



Southern Grampians
SHIRE COUNCIL

Council Meeting Minutes

Ordinary Meeting
13 March 2019

Held at 5.30pm in the
Glenthompson War Memorial Hall,
McLennan Street, Glenthompson.

TABLE OF CONTENTS

1	Present	3
2	Acknowledgement of Country	3
3	Prayer	3
4	Apologies	3
5	Confirmation of Minutes	4
6	Declaration of Interest	4
7	Questions on Notice	5
8	Public Deputations	6
8.1	Jacqui Bagnall, Marilyn Lyons, Midge Gough - Friends of the Hamilton Botanic Gardens	6
8.2	Petition – Blue Gum Tree, Lonsdale Street, Hamilton	7
9	Records of Assemblies of Councillors	8
10	Management Reports	18
10.1	Audit and Risk Committee - Minutes	18
10.2	Audit & Risk Committee Membership	19
10.3	Greater Grants	21
10.4	Standard Statements for 2018/19 Financial Year as at 28 February 2019	28
10.5	Electricity Tender	31
10.6	Variation request to Contract 60 –18 Removal and Replacement of Flood Damaged Stormwater Drains	34
10.7	Hensley Park and Kent Roads Footpath Scheme	37
10.8	59-18 Construction Works for Restoration of Flood Damaged Dunkeld Arboretum Dam Wall and Spillway	39
11	Notices of Motion	44
11.1	Notice of Motion #1/19	44
12	Delegated Reports	47
13	Mayors and Councillors Reports	48
13.1	Chief Executive Officer Contract	48
14	Confidential Matters	52
15	Close of Meeting	53

1 Present

Councillors

Cr Mary-Ann Brown – Mayor
Cr Chris Sharples – Deputy Mayor
Cr Cathy Armstrong
Cr Albert Calvano
Cr Colin Dunkley
Cr Greg McAdam
Cr Katrina Rainsford

Officers

Mr Michael Tudball – Chief Executive Officer
Ms Evelyn Arnold – Director Community and Corporate Services
Mr Andrew Goodsell – Director Planning and Development
Mr David Moloney – Director Shire Infrastructure
Ms Karly Saunders – Governance Coordinator

2 Acknowledgement of Country

The Mayor, Cr Brown, read the acknowledgement of country –

“Our meeting is being held on the traditional lands of the Gunditjmarra, Tjap Wurrung and Bunganditj people.

I would like to pay my respects to their Elders, past and present, and the Elders from other communities who may be here today.”

3 Prayer

Cr Armstrong led the meeting in a prayer.

4 Apologies

Nil

5 Confirmation of Minutes

RECOMMENDATION

That the Minutes of the Ordinary Meeting of Council held on 13 February 2019 be confirmed as a correct record of business transacted.

COUNCIL RESOLUTION

MOVED: Cr Rainsford

SECONDED: Cr Sharples

That the Minutes of the Ordinary Meeting of Council held on 13 February 2019 be confirmed as a correct record of business transacted.

CARRIED

6 Declaration of Interest

None Declared.

7 Questions on Notice

Questions from the public must be submitted prior to the commencement of Council Meetings.

All questions must be submitted through completion of the Public Question Time form, and be forwarded to the Chief Executive Officer at 111 Brown Street, Hamilton. All questions must be received by no later than 5pm on the Monday before the Ordinary Meeting of Council.

Questions must:

1. Not pre-empt debate on any matter listed on the agenda of the Ordinary Meeting at which the question is asked
2. Not refer to matters designated as confidential under the Local Government Act 1989.
3. Be clear and unambiguous and not contain argument on the subject.
4. Not be derogatory, defamatory or embarrassing to any Councillor, member of staff, ratepayer or member of the public, nor relate to a matter beyond the power of Council.

If the member of the public is in attendance at the Council Meeting the Mayor will read the question aloud and provide a response. If a question cannot be answered at the meeting, a written response will be prepared and forwarded to the person raising the question.

Residents do not need to attend the meeting for a question to be answered. If they do not attend the meeting a written response will be provided.

There were no Questions on Notice listed on tonight's agenda.

8 Public Deputations

Requests to make a Public Deputation to Council must be submitted prior to the commencement of the Council Meeting.

Anyone wishing to make a deputation to Council must complete the Request to Make a Deputation form and forward it to the Chief Executive Officer at 111 Brown Street, Hamilton no later than 5pm on the Monday before the Ordinary Meeting of Council..

Speaking time is limited to 3 minutes per person. Organisations may be represented at the deputation to Council by not more than 4 representatives. The names of the representatives to attend must be advised in writing to the Chief Executive Officer and 1 of the representatives to attend must be nominated as the principal spokesperson for the deputation.

Deputations wishing to make a written submission to the Council must provide a copy either electronically or hard copy of the submission to the Chief Executive Officer prior to the Ordinary Council Meeting. One copy will be made available to the local media representative, if requested.

All members of the public addressing the Council must extend due courtesy and respect to the Council and the processes under which it operates. If a member of the public fails to do this the Chairperson can remove them from the Chambers. All members of the public must also comply with Council's Public Participation at Council Meetings policy in relation to meeting procedures and public participation at meetings.

There were two Public Deputations listed on tonight's agenda.

8.1 Jacqui Bagnall, Marilyn Lyons, Midge Gough - Friends of the Hamilton Botanic Gardens

Malcolm Fraser Bust

RECOMMENDATION

That Council receives the Deputation and Officers provide a further report back to Council.

COUNCIL RESOLUTION

MOVED: Cr Sharples
SECONDED: Cr Calvano

That Council receives the Deputation and Officers provide a further report back to Council.

CARRIED

8.2 Petition – Blue Gum Tree, Lonsdale Street, Hamilton

A petition relating to the blue gum tree at the intersection of Thompson and Lonsdale Streets, Hamilton which reads as follows:

Please help save the significant big old blue gum in Lonsdale Street from being cut down.

RECOMMENDATION

That Council receives the Petition and Officers provide a further report back to Council.

COUNCIL RESOLUTION

MOVED: Cr Armstrong
SECONDED: Cr Dunkley

That Council receives the Petition and Officers provide a further report back to Council.

CARRIED

9 Records of Assemblies of Councillors

Written records of Assemblies of Councillors must be kept and include the names all Councillors and members of Council staff attending the meeting, the matters considered, any conflicts of interest declared and when the person/s with a conflict left and returned to the meeting.

Pursuant to section 80A (2) of the Act, these records must be, as soon as practicable, reported at an ordinary meeting of the Council and incorporated in the minutes of that meeting.

Section 3 of the Local Government Act 1989 defines as Assembly of Councillors as:

1. A meeting of an advisory committee of the Council, if at least one Councillor is present; or
2. A planned or scheduled meeting of at least half of the Councillors and one member of Council staff;

which considers matters that are intended or likely to be:

- a) The subject of a decision of the Council; or
- b) Subject to the exercise of a function, duty or power of the Council that has been delegated to a person or committee.

As there are some meetings which may or may not be classed as an Assembly of Councillors depending on who is present and the topics that are discussed Southern Grampians Shire Council records these meetings as an Assembly of Councillors to ensure that transparency in relation to these meetings is publicised.

An Assembly of Councillors record was kept for:

- Briefing Session – 13 February 2019
- Community Inclusion Advisory Committee – 20 February 2019
- Audit and Risk Committee Meeting – 19 February 2019
- Pedrina Park Workshop – 20 February 2019
- Briefing Session – 27 February 2019

This agenda was prepared on 6 March 2019. Any Assemblies of Councillors between that date and the date of tonight's Meeting will appear in the agenda for the next Ordinary Meeting of Council.

RECOMMENDATION

That the record of the Assembly of Councillors be noted and incorporated in the Minutes of this Meeting.

COUNCIL RESOLUTION

MOVED: Cr Rainsford

SECONDED: Cr McAdam

That the record of the Assembly of Councillors be noted and incorporated in the Minutes of this Meeting.

CARRIED

ASSEMBLY OF COUNCILLORS



Southern Grampians
Shire Council

ASSEMBLY DETAILS	
Title:	Council Briefing Session
Date:	13 February 2019
Location:	MJ Hynes Auditorium
Councillors in Attendance:	Cr Mary-Ann Brown, Mayor Cr Chris Sharples, Deputy Mayor Cr Cathy Armstrong Cr Albert Calvano Cr Colin Dunkley Cr Greg McAdam Cr Katrina Rainsford
Council Staff in Attendance:	Michael Tudball, Chief Executive Officer Evelyn Arnold, Director Community and Corporate Services David Moloney, Director Shire Infrastructure Andrew Goodsell, Director Planning and Development Belinda Johnson, Manager Finance

The Assembly commenced at 12:00pm

MATTERS CONSIDERED		CONFLICTS OF INTEREST DECLARED
1	Rural Councils Transformations	Nil
2	Review LTFP, Forecast Position and Relevant Benchmarking	Nil
3	Roundabout Turning Points	Nil
4	Hamilton Botanic Gardens Master Plan Project	Nil

The Assembly concluded at 5:00pm



ASSEMBLY OF COUNCILLORS

ASSEMBLY DETAILS	
Title:	Audit & Risk Committee
Date:	19 February 2019
Location:	Martin J Hynes
Councillors in Attendance:	Mayor Mary-Ann Brown, Cr Colin Dunkley
Council Staff in Attendance:	Michael Tudball, CEO Evelyn Arnold, Director Community & Corporate Services Belinda Johnson, Manager Finance Darren Barber, Manager Organisational Development Karly Saunders, Governance Coordinator Nadine Rhook, EA Director Community & Corporate Services

The Assembly commenced at 2.00pm

MATTERS CONSIDERED		CONFLICTS OF INTEREST DECLARED
1	Welcome	Nil
2	Apologies	Nil
3	Confirmation of Minutes – 27 November 2019	Nil
4	Summary Table of Outstanding Matters	Nil
5	Segregation of Roles in Civica	Nil
6	Council's Procurement Policy & Guidelines	Nil
7	Flood Recovery	Nil
8	Progress Report of Current Actions (Interplan)	Nil

9	Progress Report of Current Actions (Interplan) – Business Continuity Plan	Nil
10	Progress Report of Current Actions (Interplan) – Contract Management	Nil
11	Financial Report – Standard Statements	Nil
12	Internal Audit Progress – Overall & Draft Scope Waste Management – Landfill	Nil
13	Reports Released by Other Government Agencies	Nil
14	OHS Report	Nil
15	Review External Auditors proposed Audit Strategy	Nil
16	2019 Annual Plan – Confirmation of ARC Meeting Dates	Nil
17	Benchmarking Data	Nil
18	Committee in Camera	Nil
19	Next Meeting	Nil

The Assembly concluded at 4.03pm

ASSEMBLY OF COUNCILLORS



Southern Grampians
Shire Council

ASSEMBLY DETAILS	
Title:	Committee Inclusion Advisory Committee
Date:	20 February 2019
Location:	Brown Street Downstairs Meeting Room
Councillors in Attendance:	Cr Cathy Armstrong
Council Staff in Attendance:	Evelyn Arnold, Director Community & Corporate Services Lachy Patterson – Manager Community Relations Jane Coshutt – Rural Nadine Rhook, EA Director Community & Corporate Services

The Assembly commenced at 10.30am

MATTERS CONSIDERED		CONFLICTS OF INTEREST DECLARED
1	Welcome	Nil
2	Apologies	Nil
3	Confirmation of Minutes	Nil
4	Hamilton CBD Masterplan	Nil
5	Public Toilet Strategy	Nil
6	Cox Street Design	Nil
7	Art Gallery – Scoping Study	Nil
8	Masterplan & Recreation & Leisure Strategy	Nil
9	Southern Grampians Shire Council – Disability Action Plan	Nil
10	Next Meeting	Nil

The Assembly concluded at 11.55am



Southern Grampians
Shire Council

ASSEMBLY OF COUNCILLORS

ASSEMBLY DETAILS	
Title:	Pedrina Park Workshop
Date:	20 February 2019
Location:	Ansett Pavilion – Pedrina Park
Councillors in Attendance:	Mayor Mary-Ann Brown Cr Colin Dunkley Cr Greg McAdam Cr Katrina Rainsford Cr Albert Calvano Cr Cathy Armstrong
Council Staff in Attendance:	Evelyn Arnold, Director Community & Corporate Services Susannah Milne, Manager Community & Leisure Darren Barber, Manager Organisational Development Nadine Rhook, EA Director Community & Corporate Services

The Assembly commenced at 2.30pm

MATTERS CONSIDERED		CONFLICTS OF INTEREST DECLARED
1	Welcome & Walk around Pedrina Park	Nil
2	Setting the Scene	Nil
3	Guiding Principals	Nil
4	Check In/Discussion	Nil
5	Where does Pedrina Park fit within the Community?	Nil
6	Pedrina Park Facility Hierarchy Class	Nil
7	Local vs Municipal vs Regional	Nil
8	Check In/Discussion	Nil

9	Who is using Pedrina Park	Nil
10	How does Pedrina Park fit within the Recreation & Leisure Strategy	Nil
11	Apply this to Pedrina Park	Nil
12	Check In/Discussion	Nil
13	Concept Pedrina Park Mater Plan - Pre Submission	Nil
14	Issues raised through Submissions	Nil
15	Concept Pedrina Park Mater Plan - Post Submission	Nil
16	Check In/Discussion	Nil
17	Points of Clarification	Nil
18	Check In/Discussion	Nil
19	Next Steps Planning	Nil

The Assembly concluded at 5.03pm

ASSEMBLY OF COUNCILLORS



Southern Grampians
Shire Council

ASSEMBLY DETAILS	
Title:	Council Briefing Session
Date:	27 February 2019
Location:	MJ Hynes Auditorium
Councillors in Attendance:	Cr Mary-Ann Brown, Mayor Cr Chris Sharples, Deputy Mayor Cr Cathy Armstrong Cr Albert Calvano Cr Colin Dunkley Cr Greg McAdam Cr Katrina Rainsford
Council Staff in Attendance:	Evelyn Arnold, Director Community and Corporate Services David Moloney, Director Shire Infrastructure Andrew Goodsell, Director Planning and Development Lachy Patterson, Manager Community Relations Belinda Johnson, Manager Finance Jason Cay, Finance Coordinator Rohit Srivastava, Manager Assets Russell Bennett, Manager Business Systems Hugh Koch, Manager Economic Development and Tourism Ben Hunter, PAC Coordinator

The Assembly commenced at 12:30pm

MATTERS CONSIDERED		CONFLICTS OF INTEREST DECLARED
1	Greater Grants Round 2	Nil
2	Capital Works	Nil
3	Review Indicative Capital Works	Nil
4	Electricity Tender	Nil

6	Hensley Park and Kent Road Footpath Special Charge Scheme Projects	Nil
7	ARC Membership, Chair Appointment	Nil
8	Update of Smart Community Projects	Nil
9	PAC Pricing Strategy	Nil
10	CEO Contract	Nil

The Assembly concluded at 5:00pm

10 Management Reports

10.1 Audit and Risk Committee - Minutes

Directorate: Evelyn Arnold, Director Community and Corporate Services
Author: Evelyn Arnold, Director Community & Corporate Services
Attachments: 1. Minutes – 19 February 2019

Executive Summary

The Minutes from the February meeting as endorsed by the Audit and Risk Committee (ARC) are presented to Council for adoption.

Discussion

The Audit and Risk Committee (ARC), as an Advisory Committee of Council, fulfils both a statutory and consultative function. It provides feedback, advice and direction to Council. The intention is not to focus on financial risk which is adequately addressed by the external auditors, but rather to review internal processes in line with the culture of continuous improvement.

Legislation, Council Plan and Policy Impacts

The Local Government Act 1989 section 139.

Disclosure of Interests

All Council Officers involved in the development and advice provided in this Report affirm that no direct or indirect interests need to be declared in relation to any matters in this Report.

RECOMMENDATION

That the Minutes for the Audit and Risk Committee meeting held on 19 February 2019 be noted.

COUNCIL RESOLUTION

MOVED: Cr Dunkley
SECONDED: Cr Sharples

That the Minutes for the Audit and Risk Committee meeting held on 19 February 2019 be noted.

CARRIED

10.2 Audit & Risk Committee Membership

Directorate: Evelyn Arnold, Director Community and Corporate Services
Author: Evelyn Arnold, Director Community and Corporate Services
Attachments: None

Executive Summary

Council's Audit Committee is established in accordance with section 139 of the Local Government Act 1989. Membership comprises two independent members and two Councillors.

The membership of the current Independent Chairperson - Mr Michael Murphy is due to expire on 9 March 2019.

Expressions of Interest were called and two applications were received.

After reviewing the responses received and interviews taken place it is recommended that Council appoint Michael Murphy to be the Chairperson for the Audit and Risk Committee for a term of two years, expiring on 13 March 2021.

Discussion

The Audit & Risk Committee Charter states that "Appointment of external independent members shall be made following public advertisement in the local newspaper and the Council website inviting expressions of interest."

Expressions of interest were invited and two applications were received. Interviews were held recently by a panel comprising the Mayor, Chief Executive Officer and Director Community & Corporate Services. Both candidates were highly credentialed. However, Mr Murphy's extensive experience including a number of years of involvement in the local government industry resulted in him being identified as the preferred candidate.

Financial and Resource Implications

There are no financial or resource implications resulting from the recommendation in this report.

Legislation, Council Plan and Policy Impacts

Section 139(1) of the Local Government Act 1989 ("the Act") states that Council must establish an audit committee.

Risk Management

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

In achieving its primary objective, the Committee in turn ensures that Council achieves its social, economic and environmental objectives in a fair, transparent and open manner.

Environmental and Sustainability Considerations

There are no environmental or sustainability implications resulting from the recommendation in this report.

Community Consultation and Communication

Appointment of independent persons to the Audit & Risk Committee ensures an objective and external view of Council financial and organisational risk. Expressions of interest to fill the vacancy were invited by public notice placed in the Hamilton Spectator and on Council's website. Local community interest was specifically encouraged.

Disclosure of Interests

All Council Officers involved in the development and advice provided in this Report affirm that no direct or indirect interests need to be declared in relation to any matters in this Report.

RECOMMENDATION

That Council appoint Mr Michael Murphy as the Independent Chairperson of the Audit & Risk Committee for a term of two years concluding on 13 March 2021.

COUNCIL RESOLUTION

MOVED: Cr Dunkley
SECONDED: Cr McAdam

That Council appoint Mr Michael Murphy as the Independent Chairperson of the Audit & Risk Committee for a term of two years concluding on 13 March 2021.

CARRIED

10.3 Greater Grants

Directorate: Evelyn Arnold, Director Community and Corporate Services
Author: Lachy Patterson, Manager Community Relations
Attachments: None

Executive Summary

This report provides Council with information regarding community grant applications (Tourism and Events, Sustainability, Community Strengthening, Community Infrastructure, Arts and Culture categories) that have been recommended for Greater Grants program funding via the Greater Grants Assessment Team.

Discussion

The Greater Grants program was established to deliver Council grants that are responsive to the needs and opportunities of the community, inclusive and equitable to all, and one that facilitated the flexible delivery of key strategies identified within the Council Plan 2017-2021 across the social, economic and environmental spectrum.

This program consolidates Council's extensive range of grant opportunities into one program to enable better integration and co-ordination of grant administration and improved marketing of those grant opportunities.

Greater Grants assistance is considered for organisations, groups, committees and individuals with proposals that directly benefit the Southern Grampians Shire region. Applications are assessed using pre-determined evaluation criteria for each grant category taking into consideration strategic objectives within the Council Plan, other Council Strategies and Community Plans.

The Greater Grants program contains two rounds per year and applications are assessed using pre-determined evaluation criteria by the Greater Grants Common Assessment Team (GGCAT). The GGCAT also explore opportunities for leverage, collaboration and alternatives to achieve outcomes across the social, economic and environmental spectrum.

Grant applications for amounts greater than \$2,500 are taken to Council for a resolution twice annually. Applications for \$2,500 or greater must demonstrate cash or in-kind contributions and must provide evidence of cash held, or applicants must be able to demonstrate their financial capacity. Any applicable Annual Operational Subsidies provided by Council are not to be used as the applicant's cash contribution toward the project.

The Director Community and Corporate Services is the delegated officer authorised to approve grant applications for amounts \$2,500 or less.

The current round of grants includes 10 grants above delegation totalling \$52,843 and 22 grants under delegation across the following categories (Tourism and Events, Sustainability, Community Strengthening, Community Infrastructure and Arts and Culture) totalling \$41,231.15.

Below is the summary of grant applications received in round one, which requested funds above \$2,500. The application's total is \$52,843

Applicant	Project	Total Project Cost	Total Requested	Total Recommended
Dunkeld Museum Inc	Old Dunkeld Cemetery Plaque & Book	\$9,060.00	\$8,160.00	\$4,080.40
Dunkeld Public Lands Committee	Fitzpatrick Sawmill Restoration Project	\$8,910.00	\$5,000.00	\$5,000.00
Grampians Golf Club	Connecting the Bore	\$15,396.00	\$7,698.00	\$7,698.00
Mr Bernard Malone	Maintain Heritage Standard - Coleraine residence	\$84,000.00	\$15,000.00	\$5,000.00
Woolly West Fest Incorporated	Pete the Sheep - Sheepvention Activation	\$40,660.00	\$14,660.00	\$7,500.00
Mrs Kelly McNAUGHTON	D-FORCE	\$105,075.00	\$5,000.00	\$5,000.00
Yulecart Community Inc	Yulecart Hall Gazebos	\$5,620.00	\$2,810.00	\$2,810.00
Glenthompson War Memorial Hall	Glenthompson Hall Renovations	\$31,000.00	\$10,000.00	\$5,000.00
Grace Fellowship Church	No Cost Cafe Kitchen Refurbishment	\$7,260.00	\$3,630.00	\$3,630.00
Byaduk & Nth Byaduk Progress Association	Byaduk Township Entrance Signage	\$14,250.00	\$7,125.00	\$7,125.00

Below is the summary of grant applications received in round one, which requested funds under \$2,500. The application's total is \$41,231.15.

Applicant	Project	Total Project Cost	Total Requested	Total Approved
Off The Rails Dunkeld	Dunkeld Youth Art Connect	\$6,925.00	\$2,400.00	\$2,400.00
Hamilton Model Railway Musuem	Teddy Bear Picnic	\$550.00	\$300.00	\$300.00
Coleraine & District Development Association Inc	Coleraine Art & Photography Show	\$9,000.00	\$1,600.00	\$1,000.00
3 Peaks Festival	3 Peaks Festival	\$2,500.00	\$2,500.00	\$2,500.00
Victoria Lagoon Recreation Reserve Committee of Management	Installation of Security System	\$2,480.00	\$2,480.00	\$2,480.00
Parklands Golf Club Incorporatec	Smoothing The Rough	\$2,500.00	\$2,500.00	\$2,500.00
Greater Hamilton Archery Inc.	Archery Tournament Butts and stands	\$5,690.00	\$2,500.00	\$2,500.00
Hamilton Uniting Church	Hamilton Uniting Church Food Distribution Service	\$2,500.00	\$2,500.00	\$2,500.00
Dunkeld Rodeo Committee - Sturgeon Stampede	Dunkeld Rodeo - Sturgeon Stampede	\$63,435.50	\$2,500.00	\$2,500.00
Penshurst Memorial Hall Inc	Kltchen Renovations Penshurst Memorial Hall	\$2,750.00	\$2,500.00	\$2,500.00
Cavendish Scouts	Cavendish Scouts Treescape	\$600.00	\$600.00	\$600.00
Hamilton Embroidery Group	Hamilton Embroidery Guild Framing Project	\$550.00	\$550.00	\$550.00
Hamilton & District Pipes and Drums Band	Hamilton & District Pipes and Drums Band - Advanced training	\$2,860.00	\$2,460.00	\$2,060.00
Hamilton History Centre Inc.	CPU & Scanner Project	\$2,149.00	\$2,149.00	\$2,149.00
Hamilton Pastoral Museum	History in Action	\$4,550.00	\$2,000.00	\$1,000.00
Wannon Nigretta Community Group	Wannon Falls Clean Up	\$2,500.00	\$2,500.00	\$2,500.00
3rd Hamilton Guides	Installation of Safety Doors	\$2,277.00	\$2,277.00	\$2,277.00
Hamilton Running Club	HRC Coaching Training	\$3,100.00	\$2,500.00	\$1,800.00
Hamilton-Coleraine rail Reserve Committee Inc	Parkwood Station Recreation Stop	\$1,909.15	\$1,909.15	\$1,909.15
Cavendish Scouts Group	Upgrade outdoor equipment	\$2,500.00	\$2,500.00	\$2,000.00
Coleraine Men's Shed	New Thicknesser	\$971.00	\$971.00	\$971.00
Penshurst Football Netball Club	Kitchen Renovations	\$4,470.00	\$4,470.00	\$2,235.00

Financial and Resource Implications

The collaborative approach across Council grant categories opens opportunities for Council to work with the community to broaden the scope of ideas identified within applications to position these projects and or events to leverage external funding.

Applications for \$2,500 or greater must demonstrate cash or in-kind contributions and must provide evidence of cash held, or applicants must be able to demonstrate their financial capacity to complete the project.

The grant amount approved by Council cannot be increased post-funding approval. In the case of a funding shortfall, funding will not be made available by way of a Council loan.

Legislation, Council Plan and Policy Impacts

The Greater Grants Policy was adopted in July, 2018.

Each Grant category requests that applicants ensure that their project or idea demonstrates a link to the Council Plan outcomes, or endorsed Strategic Plans of Council. Such plans include but are not limited to:

- Economic Development Strategy
- Tourism Strategic Plan
- Disability Action Plan
- Health and Wellbeing Strategy
- Sustainability Strategy
- Arts and Culture Strategy

The Greater Grants program assists Council to deliver on key outcomes of the Council Plan 2017-2021.

Outcome 1.1 Soundly Based Decisions:

Strategy 1.1.2 Develop and enact policies, plans and strategies to ensure consistency in decision making

Strategy 1.1.3 Demonstrate leadership through ethically, socially and environmentally responsible conduct

Strategy 1.1.4 Work together to develop a highly responsive Council organisation

Outcome 1.3 Financial Responsibility and Security:

Strategy 1.3.3 Maintain a continuous improvement approach to all Council operations

Outcome 2.3 A strong, innovative and distinctive tourism sector:

Strategy 2.3.1 Attract conferences and events to the Shire and facilitate and enrich the local events program

Strategy 2.3.2 Enhance, facilitate and promote existing and new experiences

Outcome 3.2 Community appreciation of and participation in Arts and Cultural activities:

Strategy 3.2.4 Encourage and support innovation in the arts

Outcome 4.2 A Dynamic Community:

Strategy 4.2.1 Provide support and services to enable communities to flourish

Strategy 4.2.2 Support the growth, development and provision of training to volunteers and community organisations

Strategy 4.2.3 Providing the information and assistance that supports community empowerment

Strategy 4.2.4 Assisting all communities to realize their individual community identity, strengths and opportunities through the development and implementation of Community Plans

Outcome 4.3 An inclusive and diverse community:

Strategy 4.3.2 Provide opportunities for youth participation and development

Outcome 5.1 Waste Management and Minimisation

Strategy 5.1.1 Reduce the volume of waste going to landfill

Strategy 5.1.4 Increase the volume of recycled materials through continued community education programs

Outcome 5.2 Adaptation to climate change and reduced emissions:

Strategy 5.2.2 Reduce carbon emissions from Council facilities, equipment and plant

Risk Management

Each grant category has predetermined assessment criteria and a set weighting for each criteria to identify and assess the risk exposure within each application. The assessment criteria ensure that projects and events have adequate control measures in place to ensure the successful and safe delivery

Each grant applicant must also demonstrate that they comply with any legal or statutory regulations relevant to the project which they are seeking Greater Grants funding. This includes (where relevant) appropriate insurances, food handling permits, liquor licences etc.

Environmental and Sustainability Considerations

No Environmental and Sustainability Considerations identified.

Community Consultation and Communication

Various Council staff engage with the community in relation to the Greater Grants program at a range of meetings (including Councillor Engagement, Progress Association, club and user groups, committee of management and, event organiser meetings, etc). Staff also engage with applicants on a 1:1 basis, to provide support through the Greater Grant process.

Grant recipients across all categories are required to complete a grant acquittal report. As part of the acquittal, Council seeks feedback from the grant recipient on ways in which the delivery of grants to the community could be improved.

The Annual Tourism and Events Forum, held in June each year, provides an opportunity for Greater Grants applicants to hear the latest updates about the program, provide feedback to grant owners, and learn how to get the best outcome from their application.

The decision will be communicated through a media release to the general public, via letters to the Grant recipients and through Council's Community Newsletter and township newsletters. The successful applicants will be notified by phone call and mail, and successful projects will be promoted on Council's website.

Disclosure of Interests

All Council Officers involved in the development and advice provided in this Report affirm that no direct or indirect interests need to be declared in relation to any matters in this Report.

RECOMMENDATION

That Council:

1. Notes the \$41,231.15 for Greater Grants approved under delegation.
2. Resolves to allocate \$52,843 as per the projects outlined in the summary table below.

Applicant	Project	Total Project Cost	Total Requested	Total Recommended
Dunkeld Museum Inc	Old Dunkeld Cemetery Plaque & Book	\$9,060.00	\$8,160.00	\$4,080.40
Dunkeld Public Lands Committee	Fitzpatrick Sawmill Restoration Project	\$8,910.00	\$5,000.00	\$5,000.00
Grampians Golf Club	Connecting the Bore	\$15,396.00	\$7,698.00	\$7,698.00
Mr Bernard Malone	Maintain Heritage Standard - Coleraine residence	\$84,000.00	\$15,000.00	\$5,000.00
Woolly West Fest Incorporated	Pete the Sheep - Sheepvention Activation	\$40,660.00	\$14,660.00	\$7,500.00
Mrs Kelly McNAUGHTON	D-FORCE	\$105,075.00	\$5,000.00	\$5,000.00
Yulecart Community Inc	Yulecart Hall Gazebos	\$5,620.00	\$2,810.00	\$2,810.00
Glenthompson War Memorial Hall	Glenthompson Hall Renovations	\$31,000.00	\$10,000.00	\$5,000.00
Grace Fellowship Church	No Cost Cafe Kitchen Refurbishment	\$7,260.00	\$3,630.00	\$3,630.00
Byaduk & Nth Byaduk Progress Association	Byaduk Township Entrance Signage	\$14,250.00	\$7,125.00	\$7,125.00

COUNCIL RESOLUTION

MOVED: Cr McAdam
SECONDED: Cr Rainsford

That Council:

1. Notes the \$41,231.15 for Greater Grants approved under delegation.
2. Resolves to allocate \$52,843 as per the projects outlined in the summary table below.

Applicant	Project	Total Project Cost	Total Requested	Total Recommended
Dunkeld Museum Inc	Old Dunkeld Cemetery Plaque & Book	\$9,060.00	\$8,160.00	\$4,080.40
Dunkeld Public Lands Committee	Fitzpatrick Sawmill Restoration Project	\$8,910.00	\$5,000.00	\$5,000.00
Grampians Golf Club	Connecting the Bore	\$15,396.00	\$7,698.00	\$7,698.00
Mr Bernard Malone	Maintain Heritage Standard - Coleraine residence	\$84,000.00	\$15,000.00	\$5,000.00
Woolly West Fest Incorporated	Pete the Sheep - Sheepvention Activation	\$40,660.00	\$14,660.00	\$7,500.00
Mrs Kelly McNAUGHTON	D-FORCE	\$105,075.00	\$5,000.00	\$5,000.00
Yulecart Community Inc	Yulecart Hall Gazebos	\$5,620.00	\$2,810.00	\$2,810.00
Glenthompson War Memorial Hall	Glenthompson Hall Renovations	\$31,000.00	\$10,000.00	\$5,000.00
Grace Fellowship Church	No Cost Cafe Kitchen Refurbishment	\$7,260.00	\$3,630.00	\$3,630.00
Byaduk & Nth Byaduk Progress Association	Byaduk Township Entrance Signage	\$14,250.00	\$7,125.00	\$7,125.00

CARRIED

10.4 Standard Statements for 2018/19 Financial Year as at 28 February 2019

Directorate: Evelyn Arnold, Director Community and Corporate Services
Author: Belinda Johnson, Manager Finance
Attachments: 2. Standard Statements

Executive Summary

The Financial Reports for the period 1 July 2018 to 28 February 2019 (copies attached) have been prepared to provide information regarding Council's current financial position.

The reports include an Income Statement, Balance Sheet, Statement of Cash Flows, Statement of Capital Work and Statement of Human Resources. A narrative has also been prepared to explain variances between 2018/19 Budget, 2018/19 Forecast and actual performance.

Discussion

The financial report includes an Income Statement, Balance Sheet, Statement of Cash Flows, Statement of Capital Work and Statement of Human Resources. A detailed narrative has also been prepared to explain variances between 2018/19 Budget, 2018/19 Forecast and actual performance.

Income Statement (Operating Statement)

Council is anticipating an operating surplus for the 2018/19 financial year. Actual Income and Expenditure YTD at the end of February is a net surplus of \$9.919m compared to Council's budgeted result of a \$13.839m and the current forecast of a \$21m operating surplus.

Balance Sheet

Current assets are strong at this point of the year with high levels of cash due to over 82% of rate revenue having been received together with retained cash from prepayment of grants and incomplete capital works expenditure. Liabilities are at expected levels for the time of year.

Statement of Cash flows

Cash balances are strong with \$24.229m of cash and investments held at the end of February. This means all commitments can be met with cash, as and when required. Even with the carry forward of capital works and some unexpected expenses, Council is still forecasting a strong end of year cash position of \$13.522m to meet future years commitments.

Statement of Capital Works

Council budgeted \$32.946m of capital works. This is a large increase on previous years to the amount of Capital works budgeted for Flood Recovery projects, Major capital developments and the final year of Roads to Recovery program spending.

The current forecast (after taking into consideration incomplete works from the 2017/18 year) is now \$40.579m.

Whilst only \$13.295m of actual expenditure has occurred (33% of the Forecast amount), planned works in the coming months together with payment claims for works completed are expected to be significant.

Statement of Human Resources

The breakup between operating and capital salaries is variable for a large proportion of Council's workforce (Infrastructure Services in particular). Capital Expenditure is seasonal due the majority of works occurring during the construction season. Overall spend was at 65% of the budget which is appropriate for the end of February.

Legislation, Council Plan and Policy Impacts

Council Plan

The financial report provides interim information on the financial progress of the achievement of the Annual Budget. Financial sustainability and compliance with our annual budget are specifically identified as strategies within the Council Plan.

Legislation

Section 138 of the Local Government Act 1989 requires that at least every three months, the CEO must ensure that a statement comparing the budgeted and actual revenue and expenditure for the financial year is presented to the Council at a Council meeting which is open to the public.

Financial reports are generally prepared following the month ends of September, December, January, February, March, April & May. The June report forms part of Council's Annual Report.

Council is also required to implement the principles of sound financial management detailed in Section 136 of the Local Government Act 1989 which states:

- 1) A Council must implement the principles of sound financial management.
- 2) The principles of sound financial management are that a Council must-
 - (a) manage financial risks faced by the Council prudently, having regard to economic circumstances;
 - (b) pursue spending and rating policies that are consistent with a reasonable degree of stability in the level of the rates burden;
 - (c) ensure that decisions are made and actions are taken having regard to their financial effects on future generations;
 - (d) ensure full, accurate and timely disclosure of financial information relating to the Council.
- 3) The risks referred to in subsection (2)(a) include risks relating to-
 - (a) the level of Council debt;
 - (b) the commercial or entrepreneurial activities of the Council;
 - (c) the management and maintenance of assets;
 - (d) the management of current and future liabilities;
 - (e) changes in the structure of the rates and charges base.

Disclosure of Interests

All Council Officers involved in the development and advice provided in this Report affirm that no direct or indirect interests need to be declared in relation to any matters in this Report.

RECOMMENDATION

That the interim financial reports for the periods 1 July 2018 to 28 February 2019, be received.

COUNCIL RESOLUTION

MOVED: Cr Rainsford
SECONDED: Cr Sharples

That the interim financial reports for the periods 1 July 2018 to 28 February 2019, be received.

CARRIED

10.5 Electricity Tender

Directorate: Evelyn Arnold, Director Community and Corporate Services
Author: Jason Cay, Finance Coordinator
Attachments: None

Executive Summary

Council is currently purchasing electricity through a Procurement Australia (PA) contract 2106/0634 for large and small metered sites and public lighting. This contract expires on 30 June 2020 or 30 June 2021 respectively.

Procurement Australia has advised that they are offering a new Power Purchasing Agreement (PPA) tender to replace these contracts. The agreement is direct with energy producers and is expected to generate savings of at least 15-20% per kilo watt (kw) over Councils current electricity pricing. The tender would also be for an extended contract period expected to be 10 years with Council joining in 2 phases in 2020 and 2021 for a period of 8 and 9 years.

This report recommends that Council approve the execution of the energy tender agreement with Procurement Australia and delegate the CEO to enter the agreement.

Discussion

Council is currently party to PA contracts which will expire in 2020 and 2021 and has 125 small electricity sites, 2 large electricity sites, as well as the public lighting network these would all be included in this tender. Procurement Australia (PA) offer an opportunity for Southern Grampians to participate in a collective tendering process and thus the potential for greater purchasing power. This gives Council the chance to maximise the best possible outcomes, by taking a fiscally responsible approach.

Procurement Australia will go to the market for tender for Electricity and Public Lighting in 2019. The current options are to continue with the 2-3 year tender or commit to the longer PPA tender proposed.

The PPA tender being proposed will offer greater price certainty, aggregated purchasing discount and sustainability benefits. As a result, it is expected to include more than 30 government entities.

Financial and Resource Implications

Currently the per annum spend on electricity is approximately \$450,000. Under the proposed tender, the maximum price that would be accepted is \$73 / MWh. The table below illustrates the expected financial outcomes

Tender Option	Total Cost over 10 Years
Option 1: Enter Procurement Australia PPA tender (maximum tender price)	\$3.82 million
Option 2: Continue current tendering arrangements and market price decreases 3% each year	\$3.81 million
Option 3: Continue current tendering arrangements and market price increases 3% each year	\$5.13 million

Legislation, Council Plan and Policy Impacts

Utilising PA contracts has been granted Ministerial Approval under section 186 of the Local Government Act 1989. PA undertakes a publicly advertised competitive tender process which also meets the requirements of Council's Procurement Policy.

Risk Management

This recommendation commits Council to a 10 year contract at the fixed price. However, the market price for electricity would have to drop by 30% over the 10 year period to result in Council paying more for electricity than the PPA tender outlines.

As this is a contract for the provision of essential services, prudent financial and risk management supports utilising the purchasing power and expertise of Procurement Australia. Whilst there is an expectation that renewable energy technically will increase in the future. This requires significant energy industry investment, may involve a long lead time and still provides no guarantee that savings will be passed on to the consumer. In addition, commitment to this tender does not reduce Council's responsibility to continue to focus on improving our energy efficiency.

Environmental and Sustainability Considerations

The power purchasing agreement being proposed by Procurement Australia would be for the purchase of renewable energy (solar / wind) direct from a renewable energy generator. This is consistent with goals of the take 2 pledge and would include the issuing of Large Generation Certificates by the energy supplier for carbon reporting by Council.

Community Consultation and Communication

None was undertaken for this tender.

Disclosure of Interests

All Council Officers involved in the development and advice provided in this Report affirm that no direct or indirect interests need to be declared in relation to any matters in this Report.

RECOMMENDATION

That Council approve the execution of the energy tender agreement with Procurement Australia and delegate the CEO to enter the agreement to a delegated value up to \$4.0 million over the 10 year life of the agreement.

COUNCIL RESOLUTION

MOVED: Cr Calvano
SECONDED: Cr Dunkley

That Council approve the execution of the energy tender agreement with Procurement Australia and delegate the CEO to enter the agreement to a delegated value up to \$4.0 million over the 10 year life of the agreement at the maximum price that would be accepted of \$73/MWh.

CARRIED

10.6 Variation request to Contract 60 –18 Removal and Replacement of Flood Damaged Stormwater Drains

Directorate: David Moloney, Director Shire Infrastructure
Author: Nola McFarlane Manager Flood Recovery
Attachments: None

Executive Summary

The Flood and Storm event of September /October 2016 resulted in widespread damage to the essential public infrastructure network within the Southern Grampians Shire. Contracted works are underway to restore these assets.

Council awarded a contract for repairs to underground storm water drains that were damaged in the flood and storm events In December 2018. The contract was awarded to Interflow Pty Ltd (Contract 60-18) as a schedule of rates contract for \$750,000 (GST inc.).

Costs associated with this contract will be claimed under the National Disaster Relief and Recovery Arrangements for providing Natural Disaster Financial Assistance (NDFA) to Local Government for event AGRN728 Victorian Floods and Storms (September/October 2016).

Tender submissions for pipe remediation work were received and evaluated based on: tender price, previous relevant work history and performance, available resources and skills, occupational health and safety, environmental considerations. Interflow Pty Ltd submitted a non-conforming tender for an alternative methodology to line the damaged pipes with a structural lining, rather than excavate. This methodology was accepted and the contract awarded.

A variation to the current contract value is now sought to undertake additional works to line road culverts damaged in the September 2016 floods and storms. The price provided at tender covered a range of pipe sizes and is directly translatable to road culverts from stormwater pipes. The works proposed to be completed includes the lining of damaged pipes larger than 375mm diameter.

The recommendation is to vary Contract No. 60 –18 Removal and Replacement of Flood Damaged Stormwater Drains, adding \$500,000 GST inclusive to the original contract of \$750,000. The total spend under the revised contract will be \$1,250,000

Discussion

Natural Disaster Financial Assistance (NDFA) for local councils in Victoria is provided by the Victorian State Government to assist in the recovery process and alleviate some of the financial burden that may be experienced following a natural disaster, in accordance with the Commonwealth-State Natural Disaster Relief and Recovery Arrangements (NDRRA). The event is identified by Australian Government Reference Number (AGRN) 728 Victorian Floods and Storms (September/October 2016).

The works that will be completed in this variation request were planned to be delivered under contract 7-18 Restoration works to flood effected minor culverts awarded to Mibus Bros. The NDRRA funding constraints require that all works are completed by 30 June 2019. In order to ensure that a comprehensive recovery of flood and storm damaged minor culverts, and alternative treatment that can be delivered with minimal disruption to the waterway or the road surface is required. The works have been assessed by both Vic Roads and the Department of Treasury and Finance as eligible for NDRRA funding, with the repair methodology left to the discretion of Council. The culverts proposed for lining would require a major disruption to the road if delivered through traditional excavation methods. This variation request seeks an extension to Contract 60-18 which will allow for the completion of reinstatement work on road culverts within the allowable time limit.

The methodology used by Interflow to repair storm water is able to be used on other drainage structures such a road culverts. The damaged pipes are lined with a structural lining that provides an effective repair to a range of flood and storm related defects. The required reinstatement works need to be completed within the allowable time limit (prior to June 30 2019) to an appropriate standard and achieving value for money.

Recent market testing for tendered works has given a clear indication of the current market rate for these works. The price tendered by Interflow is considered to deliver good public value and is consistent with the costs for traditional excavation, but with less disruption to the road and waterway.

Financial and Resource Implications

The works contracted through this tender will be funded through the NDRRA for AGRN 728 Victorian Floods and Storms (September/October 2016) and AGRN 767 Victoria Storms and Floods: from 21 March 2017. The costs will be forecast into the budget documents once awarded but will be budget neutral – not requiring the allocation of Council funds. The works have been confirmed as eligible for funding by Vic Roads as the auditors of expenditure, and DTF. The works have been removed from the indicative quantities for the 7-18 schedule of rates contract, where they were originally allocated. A saving in cost is achieved in changing methodology from excavation to lining. This saving is estimated at \$60,000 so this alternative methodology is cost effective

The contract will be managed and administered by the Flood Recovery staff. These positions are also supported with funding from the natural disaster recovery fund.

Legislation, Council Plan and Policy Impacts

Procurement Policy and Guidelines 3.10 Variations

The actual works are subject to numerous legislative considerations including Cultural Heritage, Flora and Fauna Protection Works on Waterways and construction standards/guidelines.

Risk Management

The contractor has provided current documentation in relation to OH&S and Environmental Sustainability and Insurances.

Contract management meetings are scheduled fortnightly with Council project management and the contractor. Diversifying the delivery methodology for the reinstatement of flood damaged road culverts will improve the delivery of all eligible reinstatements, relieving time pressures on the original culvert reinstatement contract, and mitigating the risk that not all works will be able to be delivered within the allowable time limit.

Environmental and Sustainability Considerations

Permits and authorisation have been sought to ensure that the environmental protective legislation and protection of cultural sites and discovery are adhered to.

This methodology for the reinstatement of pipes has low environmental and cultural heritage impact on the waterway as there is no excavation and the works are able to be completed whilst there is water in the waterway

Community Consultation and Communication

Public notice was given of the tender in accordance with section 186 of the Local Government Act 1989 and the tender process complied with Council's Procurement Policy.

Contract 60-18 Removal and Replacement of Flood Damaged Stormwater Drains was awarded according to Council's Procurement Policy.

Disclosure of Interests

All Council Officers involved in the development and advice provided in this Report affirm that no direct or indirect interests need to be declared in relation to any matters in this Report.

RECOMMENDATION

That contract 60 -18 Removal and Replacement of Flood Damaged Stormwater Drains with Interflow Pty Ltd be varied by \$500,000 inclusive of GST.

COUNCIL RESOLUTION

MOVED: Cr Rainsford
SECONDED: Cr Sharples

That contract 60 -18 Removal and Replacement of Flood Damaged Stormwater Drains with Interflow Pty Ltd be varied by \$500,000 inclusive of GST.

CARRIED

10.7 Hensley Park and Kent Roads Footpath Scheme

Directorate: David Moloney, Director Shire Infrastructure
Author: Rohit Srivastava, Manager Assets
Attachments: None

Executive Summary

Two special charge scheme footpath projects were part of the capital works program for the current financial year (2018/19). The overall Council contribution was \$75,000 and the remaining \$50,000 were to be contributed by the direct beneficiaries (property owners) at Hensley Park & Kent Road, where footpath was to be constructed.

Council undertook consultation with the direct beneficiaries and feedback was received indicating that none of the residents were supportive of the scheme and the individual contribution.

It is recommended that the proposed footpaths on Kent Road and Hensley Park Road not proceed.

Discussion

Two special charge scheme footpath projects were proposed in the Council Budget for 2018-2019 financial year. Consultation was undertaken with the outcome detailed below.

Public consultation	No. of beneficiaries: Residents	No. of residents responded	Overall project cost	Council contribution (60%)	Response received [#]
Concrete footpath - Hensley Park Road	8	7	\$65,000	\$39,000	100% negative
Concrete footpath - Kent Road	7	6	\$60,000	\$36,000	100% negative

Council officers consulted with the direct beneficiaries of the project for their individual project contribution. The feedback received from the residents was 100% negative with no one indicating their willingness to contribute to these projects.

Council should they wish still declare a special charge scheme but based on the consultation with residents it is recommended that the two footpath projects not proceed.

Financial and Resource Implications

Council has \$75,000 currently budgeted towards the capital works of the two special charge scheme footpath projects. Cancelling these two projects would have no adverse effect on the Council's financial position.

Legislation, Council Plan and Policy Impacts

This report is in keeping with the *Local Government Act (1989)*.

This report is also Consistent with Councils Service and Asset Management Policy (2017).

Risk Management

There are no immediate adverse effects on the community.

Environmental and Sustainability Considerations

The decision to grant authority itself does not have any environmental and sustainability considerations impacts.

Community Consultation and Communication

Council did consultation with direct beneficiaries (property owners) at Hensley Park Road (8) and Kent Road (7).

The responses received were 100% negative towards individual contribution towards the scheme.

Disclosure of Interests

All Council Officers involved in the development and advice provided in this Report affirm that no direct or indirect interests need to be declared in relation to any matters in this Report.

RECOMMENDATION

That the proposed footpaths on Kent Road and Hensley Park Road not proceed.

COUNCIL RESOLUTION

MOVED: Cr McAdam
SECONDED: Cr Calvano

That the proposed footpaths on Kent Road and Hensley Park Road not proceed.

CARRIED

10.8 59-18 Construction Works for Restoration of Flood Damaged Dunkeld Arboretum Dam Wall and Spillway

Directorate: David Moloney, Director Shire Infrastructure
Author: Nola McFarlane – Manager Flood Recovery
Attachments: None

Executive Summary

The Flood and Storm event of September and October 2016 resulted in widespread damage to the essential public infrastructure network within the Southern Grampians Shire. The Rural road network was known to have been significantly impacted and McArthur Street in Dunkeld is one of these roads. The wall and spillway to the Dunkeld Arboretum Dam are located within the McArthur Street road reserve, and are the base upon which the road is built.

This contract will deliver the reinstatement of flood and storm caused damage to the dam wall and spillway as well as the damage to McArthur Street. The nature of these assets requires them to be repaired not only to pre flood condition, but also to current engineering standards and guidelines for large dams, in order to reduce the risk associated with potential dam failure. As a result the reinstatement of the spillway for the dam required design

The State Government of Victoria made a budget allocation in the 2018/19 budget to reduce the risk rating on a number of regional dams, and the Dunkeld Arboretum Dam is part of this funding initiative. Works required to the dam wall in order to reduce the risk to community posed by the dam will be completed under this funding allocation to the Department of Environment, Land, Water and Planning (DELWP).

The works to reinstate the damage to the road infrastructure (McArthur St) is deemed eligible for funding in accordance with the Natural Disaster Relief and Recovery Arrangements and Guidelines established by the State and Federal Governments. Costs associated with the road repair and reinstatement will be claimed either under the National Disaster Relief and Recovery Arrangements for providing Natural Disaster Financial Assistance to Local Government for event AGRN728 Victorian Floods and Storms (September/October 2016).

A tender was publicly advertised on 15 October 2018 seeking contractors to restore the flood damage to the Dunkeld Arboretum Dam Wall and Spillway in McArthur Street Dunkeld.

Two tender submissions were received and evaluated based on: tender price, previous experience relevant to this project, available resources and skills to complete the project within the timeframe, quality assurance, environmental considerations and Occupational Health and Safety.

The recommendation is to award the Tenders as follows: the submission from LincRoads Pty Ltd for a spend not exceeding \$1,969,257.00 (inc GST) is accepted.

Discussion

The events of September and October have been recognised as having a significant impact on public, private and community assets within the Southern Grampians Shire. As a result the Natural Disaster Relief and Recovery Arrangements (NDRRA) were activated to enable Council and impacted residents to access funding to support the recovery process.

Funding is provided, under strict eligibility criteria, which needs to be expended and works completed by June 2019. The works will be completed through contracted resources, as works and the level of damage to essential infrastructure across Southern Grampians Shire is beyond the capacity of Council to reinstate using their own resources and hence there is a requirement to engage contractors to complete the works.

During the Flood and Storm events of 2016 the Dunkeld Dam wall was over topped. This means that the spillway was no longer able to discharge water in excess of inflows and there was water flowing over the dam wall outside of the spillway footprint. The spillway and discharge channel were significantly damaged, as was the dam wall, where the uncontrolled flow of water caused erosion and narrowing of the wall structure.

An investigative project was completed on the wall to understand the extent of the damage, map the hydrology and geotechnical information required to design the repairs to the spillway to current engineering construction standards. This investigation recommended that a complete re-build of the spillway was the only safe and effective way of repairing the damage to the spillway function of the dam. The reconstructed spillway will also repair and reinstate much of the erosion damage to the downstream face of the wall.

The State Government initiated a project to review the status and safety of government owned dams around the state, the Local Government Authority Dam Safety Program. DEWLP commissioned Southern Rural Water to review the dams within Southern Grampians Shire in August 2017. The report from that review in March 2018 provided the basis for a budget bid to improve the safety (through a reduction in the risk rating) to three regional dams, including the Arboretum Reservoir in Dunkeld.

The Contract is a lump sum contract with a considerable number of provisional items which will only be charged if authorised and required. Prior to releasing the contract it will be adjusted into separable portions to reflect the funding streams and the requirement to spend within the funding available. The bill of quantities for the contract was developed by the designing engineer and the tender bids priced within 15% of the estimated cost for the project.

The tender was advertised with mandatory requirements in relation to Occupational Health and Safety Management systems and experience working on dams with a hazard rating under the Australian National Committee On Large Dams (ANCOLD) guidelines. Neither tenderer had this experience, however both submissions were evaluated, and risk minimised by requiring the retention of appropriate expertise.

The following tender submissions were received and the evaluation tabled below:

Tender 59-18:

- Astern Group Pty Ltd
- LincRoads Pty Ltd

Company Name	Qualitative score (%)	Moderated total price	Quantitative score (%)	Total score
Astern Group Pty Ltd	40.48%	\$2,178,961	27.11%	67.59%
LincRoads Pty Ltd	42.98%	\$1,969,257	30.00%	72.98%

The recommended tenderer was subjected to referee checks against reliability of performance, onsite OH&S work practices, OHS policies and procedures and risk management, traffic management and site set up, compliance with work schedules,

variations sought by the contractor, and performance consistent with a well-resourced experienced contractor. The recommended contractor scored 74% across those categories for works in involving slope stability and unstable surfaces. This score is considered by the evaluation panel to be a good score and support performance with demonstrated capacity for meeting all required standards.

It is therefore the recommendation of the Tender Evaluation Panel that the tender be awarded to LincRoads Pty Ltd

Financial and Resource Implications

The majority of the works required on the dam relate to the reinstatement of the dam to reduce the risk rating and therefore the potential for the dam to impact on the down-stream community within the Dunkeld Township. The State Government has allocated \$1,000,000 (exc of GST) for the completion of the works required.

The works required to reinstate McArthur Street to pre-flood condition will be funded through the NDRRA for AGRN 728 Victorian Floods and Storms (September/October 2016). These works have in principle support from Vic Roads as the auditors on behalf of the State Government of expenditure against the funding arrangements. The costs for this work will be claimed for the actual cost of the works with no impact on Council's budget

The contract will be managed and administered by Infrastructure Assets and Flood Recovery staff. The Flood Recovery positions are also supported with funding from the natural disaster recovery fund. The contribution from the Assets team will be an in-kind Council contribution to the project.

The contract documents will be adjusted prior to release to include separable portions so that the works can be delivered within the funds available from the DELWP project and the NDRRA reinstatement or the road infrastructure.

Legislation, Council Plan and Policy Impacts

Costs associated with this contract will be claimed from either:

- The DELWP budget allocation for reducing the risk on regional dam infrastructure, or
- The National Disaster Relief and Recovery Arrangements for providing Natural Disaster Financial Assistance to Local Government.

Risk Management

The inspection by Southern Rural Water found the dam to be in an unsatisfactory condition with some serious issues identified, most notably relating to failure from piping, stability and lack of flood capacity. There were a number of issues that needed attention immediately, including a comprehensive consequence and options assessment to inform the extent of dam safety upgrade works required. Upgrade options identified by the report included:

- i. Removal of all vegetation from embankment.
- ii. Replace existing outlet pipe with a larger size for dewatering/level control.
- iii. Stabilisation of embankment including the addition of filters, crest widening and upgrade of capping.
- iv. Upgrade spillway.
- v. Removal of old swimming pool at embankment toe.

A structural integrity assessment was commissioned to fully understand the status of the damage to the wall and the requirements for ensuring that it met the current engineering standard for such a structure. The options indicated above are entirely consistent with the

findings of the recommendations of the structural integrity assessment. Detailed design was commissioned for the works and conforms to the current construction standards for dams:

- ANCOLD set the default standards for dam safety, design, construction and monitoring.
- Dunkeld is on a waterway and has a significant risk to life (≥ 10 to < 100), and so is subject to the guidelines
- Spillway design is required to accommodate a 1:1000 year event

The design for these works will mitigate future risk to the downstream population in Dunkeld by ensuring that the risk of future overtopping of the dam is minimised and the risk of failure of the dam wall due to the damage caused by the floods and storms is eliminated.

In order to mitigate the risk associated with work occurring on a dam with a downstream population at risk, the recommended tenderer was asked to provide additional references for their experience associated with slope stability works. They were also asked to retain the services of a specialist dam engineer to oversee their works on the project and ensure compliance with all relevant standards and requirements for the implementation of the design.

Environmental and Sustainability Considerations

The recommended tenderer provided information on their sustainable buying considerations and environmental management systems, which support this work being completed with minimal impact on the environment.

The works will require the removal of native vegetation. An assessment of the impacted vegetation has been completed and a planning permit application lodged. The foot print of the required works has been reduced to the minimum required and is expected to approximate 0.5 ha. The works will be carried out in a manner consistent with the conditions of the planning permit, with the aim of minimising disturbance and impact to the native vegetation downstream of the dam. Loss of native vegetation is unavoidable due to the requirement to remove vegetation from the wall and install a properly designed and functional spillway.

The works also require the de-watering of the dam such that the retained water level is below all of the required excavation by a stated minimum distance. This will not completely empty the dam, but will reduce the retained water to isolated deep pools within the footprint of the current water level. The contractor is required to obtain a works on waterway and any other permits prior to commencement of works

Community Consultation and Communication

Public notice was given of the tender in accordance with section 186 of the Local Government Act 1989 and the tender process complied with Council's Procurement Policy.

Flood Recovery staff have been informing the committee of management for the land that will be impacted by the works being the Dunkeld Public Land Committee and the Arboretum Committee. These groups will continue to be advised on progress of the project, and a public information session held for residents of Dunkeld to be advised of the project. Property owners in the proximity of the works will be directly advised of the project.

Tenderers will be notified by the Procurements Officer of the decision made by Council at its Ordinary Council Meeting on 12 December 2018.

Disclosure of Interests

All Council Officers involved in the development and advice provided in this Report affirm that no direct or indirect interests need to be declared in relation to any matters in this Report.

The evaluation panel affirm that no direct or indirect interests need to be declared in relation to any matters in this Report:

- David Moloney (Director Shire Infrastructure)
- Nola McFarlane (Manager Recovery)
- Eric Peterson (Infrastructure Recovery Project Officer)
- Janelle Dahlenberg (Contracts/Procurement Officer).

RECOMMENDATION

That:

1. Pending confirmation of funding release from DTF and DELWP, the tender submission to 59-18 from LincRoads Pty Ltd for a maximum spend \$1,969,257.00 (inc GST) be accepted;
2. The documents of the Contracts be prepared and signed; and
3. The common sealed be affixed to the contracts.

COUNCIL RESOLUTION

MOVED: Cr Sharples
SECONDED: Cr Rainsford

That:

1. Pending confirmation of funding release from DTF and DELWP, the tender submission to 59-18 from LincRoads Pty Ltd for a maximum spend \$1,969,257.00 (inc GST) be accepted;
2. The documents of the Contracts be prepared and signed; and
3. The common sealed be affixed to the contracts.

CARRIED

11 Notices of Motion

11.1 Notice of Motion #1/19

Cr Rainsford

I hereby give notice of my intention to move the following motion at the Ordinary Council Meeting to be held on 13 March 2019

MOTION

That Southern Grampians Shire Council:

Rescind the resolution of 14 November 2018 Council agenda item 10.1 referring to the location of a bronze bust to recognize the service of former Prime Minister Malcolm Fraser which read as follows:

1. That Council support the recognition of Malcolm Fraser by putting up a life-size bronze bust, positioned on a Grampians sandstone plinth, with a bronze plaque recording Malcolm Fraser's service record in the Shire.
2. That Council contribute to the project by contributing \$5,000 from Emerging Priorities to the cost of the sandstone plinth and through in-kind.
3. That the life-size bronze bust of Malcolm Fraser be placed in the Hamilton Botanical Gardens with exact location subject to targeted consultation.

And propose the following motion:

1. That Council support the recognition of Malcolm Fraser by putting up a life-size bronze bust, positioned on a Grampians sandstone plinth, with a bronze plaque recording Malcolm Fraser's service record in the Shire.
2. That Council contribute to the project by contributing \$5,000 from Emerging Priorities to the cost of the sandstone plinth and through in-kind.
3. That Southern Grampians Shire Council conducts appropriate community consultation in particular consistent with the Memorandum of Understanding with the Friends of the Botanic Gardens on a site for the Fraser Memorial Bust
4. That Southern Grampians Council establish a Public Art and Installation Reference Group or equivalent to provide a format to encourage and evaluate future public art installations in the Southern Grampians Shire.

Background

This Rescission motion does not attempt to alter the original intent of the motion, except to add more appropriate community consultation including the Friends of the Hamilton Botanic Gardens and the Memorandum of Understanding between the Shire of Southern Grampians and the Friends of the Hamilton Botanic Gardens.

This process may well put forward other and/or more appropriate locations for the placement of the bust.

The inclusion of an extra component to establish a reference advisory group is to assist Council and our community to evaluate and encourage projects which enhance the establishment of historic, memorial or artistic public installations throughout Southern Grampians Shire.

The placement of the Phil Price Kinetic Sculpture "The Nucleus", the VC recipient Ted Kenna Statue and the donation of The Farmers sculpture were managed through a Public Art Installation Reference Group which consisted of councillors, Council staff and community members from across Southern Grampians.

One of the many local 2018 State Government Pick My Project applications for funding was submitted by the Glenelg Hopkins CMA for a Grangeburn Sculpture Trail. Although unsuccessful in that round, this is an interesting project which could meld into the opportunity for activating and linking Lake Hamilton and the Grangeburn and wetlands to the CBD and railway station.

This and other community driven projects could be supported by working with council through a reference group making recommendations for council decision.

The current CBD Activation Masterplan has stimulated community interest in improving our main street scape with linkages to neighbouring community assets. The use of public art in the combined work of artists to activate the McGuigan Laneway will build momentum for increased public art and installations.

Officers Comments

The original unanimous Council decision made on 14 November 2018 was in response to a Public Deputation by community members on 12 September 2018 seeking to recognise former Prime Minister of Australia, Malcolm Fraser as a local resident. Following this Council were briefed by Officers on 10 October 2018 prior to the adoption on 14 November 2018.

A path Councillors may consider is allow the process to proceed with agreement (or otherwise) on a preferred location within the gardens through the existing Project Control Group (made up of the Friends and Staff), a permit application be lodged with Heritage Victoria (as is required to proceed) and then if these steps pass it is cleared that the gardens is considered an appropriate location.

If the permit is not granted this would need to come back to Council for consideration of alternative sites within Hamilton.

Officers have been progressing implementation of this Council motion with targeted consultation about exact location along with relevant permits which is progressing but bearing in mind this Notice of Rescission had been lodged no further work will proceed until such time as Council either rescinds or confirms the project.

MOTION

MOVED: Cr Rainsford

That Southern Grampians Shire Council:

Rescind the resolution of 14 November 2018 Council agenda item 10.1 referring to the location of a bronze bust to recognize the service of former Prime Minister Malcolm Fraser which read as follows:

- 1. That Council support the recognition of Malcolm Fraser by putting up a life-size bronze bust, positioned on a Grampians sandstone plinth, with a bronze plaque recording Malcolm Fraser's service record in the Shire.**
- 2. That Council contribute to the project by contributing \$5,000 from Emerging Priorities to the cost of the sandstone plinth and through in-kind.**
- 3. That the life-size bronze bust of Malcolm Fraser be placed in the Hamilton Botanical Gardens with exact location subject to targeted consultation.**

And propose the following motion:

- 1. That Council support the recognition of Malcolm Fraser by putting up a life-size bronze bust, positioned on a Grampians sandstone plinth, with a bronze plaque recording Malcolm Fraser's service record in the Shire.**
- 2. That Council contribute to the project by contributing \$5,000 from Emerging Priorities to the cost of the sandstone plinth and through in-kind.**
- 3. That Southern Grampians Shire Council conducts appropriate community consultation in particular consistent with the Memorandum of Understanding with the Friends of the Botanic Gardens on a site for the Fraser Memorial Bust**
- 4. That Southern Grampians Council establish a Public Art and Installation Reference Group or equivalent to provide a format to encourage and evaluate future public art installations in the Southern Grampians Shire.**

MOTION Lapsed for want of a SECONDER

12 Delegated Reports

Reports on external Committees and Representative Bodies for which Councillors have been appointed as a representative by Council.

12.1 COMMUNITY INCLUSION ADVISORY COMMITTEE

Cr Armstrong reported on her attendance at the Community Inclusion Advisory Committee on the 20 February 2019.

12.2 RAIL FREIGHT ALLIANCE

Cr Calvano reported on his attendance at the Rail Freight Alliance Meeting held on 22 February 2019.

12.3 MUNICIPAL EMERGENCY MANAGEMENT PLANNING COMMITTEE (MEMPC)

Cr Brown reported on her attendance at the MEMPC Meeting held on the 4 March 2019.

13 Mayors and Councillors Reports

Address from the Mayor and Councillors in relation to matters of civic leadership and community representation, including acknowledgement of community groups and individuals, information arising from internal Committees, advocacy on behalf of constituents and other topics of significance.

13.1 Chief Executive Officer Contract

Author: Cr Mary-Ann Brown, Mayor
Attachments: 3. Confidential – Finalised Contract

Executive Summary

At the Council Meeting held on Wednesday December 12, 2018 Council resolved to reappoint the current Chief Executive Officer, Mr Michael Tudball, without advertising the position subject to successful negotiation of a new contract.

It is recommended that Council now confirm a new 5 year contract for the reappointment of Mr Michael Tudball to the position of Chief Executive Officer commencing 26 March 2019.

It is further recommended that Council establish a Delegated Committee entitled CEO Employment and Remuneration Committee to deal with contractual, performance and remuneration matters and be constituted to include Mayor, Deputy Mayor (where applicable) and two (2) Councillors.

Discussion

The Local Government Act 1989 provides that a Council may reappoint its Chief Executive Officer without advertising the position if it gives public notice of its intention to do so and the resolution to appoint the CEO is made within the 6 months prior to the conclusion of the existing contract. Following the resolution to appoint, contract negotiations were held arriving at an agreed form of contract and associated terms, conditions and performance requirements.

Having given the required public notice of its intention to resolve to reappoint the CEO, Council resolved to reappoint for a period of 5 years and completed successful negotiations of a new contract. All steps in the required process have now been satisfied to allow Council to enter into the employment contract with the Chief Executive Officer.

Council is also required to annually assess the performance of the CEO, discuss and assess remuneration and other contractual matters. The proposed legislation of the new Local Government Act prescribes both an employment and remuneration policy and structure to support the policy.

Legislation, Council Plan and Policy Impacts

Section 94 of the Local Government Act 1989 stipulates the statutory process for the appointment of the CEO

This decision is aligned with the Council Plan key priority 5 Provide Governance and Leadership, objective 5.1 Provide transparent and responsible governance.

Community Consultation and Communication

All of the required public notifications and Council resolutions have been completed. The remuneration component of the new contract can be made available for viewing by appointment at the Council Offices Brown Street Hamilton for a period of 14 days following this report.

Disclosure of Interests

All Council Officers involved in the development and advice provided in this report affirm that no direct or indirect interests need to be declared in relation to any matters in this report.

RECOMMENDATION

That Council:

1. Authorise the Mayor to execute the attached confidential Chief Executive Officer Employment Contract on behalf of Council with Mr Michael Tudball as Chief Executive Officer, and
2. Resolve to form a CEO Employment and Remuneration Committee of Council with membership of the Mayor, Deputy Mayor, Cr Rainsford and Cr Dunkley with terms of reference to be developed and endorsed by Council.

MOTION

MOVED: Cr Brown
SECONDED: Cr Armstrong

That Council:

1. Authorise the Mayor to execute the attached confidential Chief Executive Officer Employment Contract on behalf of Council with Mr Michael Tudball as Chief Executive Officer, and
2. Resolve to form a CEO Employment and Remuneration Committee of Council with membership of the Mayor, Deputy Mayor, Cr Rainsford and Cr Dunkley with terms of reference to be developed and endorsed by Council.

AMENDMENT

MOVED: Cr Calvano

That Council:

1. Authorise the Mayor to execute the attached confidential Chief Executive Officer Employment Contract on behalf of Council with Mr Michael Tudball as Chief Executive Officer, and

2. **Resolve to form a CEO Employment and Remuneration Committee of Council with membership of the whole of Council with terms of reference to be developed and endorsed by Council.**

LAPSED for want of a SECONDER

COUNCIL RESOLUTION

MOVED: Cr Brown
SECONDED: Cr Armstrong

That Council:

1. **Authorise the Mayor to execute the attached confidential Chief Executive Officer Employment Contract on behalf of Council with Mr Michael Tudball as Chief Executive Officer, and**
2. **Resolve to form a CEO Employment and Remuneration Committee of Council with membership of the Mayor, Deputy Mayor, Cr Rainsford and Cr Dunkley with terms of reference to be developed and endorsed by Council.**

CARRIED

DIVISION	
FOR	AGAINST
Cr Armstrong	Cr Calvano
Cr Brown	Cr McAdam
Cr Dunkley	
Cr Rainsford	
Cr Sharples	

MOTION

That Council note that the division called on Item 13.1 was specifically on point 2 relating to the membership of the CEO Employment and Remuneration Committee, not point 1 concerning the reappointment and CEO contract.

COUNCIL RESOLUTION

MOVED: Cr McAdam
SECONDED: Cr Calvano

That Council note that the division called on Item 13.1 was specifically on point 2 relating to the membership of the CEO Employment and Remuneration Committee, not point 1 concerning the reappointment and CEO contract.

CARRIED

14 Confidential Matters

There were no confidential matters on tonight's Agenda.

15 Close of Meeting

This concludes the business of the meeting.

Meeting closed at 6:59 pm.

Confirmed by resolution 10 April 2019.

.....
Chairperson