



**Southern Grampians**  
SHIRE COUNCIL

# Council Meeting Minutes

Ordinary Meeting  
10 July 2019

Held at 5.30pm in the  
Council Chambers at  
5 Market Place, Hamilton.

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## 1 Membership

### **Councillors**

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

### **Officers**

Mr Michael Tudball – Chief Executive Officer  
Ms Evelyn Arnold – Director Community and Corporate Services  
Mr Hugh Koch – Acting Director Planning and Development  
Mr Rohit Srivastava – Acting 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 Gunditjmara, 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 Rainsford led the meeting in a prayer.

## 4 Apologies

Cr Colin Dunkley.

## 5 Confirmation of Minutes

### RECOMMENDATION

That the Minutes of the Special Meeting of Council held on 12 June 2019 be confirmed as a correct record of business transacted.

That the Minutes of the Ordinary Meeting of Council held on 12 June 2019 be confirmed as a correct record of business transacted.

That the Minutes of the Special Meeting of Council held on 20 June 2019 be confirmed as a correct record of business transacted.

### COUNCIL RESOLUTION

**MOVED: Cr Calvano**

**SECONDED: Cr McAdam**

**That the Minutes of the Special Meeting of Council held on 12 June 2019 be confirmed as a correct record of business transacted.**

**That the Minutes of the Ordinary Meeting of Council held on 12 June 2019 be confirmed as a correct record of business transacted.**

**That the Minutes of the Special Meeting of Council held on 20 June 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 by no later than 5pm on the Monday before the Ordinary Council Meeting.

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 no Public Deputations listed on tonight's agenda.

## 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:

- Balmoral Community Engagement Meeting – 5 June 2019
- Briefing Session – 12 June 2019
- Planning Committee Meeting – 19 June 2019
- Special Briefing Session – 20 June 2019
- Briefing Session – 26 June 2019

This agenda was prepared on 3 July 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 Armstrong

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

**CARRIED**



## ASSEMBLY OF COUNCILLORS

ASSEMBLY DETAILS	
<b>Title:</b>	Balmoral Community Engagement Session
<b>Date:</b>	5 June 2019
<b>Location:</b>	Balmoral Mechanics Hall
<b>Councillors in Attendance:</b>	Cr Mary-Ann Brown, Mayor Cr Chris Sharples, Deputy Mayor Cr Katrina Rainsford Cr Greg McAdam Cr Colin Dunkley Cr Cathy Armstrong Cr Albert Calvano
<b>Council Staff in Attendance:</b>	Michael Tudball, Chief Executive Officer Evelyn Arnold, Director Community & Corporate Services Melanie Russell, Community Engagement Coordinator Jane Coshutt, Community Engagement Coordinator Rhassel Mhasho, Manager Planning & Regulatory Services

The Assembly commenced at 6.30pm

MATTERS CONSIDERED		CONFLICTS OF INTEREST DECLARED
1	Balmoral Community Swimming Pool	Nil
2	Mathers Creek / Vegetation	Nil
3	Transfer Station	Nil
4	RSL Building / Poppy Update	Nil
5	Balmoral Community Plan	Nil
6	Dump Point Facilities	Nil
7	Balmoral Recreation Reserve Upgrade	Nil
8	Balmoral Tram Project Update	Nil

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<b>9</b>	Seymour Park Sign	Nil
<b>10</b>	Trees Across Road	Nil
<b>11</b>	Deceased Wildlife	Nil
<b>12</b>	Perns Lane	Nil
<b>13</b>	Balmoral Bush Nursing Centre / Bowls Club	Nil
<b>14</b>	Property Valuations	Nil

The Assembly concluded at 8.30pm

# ASSEMBLY OF COUNCILLORS



Southern Grampians  
Shire Council

ASSEMBLY DETAILS	
<b>Title:</b>	Council Briefing Session
<b>Date:</b>	12 June 2019
<b>Location:</b>	MJ Hynes Auditorium
<b>Councillors in Attendance:</b>	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
<b>Council Staff in Attendance:</b>	Michael Tudball, Chief Executive Officer Evelyn Arnold, Director Community and Corporate Services David Moloney, Director Shire Infrastructure Andrew Goodsell, Director Planning and Development Pauline Porter, Environmental Health Coordinator Melanie Starr, Acting Manager Community and Leisure Services

The Assembly commenced at 12:00pm

MATTERS CONSIDERED		CONFLICTS OF INTEREST DECLARED
<b>1</b>	Domestic Wastewater Management Plan	Nil
<b>2</b>	Scoping Study and Business Case Hamilton Art Gallery	Nil
<b>3</b>	Great South Coast Strategy – Regional Football/Netball/Cricket	Nil

The Assembly concluded at 4:00pm



Southern Grampians  
Shire Council

## ASSEMBLY OF COUNCILLORS

ASSEMBLY DETAILS	
<b>Title:</b>	Planning Committee
<b>Date:</b>	19 June, 2019
<b>Location:</b>	Martin J Hynes Auditorium
<b>Councillors in Attendance:</b>	Cr Colin Dunkley Cr Katrina Rainsford
<b>Council Staff in Attendance:</b>	Andrew Goodsell, Director, Planning and Development David Moloney, Director Shire Infrastructure Rhassel Mhasho, Manager Planning and Regulatory Services Roslyn Snaauw, Coordinator Planning Sharon Clutterbuck, Executive Assistant, Director Shire Futures

The Assembly commenced at 10.00am

MATTERS CONSIDERED		CONFLICTS OF INTEREST DECLARED
<b>1</b>	TP/28/2019 Buildings and works to construct and install a cattle yard cover at 105 Portland Road HAMILTON formally known as Crown Allotment 21 Parish of HAMILTON SOUTH.	David Moloney, Director Shire Infrastructure

The Assembly concluded at 10.45am

# ASSEMBLY OF COUNCILLORS



Southern Grampians  
Shire Council

ASSEMBLY DETAILS	
<b>Title:</b>	Special Briefing Session
<b>Date:</b>	20 June 2019
<b>Location:</b>	MJ Hynes Councillors Room
<b>Councillors in Attendance:</b>	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
<b>Council Staff in Attendance:</b>	Michael Tudball, Chief Executive Officer Evelyn Arnold, Director Community and Corporate Services David Moloney, Director Shire Infrastructure Andrew Goodsell, Director Planning and Development Karly Saunders, Governance Coordinator Darren Barber, Manager Organisational Development

The Assembly commenced at 6:00pm

MATTERS CONSIDERED		CONFLICTS OF INTEREST DECLARED
1	Budget Submissions	Nil

The Assembly concluded at 7:00pm

# ASSEMBLY OF COUNCILLORS



Southern Grampians  
Shire Council

ASSEMBLY DETAILS	
<b>Title:</b>	Council Briefing Session
<b>Date:</b>	26 June 2019
<b>Location:</b>	MJ Hynes Auditorium
<b>Councillors in Attendance:</b>	Cr Mary-Ann Brown, Mayor Cr Albert Calvano Cr Greg McAdam Cr Katrina Rainsford
<b>Council Staff in Attendance:</b>	Michael Tudball, Chief Executive Officer Evelyn Arnold, Director Community and Corporate Services David Moloney, Director Shire Infrastructure Andrew Goodsell, Director Planning and Development Kerrie-Ann Tatchell, Senior Planner Rohit Srivastava, Manager Assets

The Assembly commenced at 3:20pm

MATTERS CONSIDERED		CONFLICTS OF INTEREST DECLARED
1	Community Satisfaction Survey	Nil
2	Heritage Strategy	Nil
3	Planning Scheme Review	Nil
4	Asset Management Policy	Nil
5	Capital Purchase Culverts and Bridge Program 2019/2020 Delegation	Nil
6	Local Government Reform Act	Nil

The Assembly concluded at 5:00pm

## 10 Management Reports

### 10.1 Chief Executive Officer – Annual Leave

**Directorate:** Michael Tudball, Chief Executive Officer  
**Author:** Michael Tudball, Chief Executive Officer  
**Attachments:** None.

#### **Executive Summary**

This report requests noting of the Chief Executive Officer taking annual leave in August 2019, and the appointment of Evelyn Arnold, Director Corporate and Community Services, as the Acting Chief Executive Officer.

#### **Discussion**

It is requested that the Council note the CEO's annual leave for the period 15 August to 27 August inclusive.

The Acting Chief Executive Officer for the period 15 August to 27 August inclusive, is recommended as Evelyn Arnold, Director Corporate and Community Services.

#### **Financial and Resource Implications**

There are no additional cost implications as leave is budgeted and allowed for.

#### **Legislation, Council Plan and Policy Impacts**

Under the Local Government Act 1989 Council must appoint a Chief Executive Officer and others in an acting capacity as and when required.

#### **Risk Management**

There are no risks involved in the approval of leave and an appropriate Director is recommended to act as the Chief Executive Officer

#### **Environmental and Sustainability Considerations**

There are no Environmental and Sustainability Considerations.

#### **Community Consultation and Communication**

Prior to the leave, Council staff will be informed via an all staff email from the Chief Executive Officer and will be noted in the staff newsletter.

#### **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:

1. The CEO, Michael Tudball's annual leave for the period 15 August to 27 August 2019 inclusive, be noted.
2. Evelyn Arnold, Director Corporate and Community Services be appointed Acting CEO for the period 15 August to 27 August 2019 inclusive.

**COUNCIL RESOLUTION**

**MOVED: Cr Sharples**

**SECONDED: Cr McAdam**

That:

1. **The CEO, Michael Tudball's annual leave for the period 15 August to 27 August 2019 inclusive, be noted.**
2. **Evelyn Arnold, Director Corporate and Community Services be appointed Acting CEO for the period 15 August to 27 August 2019 inclusive.**

**CARRIED**



## 10.2 2019 Community Satisfaction Survey

**Directorate:** Michael Tudball, Chief Executive Office  
**Author:** Karly Saunders, Governance Coordinator  
**Attachments:** 1. 2019 Community Satisfaction Survey Research Report

### Executive Summary

Results of the 2019 Community Satisfaction Survey carried out by independent market research consultancy, JWS Research, have been provided to Council.

Each year the Department of Environment, Land, Water and Planning (DELWP) coordinate this Community Satisfaction Survey throughout Victoria. This coordinated approach allows for far more cost effective surveying than would be possible if Councils commissioned surveys individually.

Participation in the Community Satisfaction Survey is optional and participating Councils have a range of choices as to the content of the questionnaire. However, some of the data required for the Local Government Performance Reporting Framework is only available through this survey.

The main objectives of the survey are to assess the performance of Southern Grampians Shire Council across a range of measures and to seek insight into ways to provide improved or more effective service delivery.

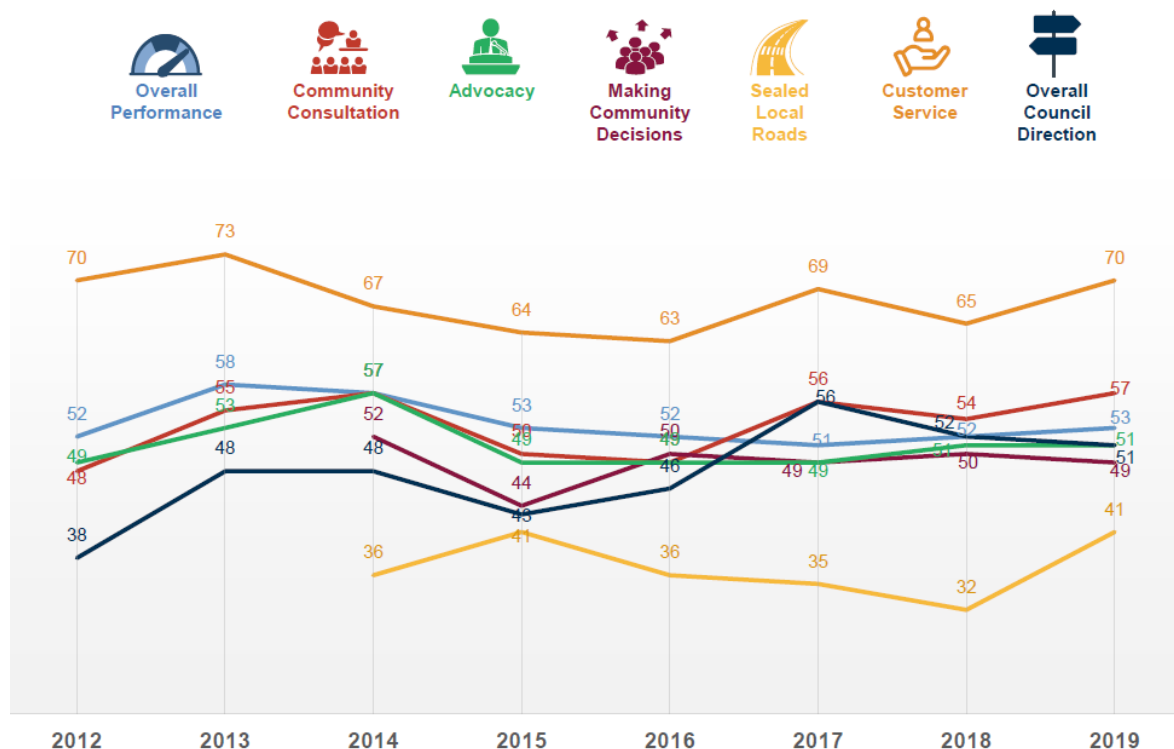
This report outlines the relevant and significant survey results and recommends they be noted by Council.

### Discussion

Performance Measures	Southern Grampians 2019	Southern Grampians 2018	Large Rural 2019	State-wide 2019	Highest score	Lowest score
Overall Performance	53	52	56	60	Aged 18-34 years	Aged 35-49 years
Community Consultation (Community consultation and engagement)	57	54	54	56	Aged 18-34 years	Men
Advocacy (Lobbying on behalf of the community)	51	51	52	54	Women	Men
Making Community Decisions (Decisions made in the interest of the community)	49	50	52	55	Aged 18-34 years	Aged 35-49 years
Sealed Local Roads (Condition of sealed local roads)	41	32	47	56	Aged 65+ years	Aged 35-49 years
Customer Service	70	65	69	71	Aged 18-34 years	Aged 65+ years
Overall Council Direction	51	52	51	53	Aged 18-34 years	Aged 50-64 years

Council’s Overall Performance has increased by one point in 2019 to 53. The Overall Performance score of 53 is three points below the Large Rural average of 56 and seven points below the State-wide average of 60. Although this is not a significant improvement, it reverses the declining trend from 2013 to 2017.

Council’s Performance Measures in Community Consultation (57), Sealed Local Roads (41) and Customer Service (70) have all increased in 2019. Council’s Overall Performance (53) has increased marginally whilst Advocacy and Making Community Decisions and Overall council Direction have stayed the same or a small decrease.



More than half (54%) of residents had contact with Council in the last 12 months. Residents aged 35-49 years had the most contact with Council (64%) in 2019.

The main method of contacting Council is in person (32%) or by telephone (27%). In person contact is down, while phone contact has increased slightly.

Newsletters sent via email (23%) and mail (21%) are the preferred way for Council to contact residents.

The area that stands out as being most in need of Council attention is Sealed Local Roads. With a score of 41, this is the area where Council is performing least well and is significantly lower than the State-Wide and Large Rural Group averages (being 56 and 47 respectively), noting that the score of 41 is a nine point increase from 2018, reflecting that progress has been made against improving this measure in the past 12 months.

Feedback from residents on what they consider Council most needs to do to improve its performance in the next 12 months supports this finding, with Sealed Road Maintenance mentioned by 20% of residents. This is a decrease from 37% of residents in 2018.

Two additional questions were asked in the 2019 Survey being:

1. What is the best thing about Council?; and
2. What does Council most need to do to improve its performance?

The top five categories for the answers for each question and the number of people who responded are listed below:

#### **What is the best thing about Council?**

1. Recreation / sporting facilities	36 responses
2. Community Engagement / Involvement	36 responses
3. Road / Street Maintenance	28 responses
4. Customer Service	24 responses
5. Community Facilities	16 responses

#### **What does Council most need to do to improve its performance?**

1. Sealed local road maintenance	80 responses
2. Community Consultation	56 responses
3. Business Development	36 responses
4. Financial Management	36 responses
5. Communication	24 responses

Consistent with 2015, 2016 and 2017, residents would prefer a service cut (52%) to rates rises (31%), preference for service cuts has increased by seven points over the past year.

#### **Financial and Resource Implications**

There are no financial implications in the development of this Report.

There may be some resource implications based on the issues which have been identified in this report. Resources in relation to communication, engagement and service planning may be focused differently to ensure that the issues identified in this Report are a focus of the organisation for the next 12 months.

#### **Legislation, Council Plan and Policy Impacts**

Some of the results from this survey are used as part of the reporting under the Local Government (Planning and Reporting) Regulations 2014.

The information is essential to future policy and strategy development and particularly service planning. It gives comparable data for several years over which Council can identify trends and areas which need attention.

The Community Satisfaction Survey relates to Objective 5.1 Provide transparent and responsible governance.

#### **Risk Management**

There is a risk to Council's reputation if attention is not paid to matters of community concern. Beyond the matters of specific services, the approach to the condition of local sealed roads is of clear concern. Whilst Council takes this feedback seriously regarding our

local roads, we also have a strong advocacy role with the State & Federal road network which is arguably in a far worse condition than Council Local Roads and our residents cannot differentiate (nor should not) between local and other roads.

### **Environmental and Sustainability Considerations**

The adoption of the recommendations in this report do not have any environmental or sustainability impact.

### **Community Consultation and Communication**

A total of 400 completed interviews of residents aged were made in the Shire during the period 1 February to 30 March 2019.

The Community Satisfaction Survey results for 2019 will be released to the community.

### **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. Receive the 2019 Local Government Community Satisfaction Survey Southern Grampians Shire Council Research Report; and
2. Communicate the results of these Reports and identify ways of improving performance and communication in relation to the issues which have been identified.

## **COUNCIL RESOLUTION**

**MOVED:** Cr Calvano  
**SECONDED:** Cr Sharples

That Council:

1. **Receive the 2019 Local Government Community Satisfaction Survey Southern Grampians Shire Council Research Report; and**
2. **Communicate the results of these Reports and identify ways of improving performance and communication in relation to the issues which have been identified.**

**CARRIED**

## 10.3 Onshore Gas Position

**Directorate:** Michael Tudball, Chief Executive Officer  
**Author:** Michael Tudball, Chief Executive Officer  
**Attachments:** 2. Attachment – Great South Coast Board Report  
**Executive Summary**

The Great South Coast Group at its meeting held on 28 June 2019 resolved to request a position from member Councils as to conventional and unconventional gas exploration and extraction.

This report provides an outline of the issues pertaining to onshore gas, including an update on the recent Resources Legislation Amendment (Fracking Ban) Bill 2016 in order to form a formal position on the issue.

It is recommended that Council support conventional gas exploration and extraction with conditions and that the ongoing ban on unconventional gas exploration and extraction (fracking) be supported.

### Discussion

The issue of extraction from onshore reserves has been hotly debated in recent years, with many in the community concerned about negative environmental impacts associated with hydrological fracturing techniques (fracking).

In response to these concerns, a ban on onshore gas extraction was established by the Victorian State Government which was extended through legislation.

The Geological Survey of Victoria (GSV) is undertaking the Victorian Gas Program between 2017 and 2020 while the state moratorium on onshore conventional gas exploration is in force. A key focus of the program is to assess the potential for further discoveries of onshore conventional gas in both the Otway and Gippsland geological basins, including the risks, benefits and impacts if a resource was developed.

GSV believes that the Otway Basin has the highest potential for new finds of onshore conventional gas. It has established an office of 14 people in Warrnambool to undertake geoscientific and environmental research and to engage with local communities and stakeholders about the program.

To date, scientific research has included an airborne gravity survey of 16,000 km<sup>2</sup> of south west Victoria, analysis of 3,500 rock samples from the Otway basin, sampling of 80 groundwater monitoring bores for deep water chemistry and the development of a regional profile of methane and carbon dioxide measurements.

The Great South Coast Group has received briefings on the program and its activities, and at its Board Meeting on 28 June 2019, the Great South Coast Group resolved to:

1. Support the ban on unconventional gas exploration or extraction
2. Supports and advocate for the removal of the moratorium on exploration and extraction of conventional gas subject to creation of a Royalties to the Regional system and strong protection for landholder rights and the environment.

3. Refer the Board's decision to member Councils for deliberation and decision to instruct a Board Policy Position on Conventional Onshore Gas Exploration and Extraction.

### **Conventional and Unconventional Gas**

Fundamentally there are two sorts of onshore gas reserves – conventional and unconventional.

The CSIRO define conventional gas as being obtained from reservoirs that largely consist of porous sandstone formations capped by impermeable rock, with the gas trapped by buoyancy. The gas can often move to the surface through the gas wells without the need to pump. These gas reserves are similar in geology to the offshore gas reserves that currently supply processing facilities across the Great South Coast region.

Unconventional gas can be sourced from Coal Seams (CSG) or Shale Rock. The following is the definition from CSIRO:

*CSG is found in coal seams attached to the coal and is trapped underground by water pressure. To extract CSG, water already in the coal seam, known as formation water, needs to be pumped out to release the gas. Shale gas occurs within rock formations under high pressure but having extremely low porosity making it difficult for gas to flow to wells. Hydraulic fracturing is always used in shale gas wells to increase the flow of gas from the reservoir.*

Most community concern is directed to unconventional gas extraction because of the concerns about impacts on ground water and the use of chemicals in the fracturing process. It is also apparent, however that there is considerable confusion in the community about the difference between conventional and unconventional gas.

### **Royalties and Landowner Consent**

The establishment of a Royalties to the Regions system was recommended by the Gas Market Taskforce Report chaired by Peter Reith in 2013.

Consideration of compensation for affected landowners was considered by the Reith report. The report recommends that compensation payments for affected landowners should be increased and notes that compensation could be extended to neighbouring properties where amenity impacts were likely to be experienced.

The report also notes that under existing Victorian legislation where land is to be occupied for exploration or mining, landowner consent or compensation agreement must be in place before work can be approved.

Payment of royalties directly to landowners, as occurs in some parts of the USA, is difficult given that in Australia minerals are owned by the State and not landowners. It is recommended the findings of the Reith review are supported which provides landowners with compensation for amenity impacts and also allows landowners to enter into commercial agreements before exploration or extraction works can commence.

### **Financial and Resource Implications**

There are no direct financial implications for Council in the short term. Increasing natural gas prices could become a longer term threat to the economy of the Shire.

## Legislation, Council Plan and Policy Impacts

The Resources Legislation Amendment (Fracking Ban) Bill 2016 has significant implications for the development of onshore gas reserves in Victoria. Of concern is the extension of the moratorium for extraction and exploration of conventional gas.

The Council Plan 2017-2021 contains the following Key Priorities that are relevant to this matter:

- 2. Develop our Regional Economy and Businesses; Attract, support and encourage industries that will drive economic growth throughout the Shire
- 4. Promote our Natural Environment: Promote and support improved biodiversity and the health of waterways, wetlands, soil and air.

## Risk Management

The benefits and risks are discussed in the body of this report.

## Environmental and Sustainability Considerations

The environmental and sustainability considerations are discussed in the body of this report.

## Community Consultation and Communication

No direct community consultation has occurred in relation to this matter.

## 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. Supports the ban on unconventional gas exploration and extraction;
2. Supports and advocates for the removal of the moratorium on exploration and extraction of conventional gas subject to creation of a Royalties to the Regional system and strong protection for landholder rights and the environment;
3. Writes to the Great South Coast Group advising of the position;
4. Writes to the Minister for Resources outlining Council's position and sends copies to both Upper and Lower House local State representatives, the Municipal Association of Victoria (MAV), Rural Councils Victoria (RCV) and the Victorian Farmers Federation.

**This Report was withdrawn by the Chief Executive Officer and was not considered by Council.**

## 10.4 Local Government Bill – A Reform Proposal Submission

**Directorate:** Michael Tudball, Chief Executive Officer  
**Author:** Karly Saunders, Governance Coordinator  
**Attachments:** 3. Local Government Bill – A Reform Proposal – Submission  
4. Local Government Bill – Exposure Draft - Submission

### Executive Summary

Local Government Victoria (“LGV”) released the Local Government Bill – A Reform Proposal in June 2019 for feedback and consultation. A Submission in relation to the reform proposals has been prepared and it is recommended that the attached Submission be adopted and forwarded to LGV for its consideration before the new legislation is adopted and enacted.

The previous submission prepared for the Local Government Bill – Exposure Draft is also attached to ensure that it is considered by the Minister in the deliberations to ensure our previous comments are not lost.

### Discussion

The aim of the review of the Local Government Act is to create new, modern legislation which:

1. Revitalises local democracy;
2. Supports and encourages councils to be innovative and collaborative; and
3. Is easy to read and understand by both councillors and the community.

The Local Government Bill 2018 was passed by the Legislative Assembly but lapsed in the Legislative Council when Parliament expired before the November 2008 Victorian election.

The new Bill will be presented to Parliament in 2019 and includes some additional reforms designed to further improve and strengthen the 2018 Bill.

The six new proposed reforms are outlined below:

1. Simplified Franchise
2. Electoral Structures
3. Training
4. Donation Reform
5. Improved Conduct
6. Community Accountability

A Submission has been prepared in relation to the Bill. While Council is supportive of some of the proposed reforms, there are some concerns in relation to the level of detail provided.

The proposed reforms need further consultation with the local government sector and communities. The Submission discusses the following matters:

- Overarching Concerns:
  - Lack of consultation with local government sector and community



- Lacks the level of detail required to assess and understand the reforms and what the broader implications might be
- Specific Concerns:
  - Equitable representation for ratepayers during Council elections
  - Single member wards are not an appropriate model for all local government and will not provide fair and equitable representation for the community or allow efficient and cohesive decision making.
  - Election candidate mandatory training needs to be developed and the current proposal would be both time consuming and costly
  - Election candidate mandatory training may deter potential candidates from participating
  - Councillor induction training should be developed in consultation with the broader local government sector to reduce costs
  - The mandatory training focuses on councillor development and education before and directly after being elected but provides no long term proposal for education and development in a staged approach
  - Donation reform is supported but no explanation provided regarding donation capping at \$1000.
  - Standards of conduct are supported but need to be developed in consultation with local government.
  - Internal arbitration process is supported but further consultation is required
  - Repeat serious misconduct is supported
  - Petition process needs further explanation and consultation with local government
  - 'Grounds' for petition application needs to be developed and well defined
  - Explanation should be provided regarding the 25% petition process model and whether this will be the percentage of the un-subdivided or ward model
  - Forethought should be given to the community accountability reform and the potential impacts on health, wellbeing and reputation.

It is recommended that the attached Submission be adopted by Council and forwarded to LGV for consideration by 17 July 2019.

### **Financial and Resource Implications**

There have been no financial implications in the development of this Submission.

There are significant financial and resource implications to all Victorian councils if the Bill is adopted. Whilst the majority of the Bill is supported, the implementation of the changes in the Bill will significantly increase the administrative burden of councils and have significant impact on resources, particularly for rural and regional councils and during the initial development of the documents.

### **Legislation, Council Plan and Policy Impacts**

This Submission is in relation to a review of the current Local Government Act 1989.

Although there are no Council Plan or Policy impacts in relation to the development of this Submission there will be significant impacts on plans, policies, council governance, and reporting once a new Local Government Act is enacted.

### **Risk Management**

Ensuring we have a Local Government Act that is modern, flexible, less prescriptive and takes into account current opportunities and issues ensures that the framework for delivering services is open and transparent and is protective of the community's interests.

### **Environmental and Sustainability Considerations**

N/A

### **Community Consultation and Communication**

This Submission has been developed in consultation with councillors and senior management.

If adopted, the Submission will be forwarded to LGV by the due date of 17 July 2019 for its consideration.

### **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 adopt the attached Submission in relation to the Local Government Bill – A Reform Proposal and the Submission be forwarded to the Local Government Victoria by 17 July 2019 alongside the previously submitted Exposure Draft submission.

## **COUNCIL RESOLUTION**

**MOVED:** Cr Rainsford  
**SECONDED:** Cr Armstrong

**That Council adopt the attached Submission in relation to the Local Government Bill – A Reform Proposal and the Submission be forwarded to the Local Government Victoria by 17 July 2019 alongside the previously submitted Exposure Draft submission and a cover letter be included suggesting that the same standards apply to State Government as are applied to Local Government.**

**CARRIED**

## 10.5 Emerging Projects Budget Allocation

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

### Executive Summary

In accordance with the *Local Government Act 1989*, Council adopted its Budget for 2019/20 on 20 June 2019. At this time, the budget included an allocation for Emerging Priorities. This report contains the recommendation for allocation of \$40,453.00 to the Cavendish Recreation Reserve Committee as a contribution to the refurbishment of the Cavendish Recreation Reserve Amenities.

### Discussion

Representatives of the Cavendish Recreation Reserve made a submission to the 2018/19 budget. At that stage the project was still being planned and Council expressed general support for the upgrade of the amenity facility. Since then the community has been successful in securing funding from the State ("Pick My Project) and through community fund raising. This resulted in the Cavendish Recreation Reserve Committee submitting a budget request to be included in the 2019/20 budget for the allocation of \$40,453.00. The additional funds are requested to allow for aspects of the project to be enhanced, to ensure the long term economic and environmental sustainability of the final building.

As part of the 2019/20 Adopted Budget \$150,000 was allocated to Emerging Priorities. The funds for this project are proposed to be allocated from the Emerging Priorities budget.

### Financial and Resource Implications

The allocation of \$40,453.00 to this project would mean that the Emerging Priorities budget would have a remaining balance of \$109,547.

### Legislation, Council Plan and Policy Impacts

The recommendations are consistent with Councils strategic plans and have no legislative impact.

### Risk Management

This project is expected to be of benefit to the local community. However, with projects of this nature the key risks are financial risk – cost overruns and project time lines - construction delays. In particular, there are some key considerations which may not have been considered in the current project budget;

1. An updated wastewater assessment is likely required as the current wastewater design (land capability assessment) excludes loadings from the camping ground,
2. Should the nearby tree within close proximity to the proposed building need to be lopped or removed an arborist report would be required and a probable referral to DELWP,
3. If the wastewater design exceeds 5000 litres in size EPA referrals will also be needed, as per current regulations,
4. There are costs associated with preparing and submitting the planning application. These costs include drafting for site planning drawings and statutory fees,

5. The fees attached to septic assessments and building assessments which are additional to planning fees payable.

### **Environmental, Sustainability and Planning Considerations**

The Committee is currently seeking necessary building approval from Council for the demolition works and the new amenities facility. A range of issues related to the permit are currently being worked through including an assessment of the correct wastewater management system.

A planning application is also required to be lodged as the Committee of Management is not the public land manager (land owner being DELWP). There is no process under the *Planning and Environment Act 1987* for Council to waive this application process and DELWP has confirmed it will not be the applicant.

### **Community Consultation and Communication**

No further consultation was required for 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. Allocate \$40,453.00 to the Cavendish Recreation Reserve Amenities Project from the Emerging Priorities 2019/20 budget; and
2. Work with the Committee on the planning and building regulation requirements as highlighted within this report.

## **COUNCIL RESOLUTION**

**MOVED:** Cr McAdam  
**SECONDED:** Cr Rainsford

That Council:

1. **Allocate \$40,453.00 to the Cavendish Recreation Reserve Amenities Project from the Emerging Priorities 2019/20 budget; and**
2. **Work with the Committee on the planning and building regulation requirements as highlighted within this report.**

**CARRIED**

## 10.6 Planning Committee

**Directorate:** Andrew Goodsell, Director Planning and Development  
**Author:** Andrew Goodsell, Director Planning and Development  
**Attachments:** 5. Planning Committee Minutes – 19 June, 2019.

### Executive Summary

The Minutes from the Planning Committee meeting held on 19 June 2019 and endorsed by members of the Committee are presented to Council for information.

### Discussion

The Planning Committee was established as a Special Committee of Council in March 2016 in accordance with Section 86 of the Local Government Act. This section should detail the reporting that is coming before Council.

The Planning Committee gives consideration to the following:

- All planning permits valued between \$1 million and \$5 million (or less if the officer is recommending refusal)
- All planning permits that receive between three and five objections
- All applications where the officer is recommending refusal
- All planning scheme amendments that clarify or correct mistakes in the Planning Scheme (applied for under Section 20(4) of the Planning and Environment Act).
- Whether applications should be referred to the full Council for decision.

### Legislation, Council Plan and Policy Impacts

The *Planning and Environment Act 1987* provides that certain local government authority, responsibility and functions can be delegated to Committees of Council or Council Officers.

### 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 of the Planning Committee Meeting held on 19 June 2019 be received.

### COUNCIL RESOLUTION

**MOVED:** Cr Armstrong  
**SECONDED:** Cr McAdam

**That the Minutes of the Planning Committee Meeting held on 19 June 2019 be received.**

**CARRIED**

## 10.7 Monitoring planning conditions and emerging issues for wind energy facilities

**Directorate:** Andrew Goodsell, Director Planning and Development  
**Author:** Bruce Farquharson, Emergency Management Coordinator  
**Attachments:** 6. Example planning permit conditions

### Executive Summary

A range of conditions currently apply to planning permits for wind farms concerning noise, flora and fauna, aircraft safety, amenity, blade glint, shadow flicker and electromagnetic interference. Emerging issues may apply to future planning permits, particularly in the health area. Monitoring and enforcing technical and specialist conditions are beyond the expertise of Council and can burden Council with a heavy financial responsibility.

It is considered that the responsibility for monitoring and enforcing technical and specialist conditions for wind energy facilities, particularly health, electromagnetic interference and acoustic conditions would be more effective if the Minister for Planning was the responsible authority for enforcing conditions.

Given the approval role of the Minister for Planning for new wind farms, it is reasonably incumbent on the Department of Land Water and Planning to inform itself on all emerging issues relevant to the merit of a particular application as well as permit compliance.

### Discussion

Wind farms began operating at Oaklands Hill, Glenthompson and Mortons Lane, Woodhouse in 2012. Others may operate in SGSC in future dependant on permit processing.

From the Policy and planning guidelines for development of wind energy facilities in Victoria March 2019:

- The Minister for Planning is the responsible authority for a new application for a permit for a wind energy facility, and for power lines and substations required to connect the facility to the electricity network. (3.2)
- The local council is the responsible authority for the enforcement of wind energy facility permits. (6.3)

Conditions applied by the Minister typically relate to noise, flora and fauna, aircraft safety, amenity, blade glint, shadow flicker and electromagnetic interference. Some relate to the design and construction but others such as noise are ongoing in nature.

Condition type	Measure	Standard	Instrumentation
Noise	dB	New Zealand Standard 6808:2010, Acoustics – Wind Farm Noise	Sound level meter
Bats and birds	Mortality		Count in monitoring program
Electromagnetic interference (TV and radio)	dB	Reception quality and signal strength	RF spectrum analyser
Shadow flicker	Time	Hours per annum of blade between sun and viewer	Design calculations

Blade glint		Geometry and reflective properties of blade surface	Design element
Aircraft safety	Location	Flight path impact	Design element

Example planning permit conditions published by the State Government are attached.

Monitoring and enforcing many conditions relies on technical and specialist expertise and knowledge that does not exist generally within councils. To effect the monitoring and enforcement effectively and diligently, expertise would need to be paid for by Council. Current noise monitoring is administered by DELWP without Council bearing costs although this appears to be lacking any formal arrangement or responsibility allocation.

There was a resolution by Council on 12 June 2019 concerning noise monitoring for existing permits. It was the Council view that this was best handled by the EPA. The resolution did not address other technical and specialist conditions as they were not subject of that report.

Over time, other concerns have been raised both within the renewable energy sector and amongst community groups. In essence the concern is that Council does not have the expertise to monitor or judge whether adverse health and environmental issues are arising from wind farms or how this can best be addressed (permit conditions/enforcement). For instance, organisations and individuals have raised health issues including noise at different frequencies, chronic noise exposure, physiological stress from sound energy, disturbed sleep, sensitisation and pressure.

Concerns that emerge after the issue of planning permits are not addressed in conditions and do not lead to a monitoring and enforcement responsibility for Council. Information about these concerns may be beneficial to Council in terms of having knowledge for future planning applications.

The responsible authority for the enforcement of the planning scheme is the local council, unless the planning scheme specifies another person as the responsibility authority for that purpose.

There is potentially a breadth of issues that may need to be monitored and enforced in future. These issues may fall within the expertise of a number of government departments and agencies.

Where Council has the responsibility, necessary expertise would need to be sourced. Should Council desire to transfer the responsibility to State Government, it should be transferred to the Minister for Planning who would then source the expertise within government rather than Council passing the responsibility to specific Ministers or departments.

Within a planning permit there are conditions that need, and others that do not need specialist/technical expertise. In transferring responsibilities, Council needs to consider whether responsibilities relating to all conditions or specific conditions should be transferred to Minister for Planning for the Minister to access the expertise of State authorities such as DELWP, EPA or others.

### **Legislation, Council Plan and Policy Impacts**

State Government Policy and planning guidelines for development of wind energy facilities in Victoria March 2019 are available at

[https://www.planning.vic.gov.au/\\_data/assets/word\\_doc/0023/95360/Development-of-Wind-Energy-Facilities-March-2019.doc](https://www.planning.vic.gov.au/_data/assets/word_doc/0023/95360/Development-of-Wind-Energy-Facilities-March-2019.doc)

It refers to relevant parts of the Planning and Environment Act 1987, Victorian Planning Provisions and other relevant legislation, agreements, studies, practice notes and guidelines.

This report relates to the Council plan:

- Support our community 1.2, 1.4
- Develop our regional economy and businesses 2.1
- Plan for our built environment and infrastructure 3.4
- Promote our natural environment 4.1, 4.2, 4.4, particularly 4.4.2 Facilitate local investment in renewable energy projects
- Provide governance and leadership 5.1, 5.2

#### **Disclosure of Interests**

No interests



**RECOMMENDATION**

That Council write to the Minister for Planning

1. Seeking a review of current wind energy facility compliance and enforcement responsibilities for technical and specialist conditions particularly health, electromagnetic interference and acoustic conditions and how this affects communities; and
2. Advocate that the responsibility for monitoring and enforcing technical and specialist conditions for wind energy facilities, particularly health, electromagnetic interference and acoustic conditions would be more effective if undertaken by State Government with the Minister for Planning being the responsible authority; and
3. Advocate for the State Government to ensure that knowledge of emerging issues with wind farms including health concerns be kept current and shared within relevant stakeholders including affected communities

**COUNCIL RESOLUTION**

**MOVED:** Cr McAdam  
**SECONDED:** Cr Sharples

That Council write to the Minister for Planning

1. **Seeking a review of current wind energy facility compliance and enforcement responsibilities for technical and specialist conditions particularly health, electromagnetic interference and acoustic conditions and how this affects communities; and**
2. **Advocate that the responsibility for monitoring and enforcing technical and specialist conditions for wind energy facilities, particularly health, electromagnetic interference and acoustic conditions would be more effective if undertaken by State Government with the Minister for Planning being the responsible authority; and**
3. **Advocate for the State Government to ensure that knowledge of emerging issues with wind farms including health concerns be kept current and shared within relevant stakeholders including affected communities**

**CARRIED**

## 10.8 Service and Asset Management Policy

**Directorate:** David Moloney, Director Shire Infrastructure  
**Author:** David Moloney, Director Shire Infrastructure  
**Attachments:** 7. Asset Management Policy

### Executive Summary

Council owns and manages over \$500M in assets. The Assessment Management Policy is the overarching document of a series of documents used to manage Council's assets. The existing Service & Asset Management Policy was adopted in July 2017 and the changes align Councils' Policy with ISO 55000 Asset Management: 2014.

The main changes in this policy are to put service delivery at the centre of asset management by aligning investment in assets with service planning. This is a philosophical change to the current policy which assesses assets independent of service requirements.

This asset management policy will guide how Council will manage and plan for its assets. The main purpose of the policy is to link assets to current and future use through service planning, to ensure that the assets required to deliver services are properly controlled and are fit for purpose with investment in renewal of assets ahead of new or upgraded assets.

The expected outcomes of the policy are; better support for services, enhance the service potential of assets through improved management of existing assets and reducing the need for new assets.

The Asset Management Policy aligns with objective 3.1 of the Council Plan 2017-2021 - Plan and provide for sustainable assets and infrastructure and strategy 3.1.2 Review and adopt Asset Management Plans to align with future service level and prioritise sustainability.

It is recommended that Council:

1. Revoke the previous Service and Asset Management Policy dated July 2017
2. Approve the Asset Management Policy dated July 2019

### Discussion

Council owns and manages over \$500M in assets. The Assessment Management Policy is the overarching document of a series of documents used to manage Council's assets. The current asset management policy was last updated in July 2017.

The key changes are to align Council's policy to International Standards covering management of assets (ISO 55000) with service planning.

This asset management policy will guide how Council will manage and plan for its assets. The main purposes of the policy are:

- Assets are linked to current and future use
- Ensure that the assets required to deliver services are properly controlled and are fit for purpose
- Accurate and reliable information about the asset and their use are available where and when needed
- Investment in renewal of assets ahead of new or upgraded assets

- Align Council policy with ISO 55000 and Federal Government change from NAMAFA to SPAF reporting

The objectives of the policy are:

- Define, record and control the components of services and assets
- All Asset Management activities are aimed at supporting service delivery
- Understand our service and asset bases and their interdependence on one another
- All Asset Management decisions are based on service delivery and outcomes
- Use evidence based decision making, linking service planning, asset usage and condition to optimise asset investment

The expected outcomes of the policy are:

- Support service delivery by providing the right assets
- Enhance the service potential of assets through improved management of existing assets, reducing the needs for new assets
- Maximise value for money, through whole of life (WOL) assessments
- Improved leadership, governance and accountability of assets
- Improve service to the community and user groups

### **Financial and Resource Implications**

It is expected that through this policy there will be:

- Targeted investment in assets that support Council delivering services to the community
- Appropriate level of investment in assets that are commensurate to the service plan requirements
- Development of long term asset investment strategies
- Assist in ensuring Councils long term financial plan is sustainable

### **Legislation, Council Plan and Policy Impacts**

Asset Management is a core function of Council and the Assets Management Policy assists Council in its obligations under the Local Government Act 1989 in maintaining and planning for services and assets.

This policy aligns with the Southern Grampians Shire Council - Council Plan 2017-2021 and in particularly:

#### **3.1 Plan and provide for sustainable assets and infrastructure**

3.1.2 Review and adopt Asset Management Plans to align with future service level and prioritise sustainability

#### **5.4 Deliver efficient and customer focused services**

5.4.2 Ongoing review of service delivery to maximise efficiency and improve outcomes

5.4.3 Be recognised as an organisation that provides excellent customer service

## **Risk Management**

The Asset Management Policy will assist Council in the management of risks associated with its assets by prioritising investment in assets in accordance with the service profile.

## **Environmental and Sustainability Considerations**

This policy will assist with Council meetings by considering environmental and sustainability requirements through service planning and asset usage to deliver more efficient services maximising asset usage and reducing the need for new assets.

The Asset Management Policy also requires investment in best practice principles including renewable energy installation and environmentally friendly materials and design.

## **Community Consultation and Communication**

Consultation has been undertaken within Council's Senior Leadership and Asset Management Teams and is not required under legislation to be advertised.

## **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. Revoke the previous Services and Asset Management Policy dated July 2017
2. Approve the Asset Management Policy dated July 2019

### **COUNCIL RESOLUTION**

**MOVED:** Cr Rainsford  
**SECONDED:** Cr Calvano

That Council:

1. **Revoke the previous Services and Asset Management Policy dated July 2017**
2. **Approve the Asset Management Policy dated July 2019**

**CARRIED**

## 10.9 Capital works 2019/20: Increased delegation to the Chief Executive

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

### Executive Summary

Council has an extensive capital works portfolio for the financial year 2019/2020 with a budget of about \$22 million.

This portfolio consists of major culvert replacements (5) and bridge strengthening (3).

These are business-as-usual projects, which are within the delegation of the Chief Executive Officer (CEO), if procured separately.

Within a combined contract, whilst cost efficient, the works are above the delegation of the CEO.

It is recommended, to gain cost efficiency, we procure above mentioned works in two contracts:

1. Major Culvert replacement programme (5): Procure material (culverts) from Procurement Victoria; and
2. Bridge Strengthening Programme (3): Procure one contractor for the works.

It is requested, that the Council delegate the decision to award these two contracts to the Chief Executive Officer and the Mayor (if the contract value is indeed above the delegation of the CEO).

### Discussion

Council has a capital works portfolio of about \$22 million for the financial year 2019/2020. There are 5 major culverts to be replaced and 3 bridges to be strengthened.

It is to be noted that both the programmes – culverts and bridges are funded by Fixing Country Roads.

1. **Major Culvert Replacement Programme:** The project locations are mentioned below and the individual cost of each project is within the delegation of the Chief Executive Officer but when combined, the cost is likely to be over the delegation of the Chief Executive Officer.

The physical works are expected to be complete by the Council's depot staff. The culverts have a lead time of 2-3 months and considering that, Council officers are planning to order materials in July 2019 to ensure delivery in the dry period to complete the physical works.

Culvert Name	Approx. Cost	Project Management + Traffic Management (15%)	Cost of replacement
Cavendish Coleraine Road (ch. 725m)	\$138,000	\$20,700	\$158,700
Cavendish Coleraine Road (ch. 725m)	\$71,800	\$10,770	\$82,570
East West Road (Ch 6775m)	\$40,900	\$6,135	\$47,035
East West Road (Ch 15720m)	\$69,500	\$10,425	\$79,925
East West Road (Ch 15400m)	\$69,500	\$10,425	\$79,925
<b>Total</b>			<b>\$448,155</b>
Shire Contribution (33.33%)			\$147,891
Fixing Country Roads Contribution (66.67%)			\$300,264

2. **Bridge Strengthening Programme:** There are 3 No. bridges to be strengthened and project locations and details are mentioned below.

Bridge Name	Approx. Cost	Project Management + Traffic Management (15%)	Cost of repair
Burdetts (6200) Road	\$105,000	\$15,750	\$120,750
Robsons Road (1855) Grange Burn	\$60,000	\$9,000	\$69,000
Cavendish-Coleraine Road (20270) Hawkins Creek	\$110,000	\$16,500	\$126,500
Total			\$316,250
Shire Contribution (33.33%)			\$104,362
Fixing Country Roads Contribution (66.67%)			\$211,888

It is expected that the Contract for this works will be awarded in August 2019.

### Financial and Resource Implications

- Both the projects are budgeted within the Council's capital works programme for the financial year 2019/2020;
- Overall, both the project will be within the budgeted amounts;
- Considering above, there are no financial implications on the Council.

### Legislation, Council Plan and Policy Impacts

This report assists Council in meeting its obligations under the Local Government Act 1989.

This report also relates to the:

- 2019-2020 Southern Grampians Shire Council Budget.
- 2017-2021 Council Plan – 5.1.2 Ensure responsible, effective and efficient use of Council resources

### Risk Management

What are the benefits/risks to:

- The risks are not procuring culverts in a timely manner to complete the works during dry season;  
The above is being mitigated by placing order in the month of July through Procurement Victoria.
- Starting works before getting Works on Waterways permit;  
The above is being mitigated by having a robust project management practices and checklist before starting physical works.

### **Environmental and Sustainability Considerations**

Catchment Management Authority would be contacted to agree on a Environmental Management Plan (EMP) for the physical works. The selected contractor for Bridge strengthening would be selected on the previous successfully completed projects.

### **Community Consultation and Communication**

The Council officers will contact the affected residents in the neighbouring areas for any road closures. Officers will also contact emergency services, affected bus routes (if any) as part of the communications plan.

### **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:

**RECOMMENDATION**

That:

1. Council delegate the award of projects - Culverts & Bridges programme for the financial year 2019/2020 to the Mayor & Chief Executive Officer (if contracts are over the delegation of the CEO);
2. A report be provided to councillors to enable feedback to be given on the tender for consideration by the Mayor and the CEO prior to the awarding of the Contract;
3. The Contract documents be signed and sealed when prepared; and
4. A report be presented on the awarding of the Contracts to the Ordinary Council Meeting following each award for noting.

**COUNCIL RESOLUTION**

**MOVED: Cr Rainsford**  
**SECONDED: Cr McAdam**

1. **Council delegate the award of projects - Culverts & Bridges programme for the financial year 2019/2020 to the Mayor & Chief Executive Officer (if contracts are over the delegation of the CEO);**
2. **A report be provided to councillors to enable feedback to be given on the tender for consideration by the Mayor and the CEO prior to the awarding of the Contract;**
3. **The Contract documents be signed and sealed when prepared; and**
4. **A report be presented on the awarding of the Contracts to the Ordinary Council Meeting following each award for noting.**

**CARRIED**



## 11 Notices of Motion

### 11.1 Notice of Motion #4/19

Cr McAdam

I hereby give notice of my intention to move the following motion at the Ordinary Council Meeting to be held on 10 July 2019

#### MOTION

That in accordance with section 407 (clause1), of the *Victorian Land Act 1958*, Southern Grampians Shire Council resolve to support the application by Andrew and Christine Beveridge, of Mirranatwa to have unused road grazing licence No's 0204221 and 0203301, Parish of Jalur cancelled and give formal notice of such resolution to the Department of Environment, Land, Water and Planning (DELWP) Hamilton office and to Mr and Mrs Beveridge.

#### **Background**

This issue has been going on for years without resolution.

Council resolved to support this application in 2002 and for reason unknown the application was withdrawn and therefore lapsed.

In February 2017 a new application was forthcoming and has been doing the rounds of various bodies ever since.

The real issue here is the biosecurity risk to the Beveridge's stock. The current licensee's livestock have ready access to the unused road (covered by the above licences) along which Mr Beveridge must drive his stock in order to efficiently farm his property, therefore jeopardising his biosecurity status.

For the Beveridge's application to proceed, this Council must formally resolve to support it under the provision of the *Victorian Land Act 1958* and as advised by DELWP.

#### **Officers Comments**

The issue has been raised with Council since February 2017 onwards at various levels. A report will be submitted to the Council for consideration of various options available.

**COUNCIL RESOLUTION**

**MOVED:** Cr McAdam  
**SECONDED:** Cr Rainsford

That in accordance with section 407 (clause1), of the *Victorian Land Act 1958*, Southern Grampians Shire Council resolve to support the application by Andrew and Christine Beveridge, of Mirranatwa to have unused road grazing licence No's 0204221 and 0203301, Parish of Jalur cancelled and give formal notice of such resolution to the Department of Environment, Land, Water and Planning (DELWP) Hamilton office and to Mr and Mrs Beveridge.

**CARRIED**

## 11.2 Notice of Motion #5/19

Cr Rainsford

I hereby give notice of my intention to move the following motion at the Ordinary Council Meeting to be held on 10 July 2019

### MOTION

That Southern Grampians Shire Council review the decision to disband the Public Art Installation Reference Group which combined community members, Council and council staff to consider applications for public art installations.

#### Background

Southern Grampians Shire Council established a community and council reference group to support the development and location of public art installations across the Shire. The advisory group only functioned for part of one council term.

The group successfully evaluated and advised council on the location of the Phil Price Nucleus, the Ted Kenna Statue and The Farmers statue in the community Garden. Some installations are simple, community driven and uncomplicated by issues of public access, road safety and site preparation. There are other installations that require more community consultation and reference to external parties like VicRoads. The location of a Prime Ministers bust and the recent discussion over the potential of utilising the Lonsdale Street Blue Gum stump material are two cases just this year requiring more considered evaluation.

The CBD Revitalisation Project and Cox Street Front Door projects are planned to attract and stimulate creative and innovative spirit alongside improved function in our central business district of Hamilton.

This motion is about reviewing and reconsidering how Southern Grampians Shire Council approaches decision making and potentially funding future public art installations.

#### Officers Comments

Due to the length of time between the last meeting held and present day, an updated Council report will be required. This will be prepared and presented to the next available Briefing Session.

### COUNCIL RESOLUTION

**MOVED:** Cr Rainsford  
**SECONDED:** Cr McAdam

**That Southern Grampians Shire Council review the decision to disband the Public Art Installation Reference Group which combined community members, Council and council staff to consider applications for public art installations.**

**CARRIED**

## 12 Delegated Reports

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

### 12.1 RAIL FREIGHT ALLIANCE COMMITTEE

Cr Calvano reported on his attendance at the Rail Freight Alliance Committee Meeting held on 28 June 2019.

### 12.2 MUNICIPAL EMERGENCY MANAGEMENT PLANNING COMMITTEE (MEMPC)

Cr McAdam reported on his attendance at the MEMPC Meeting held on 13 June 2019.

### 12.3 Hamilton Regional Livestock Exchange (HRLX) Advisory Committee

Cr McAdam reported on his attendance at the HRLX Advisory Committee Meeting held on 8 July 2019.

### 12.4 D-FORCE COMMITTEE

Cr Rainsford reported on her attendance at the D-Force Committee Meeting held on 18 June 2019.

### 12.5 PLANNING COMMITTEE

Cr Rainsford reported on her attendance at the Planning Committee Meeting held on 19 June 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.

## 14 Confidential Matters

There were no confidential items listed on tonight's Agenda.

## 15 Close of Meeting

This concludes the business of the meeting.

Meeting closed at 6:29pm.

Confirmed by resolution 14 August 2019.

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Chairman