



Southern Grampians
SHIRE COUNCIL

Council Meeting Agenda

Ordinary Meeting
10 October 2018

To be 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 Colin Dunkley
Cr Greg McAdam
Cr Katrina Rainsford

Officers

Mr Michael Tudball – Chief Executive Officer
Ms Evelyn Arnold – Director Community and Corporate Services
Mr Warren Groves – Acting Director Shire Futures
Mr David Moloney – Director Shire Infrastructure
Ms Megan Kruger – Governance Coordinator

2 Acknowledgement of Country

3 Prayer

4 Apologies

5 Confirmation of Minutes

RECOMMENDATION

That the Minutes of the Ordinary Meeting of Council held on 12 September 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:

- Hamilton Swimming Pool Engagement Session – 5 September 2018
- Industry Visits – 12 September 2018
- Council Briefing Session – 12 September 2018
- Dunkeld Community Engagement Meeting – 12 September 2018
- Hamilton Regional Livestock Exchange Workshop – 19 September 2018
- Rural Land Use Workshop – 19 September 2018
- Coleraine Swimming Pool Engagement Session – 19 September 2018
- Balmoral Swimming Pool Engagement Session – 19 September 2018
- Council Briefing Session – 26 September 2018

This agenda was prepared on 3 October 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	
Title:	Community Pool Engagement Session
Date:	5 September 2018
Location:	Hamilton Library
Councillors in Attendance:	Cr Chris Sharples, Deputy Mayor Cr Cathy Armstrong Cr Albert Calvano Cr Colin Dunkley Cr Greg McAdam Cr Katrina Rainsford
Council Staff in Attendance:	Evelyn Arnold, Director Community and Corporate Services Susannah Milne, Manager Community and Leisure Services Melanie Starr, Manager Recreation

The Assembly commenced at 6pm

MATTERS CONSIDERED		CONFLICTS OF INTEREST DECLARED
1	Review 17/18 pool season	Nil
2	18/19 pool season proposals	Nil

The Assembly concluded at 7.15pm

ASSEMBLY OF COUNCILLORS



Southern Grampians
Shire Council

ASSEMBLY DETAILS	
Title:	Industry Visits
Date:	12 September 2018
Location:	Various
Councillors in Attendance:	Cr Mary-Ann Brown, Mayor Cr Chris Sharples, Deputy Mayor Cr Cathy Armstrong Cr Colin Dunkley Cr Greg McAdam Cr Katrina Rainsford
Council Staff in Attendance:	Michael Tudball, Chief Executive Officer Evelyn Arnold, Director Community and Corporate Services Warren Groves, Acting Director Shire Futures

The Assembly commenced at 1:00pm

MATTERS CONSIDERED		CONFLICTS OF INTEREST DECLARED
1	Dunkeld Visitor Information Centre	Nil
2	Dunkeld Caravan Park	Nil
3	Dunkeld Museum	Nil
4	Royal Mail Hotel	Nil

The Assembly concluded at 5:00pm

ASSEMBLY OF COUNCILLORS



Southern Grampians
Shire Council

ASSEMBLY DETAILS	
Title:	Briefing Session
Date:	12 September 2018
Location:	Dunkeld Community Centre
Councillors in Attendance:	Cr Mary-Ann Brown, Mayor Cr Chris Sharples, Deputy Mayor Cr Cathy Armstrong Cr Albert Calvano Cr Colin Dunkley Cr Greg McAdam Cr Katrina Rainsford
Council Staff in Attendance:	Michael Tudball, Chief Executive Officer Evelyn Arnold, Director Community and Corporate Services David Moloney, Director Shire Infrastructure Warren Groves, Acting Director Shire Futures Sarah Schmidt, Manager Hamilton Gallery Hugh Koch, Manager Tourism and Economic Development Susannah Milne, Manager Community and Leisure Services Melanie Starr, Manager Recreation

The Assembly commenced at 1:00pm

MATTERS CONSIDERED		CONFLICTS OF INTEREST DECLARED
1	Matters Raised by Councillors: <ul style="list-style-type: none"> Gray Street Hedge 	Cr Dunkley declared a conflict of interest in the matter raised by Councillors in relation to the Gray Street Hedge.
	Council Meeting Items	Nil
	Gallery Scoping Study – Proposed Sites	Nil

2	Capacity and Capability for Events Audit Report	Nil
3	Christmas Office Closure	Nil
4	Update on Aviary Tender	Katrina Rainsford
5	Recycling Contract Update	Nil
6	Financial Data	Nil
7	Draft Policy – Outdoor Commercial Personal Training and Fitness Groups	Nil
8	Hamilton Regional Livestock Exchange Update	Nil

The Assembly concluded at 5:00pm

ASSEMBLY OF COUNCILLORS



Southern Grampians
Shire Council

ASSEMBLY DETAILS	
Title:	Dunkeld Community Engagement Session
Date:	12 September 2018
Location:	Community Centre
Councillors in Attendance:	Cr Mary-Ann Brown, Mayor Cr Chris Sharples, Deputy Mayor Cr Katrina Rainsford Cr Cathy Armstrong Cr Albert Calvano CR Colin Dunkley
Council Staff in Attendance:	Michael Tudball, Chief Executive Officer Evelyn Arnold, Director Community and Corporate Services David Moloney, Director of Infrastructure Warren Groves, Acting Director Shire Futures Jane Coshutt, Community Engagement Coordinator Eda Williamson, L2P Project Officer Melanie Starr, Manager Recreation

The Assembly commenced at 7.00pm

MATTERS CONSIDERED		CONFLICTS OF INTEREST DECLARED
1	Grampians Peaks Trail Update	Nil
2	Public Wi-Fi	Nil
3	Parker Street / Victoria Valley Road Traffic and General Road Safety	Nil
4	Neighbourhood Safer Place / possible evacuation location	Nil
5	Flood Recovery Update	Nil
6	Dunkeld Visitor Hub	Nil

7	Street Trees Plan	Nil
8	Footpaths in Dunkeld	Nil
9	Hamilton Art Gallery Project	Nil

The Assembly concluded at 8.45pm

ASSEMBLY OF COUNCILLORS



Southern Grampians
Shire Council

ASSEMBLY DETAILS	
Title:	Hamilton Regional Livestock Exchange Workshop – Stage 2
Date:	19 September 2018
Location:	Flood Recovery Office, French St Hamilton
Councillors in Attendance:	Cr Mary-Ann Brown, Mayor Cr Chris Sharples, Deputy Mayor Cr Colin Dunkley Cr Greg McAdam Cr Katrina Rainsford
Council Staff in Attendance:	Michael Tudball, Chief Executive Officer Evelyn Arnold, Director Community and Corporate Services Warren Groves, Acting Director Shire Futures

The Assembly commenced at 9:00am

MATTERS CONSIDERED		CONFLICTS OF INTEREST DECLARED
1	Hamilton Regional Livestock Exchange	Nil

The Assembly concluded at 12:00pm

ASSEMBLY OF COUNCILLORS



Southern Grampians
Shire Council

ASSEMBLY DETAILS	
Title:	Rural Land Use
Date:	19 September 2018
Location:	Flood Recovery Office, French St Hamilton
Councillors in Attendance:	Cr Mary-Ann Brown, Mayor Cr Chris Sharples, Deputy Mayor Cr Colin Dunkley Cr Greg McAdam Cr Katrina Rainsford
Council Staff in Attendance:	Michael Tudball, Chief Executive Officer Evelyn Arnold, Director Community and Corporate Services Warren Groves, Acting Director Shire Futures Rhassel Mhasho, Manager Planning and Regulatory Services

The Assembly commenced at 12:30pm

MATTERS CONSIDERED		CONFLICTS OF INTEREST DECLARED
1	Rural Land Use	Nil

The Assembly concluded at 1:30pm



Southern Grampians
Shire Council

ASSEMBLY OF COUNCILLORS

ASSEMBLY DETAILS	
Title:	Community Pool Engagement Session
Date:	19 September 2018
Location:	Coleraine CFA
Councillors in Attendance:	Cr Chris Sharples, Deputy Mayor Cr Colin Dunkley Cr Greg McAdam Cr Katrina Rainsford
Council Staff in Attendance:	Susannah Milne, Manager Community and Leisure Services Melanie Starr, Manager Recreation Jackie Wilson, Team Leader Leisure Facilities

The Assembly commenced at 5.30pm

MATTERS CONSIDERED		CONFLICTS OF INTEREST DECLARED
1	Review 17/18 pool season	Nil
2	18/19 pool season proposals	Nil

The Assembly concluded at 6.30pm

ASSEMBLY OF COUNCILLORS



Southern Grampians
Shire Council

ASSEMBLY DETAILS	
Title:	Community Pool Engagement Session
Date:	19 September 2018
Location:	Balmoral Bush Nursing Station
Councillors in Attendance:	Cr Greg McAdam
Council Staff in Attendance:	Susannah Milne, Manager Community and Leisure Services Melanie Starr, Manager Recreation Jackie Wilson, Team Leader Leisure Facilities

The Assembly commenced at 7.30pm

MATTERS CONSIDERED		CONFLICTS OF INTEREST DECLARED
1	Review 17/18 pool season	Nil
2	18/19 pool season proposals	Nil

The Assembly concluded at 8.30pm

ASSEMBLY OF COUNCILLORS



Southern Grampians
Shire Council

ASSEMBLY DETAILS	
Title:	Briefing Session
Date:	26 September 2018
Location:	MJ Hynes Auditorium
Councillors in Attendance:	Cr Mary-Ann Brown, Mayor Cr Chris Sharples, Deputy Mayor Cr Cathy Armstrong Cr Albert Calvano Cr Colin Dunkley Cr Greg McAdam Cr Katrina Rainsford
Council Staff in Attendance:	Michael Tudball, Chief Executive Officer Evelyn Arnold, Director Community and Corporate Services Hugh Koch, Manager Tourism and Economic Development Sarah Schmidt, Manager Hamilton Gallery Lachy Patterson, Manager Community Relation Darren Barber, Manager Organisational Development Megan Kruger, Governance Coordinator Nola McFarlane, Manager Flood Recovery

The Assembly commenced at 1:00pm

MATTERS CONSIDERED		CONFLICTS OF INTEREST DECLARED
1	Community Consultation Feedback on Gallery Site	Nil
2	Annual Report	Nil
3	CBD Activation Masterplan	Nil
4	Cox Street Tender Update	Nil
5	Greater Grants Round 1	Cr Rainsford – D-Force, Executive Committee Member

6	Child Safe Standards Policy	Nil
7	Comensura Report	Nil
8	Councillor Code of Conduct	Nil
9	S6 Delegation from Council to Council Staff and s11A Instruments of Appointment and Delegation	Nil
10	Coleraine Bowling Club Green Replacement	Nil
11	88 Cox Street Purchase	Nil
12	Long Term Dry Hire for Plant	Nil
13	Specialised Trucks	Nil

The Assembly concluded at 5:00pm

10 Management Reports

10.1 Statutory Meeting Date Change

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

Executive Summary

At its Meeting on 8 November 2017, Council resolved to hold its Statutory Meeting for 2018 on 14 November 2018. The Statutory Meeting is usually set for the first Wednesday of the month so as to avoid any clashes with Council's regular briefing and meeting schedule.

It is recommended that Council reschedule the date of the Statutory Meeting from 14 November 2018 to 7 November 2018.

Discussion

At its Meeting on 8 November 2017, Council set the Council Meeting Dates for the following year.

Council resolved to hold its Ordinary Meetings of Council on the second Wednesday in the month, excluding January. The date of the Statutory Meeting was also set for the second Wednesday in November 2018 in error.

The Statutory Meeting is usually set for the first Wednesday of the month so as to avoid any clashes with Council's regular briefing and meeting schedule.

It is recommended that Council reschedule the date of the Statutory Meeting from 14 November 2018 to 7 November 2018.

Legislation, Council Plan and Policy Impacts

Local Government Act 1989.

Council Plan Objective 5.1 – Provide transparent and responsible governance.

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 Statutory Meeting of Council be rescheduled from Wednesday 14 November 2018 to Wednesday 7 November 2018 at 5:30pm in the Council Chambers, 3 Market Place, Hamilton.

10.2 2017/2018 Annual Report

Directorate: Michael Tudball, Chief Executive Officer
Author: Michael Tudball, Chief Executive Officer
Attachments: 1. 2017/2018 Annual Report

Executive Summary

In accordance with Section 134 of the Local Government Act 1989, Council is required to consider the Annual Report 2017/2018, for the year ended 30 June 2018.

Discussion

Council is required to prepare an Annual Report in respect of each financial year containing a report on its operations, audited financial statements, performance statement and any other matters required by the regulations.

The Annual Report must be submitted to the Minister within three months of end of the financial year or within any extended period approved by the Minister.

The Annual Report details the performance and achievements of Council and is intended as a point of reference for Council staff, residents and businesses of the Shire, community organisations and government departments.

The Annual Report reports on the five key strategic objectives outlined in the Council Plan 2017-2021 being:

- Support our Community
- Develop our Regional Economy and Business
- Plan for our Built Environment
- Promote our Natural Environment
- Provide Governance and Leadership

The Annual Report provides a comprehensive overview of activities of Council for the period 1 July 2017 to 30 June 2018, including social, economic and environmental achievements in respect of a range of projects, services and assets managed. The Annual Report of Council is an important record of the activities of Council, including its financial performance over the year for which the Auditor-General has provided unqualified audit opinions on the Financial Statements and Performance Statement for the year ended 30 June 2018. The Report includes General Purpose Financial Statements, Standard Statements and the Performance Statement.

The provisions of the Local Government Act 1989 require that Council consider the Annual Report at a meeting open to the public within 30 days of the report being submitted to the Minister.

Legislation, Council Plan and Policy Impacts

In accordance with the Council Plan 2017 – 2021 in the Good Governance section, Council is obliged to meet statutory requirements in regards to reporting to the Minister for Local Government on its activities.

Council has a statutory responsibility under the Local Government Act 1989 to prepare an Annual Report in respect of each financial year containing a report on its operations, audited

financial statements, performance statement and any other matter required by the Local Government (Planning and Reporting) Regulations 2014.

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 consider the Annual Report 2017/2018 for the year ended 30 June 2017.

10.3 Councillor Code of Conduct

Directorate: Michael Tudball, Chief Executive Officer
Author: Megan Kruger, Governance Coordinator
Attachments: 2. Councillor Code of Conduct

Executive Summary

The Councillor Code of Conduct has been updated to include a section in relation to Council's commitment to the Child Safe Standards and to establish clear expectations for appropriate behaviour with children.

It is recommended that the updated Councillor Code of Conduct be adopted.

Discussion

On 17 April 2012, the Victorian Government initiated the Family and Community Development Committee's Inquiry into the Handling of Child Abuse by Religious and Other Organisations (Betrayal of Trust Inquiry). The *Betrayal of Trust* report was tabled in Parliament on 13 November 2013 and made 15 recommendations including compulsory minimum standards for creating child-safe organisations.

On 26 November 2015, the Victorian Parliament passed the *Child Wellbeing and Safety Amendment (Child Safe Standards) Act 2015* (The Act) to introduce Child Safe Standards into legislation.

Council has a legislated responsibility to implement the seven Child Safe Standards to help our organisation prevent child abuse, encourage reporting of abuse and increase the effectiveness of our responses to allegations of child abuse. One of these Standards relates to Codes of Conduct.

A new section has been added to the Councillor Code of Conduct outlining Council's commitment to the Child Safe Standards and the protection of children. It outlines Council's commitment to promoting the safety and wellbeing of children and young people who engage with Council. It also outlines what Councillors must not do.

It is recommended that the updated Councillor Code of Conduct be adopted.

Financial and Resource Implications

There are no financial implications in relation to this Report.

Legislation, Council Plan and Policy Impacts

The Councillor Code of Conduct has been reviewed in accordance with section 76C of the Local Government Act 1989.

The updates to the Code of Conduct assist Council to meet its obligations under Child Safe Standard 3 – 'A Code of Conduct that establishes clear expectations for appropriate behaviour with children.'

Council Plan Objective 5.1 – Provide transparent and responsible governance.

Risk Management

Southern Grampians Shire Council is responsible for ensuring that appropriate behaviour with children is clearly defined and expectations are accessible and understood by all persons associated with Council.

This policy guides our Councillors, staff, contractors and volunteers on how to behave with children in our organisation. All must agree to abide by Council's *Codes of Conduct*, which includes standards of conduct required when working with children.

Environmental and Sustainability Considerations

There are no environmental nor sustainability considerations in relation to this policy

Community Consultation and Communication

A copy of the Councillor Code of Conduct will be provided to all Councillors and uploaded onto Council's website.

Disclosure of Interests

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

RECOMMENDATION

That the Councillor Code of Conduct as presented be adopted and the declaration to abide by the Code be signed by all Councillors.

10.4 Review of Instruments of Delegation by Council

Directorate: Michael Tudball, Chief Executive Office
Author: Megan Kruger, Governance Coordinator
Attachments: 3. s6 Instrument of Delegation from Council to Council Staff,
4. s11A Instrument of Appointment and Authorisation

Executive Summary

Council appoints many powers to its staff through instruments of delegation and authorisation.

Two of the instruments made by Council are required to be updated due to legislation and staffing changes:

- The delegation to specific staff relating to several pieces of legislation (s6 Instrument).
- The s11A Instrument of Appointment and Authorisation which appoints Council staff to be authorised under the *Planning and Environment Act 1987*, which allows them to fully discharge their duties and responsibilities under that Act.

It is recommended that Council resolve to appoint and authorise the Council staff in accordance with the attached instruments.

Discussion

The Act, and a variety of other legislation, makes express provision for the appointment of delegates to act on behalf of Councils and delegation of powers is essential to enable day to day decisions to be made and for the effective operation of the organisation.

The Instruments of Delegation and Appointment and Authorisation are prepared for Council by Maddocks Lawyers.

S 6 Instrument of Delegation from Council to staff

The Instrument of Delegation from Council to Council staff was last updated in June 2017.

There have only been a large number of changes to this Instrument by Maddocks since the last update. There have been extensive changes to the Planning and Environment Act 1987, prompted by the Planning and Environment Amendment (Public Land Contributions) Act 2018 and the Planning and Environment Amendment (Distinctive Areas and Landscapes) Act 2018. The changes made are as follows:

- The title of the Director Shire Futures has been updated to the Director Planning and Development;
- The conditions and limitations column has been updated to reflect the new language in the Domestic Animals Act 1994;
- The Heritage Act 1995 has been replaced by the Heritage Act 2017;
- The Planning and Environment Act 1987 has been updated as follows:
 - Removal of s46GF-46GI(5), 46GL, 46GM and 224(8);
 - Insertion of s46GI(2)(b)(i) – 46LB(3) and 172C – 172D(2), which are provisions conferring powers and functions and imposing duties on Council acting in one or more of the following capacities:
 - Collecting authority;
 - Development authority;
 - Municipal council;

- Planning authority;
- Amendment of ss62(5)(a) and 62(6)(a);
- Insertion of s46AW – 46AZK.

The changes to this Instrument have been reviewed and approved by the Manager of Planning and Regulatory Services and the Acting Director Shire Futures.

S11A Instrument of Appointment and Authorisation

The s11A Instrument of Appointment and Authorisation:

- Appoints the officers to be authorised officers for the purposes of the *Planning and Environment Act 1987* and the regulations made under that Act; and
- Authorises the officers generally to institute proceedings for offences against the *Planning and Environment Act 1987* and the regulations made under that Act.

Authorisations need to be done for:

- Andrew Goodsell, Director Planning and Development;
- Rhassel Mhasho, Manager Planning and Regulatory Services (already authorised);
- Kerri-Anne Tatchell, Senior Planner;
- Roslyn Snaauw, Planning Coordinator;
- Matt Henri Britten, Planner;
- Sherie Bain, Biodiversity Officer.

The previous Authorisation needs to be revoked for due to some of the staff listed in the Instrument no longer working for Council.

To be authorised officers under the Planning and Environment Act 1987. In particular, this authorisation gives officers the power to access property when required.

As with the delegations under the *Planning and Environment Act 1987* these appointments and authorisations must be made by Council, and are not delegated to the CEO.

It is recommended that Council adopts the updated s6 Instrument of Delegation by Council to Staff and the s11A Instrument of Appointment and Authorisation.

Financial and Resource Implications

Council subscribes to the Delegations and Authorisations service provided by Maddocks Lawyers, the cost of which is provided for in Council's budget.

There are no other financial implications in reviewing the Instruments of Delegation.

Legislation, Council Plan and Policy Impacts

Objective 5.1 – Provide transparent and responsible governance.

Risk Management

The use of the Maddocks service alleviates the potential risk of staff not being appropriately authorised in the exercise of various powers and fractions. The updates are done regularly and capture any legislative changes. The service is available to all Victorian Councils which enables consistency

Environmental and Sustainability Considerations

Many of the activities undertaken by staff on behalf of Council have social, economic or environmental effects, including many of the powers included in the instruments of delegation. The Instruments of Delegation ensure that the decisions are made by the most appropriate person or persons with the organisation.

Community Consultation and Communication

There is no requirement for community consultation in relation to the review of the Delegations.

Affected staff will be provided with confirmation of the amendments to the Instruments of Delegation.

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, in the exercise of the powers conferred by section 98(1) of the *Local Government Act* 1989 and the other legislation referred to in the attached instrument, delegate to the members of Council staff holding, acting in or performing the duties of the offices or positions referred to in the attached s6 Instrument of Delegation to members of Council staff, the powers, duties and functions set out in that instrument, subject to the conditions and limitations specified in that Instrument.
2. The s6 Instrument of Delegation to members of Council staff comes into force immediately the common seal of Council is affixed to the instrument and on coming into force all previous delegations to members of Council staff under previous s6 Instruments are revoked.
3. That Council, adopt the attached s11A Instrument of Appointment and Authorisation for the members of Council staff set out in the instrument.
4. The s11A Instrument of Appointment and Authorisation comes into force immediately the common seal of Council is affixed to the instrument, and remains in force until Council determines to vary or revoke it and on coming into force all previous s11A instruments are revoked.
5. That the instruments be signed and sealed.

10.5 Hamilton CBD - Activation Master Plan

Southern Grampians Shire Council does not make any Council Reports in relation to Tenders public before the Council Meeting. This is to ensure the integrity of the procurement process and limit the potential for any parties to try and influence Council's decision making process based on the recommendations from Council staff. The Report has been distributed to Councillors. The Report will be available to the public in the Council Meeting Minutes.

10.6 Greater Grants

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

Executive Summary

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

Discussion

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

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

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

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

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

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

The current round of grants includes five grants above delegation totalling \$42,645 and 15 grants under delegation across the following categories (Tourism and Events, Sustainability, Community Strengthening, Community Infrastructure and Arts and Culture) totalling \$29,463.

Below is the summary of grant applications received in round one, which requested funds above \$2,500. The applications total is \$42,645

Applicant	Project	Category	Total Project Cost	Amount Requested	Total Approved
Hamilton-Coleraine Rail Reserve Committee Inc	Linear Reserve Grasslands - Purchase of WikiWeeder	Sustainability	\$7,054.00	\$2,645.00	\$2,645.00
Dunkeld Arboretum Development Group Inc.	Purchase of new ride on lawn mower	Infrastructure	\$37,937.00	\$15,000.00	\$15,000.00
Hamilton & District Pensioners Association Inc	Front Entry Disabled Access Project	Infrastructure	\$79,000.00	\$15,000.00	\$15,000.00
Hamilton Rowing Club	Celebrating 40 years of rowing in Hamilton - Regatta Function	Tourism and Events	\$25,000.00	\$5,000.00	\$5,000.00
D-Force Hamilton	D-Force Administration Assistance	Community Strengthening	\$5,000.00	\$5,000.00	\$5,000.00

Below is the summary of grant applications received in round one, which requested funds under \$2,500. The applications total is \$29,463.

Applicant	Project	Stage	Total Project Cost	Amount Requested	Total Approved
Chameleon Arts Collective Inc	Cultural Integration Project	Arts and Culture	\$2,862.00	\$2,362.00	\$2,362.00
Branxholme Progress Association	Community Catering Trailer	Infrastructure	\$3,500.00	\$2,500.00	\$2,500.00
Lions Club of Hamilton	Equipment replacement	Infrastructure	\$2,971.00	\$2,490.00	\$2,490.00
Hamilton Woodturners Club Inc	Lathe Upgrade	Infrastructure	\$4,420.00	\$2,200.00	\$2,200.00
Nareen Mechanics Hall	Painting of internal walls of Hall	Infrastructure	\$2,016.00	\$1,936.00	\$1,936.00
Friends of Hamilton Botanic Gardens Inc	Pleasant Sunday Afternoon of Music in the Gardens	Community Strengthening	\$855.00	\$855.00	\$855.00
Hamilton and Surrounds Mental Health Group	Hamilton and Surrounds Mental Health Group Lunch	Community Strengthening	\$985.00	\$985.00	\$985.00
Friends of Yatmerone	Repair to Yatmerone Dry Stone Wall	Sustainability	\$1,320.00	\$1,320.00	\$1,320.00
Dunkeld Art Group	Dunkeld Art Group Market and Open Studios	Tourism and Events	\$2,300.00	\$2,100.00	\$2,100.00
Country Women's Association Dunkeld and District	CWA 90th Birthday Celebrations	Tourism and Events	\$2,630.00	\$2,130.00	\$2,130.00
Hamilton Speedway Drivers Inc	2019 Australian Production Sedan Title	Tourism and Events	\$27,850.00	\$2,500.00	\$2,500.00
Hamilton&District Darts Association	Hamilton & District Darts Association Annual Darts Tournament	Tourism and Events	\$16,500.00	\$1,500.00	\$1,500.00

Hamilton Pastoral Museum Inc	Hamilton Pastoral Museum Inc October Rally - "Made in Hamilton"	Tourism and Events	\$2,085.00	\$2,085.00	\$2,085.00
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Financial and Resource Implications

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

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

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

Legislation, Council Plan and Policy Impacts

The Greater Grants Policy was adopted in July, 2018.

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

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

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

Outcome 1.1 Soundly Based Decisions:

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

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

Strategy 1.1.4 Work together to develop a highly responsive Council organisation

Outcome 1.3 Financial Responsibility and Security:

Strategy 1.3.3 Maintain a continuous improvement approach to all Council operations

Outcome 2.3 A strong, innovative and distinctive tourism sector:

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

Strategy 2.3.2 Enhance, facilitate and promote existing and new experiences

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

Strategy 3.2.4 Encourage and support innovation in the arts

Outcome 4.2 A Dynamic Community:

Strategy 4.2.1 Provide support and services to enable communities to flourish

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

Strategy 4.2.3 Providing the information and assistance that supports community empowerment

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

Outcome 4.3 An inclusive and diverse community:

Strategy 4.3.2 Provide opportunities for youth participation and development

Outcome 5.1 Waste Management and Minimisation

Strategy 5.1.1 Reduce the volume of waste going to landfill

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

Outcome 5.2 Adaptation to climate change and reduced emissions:

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

Risk Management

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

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

Environmental and Sustainability Considerations

No Environmental and Sustainability Considerations identified.

Community Consultation and Communication

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

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

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

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

Disclosure of Interests

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

RECOMMENDATION

That Council:

- Notes the \$29,463 for Greater Grants approved under delegation.
- Resolves to allocate \$42,645 as per the projects outlined in the summary table below.

Applicant	Project	Category	Total Project Cost	Amount Requested	Total Approved
Hamilton-Coleraine Rail Reserve Committee Inc	Linear Reserve Grasslands - Purchase of WikiWeeder	Sustainability	\$7,054.00	\$2,645.00	\$2,645.00
Dunkeld Arboretum Development Group Inc.	Purchase of new ride on lawn mower	Infrastructure	\$37,937.00	\$15,000.00	\$15,000.00
Hamilton & District Pensioners Association Inc	Front Entry Disabled Access Project	Infrastructure	\$79,000.00	\$15,000.00	\$15,000.00
Hamilton Rowing Club	Celebrating 40 years of rowing in Hamilton - Regatta Function	Tourism and Events	\$25,000.00	\$5,000.00	\$5,000.00
D-Force Hamilton	D-Force Administration Assistance	Community Strengthening	\$5,000.00	\$5,000.00	\$5,000.00

10.7 Interim Financial Statements to 30 June 2019 – 18-19 Budget

Directorate: Evelyn Arnold, Director Community and Corporate Services
Author: Belinda Johnson, Manager Finance
Attachments: 5. Financial Statements

Executive Summary

The Financial Reports for the period 1 July 2018 to 30 September 2018 (copy attached) have been prepared to provide information regarding Council's current financial position.

The report includes an Income Statement, Balance Sheet, Statement of Cash Flows, Statement of Capital Work and Statement of Human Resources. A narrative has also been prepared to explain variances between 2017/18 Budget and actual performance.

Discussion

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

Income Statement (Operating Statement)

Council is anticipating an operating surplus for the 2018/19 financial year. Actual Income and Expenditure YTD is a net surplus of \$16.599m compared to Council's budgeted result of a \$13.839m operating surplus.

Balance Sheet

Current assets are strong at this point of the year with high levels of cash due to over 40% of rate revenue having been received together with retained cash from prepayment of grants and incomplete capital works expenditure. Liabilities are at expected levels for the time of year.

Statement of Cash flows

Cash balances are strong with \$27.007m of cash and investments held at the end of the quarter. This means all commitments can be met with cash, as and when required. Even with the carry forward of capital works and some unexpected expenses, Council is still forecasting a strong end of year cash position of \$7.451m to meet future years commitments.

Statement of Capital Works

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

Whilst only actual expenditure of \$2.199m has occurred (7% of the budgeted amount) this is not unusual for this time of year with the majority of infrastructure works carried out over the summer months and other major projects programmed for the last quarter of the financial year.

Statement of Human Resources

The breakup between operating and capital salaries is variable for a large proportion of Council's workforce (Infrastructure Services in particular). Capital Expenditure is seasonal

due the majority of works occurring during the construction season. Overall spend was at 24% of the budget which is appropriate for the end of the quarter.

Legislation, Council Plan and Policy Impacts

Council Plan

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

Legislation

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

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

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

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

Disclosure of Interests

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

RECOMMENDATION

That the interim financial report for the period 1 July 2018 to 30 September 2018 be received.

10.8 Child Safe Standards

Directorate: Evelyn Arnold, Director Community and Corporate Services
Author: Darren Barber, Manager Organisational Development
Attachments: 6. Child Safe Policy

Executive Summary

The attached Child Safe Policy outlines Southern Grampians Shire Council's commitment to child safety by creating and maintaining a child safe organisation that supports the health and wellbeing of all children in our community.

This policy reflects Council's legislative responsibility in meeting the requirements of the Child Safe Standards, and our commitment to the community to create and sustain an environment where children are safe and protected from abuse.

Council is committed to creating a culture of child safety and recognises that protecting children and preventing and responding to child abuse is an organisation wide responsibility. Council is committed to embedding the prevention of child abuse in everyday thinking and practice of all Councillors, employees, contractors and volunteers.

Discussion

On 17 April 2012, the Victorian Government initiated the Family and Community Development Committee's Inquiry into the Handling of Child Abuse by Religious and Other Organisations (Betrayal of Trust Inquiry). The Betrayal of Trust report was tabled in Parliament on 13 November 2013 and made 15 recommendations including compulsory minimum standards for creating child-safe organisations.

On 26 November 2015, the Victorian Parliament passed the *Child Wellbeing and Safety Amendment (Child Safe Standards) Act 2015* (The Act) to introduce Child Safe Standards into legislation.

Council has a legislated responsibility to implement the seven Child Safe Standards to help our organisation prevent child abuse, encourage reporting of abuse and increase the effectiveness of our responses to allegations of child abuse.

Financial and Resource Implications

There are no financial risks in relation to recommendations made in this report.

The resource implications of adopting the Child Safe Policy are within existing adopted budget and are business as usual in terms of compliance.

Legislation, Council Plan and Policy Impacts

This Policy meets Council's obligations under Standard 2 of the Child Safe Standards – 'A child safe policy or statement of commitment to child safety' and provides the opportunity for Council to improve their existing processes and practices and enhance the culture of child safety for the Shire of Southern Grampians.

Risk Management

Southern Grampians Shire Council is responsible for ensuring that appropriate behaviour with children is clearly defined and expectations are accessible and understood by all persons associated with Council.

This policy guides our Councillors, staff, contractors and volunteers on how to behave with children in our organisation. All must agree to abide by Council's *Codes of Conduct*, which includes standards of conduct required when working with children.

Environmental and Sustainability Considerations

There are no environmental nor sustainability considerations in relation to this policy

Community Consultation and Communication

The Child Safe Policy and statement of commitment will be placed on Council's website.

Disclosure of Interests

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

RECOMMENDATION

That the Southern Grampians Shire Council's Child Safe Policy (2018 – 2020) be adopted.

10.9 MAV Recruitment Neutral Vendor Managed Service - Comensura

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

Executive Summary

This report details the current total expenditure for the MAV Contract for Recruitment Neutral Vendor Managed Services (currently RS8017-2015NV), otherwise referred to as the Comensura Contract. Including a split between Flood Recovery Unit and other Business Units. It is recommended that Council be briefed quarterly on this expenditure with a formal annual report.

Discussion

In June 2017 Council resolved to accept the Comensura Contract. The contract is for the period of 3 years and covers the placement of temporary specialist contractors in both the Flood Recovery Unit and where applicable across the other business units. The total contract expenditure was capped at;

Flood Recovery Unit: \$3,600,000 over the next 3 years

Other Business Units: \$500,000 over the next 3 years

for expenditure up to \$4,100,000 exclusive of GST over the period 1 July 2017 to 30 June 2020.

The table below outlines total expenditure on this contract;

BUSINESS UNIT	2017/2018	2018/2019 (YTD)
<i>Flood Recovery</i>	\$1,408,091.83	\$287,989.73
<i>Other</i>	\$48,731.37	\$2,082.95
<i>Total</i>	\$1,456,823.20	\$290,072.68

Therefore total expenditure since the beginning of the contract is \$1,746,895.88

Financial and Resource Implications

The monetary costs of this contract for the Flood Recovery Unit are covered under the funding model that covers all flood works. For the Other Business units the use of specialist contractors is covered in the normal operation budget allocations.

Legislation, Council Plan and Policy Impacts

Council Plan

The Council Plan identifies that 'The Southern Grampians Shire has a strong sense of community with people working together to achieve common goals and outcomes. This

sense of community benefits the entire municipality and Council will continue to encourage and acknowledge the community interest in the development of the Shire’.

The work of the Flood Recovery Unit is critical to building a sense of community and the engagement of specialist skills sets through Comensura allows Council to meet the demands of the community and the requirements of Flood Recovery in an engaged and direct manner to achieve reinstatement of flood impacted assets as quickly as possible.

Legislation

Section 186A of the Local Government Act 1989.

This section of the Local Government Act 1989 requires Council to prepare, approve and comply with a Procurement policy encompassing the principles, processes and procedures applied to all purchases of goods, services and works by the Council.

Risk Management

A number of the strategies outlined in the SGHWP are to be delivered in partnership with a range of agencies. In some cases Council is the Lead Agency whilst with other strategies Council is an Advocate or a Partner.

Environmental and Sustainability Considerations

There are no environmental or sustainability considerations in relation to this item.

Community Consultation and Communication

No community consultation or communication was required in relation to 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. Receive the report detailing expenditure for 1 July 2017 to 30 June 2018 and 1 July 2018 to 30 September 2018 under the MAV Contract for Recruitment Neutral Vendor Managed Services;
2. Endorse future reporting to Council will be as biannual briefing of Council and an annual report to presented to an Ordinary meeting of Council.

10.10 2018/19 Long Term Plant Hire – Rollers, Skidsteer & Traffic Lights

Southern Grampians Shire Council does not make any Council Reports in relation to Tenders public before the Council Meeting. This is to ensure the integrity of the procurement process and limit the potential for any parties to try and influence Council's decision making process based on the recommendations from Council staff. The Report has been distributed to Councillors. The Report will be available to the public in the Council Meeting Minutes.

10.11 2018/19 Long Term Plant Hire – Specialised Trucks

Southern Grampians Shire Council does not make any Council Reports in relation to Tenders public before the Council Meeting. This is to ensure the integrity of the procurement process and limit the potential for any parties to try and influence Council's decision making process based on the recommendations from Council staff. The Report has been distributed to Councillors. The Report will be available to the public in the Council Meeting Minutes.

10.12 41-18 Design and Consultancy Services for Cox Street Redevelopment Project in Cox Street Hamilton

This report will be tabled at the Ordinary Meeting.

10.13 Renewal of Lease for the Dundas Quarry

Directorate: David Moloney, Director Shire Infrastructure
Author: Tendai Mhasho, Property Officer
Attachments: None

Executive Summary

Boral Resources (Vic) Pty Ltd (Boral) has recently approached Council to request a new lease as their current lease for the Dundas Quarry site at Mt Napier expired on 30 June 2018. Boral Resources (Vic) Pty Ltd has been leasing this land from the Southern Grampians Shire Council (Council) since 1998.

Boral has proposed a lease of a maximum term of twenty (20) years with options of renewal after every five (5) years.

At this stage it is recommended that;

- Council wishes to enter into a maximum twenty (20) year lease with Boral Resources (Vic) Pty Ltd for the Dundas Quarry site;
- Council gives public notice under Section 190 of the Local Government Act 1989 of its intention to enter into a new lease agreement with Boral Resources (Vic) Pty Ltd for the Dundas Quarry site from 1 July 2018 for an original term of five (5) years with three (3) by five (5) year options to extend.
- Public submissions be invited on this proposal for a period of 28 days in accordance with Section 223 of the Local Government Act 1989.
- A further report be presented to Council following the expiration of the public notice period.

Discussion

Council is the owner of the Dundas Quarry site and originally established the quarry in 1991, operating the facility through to 1998. Council then entered into a lease agreement with Boral to operate the quarry for a 10 year period, which was subsequently extended for a further 10 years and expired on 30 June 2018.

In April 2013, Boral advised Council of their intention to seek Planning approval for the expansion of the existing quarry by the creation of a new northern quarry pit and a new lease arrangement with Council for the site to enable their use of the quarry site for a further period of up to 20 or 30 years. This meant that their area of lease will expand from the current 181.63 hectares.

In the same year, Council engaged MacroPlan Dimasi to provide a detailed summary of all the issues that Council will need to consider when determining whether an expansion to the existing quarry should be permitted and to make a recommendation as to which decision is in Council's best interests from a social, economic and environmental perspective.

MacroPlan Dimasi recommended in their report that before Boral expands operations, they are required to investigate the viability of a new pit on the site. This requires that they obtain a Planning Permit application in accordance with the Planning and Environment Act 1987 and the Southern Grampians Shire's Planning Scheme.

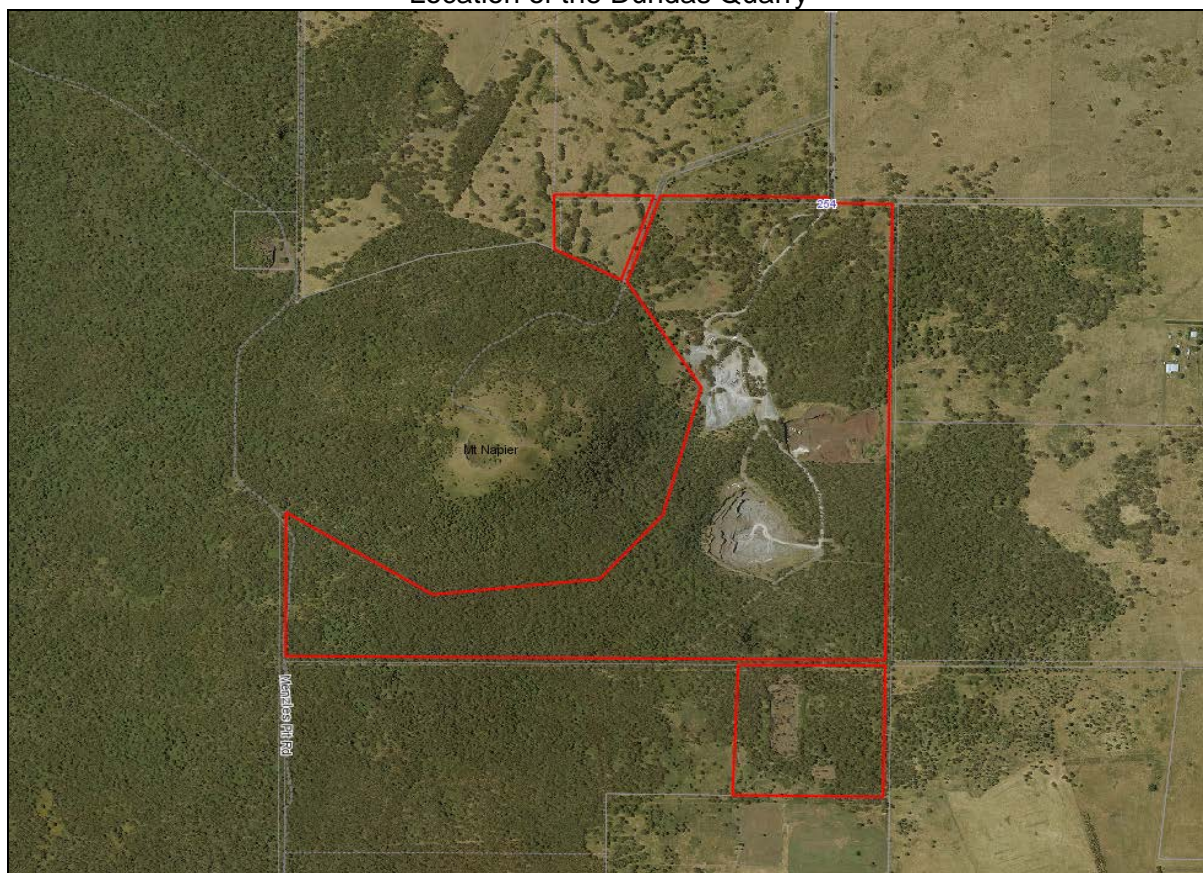
Council resolved at its meeting on 12 February 2014 to give public notice of its intention to enter into a long term lease of the site. In response, one submission was received and the

author of the submission supported the proposal. The 2014 proposal has since lapsed and new lease terms and conditions have now been proposed.

Boral now needs to enter into new lease arrangements with Council for the quarry, to enable their use of the quarry site for a further period. The terms and conditions of the lease will be dependent on a range of factors.

Boral Resources (Vic) Pty Ltd has recently indicated to Council that they are interested in entering into a new lease after their current lease expires on 30 June 2018. Boral has proposed a lease of an original term of five (5) years with 3 (three) by five (5) year options to extend. As the site is already leased to Boral, the extension of the lease is not likely to change existing circumstances.

Location of the Dundas Quarry



Financial and Resource Implications

It is yet to be agreed between Council and Boral Resources (Vic) Pty Ltd as to who will draft the new lease agreement.

There are positive implications for Council should a new lease be entered into. The amount of rental to be paid to Council would be subject to future negotiations based on prevailing circumstances.

The financial benefits to the Southern Grampian Shire Council of ownership of the Dundas Quarry are also considered significant. The current arrangements which enable Council to source material at competitive prices and to also benefit by revenue from royalties and rent from the Quarry operator (Boral) provide a significant discount on the cost of material which

Council will continue to be required to obtain in order to carry out its obligations to maintain, upgrade and construct new roads.

Legislation, Council Plan and Policy Impacts

Under Section 190 (3)(b) of the Local Government Act 1989, if the lease is to be for 10 years or more, the Council must at least 4 weeks before the lease is made publish a public notice of the proposed lease.

Under Section 223 of the Local Government Act 1989 Council will invite public submissions on the proposed new lease between Council and Boral Resources (Vic) Pty Ltd for a minimum of 28 days by a Notice published in the Hamilton Spectator and on Council's website.

Council resolved at its meeting on 12 February 2014 to give public notice of its intention to enter into a long term lease of the site. In response, one submission was received. The author of the submission supported the proposal. New lease terms and conditions have now been proposed as the 2014 proposal has since lapsed

Risk Management

Boral's proposal for a new lease on the site will have a range of social, economic and environmental considerations. The benefits of this project are that it has the capacity to generate a positive flow on economic effects. Council's support of major projects can utilise their capacity to support local industry and business.

Environmental and Sustainability Considerations

The location, operating conditions and production capacity of any pit will have economic and environmental considerations.

Community Consultation and Communication

Under Section 190 of the Local Government Act 1989, Council will publish a public notice in the Hamilton Spectator and on Council's website of their intention to enter into new lease arrangements with Boral at least four (4) weeks before the lease is made.

Under Section 223 of the Local Government Act 1989, Council will invite public submissions on the proposed new lease between Council and Boral Resources (Vic) Pty Ltd for a minimum of 28 days by a Notice published in the Hamilton Spectator and on Council's website.

Boral will be given written advice of Council's decision.

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. Council wishes to enter into a maximum twenty (20) year lease with Boral Resources (Vic) Pty Ltd for the Dundas Quarry site;

2. Council gives public notice under Section 190 of the Local Government Act 1989 of its intention to enter into a new lease agreement with Boral Resources (Vic) Pty Ltd for the Dundas Quarry site from 1 July 2018 for an original term of five (5) years with three (3) by five (5) year options to extend;
3. Public submissions be invited on this proposal for a period of 28 days in accordance with Section 223 of the Local Government Act 1989; and
4. A further report be presented to Council following the expiration of the public notice period.

10.14 33-18 Coleraine Bowling Club Green Replacement

Southern Grampians Shire Council does not make any Council Reports in relation to Tenders public before the Council Meeting. This is to ensure the integrity of the procurement process and limit the potential for any parties to try and influence Council's decision making process based on the recommendations from Council staff. The Report has been distributed to Councillors. The Report will be available to the public in the Council Meeting Minutes.

11 Notices of Motion

There are no Notices of Motion listed on tonight's agenda.

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

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

14.1 Hamilton Regional Livestock Exchange Strategic Operations Report

That the following items be considered in Closed Council as it deals with matters specified in Section 89(2)(e) of the Local Government Act 1989.

14.2 Proposed Acquisition of 88 Cox Street, Hamilton

That the following items be considered in Closed Council as it deals with matters specified in Section 89(2)(e) of the Local Government Act 1989.

14.3 Recycling Contract Variation

That the following items be considered in Closed Council as it deals with matters specified in Section 89(2)(d) of the Local Government Act 1989.

15 Close of Meeting

This concludes the business of the meeting.