

File Reference	Date Seal Affixed	Description of Documents	Signatures of Persons Sealing
CONT21/33	28 July 2022	Formal Instrument of Agreement between Murrindindi Shire Council and Warrandale Industries PL	Michael Chesworth Cr Sue Carpenter
SF/993	4 August 2022	Lease - Pavilion & Courts Leckie Park - MSC & Alexandra Lawn Tennis Club - Section 17D	Livia Bonazzi Cr Sue Carpenter
SF/3307	8 August 2022	Victorian Truck Driver Memorial Lease July 2022	Livia Bonazzi Cr Sue Carpenter
SF/2650	11 August 2022	Planning - S173 Amendment - 81 Halls Flat Road ALEXANDRA - Deed of Amendment - for signing	Livia Bonazzi
SF/2650	12 August 2022	Planning - S173 Amendment - 259 Killingworth Road KILLINGWORTH - Deed of Amended - for signing	Livia Bonazzi

RECOMMENDATION

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

10 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*, which 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 CEO Employment and Remuneration Committee 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 relates to '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:

- CEO Employment & Remuneration Committee.