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AGENDA

**ORDINARY MEETING OF COUNCIL
FOR
WEDNESDAY 27 NOVEMBER 2019
TO BE HELD AT YARRAWONGA TOWN HALL, BELMORE STREET
YARRAWONGA COMMENCING AT 6:00 PM**

RECORDING

Consistent with section 72 of our Meeting Procedures Local Law, Council officers have been authorised to record the public session of this meeting using an audio recording device.

1. CALLING TO ORDER – CEO

2. PRAYER

Almighty God we humbly ask you to guide our deliberations for the welfare and benefit of the Moira Shire and its people whom we serve.

Amen

3. ACKNOWLEDGEMENT OF COUNTRY

We, the Moira Shire Council, would like to acknowledge the traditional owners of the land upon which we meet and pay our respects to their Elders both past and present.

4. APOLOGIES & REQUESTS FOR LEAVE OF ABSENCE

5. DECLARATION UNDER ACTS, REGULATIONS, CODES OR LOCAL LAWS

6. DECLARATION OF ANY INTEREST OR CONFLICT OF INTEREST

7. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

Recommendation: “That the minutes of the Ordinary Council Meeting held on Wednesday, 23 October 2019 and the minutes of the Special Meeting of Council held on Wednesday, 6 November 2019, as prepared, be confirmed.”

8. COUNCILLOR REPORTS

COUNCILLORS TO PROVIDE VERBAL REPORTS

9. OFFICER REPORTS FOR DETERMINATION

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FILE NO: 120.06.003
4. A WELL RUN COUNCIL

ITEM NO: 9.1.1

COUNCIL MEETING SCHEDULE 2020

RECOMMENDATION

That Council:

1. Set the date, time and place of Council meetings as:
 - Ordinary Council Meetings to be held on the fourth Wednesday of the month (unless it conflicts with a public holiday or the caretaker and election period) commencing at 5pm during eastern standard times and 6pm during daylight savings.
 - One Ordinary meeting will be held at Yarrawonga, Numurkah and Nathalia and all other Ordinary Council Meetings to be held at the Cobram Civic Centre, Council Chambers.
2. Briefing sessions to be held on the second Wednesday of the month and held on the third Wednesday of the month if required.

1. Executive Summary

Under Part 3, Section 8(1) of Council's Meeting Procedures Local Law 2017: The date time and place of all Council meetings are to be fixed by the Council and reasonable notice of the meetings must be provided to the public.

This report details the meeting and briefing schedule for 2020.

2. Background and Options

Meeting locations

In 2018 and 2019 Council meetings took place in Cobram, Numurkah, Nathalia, and Yarrawonga with the majority of meetings held in Cobram.

In past years Council has scheduled meetings in smaller towns and this is well received by local communities but has not necessarily resulted in increased community attendance and increased the logistical and technology challenges as well as the time required of Council officers.

Proposal – Majority of Council Meetings and all Briefings to be held in a venue in Cobram.

Meeting times

There is no time of day that suits every segment of the community and this is reflected in the wide range of meeting times adopted by Councils across Victoria. Prior to 2017 Council scheduled meetings for 6pm which was 'unfriendly' to a range of demographics, requires considerable officer involvement outside of standard business hours and involves travel at higher risk periods of the day including dusk and night time.

In 2017 Council held meetings commencing at 5pm during the winter months and 6pm during daylight savings, which resulted in a greater attendance at the meetings.

Proposal – Council schedule meetings to commence at 5pm during eastern standard times and 6pm during daylight savings.

Week of the month

In 2017 Council Meetings were scheduled in the fourth week of each month. This enabled month end data to be included at the next meeting and hence improved the timeliness of officer reports.

The Council agenda will be available to Councillors and community a week before the meeting. Having the meetings during the fourth week of the month will allow additional time for agenda review by Councillors and the community.

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COUNCIL MEETING SCHEDULE 2020 (cont'd)

Proposal – Continue with fourth week of the month.

3. Financial Implications

Council meeting expenses are included in the adopted budget. The budget amount for 2019/2020 is: \$21,000. The meeting expenses include:

- Lunch, afternoon tea and dinner.
- Hire of venues that are not owned by Council.
- Cost of external bodies to present to Council.
- Equipment required for Council Meetings.

In addition to the meeting expenses, the cost of Councillor and staff travel, staff overtime and time demands of senior staff are hidden costs that needs to be taken into consideration.

4. Risk Management

Risk to Councillors, staff and community members of travelling long distances on country roads at night will be reduced by having the meetings starting earlier during the winter months and the venue accessible by major roads.

In addition to the above mitigation the physical workload and man hours required to set up venues without the required equipment is reduced, by having the meetings at venue with the appropriate ergonomic equipment.

5. Internal and External Consultation

An Ordinary meeting of Council forms part of Council's commitment to community engagement.

All Council Meetings and Special Council Meetings are advertised in the: Yarrawonga Chronicle, Numurkah Leader, Cobram Courier and the Nathalia Red Gum Courier. Council Meeting dates and times are available from the Moira Shire website (www.moira.vic.gov.au).

Copies of the agenda are available from the Moira Shire website and service centres.

Unconfirmed minutes of the previous meeting are uploaded onto the website within a week of the meeting and are confirmed by Council at the following meeting.

6. Regional Context

There are no regional issue to consider within this report.

7. Council Plan Strategy

A well run Council.

8. Legislative / Policy Implications

Under Part 3, Section 8(1) of Council's Meeting Procedures Local Law 2017, the date time and place of all Council meetings are to be fixed by the Council and reasonable notice of the meetings must be provided to the public.

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COUNCIL MEETING SCHEDULE 2020 (cont'd)

9. Environmental Impact

There is a carbon footprint left whenever meetings require travel. Councillors and Officers car pool where possible to reduce the amount of cars travelling to one location.

10. Conflict of Interest Considerations

There are no council officer conflict of interest issues to consider within this report.

11. Conclusion

That Council set the date, time and place for Council Meetings and Briefings for 2020 as per the attached schedule.

Attachments

- 1 Council Meeting Dates 2020

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4. A WELL RUN COUNCIL

ITEM NO: 9.1.1

COUNCIL MEETING SCHEDULE 2020 (cont'd)

ATTACHMENT No [1] - Council Meeting Dates 2020

Date	Venue	Meeting
Wed 26 Feb 2020	Cobram Civic Centre	Ordinary Council Meeting
Wed 25 Mar 2020	Cobram Civic Centre	Ordinary Council Meeting
Wed 22 April 2020	Cobram Civic Centre	Ordinary Council Meeting
Wed 27 May 2020	Numurkah Presidents Room	Ordinary Council Meeting
Wed 24 Jun 2020	Cobram Civic Centre	Ordinary Council Meeting
Wed 22 July 2020	Cobram Civic Centre	Ordinary Council Meeting
Wed 26 Aug 2020	Cobram Civic Centre	Ordinary Council Meeting
Wed 16 Sep 2020*	Nathalia Dancocks	Ordinary Council Meeting
Wed 11 Nov 2020	Cobram Civic Centre	Mayoral Election
Wed 25 Nov 2020	Yarrawonga Town Hall	Ordinary Council Meeting
Wed 16 Dec 2020 *	Cobram Civic Centre	Ordinary Council Meeting

Note: No meetings schedule for October due to the Council election

*** Indicates meeting brought forward due the caretaker period and public holidays**

FILE NO: F/18
4. A WELL RUN COUNCIL

ITEM NO: 9.1.2

SECTION 86, AUDIT AND OTHER COMMITTEE REPRESENTATIVES

RECOMMENDATION

That Council:

1. Appoint Councillor Representatives to Council's Section 86 Committees; Audit Committee; Moira Advisory Committees; Other Moira Committees and Other Representative Bodies, in accordance with the attached lists.
2. Note that during the term of these appointments some Section 86 committees may transition to alternate management models not directly controlled by Council in which case appointments will be determined by the rules of the new entity.

1. Executive Summary

Each year, Councillors are presented with a report which details the current special committees for which Councillor Representation is required. In turn, Councillors are nominated to these special committees for the coming 12 months.

This report identifies Councillor Representatives to Council's Section 86 Committees; Audit Committee; Moira Advisory Committees; Other Moira Committees and Other Representative Bodies for 2020.

2. Background and Options

Special Committees of Council are in the case of Section 86 Committees established to manage community assets in partnership with Council whilst others advise Council on special interest areas of decision making. Committees may comprise individual community members, community group representatives and in some instances agency and government department representatives.

As a function of Council, Councillor Representation is also common.

As appointees to special committees, Councillors will be provided with opportunities to attend conferences, workshops and forums that relate directly to their role on their appointed committees. This will allow for Councillors to expand on their knowledge in specific areas.

Special committees can be formed at any time where a need is identified. Once identified, a formal process of Council to advertise the formation of a committee and appointment of committee representatives is undertaken.

3. Financial Implications

Council's financial support for special committees is a budgeted item.

4. Risk Management

Risk is mitigated by Council meeting its statutory requirements and by having representation on external boards.

5. Internal and External Consultation

Once Councillors' have been appointed to the committees, each committee will be notified of their delegated Councillor. Councillors will then commence receiving correspondence regarding committee meetings.

FILE NO: F/18
4. A WELL RUN COUNCIL

ITEM NO: 9.1.2

SECTION 86, AUDIT AND OTHER COMMITTEE REPRESENTATIVES (cont'd)

6. Regional Context

There are no regional issues to consider within this report.

7. Council Plan Strategy

A well run Council.

8. Legislative / Policy Implications

The process of delegation of Council's powers is a legislative requirement and is accomplished by documentation for each committee.

Section 86 of the *Local Government Act 1989*, and

Section 86(4) of the *Local Government Act 1989* are particularly relevant.

9. Environmental Impact

There are no environmental sustainability issues to consider within this report.

10. Conflict of Interest Considerations

There are no officer conflict of interest issues to consider within this report.

11. Conclusion

Following the committee appointments, should an alternative Councillor Representative be appointed to a Committee, the Instrument of Delegation and previous meeting Minutes will be forwarded to the Councillor for their information.

Attachments

- 1 2020 S86 Com Councillor representative
- 2 2020 ADVISORY COMMITTEES AND BOARDS - PORTFOLIOS

FILE NO: F/18
4. A WELL RUN COUNCIL

ITEM NO: 9.1.2

SECTION 86, AUDIT AND OTHER COMMITTEE REPRESENTATIVES (cont'd)

ATTACHMENT No [1] - 2020 S86 Com Councillor representative

SECTION 86 COMMITTEES			
	Representatives	Dates	Occurrence
Baulkamaugh Recreation Reserve & Community Hall	Cr Martin	Third or Fourth Thursday	Quarterly
Bundalong Dan Cronin Recreation Reserve & Public Hall	Cr Mansfield	Second Tuesday	Quarterly
Cobram Scott Reserve	Cr Cleveland	Second Wednesday	Bi monthly
Floridan Park Recreation Reserve	Cr Beitzel	Third Tuesday	Quarterly
Invergordon Recreation Reserve & Community Hall	Cr Beitzel	Second Tuesday	Quarterly
Katamatite Recreation Reserve	Cr Lawless	Second Tuesday	Quarterly
Katunga Recreation Reserve & Community Centre	Cr Beitzel	Third Wednesday	Bi monthly
Koonoomoo Recreation Reserve	Cr Cleveland	First Thursday	Quarterly
Picola Recreation Reserve	Cr Bourke	Second Tuesday	Quarterly
St James Recreation Reserve	Cr Lawless	First Monday	Quarterly
Strathmerton Recreation Reserve	Cr Cox	Wednesday	Quarterly
Tungamah Jubilee Park Recreation Reserve	Cr Lawless	Tuesday	Quarterly
Waaia Recreation Reserve	Cr Bourke	Second Monday	Quarterly
Wilby Racecourse & Recreation Reserve	Cr Mansfield	Third Thursday	Quarterly
Wunghnu Recreation Reserve	Cr Martin	Second Wednesday	Bi monthly
Yalca North Recreation Reserve	Cr Bourke	Monday	Quarterly
Yarrowonga JC Lowe Oval Reserve	Cr Lawless	First or second Wednesday	Quarterly

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SECTION 86, AUDIT AND OTHER COMMITTEE REPRESENTATIVES (cont'd)

ATTACHMENT No [1] - 2020 S86 Com Councillor representative

SECTION 86 COMMITTEES			
	Representatives	Dates	Occurrence
Yarroweyah Recreation Reserve	Cr Cox	Third Monday	Monthly
Yarrawonga Eastern Foreshore	Cr Mansfield	Fourth Tuesday	Monthly
Cobram Showgrounds Apex Reserve	Cr Cox	Monday	Quarterly
Nathalia Showgrounds & Recreation Reserve	Cr Bourke	Second Monday	Bi monthly
Numurkah Showgrounds Reserve	Cr Martin	Third Monday	Monthly
Yarrawonga Showgrounds Reserve & Victoria Park	Cr Mansfield	Last Tuesday	Bi monthly
Katamatite Public Hall	Cr Martin	First Monday	Quarterly
Lake Rowan Hall	Cr Lawless	Second Wednesday	Quarterly
Numurkah Town Hall	Cr Martin	Third Monday	Bi monthly
Picola Public Hall	Cr Bourke	Second or Third Tuesday	Quarterly
St James Public Hall	Cr Lawless	Second Wednesday	Quarterly
Strathmerton Public Hall	Cr Beitzel	First Monday	Quarterly
Wilby Memorial Hall	Cr Mansfield	Third Thursday	Quarterly
Yarroweyah Memorial Hall	Cr Cox	First Monday	Bi monthly
Cobram Historical Precinct	Cr Cox	Third Monday	Quarterly
Nathalia Historical Precinct	Cr Bourke	Tuesday	Quarterly

FILE NO: F/18
4. A WELL RUN COUNCIL

ITEM NO: 9.1.2

SECTION 86, AUDIT AND OTHER COMMITTEE REPRESENTATIVES (cont'd)

**ATTACHMENT No [2] - 2020 ADVISORY COMMITTEES AND BOARDS -
PORTFOLIOS**

ADVISORY COMMITTEES AND BOARDS			
	Representative	Dates	Occurrence
Moirā Shire Council Audit Committee	Mayor Crs: Cox & Martin	Thursdays	Minimum Quarterly
Moirā Shire Disability Advisory Committee	Crs: Bourke and Lawless	Second Tuesday	Bi Monthly
Moirā Shire Environment Sustainability Advisory Committee	Crs: Cox and Martin	Third Tuesday	Quarterly
Moirā Shire Youth Council	Mayor Crs: Mansfield, Martin, Cleveland	Tuesday	Six meetings per year
Moirā Shire Community Safety Committee	Crs: Bourke and Martin	First Tuesday	Quarterly
Moirā Shire Municipal Public Health & Wellbeing Plan Advisory Committee	Crs: Bourke and Cox		As required
Moirā Shire Tourism Advisory Committee	Cr Mansfield	Thursday	Bi Monthly
Numurkah Flood Mitigation Implementation Committee	Cr Bourke		As required
Cobram East Flood Mitigation Levee Design Steering Committee	TBC	TBC	As required
Yarrawonga Library Project Steering Committee	Crs: Mansfield,Buck and Lawless	TBC	As required
Yarrawonga Multipurpose Sports Stadium Steering Committee	Cr Mansfield		Bi-monthly

FILE NO: F/18
4. A WELL RUN COUNCIL

ITEM NO: 9.1.2

SECTION 86, AUDIT AND OTHER COMMITTEE REPRESENTATIVES (cont'd)

**ATTACHMENT No [2] - 2020 ADVISORY COMMITTEES AND BOARDS -
PORTFOLIOS**

OTHER REPRESENTATIVE BODIES			
	Representative	Dates	Occurrence
Goulburn Broken Greenhouse Alliance	Cr Martin	Third Thursday	Varies
Goulburn Valley Community Road Safety	Crs: Bourke and Cox	Varies	Quarterly
Goulburn Valley Regional Library Corporation Board	Cr Cleveland	Thursday	Quarterly
Goulburn Valley Waste and Resource Recovery Group	Cr Buck	Friday	Quarterly
Goulburn Valley Highway Bypass Action Group	Mayor		
Lake Mulwala Community Reference Group	Cr Mansfield	Various	Varies
Municipal Association of Victoria	Cr Buck	Friday	Quarterly
Murray River Group of Councils	Mayor		Bi Monthly
Murray Darling Association Inc	Cr Mansfield	Various	Twice yearly
Moir Shire Council Barmah Forest Heritage Education Centre	Cr Bourke	Thursday	Varies
Cobram East Flood Mitigation Design Steering Committee.	Cr Cox		As required
Upper Broken & Boosey Creek Flood Study Project Steering Committee	Cr Lawless		As required

FILE NO: F19/22
4. A WELL RUN COUNCIL

ITEM NO: 9.1.3

COUNCILLOR EXPENSE, SUPPORT AND PROFESSIONAL DEVELOPMENT POLICIES

RECOMMENDATION

That Council

- Revoke the Councillor Expense Support and Professional Development Policy adopted on 13 December 2017.
- Adopt the attached Councillor Expense Support Policy and Professional Development Policy.

1. Executive Summary

This reports seeks Council's adoption of the revised Councillor Professional Development Policy.

Councillor Expense and Support Policy which have been updated to reflect the VAGO Fraud and Corruption recommendations.

2. Background and Options

The recent VAGO report on Fraud and Corruption reviewed the controls of four Councils with the focus being on Councillors and senior staff.

VAGO didn't not find fraud and corruption however identified:

- practices that may not meet public expectations
- expenditure where it was unclear to how residents and ratepayers benefited
- non-compliance with legislative or Council policy requirements

VAGO provided the following recommendations to tighten controls:

1. Require councillors to provide stronger evidence to support their claims, in particular for mileage reimbursements, including records pertaining to the claim and the details of the business reason and who benefitted from the expense.
2. Review and update fuel card policy and procedures. Fuel cards must be treated as a credit card
3. Review credit card policies and improve controls
4. Stronger reporting, data analytics and data mining to identify anomalies.
5. Review and revise, council policies on the purchase and reimbursement of meals and alcohol considering community perception, and provide evidence of the community benefit
6. Ensure that annual reports accurately capture expenses relating to senior management and councillors.
7. Ensure council staff and councillors receive fraud and corruption awareness training at least every two years
8. Development or maintain fraud and corruption incident registers

The attached policies have been update to reflect these recommendations.

3. Financial Implications

By implementing this policy Councillor Reimbursement of expenditure will ensure that all expenses are reasonable and bona fide.

FILE NO: F19/22
4. A WELL RUN COUNCIL

ITEM NO: 9.1.3

COUNCILLOR EXPENSE, SUPPORT AND PROFESSIONAL DEVELOPMENT POLICIES (cont'd)

4. Risk Management

By implementing a policy for reimbursement and support to Councillors it reduces the risk to Council and Councillors.

5. Internal and External Consultation

The recommendations from the VAGO Fraud and Corruption Report have been included in the revised policies.

Discussions have been held with the General Manager Corporate, Manager Communication and Governance Executive Assistant to the CEO and Executive Assistant to Mayor and Councillors.

6. Regional Context

The VAGO Fraud and Corruption Report recommendations was distributed to all Victorian Council.

7. Council Plan Strategy

A well run Council

8. Legislative / Policy Implications

Section 75 of the *Local Government Act 1989* states that Council must reimburse Councillors for Expenses.

This policy meets the requirements of:

- *Local Government Act 1989*, and
- *Local Government Regulations 2004*.

9. Environmental Impact

There are no environmental impact considerations associated with this report.

10. Conflict of Interest Considerations

There are no conflict of interest considerations associated with this report.

11. Conclusion

The draft policies are in line with the Act and Regulations. The policy ensures consistency through reimbursements and support to Councillors that is necessary and appropriate for Councillors to fulfill their duties taking into consideration the recommendation from VAGO fraud and corruption report.

Attachments

- 1 Councillor Expense and support Policy - final draft
- 2 Councillor professional development policy - final draft

FILE NO: F19/22
4. A WELL RUN COUNCIL

ITEM NO: 9.1.3

COUNCILLOR EXPENSE, SUPPORT AND PROFESSIONAL DEVELOPMENT POLICIES (cont'd)

ATTACHMENT No [1] - Councillor Expense and support Policy - final draft

Councillor Expense and Support Policy



Policy type	Council
Adopted by	Council
Responsible General Manager	Corporate
Responsible officer	Chief Financial Officer
Date adopted	
Scheduled for review	This policy will be reviewed four years from the date of adoption, or sooner if required.

PURPOSE

This policy describes the financial and other support available to Moira Shire councillors, the requirements for seeking reimbursement and their public disclosure. The policy is consistent with council's obligations as described in the Local Government Act (the Act) Section 75.

SCOPE

This policy applies to all Moira Shire councillors and staff responsible for administering the reimbursement process.

DEFINITIONS

Personal expenses	Out of pocket expenses incurred by councillors that are not related to their duties as a councillor. This may include attendance at an event in a personal capacity and not as the council representative.
Councillor expenses	Expenses incurred in the performance of council duties as described the Act S.75 and eligible for reimbursement.
Duties as a councillor	As defined in LGA, Section 75 (2) duties performed by a councillor that are necessary or appropriate for the purposes of achieving the objectives of a Council having regard to any relevant Act, regulations, Ministerial guidelines or Council policies.
Authorised meetings and functions	Meetings and activities of bodies to which a councillors is formally appointed by the council, including Section 86 Committees of Management, advisory committees and representative bodies or as directed by the Mayor.

Activities eligible of reimbursement

For the purpose of this policy the duties of a councillor are deemed to include councillor attendance at meetings and functions that have a demonstrable benefit to the community in that the attendance is necessary to assist the Council to:

- achieve its key commitments under the Council Plan; and/or
- meet its role, functions and responsibilities.

Examples include:

- meetings of the Council or its Committees
- meetings, briefing sessions and civic or ceremonial functions convened by the Mayor or the Council
- meetings of community groups, organisations and statutory authorities to which a councillor has been appointed as a Council representative
- a meeting, function or other official role as a representative of the Mayor or the Council
- other meetings, inspections or events attended by a councillor in an official capacity and with the prior authorisation of the Mayor.

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COUNCILLOR EXPENSE, SUPPORT AND PROFESSIONAL DEVELOPMENT POLICIES (cont'd)

ATTACHMENT No [1] - Councillor Expense and support Policy - final draft

Councillor Expense and Support Policy



Travel	<p>When attending events that form part of the councillor's official duties or professional development, councillors will be provided with a council vehicle or may choose to use public transport.</p> <ul style="list-style-type: none"> Use of a council vehicle must be in accordance with Council's Motor Vehicle Policy, the CEO Motor Vehicle Directive - Conditions of Use for a Council Motor Vehicle. A personal vehicle may be used if a pool vehicle is not available or its use is unreasonable or impractical. 						
Private vehicle use	<p>Councillors using a private vehicle to carry out official council duties will be reimbursed travel expenses</p> <ul style="list-style-type: none"> at the per kilometre business rate set by the Australian Taxation Office, and may be eligible be paid remote travel (allowance) more than 50kms away from their primary residence <p>The reimbursement of private vehicle expenses will be calculated using</p> <ul style="list-style-type: none"> a completed log book submitted by the councillor, the most direct route using Google maps, or if reasonable alternative modes of transport are more cost effective, the reimbursement will be limited to the cost of the alternative mode. 						
Child / Family Care	<p>Council will reimburse the cost of child care and or family care expenses incurred by councillors for the care of their immediate family whilst performing the prescribed duties of a councillors:</p> <p>Reimbursement is subject to the following conditions:</p> <ul style="list-style-type: none"> Each child care and or family care expense claim shall be substantiated by a receipt from the caregiver showing the dates and times care was provided and accompanied by a written statement from the councillors explaining why the care was needed on each occasion; Child care/family care costs are not eligible for reimbursement if the paid care was provided by a person who is immediate family (eg: partner, mother/father, sister/brother or sister in law/brother in law) or someone who normally or regularly lives with the councillors; For the purposes of this policy, a child shall be defined as up to, but not including, 16 years of age. 						
Overseas travel	<p>Council will fund overseas travel in accordance with the relevant council resolution determined in an open meeting of council.</p> <p>The proposal presented to council for its consideration must include specific details regarding the objectives of the travel, its potential community benefits and detailed costing.</p>						
Accommodation	<p>Council will pay for accommodation for council business or professional development if fatigue or driver safety is a reasonable concern.</p> <ul style="list-style-type: none"> Accommodation within the municipality will need approval by the Mayor and or the Chief Executive Officer. The standard of accommodation will include a standard room or four-star equivalent. 						
Meal Allowance	<p>If traveling for Council business or attending professional development, councillors may be entitled to claim reimbursement of reasonable cost of meals.</p> <p>Council will pay for or reimburse the actual cost a maximum of:</p> <table> <tr> <td>Breakfast:</td> <td>\$30</td> </tr> <tr> <td>Lunch</td> <td>\$30</td> </tr> <tr> <td>Dinner</td> <td>\$50</td> </tr> </table>	Breakfast:	\$30	Lunch	\$30	Dinner	\$50
Breakfast:	\$30						
Lunch	\$30						
Dinner	\$50						

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ITEM NO: 9.1.3

COUNCILLOR EXPENSE, SUPPORT AND PROFESSIONAL DEVELOPMENT POLICIES (cont'd)

ATTACHMENT No [1] - Councillor Expense and support Policy - final draft

Councillor Expense and Support Policy



Partner reimbursement	Council events may include the invitation for councillors' partners. In this case, the costs of the partners' attendance will be met by council. If a councillor's partner attends a non-council function with their spouse, the councillor will reimburse the cost in full to Council.
Professional memberships	Councillors may be eligible to have professional memberships reimbursed by Council if the Mayor and CEO determine that the membership will directly benefit the Council. <ul style="list-style-type: none"> A councillor may request a contribution to the cost of the professional membership. Council will consider the request upon receipt of the paid tax invoice provided by the councillor and with completion of councillor Reimbursement form
Legal Advice	The Council will only meet legal expenses incurred as a result of a councillors executing their official duties. councillor need to be aware of their role and responsibilities under the Act. If a councillor requires legal advice in connection with his or her functions as a councillor: <ol style="list-style-type: none"> The councillor may submit a Notice of Motion requesting that Council facilitate and fund such legal advice; or The Chief Executive Officer may facilitate such legal advice and confirm that Council will meet expenses if: <ol style="list-style-type: none"> appropriate to do so taking into the consideration the same criteria used by Council (below); and the councillors requirement for legal advice cannot be deferred until the lodgment or consideration of a Notice of Motion. Council will evaluate any requirement by a councillor for legal advice against the following criteria: <ol style="list-style-type: none"> the extent to which the subject-matter of the advice required relates to the councillor's functions as a councillor; the extent to which the subject-matter of the advice required relates to a matter before Council or the councillor's representative role as a councillor the extent to which the subject-matter of the advice required will or is likely to be of interest to all councillors; the public interest; and any other relevant considerations. In the event that legal advice relates to a writ, action or pending action against a councillors or councillors, the councillors or councillors must supply a copy of the writ or action or provide the information which may lead to an action, to the Chief Executive Officer, who will advise Council's insurers as soon as possible, in accordance with Council's insurance policy conditions.
Other Expenditure	Any expenditure not specified in this policy will be the responsibility of the councillors, except where the Chief Executive Officer grants approval.

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4. A WELL RUN COUNCIL

ITEM NO: 9.1.3

COUNCILLOR EXPENSE, SUPPORT AND PROFESSIONAL DEVELOPMENT POLICIES (cont'd)

ATTACHMENT No [1] - Councillor Expense and support Policy - final draft

Councillor Expense and Support Policy



Activities not eligible for reimbursement

Where the activity is attended by a councillor

- on a voluntary basis,
- without prior authorisation or delegation of the Mayor or
- where there is no resolution or policy position of the Council in support of attendance, then the activity will not be deemed to be "performing duties as a councillor or committee member" and associated costs should be considered to be met from the councillor allowance.

Where there is uncertainty as to whether costs should be met from the councillor allowance, the matter will be referred to the Chief Executive Officer for determination.

The payment of councillor allowance and reimbursement of councillor expenses may have taxation implications, which are the responsibility of individual councillors.

Council will not reimburse

- Parking, traffic, or other fines and penalties
- Alcohol
- Expenses normally recoverable from a third party
- Expenses that are not incurred for Council purposes
- Late payment interest on credit cards
- Claims made more than 3 months after the date of the expense was incurred, unless evidence of exceptional circumstance is provided to the Chief Executive Officer.
- Expenses such as consumption of minibar items incurred while staying in accommodation.
- Any unlawful or accidental damage caused in an accommodation venue.

Requirements for claiming reimbursement

The Act defines the base requirements for councillors seeking reimbursement of expenses.

Process

The Act requires applications for reimbursement to be made in writing

In seeking reimbursement, councillors must ensure

- Claims include sufficient detail to demonstrate that the expense for which reimbursement is being claimed is a reasonable bona fide expense incurred while performing their council duties.
- Applications are
 - made in writing using the Councillor expense reimbursement form.
 - accompanied by original receipts and/or tax invoices which clearly identify the name of the payee and ABN where applicable.
- If receipts cannot be produced, a statutory declaration must be provided.

Reimbursement Claim Period

Applications for reimbursement must be submitted by the end of the calendar month immediately following the month in which the expense was incurred.

- Claims submitted more than three months after the expense is incurred will not be paid.
- All claims for the financial year must be submitted by the end of the financial year excepting expenses incurred in the month of June, which must be claimed by the 15th of July.
- Council will not reimburse claims made outside of the timeframes specified.
- If a councillor does not claim an expense within the designated timeframe, the expense cannot be claimed as an additional amount for an alternate expense.

FILE NO: F19/22
4. A WELL RUN COUNCIL

ITEM NO: 9.1.3

COUNCILLOR EXPENSE, SUPPORT AND PROFESSIONAL DEVELOPMENT POLICIES (cont'd)

ATTACHMENT No [1] - Councillor Expense and support Policy - final draft

Councillor Expense and Support Policy



ACCESS TO FACILITIES AND RESOURCES

Councillors will be provided with the following support in performing their duties as a councillor:

- Tablet computer (including data allowance)
- Mobile phone (optional)
- Stationary
- Access to copier/printer/scanner
- Name badge
- Business cards
- Administration support
- Meeting rooms
- Pool vehicle
- Personal Protective Equipment
- Council uniform

The Mayor will be provided with the following additional support

- Office
- Vehicle including fuel card

Administrative support

All councillors will be provided with appropriate administrative support using existing Council staff, so that official duties may be pursued in a professional manner.

Public Disclosure, Reporting and Inspection

Under the Act, and in the interest of transparency and accountability, the following documents and registers relating to councillors' Council duties will be made available for public inspection—

- (a) Details of current allowances fixed for councillors; and
- (b) Details of overseas or interstate travel undertaken in an official capacity by councillors.

Organisation responsibilities

Moirá Shire Council is publicly accountable for the use of its funds and all staff exercising financial authority under delegation have the responsibility for ensuring that approvals accord with Council's policies.

RELATED LEGISLATION

Local Government Act 1989

Local Government Regulations 2015

REFERENCES

Moirá Shire Council, Councillor Code of Conduct

Moirá Shire Council, Corporate Uniform Policy

Motor Vehicle CEO Directive – Conditions of Use for a Council Motor Vehicle

Moirá Shire Council, Fraud Prevention and Control Policy

Moirá Shire Council, Caretaker Policy

FILE NO: F19/22
4. A WELL RUN COUNCIL

ITEM NO: 9.1.3

COUNCILLOR EXPENSE, SUPPORT AND PROFESSIONAL DEVELOPMENT POLICIES (cont'd)

ATTACHMENT No [2] - Councillor professional development policy - final draft

Councillor Professional Development Policy



Policy type	Council
Adopted by	Council
Responsible General Manager	Corporate
Responsible officer	Chief Financial Officer
Date adopted	
Scheduled for review	This policy will be reviewed four years from the date of adoption, or sooner if required.

PURPOSE

This policy describes the support available to councillors to assist them in undertaking relevant professional training and development to enhance their performance and leadership on behalf of the Moira Shire community.

SCOPE

This policy applies to all Moira Shire councillors and staff responsible for administering the process.

The policy does not apply to professional development programs initiated by council such as councillor induction.

Professional development of councillors is strongly encouraged however participation is on a voluntary basis.

Application for Professional Development

Councillors can request support to attend professional development activities

The request must be

- provided in writing using the professional development application form,
- addressed to the Mayor and
- received at least 7 business days prior to the close of registrations.

A councillor's application must

- detail the benefit to council and/or Moira Shire community that will result from the professional development;
- include relevant information about the program eg program brochure including cost, time commitments and associated expenses that may be incurred such as accommodation and travel.
- demonstrate the councillor fulfills any eligibility or prior learning requirements that may apply.
- demonstrate the training can be completed within the term of office.

Funding

- Each councillor may access up to \$5000 per financial year to fund approved professional development activities.
- Approved professional development activities are consistent with the duties of a councillor and therefore councillors may apply for reimbursement of associated expenses via the Councillor Expenses and Support Policy.
- With the approval of the Mayor and Chief Executive Officer Councillors may access additional funding in a specific year provided the expenditure does not exceed \$20,000 across the four-year term of office, or pro-rata equivalent for councillors appointed between general elections.

Application assessment and approval

The professional development of councillors is strongly encouraged. Councillors will be given the opportunity to attend training programs, conferences and functions.

FILE NO: F19/22
4. A WELL RUN COUNCIL

ITEM NO: 9.1.3

COUNCILLOR EXPENSE, SUPPORT AND PROFESSIONAL DEVELOPMENT POLICIES (cont'd)

ATTACHMENT No [2] - Councillor professional development policy - final draft

Councillor Professional Development Policy



In assessing councillors' professional development application the Mayor will consider

- the relevance to the role and development of the councillor
- and whether the councillor's participation will:
 - Provide information on a contemporary issue, so that Council can contribute to discussion or debate;
 - Put forward Council's viewpoint during formation of a collaborative policy, or stance on an issue;
 - Meet community expectations that Council representation is necessary for the benefit of the community;
 - Deliver economic development opportunities; or
 - Provide improvements to the built, social, economic and natural well-being of our community.

Newly elected Councillors shall be supported in their role through a comprehensive induction program as soon as possible after an election. This may include a mix of in-house and externally provided training and development opportunities.

Accountability

Councillors will provide a written report to the next ordinary council meeting following completion of the professional development activity.

The report will include

- Details of course topic, content, location, date and duration;
- Relevance of Conference/Workshop/Training Session to Council's business and Councillor's personal development requirements;
- Total costs covering course, course material, travel, accommodation and any other expenses for the Councillor; and
- Benefits from attendance.

Reimbursement to Council

- A Councillor may at any time if they choose, reimburse council for councillor expense/s they have incurred.
- Councillors are required to advise of and reimburse council for private expenses incurred in the use of council resources. This may include private use of a council provided mobile phone, accommodation or any other expense as mentioned in this policy.

Organisation responsibilities

Moirā Shire Council is publicly accountable for the use of its funds and all staff exercising financial authority under delegation have the responsibility for ensuring that approvals accord with Council's policies.

RELATED LEGISLATION

Local Government Act 1989

Local Government Regulations 2015

REFERENCES

- Moirā Shire Council, Councilor Code of Conduct
- Moirā Shire Council, Fraud Prevention and Control Policy
- Moirā Shire Council, Caretaker Policy

FILE NO: C034/19
4. A WELL RUN COUNCIL

ITEM NO: 9.1.4

C034/19 - PROVISION OF PROFESSIONAL SERVICES FOR HUMAN RESOURCE CONSULTING PANEL

RECOMMENDATION

That Council:

1. Award panel contract C034/19 – Provision of Professional Services for Human Resource Consulting to the following tenderers:
 - Chandler Macleod People Insights Pty Ltd
 - DavidReddin.Com Pty Ltd
 - Davidson HR Consulting Pty Ltd
 - D.K Sonin & Associates Pty Ltd
 - JFE Global Pty Ltd trading as Fisher Leadership
 - CG People Pty Ltd
 - Jacqueline Halliday
 - Spencer Stuart Star Australia Pty Ltd t/a Kincentric
 - The Trustee for Harris Family Trust t/a LEADiversity
 - Bloodworth Family Trust t/a Fireball Management Group Pty Ltd
 - The Trustee for New Age HSE Services Unit Trust t/a New Age HSE Services
 - Professional Development Training Pty Ltd
 - Picks Group Pty Ltd
 - Peoplescape Pty Ltd
 - Time2Talk Leadership Pty Ltd
 - Workplace Wizards Pty Ltd
2. Authorise the Chief Executive Officer to sign and seal the contract documents and approve contract extensions within the provisions of the contract.

1. Executive Summary

Moirā Shire Council invited submissions from suitably qualified organisations or individuals to create a panel of consultants for the provision of professional services relating to human resources consulting, employee and executive coaching, facilitated discussions/mediations, leadership development, team building and planning and workplace health and safety projects.

After consideration of the submissions, the evaluation panel recommends that all tenderers listed in the recommendation be awarded membership for panel contract C034/19.

2. Background and Options

Tenderers were able to make submissions for each or any separable part as follows:

Part A	Mandatory Information (to be completed by ALL tenderers)
Part B	Human Resources Consulting
Part C	Employee and Executive Coaching
Part D	Facilitated Discussions/Mediations
Part E	Leadership Development
Part F	Team Building and Planning
Part G	Workplace Health and Safety Projects

FILE NO: C034/19
4. A WELL RUN COUNCIL

ITEM NO: 9.1.4

**C034/19 - PROVISION OF PROFESSIONAL SERVICES FOR HUMAN
RESOURCE CONSULTING PANEL (cont'd)**

Contract Details

The schedule of rates contract is for an initial term of 3 years and may extend in single periods of one year to a maximum contract period of five years (3+1+1).

Date of Public Notice

Paper	Date
The Age	14 September 2019
The Border Mail	14 September 2019
Shepparton News	17 September 2019
Cobram Courier	18 September 2019
Numurkah Leader	18 September 2019
Yarrawonga Chronicle	18 September 2019

Submissions closed 9 October 2019.

Receipt of Tenders

A total of 16 submissions were received, all tenderers have been recommended.

Supervision

Superintendent – Manager Organisation Development
Superintendent Representative – HR Coordinator

Panel Membership

The submissions were independently evaluated in TenderSearch by the following positions:

- Manager Organisational Development
- HR Coordinator
- Organisational Development Advisor
- Workplace Health and Safety Coordinator

The evaluation was moderated by the Procurement Coordinator.

Non-conforming tenders

No submissions were considered to be non-conforming.

Tender Evaluation

The criteria and weightings utilised and are detailed in the following table:

FILE NO: C034/19
4. A WELL RUN COUNCIL

ITEM NO: 9.1.4

**C034/19 - PROVISION OF PROFESSIONAL SERVICES FOR HUMAN
RESOURCE CONSULTING PANEL (cont'd)**

Evaluation Criteria	Evaluation Weighting
Price	40%
Compliance with Specification	15%
Track Record	15%
Skills and Resources	10%
Contribution to Local Economy	10%
Management of Schedules	10%

3. Financial Implications

Submitted rates from the recommended tenderers are fair, reasonable and comparable to current rates.

4. Risk Management

Tenderers addressed risk management issues as part of the tender, additional risks will be assessed on an individual project basis.

5. Internal and External Consultation

The public tender was advertised on Council's TenderSearch website, The Age, Border Mail, Shepparton News and the local papers.

The specification was approved by the HR Coordinator and Manager Organisational Development.

6. Regional Context

A mandatory 10% weighting is applied to tenders to benefit businesses located in the Moira Shire.

7. Council Plan Strategy

The Council Plan addresses the need for a well-run Council by implementing a transparent, engaging and accountable governance structure for current and future generations. The processes undertaken to award the contract meet the legislative and policy requirements relating to procurement and tendering.

8. Legislative / Policy Implications

The tender process was undertaken in accordance with the requirements of the section 186 of the Local Government Act and Council's adopted Procurement Policy.

9. Environmental Impact

There were no environmental implications relating to the tender process. Environmental risks will be assessed on an individual project basis.

10. Conflict of Interest Considerations

There was no conflict of interest declared for this tender evaluation process.

FILE NO: C034/19
4. A WELL RUN COUNCIL

ITEM NO: 9.1.4

**C034/19 - PROVISION OF PROFESSIONAL SERVICES FOR HUMAN
RESOURCE CONSULTING PANEL (cont'd)**

11. Conclusion

After consideration of the submissions, the evaluation panel recommends that all tenderers listed in the recommendation be awarded membership for panel contract C034/19.

Attachments

Nil

FILE NO: C049/19
4. A WELL RUN COUNCIL

ITEM NO: 9.1.5

C049/19 - WORK HEALTH PROGRAM

RECOMMENDATION

That Council:

1. Award contract C049/19 – Work Health Program to Align Work Health Pty Ltd.
2. Authorise the Chief Executive Officer to sign and seal the contract documents and approve contract extensions within the provisions of the contract.

1. Executive Summary

Moirā Shire Council invited submissions from suitably qualified organisations or individuals for the delivery of a work health program dedicated in preventing workplace injury through early intervention and the delivery of injury prevention and health management programs.

After consideration of the submissions, including price and specification requirements, the evaluation panel recommends contract C049/19 be awarded to Align Work Health Pty Ltd.

2. Background and Options

This contract is for the delivery of a work health program dedicated in preventing workplace injury through early intervention and the delivery of injury prevention and health management programs.

The expected outcomes of the program for the organisation are to:

- Increase productivity
- Decrease sick leave and absenteeism
- Decrease staff turnover
- Increase the ability to attract and retain new employees
- Increase the return on training and development investment, and
- Reduce the risk of accidents, worker's compensation claims and health related litigation.

The expected direct benefits for the employees are:

- Increased morale, job satisfaction and motivation
- Improved mental alertness and energy levels
- Decreased stress and illness
- Improved prevention of chronic diseases.

The contract is for 1 year and may extend in single periods of one year to a maximum contract period of three years (1+1+1).

Date of Public Notice

Paper	Date
The Age	21 September 2019
Border Mail	21 September 2019
Shepparton News	24 September 2019
Cobram Courier	25 September 2019
Numurkah Leader	25 September 2019

FILE NO: C049/19
4. A WELL RUN COUNCIL

ITEM NO: 9.1.5

C049/19 - WORK HEALTH PROGRAM (cont'd)

Yarrawonga Chronicle 25 September 2019

The tender closed 16 October 2019.

Receipt of Tenders

A total of 6 submissions were received from the following organisations:

1. Align Work Health Pty Ltd
2. Cobram Physiotherapy Clinic Pty Ltd
3. Company Medical Service Pty Ltd
4. Health by Design Pty Ltd
5. IPAR Rehabilitation Pty Ltd
6. Remedy Healthcare Group Pty Ltd

Supervision

Superintendent – Manager Organisational Development

Superintendent Representative – Workplace Health and Safety Coordinator

Panel Membership

The submissions were independently evaluated in TenderSearch by the following positions:

- Manager Organisational Development
- HR Coordinator
- Workplace Health and Safety Coordinator

The evaluation was moderated by the Contracts Administrator.

Non-conforming tenders

No submission was considered to be non-conforming.

Tender Evaluation

The criteria and weightings utilised and are detailed in the following table:

Evaluation Criteria	Evaluation Weighting
Price	40%
Track Record	15%
Skills and Resources	15%
Management of Schedules	10%
Contribution to Local Economy	10%
Compliance with Specification	10%

For more information, please refer to Appendix A – Evaluation Summary (Confidential).

3. Financial Implications

The recommendation is within the approved budget.

FILE NO: C049/19
4. A WELL RUN COUNCIL

ITEM NO: 9.1.5

C049/19 - WORK HEALTH PROGRAM (cont'd)

4. Risk Management

One of the key activities to be delivered by the successful contractor is to conduct planned proactive and informal reactive assessments with mitigation strategies to reduce the risks associated with workplace health and injury.

5. Internal and External Consultation

The tender was advertised on Council's TenderSearch website, The Age, Shepparton News, Border Mail and the local papers.

The specification was approved by the Workplace Health and Safety Coordinator, HR Coordinator and Manager Organisational Development.

6. Regional Context

A mandatory 10% weighting is applied to tenders to benefit businesses located in the Moira Shire.

7. Council Plan Strategy

The Council Plan addresses the need for a well-run Council by implementing a transparent, engaging and accountable governance structure for current and future generations. The processes undertaken to award the contract meet the legislative and policy requirements relating to procurement and tendering.

8. Legislative / Policy Implications

The tender process was undertaken in accordance with the requirements of the section 186 of the Local Government Act and Council's adopted Procurement Policy.

9. Environmental Impact

There were no environmental implications relating to the tender process.

10. Conflict of Interest Considerations

There was no conflict of interest declared for this tender evaluation process.

11. Conclusion

After consideration of the submissions, including price and specification requirements, the evaluation panel recommends contract C049/19 be awarded to Align Work Health Pty Ltd.

Attachments

- 1 APPENDIX A - Evaluation Summary (Confidential) - *printed in separate document*

**FILE NO: F13/503
4. A WELL RUN COUNCIL**

ITEM NO: 9.2.1

ASSEMBLIES OF COUNCIL

RECOMMENDATION

That Council receive and note the Record of Assemblies of Councillors.

1. Executive Summary

This report details the Assembly of Councillors for October 2019. Report is prepared in accordance with the requirements of the Local Government Act (the Act) 1989 section 80A. This report fulfills Council's legislative obligation to report the matters considered and whether a conflict of interest disclosure was made by a Councillor at

- A meeting of an advisory committee where at least one Councillor is present; or
- A meeting, briefing or other activity where at least half of the Council and a member of Council staff are present; and
- Where the matters considered may be subject to a decision of Council or exercise of a function, duty or power of the Council that has been delegated to a person or committee.

Meeting	Present at meeting	Matters discussed	Declaration of Interest(s)
Council Briefing 9 October 2019	<p>Councillors: Libro Mustica Peter Lawless John Beitzel Kevin Bourke Wendy Buck Gary Cleveland Ed Cox Peter Mansfield</p> <p>Staff: Chief Executive Officer, Mark Henderson General Manager Community, Sally Rice Acting Manager Infrastructure, Graham Henderson Manager Governance and Communication, Linda Nieuwenhuizen Manager Community Development Georgia Hills Manager Economic Development, Austin Ley Planning Coordinator, Peter Stenhouse Team Leader Environmental Services, Kate Bell Environmental Sustainability Officer, James Steinfott Team Leader Arts, Culture and Events, Marilyn Gourley</p>	<ul style="list-style-type: none"> • Better Approvals Project update • VPA Yarrawonga Framework Plan • Council owned water entitlements • Draft Moira Shire Arts & Culture Strategy • Draft agenda review 	Nil

**FILE NO: F13/503
4. A WELL RUN COUNCIL**

ITEM NO: 9.2.1

ASSEMBLIES OF COUNCIL (cont'd)

Meeting	Present at meeting	Matters discussed	Declaration of Interest(s)
Yarrawonga Multisport Stadium Feasibility Study Steering Committee 9 October 2019	Councillors: Peter Mansfield Infrastructure Liaison Officer, Lyn Cooper Coordinator Design & Constructions, Paul Somerville	<ul style="list-style-type: none"> Detailed concept design Yarrawonga Multisport Stadium and community fundraising ideas 	Nil
Council Briefing 23 October 2019	Councillors: Libro Mustica Peter Lawless Kevin Bourke Wendy Buck Gary Cleveland Marie Martin Staff: Chief Executive Officer, Mark Henderson General Manager Community, Sally Rice General Manager Corporate, Simon Rennie Manager Infrastructure, Andrew Close Senior Governance Officer, Nancy Mustica	<ul style="list-style-type: none"> Agenda review 	Nil
Cobram East Flood Mitigation Levee Design Steering Committee 28 October 2019	Councillor: Ed Cox Staff: General Manager Infrastructure, Andrew Close Manager Construction and Assets, Graham Henderson Coordinator Design and Construction, Paul Somerville	<ul style="list-style-type: none"> Design progress update Next steps levee alignment 	Nil

3. Conflict of Interest Considerations

There are no council officer conflict of interest issues to consider within this report.

4. Conclusion

The Assembly of Councillors records incorporated into this report are a true and accurate record of all assemblies of Councillors reported during October 2019.

Attachments

Nil

FILE NO: F19/809
4. A WELL RUN COUNCIL

ITEM NO: 9.2.2

COMMUNITY INFRASTRUCTURE LOAN SCHEME

RECOMMENDATION

That Council approves the lodgment of an application for a loan of \$3,750,000 under the 2019 Community Infrastructure Loans Scheme for the Yarrowonga Library, Events and Performance Precinct and if successful, refer the project and associated loan funding for consideration as part of its 2020-21 budget deliberations

1. Executive Summary

The Treasury Corporation Victoria are offering low interest loans under the Community Infrastructure Loans Scheme.

The Yarrowonga Library, Events and Performance Precinct, as a Council priority project, fits the criteria for the Scheme. The intergenerational nature of the project, makes it a suitable candidate for being partly funded through debt. Council is in a good financial position to engage with the Scheme and make the repayments.

It is recommended that Council approves the lodgment of an application for a loan of \$3.75 million under the Scheme for the Yarrowonga Precinct and if successful, refer the project and associated loan funding for consideration as part of its 2020-21 budget deliberations

2. Background and Options

At the Ordinary Council meeting of 24 July 2019, Council resolved to:
"Note the outcomes of the Yarrowonga Library, Events and Performance Precinct Community Consultation; and continue development of a Library, Events and Performance Precinct at the Yarrowonga Town Hall Precinct."

Council is seeking a grant from the State government's 'Living Libraries' program and has made provision in its long term financial plan for funding toward this project. Making use of a loan facility for \$3.75 million of the estimated expenditure will spread the cost over a longer period rather than over a single financial year.

The Community Infrastructure Loans Scheme supports the delivery of community infrastructure by providing Victorian councils with access to low-interest, government-guaranteed loans through Treasury Corporation Victoria (TCV) of between \$500,000 and \$10m per project.

The triple-A credit rating currently held by Victoria means that the state can borrow money at cheaper rates than are commercially available. The primary benefit of the Scheme is that councils will be able to achieve savings through having access to low-interest loans financed through TCV. In addition, participating councils will receive an interest subsidy from the Victorian government that will further reduce the interest rate paid. This subsidy will be 50 per cent of the applicable interest rate, up to a maximum of 150 basis points (or 1.5 per cent).

The Yarrowonga Library, Events and Performance Precinct is a project that fits within the guidelines of the Scheme.

3. Financial Implications

Loans through the Scheme will be provided at TCV's borrowing rate at the date of the loan execution. As of 23 September 2019, the interest rate for a 10 year credit foncier loan (monthly repayment instalments) from TCV was approximately 1.42 per cent.

FILE NO: F19/809
4. A WELL RUN COUNCIL

ITEM NO: 9.2.2

COMMUNITY INFRASTRUCTURE LOAN SCHEME (cont'd)

The interest rate on TCV's 11am loan facility was 1.165%. It is important to note that TCV's 11am loan rate and term borrowing rates are subject to change according to movements in financial conditions. The actual interest rate offered will be dependent on TCV's borrowing rate at the date of loan execution.

Council has committed \$684,000 to the Yarrawonga Library, Events and Performance Precinct, with \$600,000 forecast for 2020/2021 and \$1.2m forecast for 2021/2022. The budgeted funds make up the matching funds requirement of the Living Libraries Infrastructure Fund to which Council has submitted a grant application for \$750,000. The forecast funds are offset by the sale of the current Yarrawonga Library building.

The loan application for \$3.75 million provides sufficient funding for the project should the Living Libraries grant application be unsuccessful, otherwise only \$3 million will need to be borrowed.

4. Risk Management

At the end of the 2018/19 year Council's debt ratio, which is measured by comparing interest

bearing loans and borrowings to rate revenue, was 6.70% and will decrease further. Council's long term financial plan shows that it has the capacity to acquire some debt and borrowing \$3.75 million under this scheme will still see the debt ratio well within the expected performance target band of 0% to 70%.

5. Council Plan Strategy

Strategy 1, A great place to live and Strategy 4, A well run council

6. Legislative / Policy Implications

Local Government Victoria's Better Practice Procurement Guidelines (page 30) state that loans are considered to be contracts of loan and not contracts for goods, services or the carrying out of works. Taking up a loan is therefore not subject to section 186 of the Local Government Act. Council would not be required to undertake a procurement process if it was successful in receiving a loan.

7. Conflict of Interest Considerations

There are no known conflicts of interests raised by accessing the Community Infrastructure Loans Scheme

8. Conclusion

Partly funding the provision of the Yarrawonga Library, Events and Performance Precinct, through borrowings is considered to be an appropriate means of delivering this important community infrastructure project and consistent with Council's long term financial plan.

To apply for a loan under the Community Infrastructure Loans Scheme, a council resolution is needed to support the loan application.

The Yarrawonga Library, Events and Performance Precinct is a priority of Council, is eligible for the Scheme and requires funding. Based on analysis of its financial records, Council has the capacity to repay the loan on time and in full.

Attachments

Nil

FILE NO: F13/2478
4. A WELL RUN COUNCIL

ITEM NO: 9.2.3

PROCUREMENT POLICY REVIEW

RECOMMENDATION

That Council adopt the revised Procurement Policy.

1. Executive Summary

In accordance with s186A (1) of the Local Government Act (1989), this reports seeks Council's adoption of the revised Procurement Policy.

2. Background and Options

The purpose of the Procurement Policy is to provide guidance to Council and staff in regard to the principles, processes and procedures that apply to the purchase of goods, services and works by Council.

Council is required to prepare and approve a Procurement Policy under s186A (1) of the Local Government Act (1989) and must review the Policy at least once each financial year (s86A (7)).

This year's review has been conducted and a number of relatively minor grammatical, formatting and spelling amendments are recommended.

Introduction

The Procurement Policy was last adopted by Council on 22 November 2017 and provides guidance over procurement activities to demonstrate good governance and to ensure that a range of procurement outcomes are achieved including:

- value for money
- openness and fairness in dealing with all suppliers
- accountability risk management, probity and transparency
- support for local business and other environmental and social procurement objectives.

The policy is integrated within the Council Plan objective to demonstrate good governance and is widely used by staff to guide procurement processes.

Issues

The more noteworthy amendments proposed are as follows:

Reference	Proposed Amendment
Definition of "Council Staff"	Revision of sentence
Ethics and Probity	Reference to the relevant section of the LGA has been inserted.
Volunteers, Members of Committees, Consultants and Agents	Heading and text has been amended to include volunteers and is now consistent with other references in the policy.
Endorsement	Wording and reference to Director amended.
Environmental Sustainability	Reference to a mandatory 10% weighting to the purchase of environmentally sustainable products removed and the detail of when it will be applied expanded.
References	Development of Policy Documents Policy removed.

FILE NO: F13/2478
4. A WELL RUN COUNCIL

ITEM NO: 9.2.3

PROCUREMENT POLICY REVIEW (cont'd)

3. Financial Implications

There are no direct financial implications associated with the review of the Procurement Policy or this report. The level of financial commitment made by Council to procurement is determined through the annual budget process.

4. Risk Management

The Procurement Policy provides the guidance to Council and staff to understand and manage the purchase of goods, services and works by Council.

This Policy is a major component of Council's overall governance framework.

5. Internal and External Consultation

No external consultation occurred.

Amendments to the policy were made following feedback received from Senior Managers, Managers, Governance Officers, Commercial Services Department and other internal staff.

The amendments to the policy were presented to the Corporate Management Team on the 12 November 2019.

6. Regional Context

The Procurement Policy provides for a mandatory 10% weighting being applied to tenderers that benefit businesses located in the Moira Shire.

7. Council Plan Strategy

The Council Plan addresses the need for a well-run Council by implementing a transparent, engaging and accountable governance structure for current and future generations. The processes undertaken to review the Procurement Policy meet the legislative and policy requirements relating to procurement and tendering.

8. Legislative / Policy Implications

Council is required under s186A (1) to prepare and approve a Procurement Policy and must review the policy at least once in each financial year.

9. Environmental Impact

There are no direct environmental sustainability considerations associated with this report, however, environmental sustainability aspects are considered in each tender process and other relevant procurement processes.

10. Conflict of Interest Considerations

There are no conflict of interest considerations relating to this policy.

11. Conclusion

The review of the Procurement Policy was conducted and included an internal consultation process. The policy is aligned with the Council Plan and remains an important component in Council's overall governance framework.

Attachments

- 1 Procurement Policy - 2019 20 Review FINAL DRAFT

FILE NO: F13/2478
4. A WELL RUN COUNCIL

ITEM NO: 9.2.3

PROCUREMENT POLICY REVIEW (cont'd)

ATTACHMENT No [1] - Procurement Policy - 2019 20 Review FINAL DRAFT



PROCUREMENT POLICY

Policy type	Council
Adopted by	Moirā Shire Council
Responsible General Manager	General Manager Corporate
Responsible officer	Bruce Berg von Lindhe
Date adopted	22 Nov 2017

Review Schedule			
Revision No.	Date	Review Details	Author
Council	22 Nov 2017	Procurement Policy – version 1 22/11/2017 adopted by Council.	Bruce Berg Von Lindhe
CMT	22 Jan 2019	Review conducted to version 1 no amendments.	Bruce Berg Von Lindhe
CMT	12 Nov 2019	Various amendments	Bruce Berg von Lindhe
Council	27 Nov 2019	Procurement Policy review adopted by Council.	Bobbie Bright

FILE NO: F13/2478
4. A WELL RUN COUNCIL

ITEM NO: 9.2.3

PROCUREMENT POLICY REVIEW (cont'd)

ATTACHMENT No [1] - Procurement Policy - 2019 20 Review FINAL DRAFT



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FILE NO: F13/2478
4. A WELL RUN COUNCIL

ITEM NO: 9.2.3

PROCUREMENT POLICY REVIEW (cont'd)

ATTACHMENT No [1] - Procurement Policy - 2019 20 Review FINAL DRAFT



PURPOSE

Section 186A of the Local Government Act 1989 ("the Act") requires councils to prepare, approve and comply with a procurement policy encompassing the principles, processes, and procedures applied to all purchases of goods, services and works.

The purpose of this Policy is to provide framework and policy guidance to the procurement processes undertaken by, or on behalf of, Moira Shire Council.

SCOPE

This Policy applies to all purchases, tenders and contracts made by Moira Shire Council.

It is binding upon Council staff and all who may undertake procurement on behalf of Council, including Councillors, Committees of Management and volunteers.

OBJECTIVE

The objective of this Policy is to ensure that Council's procurement principles, policies, processes and procedures achieve the following outcomes:

- a) value for money, innovation and continuous improvement in the provision of services for the community;
- b) a strategic approach to procurement planning, implementation and evaluation;
- c) enabling sustainable outcomes including economic, environmental and social sustainability;
- d) efficient and effective use of Council resources;
- e) utilising collaboration and partnership opportunities;
- f) high standards of probity, transparency, accountability and risk management; and
- g) compliance with legislation, the Moira Shire Council Plan objectives, Council's policies and industry standards.

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4. A WELL RUN COUNCIL

ITEM NO: 9.2.3

PROCUREMENT POLICY REVIEW (cont'd)

ATTACHMENT No [1] - Procurement Policy - 2019 20 Review FINAL DRAFT



DEFINITIONS

“Accountability and Transparency” means being able to explain and evidence what decisions have been made and what has happened. The test of accountability is that an independent third party must be able to see clearly that a process has been followed and that the process is fair and reasonable.

“Best Value” means that decisions made in regard to the supply of goods, services and works will take into account both cost and non-cost factors including:

1. contribution to the advancement of the Council's priorities;
2. an evaluation of fitness for purpose, quality, service and support; and
3. whole-of-life costs and transaction costs.

“Commercial in confidence” means information that, if released, may prejudice the business dealings of a party eg: prices, discounts, rebates, profits, methodologies and process information.

“Contract management” means the process that ensures both parties to a contract fully meet their respective obligations as efficiently and effectively as possible, in order to deliver the business and operational objectives required from the contract and in particular, to provide value for money.

“Council staff” means all Councillors, employees, volunteers, contractors and consultants acting for or on behalf of Council.

“Expression of Interest (EOI)” means an invitation for persons to submit an EOI for the provision of the goods and/or services.

“Panel Contract” means a standing offer agreement where multiple contractors are appointed to a panel of suppliers, rather than an agreement with just one supplier.

“Probity” means a procurement process that conforms to Council's policies and applicable legislation and all parties to a procurement process are treated fairly and equitably.

“Procurement” means the life cycle of the process used to purchase goods, services and works.

“e-Procurement” means the use of an electronic system/s which may be used to acquire and pay for goods, services and works.

“Standing offer agreement” means the agreement with a supplier or contractor to provide Council with specific goods or services as nominated in the contract and the contract is for a fixed period. There is no obligation on Council to purchase any goods or services, however if purchases are made under the contract, the terms and conditions of the contract applies.

“Sustainability” means the ability to meet the needs of the present without compromising the ability to meet the needs in the future.

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PROCUREMENT POLICY REVIEW (cont'd)

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“**Tender process**” means the process of inviting parties to submit a quotation by tender using public advertisement, followed by evaluation of submissions and selection of a successful bidder or tenderer.

“**The Act**” means the Victorian Local Government Act 1989

POLICY PRINCIPLES AND APPLICATION

Council will apply the following fundamental best practice principles to all procurement, irrespective of the value and complexity of that procurement:

- a) value for money;
- b) open and fair competition;
- c) accountability;
- d) risk management;
- e) probity and transparency.

The application of this Policy to all procurement processes should take into consideration the overall context of achieving best value for money outcomes for Moirā Shire Council, the community and the local region.

ETHICS AND PROBITY

Councillors, members of staff and all other persons engaged in procurement activities on Council's behalf must exercise the highest standards of integrity in a manner able to withstand close scrutiny.

No prospective tenderer should be given or perceived to have an advantage over another tenderer.

In accordance with section 95 of the Act, all members of staff have an overriding responsibility to act impartially and with integrity, avoiding conflicts of interest.

CONDUCT OF COUNCIL STAFF

In procurement matters Council staff must at all times conduct themselves in ways that are and are seen to be, ethical and of the highest integrity and must:

- a) act in accordance with the Employee Code of Conduct/Ethical Behaviour;
- b) treat potential and existing suppliers with equality and fairness;
- c) not seek or receive personal gain;
- d) maintain confidentiality of Commercial-in-Confidence matters and information such as tender and contract prices and other sensitive information;
- e) present the highest standards of professionalism and probity;
- f) deal with suppliers in an honest and impartial manner that does not allow conflicts of interest;

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ITEM NO: 9.2.3

PROCUREMENT POLICY REVIEW (cont'd)

ATTACHMENT No [1] - Procurement Policy - 2019 20 Review FINAL DRAFT



- g) be able to account for all decisions and provide feedback on them;
- h) deal with suppliers in an honest and impartial manner that does not allow conflicts of interest;
- i) remain neutral prior to all decisions, and
- j) avoid approaching and liaising with prospective tenderers and contractors.

CONDUCT OF COUNCILLORS

In procurement matters Councillors must at all times conduct themselves in ways that are and are seen to be, ethical and of the highest integrity and must:

- a) comply with the *Councillor Code of Conduct* and the Primary Principle of Councillor Conduct and avoid conflicts between their public duties as a Councillor and their personal interests and obligations (section 76BA of the Act).
- b) not improperly direct or improperly influence a member of Council staff in the exercise of any power in the performance of any duty or function (section 76E of the Act);

Council staff responsible for managing or supervising contracts are prohibited from either being engaged by a Council contractor or performing any works under the contract they are supervising.

VOLUNTEERS, MEMBERS OF COMMITTEES, CONSULTANTS AND AGENTS

In procurement matters, volunteers, members of Council committees, consultants and agents of Council must at all times conduct themselves in ways that are and are seen to be, ethical and of the highest integrity and must:

- a) disclose any conflict of interest, and
- b) complete a Conflict of Interest Declaration and a Confidentiality Agreement before assisting or evaluating quotations or tenders.

GIFTS AND BENEFITS

Councillors or staff may be offered a gift or benefit in the course of their work. This gift or benefit could be offered in good faith, or it could be an attempt to influence, bribe or compromise the Councillor's or Council staff member's ability to act in the public interest.

Councillors and staff must exercise the utmost discretion in accepting hospitality from contractors or their representatives or from organisations, firms or individuals with whom they have official dealings.

All gifts and benefits offered or received must be dealt with in accordance with the Employee Code of Conduct/Ethical Behaviour or Councillor Code of Conduct, whichever applies.

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PROCUREMENT POLICY REVIEW (cont'd)

ATTACHMENT No [1] - Procurement Policy - 2019 20 Review FINAL DRAFT



ENDORSEMENT

Councillors and staff must not endorse the products or services of any contractors or suppliers. Any requests for endorsement must be referred to the relevant General Manager or CEO.

DISCLOSURE OF INFORMATION

Information received by the Council that is Commercial in Confidence must not be disclosed and is to be stored in a secure location. Councillors and Council staff are to protect, by refusing to release or discuss information to the extent that it is Commercial-in-Confidence.

This may include:

- a) information disclosed by organisations in tenders, quotations or during tender negotiations; or
- b) pre - contract information including but not limited to information provided in tenders and quotes or subsequently provided in pre-contract negotiations.

Councillors and Council staff are to avoid references to current or proposed contracts in discussion with acquaintances or outside interests. Discussion with potential suppliers during tender evaluations must not go beyond the extent necessary to evaluate tender submissions.

Discussions must not be entered into with any tendering party or its representative or agent who could have potential contractual implications prior to the contract approval process being finalised, other than pre-contract negotiations.

RISK MANAGEMENT

Risk management is to be appropriately applied at all stages of procurement activities ensuring sufficient planning is carried out in a manner that will protect and enhance the Council's capability to prevent, withstand and recover from interruption to the supply of goods, services and works.

In addition to this Policy, all procurements are to be conducted with regard to Council's risk framework as detailed in the *Risk Management Policy*.

OCCUPATIONAL HEALTH AND SAFETY

Council is committed to procurement activities that provide a safe working environment for employees, volunteers and contractors.

Council requires all its contractors and suppliers share this commitment to providing a safe and healthy environment.

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PROCUREMENT POLICY REVIEW (cont'd)

ATTACHMENT No [1] - Procurement Policy - 2019 20 Review FINAL DRAFT



CONTRACTORS AND THEIR STAFF

All contractors and their employees working with Council must:

- a) comply with obligations under *Occupational Health and Safety Act* 2004, Regulations, Codes of Practice, Safety Standards and contract specific requirements;
- b) demonstrate effective safety management capabilities;
- c) identify and manage risks effectively;
- d) consult with the relevant Council representative in relation to work health and safety duties and obligations to determine how OHS responsibilities will be managed;
- e) comply with requirements for qualifications, licences and registration;
- f) comply with the Council safety procedures implemented to protect workers' health and safety;
- g) report all incidents that have or could have, affected a person's health and safety; and
- h) provide sufficient information to allow performance to be monitored.

SUSTAINABLE PROCUREMENT

Council's procurement decisions and initiatives will be based on clear and transparent evidence and informed economic, environmental and social considerations. Therefore, to achieve sustainable procurement, Council will adopt a triple-bottom-line approach by considering economic, environmental and social sustainability.

ECONOMIC SUSTAINABILITY

Council's procurement activities will be carried out on the basis of obtaining value for money. This means minimising the total cost of ownership over the lifetime of the requirement, including disposal and end of life costs, consistent with acceptable quality, reliability and delivery considerations. Lowest purchase price is not the sole determinate of value for money.

ENVIRONMENTAL SUSTAINABILITY

Council is committed to enhancing the environment by supporting the principles of environmentally sustainable procurement within the principles of best value. The Council aims to achieve this by:

- a) taking into account the need to minimise emissions and reducing the negative impacts of transportation when procuring goods, services and works;
- b) taking steps to minimise carbon dioxide and other greenhouse gas emissions through the detailed consideration of products, services and works procured;

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PROCUREMENT POLICY REVIEW (cont'd)

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- c) considering the environmental credibility of tenders and requiring contractors to conduct their operations in an environmentally sensitive manner;
- d) selecting products, services and works that have minimal effect on the depletion of natural resources and biodiversity;
- e) giving a preference to goods and services that have been ethically sourced and produced;
- f) ensuring all relevant tender and contract documents contain sustainability specifications as appropriate to the product or service being procured; and
- g) applying an Environment and Sustainability criteria and weighting to any tender that meets points (a) to (f) to encourage the purchase of environmentally sustainable products.

SUPPORT OF LOCAL BUSINESS

Council is committed to buying from local businesses where such purchases are justified on Best Value grounds, while remaining compliant with the Federal Government's Competition and Consumer Act 2010 and other fair trading legislation requirements.

Council may give preference to local economic benefit when sourcing products and services. When this criterion is nominated the benefit must be identifiable and reasonable and could include:

- increased or maintained local employment levels.
- increased or maintained local production levels or spend in the local economy
- increased amount of local content in the goods, services and works.

To encourage procurement from local businesses:

- a) council officers must seek at least one quotation from a local supplier, if available;
- b) for all publically advertised tenders over the tender threshold, a benefit to the local region will be considered and a weighting percentage of 10% will be assigned to the criteria element of 'Contribution to the Local Economy'. Council will examine where the business has its head office, the percentage of staff employed, percentage of materials, plant and equipment used and what impact the business offers the local economic community.

Local is defined as within the municipal district and for a joint tender, within the municipal districts of the participating Councils.

LOCAL GOVERNMENT ACT COMPLIANCE

Section 186 of the Act requires that a public tender process must be undertaken when purchases of goods or services may exceed \$150,000 including GST, or purchases for the works may exceed \$200,000 including GST.

The Act does not require Council to accept the lowest tender or to accept any tender or to conduct a public tender process if:

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PROCUREMENT POLICY REVIEW (cont'd)

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- a) the Council resolves that the contract must be entered into because of an emergency; or
- b) the contract is entered into with a council acting as the agent for a group of councils and the Council has otherwise complied with this Act; or
- c) the contract is entered into in accordance with arrangements approved by the Minister (for example purchases through MAV Procurement or Procurement Australia which have Ministerial approval);

Section 186(6) of the Act requires that whenever practicable, a Council must give effective and substantial preference to contracts for the purchase of goods, machinery or material manufactured or produced in Australia or New Zealand.

Council may, at its discretion and based on the complexity and cost of the project, conduct one stage or multi-stage tenders. A multi-stage tender process may commence with an Expression Of Interest (EOI) followed by a selective tender process which may involve some or all of the EOI respondents.

PURCHASE ORDERS

All purchases require the creation of a Purchase Order prior to receiving the goods or services, except purchases made with credit cards, petty cash or for those items exempt under Council's Procurement Procedures.

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4. A WELL RUN COUNCIL

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PROCUREMENT POLICY REVIEW (cont'd)

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MARKET TESTING THRESHOLDS

Council's standard methods for purchasing are dependent on the value and risk of the goods, services and works according to the following table:

\$Value (inc GST)		Market Testing Requirements
From	To	
\$0	\$10,000	Seek value for money Use local supplier if available
\$10,001	\$20,000	1 written quote Provide a written invitation and specification of requirements. Seek quote from local supplier if available. Provide written confirmation back to supplier and prepare contract if high risk.
\$20,001	\$50,000	Minimum of 2 written quotes Provide a written invitation and specification of requirements. Seek at least 1 quote from a local supplier if available. Provide written confirmation back to supplier and prepare contract if high risk.
\$50,001	\$149,999 for the supply of Goods & Services and \$199,999 for Works	Minimum of 3 written quotes. Provide a written invitation and specification of requirements. Seek at least 1 quote from a local supplier if available. Provide written confirmation back to supplier and prepare contract if purchase is high risk.
Over \$150,000 for Goods & Services and \$200,000 for Works		Advertised Public Tender

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4. A WELL RUN COUNCIL

ITEM NO: 9.2.3

PROCUREMENT POLICY REVIEW (cont'd)

ATTACHMENT No [1] - Procurement Policy - 2019 20 Review FINAL DRAFT



RELATED PLANS, POLICIES, DIRECTIVES, GUIDELINES AND LEGISLATION

PLANS

Council Plan 2017-2021

POLICIES AND PROCEDURES

Councillor Code of Conduct
Conflict of Interest – A Guide for Councillors October 2012
Instrument of Delegation to the CEO
Instrument of Sub-Delegation from CEO to Council staff
Risk Management Policy
Fraud Prevention and Control Policy
CEO Credit Card Policy
Employee Code of Conduct/Ethical Behaviour

GUIDELINES

Moirá Shire Council Procurement & Contract Management Guidelines (Procedures)
VLG Best Practice Procurement Guidelines 2013

LEGISLATION

Local Government Act 1989 in particular:

- Section 3C (Objectives of a Council)
- Sections 77A&B, 78, 78A to 78E, 79, 79B to D, 80, 80A to C and 95 (Conflict of Interest)
- Section 98 (Delegations)
- Section 140 (Accounts and records)
- Section 186 (Power to enter into Contracts)
- Section 186A (Procurement Policy)
- Sections 208C (Best Value Principles)

The relevant provisions of the *Competition and Consumer Act 2010*
Charter of Human Rights & Responsibilities Act 2006

REVIEW

Section 186A (7) of the Act requires that at least once in each financial year, Council must review and may amend the current procurement policy.

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FILE NO: F19/16
2. A THRIVING LOCAL ECONOMY

ITEM NO: 9.2.4

QUEENSLAND FRUIT FLY PROJECT - FUTURE FUNDING

RECOMMENDATION

That Council:

1. write to the Minister for Agriculture, The Hon Jaclyn Symes, MLC seeking continued funding of the Goulburn Murray Valley Regional Fruit Fly Program over the next 3 years at a funding rate of \$800,000 per year (escalating at CPI)
2. seek the support of local members of parliament for the Victorian Government's continued funding of this project.

1. Executive Summary

Queensland fruit fly (QFF) is now considered 'established' in the Goulburn Murray Valley (GMV), and other parts of Victoria and southern NSW, where it was previously unable to survive.

QFF is a constant threat to the GMV's annual production of 455,000m tonnes of fruit and vegetables that are known QFF hosts. This level of production represents 5,000 jobs (7.0% of all jobs in the region) and \$762.5 million (9.2% of the regional economy).

There is no practical prospect of total QFF eradication. Ongoing vigilant area-wide management is considered to be the only option.

The Goulburn Murray Valley Queensland fruit fly project (GMVRFFP) is a partnership between Agriculture Victoria, Fruit Growers Victoria, Cobram and District Fruit Growers Association and Campaspe, Shepparton, Strathbogie, Berrigan and Moira Councils and Lions International District 201V6.

The GMVRFFP achieved a 60% reduction in QFF populations between 2017-18 and 2018-19. The GMVRFFP continues its innovative approach to managing QFF by undertaking trailing Sterile Insect Technique (SIT) research to further control QFF numbers.

The project's success was recently acknowledged by winning first place in the Prime Super Agricultural Innovation Awards and was also voted overall winner of the Victorian Regional Achiever of the Year Award. A copy of Suzanna Sheed's letter of congratulations is attached.

The State Government, has contributed \$2.4million (\$800,000 per year) to the GMVRFFP. This funding is scheduled to cease in June 2020.

It is considered essential that the Victorian Government continue to protect the GMV's \$762.5 million, 5,000 job, fruit and vegetable industry, by continuing to fund the GMVRFFP over the next 3 years at \$800,000 per year (escalating at CPI). This report recommends that Council advocate to the state government via our local politicians for the ongoing funding of this important project.

2. Background and Options

Queensland fruit fly (QFF) is now considered established in the Goulburn Murray Valley (GMV) and other parts of Victoria and southern NSW, where it was previously not able to survive.

FILE NO: F19/16
2. A THRIVING LOCAL ECONOMY

ITEM NO: 9.2.4

QUEENSLAND FRUIT FLY PROJECT - FUTURE FUNDING (cont'd)

QFF is a constant threat to the GMV's 455,000m tonnes of fruit and vegetables that are known QFF hosts. This level of production represents 5,000 jobs (7.0% of all jobs in the region) and \$762.5 million (9.2% of the regional economy). This is also a substantial export industry with significant growth potential.

There is no prospect of total QFF eradication. A collaborative regional approach employing ongoing vigilant area-wide management is the only option. The GMV Regional Fruit Fly Project (GMVRFFP) achieved a 60% reduction in QFF populations between 2017-18 and 2018-19.

The project's success was recently acknowledged when it won the first place in the Prime Super Agricultural Innovation Awards and was also voted overall winner of the Victorian Regional Achiever of the Year Award. A copy of Suzanna Sheed's letter of congratulations is attached.

The State Government, through a number of Regional Fruit Fly Grants from January 2017 to June 2020, has contributed \$2.4million to the GMV QFF Project. This funding has been supplemented with in-kind support from the four Victorian Councils involved and direct funding from Berrigan Shire Council. The Victorian Government funding was part of its Managing Fruit Fly in Victoria Action Plan 2015-2020, which concludes in June 2020.

It is essential that the Victorian Government continue to protect the GMV's fruit and vegetable industry, by continuing to fund the GMVRFFP over the next 3 years at \$800,000 per year (escalating at CPI).

3. Financial Implications

The GMVRFFP has cost just over \$2.4million in total, (\$800,000 per year), over its three years of operation. These funds cover the employment of a Regional Coordinator, part time support staff and all program activities. Moira Shire auspices the GMVRFFP coordinator, office and administration of the project funds.

In addition, hundreds of hours have been donated through a very large volunteer effort, primarily through Lions International District 201V6 members, which has been valued at \$300,000 per year. It is very important to recognize the value of this volunteer effort, without which, the costs to deliver the program would increase significantly.

To successfully continue the GMVRFFP stakeholders consider that \$800,000 p.a (escalated at CPI) will be required to run the program into the future.

4. Risk Management

As noted above, if State government funding ceases:

- the region wide approach and the \$762.5 million, 5,000 job, fruit and vegetable industry, could will be put at risk
- GMVRFFP members will need to consider an alternative funding options
- sufficient funds to effectively continue the project might not be raised
- the GMVRFFP collaborative model, that has very successfully engaged the community, business industry and government, could be put at risk
- the trial SIT program could be compromised due to a break in research continuity.

In relation to alternative funding options there is no provision within Council's existing budget for funding for this project. As Council operates within a rate capped environment new expenditure can only occur instead of other programs or projects or by reducing service levels.

FILE NO: F19/16
2. A THRIVING LOCAL ECONOMY

ITEM NO: 9.2.4

QUEENSLAND FRUIT FLY PROJECT - FUTURE FUNDING (cont'd)

5. Internal and External Consultation

External consultation has occurred with the following:

- Fruit Growers Victoria
- Cobram and District Fruit Growers Association
- Campaspe, Shepparton, Strathbogie and Berrigan Shires
- Fresh Intelligence Consulting, Wayne Prowse, Principal and Senior Analyst
- Michael Campbell, Lucid Economics
- Andrew Jessup, Janren Consulting
- Dan Ryan, SITPlus
- Lions International District 201V6 representatives

6. Regional Context

The GMVRFF project, is a partnership between Agriculture Victoria, Fruit Growers Victoria, Cobram and District Fruit Growers Association and Campaspe, Shepparton, Strathbogie, Berrigan and Moira Councils and Lions International District 201V6.

7. Council Plan Strategy

GMVRFF project supports the Moira Shire Council Plan 2017-2021 Strategy 2: A thriving local economy and Strategy 3: A Clean and green environment.

8. Legislative / Policy Implications

Section 113 and 116 of the Local Government Act 1989

9. Environmental Impact

Effective QFF control through this program helps control a major environmental threat to horticulture through education and host tree removal and monitoring. This helps the environment in limiting chemical control measures.

10. Conflict of Interest Considerations

No Conflicts of interest have been identified.

11. Conclusion

It is essential that the Victorian Government continue to protect the GMV's \$762.5 million, 5,000 job, fruit and vegetable industry, by continuing to fund the GMVWRFFP over the next 3 years at \$800,000 per year (escalating at CPI).

Council should write to:

1. the Victorian Government to continue its support of the Goulburn Murray Valley Regional Fruit Fly Program over the next 3 years at a funding rate of \$800,000 per year (escalating at CPI)
2. Suzanna Sheed MP, Member for Shepparton District and Jaclyn Symes, MP and Minister for Agriculture, seeking their support for the Victorian Government's continued funding of this project.

Attachments

- 1 Letter from Suzanna Sheed Re GMVFF Project's Success at the Victorian Regional Achievement Awards

FILE NO: F19/16
2. A THRIVING LOCAL ECONOMY

ITEM NO: 9.2.4

QUEENSLAND FRUIT FLY PROJECT - FUTURE FUNDING (cont'd)

ATTACHMENT No [1] - Letter from Suzanna Sheed Re GMVFF Project's Success at the Victorian Regional Achievement Awards

71980



Suzanna Sheed MP ■ Member for Shepparton District

25 October 2019



Goulburn Murray Valley Regional Fruit Fly Project
Mr Ross Abberfield – Coordinator
Moir Shire Council
44 Station Street
COBRAM VIC 3643

Dear Mr Abberfield and Project Team Members

Congratulations on the Goulburn Murray Valley Regional Fruit Fly Project being named as the winner of the 2019 Victorian Regional Achievement and Community Awards.

To be recognised for the outstanding work you and your team members do is a remarkable achievement.

The “No Flies on Us” campaign has become well known throughout the Goulburn Murray Valley with brightly coloured signs, posters, and bumper stickers serving as an important reminder that as a community we all have a responsibility to help control the spread of Queensland Fruit Fly. It is an important campaign, which protects our horticulture industry, and is made possible by the Goulburn Murray Valley Regional Fruit Fly Project team.

Once again, please accept my heartfelt congratulations on receiving this prestigious award and thank you all for the important work you do.

Yours sincerely

Suzanna Sheed MP
Member for Shepparton District

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FILE NO: F19/587
4. A WELL RUN COUNCIL

ITEM NO: 9.2.5

ACQUISITION OF THE FORMER YARRAWONGA PRIMARY SCHOOL SITE

RECOMMENDATION

That Council:

1. Note that a nomination to have the former Yarrawonga Primary School and associated buildings and land considered for inclusion in the Victorian Heritage Register has been lodged.
2. Defer a decision on purchasing the site until the application to Heritage Victoria is resolved.

1. Executive Summary

The Department of Education and Training (DET) has indicated that the Former Yarrawonga Primary School site is no longer required for education and is being prepared for sale through a first right of refusal offer to public authorities.

On the 12th November 2019 Council received a letter from the Department of Environment Land, Water & Planning (DELWP) advising they received and accepted a nomination for the Yarrawonga Primary School and other buildings and structures on the land bordered by Tom, Piper, Hovell and Irvine Pde to be considered for inclusion in the Victorian Heritage Register.

The Heritage Act 2017 requires Heritage Victoria to accept applications which are administratively complete. The acceptance of this application does not indicate any assessment or judgement of the level of cultural heritage significance of this place.

It is not known whether the nomination will impact or delay the proposed sale of the site. Due to the uncertainty of the outcome of the nomination it is recommended that Council defer a decision on acquisition until after the outcome of the nomination is known.

2. Background and Options

At the 24 July 2019 Council resolved that:

1. The former Yarrawonga Primary School site assessment be noted
2. Council give further consideration to its interest in acquiring the site when it becomes clear whether the property is being offered for sale as a whole or in separate parts

First right of refusal

Upon declaring land surplus to agency requirements, the Department of Treasury and Finance will give notice to Victorian Government agencies, local government and the Commonwealth Government of the surplus land.

If an expression of interest is received within 60 days, the parties are required to negotiate in good faith to attempt to agree on the terms of sale within 30 days. If the terms of sale are agreed between the parties, transfer of the surplus land may proceed according to the agreed terms, at a price equal to the current market value of the land as determined by the Valuer-General Victoria.

The landholding Minister may approve the sale of land for a community purpose at a price less than the current market value of the land as determined by the Valuer-General Victoria.

FILE NO: F19/587
4. A WELL RUN COUNCIL

ITEM NO: 9.2.5

ACQUISITION OF THE FORMER YARRAWONGA PRIMARY SCHOOL SITE (cont'd)

Nomination to the Victoria Heritage register

Following the above resolution in July, Council received advice on the 12th November that DELWP accepted a nomination for the Yarrowonga Primary School and additional buildings and surrounds to be considered for inclusion in the Victorian Heritage Register.

In summary, the process involves:

- assessment of the nomination by a Heritage Victoria officer;
- a recommendation whether the Heritage Council should include the place in the Victorian Heritage Register;
- public notice of the recommendation (60 days are provided for public submissions to be made on the recommendation);
- a hearing by the Heritage Council, if requested;
- a decision by the Heritage Council whether to include the place in the Victorian Heritage Register.

When the assessment has been completed, one of the following recommendations will be put to the Heritage Council:

- that the place be included in the Victorian Heritage Register
- that the place not be included in the Victorian Heritage Register

Council will be notified of the recommendation and will be provided with an opportunity to make a submission to the Heritage Council.

It is important to note that the recommendation is not the final decision. This decision will be made by the Heritage Council, an independent statutory authority.

DELWP have advised that there is no statutory time frame for progressing the assessment of this place. DELWP also advise it is unlikely an assessment would commence in the short to medium term as there are a large number of nominations waiting to be assessed.

If a place is included on the Victorian Heritage Register, Heritage Victoria becomes involved in any restoration and development proposals. This adds another level of complexity and cost surrounding the acquisition, clean up and restoration of the site and may limit the re-use options for individual buildings.

3. Financial Implications

There are no financial implications for Council associated with the nomination at this time. However having the property on the Victorian Heritage Register would impose significant financial responsibilities on Council if it were to purchase the site beyond the restoration costs previously outlined..

4. Risk Management

There are a range of conflicting title and building boundaries on the site and significant demolition works required to restore the site to a safe and useful condition. A restricted title would add a layer of complexity to resolving these issues and unreasonably tie the council's hands in how it might choose to deal with the land into the future. A heritage listing on the buildings and land would further restrict its future use and increase the costs of ownership and restoration.

FILE NO: F19/587
4. A WELL RUN COUNCIL

ITEM NO: 9.2.5

ACQUISITION OF THE FORMER YARRAWONGA PRIMARY SCHOOL SITE (cont'd)

5. Internal and External Consultation

A range of staff have contributed to the site assessment report and in terms of external consultation there has been a recent public meeting in Yarrawonga and considerable media coverage. Consultation with DET has been particularly helpful in undertaking the property assessment and establishing the likely site valuation. DET is understood to have recently arranged for community members to inspect the buildings.

6. Regional Context

No particular regional context, largely a local issue but one which impacts the broader shires budget outlook.

7. Council Plan Strategy

Relevant extracts from the council plan include:

- We will listen to and respond to the needs of our entire community.
- We will seek to make decisions that are sustainable and reflect the interests of current and future generations.

8. Legislative / Policy Implications

The site currently includes both State and local heritage listings

9. Environmental Impact

The site currently provides a negative impact on the visual and aesthetic amenity of the local area due to its neglect, abandonment and attraction to vandals. There are possible soil remediation needs based on the historical use of the land.

10. Conflict of Interest Considerations

There are no conflict of interest considerations associated with the preparation of this report.

11. Conclusion

Community sentiment and attachment to the school site is understandable as the site is a unique parcel of land that may provide a longer term benefit to support Yarrawonga's growth.

In its current state requiring substantial restoration and without any clear plan for future use the buildings rank poorly in terms of suitability for community use. The buildings are of an era where flexibility and energy conservation were not considered and would involve long term restoration and maintenance costs and significantly impact council's budget position.

An application that the entire site be listed at a State level further complicates matters. The best way to mitigate councils risk exposure is to defer consideration of purchase until the heritage nomination has been resolved.

Attachments

Nil

FILE NO: F17/819
1. A GREAT PLACE TO LIVE

ITEM NO: 9.3.1

**SECTION 86 COMMITTEES OF MANAGEMENT - OUTGOING AND INCOMING
MEMBER AMENDMENTS**

RECOMMENDATION

That Council:

1. Approve the removal of outgoing representatives and appointment of nominated incoming representatives to 30 September 2021 for Community or User Groups on the Special Committees of Management as attached.
2. Amend the composition of the Nathalia Showgrounds and Recreation Reserve Committee of Management by removing the Nathalia Playgroup as a user Group.
3. Provide incoming representatives with appointment information and write and thank outgoing representatives.

1. Executive Summary

Council has 33 Special Committees who manage community facilities located on both Crown land and Council land. These special committees are established under section 86 of the *Local Government Act* 1989 and are commonly referred to as Section 86 Committees.

At the 27 September 2017 Council meeting, Council, in exercise of the powers conferred by section 86 of the *Local Government Act* 1989, resolved to appoint persons as Community or User Group representatives on the Special Committees to 30 September 2021. Council resolution is required for the removal of outgoing committee members and the appointment of nominated incoming members.

Each year, Councillors are presented with a report which details the current special committees for which Councillor representation is required. In turn, Councillors are nominated to these special committees for the coming 12 months.

2. Background and Options

Detailed in the recommendation are amendments to the respective committees, in particular the removal of outgoing representatives, the appointment of incoming nominated representatives and the amendments to the composition of committees, as notified by each committee.

On confirmation of appointment, incoming committee members are provided with confirmation of appointment, a copy of their delegation as set out in the respective committee Instrument of Delegation and an electronic copy of the Operation and Risk Management Manual. New members will also be requested to complete the online volunteer induction.

3. Financial Implications

Council's financial support for special committees is a budgeted item.

4. Risk Management

If incoming members are not appointed to replace outgoing members, user groups may not have adequate representation on committees.

FILE NO: F17/819
1. A GREAT PLACE TO LIVE

ITEM NO: 9.3.1

SECTION 86 COMMITTEES OF MANAGEMENT - OUTGOING AND INCOMING MEMBER AMENDMENTS (cont'd)

5. Internal and External Consultation

As the Section 86 Committees are in essence an extension of Council and are managing the facilities in partnership with Council, it is important for Council to maintain an appropriate balance of representation from user groups and the community on each of the Committees of Management.

To ensure the accuracy of the database, it is essential that each committee advise Council when changes are required so that Council resolution may be obtained for the removal of outgoing and appointment of nominated incoming members to respective positions.

6. Regional Context

There are no regional issues to consider within this report.

7. Council Plan Strategy

Within Strategy 1, A great place to live, there is a specific goal that recreation, sport, art and cultural facilities and programs will respond to cultural diversity and community needs. As a strategic action we will achieve this by continuing to maintain and provide facilities and services that our community values and need.

8. Legislative / Policy Implications

Council's statutory obligations under the Local Government Act 1989 have been considered within this report, Section 86 is particularly relevant.

9. Environmental Impact

There are no environmental sustainability issues to consider within this report.

10. Conflict of Interest Considerations

There are no officer conflict of interest issues to consider within this report.

11. Conclusion

To ensure that interested and appropriate persons and user groups are actively involved in the management of facilities managed by Special Committees of Management, it is recommended that the Community and User Group representatives, as detailed, be approved by Council.

Attachments

- 1 S86 Com Members

FILE NO: F17/819
1. A GREAT PLACE TO LIVE

ITEM NO: 9.3.1

**SECTION 86 COMMITTEES OF MANAGEMENT - OUTGOING AND INCOMING
MEMBER AMENDMENTS (cont'd)**

ATTACHMENT No [1] - S86 Com Members

Committee of Management	User Group	Outgoing representative	Incoming representative
Cobram Scott Reserve	Cobram Lions Club	Barbara Donaldson	Cheryl Hill
Cobram Scott Reserve	Cobram Lions Club		Ronald Simon
Cobram Scott Reserve	Community		Jodie Wilson
Cobram Scott Reserve	Community		Warrick Higgins
Katamatite Recreation Reserve	Community	Sue Barnes	
Picola Recreation Reserve	Picola Bowling Club Inc	Arthur Morgan (deceased)	Mark Box
Wilby Racecourse and Recreation Reserve	Wilby Park Motor Sports Club Inc	Terry Menz	Travis Marsh
Wilby Racecourse and Recreation Reserve	Community		Victor Smith
Wilby Racecourse and Recreation Reserve	Community		Lesley Smith
Nathalia Showgrounds and Recreation Reserve	Nathalia Playgroup	Emma Bourke	
Nathalia Showgrounds and Recreation Reserve	Nathalia Playgroup (Alternative Representative)	Christy Schram	
Numurkah Showgrounds Reserve	Numurkah Football Netball Club		Kim Smythe
Yarrawonga Showgrounds Reserve / Victoria Park	Yarrawonga Mulwala Darts Association (Alternative Representative)	Mark Hopgood	Lee Barrat
Katamatite Public Hall	Katamatite Uniting Church	Iris Pendlebury	
Wilby Memorial Hall	Community	Denise Gissing	Victor Smith
Wilby Memorial Hall	Community		Lesley Smith
Yarroweyah Memorial Hall	Cobram River Rockers	Sandra Sullivan	Anne Crawford
Yarroweyah Memorial Hall	Cobram River Rockers	Annette McLeod	Marion Feltman

FILE NO: C048/19
4. A WELL RUN COUNCIL

ITEM NO: 9.3.2

C048/19 - PROVISION OF WASTE MANAGEMENT OPERATING SOFTWARE

RECOMMENDATION

That Council:

1. Select Newcastle Weighing Services Pty Ltd as the preferred tenderer for contract C048/19 – Provision of Waste Management Operating Software and authorise the Chief Executive Office to undertake negotiations to achieve a best value outcome.
2. Authorise the Chief Executive Officer to sign and seal the contract documents and approve contract extensions within the provisions of the contract.

1. Executive Summary

Moira Shire Council sought to engage a suitably qualified provider of a waste management and weighbridge program to assist with day-to-day operations, as well as overall reporting capabilities across all of Moira Shire's waste sites.

After consideration of the submissions, including price and specification requirements, the evaluation panel recommends that Newcastle Weighing Services Pty Ltd be appointed as the preferred tenderer for contract C048/19.

Background and Options

The project seeks to upgrade nine sites across Moira Shire by implementing a new software program compatible with EFTPOS Integration and Image Capture to the Cobram landfill.

The initial contract term is 3 years with the option to extend for a further 2-year term to a maximum contract period of five years (3+2).

Date of Public Notice

Paper	Date
The Age	21 September 2019
Border Mail	21 September 2019
Shepparton News	24 September 2019
Cobram Courier	25 September 2019
Numurkah Leader	25 September 2019
Yarrawonga Chronicle	25 September 2019

Tender submissions closed 16 October 2019.

Receipt of Tenders

Three submissions were received from the following organisations:

1. AWS (Aussie Weighbridge Systems) Pty Ltd
2. Mandalay Technologies Pty Ltd
3. Newcastle Weighing Service Pty Ltd

Supervision

Superintendent – General Manager Community

FILE NO: C048/19
4. A WELL RUN COUNCIL

ITEM NO: 9.3.2

**C048/19 - PROVISION OF WASTE MANAGEMENT OPERATING SOFTWARE
(cont'd)**

Superintendent Representative – Coordinator Waste Management Services

Panel Membership

The submissions were independently evaluated in TenderSearch by the following positions:

- Manager Information Services
- Coordinator Waste Management Services
- Team Leader Waste Management Services

The evaluation was moderated by the Contract Administrator.

Non-conforming tenders

No submission was considered to be non-conforming.

Tender Evaluation

The criteria and weightings utilised and are detailed in the following table:

Evaluation Criteria	Evaluation Weighting
Price	40%
Compliance with Specification	20%
Skills and Resources	10%
Track Record	10%
Contribution to Local Economy	10%
Management of Schedules	10%

For more information, please refer to Appendix A – Evaluation Summary (Confidential).

2. Financial Implications

The recommendation is within the approved budget for this project.

For more information, please refer to Appendix A – Evaluation Summary (Confidential).

3. Risk Management

To minimise the risks associated with the works under the contract, the following conditions are required to be delivered by the successful contractor and/or Council:

- The adopted software program must be of a sufficient standard to meet the audit requirements of EPA Victoria reporting.
- All transactions need to capture information such as operator, site, date and time stamps
- The vendor was to specify the hardware and software requirements of their solution.

4. Internal and External Consultation

The tender was advertised on Council's TenderSearch website, The Age, Shepparton News, Border Mail and the local papers.

FILE NO: C048/19
4. A WELL RUN COUNCIL

ITEM NO: 9.3.2

**C048/19 - PROVISION OF WASTE MANAGEMENT OPERATING SOFTWARE
(cont'd)**

The specification was approved by the Team Leader Waste Management Services, Coordinator Waste Management Services and General Manager Community.

5. Regional Context

The provision of waste management software to Council does not have any significant strategic regional impact.

6. Council Plan Strategy

The Council Plan addresses the need for a well-run Council by implementing a transparent, engaging and accountable governance structure for current and future generations. The processes undertaken to award the contract meet the legislative and policy requirements relating to procurement and tendering.

7. Legislative / Policy Implications

The tender process was undertaken in accordance with the requirements of the section 186 of the Local Government Act and Council's adopted Procurement Policy.

8. Environmental Impact

There are no environmental issues relating to this tender.

9. Conflict of Interest Considerations

There was no conflict of interest declared for this tender evaluation process.

10. Conclusion

After consideration of the submissions, including price and specification requirements, the evaluation panel recommends that Newcastle Weighing Services Pty Ltd be appointed as the preferred tenderer for contract C048/19.

Attachments

- 1 APPENDIX A - Evaluation Summary (Confidential) - *printed in separate document*

FILE NO: C042/19
4. A WELL RUN COUNCIL

ITEM NO: 9.4.1

C042/19 - SUPPLY OF DIESEL FUEL FOR HEAVY PLANT, TUNGAMAH

RECOMMENDATION

That Council:

1. Award contract C042/19 – Supply of Diesel Fuel for Heavy Plant, Tungamah to United Retail Group Pty Ltd.
2. Authorise the Chief Executive Officer to sign and seal the contract documents and approve contract extensions within the provisions of the contract.

1. Executive Summary

Moirā Shire Council invited submissions from suitably qualified organisations or individuals for the supply and access to bulk diesel fuel at Tungamah.

After consideration of the submissions, including price and specification requirements, the evaluation panel recommends contract C042/19 be awarded to United Retail Group Pty Ltd.

2. Background and Options

It is estimated that Council will purchase approximately 80,000 litres of diesel fuel per year.

The intent of this tender is to gain diesel fuel access at a bulk fuel facility in Tungamah.

The contract is for 1 year and may extend in single periods of two years to a maximum contract period of five years (1+2+2).

Date of Public Notice

Paper	Date
Shepparton News	17 September 2019
Cobram Courier	18 September 2019
Numurkah Leader	18 September 2019
Yarrawonga Chronicle	18 September 2019

The tender closed 9 October 2019.

Receipt of Tenders

Only the one submission was received.

Supervision

Superintendent – Manager Operations
Superintendent Representative – Coordinator Works

Panel Membership

The submissions were independently evaluated in TenderSearch by the following positions:

- Superintendent Works
- Team Leader Tungamah

FILE NO: C042/19
4. A WELL RUN COUNCIL

ITEM NO: 9.4.1

**C042/19 - SUPPLY OF DIESEL FUEL FOR HEAVY PLANT, TUNGAMAH
(cont'd)**

The evaluation was moderated by the Procurement Coordinator.

Non-conforming tenders

The submission was not considered to be non-conforming.

Tender Evaluation

The criteria and weightings utilised and are detailed in the following table:

Evaluation Criteria	Evaluation Weighting
Price	50%
Management of Schedules	20%
Skills and Resources	10%
Contribution to Local Economy	10%
Track Record	5%
Compliance with Specification	5%

For more information, please refer to Appendix A – Evaluation Summary (Confidential).

3. Financial Implications

The recommendation is within the approved budget.

4. Risk Management

To minimise the risks associated with the works under the contract, the following conditions are required to be delivered by the successful contractor and/or Council:

- All Plant and Equipment shall be appropriate for the intended purpose and shall be kept in a well maintained, clean, safe and presentable condition.
- All Plant and Equipment shall comply with all relevant Acts, Laws and Regulations. In particular, all Plant and Equipment used shall meet all relevant requirements of the WorkCover Authority and the Environment Protection Authority.
- All personnel are required to undertake a Moira Shire Council site induction.

5. Internal and External Consultation

The tender was advertised on Council's TenderSearch website and the local papers.

The specification was approved by the Coordinator Works, Manager Operations and General Manager Infrastructure.

6. Regional Context

The works under contract provides Council and the Tungamah community access to diesel fuel.

7. Council Plan Strategy

The Council Plan addresses the need for a well-run Council by implementing a transparent, engaging and accountable governance structure for current and future

FILE NO: C042/19
4. A WELL RUN COUNCIL

ITEM NO: 9.4.1

**C042/19 - SUPPLY OF DIESEL FUEL FOR HEAVY PLANT, TUNGAMAH
(cont'd)**

generations. The processes undertaken to award the contract meet the legislative and policy requirements relating to procurement and tendering.

8. Legislative / Policy Implications

The tender process was undertaken in accordance with the requirements of the section 186 of the Local Government Act and Council's adopted Procurement Policy.

9. Environmental Impact

All Plant and Equipment shall comply with all relevant Acts, Laws and Regulations. In particular, all Plant and Equipment used shall meet all relevant requirements of the WorkCover Authority and the Environment Protection Authority.

10. Conflict of Interest Considerations

There was no conflict of interest declared for this tender evaluation process.

11. Conclusion

After consideration of the submissions, including price and specification requirements, the evaluation panel recommends contract C042/19 be awarded to United Retail Group Pty Ltd.

Attachments

- 1 APPENDIX A - EVALUATION SUMMARY (Confidential) - *printed in separate document*

FILE NO: C041/19
4. A WELL RUN COUNCIL

ITEM NO: 9.4.2

C041/19 - SUPPLY AND DELIVERY OF GUIDEPOSTS AND DELINEATORS

RECOMMENDATION

That Council:

1. Award contract C041/19 – Supply and Delivery of Guideposts and Delineators to Delnorth Pty Ltd.
2. Authorise the Chief Executive Officer to sign and seal the contract documents and approve contract extensions within the provisions of the contract.

1. Executive Summary

The Moira Shire Council invited submissions from suitably qualified organisations or individuals for the supply and delivery of Guideposts and Delineators.

After consideration of the submissions, including price and specification requirements, the evaluation panel recommends contract C041/19 be awarded to Delnorth Pty Ltd.

2. Background and Options

The contract is for the supply and delivery of guideposts and delineators related to the maintenance and construction of Council assets throughout the municipality.

The initial contract term is 1 year with the option to extend in two year increments to a maximum contract period of five years (1+2+2).

Date of Public Notice

Paper	Date
The Age	14 September 2019
Border Mail	14 September 2019
Shepparton News	17 September 2019
Cobram Courier	18 September 2019
Numurkah Leader	18 September 2019
Yarrawonga Chronicle	18 September 2019

Tender submissions closed 9 October 2019.

Receipt of Tenders

Two submissions were received from the following organisations:

1. Max Global Products Pty Ltd
2. Delnorth Pty Ltd

Supervision

Superintendent – Manager Operations

Superintendent Representative – Coordinator Works

Panel Membership

The submissions were independently evaluated in TenderSearch by the following positions:

FILE NO: C041/19
4. A WELL RUN COUNCIL

ITEM NO: 9.4.2

**C041/19 - SUPPLY AND DELIVERY OF GUIDEPOSTS AND DELINEATORS
(cont'd)**

- Team Leader Operations – Cobram
- Leading Hand – Tungamah
- Operations Municipal Labourer

The evaluation was moderated by the Contract Administrator.

Non-conforming tenders

No submission was considered to be non-conforming.

Tender Evaluation

The criteria and weightings utilised and are detailed in the following table:

Evaluation Criteria	Evaluation Weighting
Price	70%
Track Record	10%
Contribution to Local Economy	10%
Compliance with Specification	5%
Management of Schedules	5%

For more information, please refer to Appendix A – Evaluation Summary (Confidential).

3. Financial Implications

The recommendation is within the approved budget.

4. Risk Management

To minimise the risks associated with the works under the contract, the following conditions are required to be delivered by the successful contractor and/or Council:

- All work to comply with relevant legislation, the Australian Standards and Codes of Practice
- All work to comply with Occupational, Health and Safety Legislation.

5. Internal and External Consultation

The tender was advertised on Council's TenderSearch website, The Age, Shepparton News, Border Mail and the local papers.

The specification was approved by the Coordinator Works, Manager Operations and General Manager Infrastructure.

6. Regional Context

The works under contract contributes to the replacement of Council's guideposts and delineators.

7. Council Plan Strategy

The Council Plan addresses the need for a well-run Council by implementing a transparent, engaging and accountable governance structure for current and future

FILE NO: C041/19
4. A WELL RUN COUNCIL

ITEM NO: 9.4.2

**C041/19 - SUPPLY AND DELIVERY OF GUIDEPOSTS AND DELINEATORS
(cont'd)**

generations. The processes undertaken to award the contract meet the legislative and policy requirements relating to procurement and tendering.

8. Legislative / Policy Implications

The tender process was undertaken in accordance with the requirements of the section 186 of the Local Government Act and Council's adopted Procurement Policy.

9. Environmental Impact

Clause 1.35 of the specification stipulates the contractor's environmental responsibilities and will form part of the contract.

10. Conflict of Interest Considerations

There was no conflict of interest declared for this tender evaluation process.

11. Conclusion

After consideration of the submissions, including price and specification requirements, the evaluation panel recommends contract C041/19 be awarded to Delnorth Pty Ltd.

Attachments

- 1 APPENDIX A - EVALUATION SUMMARY (Confidential) - *printed in separate document*

FILE NO: C022/17
4. A WELL RUN COUNCIL

ITEM NO: 9.4.3

C022/17 - PROVISION FOR ASSET MAINTENANCE PANEL - PART B REFRESH

RECOMMENDATION

That Council:

1. Award the refresh of panel contract C022/17 – Part B Concreting to:
 - Tactile Australia Pty Ltd trading as One Stop Civil
 - Amadei Bros Pty Ltd
 - Rhonda Innocenti
 - Stephen Eling Visser
2. Authorise the Chief Executive Officer to sign and seal the contract documents and approve contract extensions within the provisions of the contract.

1. Executive Summary

Moira Shire Council refreshed Contract C022/17 Part B – Concreting to allow additional contractors to register.

Existing suppliers will remain panel members and were not required to re-submit a tender.

After consideration of the submissions, including price and specification requirements, the evaluation panel recommends that 4 tenderers be added to Contract C022/17 Part B – Concreting. Please refer to Appendix A for further information.

2. Background and Options

In 2017, Moira Shire Council invited submissions from suitably qualified organisations or individuals to create a panel of contractors for trades regularly used in the urgent or scheduled repair and maintenance of Council assets.

The panel contract serves across all sites of council and provides asset maintenance services including concreting, tree maintenance, building maintenance, plumbing and gas fitting, electrical and painting services.

Tenderers were able to make submissions for each or any separable part. The separable parts were:

Part A	Mandatory Information (to be completed by ALL tenderers)
Part B	Concreting
Part C	Tree Maintenance
Part D	Building Maintenance
Part E	Plumbing and Gas Fitting
Part F	Electrical
Part G	Painting

At the 23 August 2017 Council meeting, Council resolved to appoint 42 consultants for an initial term of 2 years with the option to extend in single periods of 2 years to a maximum contract period of 6 years (2+2+2).

A refresh of Part B – Concreting was required to expand the range of contractors available.

FILE NO: C022/17
4. A WELL RUN COUNCIL

ITEM NO: 9.4.3

**C022/17 - PROVISION FOR ASSET MAINTENANCE PANEL - PART B
REFRESH (cont'd)**

The range of services includes but not limited under Part B – Concreting are as follows:

- Removal, Repair and Construction of Kerb and Channel (generally less than 25 lineal metres) of various profiles
- Removal, Repair and Construction of Footpaths (generally less than 50 lineal metres)
- Installation of small slabs e.g. for picnic tables - (generally less than 5 square metres)
- Removal, Repair and Construction of Concrete Stormwater Pits.

The specification states that no work will be guaranteed to any contractor even though they are accepted onto the panel and Council reserves the right to seek quotations from parties outside of the panel.

To align with the existing contract term, this schedule of rates contract will have an initial term that expires 31 August 2021. Upon mutual agreement there will be provision to extend the Contract for a further two-year period.

Date of Public Notice

Paper	Date
The Border Mail	21 September 2019
Shepparton News	24 September 2019
Cobram Courier	25 September 2019
Numurkah Leader	25 September 2019
Yarrawonga Chronicle	25 September 2019
TenderSearch	25 September 2019

Tender submissions closed 16 October 2019.

Receipt of Tenders

A total of 4 submissions were received. All 4 have been recommended. Refer to Appendix A for more information.

Supervision

The contract Superintendent is the Manager Operations. The Superintendent Representative is the Coordinator Facilities Maintenance.

Panel Membership

The submissions were independently evaluated in TenderSearch by the following positions:

- Manager Operations
- Coordinator Facilities Maintenance
- Coordinator Works

The evaluation was moderated by the Procurement Coordinator.

FILE NO: C022/17
4. A WELL RUN COUNCIL

ITEM NO: 9.4.3

**C022/17 - PROVISION FOR ASSET MAINTENANCE PANEL - PART B
REFRESH (cont'd)**

Tender Evaluation

The criteria and weightings utilised and are detailed in the following table:

Evaluation Criteria	Evaluation Weighting
Price	40%
Compliance with Specification	20%
Skills and Resources	10%
Track Record	10%
Contribution to Local Economy	10%
Management of Schedules	10%

In addition to the above weightings, a 75% cut off score had to be assigned to determine what tender submissions meet the requirements.

Non-conforming tenders

No submission was considered to be non-conforming.

3. Financial Implications

Engaging contractors from the panel is funded within departmental operational budgets.

4. Risk Management

Tenderers addressed risk management issues as part of the tender, additional risks will be assessed on an individual project basis.

5. Internal and External Consultation

The public tender was advertised on Council's TenderSearch website, The Border Mail, Shepparton News and the local papers.

The specification was approved by the Manager Operations and General Manager Infrastructure.

6. Regional Context

A mandatory 10% weighting is applied to tenders to benefit businesses located in the Moira Shire.

7. Council Plan Strategy

The Council Plan addresses the need for a well-run Council by implementing a transparent, engaging and accountable governance structure for current and future generations. The processes undertaken to appoint the panel meet the legislative and policy requirements relating to tendering.

8. Legislative / Policy Implications

The tender process was undertaken in accordance with the requirements of the Local Government Act and Council adopted policies.

FILE NO: C022/17
4. A WELL RUN COUNCIL

ITEM NO: 9.4.3

**C022/17 - PROVISION FOR ASSET MAINTENANCE PANEL - PART B
REFRESH (cont'd)**

9. Environmental Impact

There were no environmental implications relating to the tender process. Environmental risks will be assessed on an individual project basis.

10. Conflict of Interest Considerations

There were no conflicts of interest declared during the tender evaluation process.

11. Conclusion

After consideration of the submissions, including price and specification requirements, the evaluation panel recommends that 4 tenderers provided be included on panel contract C022/17 – Part B Refresh.

Attachments

- 1 APPENDIX A (Confidential) - *printed in separate document*

FILE NO: 000.000.000
1. A GREAT PLACE TO LIVE

ITEM NO: 9.4.4

UPDATE ON YARRAWONGA STADIUM PROJECT

RECOMMENDATION

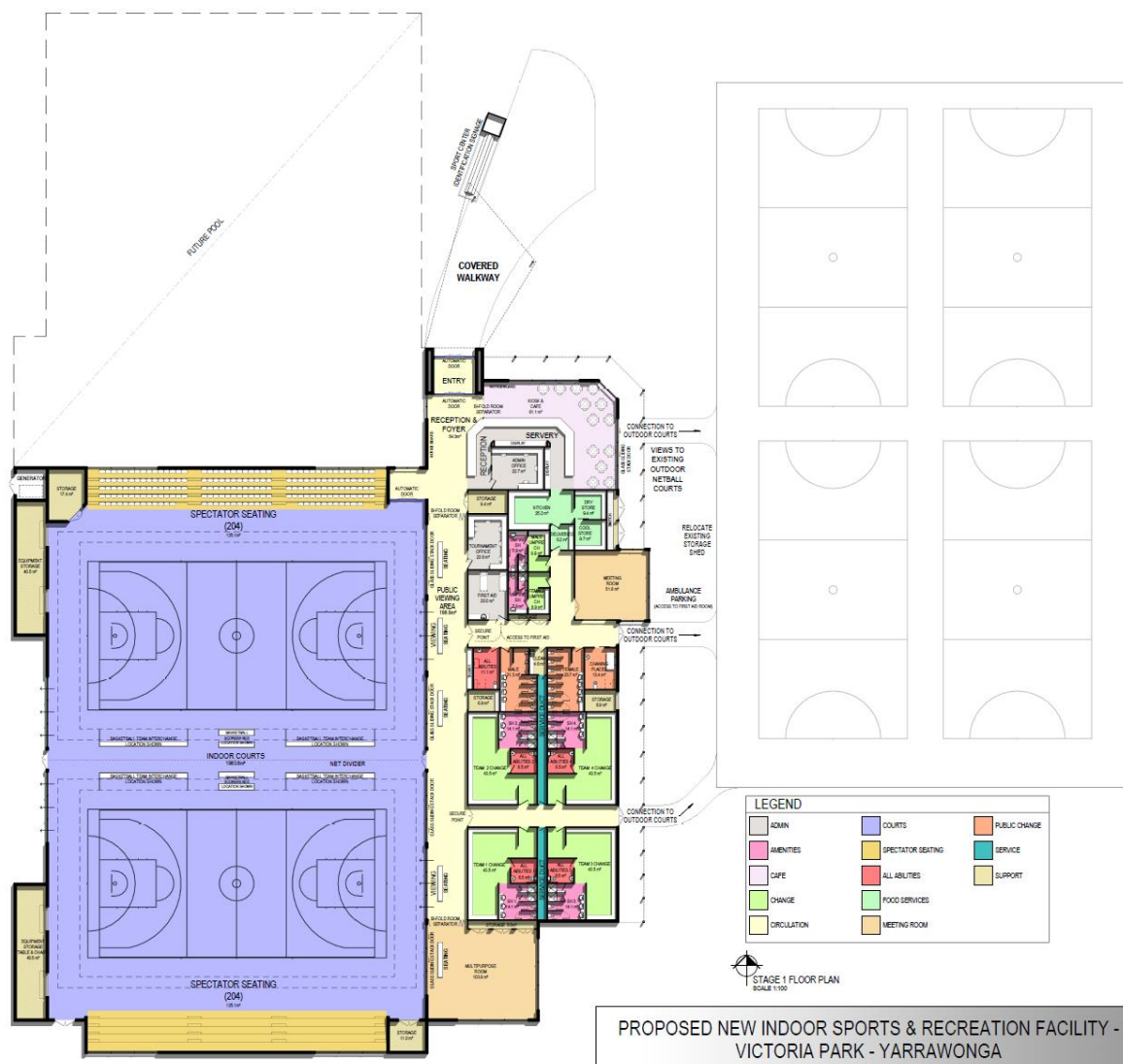
That Council notes the progress on the Yarrawonga Stadium project and endorses the concept plan moving to the detailed design stage.

1. Executive Summary

The Yarrawonga Stadium Project is ready to move to the detailed design phase. The concept plan has been prepared, approved by the Community Reference Group and is now presented to the Council for endorsement.

2. Background and Options

The preliminary concept plan that was presented in the feasibility study for the Yarrawonga Multi Sport Stadium has been further refined by Phil Wilkins Building Design Pty Ltd as shown below:



FILE NO: 000.000.000
1. A GREAT PLACE TO LIVE

ITEM NO: 9.4.4

UPDATE ON YARRAWONGA STADIUM PROJECT (cont'd)

The plan provides for:

- two basketball courts with tiered spectator seating,
- four unisex changerooms (with all-abilities) that can service the stadium and the adjoining netball courts,
- space for a café,
- meeting room,
- multipurpose room, and
- associated infrastructure

Provision has been made for a future indoor pool at the front of the building to take advantage of a common reception area.

The building will have the capacity to be extended should the additional two basketball courts be required.

The total floor area of the concept plan shown is around 3600 square metres.

3. Financial Implications

Council has allocated funds in the 2019-20 budget toward the project that will cover the cost of engaging consultants to prepare the detailed design plans. Council is still to source the necessary grant funding to allow for the tendering of the building contract once the detailed design plans and specification are complete.

The State Government Local Sport Infrastructure Fund has been announced and Council will be lodging an application under the 'Aquatic Centres and Indoor Stadiums' stream which has grants of up to \$2 million available per LGA out of the total pool of \$22 million in the Local Sport Infrastructure Fund.

4. Internal and External Consultation

The plan has been shown to the community reference group who are happy with the design.

5. Council Plan Strategy

Strategy 1: A great place to live

6. Conflict of Interest Considerations

The author of this report has no conflicts of interest with this matter.

7. Conclusion

The preliminary concept for the Yarrawonga Multi Sport Stadium has been further developed to a point where it can move to the detailed design stage.

The community Reference group is happy with the concept plan and it is recommended that Council note the progress to date and endorse the concept plan moving to the detailed design stage.

Attachments

Nil

FILE NO: F17/235
4. A WELL RUN COUNCIL**ITEM NO: 10.1****ACTION OFFICERS' LIST****RECOMMENDATION**

That Council receive and note the Action Officers' List.

Meeting: 24 July 2019**Subject:** Urgent General Business

That Council investigate the possibility of showers for the homeless being incorporated in existing or new toilet facilities in the shire and this report be brought to a council briefing session for consideration by Councillors.

(CARRIED)

Activity

Listed for the December briefing.

Meeting: 28 August 2019**Attachments**

Nil

FILE NO: VARIOUS

ITEM NO: 14

URGENT GENERAL BUSINESS**Clause 60 of Council's "Meeting Procedures Local Law 2017 states:****60. Urgent general business**

- 1) Councillors must provide an outline of the matters to be considered before Council can accept the motion to consider urgent business. The outline must demonstrate how the matter meets the criteria for urgent business.
- 2) Urgent business can only be admitted by resolution of Council
- 3) Urgent business must not be admitted as urgent business unless
 - a) It relates to or arises out of a matter which has arisen since distribution of the agenda
 - b) Is manifestly urgent
 - c) Is material to the function of Council
 - d) Requires an urgent council resolution
 - e) Is otherwise determined by the CEO.
- 4) Only the mover of an urgency motion may speak to the motion before it is put.

FILE NO: VARIOUS

ITEM NO: 15

QUESTIONS FROM THE PUBLIC GALLERY

Clause 61 of Council's "Meeting Procedures Local Law 2017 states:

61. Question Time

The Council will hold a Public Question Time of up to 30 minutes duration at each Ordinary Meeting, to enable members of the public to receive answers to questions previously submitted for consideration, and if the submitted questions are dealt with in less than the 30 minute period, the Chair can invite questions from the floor.

- 1) At every ordinary meeting of the Council a maximum of 30 minutes may be allocated to enable members of the public to submit questions to Council.
- 2) The time allocated may be extended by unanimous resolution of Council.
- 3) Sub-clause (1) does not apply during any period when the Council has resolved to close a meeting in respect of a matter under section 89(2) of the Act.
- 4) To assist the accurate recording of minutes and addressing any questions that may require written response or follow up, the Chief Executive Officer may require questions to be submitted in writing.
- 5) No person may submit more than two (2) questions at any one (1) meeting.
- 6) The Chairperson or member of Council staff nominated by the Chairperson may read a question to those present.
- 7) No question must be so read unless:
 - a) the person asking the same is in the gallery at the time it is due to be read; and
 - b) the person asking the question reads the same when called upon by the Chairperson to do so.
 - c) A question may be disallowed by the Chairperson if it:
 - d) relates to a matter outside the duties, functions and powers of Council;
 - e) is defamatory, indecent, abusive, offensive, irrelevant, trivial or objectionable in language or substance;
 - f) deals with a subject matter already answered;
 - g) is aimed at embarrassing a Councillor or a member of Council staff;
 - h) relates to personnel matters;
 - i) relates to the personal hardship of any resident or ratepayer;
 - j) relates to industrial matters;
 - k) relates to contractual matters;
 - l) relates to proposed developments;
 - m) relates to legal advice;
 - n) relates to matters affecting the security of Council property; or
 - o) relates to any other matter which Council considers would prejudice Council or any person.
- 8) The Chairperson may request a Councillor or member of Council staff to respond, if possible, to the question.
- 9) Councillor or member of Council staff may require a question to be put on notice until the next Ordinary meeting, at which time the question must be answered, or elect to submit a written answer to the person asking the question.
- 10) A Councillor or member of Council staff may advise Council that it is his or her opinion that the reply to a question should be given in a meeting closed to members of the public. The Councillor or member of Council staff must state briefly the reason why the reply should be so given and, unless Council resolves to the contrary, the reply to such question must be so given.

FILE NO: VARIOUS

ITEM NO: 16

MEETING ADJOURNMENT**RECOMMENDATION**

That the meeting be adjourned for 10 minutes.

RECOMMENDATION

That the meeting be resumed.

RECOMMENDATION

That pursuant to Sections 89(2) (h) of the Local Government Act, 1989, this meeting of Council be closed to members of the public in order for Council to discuss personnel and contractual matters which the Council considers would prejudice the Council or any person.

RECOMMENDATION

That pursuant to Section 89(2) of the Local Government Act 1989, Council resolve to continue in open session.

RECOMMENDATION

That the recommendations of the "Closed" Meeting of Council be adopted and the award of tenders disclosed in the open minutes.