



Rural City of  
**Wangaratta**

# Agenda

For the Scheduled Council Meeting  
Council Chambers, Municipal Offices  
62-68 Ovens Street, Wangaratta **28 May 2024**



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## Rural City of Wangaratta Live Stream

Clause 24 of the Governance Rules provides the following:

*“This public meeting is being recorded to improve access to the meeting for our community. The recording will be published and will be retained by Council in accordance with Council’s legal obligations. As a visitor in the public gallery, your presence may be recorded.”*

### 1. Acknowledgement of Traditional Owners

*We acknowledge the traditional owners of the land on which we are meeting. We pay our respects to their Elders past, present and emerging and to Elders from other communities who may be here today.*

### 2. Opening Prayer

*Almighty God, we humbly ask thee to bless and guide this council in its deliberations so that we may truly preserve the welfare of the people whom we serve. Amen*

### 3. Present

### 4. Absent

### 5. Acceptance of Apologies & Granting of Leave of Absence

**Recommendation:**

That <<enter text>> be granted leave of absence for the period <<enter text>> to <<enter text>> .

## Order of Business

### 6. Citizen Ceremony

### 7. Confirmation of Minutes

**Recommendation:**

That Council read and confirm the Minutes of the Ordinary Meeting of 30 April 2024 and the Special Meeting of 6 May 2024 as a true and accurate record of the proceedings of the meetings.

## 8. Conflict of Interest Disclosure

In accordance with section 130 of the Local Government Act 2020 a councillor who has a conflict of interest in respect of a matter must disclose the conflict of interest in the manner required by Council's Governance Rules and exclude themselves from the decision making process in relation to that matter, including any discussion or vote on the matter and any action in relation to the matter.

Clause 28.1 of Council's Governance Rules requires a councillor to indicate that they have a conflict of interest by clearly stating:

- (a) the item for which they have a conflict of interest; and
- (b) whether their conflict of interest is general or material; and
- (c) the circumstances that give rise to the conflict of interest.

**Immediately prior to the consideration of the item in which they have a conflict of interest, a councillor must indicate to the meeting the existence of the conflict of interest and leave the meeting.**

A councillor who discloses a conflict of interest and leaves a Council meeting must not communicate with any participants in the meeting while the decision is being made.

## 9. Reception of Petitions

## 10. Hearing of Deputations

### Presentation Of Reports

## 11. Councillor Reports

Nil

## Officers' Reports

### 12. Executive Services

#### 12.1 Rescission of Motion

Meeting Type:	Scheduled Council Meeting
Date of Meeting:	28 May 2024
Category:	Strategic
Author:	Governance & Reporting Advisor
Approver:	Chief Executive Officer

No Council officers or contractors who have provided advice in relation to this report have declared a conflict of interest regarding the matter under consideration.

#### Executive Summary

This report is presented to Council to rescind a resolution of the 30 April 2024 Scheduled Council Meeting relating to a notice of motion by Councillor Harvey Benton.

##### Recommendation:

That Council:

1. Rescind the Council Resolution at the 30 April 2024 Scheduled Council Meeting relating to the item at 19.1 of that meeting's agenda, namely:

That:

1. The Rural City of Wangaratta Council develop and resource an advocacy action plan as a matter of urgency to appeal the current legislation which limits the community's ability to contest a planning decision to Victorian Civil Administration Tribunal (VCAT).
2. The Rural City of Wangaratta Council asks the State Government to support the protection of agricultural land for food, fibre and viticultural production as any significant change to our rural landscape will have adverse impacts economically, socially and environmentally across the whole municipality. The Action Plan would be communicated to, and support sought, from all political representatives, peak industry bodies and government agencies. Peak Local Government bodies and agencies would also be lobbied for support.

#### Background

Councillor Harvey Benton presented a notice of motion at the 30 April 2024 Scheduled Council Meeting relating to the State Government's new legislation which has taken away the community's right to appeal a planning decision to VCAT.

A councillor may propose a motion to rescind (revoke) or alter a previous resolution of Council if the previous resolution has not been acted on and the effect of the rescission motion would not place the Council at significant legal, financial or other risk.

Under clause 19.1(5) of Council's Governance Rules, a Notice of Rescission must be in writing and delivered to Council's Chief Executive Officer no later than 10 days prior to the next Scheduled Council Meeting.

Councillor Jack Herry has presented a notice of rescission (**Attachment 1**) to formally rescind the previous motion.

### Implications

#### Policy Considerations

There are no specific Council policies or strategies that relate to this report.

#### Financial/Economic Implications

There are no financial or economic implications identified for the subject of this report.

#### Legal/Statutory

There are no legal/statutory implications identified for the subject of this report.

#### Social and Diversity

There are no social impacts identified for the subject of this report.

#### Equity Impact Assessment (EIA)

There are no equity impacts identified for the subject of this report.

#### Environmental/Sustainability Impacts

While the development of an advocacy action plan is likely to have a limited direct environmental/sustainability impact, the potential for increased protection of existing agricultural land from large scale renewable energy developments may retain the biodiversity benefits that exist in remnant vegetation and/or in conservation plantings on agricultural land. Conversely the potential increase in appeals to decisions to grant planning permit applications for large energy generation facilities may impact on the ability to meet emission reduction targets.

### Risk Management

There are no risks associated with this report.

### Consultation/Communication

Officers believe that appropriate consultation has occurred and the matter is now ready for Council consideration.

### Options for Consideration

Councillors have two options:

1. Support the notice of rescission which has the effect or 'rescinding' (revoking) the previous resolution; or
2. Decide against supporting this notice of rescission; in this case, the previous resolution remains unchanged.

### Conclusion

Councillor Jack Herry has presented a notice of rescission relating to a Council resolution of 30 April 2024. The previous resolution resolved that Council develop and resource an advocacy plan to appeal the current legislation which limits the community's ability to contest a planning decision to Victorian Civil Appeals Tribunal (VCAT) and that Council ask the State Government for wider protections relating to agricultural land.

### Attachments

- 1 Notice of Rescission [↓](#) 

## 13. Corporate and Leisure

### 13.1 Audit and Risk Independent Member Remuneration

Meeting Type:	Scheduled Council Meeting
Date of Meeting:	28 May 2024
Author:	Governance & Reporting Advisor
File No:	
Presenters:	Director Corporate & Leisure

No Council officers or contractors who have provided advice in relation to this report have declared a conflict of interest regarding the matter under consideration.

#### Executive Summary

This report is presented to Council to consider increasing the remuneration levels for independent members of the Audit and Risk Committee.

#### Recommendation:

That Council:

- Endorses a remuneration increase of 2.5% for each independent member of the Audit and Risk Committee to take effect from 29 May 2024.

#### Background

Council's Audit and Risk Committee ('the Committee') monitors Council reporting, governance and compliance for sound financial and risk management and oversees Council's internal and external audit programs. The Committee comprises two Councillor members and four independent members who bring expertise in financial management, risk and public sector management.

Under the Audit and Risk Committee Charter, a review of the levels of remuneration for independent members of Council's Audit and Risk Committee is to be conducted at least annually. The remuneration for the Rural City of Wangaratta Audit & Risk Committee independent members was increased by 2.5% in April 2023.

To provide a consistent level of remuneration, a 2.5% increase is recommended. Council must formally endorse an increase by council resolution in order for this recommendation to come into effect. 2.5% will equate to the following increased remuneration amounts:

Position	Current Rate per meeting	Proposed Rate per meeting
Independent Member	\$640.63	\$656.78
Independent Member – Committee Chair	\$768.75	\$787.96

This review does not include remuneration of Councillor members as Councillor allowances are determined separately under Section 39 of the Local Government Act.

### Implications

#### Policy Considerations

This review is consistent with the requirements of the adopted Audit & Risk Committee Charter.

#### Financial/Economic Implications

Any increase to the remuneration will be incorporated into the 24/25 budget.

#### Legal/Statutory

Section 53 (6) of the Local Government Act specifies that a Council may pay a fee to a member of an Audit and Risk Committee who is not a Councillor of the Council.

#### Social and Diversity

There are no social impacts identified for the subject of this report.

#### Environmental/Sustainability Impacts

There are no environmental/ sustainability impacts identified for this subject of this report.

### Strategic Links

#### Council Plan 2021 – 2025

This report supports the 2021-2025 Council Plan through the following objectives and actions:

#### 1. Strengthening our Leadership

1.1.1 Provide open and transparent communication to the community to build trust, respect and understanding.

1.1.1.6 Continue to provide transparency for the community regarding the information being considered in decision making processes.

### Risk Management

Failure to undertake an annual review of the remuneration figures of the Committee's independent members will result in a breach of the Committee's Charter. Any potential breaches will not represent any legal or financial damage to Council.

#### Risk Management Framework

Risks	Likelihood	Consequence	Rating	Mitigation Action
Failure to conduct a formal review of the remuneration allowances for independent	2 – Unlikely	Insignificant	3 – Low	A standing item for a formal review is provided for in the Committee's Annual Work Plan

members of the Committee resulting in a breach of the Charter				
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**Consultation/Communication**

No community consultation is required. Consultation with governance colleagues across regional Victorian councils was undertaken to inform the proposed increase. Officers believe that appropriate consultation has occurred and the matter is now ready for Council consideration.

**Options for Consideration**

Council may either elect to keep the current remuneration figure (not recommended) or provide an increase to provide remuneration more consistent with other similar councils (recommended).

**Conclusion**

The Audit and Risk Committee Charger requires independent member remuneration to be reviewed annually and a benchmarking exercise has been completed. It is appropriate to provide an increase to independent member remuneration levels for the Rural City of Wangaratta, to ensure they remain between the levels paid by smaller rural and larger metro councils.

**Attachments**

Nil

### 13.2 September Scheduled Council Meeting - Date Change

Meeting Type: Scheduled Council Meeting  
Date of Meeting: 28 May 2024  
Author: Governance & Reporting Advisor  
File No:  
Presenters:

No Council officers or contractors who have provided advice in relation to this report have declared a conflict of interest regarding the matter under consideration.

#### Executive Summary

This report is presented to Council to formally resolve to change the dates of the September Scheduled Council Meeting.

Council resolved at the March 2024 Scheduled Council Meeting to bring the September 2024 Scheduled Council Meeting forward one week to ensure all council reports could be adopted by the caretaker period, which was previously set for 24 September 2024 at 12:00pm. The Victorian Electoral Commission has subsequently confirmed that the caretaker period will now come into effect on Tuesday 17 September at 12:00pm.

Under 9.1(2) of Council's Governance Rules, Council may, by resolution or by the CEO directly, resolve to change the date, time or place of any Scheduled Council Meeting. A public notice to this effect must be provided as soon as practicable after the resolution.

#### Recommendation:

That Council changes the date of the September Scheduled Council Meeting to Monday 16 September at 6.00pm.

#### Attachments

Nil

## 14. Community and Infrastructure

Nil

## 15. Sustainability and Culture

### 15.1 Road Deviation and Land Exchange at Old Hume Highway Glenrowan

Meeting Type:	Scheduled Council Meeting
Date of Meeting:	28 May 2024
Category:	Strategic
Author:	Manager Statutory Services
Approver:	Director Sustainability and Culture

No Council officers or contractors who have provided advice in relation to this report have declared a conflict of interest regarding the matter under consideration.

#### Executive Summary

The completed subdivision of land at 246 Old Hume Highway, Glenrowan requires a road deviation to accommodate an existing dwelling constructed partly within a road reserve. This report deals with the statutory process to formalise the required road deviation.

- 1) This report is presented to Council to seek Council's approval to:
  - a) Enter into a heads of agreement with Warby Range Estate Pty Ltd CAN 144 806 717 (**Adjoining Owner**) regarding the proposed Road Deviation and Land Exchange as defined at paragraphs 3), 4) and 9) of this report;
  - b) commence the statutory procedures to consider carrying out the Road Deviation and Land Exchange; and
  - c) advertise and invite public submissions on the Proposed Road Deviation and Land Exchange under sections 207A and 223 of the *Local Government Act 1989 (LGA1989)* and section 114 of the *Local Government Act 2020 (LGA2020)*.

#### Recommendation:

That Council:

1. Enters into a heads of agreement with Warby Range Estate Pty Ltd ACN 144 806 717 (Adjoining Owner) to document the 'in principle' agreement between the parties regarding the:
  - a) proposed road deviation of part of the government roads abutting 246 Old Hume Highway, Glenrowan (Roads), which comprise the following:
    - i) the part of the Roads shown cross-hatched and coloured blue on the site plan attached to this report at Attachment 1 (Unused Road), which will be discontinued and vest in Council; and

- ii) the part of the Roads shown hatched and coloured orange and pink on the site plan attached to this report (Constructed Road), which will be designated as a “road” and vested in Council,  
(together, the Road Deviation); and
  - b) the transfer of the Unused Road to the Adjoining Owner (Land Exchange), subject to Council carrying out the necessary statutory procedures required by Council to proceed with the proposed Road Deviation and Land Exchange.
- 2. Commences the statutory procedures to carry out the Road Deviation referred to at paragraph 1(a), pursuant to clause 2 of Schedule 10 and sections 206, 207 and 223 of the *Local Government Act 1989*.
- 3. Commences the statutory procedures to carry out the Land Exchange referred to at paragraph 1(b), pursuant to section 114 of the *Local Government Act 2020*, such Land Exchange being subject to the completion of the Road Deviation;
- 4. Authorises the Chief Executive Officer to:
  - a) give public notice of the proposed Road Deviation and Land Exchange for a period of 28 days, pursuant to sections 207A and 223 of the *Local Government Act 1989* and section 114 of the *Local Government Act 2020*; and
  - b) undertake the administrative procedures necessary to enable Council to carry out its functions under section 223 of the *Local Government Act 1989* and section 114 of the *Local Government Act 2020* in relation to this matter.
- 5. Considers any public submissions received in respect of the proposed Road Deviation and Land Exchange at a future Council meeting with a date and time to be determined, pursuant to section 223 of the *Local Government Act 1989* and Council’s community engagement policy.

### Background

- 2) This matter arises out of a subdivision of land known as 246 Old Hume Highway, Glenrowan. Planning permit PInApp18/160 allowed for subdivision of this land in stages. To facilitate the subdivision a road deviation was needed due to the existing dwelling remaining partly within an existing road reserve (see aerial photograph below taken in 2017).



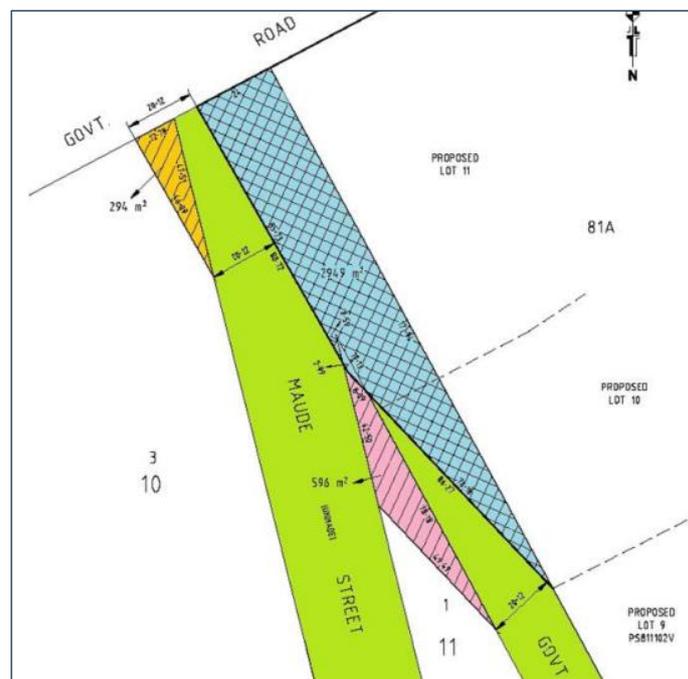
The aerial photograph below taken in 2022 shows the constructed road was deviated away from the dwelling.



This report details the required statutory process to formalise the road deviation under the required legislation.

- 3) The physically constructed government road known as Maude Street, Glenrowan and an unnamed government road (together, the **Roads**), which abut properties owned by Warby Range Estate Pty Ltd ACN 144 806 717 (**Adjoining Owner**), do not accord with the title boundaries of those Roads as shown on the relevant certificates of title. Specifically:
  - a) parts of the Roads are constructed on:

- i) the land contained in certificate of title volume 10907 folio 931 (as shown coloured orange and hatched on the Site Plan below and attached to this report at **Attachment 1 (Site Plan)**); and
  - ii) the land contained in Crown grant volume 5059 folio 797 (shown coloured pink and hatched on the Site Plan),  
(together, the **Constructed Road**); and
- b) part of the Roads are fenced within the land contained in certificate of title volume 12323 folio 190 where the existing dwelling is located, as shown cross-hatched and coloured blue on the Site Plan (**Unused Road**).



Site Plan

- 4) Council has agreed to consider deviating the Roads at law, from the Unused Road on to the Constructed Road (Road Deviation), by exercising its power under clause 2 of Schedule 10 of the *Local Government Act 1989*.
- 5) Council's power to deviate roads under clause 2 of Schedule 10 of the *Local Government Act 1989* is subject to Council complying with its statutory obligations in accordance with section 223 of the *Local Government Act 1989* in respect of the Road Deviation.
- 6) As the Roads are government roads (which if the Road Deviation is completed would result in the vesting of former Crown land in Council pursuant to section 207B(2A) of the *Local Government Act 1989*), Council is required to obtain the consent of the Minister administering

the *Land Act 1958*, pursuant to clause 2(2) of Schedule 10 to the *Local Government Act 1989*.

- 7) Council has obtained the consent of the Department of Environment, Energy and Climate Change (**DEECA**), as delegate for the Minister for Environment, to the Road Deviation.
- 8) If the Road Deviation is completed, its effect will be to:
  - a) designate the Constructed Road as a “road” for the purpose of the *Local Government Act 1989*, which will vest in Council at law; and
  - b) vest the Unused Road in Council at law, pursuant to section 207B(2A) of the *Local Government Act 1989*.
- 9) Subject to Council making a decision to undertake the Road Deviation, the parties have agreed to realign the title boundaries of the Adjoining Owner’s properties, so that they are consistent with the location of the Government Roads (as constructed) and the parties current use and occupation, as follows:
  - a) the Unused Road will be transferred from Council to the Adjoining Owner;
  - b) the title to the Constructed Road will be registered in Council’s name; and
  - c) the parties will submit an application in a form required by Land Registry with effect that the title boundaries of the Adjoining Owner’s properties will be realigned to reflect the new boundaries between the Adjoining Owner’s properties and the Constructed Road,(together, the **Land Exchange**).
- 10) A copy of the proposed survey plan which shows the Road Deviation and Land Exchange is attached to this report as **Attachment 2**.
- 11) Council has the power to complete the Land Exchange, subject to complying with its statutory obligations under section 114 of the *Local Government Act 2020*.
- 12) The parties have agreed to enter into a heads of agreement to document the “in principle” agreement of the parties, subject to Council:
  - a) complying with its statutory obligations in respect of the proposed Road Deviation and Land Exchange; and
  - b) making a decision to proceed with the Road Deviation and Land Exchange.

## Implications

### Policy Considerations

This matter has been considered to be in line with the required legislation including the *Planning and Environment Act 1987*, *Road Management Act 2004* and the *Local Government Acts 1989 and 2020*.

### Financial/Economic Implications

- 13) Council and the Adjoining Owner have agreed that no monetary consideration is payable for the transfer of the Unused Road to the Adjoining Owner and the Constructed Road will vest in Council pursuant to the Road Deviation.
- 14) The Adjoining Owner has paid the costs in connection with the Road Deviation and Land Exchange.

### Legal/Statutory

Other than Council's obligations to comply with its statutory obligations as outlined in this report, there are no legal/statutory implications identified for the subject of this report.

### Social and Diversity

There are no social impacts identified for the subject of this report.

### Equity Impact Assessment (EIA)

There are no equity impacts identified for the subject of this report.

### Environmental/Sustainability Impacts

There are no environmental/ sustainability impacts identified for the subject of this report.

## Strategic Links

### Council Plan 2021 – 2025

This report supports the 2021-2025 Council Plan through the following objectives and actions:

1. **Strengthening our Leadership**  
Provide open and transparent communication to the community to build trust, respect and understanding.
2. **Growing with Integrity**  
Facilitate long term residential growth opportunities.

### Rural City of Wangaratta 2033 Community Vision

This report supports the 2033 Community Vision through the following objectives:

- An effective and efficient Council

- The right growth in the right areas

### Other Policies and Strategies

Council Land Disposal Policy 2023

#### Risk Management

Risks	Likelihood	Consequence	Rating	Mitigation Action
Council doesn't approve proposal	low	moderate	3	Revise proposal
Landowners can't get a title and therefore build	medium	moderate	3	Revise proposal

#### Consultation/Communication

- 15) Council has been liaising with the Adjoining Owner (being the only landowner directly affected by the Road Deviation) in respect of the Road Deviation since the subdivision was proposed in 2018.
- 16) Council proposes to enter into an agreement with the Adjoining Owner to document the "in principle agreement" between the parties for the Road Deviation and Land Exchange.
- 17) Council must give public notice of the proposed Road Deviation and Land Exchange in accordance with section 207A of the *Local Government Act 1989* and section 114 of the *Local Government Act 2020*, and consider any submissions received in accordance with section 223 of the *Local Government Act 1989* and Council's community engagement policy.
- 18) Council will consider any public submissions at a future Council meeting.

#### Options for Consideration

- 19) Council may either:
  - a) resolve to commence the statutory procedures to proceed with the Road Deviation and Land Exchange (**Proposal**); or
  - b) resolve not to proceed with the Proposal.

#### Conclusion

- 20) For the reasons set out in this report, it is recommended that Council proceed with the Proposal as set out in the Recommendation.

### Attachments

- 1 Attachment 1 - Site Plan [↓](#) 
- 2 Attachment 2 - Survey plan of road deviation [↓](#) 

## 15.2 Report for noting: Procurement Exemptions for Development Contributions Plan Projects

Meeting Type:	Scheduled Council Meeting
Date of Meeting:	28 May 2024
Category:	Strategic
Author:	Director Sustainability and Culture
Approver:	Director Sustainability and Culture

No Council officers or contractors who have provided advice in relation to this report have declared a conflict of interest regarding the matter under consideration.

### Executive Summary

The purpose of this report is to notify Council that the Chief Executive Officer (CEO) has approved an exemption from the public tender requirements of Council's Procurement Policy for the upgrade of a section of Christensen Lane by the developers of adjacent land in lieu of required contributions (known as Works-in-Kind) under a Development Contributions Plan (DCP).

The upgrade of Christensen Lane is identified as an infrastructure project approved for delivery within the Wangaratta North-West Growth Area DCP. Council's Procurement Policy (see **Attachment 1**) requires a report to be presented to Council for noting when an exemption of this nature is approved.

### Recommendation:

That Council:

1. Notes the procurement exemption approved by the CEO to facilitate the upgrade of a section of Christensen Lane under the North-West Growth Area Development Contributions Plan and as required by Council's Procurement Policy.
2. Notes a specific exemption for similar future Development Contributions Plan projects to be delivered as Works-in-Kind will be considered for inclusion in Council's Procurement Policy when it is next reviewed.

### Background

Council has two approved DCPs for the North-West and South Growth Areas. These DCPs identify infrastructure projects required to service the growth areas and for which development contributions must be paid by land owners in these areas.

In some cases the DCP projects are delivered by developers as Works-in-Kind in exchange for the associated credits identified for the project in the DCP.

DCP projects delivered as Works-in-Kind do not trigger the requirement under the *Local Government Act 2020* to comply with Council's Procurement Policy. However, there are instances where the

final form of DCP projects are not entirely consistent with the DCP but remain closely connected to the DCP project and arise naturally from the scope of the DCP project, such as variations due to detail design or construction standards. Council has received legal advice that in these instances Council may still not be required to comply with its Procurement Policy depending on the specifics of each project.

One such instance has recently arisen relating to the upgrade of a section of Christensen Lane as required by the DCP and the CEO has approved an appropriate exemption under the Procurement Policy to remove any uncertainty about compliance with the policy and the Local Government Act.

Council's Procurement Policy identifies a number of circumstances that are exempt from public tendering and other competitive processes. Council's CEO has the authority to consider and decide requests for such exemptions. The category of exemption available for DCP projects under the circumstances described above is 'Exceptional Circumstances' as the other available categories do not apply. The policy requires a report to be presented to Council for noting when an exemption is approved under the 'Exceptional Circumstances' category.

Similar circumstances are likely to occur again as part of the development of Wangaratta's Growth Areas and officers will consider adding a specific category of exemption to the Procurement Policy when the policy is next reviewed to help facilitate the intended infrastructure outcomes of the DCPs.

## Implications

### Policy Considerations

The following Council policies or strategies that relate to this report:

- Wangaratta North-West Growth Area Development Contributions Plan
- Procurement Policy

### Financial/Economic Implications

There are no financial implications for Council identified for the subject of this report as the relevant DCP project is delivered as Works-in-Kind by developers using available DCP credits. No Council funding is involved.

DCPs identify Works-in-Kind as a preferred mechanism to deliver most projects identified in the DCPs. Appropriate exemptions under the Procurement Policy help to facilitate delivery of these previously considered and approved projects using this preferred mechanism and in a timely manner i.e. when the projects are required to support approved development.

### Legal/Statutory

- *Planning and Environment Act 1987* as it relates to Development Contributions.
- *Local Government Act 2020* as it relates to procurement.
- Wangaratta Planning Scheme.

### Social and Diversity

DCP infrastructure projects support residential development in approved Growth Areas to help meet the housing needs of our community.

### Environmental/Sustainability Impacts

There are no environmental/sustainability impacts identified for the subject of this report.

## Strategic Links

### Council Plan 2021 – 2025

This report supports the 2021-2025 Council Plan through the following objectives and actions:

#### 1. Growing with Integrity

- Facilitate attractive long-term residential growth opportunities.
- Ensure a range of housing options to meet the needs of the community, including affordable housing.
- Sustainable infrastructure that supports new growth.
- Provide an efficient and effective permit system.

### Rural City of Wangaratta 2033 Community Vision

This report supports the 2033 Community Vision through the following objectives:

- The right growth in the right areas

### Other strategic links

This report supports the implementation of the North-West Growth Area Structure Plan and Development Contributions Plan.

## Risk Management

Risks were considered prior to approving the procurement exemption including:

- undertaking analysis of proposed works and rates to ensure they represented value for money and are consistent with the intended outcomes of the DCP.
- requiring the proposed works to be in accordance with an approved detail design.

## Conclusion

Council's CEO has approved an exemption from the public tender requirements of Council's Procurement Policy to facilitate the upgrade a section of Christensen Lane by the developers of adjacent land in lieu of required contributions under a DCP. The policy requires a report to be presented to Council for noting when such an exemption is approved by the CEO.

## Attachments

- 1 Council's Procurement Policy [↓](#) 

**16. Special Committee Reports**

Nil

**17. Advisory Committee Reports**

Nil

**18. Minutes of Advisory Committee Meetings**

Nil

**19. Notices of Motion**

Nil

**20. Urgent Business**

**21. Public Question Time**

**22. Confidential Business**

Nil

**23. Closure of Meeting**

**Attachments**

Tuesday, 30 April 2024

Cr Jack Herry

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Attn: CEO Brendan McGrath

Dear CEO McGrath,

Please receive this formal notice of rescission to be addressed at the scheduled council meeting on Tuesday 28<sup>th</sup> May 2024.

Details relating to the resolution to be rescinded are as follows:

**Meeting at which resolution was made:**

*Scheduled Council Meeting, 30/04/2024, Eldorado Memorial Hall*

**Agenda item title:**

*19.1 Notice of Motion No 69 - Deputy Mayor, Harvey Benton*

**Specific resolution to which this notice of rescission relates:**

*"That:*

*1. The Rural City of Wangaratta Council develop and resource an advocacy action plan as a matter of urgency to appeal the current legislation which limits the community's ability to contest a planning decision to Victorian Civil Appeals Tribunal (VCAT).*

*2. The Rural City of Wangaratta Council asks the State Government to support the protection of agricultural land for food, fibre and viticultural production as any significant change to our rural landscape will have adverse impacts economically, socially and environmentally across the whole municipality.*

*The Action Plan would be communicated to, and support sought, from all political representatives, peak industry bodies and government agencies.*

*Peak Local Government bodies and agencies would also be lobbied for support."*

Kind Regards,

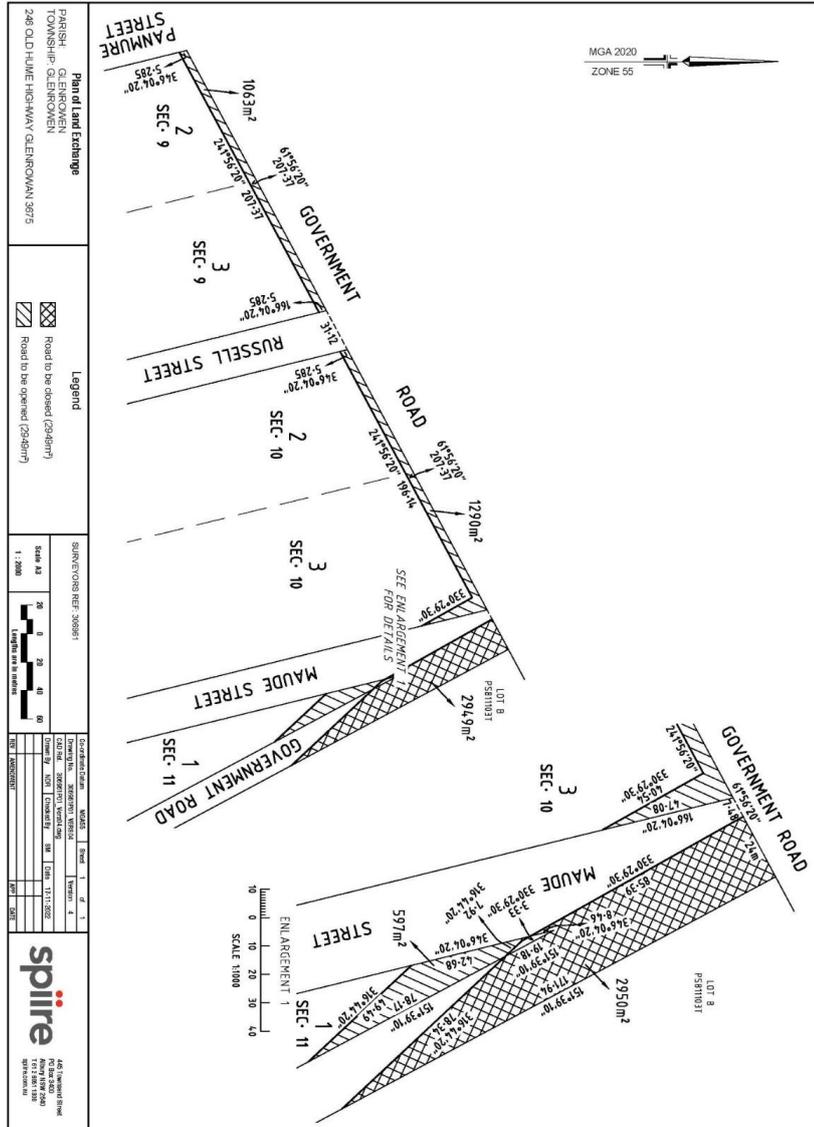


Cr Jack Herry

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Attachment 2 – Survey Plan of Road Deviation and Land Exchange





Rural City of  
**Wangaratta**

## Procurement Policy

Responsible Officer	Adoption Date	September 2022
Procurement Specialist	Approved By	Council
Authorising Officer	Review Date	October 2025
Director Corporate & Leisure	Policy Type	Major Council Policy

### 1. Procurement Policy

This Procurement Policy is made under Section 108 of the *Local Government Act 2020 (the Act)*. The Act requires the Rural City of Wangaratta (**Council**) to:

- adopt a Procurement Policy;
- review the Procurement Policy once during each 4-year term of Council; and
- nominate a threshold value for public tenders or expressions of interests.

#### 1.1 Purpose

The purpose of this Policy is to:

- provide guidance to Council to allow consistency and good governance over procurement activities;
- provide guidance on ethical behaviour in Council procurement activities;
- ensure the application of best practice in procurement activities;
- increase the probability of obtaining value for money when purchasing goods, services or works; and
- demonstrate accountability and transparency to rate payers through open and fair competition.

#### 1.2 Scope

This Policy applies to all Council procurement activities for the purchase of goods, services or works. It is binding upon Councillors, and upon Council staff undertaking procurement on behalf of Council.

## 2. Governance and Ethics

### 2.1 Governance

Council shall establish a procurement management responsibility structure and delegations ensuring accountability, traceability and auditability of all procurement decisions made by Council.

Council's procurement structure should:

- ensure flexibility to purchase in a timely manner the diverse range of material, goods, services and works required by Council;
- ensure that prospective contractors and suppliers are afforded an equal opportunity to tender/quote;
- encourage competition; and
- incorporate strategies for managing risks associated with all procurements and be applied consistently.

### 2.2 Standards

Council's procurement activities shall be carried out to the professional standards required by best practice and in compliance with:

- The Act,
- Council's policies,
- Council's Codes of Conduct,
- Local Government Procurement Best Practice Guidelines
- Other relevant legislative requirements such as but not limited to the ***Competition and Consumer Act 2010*** (Cth), ***Goods Act 1958*** and ***Environment Protection Act 2017*** and ***Child Wellbeing and Safety Act 2005***, as well as the ***Child Safe Standards***.

### 2.3 Responsible Financial Management

The principles of responsible financial management shall be applied to all procurement activities.

Council funds must be used efficiently and effectively to procure goods, services and works and every attempt must be made to contain the costs of the procurement process without compromising any of the procurement principles set out in this Policy.

The availability of existing funds within an approved budget, or source of funds, shall be established prior to the commencement of any procurement action for the supply of goods, services or works.

Council staff must not authorise the expenditure of funds in excess of their financial delegations.

### 2.4 Ethics Requirement

Council's procurement activities shall be performed with integrity and in a manner able to withstand the closest possible scrutiny.

## 2.5 Conduct of Councillors and Council Staff

Councillors and Council staff shall at all times conduct themselves in ways that are, and seen to be, ethical and of the highest integrity, and *will*:

- treat potential and existing suppliers with equality and fairness;
- present the highest standards of professionalism and probity;
- provide all suppliers and tenderers with the same information and equal opportunity;
- deal with suppliers in an honest and impartial manner that does not allow conflicts of interest to arise;
- not seek or receive personal gain;
- maintain confidentiality of Commercial in Confidence information, such as contract prices and other sensitive information, unless compelled by law to disclose it; and
- be able to account for all decisions and provide feedback on them.

## 2.6 Conflict of Interest

Councillors and Council staff shall at all times avoid situations in which private interests conflict, or might reasonably be thought to conflict, or have the potential to conflict, with their Council duties.

Councillors, and Council staff involved in the procurement process (especially when preparing tender documentation, including writing tender specifications, tender opening, and tender evaluation panels), must:

- **Avoid** conflicts, whether actual, potential, or perceived, arising between their official duties and their private interests. Private interests include the financial and other interests of Councillors and Council staff, plus their relatives and close associates.
- **Declare** that there is no conflict of interest. Where future conflicts, or relevant private interests arise, Council staff must make their manager and the chairperson of the relevant tender evaluation panel or board aware and allow them to decide whether the staff member should continue to be involved in the specific procurement activity.
- **Observe** prevailing Council policy and guidelines on how to prevent or deal with conflict of interest situations, and not utilise any procurement-related information for personal gain or any other improper purpose.

## 2.7 Probity – Open and fair competition

All prospective contractors and suppliers must be afforded an equal opportunity to tender or quote. Impartiality must be maintained throughout the procurement process so that it can withstand public scrutiny.

Confidentiality of information provided by existing and prospective suppliers must be maintained at all times, unless disclosure is compelled by law (e.g. a subpoena). This is particularly so in respect of commercially sensitive material such as, but not limited to prices, discounts, rebates, profit, manufacturing, and product information.

## 2.8 Gifts and Hospitality

A Councillor and members of Council staff must not, for themselves or others, seek, request, or solicit gifts. All gift offers, whether accepted or not, must be declared. Bribes and inducements must be reported to the Independent Board-based Anti-corruption Commission.

## 2.9 Disclosure of Information

Commercial in-confidence information received by the Council must not be disclosed unless disclosure is compelled by law. It is to be stored in a Council's information management secure business system.

Councillors and Council staff are obliged to protect information, by refusing to release or discuss the following unless compelled by law to do so:

- information disclosed by organisations in tenders, quotation or during tender negotiations;
- all information that is Commercial in Confidence information; and
- pre-contract information including but not limited to information provided in quotes and tenders or subsequently provided in pre-contract negotiations.

Discussion with potential suppliers during tender evaluations must not go beyond the extent necessary to resolve doubt on what is being offered by that supplier.

## 2.10 Child Safe Standards

Council is committed to ensuring the safety of children and young people by creating and maintaining a child safe organisation.

For procurement activities that involve contact with children across any Council-owned or run facility, then, having regard to the nature of the services, a Working With Children Check will be required from the prospective service provider, and the procurement specification will require demonstrated arrangements in place to meet Child Safe Standards and compliance to Council's Child Safety and Wellbeing Policy.

# 3. Procurement Methods, Thresholds and Requirements

## 3.1 Procurement Methods

Council maintains consistency in the approach to procurement across the whole organisation through coherent frameworks, policies and procedures. The benefits of the purchase are weighted to achieve the optimum result for the Council and local community. Council is not required to accept the lowest cost. Instead, Council must consider issues of quality, social impact, value for money, risk and the accessibility of the service and other factors relevant to both the overall objectives of the individual procurement.

All procurement activities must be conducted in accordance with this Policy and all other relevant Council policies and procedures.

All procurement activities are to provide for an audit trail for monitoring and reporting purposes.



All Council staff must be able to account for all procurement decisions made over the lifecycle of the procurement by Council and provide feedback on them.

Council's methods for purchasing goods, services and works shall be by any of the following methods:

- petty cash;
- corporate credit card;
- purchase order, following a quotation process from suppliers for goods or services that represents value for money under directed quotation thresholds; or
- under contract following a quotation or tender process.

Permitted exemptions as detailed in 3.4 Exemptions from Tendering or other arrangements

**3.2 Contract Threshold Value**

The Act requires Council to nominate a contract value above which the Council must invite a tender or seek an expression of interest. Council's nominated public tender threshold value is **\$250,000**.

For procurement activities under \$250,000, the procurement methodology and thresholds in Appendix A will apply.

All monetary values stated in this policy exclude GST except if stated otherwise.

**3.3 Tenders**

Procurements with an estimated expenditure of \$250,000 or more must be undertaken by tender unless a valid exemption is in place as per Section 3.4 Exemptions from Public Tendering.

The tender thresholds shall apply to aggregated supplier expenditure for a period of no less than two financial years.

Should Council consider that the characteristics of the market would lead to a better result for Council, public tenders may be called where the estimated expenditure is less than \$250,000.

**3.4 Exemptions from Public Tendering and Other Competitive Processes**

The following circumstances identified are exempt from a public tender, proposal, quote or expression of interest process.

	<b>Exemption Name</b>	<b>Explanation</b>
<b>1</b>	Contract made because of Emergency	Where it is determined that the procurement must be entered into because of an emergency, being an emergency due to the actual or imminent occurrence of an event that endangers or threatens to endanger the safety or health of any person, or that destroys or damages, or threatens to destroy or damage, any property,



		or that endangers or threatens to endanger the environment or an element of the environment.
2	Collaborative engagement	Contracts and arrangements established by another government entity, local authority or group purchasing scheme. Eg Municipal Association of Victoria (MAV) or National Procurement network members (e.g. Local Buy), Procurement Australia (PA) etc.  This includes contracts covering Federal, State or Local Government Purchasing.  Contract extensions granted for the purpose of aligning expiry dates for collaborative engagements.
3	Novated Contracts	Where the initial contract was entered into in compliance with the Act and due diligence has been undertaken upon the new party.
4	Information technology -software renewals	Allows for Council to renew software licences for existing programs.
5	Extensions of contracts while at market	Allows for short term contract extensions up to six months if a tender process has begun to replace an existing agreement. E.g. Extensions may be required when negotiations are taking longer than anticipated.
6	Contract Variations	Where a variation occurs, the delegation is not defined by the value of the variation, but by the value of the whole contract. The CEO or a staff member with a sub-delegation from the CEO may vary a contract to the limit of their delegation.
7	Professional Services unsuitable for tendering	Legal Services Insurance
8	Sole or Select Sourcing	Council may engage with one supplier or a restricted group of suppliers where it is consistent with this Procurement Policy and  i) It is in the public interest ii) There is one (sole source) available supplier; or iii) Council is a party to a joint agreement where it jointly owns the intellectual property with a third-party provider; or



		iv) A Public Tender has closed without receiving submissions and engaging a select party will deliver a value for money outcome.
9	Exceptional Circumstances	The CEO may approve an exemption from the Public Tender requirement if exceptional circumstances exist. Where such an exemption has been approved, a report will be subsequently presented by the CEO to Council for noting.

**3.4.1 Non-conformance with Council’s Procurement Guidelines under Public Threshold Limit**

Council staff are required to obtain approval for non-conformance to Council’s Procurement Guidelines in advance of any quote or tender being approved. These non-conformances will be registered to enable continual review and ensure Council’s policy and procedures remain fit for purpose.

**3.5 Publishing and advertising of Public Tenders**

All public tenders will be published via Council’s eTendering Portal and will be advertised in a local newspaper. Information regarding current tenders will also be placed on Council’s website.

**3.6 Role of Specifications**

Specifications used in quotations, tenders and contracts are to support and contribute to the Council’s Value for Money objectives through being written in a manner that:

- clearly defines Council’s requirements;
- encourages the use of standard products;
- ensures impartiality and objectivity;
- encourages sustainable options; and
- eliminates unnecessarily stringent requirements

**3.7 Evaluation Process**

A tender evaluation panel will be established to evaluate each tender submission against the tender’s selection criteria. Tender evaluation panels can include external personnel in order to ensure the best outcome for a procurement activity and must comprise of at least 3 people.

A detailed Tender Evaluation Plan shall be developed and approved. Among other things, this involves the establishment of detailed evaluation criteria and the application of a pre-approved and robust weighted scoring system. The Tender Evaluation Plan should be completed and signed off prior to the tender being issued.

**3.8 Evaluation Criteria**

The following evaluation criteria will be applied in determining whether a proposed contract provides value for money:

- Mandatory Compliance criteria;
- Tendered price;
- Capacity of the Tenderer;
- Capability of the Tenderer; and
- Achievement against Sustainable Procurement Objectives

### 3.9 Contract Terms

All contractual relationships must be documented in writing based on standard terms and conditions. Where this is not possible, approval must be obtained from the appropriate member of Council staff listed in the Council Delegations.

To protect the best interests of Council, terms and conditions must be settled in advance of any commitment being made with a supplier. Any exceptions to doing this expose Council to risk and thus must be authorised by the appropriate member of Council staff listed in the Council Delegations.

### 3.10 Collaborative Procurement

Under Section 108 of the Act, Council will seek to collaborate with other councils and public bodies in its procurements to take advantage of economies of scale.

Under Section 109 of the Act the CEO must ensure that any Council Report that recommends entering a procurement arrangement sets out information relating to opportunities for collaborative procurement, including:

- the nature of those opportunities, if any, and the councils or public bodies with which they are available; and
- why Council did, or did not, pursue the identified opportunities for collaboration with that procurement process.

Council staff must consider any opportunities for collaborative procurement in relation to a procurement process undertaken by Council.

When collaborating with other councils and public bodies, Council will do so in accordance with the following:

- Prospective contracts with a value of \$500,000 or greater for supply of goods, services or works will be shared with councils in the Hume Region for collaboration consideration. The list of prospective contracts will be shared annually in advance of the next budget year;
- Prospective contracts with a value of less than \$500,000 can be referred to the councils in the Hume Region for collaboration consideration where operational efficiencies are anticipated to be achieved;
- A Heads of Agreement will be established should a collaborative procurement opportunity exist with two or more Hume Region councils. The Heads of Agreement will give authority for the Lead Council to act as Procuring Agent for participating councils. Each of the participating councils will be able to enter into a contract with the preferred service

provider identified through the collaborative procurement process. Alternatively, a Joinder Agreement will allow one or more of the Hume Region councils to join an existing contract – this may be beneficial where there are different contract periods or decision making and authorisation processes of councils in the Hume Region; and

- Each participating council must be involved in:
  - the initial decision to undertake the procurement (unless subsequently joining an existing contract under a Joinder Agreement);
  - preparation of, and agreement to, the specifications;
  - ensuring probity in relation to the procurement (see Section 2.7); and
  - deciding which tender or tenders to accept or reject.

## 4 Delegations

Delegations define the limitations within which Council staff are permitted to work. Delegation of procurement authority allows specified Council staff to approve certain purchases, quotation, tender and contractual processes without prior referral to a meeting of Council. This enables Council to conduct procurement activities in an efficient and timely manner while maintaining transparency and integrity.

### 4.1 Council Staff

Council must maintain a documented scheme of procurement delegations, identifying the Council staff authorised to make such procurement commitments in respect of goods, services and works on behalf of Council and their respective delegations contained in Financial Delegations policies

- Acceptance of tenders
- Acceptance of quotes
- Contract term extensions
- Contract variations (non-financial)
- Contract variations (financial)
- Appointment to register of pre-qualified suppliers

### 4.2 Delegations Reserved for the Council

Commitments and processes which exceed the CEO's delegation and which must be approved by Council resolution are:

- tender recommendations and Contract approval for expenditure over \$500,000 in value; and
- variations and contract term extensions above \$500,000 in value where authority hasn't been given to the CEO to act.

## 5 Internal control and risk management

### 5.1 Internal Controls

Council will install and maintain a framework of internal controls over procurement processes that will ensure:

- more than one person is involved in and responsible for a transaction end to end;
- transparency in the procurement process;
- a clearly documented audit trail exists for procurement activities;
- appropriate authorisations are obtained and documented; and
- systems are in place for appropriate monitoring and performance measurement.

### 5.2 Risk Management

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

Council will minimise its risk exposure by measures such as:

- standardising contracts to include current, relevant clauses;
- requiring security where appropriate;
- referring specifications to relevant experts;
- requiring contractual agreement before allowing the commencement of work;
- use of or reference to relevant Australian Standards (or equivalent); and
- effectively managing the contract, including monitoring and enforcing performance.

### 5.3 Contract Management

The purpose of contract management is to ensure that Council, and, where applicable, its clients, receive the goods, services or works provided to the required standards of quality and quantity as intended by the contract, through:

- establishing a system for monitoring and achieving the responsibilities and obligations of both parties under the contract;
- providing a means for the early recognition of issues and performance problems and the identification of solutions; and
- adhering to Council's Risk Management Framework and relevant Occupational Health and Safety Contractor Compliance Procedures.

All Council contracts are to include contract management requirements. Furthermore, contracts are to be proactively managed by the member of Council staff responsible for the delivery of the contracted goods, services or works to ensure Council receives Value for Money.

### 5.4 Performance Measures and Continuous Improvement

Appropriate performance measures are to be established and reporting systems will be used to monitor performance and compliance with procurement policies, procedures and controls



The performance measurements developed will be used to:

- highlight trend and exceptions where necessary to enhance performance;
- improve the internal efficiency of the procurement process and where relevant the performance of suppliers; and
- facilitate programs to drive improvement in procurement to eliminate waste and inefficiencies across key spend categories.

**5.5 Dispute Resolution**

All Council contracts must incorporate dispute management and alternative dispute resolution provisions to minimise or avoid protracted disputes and litigation.

**6. Sustainable Procurement Objectives**

Council’s procurement activities will be undertaken having regard to the below Sustainable Procurement objectives. The ability to meet or exceed the standards detailed in the table below must be considered in the preparation of specifications and the evaluation of tenders where the contract threshold value is \$250,000 or more (see Section 3.2).

Council can choose to apply these standards for all other procurement activities.

Objectives	Standards to be applied in pursuit of objectives
Economic prosperity	examining the options for collaborative procurements
	using aggregated contracts where appropriate
	encouraging effective use of open and fair competition
	developing, implementing and managing procurement strategies that support the co-ordination and streamlining of activities throughout the lifecycle
	working with suppliers to create relationships that are professional and productive and are appropriate to the value and importance of the goods, services and works being acquired
Environmental sustainability	ensuring all procurement contracts and tenders contain sustainability specifications as appropriate to the product or service being procured
	encouraging waste reduction and resource recovery, including recycling activities
	incorporating energy and resource efficiency in the built environment
	identifying, monitoring, and minimising emissions and exploring opportunities to reduce energy consumption
	considering the environmental performance of all suppliers and contractors, and encouraging them to conduct their operations in an environmentally sensitive manner
	considering the basic life cycle analysis of products to minimise the adverse effects on the environment resulting directly or indirectly from products



	selecting products/services that have minimal effect on the depletion of natural resources and biodiversity
Enhancing social value	building and maintaining a strong community by exploring ways to generate local employment and further strengthening the local economy
	purchasing ethical and fair-trade goods to support equitable, local, national, and international trade
	working with local suppliers to ensure they are positioned to participate in tender processes
	investment in skill development, through training and/or apprenticeships

## 7. Build and Maintain Supply Relationships

Council recognises that, to achieve Value for Money, a strategic assessment of the appropriate ‘channel to market’ should be undertaken – whether to go to market on its own, participate in regional or sector aggregated projects or Panels, access State Government Panel agreements or other means. Council will consider supply arrangements that deliver the value for money outcomes in terms of time, expertise, cost, value and outcome.

### 7.1 Developing and Managing Suppliers

Developing and managing suppliers is essential to achieving a competitive market capable of delivering Council’s goods, services and works requirements.

Council needs to interact with the market and its suppliers to understand their views and what enables and encourages diverse parts of the market to bid for work with Council. Council aims to develop relationships with suppliers that creates mutually advantageous, flexible, and long-term relations based on the quality of performance and financial savings.

Council may establish Panel arrangements where rates contracts for goods, services or works are appointed to facilitate aggregated spends under contract. Subsequently quotes to appoint from the Panel on job-by-job basis promotes competition and value for money.

### 7.2 Supply Market Development

A wide range of suppliers should be encouraged to compete for Council work. The types of organisations offering business diversity include:

- Local businesses
- Green suppliers
- Small to medium sized enterprises (SME’s)
- Social enterprises
- First Nation’s business
- Voluntary and community organisations

## 8. Breaches

Breaches of this Policy may lead to disciplinary action in accordance with Council's Enterprise Agreement.

## 9. Definitions and Abbreviations

Term	Definition
Act	Local Government Act 2020
CEO	Means the Chief Executive Officer of Council.
Commercial in Confidence	Information that, if released, may prejudice the business dealings of a party (e.g. prices, discounts, rebates, profits, methodologies, and process information).
Contract Management	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	Includes full-time and part-time Council staff, and temporary employees, contractors and consultants while engaged by Council.
Environmentally Sustainable	Activities that meet the needs of the present without compromising the ability of future generations to meet their needs.
Expression of Interest (EOI)	An invitation for persons to submit an EOI for the provision of the Goods and/or Services and/or Works generally set out in the overview of requirements contained in the document. This Invitation is not an offer or a contract
Green Suppliers	Suppliers who can demonstrate they supply low environmental impact products or services, and have sustainable methods of production / service
Local supplier	Business located within a 100km radius of Wangaratta Rural City Council
MAV	Municipal Association of Victoria
OH&S	Occupational Health & Safety



Panel	A panel arrangement is a tool for the procurement of goods, services or works regularly acquired by entities. In a panel arrangement, a number of suppliers are selected, each of which is able to supply identified goods, services or works.
Probity	Within Local Government, the word "probity" is often used in a general sense to mean "good process." A Procurement process that conforms to the expected standards of probity is one in which clear procedures that are consistent with Council's policies and legislation are established, understood and followed from the outset. These procedures need to consider the legitimate interests of suppliers and ensure that all potential suppliers are treated equitably.
Procurement	Procurement is the whole process of acquisition of external goods, services and works.
Relatives or Close Associates include	Family members (children, siblings, parents, cousins) Business partners Close friends
Select Party	Council directly engages with a supplier/s to quote for the supply of goods, services or works.
Social Procurement	Social Procurement uses procurement processes and purchasing power to generate positive social outcomes in addition to the delivery of efficient goods, services and works.
Tender Process	The process of inviting parties to submit a tender using a public advertisement, followed by evaluation of submissions and selection of a successful tenderer.
Value for Money	Value for money in procurement is about selecting the supply of goods, services and works considering both cost and non-cost factors including:  contribution to the advancement of Council's priorities; fitness for purpose; quality; service; support; and  cost-related factors, including whole-of-life costs and transaction costs associated with acquiring, using, holding, and maintaining along with end-of-life costs associated with goods, services or works

## 10. References

### 10.1 Legislation

- *Local Government Act 2020*
- *Competition and Consumer Act 2010 (Cth)*
- Australian Standards
- *Child Wellbeing & Safety Act 2005*

### 10.2 Internal Policies & Documents

- Councillor Code of Conduct
- Councillor Gift Policy
- Contract Management Manual
- Fraud and Corruption Control Policy
- Gift, Benefits, and Hospitality Policy
- Instrument of Sub-Delegation
- Information Records Management Policy
- OH&S Purchasing Risk Assessment Procedure
- Procurement Guidelines and Procedures
- Risk Management Policy
- Child Safety and Wellbeing Policy

### 10.3 External Reference Material

- Procurement Best Practice Guidelines
- MAV Model Procurement Policy

## 11. Review

In accordance with the Act, Council must review and approve the Procurement Policy, at least once in each Council term. Any change or update which materially impacts and/or alters this Policy must be approved by Council.



### Appendix A

Council will invite tenders, proposals, quotes and expressions of interest for goods, services and works in accordance with the thresholds listed below:

Procurement threshold	Procurement methodology
\$0 - \$1,000	One verbal quote
\$1,000.01 - \$10,000	Obtain at least one written quote
\$10,000.01 - \$50,000	At least three written quotes to be invited from suppliers who are considered able to meet requirements or one quote from Panel
\$50,000.01 - \$150,000	At least three written quotes to be invited from suppliers who are considered able to meet requirements using Council's eTendering Portal  or One quote from a Panel provider
\$150,000.01 - \$250,000	At least three written quotes to be invited from suppliers who are considered able to meet requirements using Council's eTendering Portal  or Three written quotes from Panel providers
> \$250,000	Public tender process using Council's eTendering Portal and advertising publicly as per Procurement Policy.
> \$500,000	Collaborative procurement opportunities explored