



**Southern Grampians**  
SHIRE COUNCIL

# Council Meeting Agenda

Ordinary Meeting  
14 November 2018

To be held at 5.30pm in the  
Branxholme Public Hall,  
98 McNichol St, Branxholme

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## 1 Membership

### **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 Susannah Milne – Acting Director Community and Corporate Services  
Mr Andrew Goodsell – Director Planning and Development  
Mr David Moloney – Director Shire Infrastructure  
Ms Megan Kruger – Governance Coordinator

## 2 Acknowledgement of Country

## 3 Prayer

## 4 Apologies

## 5 Confirmation of Minutes

<b>RECOMMENDATION</b>
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That the Minutes of the Ordinary Meeting of Council held on 10 October 2018 be confirmed as a correct record of business transacted.

## 6 Declaration of Interest

## 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 are 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 **2 days 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 15 copies 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 are 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:

- Municipal Emergency Management Planning Committee Meeting – 8 October 2018
- Council Briefing Session – 10 October 2018
- Audit and Risk Committee Meeting – 16 October 2018
- Council Briefing Session – 24 October 2018

*This agenda was prepared on 7 November 2018. 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.

## ASSEMBLY OF COUNCILLORS



Southern Grampians  
Shire Council

ASSEMBLY DETAILS	
<b>Title:</b>	Municipal Emergency Management Planning Committee
<b>Date:</b>	8 October 2018
<b>Location:</b>	Martin J Hynes
<b>Councillors in Attendance:</b>	Cr Greg McAdam
<b>Council Staff in Attendance:</b>	Warren Groves, Acting Director Shire Futures Darren Barber, Manager Organisational Development Pauline Porter, Environmental Health Officer Nadine Rhook, EA Director Community & Corporate Services

The Assembly commenced at 12.30pm

MATTERS CONSIDERED		CONFLICTS OF INTEREST DECLARED
<b>1</b>	Welcome & Apologies	Nil
<b>2</b>	Confirmation of Previous Minutes – 21 June 2018	Nil
<b>3</b>	MEMP Audit Updates	Nil
<b>4</b>	Review of parts of the MEMP	Nil
<b>5</b>	Municipal Fire Management Committee	Nil
<b>6</b>	Relief Assistance following non Major emergencies	Nil
<b>7</b>	Agency Updates/Reports	Nil
<b>8</b>	Mooralla Fire Update	Nil
<b>9</b>	Councils in Emergencies	Nil
<b>10</b>	R Walters Rd, Hensley Park Clean Up	Nil
<b>11</b>	Arrangements for the Coordination of Relief for Single Incidents	Nil
<b>12</b>	Next Meeting	Nil

The Assembly concluded at 1.42pm

## ASSEMBLY OF COUNCILLORS



Southern Grampians  
Shire Council

ASSEMBLY DETAILS	
<b>Title:</b>	Briefing Session
<b>Date:</b>	10 October 2018
<b>Location:</b>	Martin J 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 Warren Groves, Acting Director Shire Futures

The Assembly commenced at 1:00pm

MATTERS CONSIDERED		CONFLICTS OF INTEREST DECLARED
1	Environmental Health Service Review	Nil
2	Statutory Meeting Date	Nil
3	Recognition of Malcolm Fraser	Nil
4	Councillor and Staff Interaction Policy	Nil
5	Public Participation Policy	Nil
6	Full House Audience Engagement Project	Nil
7	Waste and Recycling Service Review	Nil
8	Swimming Pool Policy – Changes/Submissions	Nil

The Assembly concluded at 5:00pm



## ASSEMBLY OF COUNCILLORS



Southern Grampians  
Shire Council

ASSEMBLY DETAILS	
<b>Title:</b>	Audit & Risk Committee Meeting
<b>Date:</b>	16 October 2018
<b>Location:</b>	Martin J Hynes Auditorium
<b>Councillors in Attendance:</b>	Mayor Mary Ann Brown Cr Colin Dunkley
<b>Council Staff in Attendance:</b>	Michael Tudball, Chief Executive Officer Evelyn Arnold, Director Community & Corporate Services Jason Cay, Finance Coordinator Darren Barber, Manager Organisational Development Nadine Rhook, Executive Assistant to Director Community & Corporate Services

The Assembly commenced at 2.00pm

MATTERS CONSIDERED		CONFLICTS OF INTEREST DECLARED
1	Welcome & Apologies	Nil
2	Conflict of Interest	Nil
3	Confirmation of Minutes – 12 August 2018	Nil
4	Final Closing Report & Final Management Letter	Nil
5	Flood Recovery	Nil
6	Interplan Report	Nil
7	Financial Report – Standard Statements	Nil
8	Internal Audit Progress – Overall	Nil
9	Reports Released by other Government Agencies	Nil
10	Annual Report of Audit & Risk Committee	Nil
11	Internal Audit & Risk Committee Plan for 2019/20	Nil
12	Internal Audit – Business Continuity Plan	Nil

<b>13</b>	Audit Management Letter: IT Change Management Segregation of Roles in Civica Section 86 Committees	Nil
<b>14</b>	Annual Leave Report	Nil
<b>15</b>	Emerging Matters	Nil
<b>16</b>	Committee in Camera	Nil
<b>17</b>	Next Meeting	Nil

The Assembly concluded at 4.00pm

## ASSEMBLY OF COUNCILLORS



Southern Grampians  
Shire Council

ASSEMBLY DETAILS	
<b>Title:</b>	Briefing Session
<b>Date:</b>	24 October 2018
<b>Location:</b>	Martin J Hynes Auditorium
<b>Councillors in Attendance:</b>	Cr Mary-Ann Brown, Mayor – left at 1:15pm and returned at 3:30pm Cr Chris Sharples, Deputy Mayor Cr Cathy Armstrong Cr Colin Dunkley Cr Greg McAdam Cr Katrina Rainsford
<b>Council Staff in Attendance:</b>	Michael Tudball, Chief Executive Officer – left at 5:15pm Evelyn Arnold, Director Community and Corporate Services Warren Groves, Acting Director Shire Futures

The Assembly commenced at 12:00pm

MATTERS CONSIDERED		CONFLICTS OF INTEREST DECLARED
1	Recreation Strategy and Masterplans	Nil
2	Road Making Materials Contract	Nil
3	Building Better Regions – 3 Recommendations	Nil
4	Annual Plan Quarterly Report	Nil
5	Statutory Meeting 7 November – Draft Agenda	Nil
6	Gallery Scoping Study – Proposed Designs	Nil
7	Councillor Only – CEO Reappointment Process	Nil

The Assembly concluded at 5:30pm

## 10 Management Reports

### 10.1 Recognition of former Prime Minister Malcolm Fraser

**Directorate:** Michael Tudball, Chief Executive Officer  
**Author:** Megan Kruger, Governance Coordinator  
**Attachments:** None.

#### Executive Summary

At its Meeting on 12 September 2018 Council received a Deputation from Rex Beveridge and the Hon Roger Hallam about the recognition of Malcolm Fraser within the Shire.

The Deputation recommended that a life-size bronze bust, positioned on a Grampians sandstone plinth, with a bronze plaque recording Malcolm Fraser's service record be put up in the Hamilton Botanical Gardens.

This Report recommends that Council support this community project by helping with any planning and consultation in relation to the project and contribute costs for the plinth. The community will raise the funds for the bust design and creation.

#### Discussion

The Deputation to Council on 12 September 2018 recommended that recognition of Malcolm Fraser be done in the Shire.

The Deputation shared the belief that it would be:

- Appropriate to establish a lasting testament of Malcolm Fraser's contribution to Australia, and to this region/electorate in particular; and
- Even more appropriate that this testament be located in Hamilton, given that this is the geographic centre of the Wannon electorate (and the traditional supply location for both the Fraser and Beggs families).

The Deputation highlighted Malcolm Fraser's service to the community, and Australia, and submitted that it would not only be deserved, but appropriate, that community recognition be demonstrated.

The Deputation recommended that a good way to recognise Malcolm Fraser's service would be 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 Hamilton Botanical Gardens. Whilst several other locations were discussed the Hamilton Botanical Gardens seemed to be the most appropriate location for the bust. Mrs Fraser is supportive of this location.

The Deputation estimated that the cost of the project would be approximately \$40,000 and sought the following support from Council:

1. Council's approval to put up the bust on Council land;
2. That Council formally support the project so that this can be detailed in any funding grants the community applies for; and
3. That Council commit financially to the project.

The remaining costs will be sourced through contributions from the community and the private sector.

It is recommended that Council support this project by assisting the community with any planning and consultation that is required, and by contributing \$5,000 towards the cost of the plinth from Emerging Priorities.

### **Financial and Resource Implications**

There will be some costs to Council if this project is to go ahead. There will be in kind contribution of the staff costs to support the community with the planning and consultation in relation to the project. There would also be the contribution of \$5,000 by Council towards the cost of the plinth from Emerging Priorities.

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

Local Government Act 1989.

Council Plan Theme 1 – Support our Community.

### **Risk Management**

Planning will need to be done to ensure that the bust is situated in a location where it will be secure and less likely to be damaged or vandalised.

### **Environmental and Sustainability Considerations**

Consideration will need to be given to the location of the bust in the Hamilton Botanical Gardens. The location will need to be somewhere that does not impact upon the current aesthetics and amenity of the Gardens.

### **Community Consultation and Communication**

The Deputation recommended the bust be put up in Hamilton Botanical Gardens. If this location is not what Council resolves upon the community consultation could be done in relation to the other locations with the bust could be put up in the Shire.

### **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**

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.

## 10.2 Local Government Waste Forum Advocacy

**Directorate:** Michael Tudball, Chief Executive Officer  
**Author:** Megan Kruger, Governance Coordinator  
**Attachments:** None.

### Executive Summary

At the last meeting of the Local Government Waste Forum Chairs a discussion was had in relation to the Combined Local Government Waste Forum advocating on behalf of all Victorian Councils to the State and Federal Governments on waste and resource recovery issues. This proposal is supported by the Municipal Association of Victoria (MAV).

It is recommended that Council support this proposal that the Combined Local Government Waste Forum Chairs and the MAV advocate on waste and recovery issues on behalf of all Victorian Councils to the State and Federal Governments.

### Discussion

This is the first time that the Combined Local Government Waste Forum Chairs (representing 79 Councils in the State of Victoria) have come together and collectively formed a position to highlight the ongoing concerns relating to waste issues that the State is currently facing. The Combined Local Government Waste Forum Chairs identified the need for Victorian Councils to have a combined voice to collectively represent all ratepayers and residents to advocate the State and Federal government to recognise the “essential service” of waste recovery from the homes of over 6.5 million people.

Advocacy in relation to waste and recovery issues is an important priority for all Victorian Councils. Waste management services are an essential service for all Victorian residents and are largely managed by local government. Rate capping enforced by the State government imposes restrictions on Council’s ability to generate income, including through the raising of municipal rates and charges, which includes charges for waste collection. Local Government also owns, operates and manages significant waste management services and infrastructure throughout Victoria. Significant investment is required to manage, maintain and upgrade these services and facilities and to implement projects and programs identified in the regional waste management plans. Appropriate levels of resources are required from Government to deliver effective waste and resource recovery projects and programs.

The Local Government Waste Forum Chairs are seeking that all Victorian Councils ratify this proposal. It is recommended that Council supports the Combined Local Government Waste Forum Chairs and the Municipal Association of Victoria to advocate on Waste and Resource Recovery issues on behalf of all Victorian Councils to the State and Federal Governments.

### Legislation, Council Plan and Policy Impacts

Council Plan Objective 4.3 – Promote and provide sustainable waste management services.

**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.

<b>RECOMMENDATION</b>
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That Council supports the Combined Local Government Waste Forum Chairs and the Municipal Association of Victoria to advocate on Waste and Resource Recovery issues on behalf of all Victorian Councils to the State and Federal Governments.

## 10.3 Policy - Councillor and Staff Interactions

**Directorate:** Michael Tudball, Chief Executive Office  
**Author:** Megan Kruger, Governance Coordinator  
**Attachments:** 1. Councillor and Staff Interactions Policy

### Executive Summary

Council adopted the Councillor and Staff Interactions Policy at its Meeting on 14 December 2016.

A review of the Policy has been undertaken and some minor amendments made.

It is recommended that the attached updated Councillor and Staff Interactions Policy is adopted.

### Discussion

This Policy outlines the appropriate channels for interactions between Councillors and Council Staff. It deals with improper or undue influence, communication channels, responses to Councillors, personal interaction between Councillors and Staff and contact contradictory to the Policy.

Minor changes have been made to the Policy following the review. Changes have been made to the Communication Channels section to reflect organisational structure changes. Changes have been made to the Councillor Requests section to ensure that Councillor Requests are sent to the correct place within the organisation so that they are actioned as soon as practicable.

Having interactions go through the correct channels with also ensure that requests are recorded appropriately, forwarded to the correct staff member and the customer receives a prompt reply.

It is recommended that Council adopt the updated Policy.

### Financial and Resource Implications

There are no financial and resource implications in relation to the drafting of the report or the implementation of the Policy. The Policy reflects the current practices at Southern Grampians Shire Council, making things clear for new Councillors and Council Staff.

### Legislation, Council Plan and Policy Impacts

Part 4 of the Local Government Act 1989 contains provisions in relation to conduct and interests. The Councillor and Staff Interactions Policy seeks to support these provisions and ensure that Councillor do not improperly or unduly influence Council Staff.

### Risk Management

This Policy seeks to provide protection to Councillors and Council Staff by outlining what interactions are appropriate and what interactions may constitute improper or undue influence.



**Environmental and Sustainability Considerations**

Not applicable.

**Community Consultation and Communication**

No community consultation is required in the development of this Policy.

Once adopted a copy of the Policy will be made available to all Councillors and Council Staff, and it will be uploaded onto Council's webpage and intranet.

**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.

<b>RECOMMENDATION</b>
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That Council adopt the attached updated Councillor and Staff Interactions Policy.

## 10.4 Policy - Public Interactions with Council

**Directorate:** Michael Tudball, Chief Executive Officer  
**Author:** Megan Kruger, Governance Coordinator  
**Attachments:** 2. Policy - Public Interaction with Council

### Executive Summary

At its Meeting on 8 June 2016 Council adopted the Public Participation at Council Meetings Policy. This Policy combined all the process for the community to interact at Council Meetings from the Meeting Procedure Local Law No 10 of 2013, the Deputations to Council Policy and the Question Time at Ordinary Council Meetings Policy into one streamlined Policy.

Following a review of the Policy two new sections have been added in relation to Petitions and Requests, Enquiries and Complaints. This has also led to a name change of the Policy from the Public Participation at Council Meetings to the Public Interactions with Council. It is recommended that Council adopt the updated Policy.

### Discussion

This Policy outlines all the ways the community can interact with Council and includes the relevant timeframes and formats for involvement at Council Meetings.

Minor changes have been made to the Policy following the review in the current sections.

Two new sections have been added to the Policy in relation to Petitions and Requests, Enquiries and Complaints. This has also led to a name change of the Policy from the Public Participation at Council Meetings Policy to the Public Interactions with Council Policy. It is recommended that Council adopt the updated Policy.

The Petitions section formalises the current practice of Council in relation to petitions and provides advice to the community on what constitutes a petition, when Council will receive a petition and the timeframes in which a petition must be provided to Council so that it can be listed on the Council Meeting Agenda.

There is also a new section in relation to Requests, Enquiries and Complaints. This section details the best way for the community to provide requests, enquiries and complaints to Council to ensure that these matters are actioned, recorded, tracked and reported upon appropriately.

It is recommended Council adopt the updated Policy.

### Financial and Resource Implications

There are no financial and resource implications in relation to the drafting of the report or the implementation of the Policy. The Policy reflects the current practices at Southern Grampians Shire Council, making things clear for new Councillors and Council Staff.

### Legislation, Council Plan and Policy Impacts

- Local Government Act 1989
- Meeting Procedure Local Law 2013

- Council Plan Strategy 1.1.1 – Communicate effectively with our community to promote understanding of Council's role and responsibilities and ensure communities are well informed of Council's activities, projects and decisions
- Council Plan Strategy 1.1.2 – Provide opportunities for increased community engagement and participation in Council decision making and activities
- Council Plan Objective 5.1 – Provide transparent and responsible governance

### **Risk Management**

This Policy seeks to increase community involvement with Council and the transparency of Council's decision making. By encouraging attendance and participation at Council Meetings and making the processes for doing so clear and accessible Council is seeking to improve the relationship between Council and the community by ensuring transparency, accountability and consultation in relation to its decision making processes.

### **Environmental and Sustainability Considerations**

Not applicable.

### **Community Consultation and Communication**

No community consultation is required in the development of this Policy.

Once adopted a copy of the Policy will be made available to all Councillors and Council Staff, and it will be uploaded onto Council's webpage and intranet.

### **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 updated Policy - Public Interactions with Council.

## 10.5 Annual Plan Quarterly Report

**Directorate:** Michael Tudball, Chief Executive Officer  
**Author:** Megan Kruger, Governance Coordinator  
**Attachments:** 3. Action and Task Progress Report

### Executive Summary

The Action and Task Progress Report for the period 1 July 2018 to 30 September 2018 has been prepared to provide information regarding the performance of the organisation against the Annual Plan.

### Discussion

The Annual Plan is developed each year to assist in the delivery of the Council Plan objectives and to demonstrate to the community the key projects to be delivered that year. The Annual Plan sets out the specific actions and includes a detailed list of Council's activities and initiatives for the upcoming financial year. These initiatives are projects that are undertaken over and above normal service delivery and are intended to attain important outcomes for Council and the community.

Reports on the progress of the Annual Plan are reported to Council quarterly. This allows Council to receive timely, relevant and measurable information about how the organisation is performing. This in turn allows Council an opportunity to raise concerns about performance in a timely manner. The Annual Plan reporting will also help formulate the Annual Report and support the reporting against the Council Plan each year.

There are currently 60 actions from the Annual Plan and Council Plan. Of these 60 actions:

- 59 actions (98%) are on track - at least 90% of the target achieved;
- 1 actions (2%) require monitoring –between 70% and 90% of the target achieved;
- 0 actions (0%) are off track – less than 70% of target achieved; and
- 0 actions (0%) have no target set

Details about the specific performance of the Annual Plan actions is detailed in the attached Action and Task Progress Report.

### Legislation, Council Plan and Policy Impacts

Council is required to adopt a Council Plan in accordance with section 125 of the Local Government Act 1989. This Plan is supported by the development of an Annual Plan which details the actions that will be undertaken to achieve the strategic objectives in the Council Plan.

Reporting on the Annual Plan is to be presented to Council quarterly so that Council can regularly monitor the performance of the organisation.

### 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 Action and Task Progress Report for 1 July 2018 to 30 September 2018 be received.

## 10.6 Audit and Risk Committee - Minutes

**Directorate:** Evelyn Arnold, Director Community and Corporate Services  
**Author:** Evelyn Arnold – Director Community & Corporate Services  
**Attachments:** 4. Minutes – 16 October 2018

### Executive Summary

The Minutes from the October 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 16 October 2018 be noted.

## 10.7 Outdoor Pools – Policy and Operational Review

**Directorate:** Evelyn Arnold, Director Community and Corporate Services  
**Author:** Melanie Starr, Manager Recreation  
**Attachments:** 5. Outdoor Pools Operations Policy

### Executive Summary

Staff committed to the Southern Grampians Community and Council that they would consult after the 2017/18 pool season to obtain feedback on the operation of the pools and policy that governed the operation.

Consultation sessions were held within all townships where an outdoor pool is provided. At these sessions information provided to the community on pool season, attendance, cost and capital works undertaken previous financial year.

Feedback from the community was sought on how they felt the season went, what could be done to increase attendance, what if any changes should be made to the pool policy and feedback on ideas to reduce costs. Feedback received was extremely positive and supportive, and that the majority felt that the policy content and application was suitable for their needs. A number of positive suggestions and ideas were given to assist in increasing the attendance numbers at the pool which will be implemented in the upcoming pool season.

Upon the completion of the review and consultation process it is recommended that the Outdoor Pools Policy remains unchanged for the upcoming 2018/2019 season and that Council trial free general entry to the Community to promote greater use and encourage our community to be health and active.

### Discussion

The 2017/2018 pool season was considered to be operationally successful in that pools were open and staffed, with only five days where closures effected 3 pools in total. This is an increased improvement when compared to 2016/2017 season where there was 49 days where closures effected across all 6 pools. Attendance at all pools had increased excepted Penshurst which had a decrease of 173 visits from the previous season. The cost of attendance per visit also varied compared to the previous season, but it was felt that this was not comparable due to the changes in process implemented to track true financial costing in the 2017/2018 budget.

In response to a commitment made to the Community and Council, Recreation staff conducted consultation sessions with interested community members on the operation of the Shire's six outdoor pools upon the completion of the 2017/2018 pool season. The consultation sessions were conducted in each township where a pool is located and was advertised through print media, social media and Council's website.

The purpose of the consultation was to provide the community with updated information on the pool season and seek community feedback on the operation of the pools, and the SGSC Outdoor Pool Operations Policy which was adopted on 25 October 2017 by asking the following questions

- What could be done to continue to increase attendance?
- Was there an appetite to close the kiosks at Hamilton and Coleraine Outdoor Pools?
- Should any changes be made to the Outdoor Pool Operations Policy?

Community feedback on the 2017/2018 was overwhelmingly positive and it was noted that in most communities attendance numbers had increase on the previous season:

- Early morning swimming was well supported.
- Opening times suited most communities.
- Capital works undertaken provided excellent swimming facilities and water quality.
- Staff were friendly and supportive
- Pools opened on time.
- There were adequate number of lifeguards.
- All communities suggested better marketing and promotion.
- Consideration of making entry to outdoor pools free.

The positive feedback highlights that staff and Council have met their commitment to be safe, open and reliable and that the increase in attendance in most pools is a measure of that achievement. Council has continued to support the facilities and service so that towns with outdoor pools can remain open and in return would like to see greater use of the facilities by the community. To facilitate this the community and staff have suggested the following recommendations:

1. Trial free general recreational swimming during operational hours as a trial in 2018/2019 season.

In order to increase attendance and accessibility, it is proposed that there is free general recreational swimming during operational hours. Lane hire, swimming lessons, exclusive use bookings and other bookings outside operational hours will still be charged through an invoice as per the 2018/2019 budget.

Staff support this suggestion as it will improve safety with lifeguards focusing on pool activity, reduced resources required when pool gets busy and reduces administrative costs associated with banking and reconciliation.

Currently Balmoral Outdoor Pool is operated as a Committee of Management and therefore free entry would impact their revenue source to assist in maintenance of the pool that they complete. However the staffing, utilities, chemicals and plant operation costs have been met by the Shire in past years and as consequence they have not been operating the pool as true Section 86 Committee of Management. Discussions with the Committee is that they would dissolve the Section 86 Committee, enter into a Memorandum Understanding operating as a 'Friends of the Pool' arrangement and therefore agree to free entry being included at Balmoral pool.

2. Increase marketing and advertising of pool operational hours.

The community advised that due to previous seasons and changed policy that there is still some confusion around hours of operation and days. They suggested that the use of A-framed signs, increase social media, local advertisement and community newsletters would help increase awareness.

Staff support this and have invested in signage – A frame and teardrop banners for use at each pool and will increase marketing and advertisement through the suggested mediums.



3. Introduce technology solution to introduce automated head count.

To remove the need for Lifeguards to record entry, IT will install low cost solution that allows head count of patrons entering the pool via entry. This will allow for greater accuracy and increase safety with Lifeguards not being distracted from lifeguarding.

4. Remove shire operated kiosks and seek expressions of interest for community group kiosk/BBQ activity at pools.

Lifeguards are currently required to operate the kiosks at HOSP and Coleraine, taking the away from lifeguarding responsibilities increasing risk to patrons, without return on investment. It is recommended that Shire managed kiosk operations are removed from Hamilton and Coleraine, and offered to community groups as an alternative for fundraising. There is also an opportunity to offer weekly fundraising BBQ options to community not for profit groups.

### Outdoor Pool Policy Feedback

At the consultation sessions the feedback specific to the policy suggested that the opening hours and dates stated in the current policy should remain unchanged for the upcoming 2018/2019 season, given that 5 of the 6 outdoor pools felt that the policy was supporting the operation of the pools and clearly identified how and when the pools would be open and operating.

Some residents felt that the pools should open and close half an hour earlier, but was not supported by all with alternative suggestions that better marketing and promotion would resolve this problem.

At the Hamilton engagement session it was suggested that the pool open earlier by one attendee to reduce the occurrence of people swimming and jumping off the bridge at the eastern end of the lake. Officer response to this comment it that swimming is permitted within the Lake and opening the pool earlier will not prevent people from swimming or jumping from the bridge. It is felt that free entry may be a method to give people the choice to swim in a supervised and safe environment.

### Conclusion

In conclusion to the consultation process and feedback it is recommended that:

1. That the Outdoor Pool Policy remains unchanged for the 2018/2019 pool season.
2. Free entry be trialled for recreation swimming in operational hours at all pools for the 18/19 season, to determine if attendance numbers can be increased and community members increase their physical activity.
3. That Shire operated kiosks be removed from Coleraine and HOSP and offer community groups the operation of the kiosks as a fundraising activity option.

## **Financial and Resource Implications**

### Opening Hours/Dates

- As there is no proposed change to the existing policy, there are no additional financial or resource implications with respect to this policy.

### Free Entry

- The net operating income after administration/reconciliation costs is approximately \$25,000, removing entry fees is estimated to increase net operating cost by 3%.
- Removes requirement for additional staff resource on busy days to take entry payments potentially offsetting the 3% increase.
- Removes requirement to pay Point of Sale system subscriptions and Licenses - approximately \$3,000.
- Promotes and encourages community and visitors to increase health and physical activity by providing greater access to facilities.

### Removal of SGSC Managed Kiosks

- Decrease product wastage and administrative resource burden.
- Hamilton kiosk net operating loss 2017/2018 of \$377
- Coleraine kiosk net operating loss 2017/2018 of \$2,656

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

### Legislation

Pool operations in Victoria are not currently legislated. A recent Coroners Court recommendation is that Victoria should legislate pool operations similar to other states like Western Australia.

Industry practice in Victoria is that pool operations implement The Royal Life Saving Guidelines for Safe Pool Operation.

The Public Health and Wellbeing Act 2008 sets the chemical and microbiological parameters for the operation of public/commercial swimming pools.

### Council Plan Reference

#### 1.2 A healthy and vibrant community

1.2.1 Provide appropriate, accessible and equitable Council services, facilities and activities.

1.2.2 Support and encourage participation in quality arts and culture, education, leisure, recreation and sporting opportunities.

1.2.4 Provide, promote and support appropriate and accessible services, facilities and activities for young people.

### **Risk Management**

The recommended changes would improve safety in that Lifeguards would be focused on patron safety and water quality only and manage Council's risk and duty of care to the community through the appropriate management of pools in accordance with Royal Lifesaving Guidelines

The removal of general entry fees, reduces the error and problems surrounding handling money and banking.

Free swimming could benefit the community by encouraging them to be more physically active and engaged, as well as potentially reducing unsupervised swimming at other water bodies.

### **Environmental and Sustainability Considerations**

Not applicable.

### **Community Consultation and Communication**

Community meetings were held in all townships with a pool throughout August and September 2018. Information was provided on the township pool season, attendance, cost and the capital improvement works undertaken.

If the recommendations are adopted by Council, the communities will be advised through;

- Public display of the policy.
- Media release through local news sources.
- Direct communication to previous pool members.
- Social media – Shire, HILAC and Outdoor Pools Facebook pages.

### **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. Continue to support the Outdoor Pool Policy adopted on the 25 October 2017 unchanged.
2. Council support the trial of free entry for recreational swimming only in operational hours at all outdoor pools for the 2018/2019 season.

## 10.8 Request to Publicly Display Recreation and Leisure Strategic Plan

**Directorate:** Evelyn Arnold, Director Community and Corporate Services  
**Author:** Susannah Milne, Manager Community & Leisure Services  
**Attachments:** 6. Volume One: The Strategic Plan & Recommendations- Draft report and 7. Volume Three: Masterplans – Lake Hamilton and Pedrina Park – Draft

### Executive Summary

The purpose of this report is to seek Council approval to release for public exhibition, the draft Recreation and Leisure Strategic Plan and Master Plans for Lake Hamilton and Pedrina Park.

The Southern Grampians Shire Council (SGSC) has developed a 10- year Recreation and Leisure Strategic Plan to guide community and Council in the planning, development, provision and promotion of sport, recreation and leisure facilities, programs and services. The plan directly aligns with the current and future Southern Grampians Health and Wellbeing Plan.

A strong focus of the directions in the Strategic Plan is that the strategies and recommendations are based on extensive consultation with the Southern Grampians community and key stakeholders. The consultation highlighted what we do well, the issues and gaps in existing facilities, programs and services and guided the development of the strategic framework.

The draft Recreation and Leisure Strategy including Master Plans for Lake Hamilton and Pedrina Park are now complete and ready to be placed on public exhibition to the community to review the content and ensure that process has captured all points of their feedback.

Upon completion of the public exhibition period the Strategy will be reviewed for any necessary amendments and report prepared for Council detailing any feedback received. The final document will be presented to Council for adoption during the February Council meeting

### Discussion

SGSC engaged Otium planning to develop a Recreation and Leisure Strategy which would guide the Council and the Community in the provision and development of recreation and leisure facilities and services for the next 10 years. The brief was to develop a strategic plan that directly aligns with the current and future Southern Grampians Health and Wellbeing Plan.

Council asked that the strategy:

1. Be developed on the social determinants of health and causal factors that influence the determinants.
2. Use comprehensive evidence to guide strategic direction.
3. Be closely aligned with Council planning process.
4. Leverage off stakeholder engagement and key partnerships.
5. Move from capital development to a more holistic capital approach.
6. Have a greater understanding of the return on investment into recreation and leisure services and supporting infrastructure.

The draft strategy that has been prepared contains:

- Preliminary and background review – a literature review of passed and relevant documents, demographic and trend analysis.
- Facility inventory and audits – identification of current facilities and their current standard.
- Market research and consultation – community and stakeholder engagement
- Sustainable Infrastructure Plan – identification of required works and further investigation priorities.
- Master Plans Pedrina Park and Lake Hamilton
- Programs and services strategies to help activate and improve the health and wellbeing of our community.

The methodology used to prepare the strategy has been comprehensive and thorough, with an extensive review of existing recreation and leisure information, data and reports as well as the analysis of Southern Grampians demographic profile and current trend analysis. Southern Grampians Community is decreasing and our residents are becoming older indicating that as an organisation and community we need to start focusing on age friendly recreation activities. With the 40 to 59 and 5 to 19 years age groups decreasing sporting clubs will find it had to continue to attract members and teams for some age groups.

Recreation and leisure trends are changing with people seeking flexibility in the time they recreate with work structures and working hours impacting. There is an increase in variety of options available and people are exploring the different options. There is also an expectation of high quality, equitable and assessable options with the need for these to be affordable. The SEIFA Index of Disadvantage indicates 40.4% of our population is faced with affordability issues.

A significant program of community and stakeholder consultation has been conducted over a period of 10 weeks which involved a series of engagement workshops with sporting and community groups, staff and industry representatives, youth, health care professionals and elected representatives. Sporting, Community Groups, Schools and individuals were given the opportunity to contribute through online/paper based surveys. The volume of surveys received and the quality of data provided has assisted in identifying the Community's concerns, issues, concerns, priorities and wishes. Finally key stakeholders such as government agencies, peak sporting bodies and other neighbouring were interviewed.

The consultation and engagement revealed some common themes:

- Priority facilities used within the community are HILAC, Lake Hamilton, Pedrina Park and Melville Oval.
- 55% of venues condition standard are rated as needing improvement.
- Facilities do not meet competition standard.
- Concerns regarding clubs capacity now and into the future.
- Female friendly facilities
- Governance and resources.
- The top five activities identified by individuals as their preferred activity were passive recreation, with organised sports and being ranked lower.

Facility audits have revealed that across the municipality we have 76 sports and recreation facilities which are used for 135 differing sporting opportunities by 84 clubs. Ownership and management of those facility are a mix of DELWP, Council and Committee of Management. The standard of those facilities is varied but indicate there is significant investment required to

bring all facilities to standard. Given that many facilities are State owned the careful consideration of investment of community funds is of great importance going forward.

The draft Recreation and Leisure Strategy including Master Plans for Lake Hamilton and Pedrina Park are now complete and ready to be placed on public exhibition to the community to review the content and ensure that process has captured all points of their feedback. It is recommended that the *Volume 1- The Strategic Plan and Recommendations* and *Volume 3 – Master Plans – Lake Hamilton and Pedrina Park* be made available for display for a period of 6 weeks. *Volume 2 – Research and Consultation* will be made available upon direct request as it contains the detailed research and consultation which has been summarised in *Volume 1. Volume 4. Strategies and Recommendations by Priority* is an internal working document for staff and is a summary of a section contained within *Volume 1* and will not be made available for public display.

Upon completion of the public exhibition period the Strategy will be reviewed for any necessary amendments and report prepared for Council detailing any feedback received. The final document will be presented to Council for adoption during the February Council meeting

### **Financial and Resource Implications**

There have been no costs associated with the development of this report and has been prepared within existing resources.

In adopting this Strategy there will be resource implications for Council and the Community. There are many challenges that will need to be dealt with including consumer expectation, changing demographics, competition for participants, reliance on external revenues, maintaining and developing facilities, well trained personal and technology. To put simply Council cannot finically provide for all identified recommendations and a priority process on community demand/need, return on investment and risk will need to be undertaken.

Before any of the proposed capital works projects and service/activity strategy the Shire and Council will need to determine the feasibility and affordability and finalise a priority for each proposed project. In many instances responsibility for identified works may be the Shire, Tenant Club/User groups, DELWP or a combination.

Actions and outcomes that arise from this strategy will be subject to the normal Council budget process and therefore Council and the Community will be consulted on each occasion.

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

The Local Government Act 1989, states that the objective of a Council is to endeavour to achieve the best outcomes for the local community having regard to the long term and cumulative effects of decisions.

Council Plan 2017- 2021

Council's vision is that '*Southern Grampians Shire will be recognised as a well-connected dynamic Regional Centre, supporting a vibrant, healthy and inclusive community*'

#### **1.1 An empowered and resilient community**

- 1.1.1 Communicate effectively with our community to promote understanding of Council's role and responsibility and ensure communities are well informed of Council's activities, projects and decisions.

1.2 A healthy and vibrant community.

1.2.1 Provide appropriate, accessible and equitable Council services, facilities and activities.

1.2.2 Support and encourage participation in quality arts and cultural, education, leisure, recreation and sporting opportunities.

1.2.4 Provide, promote and support appropriate and accessible services, facilities and activities for young people.

Southern Grampians Shire Council Health and Wellbeing Plan 2017-2021.

### **Risk Management**

In placing the draft Strategy on public exhibition allows for further engagement with the community and stakeholders on the content of the strategic plan and its recommendations ensure that process has captured all points of their feedback.

The Strategy and recommendation including facilities audits has identified areas where Council, the Shire, Community and key partners will need to take action to remove risks associated with deterioration of facilities and their components.

Staff will work closely with Community and Council to prioritise works to reduce risk.

### **Environmental and Sustainability Considerations**

Any capital projects and initiatives that arise from the strategy will be required to consider environmental and sustainability principals in their design, construct or implementation and will be done so on a case by case basis.

### **Community Consultation and Communication**

An extensive 10 week engagement process has be conducted as a part of the preparation of the draft strategy and was designed around Council's Community Development – Community Engagement Policy.

Consultation consisted of:-

- Surveys and Submissions
- Youth Cafés
- Drop In Sessions
- Key Stakeholder Consultations.

The findings and evaluation of this consultation has been summarised in *Volume 2: Research and Consultation* and have been incorporated within *Volume 1: The Strategic Plan and Recommendations –draft report*.

As a part of the public exhibition process *Volume 1- The Strategic Plan and Recommendations* and *Volume 3 – Master Plans – Lake Hamilton and Pedrina Park* be made available for display for a period of 6 weeks. *Volume 2 – Research and Consultation* will be made available upon direct request as it contains the detailed research and consultation which has been summarised in *Volume 1*

Participants who have been involved with earlier consultation, identified user groups/tenant clubs, schools and other key stakeholders will be emailed and advised directly that Strategy and Master Plans are available for feedback. Comments, questions and feedback will be captured through a centralised email process to ensure that a simple and effective process. The document will also be placed on our website and advertised through public notices and social media.

It should be noted the strategy has been prepared on consultation and evidence based approach and as such the document is provided for information purposes and to ensure factual content.

### **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.

<b>RECOMMENDATION</b>
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That Council:

1. Endorse the draft Recreation and Leisure Strategy and Master Plans for Lake Hamilton and Pedrina Park for Public Exhibition for a period of 6 weeks.
2. Communicate the exhibition process through various media and website avenues.



## 10.9 Hamilton Regional Livestock Exchange – Strategic Operations Report

**Directorate:** David Moloney, Director Shire Infrastructure  
**Author:** David Moloney, Director Shire Infrastructure  
**Attachments:** None.

### Executive Summary

Southern Grampians Council (SGSC) is the owner and operator of the Hamilton Regional Livestock Exchange (HRLX). Council notes that the HRLX is 'one of Australia's busiest with approximately one million sheep and 20,000 cattle sold annually'. The catchment area for the HRLX includes producers and buyers South West Victoria as well as vendors from as far afield as Horsham, Skipton, Mortlake, Warrnambool and even into New South Wales and Queensland.

The report discusses options and makes recommendations on the following areas:

- Marketing and communications;
- Operations and fees;
- Capital investment.

It is recommended that Council:

1. Engage resources to assist Council in a Marketing and Communications Plan and allocate \$50,000 to commence development and implementation.
2. Undertake modelling of fees to cover the required capital and marketing expenditure over agent, sheep and cattle fees.
3. Commit to installing a new roof over lots 1-99 of the Cattle yards and associated works estimated at \$1.3 million.
4. Undertake consultation with buyers to understand their view on the HRLX
5. Should Council be successful in its application for Building Better Regions Fund that 1:1 funding be allocated in Councils budget.

### Discussion

Southern Grampians Council (SGSC) is the owner and operator of the Hamilton Regional Livestock Exchange (HRLX). Council notes that the HRLX is 'one of Australia's busiest with approximately one million sheep and 20,000 cattle sold annually'. The catchment area for the sale yards includes producers and buyers South West Victoria as well as vendors from as far afield as Horsham, Skipton, Mortlake, Warrnambool and even into New South Wales and Queensland.

Over the past few months Council has undertaken two workshops and conducted interviews with various stakeholders in order to determine the facility requirements from a customer point of view. This highlighted several areas of focus including the following:

- Marketing and communications;
- Operations and fees;
- Capital investment.

The interviews developed gave an insight into what our clients requirements are and makes recommendation in regards to each of the areas listed above.

#### Marketing

The interviews highlighted that Council need to communicate and market the HRLX better in order to attract and maintain its clientele. This will require funds to enable a Marketing and Communications plan to be developed and implemented. This would be done via a mix of

internal and external resources. It is recommended that \$50,000 be allocated to the HRLX Marketing and Communications Plan development and implementation.

#### Capital Expenditure

There was broad agreement from those interviewed in regards to the lack of a roof on the cattle yards and it impacting on the cattle sales. It was the view of those interviewed that Council should they commit to the capital expenditure look to engage agents and producers to 'commit' to HRLX if the Council commits capital and fee increases. Potential of grants for solar but Council to fund the roof as the grant process will delay implementation of the roof. The estimated cost the new roof over pens 1-99 is estimated at \$1.3M.

Incorporate planning for solar panels in the medium term to diversify income streams and cut operating costs.

The Federal Government currently has the Building Better Regions Fund (BBRF) open which Council would apply for a grant to support works undertaken.

#### Operational

Consultation with the interviewees indicated that there was a willingness to pay higher fees in order for the cost of the Capital works be recovered. This could be done via moderate increases and modelled across agents, sheep and cattle to reduce impact.

The report also recommended that a review of the fees be undertaken with a view to increase in line with this report to cover capital, marketing and communications cost increases.

#### Financial and Resource Implications

- The total cost for upgrading the roof is estimated at over \$1.3M. There will also be a cost associated with the marketing of HRLX in order to compete with other exchanges. It is estimated that this will be between \$50,000.
- Staff will be required to develop concepts, tenders and supervise the contract for the roofing works.
- Review of fees will determine increase that are required to cover the cost of the capital and marketing.

#### Legislation, Council Plan and Policy Impacts

The following strategies apply as per Council's Plan

Strategy 1.1.1 Base decisions on the highest available level of professional advice and expertise.

Strategy 2.1.5 Support and encourage social and economic development in all our settlements

Strategy 4.1.3 Managing the regulatory environment to protect amenity and safety.

Strategy 2.1.9 Facilitate and encourage business capacity and development.

The following legislation apply:

- *Local Government Act (1989)*
- Victorian Planning Scheme

Relevant Council Policies that apply:

- Asset Management Plan.

## **Risk Management**

This report and the recommendations assist Council in managing the risk with the HRLX in regards to the community, political, financial and animal welfare due to the HRLX and its function in the community.

## **Environmental and Sustainability Considerations**

Future considerations for solar and water harvesting will assist the facility to become more environmentally sustainable.

## **Community Consultation and Communication**

Consultation with the community, agents and other users of the facilities was undertaken via interviews with these stakeholders and their views form part of the recommendations

## **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. Engage resources to assist Council in a Marketing and Communications Plan and allocate \$50,000 to commence development and implementation.
2. Undertake modelling of fees to cover the required capital and marketing expenditure over agent, sheep and cattle fees.
3. Commit to installing a new roof over lots 1-99 of the Cattle yards and associated works estimated at \$1.3 million.
4. Undertake consultation with buyers to understand their view on the HRLX.
5. Should Council be successful in its application for Building Better Regions Fund that 1:1 funding be allocated in Councils budget.

## 11 Notices of Motion

### 11.1 Notice of Motion #9/18

Cr Rainsford

I hereby give notice of my intention to move the following motion at the Ordinary Council Meeting to be held on 14 November 2018.

#### MOTION

That Southern Grampians Shire Councillors initiate discussions with all Local Government Councils that form the State Electorate of Lowan to evaluate support for developing a Local Government Leaders Forum to collaborate on advocacy with the format and parameters to be established by forum partners.

#### Background

The successful establishment of a Western Rail Advocacy network which provided shared funding and succeeded in achieving partnership funding from State Government agencies to prepare the Feasibility Study to return Passenger Rail and improve bus public transport connections across Western Victoria.

Grampians Tourism Inc. is another formal advocacy and management structure to service four council's tourism industry.

Rural Councils Victoria a State wide rural council network is also an active and resourced advocacy network in which local councils participate.

The current State Government established another structure, Regional Partnerships, consisting of appointed members conducting annual forums.

Local Government is controlled by State Legislation and whilst advocating for Federal funding and policies, Local Government is more directed, day to day, in collection of levies and preparing annual plans and regulatory services for State Government.

A network of Local Councils working together harnessing their resources, feeding into the Rural Councils Victoria, Regional Cities and Municipal Association of Victoria. Developing strategies for equitable delivery of public transport and services, sustainable economic development creating a more prosperous rural region and repopulation in our far western region.

#### Officers Comments

The State Lower House Electorate of Lowan encompasses all or part of the Shires of Glenelg, Hindmarsh, Northern Grampians, Southern Grampians, West Wimmera, Yarriambiack along with Ararat and Horsham Rural City's.

All of the Local Government Authorities listed collaborate in and on a number of forums as stated in the background and to have a collective voice on major policy and funding issues associated with South and Western Victoria through the State Government seat of Lowan would be seen as advantageous.

If formed the group then would work on terms of reference, membership and areas of common focus for the group. This would also form part of Council's Delegated Committee structure to provide guidance and direction to delegates.

It is not envisaged (subject to all Councils approval) that a Secretariat or direct cost membership would be involved and individual Councils would need to resource membership and attendance. If this is not the case, budget allocations would need to be included by Councils.

It is recommended that if successful the Mayor on behalf of Council write to the Mayor of the listed Councils advising of the resolution and seeking their feedback on forming and then joining such a group.

## 12 Delegated Reports

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

## 13 Mayors and Councillors Reports

### 13.1 Reappointment of the Chief Executive Officer

**Author:** Cr Mary-Ann Brown, Mayor  
**Attachments:** None.

#### Executive Summary

Section 94 of the Local Government Act 1989 states 'A Council must appoint a natural person to be its Chief Executive Officer'.

Section 94(4) outlines Council's responsibilities if they intend to reappoint the Chief Executive Officer.

This resolution of Council details Councils intention to notify the community through a public notice of their intention to reappoint the Chief Executive Officer through compliance with the Local Government Act 1989 section 94(4) (b) and (c).

#### Discussion

For Council to reappoint the Chief Executive Officer they must comply with section 94 of the Local Government Act 1989.

The Chief Executive Officers current contract expires on March 28, 2019.

The Local Government Act 1989 states that if the Council is not going to invite applications for the position of Chief Executive Officer it may reappoint if compliance is met in relation to section 94(4) detailed in the legislation section of this report.

This resolution will authorise the nominated Council Officer to publish Councils intention to reappoint the Chief Executive Officer.

#### Financial and Resource Implications

- The appointment of a Chief Executive Officer is budgeted for as part of the annual budgeting process;
- There are no additional financial implications associated with this recommendation.

#### Legislation, Council Plan and Policy Impacts

The following extracts from the Local Government Act 1989 details the requirements for Council to comply with the Act in reappointing the Chief Executive Officer:

- a) in the 6 months immediately before the person's contract as Chief Executive Officer is due to expire, the Council passes a resolution to reappoint that person as its Chief Executive Officer; and
- b) at least 14 days before the resolution is passed, public notice was given of the intention to put the resolution; and
- c) the public notice contained:

- i. a statement that the passing of the resolution would result in the reappointment of the Chief Executive Officer without the position being advertised; and
- ii. any other details required by the regulations.

### **Risk Management**

There are no identifiable risks for this recommendation

### **Environmental and Sustainability Considerations**

There are no identifiable Environmental or Sustainability considerations associated with this recommendation.

### **Community Consultation and Communication**

This resolution addresses the compliance requirements of section 94(4) of the Local Government Act 1989.

Sections 94(4) (b) and (c) outline the consultation and communication requirements and the need to publish a public notice of the intention to put a resolution before Council to reappoint the Chief Executive Officer.

### **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 authorises the publishing of an advertisement stating Council's intention to reappoint the Chief Executive Officer without the position being advertised.



## 13.2 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 are no Confidential Matters listed on tonight's agenda.

## 15 Close of Meeting

This concludes the business of the meeting.