



Southern Grampians
SHIRE COUNCIL

Council Meeting Agenda

Council Meeting

11 May 2022

To be held in Council Chambers,
5 Market Place, Hamilton
at 5:30pm.

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1. Membership

Councillors

Cr Bruach Colliton, Mayor
Cr David Robertson, Deputy Mayor
Cr Mary-Ann Brown
Cr Albert Calvano
Cr Helen Henry
Cr Greg McAdam
Cr Katrina Rainsford

Officers

Ms Evelyn Arnold, Acting Chief Executive Officer
Ms Belinda Johnson, Acting Director Community and Corporate Services
Ms Marg Scanlon, Director Infrastructure
Mr Andrew Goodsell, Director Planning and Development

2. Welcome and Acknowledgement of Country

The Mayor, Cr Colliton will read the acknowledgement of country:

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

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

Please note: All Council meetings will be audio recorded, and may be livestreamed to Council’s social media platform, with the exception of matters identified as confidential items in the Agenda.

By participating in open Council meetings, individuals consent to the use and disclosure of the information they share at the meeting (including any personal and/or sensitive information).

Other than an official Council recording, no video or audio recording of proceedings of Council Meetings will be allowed without the permission of Council.

3. Prayer

Cr Henry will lead the meeting in a prayer.

”Almighty god, we humbly beseech thee to vouchsafe thy blessing upon this council.

Direct and prosper its deliberations to the advancement of thy glory and the true welfare of the people of the Southern Grampians shire.”

4. Apologies

5. Confirmation of Minutes

RECOMMENDATION

That the Minutes of the Council Meeting held on 13 April 2022 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 Council Meeting.

Questions must:

1. Not pre-empt debate on any matter listed on the agenda of the Council Meeting at which the question is asked
2. Not refer to matters designated as confidential under the *Local Government Act 2020*.
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 by no later than 5pm on the Monday before the 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 a copy either electronically or hard copy of the submission to the Chief Executive Officer prior to the 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 Council Meetings policy in relation to meeting procedures and public participation at meetings.

There are no Public Deputations listed on tonight's agenda.

9. Informal Meetings of Councillors

The Southern Grampians Shire Council Governance Rules require that records of Informal Meetings of Councillors that meet the following criteria:

If there is a meeting of Councillors that:

- a) took place for the purpose of discussing the business of Council or briefing Councillors;
- b) is attended by at least one member of Council staff; and
- c) is not a Council meeting, Delegated Committee meeting or Community Asset Committee meeting;

be tabled at the next convenient Council meeting and recorded in the minutes of that Council meeting.

An Informal Meeting of Councillors record was kept for:

- 6 April 2022
- 13 April 2022
- 20 April 2022
- 27 April 2022

This agenda was prepared on 4 May 2022. Any Informal Meeting of Councillors between that date and the date of tonight's Meeting will appear in the agenda for the next Ordinary Meeting of Council.

Southern Grampians Shire Council
Informal Meeting of Councillors

ASSEMBLY DETAILS	
Title:	Briefing Session
Date:	6 April 2022
Location:	MJ Hynes Auditorium
Councillors in Attendance:	Cr Bruach Colliton, Mayor Cr David Robertson, Deputy Mayor Cr Mary-Ann Brown Cr Albert Calvano Cr Helen Henry Cr Greg McAdam Cr Katrina Rainsford
Council Staff in Attendance:	Tony Doyle, Chief Executive Officer Evelyn Arnold, Director Community and Corporate Services Marg Scanlon, Director Infrastructure Andrew Goodsell, Director Planning and Development Belinda Johnson, Manager Finance

The Informal Meeting commenced at 1:30pm.

MATTERS CONSIDERED		CONFLICTS OF INTEREST DECLARED
1	Operating Budgets	Nil
2	Long Term Financial Plan – Next Review	Nil

The Informal Meeting concluded at 4:15pm.

Southern Grampians Shire Council

Informal Meeting of Councillors

ASSEMBLY DETAILS	
Title:	Briefing Session
Date:	13 April 2022
Location:	MJ Hynes Auditorium
Councillors in Attendance:	Cr Bruach Colliton, Mayor Cr David Robertson, Deputy Mayor Cr Mary-Ann Brown Cr Albert Calvano Cr Helen Henry Cr Greg McAdam Cr Katrina Rainsford
Council Staff in Attendance:	Tony Doyle, Chief Executive Officer Evelyn Arnold, Director Community and Corporate Services Marg Scanlon, Director Infrastructure Andrew Goodsell, Director Planning and Development
External Presenters:	Paul Shipp, Madeleine Hornsby, Karen Janiszewski, Orlando Harrison

The Informal Meeting commenced at 1:30pm.

MATTERS CONSIDERED		CONFLICTS OF INTEREST DECLARED
1	Councillor Only Meeting	Nil
2	Matters Raised by Councillors	Nil
3	Key Worker Housing	Nil
4	Local Roads and Community Infrastructure Program – Round 4 Project Discussion	Nil
5	Cox Street Property Opportunities	Nil

The Informal Meeting concluded at 4:30pm.

Southern Grampians Shire Council
Informal Meeting of Councillors

ASSEMBLY DETAILS	
Title:	Briefing Session
Date:	20 April 2022
Location:	MJ Hynes Auditorium
Councillors in Attendance:	Cr Bruach Colliton, Mayor Cr David Robertson, Deputy Mayor Cr Mary-Ann Brown Cr Albert Calvano Cr Helen Henry Cr Greg McAdam Cr Katrina Rainsford
Council Staff in Attendance:	Evelyn Arnold, Acting Chief Executive Officer Belinda Johnson, Acting Director Community and Corporate Services Marg Scanlon, Director Infrastructure Andrew Goodsell, Director Planning and Development

The Informal Meeting commenced at 1:30pm.

MATTERS CONSIDERED		CONFLICTS OF INTEREST DECLARED
1	Entire Budget Calculation	Nil
2	Draft Pricing Register Discuss Feedback	Nil

The Informal Meeting concluded at 4:15pm.

Southern Grampians Shire Council
Informal Meeting of Councillors

ASSEMBLY DETAILS	
Title:	Briefing Session
Date:	20 April 2022
Location:	MJ Hynes Auditorium
Councillors in Attendance:	Cr Bruach Colliton, Mayor Cr David Robertson, Deputy Mayor Cr Mary-Ann Brown Cr Albert Calvano Cr Helen Henry Cr Greg McAdam Cr Katrina Rainsford
Council Staff in Attendance:	Evelyn Arnold, Acting Chief Executive Officer Belinda Johnson, Acting Director Community and Corporate Services Marg Scanlon, Director Infrastructure Andrew Goodsell, Director Planning and Development

The Informal Meeting commenced at 1:30pm.

MATTERS CONSIDERED		CONFLICTS OF INTEREST DECLARED
1	Entire Budget Calculation	Nil
2	Draft Pricing Register Discuss Feedback	Nil

The Informal Meeting concluded at 4:15pm.

10. Management Reports

10.1 Draft Pricing Register 2022/23

Directorate: Belinda Johnson, Acting Director Community and Corporate Services
Author: Belinda Johnson, Manager Finance
Attachments: Council Services Draft Pricing Register 2022/23

Executive Summary

The Council Services Pricing Register has been developed as part of the 2022/23 Budget process. The register is built upon a pricing policy as outlined in the Revenue & Rating Plan 2021/22 – 2024/25. This 4 year plan was initially adopted by Council on 23 June 2021 for a 1 year term and again on 8 December 2021 for a further 1 year term. The Plan sets out the principals of revenue recovery from the various services Council provides.

Discussion

The Draft Pricing Register is developed in conjunction with the 2022/23 Budget process and prepared under the provisions of the *Local Government Act 2020*.

Council's Revenue & Rating Plan guides the process, ensuring processes are followed to ensure prices are in accordance with the pricing principles and pricing basis for each type of charge.

In accordance with the *Local Government Act 2020* and the Community Engagement Policy, comments were invited by placement of a notice in the Hamilton Spectator and on Council's website. Further invitations for feedback were sought from Hamilton Regional Business Association and the various Progress/Development associations in the townships. A program of engagement was also undertaken via social media forums, including face book and a survey on Council's website page "Have Your Say". The initial closing date for receipt of feedback was Monday 4 April 2022 with an extension of a week being extended upon request from one of the Development Associations.

Twenty-four responses to the survey were received, however only 54% of the responses were completed in full. The comments received were around broad issues such as:

- Specific fees being set too high, ie waste services and domestic pet registration
- Out-dated parking meters
- General observation on legislated fees

Of the responses, no-one wished to be contacted by Council to discuss their response to the survey.

During the feedback process, Building Services have requested the inclusion of the following narrative within the Pricing Register: *'Up to 30% building application fee is non-refundable, regardless of the assessment outcome'*

Financial and Resource Implications

Council is required to implement the principles of sound financial management detailed in Section 101 of the *Local Government Act 2020*.

Legislation, Council Plan and Policy Impacts

The Pricing Register compliments the preparation of the 2022/23 Annual Budget and details how revenue will be raised to support the key activities and initiatives to be funded that will contribute to achieving the strategic objectives specified in the Council Plan 2021-2025

The Council Plan establishes that we will:

- Support our Community
- Develop our Regional Economy
- Maintain and Renew our Infrastructure
- Protect our Natural Environment, and
- Provide Strong Governance and Leadership

Risk Management

In developing the Pricing Register, Council considers relevant financial risks to ensure it can achieve its Council Plan objectives within a longer term prudent financial framework.

Environmental and Sustainability Considerations

N/A

Community Consultation and Communication

The consultation process is outlined in this report. Following adoption of the register, various customers will be advised of the outcomes and the final register made available 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 formally adopts the 2022/23 Pricing Register effective from 1 July 2022.

10.2 Preparation of 2022/23 Budget, Long Term Financial Plan 2022-2032 and Asset Plan 2022-2032

Directorate: Belinda Johnson, Acting Director Community and Corporate Services
Author: Belinda Johnson, Manager Finance
Attachments: Draft Budget 2022/23-2025/26
Draft Long Term Financial Plan 2022-2032
Asset Plan 2022-2032

Executive Summary

The Draft Budget for 2022/23, Long Term Financial Plan 2022-2032 and Asset Plan 2022-2032 have been prepared in the form of the model templates recommended as the best practice for reporting in local government in Victoria. The reports contain the statutory information required under the Local Government Act 2020 and the associated Regulations.

The three documents been developed within the overall Integrated Strategic Planning and Reporting Framework, which guides Council in identifying community needs and aspirations over the medium to long term (Long Term Financial Plan and Asset Plan) and short term (Annual Budget) objectives, strategies, initiatives, activities and resource requirements.

Discussion

Draft Budget 2022/23

The Draft Budget for 2022/23 has been prepared under the provisions of the *Local Government Act 2020*, Section 94(1)(a) and in accordance with the associated Regulations and the relevant International and Australian Accounting Standards. The budget document contains:

- Overview and Budget Highlights
- Analysis of operating and capital budgets, cash position, budget financial position and rating structure
- Standard Income Statement, Balance Sheet, Cash Flow Statement, Capital Works Statement and a Summary of Rates and Charges

The Draft 2022/23 Budget presented has been developed through a process of consultation and review with Council and Council officers.

The Draft 2022/23 Operating Budget forecasts an operating deficit of \$1.870 million and Council anticipates to hold \$4.229 million cash at 30 June 2023.

The Draft Budget provides for capital expenditure in 2022/23 of \$29.403 million.

The Draft Budget proposes that the revenue generated from general rates and municipal charges be increased by 1.75% for the year. The rate cap has been set at 1.75% by the Minister for Local Government.

The municipal charge will increase from \$206 to \$209 (this is a 1.46% increase bringing the total collected to 10% of rate revenue)

General rates and municipal charges are levied in accordance with Council's Revenue and Rating Plan 2022/23-2025/26 – adopted by Council on 8 December 2021.

The service charge will remain at \$360 for all improved residential properties in the Hamilton, Balmoral, Branxholme, Byaduk, Byaduk North, Cavendish, Coleraine, Dunkeld, Glenthompson, Peshurst and Tarrington urban areas and as defined in the “refuse collection areas” for the collection and disposal of refuse, recycling and organic waste.

The refuse, recycling & FOGO collection and disposal service will be provided to non-residential (commercial, industrial and not-for-profit organisation) properties within the Shire on request and will be a fee for service as provided in Council’s Pricing Register and within the collections contractors most efficient routes. In order to provide more flexibility to businesses, these properties can request either individual services, multiples of individual services or the standard 3 bin service.

Residential properties already in receipt of the 3 bin collection service can also request additional individual service components which will be a fee for service as provided in Council’s Pricing Register.

It is proposed to borrow \$2 million in 2022/23 year.

It is proposed to continue to offer as an incentive for prompt payment, a discount of two per cent in accordance with Section 168 of the *Local Government Act 1989* where all four instalments of rates and charges declared for the current year (less the discount) are paid on or before 30 September, excluding any arrears of rates and charges outstanding from previous years.

Long Term Financial Plan 2022-2032

This Plan was first developed in late 2021 and adopted by Council on 31 October 2021. The role of the LTFP is to articulate the medium to long term financial aspirations and underlying assumptions made to deliver on the Council Vision 2041, Council Plan 2021-2025, Municipal Public Health and Wellbeing Plan 2021-2025 and other strategic guidance documents. The LTFP is the “how” things will be funded compared to the Asset Plan which talks about what “could/should” be funded.

Asset Plan 2022-2032

This is the first iteration of the formal Asset Plan required under the Local Government Act 2020.

The Plan is a high level summary which documents the Assets Council owns, the values and costs associated with the use and maintenance of these assets in the delivery of services and trade-offs Council makes when deciding how much to spend on assets.

Asset Management Plans for the various classes of assets will continue to be developed to underpin the assumptions and high level data contained in the Asset Plan.

As Council’s maturity in asset management practices continues to develop and grow in understanding and data collection and evaluation methods, this plan will be updated.

Financial and Resource Implications

In accordance with Section 96 of the Local Government Act 2020, Council is required to develop the budget in accordance with the financial management principles.

Legislation, Council Plan and Policy Impacts

The 2022/23 Budget includes the key activities and initiatives to be funded that will contribute to achieving the strategic objectives specified in the Council Plan 2021-2025.

The Council Plan identifies that we will:

- Support our Community
- Grow our Regional Economy
- Maintain and renew our Infrastructure
- Protect our Natural Environment
- Provide strong Governance and Leadership

Risk Management

In developing the suite of documents, Council considers relevant financial risks to ensure it can achieve its Council Plan objectives within a longer term prudent financial framework. The Asset Plan further articulates what spending is desired to keep assets at the optimal service potential levels. The trade-off between the desired level of expenditure and the actual funded level of expenditure is known as the renewal gap.

Environmental and Sustainability Considerations

Whilst the documents do not have specific sections on environmental and sustainability matters, the implication of utilising those plans as guiding principles is implied.

As key strategies are reviewed and/or developed by Council, these will be linked in a reciprocal arrangement by balancing the objectives of the strategy with the cost/benefits on the financial framework.

The Draft Budget provides the funding for Council to undertake its social, economic and environmental initiatives outlined in the strategic plans.

Community Consultation and Communication

The suite of 3 documents will be advertised for public inspection and feedback on 14 May 2022 in the Hamilton Spectator Newspaper.

They will also be available for public inspection on the "Have your say" page of Council's website www.sthgrampians.vic.gov.au.

Copies will be distributed to the local Development Associations. Any person wishing to obtain a copy may do so by contacting Council's customer services on (03) 5573 0444.

Council will also embark on a community engagement program via social media to complement the existing traditional methods of obtaining feedback. This will include approximately 3 posts providing various information and graphics and directing people to a survey monkey on the "Have Your Say" page of the Council website.

All forms of feedback will close on 1 June 2022 following which a summary report will be prepared for Councillors. Anyone wishing to present their feedback to Councillors will be invited to do so on 15 June 2022.

It is proposed that adoption of the Budget 2022/23, Long Term Financial Plan 2022-2032 and Asset Plan 2022-2032 will be considered at a Meeting of Council to be held on 22 June 2022.

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 endorses the Draft Budget 2022/23, Long Term Financial Plan 2022-2032 and Asset Plan 2022-32 in-principle and:

1. In accordance with the Local Government Act 2020 and the Council's Community Engagement Policy make the documents available for feedback
2. Advertise the availability of the documents and options to provide feedback until the close of business on 1 June 2022.

10.3 Contract - Building Services

Directorate: Andrew Goodsell, Director Planning and Development
Author: Daryl Adamson, Manager Shire Strategy and Regulation
Attachments: Municipal Building Surveyor S12 Delegations and Authorisation

Executive Summary

Southern Grampians Shire is required under the *Building Act 1993* to appoint a Municipal Building Surveyor of Council to perform the functions that relate to the administration and enforcement by Council of Parts 3, 4, 5, 7 and 8 and the building regulations in the Council's municipal district.

Traditionally this function has been delegated to a Building Surveyor – Unlimited (BS-U) employed directly by the Southern Grampians Shire. However, changes in the private sector and traditional LGA structures have dictated that this function is outsourced to secure the licenced qualification with associated delegations to enable the Southern Grampians Shire to comply with statutory requirements incumbent on the organisation through legislation.

Over financial year 21/22 we have experienced increased demand for building services which has impacted our ability to further engage relevant contractors and remain compliant with the SGSC Procurement Policy 2021-25 and current CEO's exemption and delegations of \$150K.

This report acknowledges that the CEO has been required to spend in excess of the delegation limit in 21/22 to ensure services were maintained to the legislative requirement. It also seeks Council's endorsement to extend the current contract with Government Shared Services (GovSS) over the first half of the next financial year to continue to operate the service pending a tender for building services towards the end of that 6 month contract extension.

Discussion

The Southern Grampians Procurement Policy is made under Section 108 and 109 of the *Local Government Act 2020*. Specifically, an objective of the Policy is to provide clear guidelines to Council to allow consistency and control over-procurement activities.

A public tender process must be used for all procurement activities valued at \$150,000 and above (for goods, services or works).

There are certain circumstances which are exempt from the general publicly advertised tender, quotation and expression of interest requirements, however all attempts should be made to demonstrate value for money and document why it is appropriate to exempt the activity from a competitive process. All exemptions are to be documented and reported (in aggregate) in the Quarterly Finance Report to Council.

Obtaining sufficient quotations can sometimes be difficult if there are few suppliers for the goods, services or works being sought or where the work is highly specialised. This exemption may be used when the establishment of an interim arrangement with an alternative supplier is considered not to be in the public interest, as it may be cost prohibitive and/or present a risk in the delivery of critical public services to the municipality.

It is incumbent on Council to administer and enforce the *Building Act 1993*. Strategically Council have delegated responsibilities of Municipal Building Surveyor (MBS) and

Responsible Building Surveyor (RBS) via contract to Government Shared Services (GovSS). Justification for this engagement was detailed in 2021 CEO exemption dated 31/03/2021, E11-21. A 12-month review period was implemented to review the structure within the Building Office. It has then been determined that a 'hybrid' use of internal and external resources continues to provide the best value for Council to deliver services whilst internal staff gain skills and qualifications. Recent approaches to Randstad Recruiting have identified the market annualised salary to employ a fulltime MBS at Council is in a range of \$220-270K with an addition 10-15% finder's fee and on-costs. This is independent of further resources required for a functional Building Office.

Southern Grampians Shire has and still is experiencing increasing enforcement actions due to development within our Shire. Our ability to offset these costs has been reduced with the majority of new dwellings developments engaging Private Building Surveyors (PBS) which have set statutory fees, which only partially offset cost to Council. Additionally, 'Owner Builders' are often priced out of the Private Building Surveyor market with the Council Building Office providing a service to cover market failure. Building applications from this sector are often incomplete and of low fee value, however they require significant support from officers for a building permit to be issued.

Financial and Resource Implications

Currently the building unit engages the services of Government Shared Services (GovSS) to provide the hybrid service solution. The value of this contract was estimated at \$149,999 for the 21/22 financial year. At the point of writing the report, the current spend was \$170,251 To comply with Council's statutory obligations, endorsement for this contract to be increased is sought together with an extension for a further 6 months at a value of \$124,890 inc. GST.

The 6-month term allows Council the flexibility to replace external resources (currently under contract) with internal resources as professional qualifications are obtained through professional development. Should this approach not be successful, market testing via open procurement will need to occur to comply with the Procurement Policy.

Strategically, we have increased the MBS hours of engagement to reflect the workload and replaced some external resources with experienced local building surveyors with a broader understanding of the Southern Grampians Shire context. This was implemented from feedback from clients, builders and community.

SCHEDULE OF RATES

Level of Experience/Job Title	Hours per week	Service cost (without Discount)	Public Holiday Cost Adjustment (discount)*	Total - 6 months (\$ excl GST)
Alexander Cumming (BS-U 65405) Municipal Building Surveyor 8 hours flexible across Wed, Thurs & Fri off-site 24 weeks	8	\$45,870	-\$1,273	\$44,600
Ben Griffith (BS-L 46690) Deputy Municipal Building Surveyor 8 hours flexible per week off-site 24 weeks.	8	\$41,853	Nil	\$41,853
Hannah Carrucan (IN-L 60444) Building Inspector One 8 hours day per week on Tuesdays, 24 weeks. (EST. 1 hr travel to site, 6 hrs on-site and 1 hr travel home)	8	\$27,084	Nil	\$27,084
COST OF 6 MONTH, 24 WEEK SERVICE (EXCL GST)				\$113,537
TOTAL COST OF 6 MONTH, 24 WEEK SERVICE (INCL GST)				\$124,890

Legislation, Council Plan and Policy Impacts

The Southern Grampians Procurement Policy is made under Section 108 and 109 of the *Local Government Act 2020*.

The Building Act, and the Regulations, set out certain powers, functions and duties that are conferred or imposed on Councils. These powers can be delegated by Councils pursuant to s 11 of the *Local Government Act 2020*. This delegation is dealt with in our Instrument of Sub-Delegation by the CEO to Members of Council Staff (S7).

Under the *Building Act 1993*, the MBS has certain powers by virtue of being an MBS. The MBS has the power to delegate these powers, and to authorise certain persons to exercise some of the powers of the MBS. More specifically:

- s 216B of the Building Act allows the MBS appointed by Council to delegate their powers (as opposed to the powers of that Council) under the Building Act or the Regulations to any person employed, or engaged, by the Council who is registered as a building surveyor or building inspector under Part 11 of the Building Act whose registration authorises the carrying out of the work required for performing the functions to be delegated by the MBS; and
- s 228A of the Building Act allows the MBS to authorise a person to be an authorised person for the purpose of exercising the powers of the MBS under Division 2 of Part 13 of the Building Act.

In councils where there are no other registered building surveyors or registered building inspectors under Part 11 of the *Building Act* whose registration authorises the carrying out of the work required for performing the functions to be delegated by the MBS, the MBS will not be able to delegate their powers pursuant to s 216B. However, the MBS can still authorise some persons to be authorised persons in relation to some specified powers of the MBS, as provided for under s 228A of the *Building Act*.

Attached is current Municipal Building Surveyor s12 Authorisations and delegations.

Risk Management

N/A

Environmental and Sustainability Considerations

N/A

Community Consultation and Communication

N/A

Disclosure of Interests

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

RECOMMENDATION

That Council:

1. Approve an exemption from market engagement for the delivery of building services.
2. Authorise the Chief Executive Officer to extend the present contract with Government Shared Services (GovSS) contract for a period of 6 months at a value of \$124,890 Inc. GST.

10.4 Annual Plan Quarterly Report

Directorate: Belinda Johnson, Acting Director Community and Corporate Services
Author: Tahlia Homes – Acting Manager Organisational Development
Attachments: Action and Task Progress Report - 1 January 2022 – 31 March 2022

Executive Summary

The Action and Task Progress Report for the period 1 January 2022 to 31 March 2022 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 62 actions reported on from the Annual Plan and Council Plan. Of these 62 actions:

- 52 actions (84%) are on track - at least 90% of the target achieved
- 3 actions (5%) require monitoring –between 70% and 90% of the target achieved
- 7 actions (11%) are off track – less than 70% of target achieved

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 90 of the *Local Government Act 2020* and subsequently determine whether any adjustments are required.

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 general or material interests need to be declared in relation to any matters in this Report.

RECOMMENDATION

That Council receive the Action and Task Progress Report for 1 January 2022 – 31 March 2022.

10.5 Hamilton Regional Livestock Exchange Committee member appointment

Directorate: Marg Scanlon, Director Infrastructure
Author: Marg Scanlon, Director Infrastructure
Attachments: None

Executive Summary

Early 2020 Council undertook a review of the Hamilton Regional Livestock Exchange (HRLX) which resulted in the Bringing it home for HRLX report. This report includes recommendations for the future HRLX governance. options for a skills-based delegated committee, fee structure and sale days. Further to this in October 2020 Council resolved to establish a skills-based Committee comprising two Councillors and five independent members. Early 2022 the Committee was established with two independent members as the recruitment for the remaining three positions continues.

The purpose of this report is to seek Council appointment of John Hope to the HRLX Committee.

Discussion

Further to the recruitment of the HRLX Committee independent members, a nomination has been received from Mr John Hope. John brings a diverse range of experience gained in advising corporate and government businesses and in leading a division of a major international services firm, including strategy, business planning, financial evaluation and decision-making funding and performance improvement.

Financial and Resource Implications

The HRLX Committee is supported through the Infrastructure Directorate with administrative support and financial needs are managed through the Directorates operational budgets.

Legislation, Council Plan and Policy Impacts

HRLX is a regional facility managed by Council and the purpose of the skills-based Committee is to provide strategic business development advice to Council having considered various aspects and opportunities.

Various legislation applies to HRLX, for example in relation to animal welfare, trade waste management, occupational health and safety. Legislative requirements will be considered in the development of the Committee's advice to Council.

Risk Management

The HRLX Committee will consider strategic and business risks together opportunities to resolve or mitigate identified risks.

Environmental and Sustainability Considerations

Council has invested significantly in HRLX in the development and upgrades to this regional facility including environmental sustainability infrastructure such as the roof over the sheep yards, water tanks and solar panels. Further environmental and sustainability opportunities exist for further consideration by the Committee.

Community Consultation and Communication

Engagement with key stakeholders and interest groups associated with HRLX is a key priority for the Committee to further inform their strategic considerations. Having recently established, the Committee has commenced engagement with key contacts and this continues over the coming months.

Disclosure of Interests

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

RECOMMENDATION

That Council appoint John Hope to the Hamilton Regional Livestock Exchange Committee as an independent member.

10.6 Location of a Bust of former Prime Minister Malcolm Fraser

Directorate: Evelyn Arnold Acting Chief Executive Officer
Author: Evelyn Arnold, Acting Chief Executive Officer
Attachments: None

Executive Summary

This report recommends that the bust of Malcolm Fraser be located in the Sam Fitzpatrick Gardens.

Discussion

Council resolved at the Ordinary Meeting on the 14th November 2018 to support the request to recognise the contribution Malcolm Fraser has made to the Southern Grampians community by erecting a life size bust of him in the Hamilton Botanic Gardens.

In December 2019, a permit was granted by Heritage Victoria approving the installation of the Bust and detailing a number of conditions. However, due to a number of issues this permit has lapsed. This has resulted in Council revisiting (in consultation with the Community Group) for an alternative site that has fewer heritage restrictions.

This location in the Sam Fitzpatrick Gardens will be prominent and is well patronised by both locals and visitors. There are also a number of other monuments in this location celebrating and commemorating contributions to our community and the nation.

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 is also a contribution of \$5,000 by Council towards the cost of the plinth.

Legislation, Council Plan and Policy Impacts

Local Government Act, 2020
Heritage Act, 1995
Planning and Environment Act, 1987
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

There is no major environmental concerns.

Community Consultation and Communication

The Community Group driving this project has been consulted and is supportive of the change in location.

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 place the life-size bronze bust of Malcolm Fraser in the Sam Fitzpatrick Gardens,
2. An in kind contribution towards the cost of construction and the plinth be sourced from the existing budget allocation.

10.7 Contract 46-21 - Supply and Delivery of One (1) Hook Truck

Directorate: Marg Scanlon, Director Infrastructure
Author: Brett Holmes, Manager Works
Attachments: None.

Executive Summary

The Southern Grampians Shire Council 2021/22 Plant replacement program ensures an effective and efficient service to renew ageing assets parallel to Councils Long Term Financial Plan.

Council currently has a Hook Truck within its fleet, which is integral to the management of waste skip bins at the Hamilton Landfill and the Transfer Stations throughout the Shire.

Councils existing Hook Truck, which was purchased in April 2015, is due for replacement. Four submissions were received and assessed in accordance with Council Procurement Policy. Following the tender evaluation process, it is recommended that Council accept the submission from Blue Lake Vehicles T/A's Mount Gambier Isuzu Pty Ltd for the sum of \$358,490 (incl GST) plus on road costs.

Discussion

Councils Hook Truck is required for the primary function of waste movement at the Hamilton Landfill and Transfer Stations throughout the shire.

This fleet item which is due for replacement, operates year-round and whilst it is generally based at the Hamilton Landfill, it also operates across all the Shire Transfer Stations to align with the waste program.

The current hook truck is in fair to good condition, but it is now in the high-risk category for a major componentry failure if it was to be used for any prolonged period.

Technological and OH&S advances in the management of waste collection from various sites provides greater and safer efficiencies.

Council accessed the MAV Vendor Panel Contract - MAV NPN 04.13 Specialist Trucks and Bodies for the purpose of this procurement process. In consultation with the Waste Department, Plant Management & Operations together with the guidance of Councils Procurement Officer, an RFQ was posted (from the Panel Suppliers of the contract) through MAV Vendor Panel, for the Supply and Delivery of One (1) Hook Truck.

To assist with the evaluation and recommendation, all submissions were weighted in accordance to the RFQ.

Tendered Price- 40%
Fit for Purpose- 30%
Supplier / Product Backup and Support- 20%
Environmental- 10%

The following table is a summary of the four tender submissions received;

Weightings	Yes/No	40%	30%	20%	10%	
	Kook Truck Combination	Tendered Price	Fit of Purpose	Supplier Back up and Support	Sustainability	Total
Tenderer 1	Iveco Stralis/ Hiab Hook	8.17				7.17
		\$315,100	5	8	8	
		3.27	1.50	1.60	0.80	
Tenderer 1	Iveco Stralis/ Pal Finger Hook	8.04				8.02
		\$325,900	8	8	8	
		3.22	2.40	1.60	0.80	
Tenderer 2	Isuzu FYJ300/HyvaLift Hook	10.00				7.50
		\$257,378	4	8	7	
		4.00	1.20	1.60	0.70	
Tenderer 3	Hino/Pal Finger Hook	8.08				7.73
		\$318,387	7	8	8	
		3.23	2.10	1.60	0.80	

Financial and Resource Implications

Council resolved and adopted the 2021/22 Plant Replacement Program and the purchase of this new Hook Truck is within Councils adopted budget.

Retention of the current Hook Truck would result in increased costs associated with maintenance and down time due to the current life of this vehicle.

Legislation, Council Plan and Policy Impacts

This report is consistent with the *Local Government Act (1989)*, *Local Government Act (2020)* and Councils Procurement Policy and Guidelines

Risk Management

Council as the employer have a legal responsibility under the Occupational Health and Safety Act 2004, sub appendix P.35 Plant, to have access to safe Plant and Machinery. Section 21.1 of the Act states, an employer must, as so far as reasonably practical, provide and maintain for employees of the employer a working environment that is safe and without risk to health.

Operating costs increase due to aging equipment, worn componentry and higher maintenance programs. Aging equipment returns increased (downtime) resulting in loss of productivity.

Collaborative Opportunities

Collaborative opportunities were not considered for this tender purely because other Council's and appropriate contractors would be wanting to use their own vehicles at the same time as we would require it- as the Hook Truck is a specialist piece of heavy equipment.

Environmental and Sustainability Considerations

Plant Management and Operations looks favourably upon manufacturers with designs that meet and exceed Australian Green House Emissions ratings. Environmental considerations were part of the evaluation process.

Community Consultation and Communication

Public notice was given of the tender in accordance with section 109 of the Local Government Act 2020 and the tender process complied with Council's Procurement Policy.

Extensive internal consultation was part of the evaluation process which included a desktop audit of submissions as well as field visits and demonstrations.

Tenderers will be notified by the Procurements Officer of the decision made by Council at its meeting on Wednesday May 11, 2022.

Disclosure of Interests

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

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

- Allan Wishart, Logistics Coordinator;
- Mark Hornibrook, Waste and Aerodrome Supervisor;
- Brian Adams, Head Mechanic;
- John Pierce, Team Leader Capital Works & Planning;
- Brett Holmes, Manager Works;

RECOMMENDATION

That Council:

1. Award Contract 46-21 to Blue Lake Vehicles Pty Ltd trading as Mount Gambier Isuzu Pty Ltd for the supply and delivery of One (1) Hook Truck for the GST inclusive sum of \$358,490.
2. Authorise the Chief Executive Officer to execute Contract 46-21 and any other documents required by or to give effect to the terms of the contract on behalf of Council.

10.8 2403-0109 Supply and Delivery of Bulk Fuels for Council Works Operations

Directorate: Marg Scanlon, Director Infrastructure
Author: Brett Holmes, Manager Works
Attachments: None.

Executive Summary

The Southern Grampians Shire Council (SGSC) maintains its own fuel bowzers at depots in Hamilton, Coleraine, Dunkeld and Penshurst for supply of bulk diesel fuel to service its heavy fleet. The current contract with Procurement Australia (PA) for the bulk supply and delivery of fuel for Council Works heavy fleet expired at 31 March 2022.

With a collaborative approach from twenty-four Councils state wide, Procurement Australia retendered its Bulk Fuel Contract with nine suppliers downloading tender documentation and following closure, four tender submissions were submitted and have been evaluated on compliance with specification, customer focus, contractor's performance, corporate social responsibility, and price.

The recommendation is to accept the PA Contract 2403/0109 for the two-year period with a further 2 x 1 year option to extend for the supply and delivery of bulk fuels and approval of \$3,600,000 in expenditure under this contract over 2 years and a further 2 x 1 year option period.

Discussion

SGSC currently utilises the Procurement Australia (PA) bulk fuel contract to purchase diesel fuel for its heavy and most light fleet and Unleaded Fuel (ULP) for minor plant items which has come to an end. This is a panel contract and once Council has signed to the contract can order fuel from any of the successful suppliers from the list. Under the panel contract, Council can to opt out of the contract at any time and has no obligations to make any purchases.

In 2021 Councils Bulk Fuel usage was approximately 435,000 litres, costing \$600,000. This fuel is needed to complete the capital works program, roads maintenance and construction programs as well as supporting works undertaken within Parks and Gardens, Transfer Stations, Hamilton Landfill, Livestock Exchange and other Council services.

SGSC presently use Ampol Australia Petroleum Pty Ltd which has a local fuel distribution depot which is located in Hamilton. Ampol has been the preferred supplier under the current contract as deliveries can be ordered and met with minimal lead time if needed, support for local distribution and employees, pricing and local knowledge and familiarity with SGSC's depot sites.

In November 2021 tenders were called by PA for Contract 2403-0109 - Bulk Fuel with 24 Victorian Councils participating in the collective procurement for a contract term of 2 years plus 2 x 1 year extension commencing April 2022 to March 2024.

Four (4) Suppliers submitted tenders;

- Ampol Australia Petroleum Pty Ltd
- McLennan Bulk Fuel Pty Ltd
- Pacific Petroleum Pty Ltd
- Petrogas Pty Ltd

Evaluation was carried out by PA and all tenders were accepted and placed on the panel contract. Criteria for assessment and weightings were as follows:

Technical Criteria 70%

- Compliance with specification
- Customer Focus
- Contractors Performance
- Corporate Social Responsibility Profile

Price Criteria 30%

Other information relevant to pricing was also requested including;

- Price Basis of Tender
- Warranty
- Payment Terms
- Minimum Order Quantity/Value
- Other information relevant to pricing
- Financial Visibility

Suppliers were asked to populate a Schedule of Prices within their tender submission. Information sought within this schedule included the respondent's fixed cents litre per litre discounts, historical prices averages and tiered volume discounts.

Specifically, for Southern Grampians Shire Council and supplier access for bulk fuel, the recommendation to purchase bulk fuel under the Procurement Australia (PA) Panel Contract 2403-0109 will result in purchasing from Ampol Australia Petroleum Pty Ltd.

Financial and Resource Implications

Council resolved and adopted the 2021/2022 operational budget of \$725,000 for fuel. The purchase of fuel is within Council's adopted budget.

Due to the volatility with the price of crude oil, uncertainty of consistent supply and the expected price of fuel to be at an all-time high for the conceivable future, a budget line item of \$900,000 for fuel has been submitted for the draft 2022/2023 budget.

Legislation, Council Plan and Policy Impacts

The process in awarding this contract is supported by the 2017 - 2021 Council Plan in the following strategies:

- 1.2.1 Provide appropriate, accessible and equitable Council services, facilities and activities
- 2.1.3 Attract, support and encourage social and economic development in all our settlements
- 3.1.4 Develop the Shire's facilities, programs and services to increase usage
- 5.1.2 Ensure responsible, effective and efficient use of Council resources

Procurement section 109 Local Government Act 2020 linked to Councils Procurement Policy.

Risk Management

Continued fuel supply insures that there is no interruption to Council's works operations and services.

Environmental and Sustainability Considerations

Council reviews all its fuel emissions as part of its tender evaluation process and will continue to do so.

Community Consultation and Communication

Public notice was given of the tender in accordance with section 109 of the Local Government Act 2020 and the tender process complied with Council's Procurement Policy.

Tenderers will be notified by the Procurements Officer of the decision made by Council at its meeting on Wednesday May 11, 2022

Disclosure of Interests

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

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

RECOMMENDATION

That Council:

1. Purchase bulk fuel under the Procurement Australia (PA) Panel Contract 2403-0109 for a period of two (2) years plus an additional 2 x 1-year options, for the supply and delivery of bulk fuels on a tendered schedule of rates.
2. Authorise the Chief Executive Officer to execute Contract 2403-0109 and any other documents required by or to give effect to the terms of the contract on behalf of Council.

11. Notices of Motion

11.1 Notice of Motion #4/22

Cr Rainsford

I hereby give notice of my intention to move the following motion at the Council Meeting to be held on 11 May 2022

MOTION

That Southern Grampians Shire Council councillors reconvene the Western Rail Alliance to drive the call for the return of Passenger Rail to Hamilton, Portland and Horsham.

Background

To follow but the principle is to have the Mayor and a “believer” councillor team with other supportive councillors across the Western Rail network of 8 councils to get this on the current political agenda and the ready for the State election in November this year. The Fed funded business case for rail freight will help upgrade the line which can be a multipurpose freight and passenger rail line.

Officers Comments

A detailed briefing to Council was provided on transport gaps and progression towards an integrated transport strategy on 27 January 2022. As indicated at that time, the DoT director Grampians Region wound up the working group on passenger rail in September 2021 indicating it had no further purpose. That working group was substantially empowered by Horsham Rural City and Southern Grampians Shire staff (at CEO/Director level).

Since then Council has adopted its Council Plan, SG 2041 – community vision framework and an advocacy plan. All three refer to better bus linkages to regional centres and ongoing advocacy for passenger rail – but with a clear recognition that passenger rail is not a State Government priority for the region.

The way forward was identified as:

1. Delivering a local transport forum
2. Undertake an integrated transport plan
3. Continue advocacy on bus, freight rail and passenger rail in conjunction with completion of 1 and 2.

Councillors would be aware that a Hamilton Network Plan is presently being developed (Hamilton Moves). There is also work being delivered on a public road register and road management plan. The full integrated transport plan is not funded for 22/23 and is more likely 23/24 given workloads, also noting that findings from the Network Plan are critical to an integrated plan in any event. See Figure 1 for logical sequence of strategic work.

Federal Minister Tehan has recently committed funding for a further business case on freight rail upgrades on the Maroona to Portland line, noting the line is under lease from State

Government to ARTC. This will, if it leads to further Federal and State Government support, increase freight utilisation due to improved rail line performance. However at this time the outcomes and level of commitment to these upgrades is unclear. The costings and work within the passenger rail business case of 2017 is now 5 years old and likely needs rescoping (including more social needs analysis) and updating on project specifications and costings. It cannot simply be picked up and form the basis of ongoing advocacy.

Council can of course advocate again for a regional Council working group on passenger rail, but given recent history the probability of the Minister for Transport or DoT supporting such a group is unclear at best. The level of commitment from neighbouring LGAs was historically uneven and that needs to be further revisited.

The 'commitment for rail upgrades' is presently at a Federal level, not a State level and for freight not passenger rail. It may be more prudent to await the findings of the freight business case and then re-assess how best to advocate to State Government as funding for freight rail upgrades may form the basis for a more financially attractive passenger rail proposal to State Government.

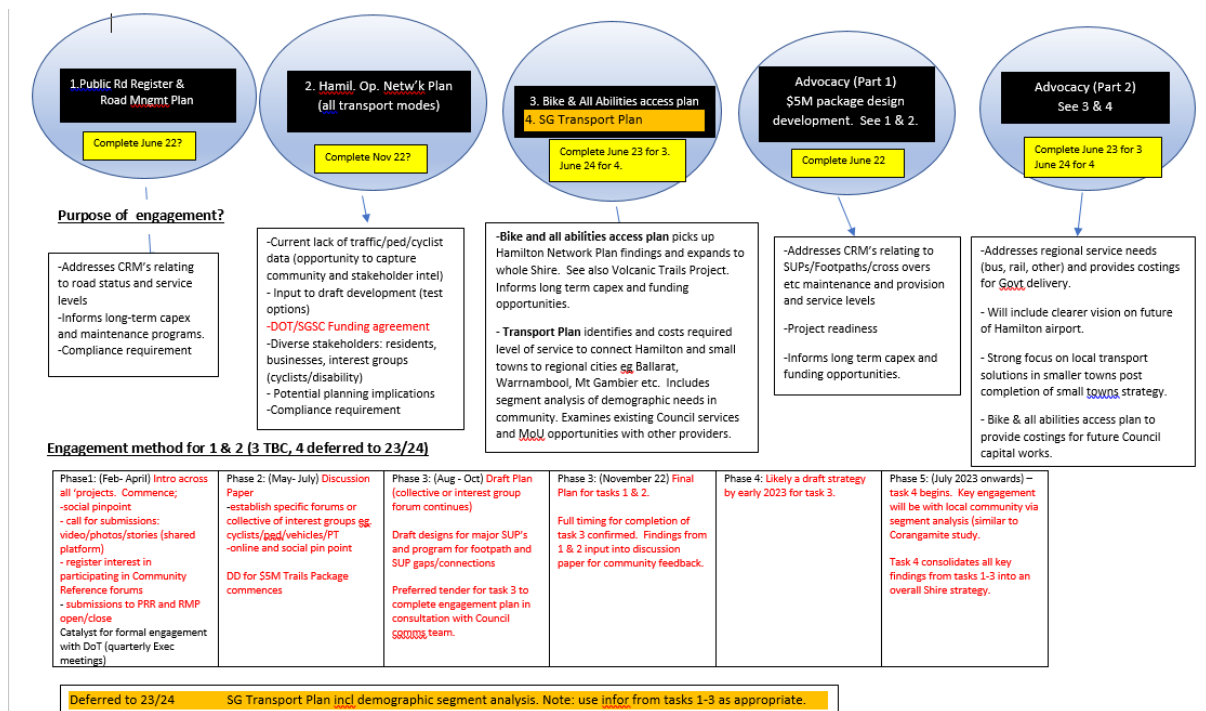


Figure 1

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

RECOMMENDATION

That the following items be considered in Closed Council as specified in section 66(2)(a) and referenced in section 3(1), Confidential Information (a) Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released as per the Local Government Act 2020.

14.1 Land Purchase – Confidential

15. Close of Meeting

This concludes the business of the meeting.