



MINUTES
of the
SCHEDULED MEETING OF COUNCIL
Wednesday 26 May 2021
at
Murrindindi Shire Council
Council Chambers
Yea
The Semi Circle
6:00 PM

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

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1 PLEDGE AND RECONCILIATION STATEMENT

The meeting was opened with the Mayor declaring the following Pledge on behalf of all Councillors:

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

We would like to acknowledge the Taungurung Traditional Owners and their ancestors as the traditional owners of the land on which we are meeting and pay our respects to their Elders past and present.”

2 APOLOGIES AND REQUEST FOR LEAVE OF ABSENCE

That Council accept the request for leave of absence of Cr E Lording for the period of 25 June 2021 to 11 July 2021.

RESOLUTION

Cr S Carpenter / Cr I Gerencser

That Council accept the request for leave of absence for Cr E Lording.

CARRIED

Present:

Councillors S McAulay (Chair), S Carpenter, K Haslam, Ilona Gerencser, E Lording, J Walsh, D Gallagher

In attendance:

Acting Chief Executive Officer: Michael Chesworth

Acting Director Corporate and Shared Services: Marilyn Kearney

Director Community Engagement: Shivaun Brown

Manager Governance and Risk: Tara Carter

Manager Community Assets: Caroline Lintott

3 COMMUNITY RECOGNITION

Nil.

4 DISCLOSURES OF INTEREST OR CONFLICT OF INTEREST

Nil.

5 CONFIRMATION OF MINUTES

5.1 Minutes of the Scheduled Meeting of Council held on 28 April 2021.

Officer Recommendation

That Council confirm the minutes of the 28 April 2021 Scheduled Meeting of Council.

RESOLUTION

Cr E Lording / Cr K Haslam

That Council confirm the minutes of the 28 April 2021 Scheduled Meeting of Council.

CARRIED

6 PETITIONS**7 PUBLIC PARTICIPATION****7.1 Open Forum**

Nil.

7.2 Questions of Council

Nil.

8 OUR PLACE**9 OUR PEOPLE****9.1 Child Safe Policy**

Attachment(s):

1. Child Safe Policy - DRAFT - April 2021 [9.1.1 - 9 pages]

Purpose

This report presents Council with the draft revised Murrindindi Shire Council Child Safe Policy (attached) for adoption.

Officer Recommendation

That Council adopt the Murrindindi Shire Council Child Safe Policy.

Background

In January 2018 Council adopted its first Child Safe Policy (Policy) which is now due for review.

In the past decade federal and state investigations have established the responsibility for all organisations working with children to prevent and appropriately respond to child abuse. These investigations included:

- *The Royal Commission into Institutional Responses to Child Sexual Abuse*, and the;
- Victorian Government's *Betrayal of Trust: Inquiry into the Handling of Child Abuse by Religious and Other Non-Government Organisations*.

In response legislative changes were made to the *Child Wellbeing and Safety Amendment (Child Safe Standards) Act 2015* which require organisations to:

- Create a workplace culture that promotes and fosters child safety
- Report any concerns regarding the safety of children
- Promote and engender the participation and empowerment of children.

Legislative changes also increased expectations of the community for organisations to respond to suspected child sexual abuse.

Discussion

In the wake of the above-mentioned changes, community understanding and expectations around child safety have become more sophisticated, and our policy and actions should reflect that.

The revised policy more clearly articulates Council's position and the actions it will take to protect children from harm. This includes outlining the expectations of staff and leaders including governance arrangements, defining the role of the Child Safe Officer, and clarifying reporting and investigating processes.

A key consideration has been clarifying the responsibility for implementing and monitoring the Child Safe Policy. While some service areas of Council have expertise in child wellbeing; given the impact across the whole organisation, including managing strategic risk inherent in this space, governance, and broad employee skill development, it requires supports and oversight from across the business.

Some key actions include:

- Ensuring all Working with Children Checks are reviewed annually as a minimum to ensure they are still current
- Ensuring frontline staff are trained on recognising and responding to abuse
- Ensure staff investigating child safety complaints are provided training/support
- Developing a child safe incident reporting form and clear reporting process
- Developing and displaying child friendly versions of our policy/commitment
- Ensuring our Management and Discipline Policy reflects our child safe responsibilities.

An implementation plan has been developed to support our transition to the new policy and will be operationalised by the working group as identified in the policy.

Council Plan/Strategies/Policies

This report supports the *Council Plan 2017-2021 Our People* strategy to “create a positive environment that supports our young people to grow, participate and be happy”.

Relevant Legislation

Child Wellbeing and Safety Amendment (Child Safe Standards) Act 2015

Worker Screening Act (Vic) 2020

Crimes Amendment (Protection of Children) Act 2014.

Financial Implications and Risk

This revised policy includes increased training for staff, provision for internal investigations, enhanced governance requiring additional staff time to mitigate financial and reputational risk to Council.

Conflict of Interest

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

Community and Stakeholder Consultation

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

RESOLUTION

Cr D Gallagher / Cr E Lording

That Council adopt the Murrindindi Shire Council Child Safe Policy as contained in Attachment 9.1.1.

CARRIED

10 OUR PROSPERITY

11 OUR PROMISE

11.1 Audit and Risk Committee Confirmation of Minutes

Attachment(s):

1. 2021-05-13 Audit and Risk Committee Minutes [11.1.1 - 26 pages]

Purpose

The purpose of this report is to present the minutes of the 13 May 2021 Audit and Risk Committee Meeting to Council for noting.

Officer Recommendation

That Council receive and note the minutes of the 13 May 2021 Audit and Risk Committee Meeting as enclosed in Attachment 11.1.1.

RESOLUTION

Cr D Gallagher / Cr I Gerencser

That Council receive and note the minutes of the 13 May 2021 Audit and Risk Committee Meeting as enclosed in Attachment 11.1.1.

CARRIED

11.2 Review of the Audit and Risk Committee Charter

Attachment(s):

1. Audit and Risk Committee Charter May 2021 Review [11.2.1 - 12 pages]

Purpose

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 the Audit and Risk Committee.

Officer Recommendation

That Council adopt the revised Murrindindi Shire Council Audit and Risk Charter as contained in Attachment 11.2.1.

Background

The Audit and Risk Committee (the Committee) is established by Council in accordance with the *Local Government Act 2020*. Council at its 22 July 2020 Ordinary Meeting adopted the Audit and Risk Committee Charter. Annually the Committee reviews the Charter and proposes any recommended changes to Council for adoption.

Discussion

The Committee at its 13 May 2021 meeting reviewed the Charter. Two recommendations for change were proposed:

1. That Council have the discretion to directly appoint an independent member for a second three-year term without going through a public recruitment process.
2. That the recruitment and appointment of all committee members takes into account gender equity.

Both of these changes are reflected in Section 3.1 of the attached Charter.

The first of the changes allows for Council to recognise where an independent member is providing great value to the Committee and if it were thought to be disingenuous to go to the public market to recruit, the Council may directly appoint that member for a further three-year term.

The *Gender Equality Act 2020* has required significant change and is applicable to Local Government. In its review of the Charter, the Committee agreed that gender balance should be a consideration in deciding the Committee's membership. The Committee Charter has now been reviewed to reflect this priority.

Council Plan/Strategies/Policies

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

Relevant Legislation

The *Local Government Act 2020* requires the establishment and annual review of the Audit and Risk Committee's Charter.

Financial Implications and Risk

There are no financial and risk implications for this report and recommendation.

Conflict of Interest

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

Community and Stakeholder Consultation

The Audit and Risk Committee considered the proposed revised Charter as part of the 13 May 2021 Committee meeting.

RESOLUTION

Cr I Gerencser / Cr E Lording

That Council adopt the revised Murrindindi Shire Council Audit and Risk Charter as contained in Attachment 11.2.1.

CARRIED

11.3 Mayoral and Councillor Allowances - for Public Submission

Attachment(s): Nil

Purpose

The purpose of this report is to enable Councillors to consider the Mayoral and Councillors' allowances and initiate a public consultation process.

Officer Recommendation

That Council:

1. adopt the Mayoral Allowance of \$62,884 plus 10% superannuation equivalent and the Councillor Allowance of \$21,049 plus 10% superannuation for the purpose of community consultation
2. release the proposed Mayoral and Councillor allowance rates to the community for a 28 day period of consultation in accordance with Councils Community Engagement Policy and section 223 of the *Local Government Act 1989*.

Background

An important reform of the *Local Government Act 2020* is the transfer of responsibilities in determining mayoral, deputy mayoral and councillor allowances to the Victorian Independent Remuneration Tribunal (the Remuneration Tribunal).

However, until the Remuneration Tribunal makes its first determination on allowances, the allowance framework under the *Local Government Act 1989* (1989 Act) continues to apply.

Under section 74(1) of the 1989 Act, councils must review and determine the level of mayoral and councillor allowances within six months of a general election or by 30 June, whichever is later. Council must allow for community submissions under section 223 of the *Local Government Act 1989* as part of the review process.

Discussion

The Victorian Government sets upper and lower limits for allowances paid to Councillors and Mayors. For the purpose of these allowance limits, councils are divided into three categories based upon the income and population of each council. Murrindindi is a Category 1 Council for the determination of allowances. Councillors are entitled to receive remuneration in the form of a councillor allowance. Mayors are entitled to receive a higher allowance.

The Category 1 schedule is as follows:

	-----Range-----	
Councillor	\$8,833	\$21,049
Mayor:	a maximum of \$62,884	

Section 73B of the 1989 Act provides for annual adjustments to the allowance levels set by Council. These adjustments are decided by the Minister for Local Government, after having regard to movements in the levels of remuneration of Victorian Statutory and Executive Officers. Under section 73B(5) of the Act, a Council must increase allowances in accordance with the adjustment factor specified in the *Victoria Government Gazette* notice published by the Minister.

Councillor and Mayoral allowances are also subject to the addition of the equivalent of the Superannuation Guarantee Contribution (currently 9.5%). Councillors receiving this amount can decide whether or not to pay this amount into superannuation. From 1 July 2021 this will increase to 10%.

In addition to the annual allowance Councillors are entitled to reimbursement of expenses as per the Councillor Expenses and Support Policy, including the entitlement to remote area travel allowance.

Currently the Councillor allowance rate is set at the top of the Category 1 range, this was resolved upon by the previous Council in accordance with the *1989 Act*. It is proposed that the allowance rate remain the same until such time as the Remuneration Tribunal is established or if there is a CPI adjustment made by the relevant Minister.

Council Plan/Strategies/Policies

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

Relevant Legislation

Under section 39 of the *Local Government Act 2020* the Mayor, Deputy Mayor and Councillors are entitled to receive from the Council an allowance in accordance with a determination of the Victorian Independent Remuneration Tribunal. Until such time as a determination is made the *Local Government Act 1989* section 73B, 74 to 74B apply.

Financial Implications and Risk

The Minister for Local Government reviews the limits and ranges of the Mayoral and Councillor allowances and determined the current levels under Section 73B of the Act, the Minister reviewed the rate in 2020.

Conflict of Interest

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

Community and Stakeholder Consultation

Public submissions in relation to Council's initial allowance determination are to be invited under section 223 of the *Local Government Act 1989* and in accordance with Council's Community Engagement Policy adopted under the *Local Government Act 2020*.

It is proposed that Council undertake a consultation period of 28 days effective from 27 May 2021. Submissions will be sought, and submitters will be given the opportunity to present to Council at its Scheduled Meeting of 23 June 2021.

The opportunity to provide a submission will be advertised in the following newspapers:

- Alexandra Standard
- Yea Chronicle
- Marysville Triangle
- The Local Paper.

The submission process will be advertised on Council's website. Community engagement will be facilitated through Council's online engagement platform "Dindi - in the Loop".

RESOLUTION

Cr E Lording / Cr K Haslam

That Council:

- 1. adopt the Mayoral Allowance of \$62,884 plus 10% superannuation equivalent and the Councillor Allowance of \$21,049 plus 10% superannuation for the purpose of community consultation**
- 2. release the proposed Mayoral and Councillor allowance rates to the community for a 28 day period of consultation in accordance with Councils Community Engagement Policy and section 223 of the *Local Government Act 1989*.**

CARRIED

11.4 CONT21/7 - Supply and Delivery - Tandem Drive Tipper 26T GVM Truck - Tender Evaluation

Attachment(s):

1. CONF Tender - CONT21/7 - Supply and Delivery - Tandem Drive Tipper 26T GVM Truck - Tender Evaluation (distributed to Councillor separately) [11.4.1 - 4 pages]

Purpose

This report provides the results of a tender process to appoint a supplier for CONT21/7 - Supply and Delivery – Tandem Drive Tipper 26T GVM Truck.

Officer Recommendation

That Council:

1. Accept the tender from Tender 1 and award CONT21/7 – Supply and Delivery – Tandem Drive Tipper 26T GVM Truck for the lump sum price of \$225,500.00 (Incl GST).
2. Release the name of Tender 1 into the Minutes of the Scheduled Meeting of the 26 May 2021.

Background

A new tipper truck is required to replace a similar plant (Plant 3344) which is due for replacement as part of Council's approved plant replacement program.

The specification is for a cab chassis with at least 26.0 T GVM capacity, with a tipper body of approximately 10 cubic metre capacity. (Note: tipper body width x length x height, can vary.)

Discussion

Tenders were sought from the MAV Procurement Panel via the National Procurement Networks (NPN04-13) under their Trucks Panel.

The tender for these works closed 29 March, 2021 at 3.00pm. At the close of tender, submissions were received from two tenderers with one tenderer providing three proposals.

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

- Plant & Fleet Officer
- Coordinator Roads & Parks Maintenance
- Team Leader – Unsealed Roads
- Plant Operator – Unsealed Roads.

Tenders were assessed against the following criteria:

- Price – 50%
- Capacity to Deliver – 25%
- Capability to Deliver – 10%
- Relevant Experience – 15%.

All submissions were assessed for compliance prior to evaluating. The Committee deemed all submissions compliant. Each submission was then evaluated to consider the suppliers ability to meet the requirements of the contract. Tenders were assessed with particular attention to the evaluation criteria requirements.

Tenders who were able to meet the specification requirements, were able to supply within a reasonable timeframe and offer original manufacturers equipment with dealer support in Melbourne or regional Victoria, were then shortlisted and evaluated further.

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

Based on the analysis undertaken, the Committee recommend Tender 1 be awarded Contract 21/7 for the Supply and Delivery – Tandem Drive Tipper 26T GVM Truck.

Council Plan/Strategies/Policies

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

Relevant Legislation

Council sought tender prices for this supply through Municipal Association of Victoria (MAV) – National Procurement Networks (NPN04-13) contract arrangements. These procurement arrangements are carried out in accordance with section 186(5)(c) of the *Local Government Act 1989* which provides approval for Council to enter into a contract made available by the Municipal Association of Victoria for the purchase of trucks.

Financial Implications and Risk

The total approved annual revised budget for 2020/2021 for the major plant replacement program is \$2,067,015.50 (incl. GST) (\$1,879,105 excl. GST)

The total project cost is \$225,500.00 (incl. GST).

The tender price of \$225,500.00 (incl. on road costs and GST) (\$204,999.80 excl. GST and on road costs) for this tipper truck is within the overall program budget. The remaining budget is to fund other approved plant replacements identified for the 2020/2021 program.

Conflict of Interest

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

Community and Stakeholder Consultation

No external community was required for this matter. Internal staff were consulted on the final specification.

RESOLUTION

Cr E Lording / Cr S Carpenter

That Council:

- 1. Accept the tender from Fuso Truck & Bus, Shepparton (Hartwigs Trucks Pty Ltd) and award CONT21/7 – Supply and Delivery – Tandem Drive Tipper 26T GVM Truck for the lump sum price of \$225,500.00 (Incl GST).**
- 2. Release the name of Fuso Truck & Bus, Shepparton (Hartwigs Trucks Pty Ltd) into the Minutes of the Scheduled Meeting of the 26 May 2021.**

CARRIED

11.5 CONT21/10 - Mary and Anne Street, Yea - Sealing Upgrade - Tender Evaluation

Attachment(s):

1. CONF Tender - CONT21/10 – Mary and Anne Street, Yea – Sealing Upgrade – Tender Evaluation (distributed to Councillor separately) [11.5.1 - 7 pages]

Purpose

This report provides the results of a tender process to appoint a contractor for CONT21/10 - Mary and Anne Street Yea – Sealing Upgrade.

Officer Recommendation

That Council:

1. Accept the tender from Tenderer 1 and award CONT21/10 - Mary and Anne Street Yea – Sealing Upgrade for the lump sum price of \$341,783.53 (incl. GST) to complete the required works, including completing the separable drainage and kerb & channel portions.
2. Approve the allocation of \$21,070.17 (incl. GST) as a contingency amount to be used in the delivery of this contract as detailed in this report.
3. Release the name of Tender 1 into the Minutes of the Scheduled Meeting of the 26 May 2021.

Background

Mary and Anne Streets are partially unsealed roads located behind the Yea Primary School. The unsealed sections have some existing drainage and limited kerb and channel. This project aims to seal and upgrade these unsealed sections to more appropriately match the function and service level required of an urban access road in accordance with Council's Road Asset Management Plan. Although Council has other unsealed urban access roads, this one is of particular importance as it services access around the Yea Primary school.

The works will include earthworks to adjust the road levels and increase the existing pavement thickness, drainage works to adapt and expand the existing drainage infrastructure and asphalt works. Kerb and channel works, as well as modification to the existing underground drainage, have also been included as a separable portion. Four street trees have been identified as being potentially impacted by the planned earthworks. The impact upon these trees will be monitored by Council's arborist. If their removal becomes necessary, replanting will occur once the works are completed. The tree species will be nominated by Council's arborist and Parks and Gardens team to be in keeping with the neighbourhood amenity of the area.

This project is part of the State Government's Local Roads and Community Infrastructure (LRCI) scheme with a budget of \$220,000. Some of this budget has been utilised on the necessary design and geotechnical investigation of the site as detailed in the costings below.

Discussion

The request for tender was advertised from 20 April, 2021 in the following publications:

- Alexandra Standard
- Yea Chronicle
- Marysville Triangle
- Council's Tendersearch Portal.

The tender specification was prepared by Council officers using detailed plans and schedules of quantities prepared by an external survey and design group.

Prior to the tender process, the estimates received indicated a shortfall of available funds to deliver the full scope of the project. As such, the kerb and channel elements and associated drainage modifications were included as part of a separable portion which was priced separately in the tender. Some drainage would be required regardless, however this would be varied depending on kerb or table drains being the primary element. This was done in order to provide options to award a limited portion of the works should funding not be available to address the shortfall in the grant received under the LRCI funding.

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

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

All tenders were assessed against the following criteria:

- Price – 50%
- Capacity to Deliver (Resources and Equipment) - 20%
- Capability to Deliver (OH&S, systems, insurance) - Pass/Fail
- Understanding of the Requirement – 20%
- Relevant Experience – 10%.

All submissions were assessed for compliance prior to evaluating. The Committee deemed all submissions compliant. Each submission was then evaluated to consider the suppliers ability to meet the requirements of the contract including their ability to deliver the works by the required timeline. Tenders were assessed with particular attention to the evaluation criteria requirements.

Tenders who were able to meet the required response times, demonstrated a sound understanding of the requirement, provided evidence of relevant experience and OHS including emergency management, were then shortlisted and evaluated further.

During the course of the evaluation of submitted tenders, it quickly became apparent that there would be a significant benefit if the full scope of the project is delivered rather than delivery the essential components only at this stage and delivering the separable portions when funding becomes available at a future year. If the full project as scoped is delivered, the upgrades to these roads would be completed. With the kerb and channel drainage works (separable portions) included, the pavement will be protected for water entry thus preventing early pavement deterioration as well as reducing future maintenance costs.

Furthermore, if only the essential components were awarded, Council would have increased cost in maintaining the existing open table drains and there are also safety concerns for pedestrians crossing the drains to gain access to the school. If at a later date the drainage and kerb works were undertaken, this would also require the removal of sections of the new pavement, new site

establishment and traffic management costs as well as an adjustment to the newly installed drainage infrastructure.

In summary, it is a far better outcome for the community to deliver the full scope of the project if fully funded.

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

Based on the analysis undertaken, the Committee recommend that Tenderer 1 be awarded Contract 21/10 - Mary and Anne Street Yea – Sealing Upgrade for the lump sum price of \$341,783.53 (inc. GST).

Council Plan/Strategies/Policies

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

Relevant Legislation

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

Financial Implications and Risk

The total Local Roads and Community Infrastructure grant budget for the sealing upgrade work on Mary and Anne Streets is \$220,000 (ex. GST) (\$242,000 incl. GST).

The project cost is summarised below:

Item	Cost (excl. GST)	Cost (incl. GST)
Survey and Design (completed)	\$18,924.00	\$20,816.40
Tender Price (includes separable portions)	\$310,712.30	\$341,783.53
Contingencies	\$19,154.70	\$21,070.17
Total Project Cost	\$348,791.00	\$383,670.10

An allowance of \$19,154.70 (excl. GST) (\$21,070.17 incl. GST) for contingencies is proposed to cover any latent conditions that may be experienced for this type of project. Given the completed detailed designs along with the geotechnical investigation and due diligence completed prior to the release of the request for tender Council officers are confident the above contingency, along with the provisional quantity items included in the contract will be enough to cover any remaining unknowns in the construction process.

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

Project	Total Budget	Total Project Cost	Variance
Mary and Anne Street (excl. GST)	\$220,000	\$348,791.00	-\$128,791.00
Mary and Anne Street (incl. GST)	\$242,000	\$383,670.10	-\$141,670.10

In order to cover the identified shortfall in the project budget as above and allow for the inclusion of the separable portions, savings have been identified in the following projects. By reallocating these savings to this project there will be sufficient funds to deliver the full scope for CONT21/10 – Mary and Anne Street Yea – Sealing Upgrade.

Project	Total Savings Available per Project (excl. GST)	Savings proposed to be reallocated for this project (excl. GST)
Kinglake Memorial Tennis Courts (LRCI 2)	\$14,991.00	\$14,991.00

Yea Railway Reserve Spinner (LRCI 1)	\$2,800.00	\$2,800.00
RSA – Gordons Bridge Road (LRCI 1)	\$10,000.00	\$10,000.00
Buxton Lighting (LRCI 1)	\$6,000.00	\$6,000.00
Marysville Swimming Pool Renewal Works (Council)	\$139,000.00	\$95,000.00
Total (excl. GST)	\$172,791.00	\$128,791.00
Total (incl. GST)	\$190,070.10	\$141,670.10

The breakdown of the proposed budget, after the reallocation of these savings, is shown below

Project (after proposed reallocation of savings)	Council Contribution (excl. GST)	Local Roads and Community Infrastructure (LRCI) Scheme Contribution (excl. GST)	Total (excl. GST)
Sealing Upgrade – Mary and Anne Street Yea	\$95,000.00	\$253,791.00	\$348,791.00

Conflict of Interest

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

Community and Stakeholder Consultation

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

RESOLUTION

Cr K Haslam / Cr E Lording

That Council:

- 1. Accept the tender from Fineblade Pty Ltd and award CONT21/10 - Mary and Anne Street Yea – Sealing Upgrade for the lump sum price of \$341,783.53 (incl. GST) to complete the required works, including completing the separable drainage and kerb & channel portions.**
- 2. Approve the allocation of \$21,070.17 (incl. GST) as a contingency amount to be used in the delivery of this contract as detailed in this report.**
- 3. Release the name of Fineblade Pty Ltd into the Minutes of the Scheduled Meeting of the 26 May 2021.**

CARRIED

12 NOTICES OF MOTIONS

Nil.

13 MATTERS DEFERRED FROM PREVIOUS MEETING

Nil.

14 URGENT BUSINESS

Nil.

15 COUNCILLOR REPORTS

15.1 Cr Karine Haslam

I attended a Goulburn Valley Local Government Waste Forum on Monday in Benalla. As has been previously mentioned there are new laws coming into force with regard to waste recovery and there are a lot of items still being worked out.

The results of the Waste Audit that was conducted last month in the Murrindindi shire by Just Waste were rather interesting.

Residual Bins – which is the Red lid Bin - contained
13% Commingled waste (items that should have been in the yellow lid bins)
63% of rubbish was FOGO – Food Organic Green Organic. At present there is no FOGO service in Murrindindi Shire. But it highlights how much we can stop going into landfill in the future.

Commingled – which is the Yellow lid Bin - contained
21% Residual Waste (items that should have been in the red lid bins) – 5% of this was broken glass.

To me, this highlighted the need for better education. I will be encouraging community groups, schools, libraries and council to be engaging in education programs. I truly believe people want to do the right thing, but need a little help with all the changing practices. As an example tetra packs no longer go into the commingled recycling bin (with the Yellow Lid) but the Residual Waste bin (with the Red Lid).

You have until Friday the 28th May, to give us your feedback, ideas or suggestions on the draft Waste and Resource Recovery Strategy 2030. To do this hop on line to theloop.murrindindi.vic.gov.au

If we work together we can make a difference.

15.2 Cr Ilona Gerencser

Nil to report.

15.3 Cr Eric Lording

I attended the Kinglake Market on Sunday to view the youth event Dindi Live session. Each young performer received a \$100 cheque for belting out some really good self written and popular songs. The musical accompaniment was very good indeed and it gave the young singers a great deal of support. One person of 11 years of age did a really great job, to the delight of the audience. A great time was had by all but it was a little on the chill side, but it did not affect the enthusiasm.

I attended the CRLLEN AGM on Tuesday in Seymour which turned out to be quite interesting with a speech talking about the work done with young people going through the justice system

On Monday I attended the GVWRRG combined Board and Forum meeting in at the Hume DELWP office. This was very interesting as I rocked up to the DELWP depot in Shepparton. With some fast work by GVWRRG staff I managed to make it to Benalla with a few seconds to spare. Attending was fellow Councillor Karine Haslam, some really interesting data was presented, but it did show that residents are getting careless with the items going into the recycling bin. This was disappointing as our shire was able to keep recycling going when many were putting it into landfill.

- The public toilets at Buxton Recreation Reserve and Tumbling Waters Reserve are receiving a makeover and will be closed from 3 May until 9 June 2021. The public are being asked to use alternative toilets at Narbethong, Marysville, Taggerty, Thornton and Eildon
- Kinglake Streetscape works commenced on 17 May. The first project reference group with shopkeepers and Kinglake Village occurred on 4 May. This meeting will continue on a fortnightly basis
- Eildon Reserves design has now been awarded
- Gravel Road Resheeting Program – Contractors are currently working on Upper King Parrot Creek Road
- Watsons Road, Kinglake – Path construction due to commence on 20 May
- Kinglake Memorial Reserve Toilet has been installed. Final concrete and painting works to be completed. Final completion due mid May
- Yea Recreation Reserve – Lighting – Works have commenced.

15.4 Cr John Walsh

With respect to the Corporate and Governance Portfolio, we have received only a few comments on the draft Budget which is out for review. I remind anyone watching or listening and who want to make a submission to do so by the end of the week.

Council and staff have already had a productive session considering the extensive feedback received through the Shaping Our Future discussions and survey responses from the community regarding the Council Vision and Council Plan. We need to consolidate the wide ranging views and ideas that have been made and those that indicated they were willing to do so, will be contacted to help refine the proposals. Development of the 10 Year Financial Plan has commenced as a parallel activity to ensure it meshes with the outcomes of the Vision and Council Plan work.

Implementation of the provisions of the new *Local Government Act 2020* is progressing at pace. Councillors will be relieved that we have completed the mandated components of induction training and the audit of such training will soon be signed off. Implementation of all the other requirements is being completed within the Local Government Victoria timeframes. Some matters cannot be completed until the period 1 Jul 21 through to 31 Oct 21 as they are dependent upon forthcoming Government regulations or decisions from Local Government Victoria.

In Koriella Ward, I have had the pleasure of attending a couple of small but productive community meetings at Terip Terip and Molesworth. The issues and aspirations discussed at the meetings have been used as the basis for work requests or flagged for possible inclusion in the Council Plan.

The meetings re-enforced my view that after about 20 years it is again time to undertake Community Planning sessions for all the smaller communities in the Murrindindi shire in a similar way to those that have recently been developed for our larger towns.

15.5 Cr Damien Gallagher

It was my privilege to join the Alexandra community early this month as Cr. Sandice McAulay and Senator Bridget McKenzie officially opened the 1st Alexandra Scout Centre. Some very brave and capable young Murrindindians led the proceedings. It took many contributors to bring the project concept to reality and I'd like to acknowledge in particular those many members of the Scouting movement, Murrindindi Shire Council officers, and the local community who worked tirelessly behind the scenes without reward or recognition, to make it happen.

On 11 May, the Alexandra and District Basketball Association AGM was held with Roger Welch stepping back after a long and successful stretch as Association President. Ben Van Lierop has taken on the top role with the support and encouragement of the new committee. The new ADBA committee's challenge with attracting and recruiting volunteers is not unfamiliar, and so thank you to everyone in the community who answers their call for assistance.

I recently accepted an invitation to tour the new Alexandra Football Netball Club facilities. The project has been a multi-phase undertaking supported by funding grants and some fifteen years of self-funded savings. In recent days the club has moved operations to the new buildings. Club President, Ray Steyger has been the steward of the project leading a large and dedicated team. Ray, and all those involved are to be commended.

To portfolio matters:

After a briefing on the Gender Equality Act, 2020 from the Victorian Local Government Association, I circulated a briefing summary to Councillors. It notes that the new legislation is the first of its kind in Australia, requiring Victorian public sector agencies including councils to measure, report on, plan for and progress gender equality in their organisations and in the policies, programs and services that they deliver.

In early May I attended a professional development conference for Murrindindi early learning professionals at Holmesglen at Eildon. The speakers were top calibre and engaging from start to end. Attendees took back to their centres a swag of actions and initiatives to employ. Congratulations on such positive feedback to the Murrindindi Shire officers responsible for organising the event.

Another highlight of this month for me has been the opportunity to witness contributions to Council from local native timber harvest and haulage operators. The representatives present, Mick Johnson, Bob Gale, Brett Conway, and Darren and Barney Bell provided valuable feedback to Council as it establishes an advocacy strategy for community members affected by the transition away from commercial native timber harvesting. They spoke in detail about their businesses, their significant specialist asset base value, their employees and their families, and the contributions they make to local economies. They also described their vital capacity and capability to respond to the call when fire rages. All of this intelligence will help Council to lead development of a comprehensive community transition plan for meaningful outcomes. In respect of the timber industry transition, the focus remains firmly on our community's wellbeing in 2031 and beyond.

Finally:

I would like to extend my thanks to Marilyn Kearney, Acting Director Corporate and Shared Services for her skillful guidance of this council through matters relevant to her acting directorship. Whilst this might be the final meeting for Ms. Kearney, I hope that she continues to maintain a relationship with the organisation, and with our community which has benefited from her time with us.

This will also be our last meeting under the guidance of Acting Chief Executive Officer, Michael Chesworth. In the shadows of the last Council term, Mr. Chesworth took on the Acting CEO role and immediately inherited a substantially freshman group of Councillors. I'd like to convey my appreciation for Mr. Chesworth's diligent, carefully prepared induction program.

I'm a stronger Councillor for having encountered Mr. Chesworth's unfailing patience, wisdom and understanding. I believe that the Murrindindi Shire Council organisation and the community too, is richer for his contribution.

15.6 Cr Sue Carpenter

Nil to report.

15.7 Cr Sandice McAulay - Mayoral Report

Another busy month has passed and I will highlight just a number of activities I have been able to attend.

Congratulations to our Early Years team on hosting yet again an outstanding Early Year Conference. The presenters as usual were of an amazingly high standard. There was of course plenty of opportunity for networking – vital after a year of enforced COVID-19 isolation – it was pleasing to see the excited vibe on the day with much sharing of ideas to benefit the children and families of our clients.

Congratulations also to the Alexandra Scout Group on the official opening of their new facility. The new centre started as a dream some six or so years ago at a time when there was only 10 or so cubs and one scout leader. The new building is the result of community enthusiasm and a great example of collaboration between the Alexandra Scout Group and Council, with support from both the State and Federal Funding and of course the incredibly valuable donations and in-kind support from the community.

During this last month we have continued to meet with invited guests to discuss different aspects relating to forestry activity and what transition might look like moving toward 2030. To date we have been briefed by interest groups, DELWP, Vic Forests and the Department of Jobs Precincts and Regions. This month were finally pleased that Darren Bell and number of fellow Logging Contractors were able to attend our briefing to discuss what the logging transition means to them as contractors as well their staff and families. This is hopefully the first of a number of ongoing meetings with affected members from the Forestry Industry as we facilitate the development of a Community Transition Plan utilising the Grant Funding which is targeted at our community's transition of native timber logging.

Next meeting we will be welcoming the new Chief Executive Officer, Ms. Bonazzi, so tonight on behalf of Councillors, I would like to say a huge 'thank you' to Michael Chesworth for your outstanding performance as the acting Chief Executive Officer.

After Craig's unexpected departure last year, Michael stepped up into the acting role and we really didn't miss a beat. He managed a range of tricky issues during that time, including the Councillor induction process - which is not without its challenges! – while also still in the clutches of the COVID-19 pandemic.

In many ways, Michael feels like the heart and soul of this organisation and his capable and calm demeanor, wisdom, knowledge and good humour are deeply appreciated.

Michael, you are amazing – thank you. We know you will be a source of incredible support for Livia when you resume your role as Director.

I would also like to say a big 'thank you' to the wonderful Marilyn Kearney who back-filled Michael's role during this period. She came for three months, but stayed for six!

I am pretty sure working full time was not really part of the plan for Marilyn, but she did it beautifully and has made a wonderful contribution during her time here.

16 CHIEF EXECUTIVE OFFICER REPORT

We welcomed the recent announcement by the federal government of a further round of the Local Roads and Community Infrastructure Program, with an allocation of \$2,166,544 for the Murrindindi Shire Council to cover projects to be undertaken primarily in the 2022/23 financial year. This does not require matching funding contributions from Council and funding is intended for priority projects that are additional to the Council's normal funded works program. We await the specific details and requirements of this funding round, particularly around project eligibility, which will be released with the funding agreements in coming weeks.

We completed our initial Shaping our Future engagement program with our community to provide input into the 10 year community vision for the Murrindindi shire and the Council's own strategic plan for the next 4 years. We were very pleased with, and grateful for, the broad range of input from across the Murrindindi shire and from some visitors to our area. We are now working through all the information gained and will soon be providing feedback to the community on what we learnt as we develop the draft vision statement and subsequently the Council Plan.

I can confirm that we intend to reopen the main Alexandra administration offices to public access early in June. Whilst I don't have a specific date yet, I can confirm that our customer services will move from the Alexandra library back into the main building. As COVID-19 restrictions remain, which we need to comply with, we will not be able to offer the full range of specialist services from the front counter on demand, and appointments with some officers may need to be arranged in advance. We will have more to say about this very soon.

I wish to acknowledge two senior staff members who will be leaving us soon. Firstly may I acknowledge Marilyn Kearney's significant contribution to the organisation in her time as the Acting Director Corporate and Shared Services, over the last 8 months. From day one Marilyn hit the ground running, despite being physically remote due to COVID-19 lockdowns, and has provided valued contributions, wise counsel and insight at the Council and Executive levels and in her dealings with staff. Marilyn will most likely be back briefly around the Council table in a month or two to help us manage some senior staff leave arrangements. So on behalf of the organisation whilst I am still Acting CEO I wanted to thank Marilyn and wish her all the best in her future endeavours.

Secondly I also wanted to acknowledge the valuable contributions of Caroline Lintott, our Manager Community Assets, who is taking on a new management role at a neighboring Council. Caroline has been a very "can do" operator and has earned the respect of her colleagues in the leadership team and the many staff she manages for her ability to just make things happen and for her inclusive and respectful approach to her staff. She'll be greatly missed by us all and I wish her every success in her new role.

This is also my last Council report as Acting CEO as we prepare to welcome Livia Bonazzi as Council's new permanent CEO in early June. I just wanted to take this opportunity to thank the previous Council for appointing me to this temporary role and to the new Council and Councillors for their very cooperative and enthusiastic approach, both throughout the rather extensive Councillor induction period and subsequently. I'd also like to acknowledge the considerable support of the Executive and Leadership teams and our wonderful staff over the last 8 months, which has made this job so much easier. I also wish Livia all the very best in her new role.

17 ASSEMBLIES OF COUNCILLORS

Purpose

This report presents the records of assemblies of Councillors for 28 April 2021 to 19 May 2021, for Council to note in accordance with Section 80A of the *Local Government Act 1989* (the Act).

Officer Recommendation

That Council receives and notes the record of assemblies of Councillors for 26 April 2021 to 21 May 2021.

Background

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

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

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

Discussion

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

The following summary details are for 28 April 2021 to 19 May 2021:

Meeting Name/Type	Council Pre-Meet
Meeting Date:	28 April 2021
Matters Discussed:	<ol style="list-style-type: none"> 1. Toolangi Forest Discovery Centre 2. Draft Waste & Resource Recovery Strategy 2030 3. Emergency Management Policy 4. Grants and Contributions Program – Monthly allocations 5. Grants and Contributions Policy Review 6. 2021/22 Draft Annual Budget 7. Revenue and Rates Plan 2021-24 8. Quarterly Council Plan 2017-2021 9. Quarterly Capital Works Report – 31 March 2021 10. CONT21/5 – Marysville Swimming Pool Vinyl Liner Installation – Tender Evaluation 11. CONT20/34 – Eildon Reserves Splash & Skate Park – Principal Design – Tender Evaluation.
Councillor Attendees:	Cr S Carpenter, Cr D Gallagher, Cr I Gerencser, Cr K Haslam, Cr E Lording, Cr S McAulay, Cr J Walsh
Council Officer Attendees:	M Chesworth, S Brown, V Albicini, M Kearney, T Carter, C Fraser
Conflict of Interest Disclosures: Nil.	

Meeting Name/Type	Briefing Session
Meeting Date:	12 May 2021
Matters Discussed:	<ol style="list-style-type: none"> 1. Darren Bell and Logging Contractors 2. Murrindindi Climate Network Inc 3. 2030Yea 4. Swimming Pool Season Update 5. Child Safe Policy 6. Family Day Care Service Update 7. Visitor Information Services Update.

Councillor Attendees:	Cr S Carpenter, Cr D Gallagher, Cr K Haslam, Cr E Lording, Cr S McAulay, Cr J Walsh
Council Officer Attendees:	M Chesworth, S Brown, V Albicini, M Kearney, S Coller, J Carey, S Porter, M Thomas
Conflict of Interest Disclosures: Nil.	

Meeting Name/Type		Workshop Session		
Meeting Date:		19 May 2021		
Matters Discussed:		<ol style="list-style-type: none"> 1. MAV State Council Motions 2. Shaping our Future review and progress 3. Aged and Disability Service Transition update 4. Capital Works Monthly Report 5. CONT21/7 – Tip Truck Contract 6. CONT21/10 – Mary and Anne Street Yea – Contract 7. Alexandra Landfill 8. Yea Resource Recovery Centre. 		
Councillor Attendees:		Cr S Carpenter, Cr D Gallagher, Cr K Haslam, Cr E Lording, Cr S McAulay, Cr J Walsh		
Council Officer Attendees:		M Chesworth, S Brown, M Kearney, S Coller, A Paix, A Langley, C Lintott, B Byrne		
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?
7.	Cr D Gallagher	No	Yes	Before

Council Plan/Strategies/Policies

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

Relevant Legislation

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

Financial Implications and Risk

There are no financial or risk implications.

Conflict of Interest

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

RESOLUTION

Cr D Gallagher / Cr E Lording

That Council receives and notes the record of assemblies of Councillors for 26 April 2021 to 21 May 2021 with the following amendment:

- 1. 19 May 2021 - the matter in which Cr D Gallagher declared a conflict of interest be corrected in the agenda and minutes to item 7.**

CARRIED

18 SEALING REGISTER

File Reference	Date Seal Affixed	Description of Documents	Signatures of Persons Sealing
SF/2978	28 April 2021	Section 17D Crown Land (Reserves) Act 1978 Lease (Non Retail) between Murrindindi Shire Council and Marysville Saddle Tramps Inc.	Michael Chesworth Cr Sandice McAulay

SF/3950	30 April 2021	Confidential Senior Officer Contract of Employment between Murrindindi Shire Council and Chief Executive Officer.	Cr Sandice McAulay
21/35486	3 May 2021	Agreement made pursuant to Section 173 of the Planning and Environment Act 1987 between Murrindindi Shire Council and Edward Dean Norris and Lynette Jean Norris for Land: 59 Halls Flat Road, Alexandra Victoria 3714.	Michael Chesworth

Officer Recommendation

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

RESOLUTION

Cr S Carpenter / Cr I Gerencser

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

CARRIED

The meeting was closed at 06:53 pm.

CONFIRMED THIS



CHAIRPERSON

Cr S McAulay