



Murrindindi
Shire Council

Scheduled Meeting of Council

Agenda

Wednesday 28 June 2023
Yea Council Chambers
The Semi Circle
6:00 PM

ORDER OF BUSINESS

1 ACKNOWLEDGEMENT OF COUNTRY AND COUNCILLORS' PLEDGE	2
2 PROCEDURAL MATTERS	2
3 PUBLIC PARTICIPATION	4
4 REPORTS - COMMUNITY & DEVELOPMENT GROUP	5
4.1 Grants and Contributions Policy	5
4.2 Grants and Contributions Program - June Allocations.....	7
5 REPORTS - PEOPLE & CORPORATE PERFORMANCE GROUP	11
5.1 Audit and Risk Committee - Independent Member Appointment.....	11
5.2 Audit and Risk Committee Charter	12
5.3 Audit and Risk Committee Confirmation of Minutes	13
5.4 Instruments of Delegation and Authorisation to Council Staff	14
6 REPORTS - ASSETS AND ENVIRONMENT GROUP	17
6.1 Panel Contract 20/18 - Plumbing Services - Adjustment to total contract value	17
6.2 Asset Management Strategy 2023-2027	20
7 COUNCILLOR AND CEO REPORTS	23
8 RECORD OF COUNCIL BRIEFING SESSIONS.....	24
9 SEALING REGISTER.....	27

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 website. A recording of the meeting along with the official Minutes of the meeting will also be published on our website.

2.2 Apologies and Request for Planned Leave

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 24 May 2023.

RECOMMENDATION

That Council confirm the minutes of the 24 May 2023 Scheduled Meeting of Council.

2.5 Petitions

Council received a petition titled “Save the Swale – Leckie Park” from Ruth Selover on 1 June 2023. The Petition is calling for Council “to continue The Leckie Park Swale Trial for its planned two-year duration and not to mow this area during the two-year commitment.” The petition is signed by 56 people and is confirmed as meeting the requirements of Council’s Governance Rules.

RECOMMENDATION

That Council:

1. receive the petition
2. refer the petition to be considered as part of the wider Alexandra community consultation process to determine the preference for changes to the Leckie Park and U.T Creek precinct (resolved by Council 3 May 2023).

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 - COMMUNITY & DEVELOPMENT GROUP

4.1 Grants and Contributions Policy

Attachment(s)	Attachment 1 - Community Grants and Sponsorships Policy [4.1.1 - 5 pages]
Presenter	S Coller, Manager Community Wellbeing
Approved by	Director Community & Development
Purpose	For decision

Executive Summary

Council provides Community Grants and Sponsorship to support and enhance community activities within Murrindindi Shire Council. The revised Grants and Sponsorship policy has been prepared with consultation with Officers, applicants and Councillors to improve the clarity and outcomes from this valuable program.

The policy will complement the Community Grants and Sponsorships program and ensure good governance and provide support in delivering the *Council Plan 2021-2025* and other relevant strategies.

RECOMMENDATION

That Council endorse the June 2023, Community Grants and Sponsorship Policy.

Background

The current Grants and Contributions Policy requires the policy to be reviewed on a four yearly basis within 12 months of the election of a new Council, or as required.

Program analysis and Councillor engagement has supported developing the Draft Policy with a reduced number of grant streams, while not limiting the types of applications currently being made.

The Draft Policy allows for funding via the following Grant Streams:

- Community Projects
- Sponsorships (including eligible individuals)
- Local Events
- Events of Major Significance
- Quick Response Grants
- Special Purpose Grants

Specific eligibility criteria for grants and sponsorships apply to each funding stream and these ensure that the projects and activities funded meet the objectives of the Program.

Discussion

Improvements to the Draft Policy include:

- Revising the timing of assessments to a quarterly basis for all grant categories, with the exception of quick response grants (assessed monthly)
- Removal of the underutilised Business Planning steam

- Removal of Fee Reductions stream to streamline the process and improve applicant experience
- Removal of underutilised Governance, Skills and Capacity Building stream
- Review of the proposed Rationale, Framework Principles, General Eligibility and administration
- Amending the review date of the policy to within the next Council term
- Introduction of a minimum request value
- Raising the delegated authority of Council Officers to \$2,500
- Changing the program name to Grants and Sponsorships
- An exemption for Murrindindi Shire SES and CFA groups to filling in applications where funds to cover Council fees are requested
- The addition of Special Purpose Grants as a grant stream.

The quarterly assessment of grants was introduced at Councillor request to ensure ample opportunity for organisations to apply, while reducing the administrative burden of monthly assessments. The Quick Response grants remain as a monthly assessment, however these grants may be awarded under delegation by the Grants Assessment Panel. This reduces administrative burden, while providing for adequate access to funding opportunities. The delegated authority of the Grants Assessment Panel is set at a maximum of \$2,500.

The removal of the Business Planning stream and the Governance, Skills and Capacity Building stream were due to lack of applications. Grants for programs or events to improve community group governance, better skills and increase capacity of community members, can still be applied for in other grant streams.

The removal of the Fee Reductions stream will mean that applicants will need to apply to the other streams, most likely the Quick Response Grants stream, to cover the costs of fees associated with their activities. This will reduce the administration requirements across several Council departments such as bookings, accounts, community development and grants, for what are typically very small amounts.

The Rationale, Framework Principles and General Eligibility of the program are largely unchanged. There is a proposed minimum request of \$200. This minimum recognises the time it takes for managing, awarding and administering amounts as small as \$20. This process can take several officer hours.

In recognition of the services provided by the Murrindindi Shire SES and CFA, these organisations will only have to provide the most minimal details when applying for Quick Response Grants to cover fees for Council services such as hall hire.

The Special Purpose Grants stream has been created to accommodate initiatives that emerge during a Council term in response to adjustments in policy, direction or increased emphasis to achieve particular Council objectives. They will require either a realignment within a budget or transfer of funds across different budget areas, both of which will require approval by Council. The special purpose grants can be aligned with Council election and planning cycles of four years.

Council Plan/Strategies/Policies

This report supports the following strategies under the *Council Plan 2021-2025 Resilient Communities* pillar:

- “to ensure we are welcoming, inclusive, caring and connected”.
- “celebrate the community’s vibrant, diverse and creative people”.
- “in collaboration with our community, support our children and young people to be happy, healthy and engaged”.

- “engage with the community and partner organisations to enable older and vulnerable people to live safely, enjoy good health and stay involved”.

This report supports the following strategies under the *Council Plan 2021-2025 Growth and Opportunity* pillar:

- “boost local investment and employment opportunities through activities that encourage businesses, social enterprise, and industry sectors to thrive and grow”.
- “support and promote our tourism and events sector to boost the economy through increased visitation”.

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

Relevant Legislation

There are no legislative considerations to this report.

Financial Implications and Risk

Funding across all streams represented in the Policy is to be included in the Council budget and at Councils discretion.

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

Internal stakeholder consultation was completed for this matter.

Consultation externally has been undertaken through feedback requests in the application process.

4.2 Grants and Contributions Program - June Allocations

Attachment(s)	Nil
Presenter	S Coller, Manager Community Wellbeing
Approved by	Director Community & Development
Purpose	For decision

Executive Summary

Community Grants are provided for projects that support our communities to:

- improve the liveability of our towns and places
- build connections
- create opportunities for participation in community and civic life
- improve personal and community health and wellbeing
- protect our natural environment
- assist communities to plan for the future.

This report provides Council with the June Grants and Contribution Program applications and variation requests with the Panel Assessment Report for consideration.

RECOMMENDATION

That Council:

1. **Endorse the following allocations recommended by the Grants and Contributions Assessment Panel:**
 - a) **Lions Club of Marysville and District Inc – Marysville Music Weekend – Event of State Significance - \$17,000**
2. **Note the following allocations made under delegation:**
 - a) **Murrindindi Film Society - Murrindindi Film Society Season 2023 – Fee Reduction - \$75**
 - b) **Kinglake Ranges Cemetery Trust - Planning Permit Extension – Fee Reduction - \$136.50**

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. The applications have been assessed against the adopted policy.

Assessment occurs monthly.

Discussion

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

New Applications for Endorsement

1 a) Lions Club of Marysville and District Inc – Marysville Music Weekend – Events of State Significance (ES-22/23-006)

The Marysville Music Weekend originated in 2015 and is a contemporary music festival featuring music from blues, roots, country and pop genres. The event is planned for 24 – 26 November

2023. Organisers will present some of the best Australian touring acts as well as local musicians and emerging performers.

In 2021 this event was granted \$7,500 under the Event Support (Tourism) grants.

A grant of \$17,000 is recommended.

Assessed Under Delegation

2 a) Murrindindi Film Society – Murrindindi Film Society Season 2023 - Fee Reduction (FR-22/23-024)

Screening films on the 4th Friday of the month from April to September 2023 inclusive to members on a not-for-profit basis.

A fee reduction of \$75 is recommended.

2 b) Kinglake Ranges Cemetery Trust – Planning Permit Extension – Fee Reduction (FR-22/23-026)

The Kinglake Ranges Cemetery Trust currently has a Statutory Planning Permit to develop a parcel of Crown Land for a public cemetery. The permit outlines the use and development requirements of council. However the use component needs to be extended to be in line with the development component. The use expires in October 2023 and the development expires in October 2025. Council requires an extension of the use date to be in line with the development aspect.

Council Plan/Strategies/Policies

This report supports the following strategies under the *Council Plan 2021-2025 Resilient Communities* pillar:

- “to ensure we are welcoming, inclusive, caring and connected”.
- “to celebrate the community's vibrant, diverse and creative people”.
- “to deliver, support and promote opportunities for all people to connect with each other, collaborate and plan for the future”.
- “in collaboration with our community, support our children and young people to be happy, healthy and engaged”.

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	June Allocations	Year to date Allocations	Total 22/23
Fee Reductions	\$211.50	\$6,228	\$6439.50
Governance, Skills and Capacity Building	\$0	\$1,599	\$1,599
Quick Response	\$0	\$0	\$0
Community Sponsorship, Projects and Events	\$0	\$56,146	\$56,146
Events of State Significance	\$17,000	\$17,500	\$24,500
Business Plan Support	\$0	\$0	\$0
Funds returned to Council	\$0	\$2,500	\$2,500
Donation to Turkiye		\$5,000	\$5,000
Alexandra Truck, Ute and Rod Show		\$20,000	\$20,000
TOTAL	\$17,211.50	\$108,973	\$126,184.50

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 - PEOPLE & CORPORATE PERFORMANCE GROUP

5.1 Audit and Risk Committee - Independent Member Appointment

Attachment(s)	Nil
Presenter	D Echeverry, Acting Manager Governance & Risk
Approved by	Director People & Corporate Performance
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 re-appoint Dr Craig Nisbet as an Audit and Risk Committee independent member for a second three-year term ending 30 June 2026.

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 Committee is formally appointed by Council and is responsible to Council.

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

The Committee structure includes three independent members and two Councillors appointed by Council.

The Charter requires that the independent members are appointed by Council for a three-year term, following a public advertising process. The Charter also provides for Council at its discretion to directly appoint a member for a second three-year term.

Discussion

Dr Craig Nisbet was appointed as an Independent Member of the Audit and Risk Committee in July 2020 for a three year term which expires on 30 June 2023. Dr Nisbet has expressed interest in continuing in the role for a further three year team.

Dr Nisbet has been an effective and valued member of the Committee and was the Chair of the Committee during 2022/23. It is recommended that Council appoint Dr Nisbet for a further three year term.

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

Community consultation was not required for this re-appointment process.

5.2 Audit and Risk Committee Charter

Attachment(s)	Attachment 1 - Murrindindi Shire Council Audit and Risk Committee Charter 2023 [5.2.1 - 13 pages]
Presenter	D Echeverry, Acting Manager Governance & Risk
Approved by	Director People & Corporate Performance
Purpose	For decision

Executive Summary

The purpose of this report is to seek Council’s adoption of the Murrindindi Shire Council Audit and Risk Committee Charter, which has been revised as part of the annual review undertaken by officers and the Audit and Risk Committee.

RECOMMENDATION

That Council

- 1. adopt the revised Murrindindi Shire Council Audit and Risk Committee Charter as contained in Attachment 5.2.1.**
- 2. note the increase in remuneration for the Chair of the Audit and Risk Committee from \$500 to \$650 per meeting, commencing 1 July 2023**

Background

The Audit and Risk Committee has been established by Council in accordance with the *Local Government Act 2020*. Council, at its 22 July 2020 Meeting, adopted the Audit and Risk Committee Charter. The Charter has been reviewed by the Committee and Council annually since.

Discussion

The Audit and Risk Charter has been reviewed by Officers and the Audit and Risk Committee to ensure that it meets legislative requirements and industry best practice. Whilst in the most part the Charter remains unchanged, several minor non-material changes are proposed to add further clarity. These include:

- Clarifying that an individual who is a beneficiary of Council business is ineligible for appointment to the Committee
- Clarifying the process to fill a vacancy on the Committee that occurs mid-term
- Improving the description of the Chair appointment process
- Confirming that meetings of the Committee are closed to the public
- Updating the reference to the Governance Rules 2022 (formally 2020)
- Clarifying the timing for noting the Committee's Minutes by Council

The Audit and Risk Committee considered the proposed revisions to the Charter at its meeting of 18 May 2023 and endorsed it for adoption by Council.

It has been noted by officers in a recent review of remuneration of Independent Audit Committee members across the Local Government sector that most councils recognise the increased demands on the role of the Committee Chairperson by providing a slightly higher annual remuneration. Currently all members receive \$500 per meeting (4 meetings a year). In light of the sector review it is proposed to increase remuneration for the Chair to \$650 per meeting from 1 July 2023. With this change, the level of remuneration provided to independent members of Murrindindi's Audit and Risk Committee will be consistent with the average across small rural councils.

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

The *Local Government Act 2020* section 54 requires Council to prepare and adopt an Audit and Risk Committee Charter.

Financial Implications and Risk

There are no financial implications in relation to the review of the Audit and Risk Committee Charter.

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.

5.3 Audit and Risk Committee Confirmation of Minutes

Attachment(s)	Attachment 1 - 2023-05-18 Audit and Risk Committee Minutes [5.3.1 - 17 pages]
Presenter	D Echeverry, Acting Manager Governance & Risk
Approved by	Director People & Corporate Performance
Purpose	For noting

Executive Summary

This report presents the minutes of the 18 May 2023 Audit and Risk Committee Meeting to Council for noting.

RECOMMENDATION

That Council receive and note the minutes of the 18 May 2023 Audit and Risk Committee as enclosed in Attachment 5.3.1.

5.4 Instruments of Delegation and Authorisation to Council Staff

Attachment(s)	Attachment 1 - S 6 - Instrument of Delegation - Council to Members of Council Staff (June 2023) [5.4.1 - 63 pages] Attachment 2 - S 11 A - Instrument of Appointment & Authorisation (Planning and Environment Act 1987) June 2023 [5.4.2 - 3 pages]
Presenter	D Echeverry, Acting Manager Governance & Risk
Approved by	Director People & Corporate Performance
Purpose	For decision

Executive Summary

Under the *Local Government Act 2020* (the *Act*) Council can delegate its powers to the Chief Executive Officer or members of Council staff. It is important to ensure that Council has properly delegated its powers, duties and functions, in order to avoid any issues arising regarding the legality of a decision or an action purportedly made or taken on behalf of the Council.

The *Planning and Environment Act 1987* requires that Council appoint Authorised Officers rather than the Chief Executive Officer having the power to do so.

Council has recently engaged two new employees in the Planning Unit who require authorisation, these are new positions and therefore require a review of the delegations as well.

RECOMMENDATION

That Council:

1. in the exercise of the powers conferred by the legislation referred to in the attached *Instrument of Delegation to members of Council staff* (S6. Attachment 5.4.1), delegate the members of Council staff holding, acting in or performing the duties of the offices or positions referred to, the powers, duties and functions set out in that instrument, subject to the conditions and limitations specified.
2. in the exercise of the powers conferred by s 147(4) of the *Planning and Environment Act 1987*, appoint and authorise the members of Council staff referred to in the Instrument of Appointment and Authorisation (S11A. Attachment 5.4.2)
3. the instruments come into force immediately upon resolution of Council
4. on the coming into force of the instruments all previous delegations and authorisations to members of Council staff (other than the Chief Executive Officer) are revoked
5. the duties and functions set out in the instruments must be performed, and the powers set out in the instruments must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt
6. the instruments be sealed.

Background

In addition to the *Local Government Act 2020*, various pieces of legislation have their own power of delegation (but no express power of sub-delegation). Therefore, Council must delegate its power directly to the specific roles within Council.

Council endorsed the reviewed delegation to the Chief Executive Officer at its 5 April 2023 Special Meeting. The S6. Delegation to Council Members of Staff was last reviewed in May 2023, however the new employees have begun with Council since the last review.

Discussion

Delegations

The S6 is the Instrument of Delegation from Council to members of Council staff relating to Council powers, duties and functions within various Acts and Regulations (or specific parts of those Acts or Regulations), which contain a specific power of delegation. This delegates certain powers directly from Council to Council staff due to the legislation referred to containing specific powers of delegation.

Where there is only one position listed, for example Environmental Health Officer (EHO) this reflects that the delegation is specific to the person holding the required qualifications for that position.

The only changes to the S6. Instrument of Delegation have been the introduction of a Planning Compliance Officer and a Cadet Planning Officer role, all other delegations have remained unchanged.

Authorisations

Authorised Officers under the *Planning and Environment Act 1987* can only be appointed by the Council directly, not by the Chief Executive Officer as is the case under other legislation.

Authorisations are made to individual employees of Council, not the role. The S11A has been updated to reflect the new employees.

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

The *Local Government Act 2020* section 11 provides for Council to delegate its powers to the Chief Executive Officer and to other staff. The *Local Government Act 1989* section 224 provides for Council to authorise officers to undertake delegated powers. The instruments cover various pieces of legislation and Council’s responsibilities.

Financial Implications and Risk

Effective and efficient functioning of Local Government would not be possible without formal delegations to Council officers. The execution of Delegations and Authorisations by both Council and Chief Executive Officer are a significant risk control in mitigating Council’s legislative liability.

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 - ASSETS AND ENVIRONMENT GROUP

6.1 Panel Contract 20/18 - Plumbing Services - Adjustment to total contract value

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

Executive Summary

At the 16 September 2020 Council Meeting, the Panel Contract – CONT20/18 – panel for the Provision of Maintenance, programmed works, emergency works, minor building works and approved capital works - Plumbing was awarded by Council to six suppliers. The total contract value for the five-year term was approved as \$1,500,000 (Including GST).

As of 3 May 2023, the total amount paid as part of this contract from its commencement is \$1,039,415. Based on the current volume of work and predicted future work, it is anticipated that the total contract amount will exceed the total approved allocation over the five-year contract period as the estimated volume of work was underestimated. This was due to increased work from unanticipated additional grant funding received by Council and unanticipated increased maintenance / emergency works.

This report seeks Council to endorse a variation to the total contract amount for the Panel for the Provision of Maintenance, programmed works, emergency works, minor building works and approved capital works – Plumbing (CONT 20/18) to allow the use of the panel contract for further works when the optional extension is granted.

It should be noted that all works associated with this contract will be funded from the approved capital works program and operational maintenance budgets.

RECOMMENDATION

That Council:

1. Note that Council has awarded a panel contract CONT20/18 Provision of Maintenance, programmed works, emergency works, minor building works and approved capital works – Plumbing to six suppliers as outlined by this report:
2. Note the additional work undertaken by the panel contractors of CONT20/18 due to increased works from receiving additional grant funding as well as increased maintenance works as outlined by this report:
3. Note that all works associated with this panel contract will be funded from the approved capital works program and operational maintenance budgets: and
4. Approve the increase of \$1,500,000 of the total contract value to the panel contract, CONT20/18 Provision of Maintenance, programmed works, emergency works, minor building works and approved capital works – Plumbing, thus increasing the total contract value to \$2,863,636 over the balance of the term of the contract, ending 30 November 2025.

Background

At the 16 September 2020 Council meeting, the Panel Contract – Plumbing was awarded to the following suppliers:

- A & C Wood Plumbing Pty Ltd
- Kinglake Plumbing Pty Ltd
- Travis Capp Plumbing Pty Ltd
- Hydrotech Services
- Plumbtrax Pty Ltd
- ODM Plumbing Pty Ltd.

For the provision of maintenance, programmed works, emergency works, minor building works and approved capital works. The Council resolution of the Council meeting was as follows:

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 (3) years commencing on 1 December 2020 to 30 November 2023 with an option for a two-year extension:
 - A & C Wood Plumbing Pty Ltd
 - Kinglake Plumbing Pty Ltd
 - Travis Capp Plumbing Pty Ltd
 - Hydrotech Services
 - Plumbtrax Pty Ltd
 - ODM Plumbing Pty Ltd.
2. note that the expenditure will not exceed \$1,500,000 (incl GST) for the five (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 (2) year period subject to satisfactory performance.

The suppliers currently provide a high-level professional and efficient service to the Council during the contract's initial term. There have been no OHS (Occupational Health and Safety) or risk-related issues with these suppliers.

Discussion

The commencement date for this contract was 1 December 2020. The initial term is 3 years and due to expire on 30 November 2023. The final 2-year extension will end on 30 November 2025.

Since the commencement of this contract, the contractors have delivered refurbishment of public conveniences, programmed and reactive maintenance on council facilities including afterhours callouts regarding emergency plumbing works on Council owned facilities.

As of 3 May 2023, the total amount paid as part of this contract from its commencement is \$1,039,415. The current contract was resolved to have a total value over the five-year term of \$1,500,000 (including GST) or \$1,363,636 (excluding GST). Based on the current volume of work and predicted future work, it is anticipated that the total contract amount will exceed the total approved allocation over the five-year contract period as the predicted volume of work over the 5 years was underestimated.

The approved contract amount was based on the expenditure for the previous five (5) year panel contract (2015 – 2020). The predicted increase of the total contract value is due to Council receiving increased Local Roads and Community Infrastructure (LRCI) grant funding that resulted in an increase in refurbishment works for public facilities when compared to previous years' work requirements. It was also due to an increase in plumbing works due to aging infrastructure and water damage due to increase rain and an increase of capital works projects utilizing the contract panel suppliers.

All works awarded using the panel contract are competitively checked against supplied unit rates to check value for money. 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 for an emergency call out need.

After reviewing the current trend of expenditure and anticipated works program from both capital and maintenance, it is necessary to increase total contract value to \$2,863,636. This is an increase from the awarded amount of \$1,363,636. This will enable the contract to reach the end of its extension term and to be retendered as a new contract in 2025.

The adjustment to the total contract amount equates to an increase of \$1,500,000. This is based on a predicted expenditure of \$1,000,000 for works identified in Council future capital and maintenance programs for the balance of the term of the contract (30 November 2025) and \$500,000 for any further plumbing works currently not identified but maybe required during the duration of the contract.

It should be noted that all works associated with this contract will be funded from the approved capital works program and operational maintenance budgets.

Council Plan/Strategies/Policies

This report supports the Council Plan 2021-2025 Transparency, Inclusion and Accountability strategy to “maintain transparent, inclusive and accountable governance practices”.

Relevant Legislation

The procurement process for these works was carried out in accordance with Council's Procurement Policy and the *Local Government Act 2020*.

Financial Implications and Risk

The council allocates a budget for programmed works annually with minor works being funded from the approved building maintenance and capital works budget. Projects identified are individually quoted as per the Council's Procurement Policy.

No additional budget is required for the two-year extension as funds are allocated from the approved capital works and operational budgets, noting that the contract spend is for necessary works only.

Retendering the contract rather than exercising the optional extension would be inefficient given the satisfactory level of service currently being provided by the existing panel suppliers and the time and resources required to retender. The panel contract provides a value of service to council in having multiple suppliers available to work across the municipality at a competitive price. The terms of the contract and the resolution state that the contract is eligible for an extension subject to satisfactory performance, which has been demonstrated by each of the current panel suppliers.

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.

6.2 Asset Management Strategy 2023-2027

Attachment(s)	Attachment 1 - Asset Management Strategy 2023 Review [6.2.1 - 49 pages]
Presenter	V Albicini, Director Assets & Environment
Approved by	Director Assets & Environment
Purpose	For decision

Executive Summary

This report is to inform Council of the outcomes of a review of Council's asset services, which has resulted in the update of Council's Asset Management Strategy 2023-2027.

Council support for the implementation of the Strategy is requested to enable continuous improvement in Council's asset services which will in turn facilitate the implementation of the recently adopted Murrindindi Shire Community Vision, Council Plan, Financial Plan and 10 Year Asset Plan 2022-2032.

RECOMMENDATION

That Council note the significant work required in advancing strategic asset management practices and improved asset maturity as outlined by the Asset Management Strategy 2023-2027.

Background

The Asset Management Maturity Assessment Summary Report (October 2021) prepared by CT Management Group for Murrindindi Shire Council identified a need for Council to place greater effort to improve Council's asset management maturity. This was likely a result of several factors including:

- increasing expectations.
- more rigorous self-assessment by Council officers.
- gaps in Council's approach to service planning and asset management governance.
- resourcing issues.

Despite the challenges, Council has met the requirements of the *Local Government Act 2020*. A 10-year Asset Plan and corresponding 10-year Financial Plan, have been adopted. The effort made to develop Council's 10-year Asset Plan addressed some of the deficiencies identified in the CT Management Group Report.

The Improvement Plan, set out in Appendix A of the attached Strategy, seeks to address the remaining gaps; and ensure Council's asset management practices continue to improve for the

benefit of the Murrindindi community. Key recurrent strategic asset management activities necessary to improve Council's asset management maturity are also outlined in section 7.2 of the attached Strategy.

Discussion

The attached Asset Management Strategy reports on the outcomes of a review of Council's asset services. It outlines the recurrent strategic asset management activities necessary to demonstrate Council's commitment to sustainably manage community assets for the benefit of the Murrindindi community. It also includes an Improvement Plan, developed to address identified gaps in Council's existing practices.

The review included consideration of the Asset Management Maturity Assessment Summary Report prepared by CT Management Group for Murrindindi Shire Council in October 2021. This report was based on an assessment of Council's maturity against the requirements of the National Asset Management Assessment Framework (NAMAF).

Council's existing asset management documentation, data, processes, skills, and systems were also reviewed for consistency with best practice guidelines provided by:

- ISO 55000 series of Asset Management Standards.
- IPWEA International Infrastructure Management Manual.

Consideration was also given to recommendations contained within the:

- Victorian Auditor-General's Office (VAGO) Report on Asset Management and Compliance for Local Councils (May 2019).
- Murrindindi Shire Council (MSC) Assets & Development Division Review of Manager Responsibilities (Report December 2021).

Council officers, charged with responsibility for managing and delivering asset services, were also consulted to get an understanding of the challenges they face.

Implementation of the Strategy will require a whole of organisation effort and leadership commitment. It will enable Council to continue to build on its strengths; collect and use high-quality reliable asset data and systems whilst also undertaking specific actions aimed at improving the following:

- Asset management governance, evaluation, and performance reporting.
- Integration of service - asset and financial planning.
- Risk management and efficient allocation of limited resources.
- Staff asset management awareness, skills, and capabilities.

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

10 Year Asset Plan 2022-32.

10 Year Financial Plan 2022-32.

Council Plan 2021-2025.

Asset Management Policy 2020.

Portfolio Asset Management Plans (Roads, Bridges, Buildings, Footpaths Cycleways)

Financial Implications and Risk

There are no direct financial implications in endorsing the attached Asset Management Strategy.

However, future implementation of the associated improvement plan will require some additional funding for expert external advice and support for:

- Delivery of recurrent strategic asset management activities such as: review and update of key documents (10-Year Asset Plan, AM Strategy, Portfolio level AM Plans)
- Delivery of improvement initiatives such as: service planning, asset criticality assessments, information system improvements including improved renewal forecasting, corporate reporting, and staff training.

The scale of any potential additional investment in external support over the 4-year period of the Strategy is estimated to be a total of \$100,000. This will be determined in detail when business planning is conducted, and any new initiative funding is sought during annual budget preparations.

If the improvement actions recommended in this Strategy are not implemented, and the recurrent strategic asset management activities are not able to be undertaken to a high-standard and in a timely way, Council will experience a decline in asset management maturity. This exposes Council to potential risks including:

- Unsustainable investment in capital works
- Unmet community needs.
- Reduced opportunity for grant funding from the Federal Government due to a lack of compliance with the best practice asset management practices.

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.

- 7 COUNCILLOR AND CEO REPORTS**
- 7.1 Notices of Motions**
- 7.2 Cr Sue Carpenter**
- 7.3 Cr Damien Gallagher**
- 7.4 Cr Ilona Gerencser**
- 7.5 Cr Eric Lording**
- 7.6 Cr Sandice McAulay**
- 7.7 Cr Karine Haslam**
- 7.8 Cr John Walsh - Mayoral Report**
- 7.9 Chief Executive Officer Report**

8 RECORD OF COUNCIL BRIEFING SESSIONS

Purpose

For noting.

Executive Summary

This report presents the records of Council Briefing Sessions for 24 May 2023 to 21 June 2023, for Council to note.

RECOMMENDATION

That Council receive and note the records of Council Briefing Sessions for 22 May 2023 to 23 June 2023.

Background

The Governance Rules adopted by Council at its 24 August 2022 meeting sets the order of business for scheduled meetings. As part of section 7.2.1 “Record of Council Briefing Sessions” is listed as to be included in the order of business.

Discussion

The purpose of keeping a record of Council Briefing Sessions is so that the content of the Briefing Session, the attendance and any declared conflicts of interest are recorded in a formal document. Council is making every effort to ensure that it is transparent in the content of Briefing Sessions and any conflicts of interest, therefore the formal record is presented for noting as part of the Scheduled Meeting Agenda.

The following summary details are for 24 May 2023 to 21 June 2023:

Meeting Name/Type	Council Pre-Meet			
Meeting Date:	24 May 2023			
Matters Discussed:	1. Planning Application – 2991 Heidelberg-Kinglake Road Kinglake – Kinglake Ranges Trail 2. Grants and Contributions Program – May Allocations 3. 2023/24 Annual Budget 4. 2023/24 Priority Action Plan 5. Instruments of Delegation and Authorisation to Council Staff 6. Contract 22/23 – Kinglake Closed Landfill Rehabilitation – Construction 7. Contract 22/21 – Eildon Reserves Redevelopment – Tender Evaluation			
Councillor Attendees:	Cr J Walsh, Cr K Haslam, Cr S Carpenter, Cr D Gallagher, Cr E Lording, Cr I Gerencser			
Council Officer Attendees:	L Bonazzi, M Chesworth, V Albicini, A Paxton, D Echeverry, N Stewart, C Fraser, C Nickels-Beattie, C Hamill			
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 D Gallagher	No	Yes	Before

Meeting Name/Type	Briefing Session & Open Community Meeting
Meeting Date:	31 May 2023
Matters Discussed:	1. Asset Management Strategy review 2. Open Community Meeting from 5.00 pm.
Councillor Attendees:	Cr J Walsh, Cr K Haslam, Cr S Carpenter, Cr D Gallagher, Cr E Lording (Virtual for briefing only, Cr S McAulay
Council Officer Attendees:	L Bonazzi, M Chesworth, V Albicini, D Echeverry, N Stewart (community meeting only)
Conflict of Interest Disclosures:	Nil

Meeting Name/Type	Briefing Session
Meeting Date:	7 June 2023
Matters Discussed:	1. Referendum advocacy 2. Resource Recovery Central Review 3. Wind Energy Farm - Presentation by FERA 4. ALGA Motions 2023
Councillor Attendees:	Cr J Walsh, Cr K Haslam, Cr S Carpenter, Cr D Gallagher, Cr E Lording, Cr S McAulay, Cr I Gerencser
Council Officer Attendees:	L Bonazzi, M Chesworth, V Albicini, A Paxton, A Cullen, N Stewart, J Russell
Conflict of Interest Disclosures:	Nil

Meeting Name/Type	Briefing Session
Meeting Date:	14 June 2023
Matters Discussed:	1. Existing Rating Strategy Review – Workshop 2. Emergency Relief Centre Exercise with EMV - 28 June 2023 3. Planning Application - 2427 Maroondah Highway, Buxton - Creation of a Carriageway Easement – Refusal 4. Access and Inclusion funding
Councillor Attendees:	Cr K Haslam, Cr S Carpenter, Cr D Gallagher, Cr E Lording, Cr S McAulay, Cr I Gerencser
Council Officer Attendees:	M Chesworth, V Albicini, A Paxton, T Carter, C Price, N Maguire, A Langley, C Nickels-Beattie, C Fraser, D Rodgers
Conflict of Interest Disclosures:	Nil

Meeting Name/Type	Briefing Session
Meeting Date:	21 June 2023
Matters Discussed:	1. Kinglake RAC expression of interest process 2. Grants and Contributions Policy 3. Grants and Contributions Program – June Allocations 4. Development Services Monthly Report 5. Victoria's Container Deposit Scheme 6. Capital Works Monthly Report – May 2023
Councillor Attendees:	Cr J Walsh, Cr K Haslam, Cr S Carpenter, Cr D Gallagher, Cr E Lording, Cr S McAulay
Council Officer Attendees:	L Bonazzi, M Chesworth, V Albicini, A Paxton, T Carter, C Hamill, S Coller, N Stewart, P Bain, J Russell, D Leonard
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 records of Council Briefing Sessions tables listed above.

9 SEALING REGISTER

File Reference	Date Seal Affixed	Description of Documents	Signatures of Persons Sealing
CONT22/19	24 May 2023	Formal Instrument of Agreement between Murrindindi Shire Council and Morgan's Tree Services Pty Ltd	Livia Bonazzi Cr John Walsh
CONT22/19	24 May 2023	Formal Instrument of Agreement between Murrindindi Shire Council and Habitat Land Management	Livia Bonazzi Cr John Walsh
SF/2577	24 May 2023	Preschool Sub-Licence Agreement made between Murrindindi Shire Council and Kinglake Ranges Children's Centre Inc	Livia Bonazzi Cr John Walsh
CONT22/19	25 May 2023	Formal Instrument of Agreement between Murrindindi Shire Council and Landlinks Environmental Services Pty Ltd	Livia Bonazzi Cr John Walsh
SF/1559	26 May 2023	Deed of Termination between Eildon Primary School Council and Murrindindi Shire Council (formerly Shire of Alexandra)	Livia Bonazzi Cr John Walsh
SF/1559	26 May 2023	Joint Use Agreement between Eildon Primary School Council and Murrindindi Shire Council	Livia Bonazzi Cr John Walsh
CONT22/19	2 June 2023	Formal Instrument of Agreement between Murrindindi Shire Council and Practical Ecology Pty Ltd	Livia Bonazzi Cr John Walsh
CONT22/19	2 June 2023	Formal Instrument of Agreement between Murrindindi Shire Council and Total Tree Stump Removal	Livia Bonazzi Cr John Walsh
CONT22/19	9 June 2023	Formal Instrument of Agreement between Murrindindi Shire Council and Advanced Tree Care Pty Ltd	Livia Bonazzi Cr John Walsh
CONT22/19	22 June 2023	Formal Instrument of Agreement between Murrindindi Shire Council and Steven's Specialist Tree Service Pty Ltd	Livia Bonazzi Cr John Walsh
CONT22/19	22 June 2023	Formal Instrument of Agreement between Murrindindi Shire Council and G&T Weed Management	Livia Bonazzi Cr John Walsh

RECOMMENDATION

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