



Southern Grampians
SHIRE COUNCIL

Council Meeting Agenda

Ordinary Meeting
14 February 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

Ms Evelyn Arnold – Director Community and Corporate Services
Mr Michael McCarthy - Director Shire Futures
Mr David Moloney – Director Shire Infrastructure
Ms Megan Kruger – Governance Coordinator

2 Acknowledgement of Country

3 Prayer

4 Apologies

Mr Michael Tudball – Chief Executive Officer

5 Confirmation of Minutes

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| RECOMMENDATION |
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That the Minutes of the Ordinary Meeting of Council held on 13 December 2017 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.

8.1 Petition – Lake Hamilton Walking Track

Attachments: 1. Petition

A petition relating to the Lake Hamilton Walking Track has been received, which reads as follows:

Let's get the Lake Hamilton walking track sealed to significantly improve this fantastic recreation and fitness facility.

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| RECOMMENDATION |
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That the petition be received by Council and referred to the Director Community and Corporate Services for action.

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:

- Pedrina Park Working Group – 13 December 2017
- Briefing Session – 13 December 2017
- Pedrina Park Working Group – 12 January 2018
- Briefing Session – 24 January 2018
- Pedrina Park Working Group – 2 February 2018

This agenda was prepared on 7 February 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

| ASSEMBLY DETAILS | |
|-------------------------------------|---|
| Title: | Pedrina Park Working Group Meeting |
| Date: | 13 December 2017 |
| Location: | Tosca Browns |
| Councillors in Attendance: | Cr Colin Dunkley |
| Council Staff in Attendance: | Evelyn Arnold, Director Community & Corporate Services Susannah Milne, Manager Community & Leisure Services Melanie Starr, Manager Recreation |

The Assembly commenced at 8.00am

| MATTERS CONSIDERED | | CONFLICTS OF INTEREST DECLARED |
|--------------------|--|--------------------------------|
| 1 | Welcome & Introduction | Nil |
| 2 | Apologies | Nil |
| 3 | Terms of Reference | Nil |
| 4 | Glenelg Hockey Association – Background & Thoughts around Pavilion | Nil |
| 5 | Hamilton Soccer Club Association - Background & Thoughts around Pavilion | Nil |
| 6 | Recreation & Leisure Strategy | Nil |
| 7 | Toilet block replacement | Nil |
| 8 | Pavilion design & ideas | Nil |
| 9 | Next Steps | Nil |

The Assembly concluded at 9.00am



ASSEMBLY OF COUNCILLORS

| ASSEMBLY DETAILS | |
|-------------------------------------|--|
| Title: | Briefing Session |
| Date: | 13 December 2017 |
| Location: | Martin J Hynes Auditorium |
| Councillors in Attendance: | Cr Mary-Ann Brown, Mayor Cr Chris Sharples, Deputy Mayor Cr Albert Calvano Cr Cathy Armstrong Cr Colin Dunkley Cr Katrina Rainsford Cr Greg McAdam – Left at 3:15pm |
| Council Staff in Attendance: | Michael Tudball, Chief Executive Officer David Moloney, Director Shire Infrastructure Michael McCarthy, Director Shire Futures Evelyn Arnold, Director Community and Corporate Services |

The Assembly commenced at 2:00pm

| MATTERS CONSIDERED | | CONFLICTS OF INTEREST DECLARED |
|--------------------|---------------------------------------|--------------------------------|
| 1 | HRBA Briefing on Strategic Plan | Nil |
| 2 | HILAC Roof Update – Delegation | Nil |
| 3 | GenR8 Change Presentation | Nil |
| 4 | China Relationship | Nil |
| 5 | Pound Services – Moyne Shire Services | Nil |
| 6 | IDM Adoption | Nil |

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| 7 | Telstra Agreement Update | Cr Chris Sharples declared an interest and left the room. |
| 8 | Discussion on Questions of Notice | Nil |

The Assembly concluded at 5:00pm

ASSEMBLY OF COUNCILLORS



Southern Grampians
Shire Council

| ASSEMBLY DETAILS | |
|-------------------------------------|---|
| Title: | Pedrina Park Working Group |
| Date: | 12 January 2018 |
| Location: | Brown Street Conference Room |
| Councillors in Attendance: | Cr Colin Dunkley |
| Council Staff in Attendance: | Evelyn Arnold, Director Community & Corporate Services Susannah Milne, Manager Leisure & Community Services Melanie Starr, Manager Recreation |

The Assembly commenced at 8.30am

| MATTERS CONSIDERED | | CONFLICTS OF INTEREST DECLARED |
|--------------------|-----------------------------|--------------------------------|
| 1 | Welcome | Nil |
| 2 | Review of Minutes | Nil |
| 3 | Pavilion – Design and Ideas | Nil |
| 4 | Next Steps | Nil |
| 5 | Next Meeting | Nil |

The Assembly concluded at 9:35am

ASSEMBLY OF COUNCILLORS



Southern Grampians
Shire Council

| ASSEMBLY DETAILS | |
|-------------------------------------|--|
| Title: | Briefing Session |
| Date: | 24 January 2018 |
| Location: | Martin J Hynes Auditorium |
| Councillors in Attendance: | Cr Mary-Ann Brown, Mayor Cr Chris Sharples, Deputy Mayor Cr Cathy Armstrong (arrived at 3.20pm) Cr Colin Dunkley Cr Katrina Rainsford Cr Greg McAdam |
| Council Staff in Attendance: | Michael Tudball, Chief Executive Officer David Moloney, Director Shire Infrastructure Michael McCarthy, Director Shire Futures Evelyn Arnold, Director Community and Corporate Services Susannah Milne, Manager Community and Leisure Services Aten Kumar, Manager Assets Belinda Johnson, Manager Finance Jason Cay, Finance Coordinator Megan Kruger, Governance Coordinator |

The Assembly commenced at 12:00pm

| MATTERS CONSIDERED | | CONFLICTS OF INTEREST DECLARED |
|--------------------|--|--------------------------------|
| 1 | Budget Briefing | Nil |
| 2 | Lakes Edge Redevelopment Agreement | Nil |
| 3 | c36 Planning Scheme Amendment - Harman's Valley - Directions Hearing | Nil |

| | | |
|----------|--------------------------|---|
| 4 | Lake Hamilton Petition | Nil |
| 5 | Interplan Report | Nil |
| 6 | Rural Road Numbering | Nil |
| 7 | Capital Works Report | Nil |
| 8 | HILAC Roof Tender Update | Cr McAdam declared an interest and left the room. |
| 9 | Update on RFID Tender | Nil |

The Assembly concluded at 5:15pm

ASSEMBLY OF COUNCILLORS



Southern Grampians
Shire Council

| ASSEMBLY DETAILS | |
|-------------------------------------|--|
| Title: | Pedrina Park Working Group |
| Date: | 2 February 2018 |
| Location: | Brown Street Conference Room |
| Councillors in Attendance: | Cr Colin Dunkley |
| Council Staff in Attendance: | Evelyn Arnold, Susannah Milne, Melanie Starr |

The Assembly commenced at 8.30am

| MATTERS CONSIDERED | | CONFLICTS OF INTEREST DECLARED |
|--------------------|-----------------------------|--------------------------------|
| 1 | Welcome | Nil |
| 2 | Review of Minutes | Nil |
| 3 | Pavilion Design & locations | Nil |
| 4 | Funding Options | Nil |
| 5 | Next Meeting | Nil |

The Assembly concluded at 9.35am

10 Management Reports

10.1 Councillor Expenses Policy

Directorate: Michael Tudball, Chief Executive Office
Author: Megan Kruger, Governance Coordinator
Attachments: 2. Councillor Expenses Policy

Executive Summary

Council's current Councillor Expenses Entitlements Policy was last updated in December 2016.

A review has been undertaken of the Policy and some minor changes made, particularly in relation to reimbursement levels. An updated Councillor Expenses Policy is attached and it is recommended that the updated Policy be adopted by Council.

Discussion

A review of the Councillor Expenses Policy was undertaken in January 2018. Benchmarking against several other Council's Councillor Expenses Policy and some minor updates made to the Policy.

The updates to the Councillors Expenses Policy include:

- Adding to the Travel Expenses section a priority order in relation to transport options to be utilised with the order being:
 1. Public transport
 2. Car pooling with Council vehicles
 3. Council pool vehicle
 4. Car pooling with private vehicles
 5. Private vehicle
- Clarifying that the Mayoral car is also available for use by Councillors, by agreement between the Mayor and Councillor/s.
- A new section had been added to the Training and Conferences section which requires Councillors to report back to the other Councillors, within two months, the key points of and training or conferences attended.
- Adding to the Procedure for Approval section priority to Councillors who have been appointed as the Council Representative to a Committee to attend training and conferences where multiple Councillors wish to attend.
- Updating the thresholds for accommodation reimbursement to reflect the current level of reimbursement for Council staff being:
 - Capital cities up to \$280.00 per night
 - Regional centres up to \$200.00 per night
- Updating the thresholds for meal reimbursement to be in line with the meal reimbursement rates set by the Australian Taxation Office being:

| | City | Country |
|-----------|-------------|----------------|
| Breakfast | \$27.05 | \$24.25 |
| Lunch | \$30.45 | \$27.65 |
| Dinner | \$51.85 | \$47.70 |

- Updating of the section Reporting on Expenditure to clarify when Councillors will receive reports on their individual expenditure and what information will be reported in Council's Annual Report on Councillor expenditure.

It is recommended that Council adopt the updated Councillor Expenses Policy.

Financial and Resource Implications

This Policy supports the Act and ensures clarity and consistency around the expenses that Council will pay or reimburse for Councillors.

This Policy will also make it clear to the community what resources are provided to Councillors to ensure that they are adequately reimbursed and trained in their role as Councillor.

Legislation, Council Plan and Policy Impacts

Objective 5.1 – Provide transparent and responsible governance.

Strategy 5.1.1 – Strengthen the governance role of Councillors by informing, resourcing, skilling and supporting their role.

Strategy 5.1.2 – Ensure responsible, effective and efficient use of Council resources.

Strategy 5.1.3 – Continue to increase the transparency of Council's decision making processes.

Risk Management

The adoption of the updated Councillor Expenses Policy ensure that Council's distribution of resources and training to Councillor's is equal and fair. This will ensure each Councillor has the same access to training and conferences and that there is clear guidelines for the reimbursement of expenses.

Environmental and Sustainability Considerations

N/A

Community Consultation and Communication

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

Once adopted the Policy will be made available 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 Council adopt the attached revised Councillor Expenses Policy.

10.2 Annual Plan Quarterly Report

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

Executive Summary

The Action and Task Progress Report for the period 1 July 2017 to 31 December 2017 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 97 actions from the Annual Plan and Council Plan. Of these 97 actions:

- 81 actions (84%) are on track - at least 90% of the target achieved;
- 2 actions (2%) require monitoring –between 70% and 90% of the target achieved;
- 14 actions (14%) are off track – less than 70% of target achieved; and
- 0 actions (0%) have no target set

There are 15 more actions in the December quarter. The actions that are on track have dropped from 85% to 84%, the actions that require monitoring are stable at 2% and the actions off track have increased from 12% to 14%. These changes in the plan are very small and reflect the increase of actions in the December quarter. The performance of the Annual Plan is steady at this stage and on track for delivery by the end of the financial year.

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

Legislation, Council Plan and Policy Impacts

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

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

Disclosure of Interests

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

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| RECOMMENDATION |
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That the Action and Task Progress Report for 1 July 2017 to 31 December 2017 be received.

10.3 Tender No 6/18 – Hamilton Regional Livestock Exchange – RFID readers – For Endorsement

This report has been distributed to Councillors. The full report will be available to the public in the Council Meeting Minutes.

10.4 Rural Property Identification

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

Executive Summary

At the September 2017 Ordinary Meeting, Council resolved for Officers to investigate Rural Property Identification scheme, like the one implemented in West Wimmera Shire, including options for grants that Council could apply for to implement this program.

This report details the investigations that have been undertaken and reports back to Council on the progress made by Officers.

Discussion

At the September 2017 Ordinary Meeting, At the September 2017 Ordinary Meeting, Council resolved for Officers to investigate Rural Property Identification scheme, like the one implemented in West Wimmera Shire, including options for grants that Council could apply for to implement this program.

In October 2017, the Director of Shire Infrastructure met with West Wimmera Shire Officers to discuss their program and the funding options that West Wimmera considered to implement their program.

It was clear from discussion with these officers that the Rural Property Identification scheme held significant benefits in terms of emergency services being able to quickly respond to requests for assistance in rural areas where it is often confusing as to where the response is required.

In order to roll out the program West Wimmera Shire looked at the following funding options:

1. Optional participation by property owner on user pays system
2. Council funded program

The first option was ruled out as it was expected that the take up would be low and the benefits of the program would be lost.

West Wimmera Shire then estimated the cost of the program and the potential of staging of the program. The program was resolved to be staged over 2 years.

The other consideration advised by West Wimmera Shire were:

1. Occupied Residences vs all residences
2. Significant works sites with a separate access eg wool sheds
3. Renaming of roads
4. New properties
5. Future maintenance/replacement of signs

A risk based approach to the identification of either occupied residences only or the inclusion of unoccupied residents would be to only sign the occupied residences as the threat to life in an emergency is significantly lower.

With significant workplaces, they are generally places where more than one person works at the time and therefore there is generally other individual's arounds that can assist in the

emergency services locating the property. Identification of these sites is not required in order to be compliant with AS 4819: Rural and Urban Addressing. It would be logical to install signage at occupied residences and offer an optional fee for service if property owners wanted other accesses/sites identified.

With the renaming of roads, issues could arise where there is a property identification sign and the road is renamed. The cost of replacing the sign would need to be considered as part of any road renaming with consideration as to who should pay for the replacement of the property identification sign.

With new properties being built it is generally expected that the property owner will pay for identification sign to be installed.

As with all signs, these signs will need replacing in the future. If Council were to roll out the property identification signs it would need to be determined who would be responsible for maintenance and renewal of the signs.

If it is expected that the property owner will renew the sign or a new property requires a sign it is expected that Council would offer the service for a set fee to supply and install the sign.

If Council was to maintain and replace the signs then an annual budget would need to be allocated to ensure the full implementation of the program.

Estimated Cost of the Rural Property Identification

Council currently has approximately 3000 rural residences in the Shire. It was anticipated that a similar system to the West Wimmera program be rolled out. A quote was obtained to indicate the cost of the supply of the signs and the post for mounting.

Based on the quotes provided it is expected that each sign would cost between \$25-\$30 to supply and installation costs would be on top of this.

Grant Funding for Rural Property Identification

Research by staff to date has yet to find a grant program that is suitable for an application for such a program.

Legislation, Council Plan and Policy Impacts

Under the Local Government Act, 1989, Schedule 10 Section 5:

1. A Council may –
 - (a) Approve, assign or change the name of a road; and
 - (b) Erect signs on a road; and
 - (c) Approve, assign and change the number of a road and any premises next to a road; and
 - (d) Require people to number their premises and to renew those numbers.

AS/NZS 4819: Rural and Urban Addressing (2011) also provides guidance on Rural addressing. Under the AS/NZS 4819, Council must ensure the following outcomes for each new or changed rural address:

- Compliance with AS/NZS 4819: Rural and Urban Addressing

- The location of primary access point to the property is determined and referenced with respect to Vic Maps Property i.e. associated spatial component – on which the address is based.
- Property Owner or resident is advised of new official property address.
- The address assigned is adopted into Councils' property system as the definitive property address.
- The rural road number assigned to each rural property is clearly displayed by the property owner or resident at the primary access point to the property.

Implementation of a rural property identification program would be consistent with these guidelines.

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.

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| RECOMMENDATION |
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That the Rural Property Identification report be received by Council.

10.5 Review of 2017-2018 Capital Program

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

Executive Summary

The capital program forms a significant proportion of Council's budget. In 2017-2018, over \$18M was allocated to capital works projects across the Shire. This report indicates the progress to date on the capital works program. Assessments of the capital program delivery is to the 31st December 2017, and compares actual and forecast targets.

Southern Grampians Shire Council has delivered 55 projects to date with a further 54 currently under way and with the major road works being to ramp up this is expected to increase in the next few months. There is currently 4 projects which are deferred due to various reasons.

This report is for noting by the Council.

Discussion

The capital program forms a significant proportion of Council's budget. In 2017-2018, has over \$18M allocated to capital works projects across the Shire. The works included:

- Road and Bridge Upgrades
- Footpaths
- Playgrounds
- Building Maintenance
- Art Gallery/PAC Maintenance
- Library
- Culverts
- Kerb and Channel
- Recreation Centres and Facilities
- Cox St Upgrade
- Industrial Land Project
- Landfill
- Livestock Exchange Project Stage 1 and 2

The aim of the capital program is to provide targeted funding on projects to maintain or improve Council's infrastructure, assets and services.

The review of the program is important to ensure the projects are delivered. This report looks at the progress of the 2017-2018 capital program.

After Council adopted the 2017-2018 budget, Council Officers forecast the capital program for the following criteria:

1. Forecast project start date
2. Forecast project finish date
3. Forecast expenditure

Each month staff update the progress of their projects and charts are developed to monitor the progress of the program.

Time

The 2017-2018 Budget listed 318 projects up from 253 in the previous financial year, to be delivered across the range of areas listed above. These projects range from \$2,000 to \$2.5M.

Figure 1 Projects by Directorate, indicates the allocation of projects by directorate.

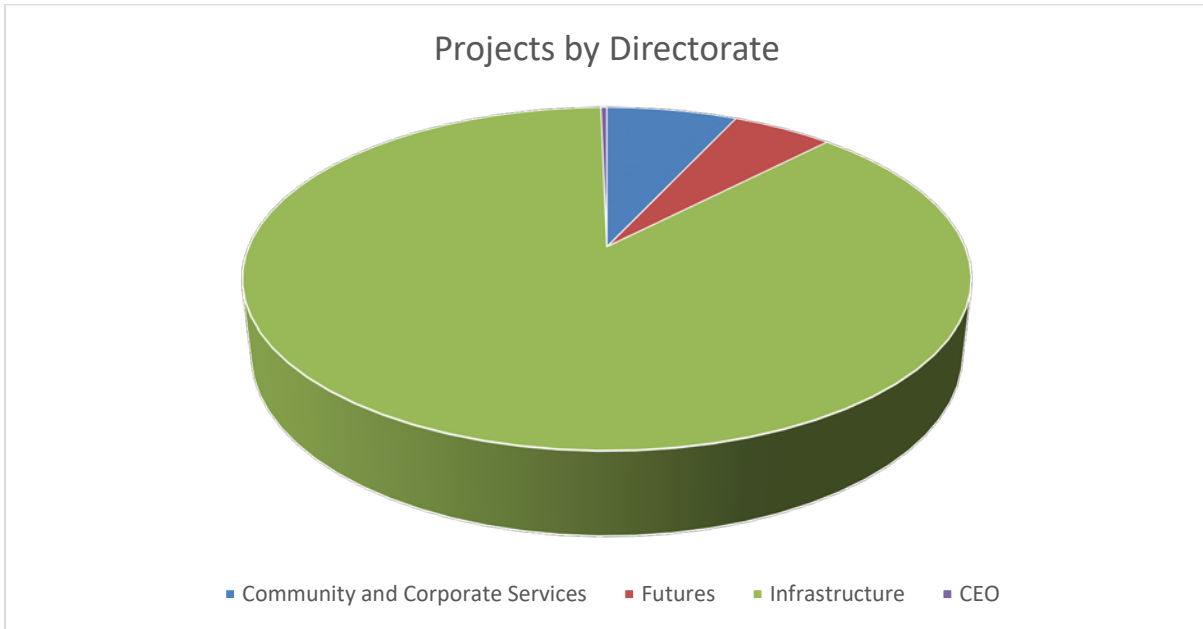


Figure 1 Projects by Directorate

Figure 2 Project Start Dates, shows a comparison between the forecast start date for projects and the actual start dates for projects.

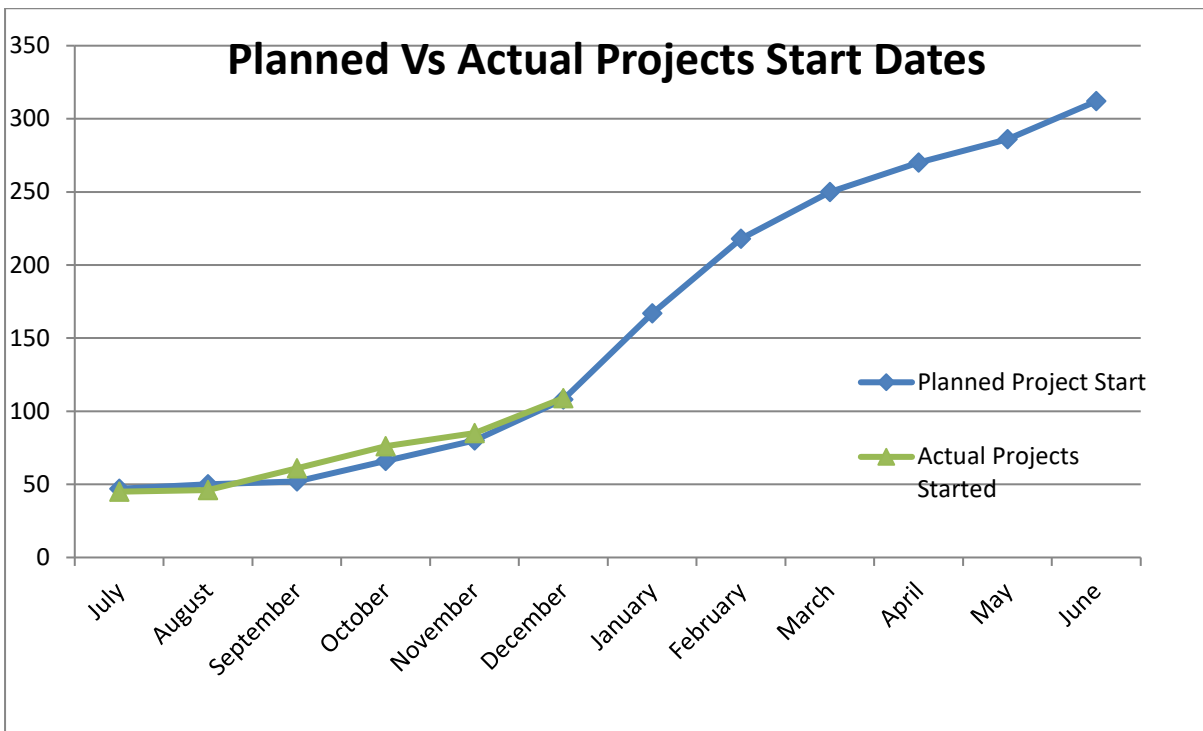


Figure 2 Project Start Dates

Figure 2 shows that Council is currently on target for projects to be started.

Figure 3 Project finish dates, show the forecast finish dates for projects against the actual finish dates. Figure 3 show the Council is currently running lightly behind on the completion of projects.

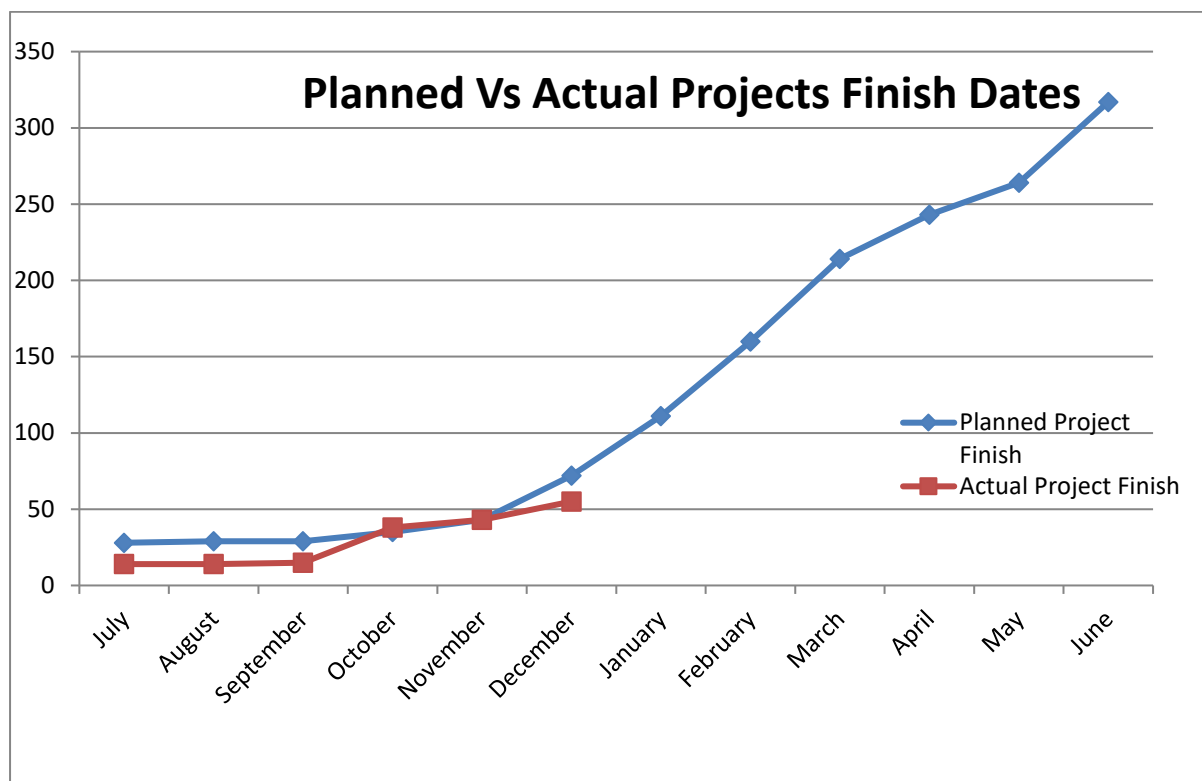


Figure 3 Project finish dates

Figure 4 Forecast Expenditure vs Actual Expenditure, shows the forecast expenditure vs the actual expenditure on projects. Figure 4 shows that expenditure is relatively low when compared to the forecast expenditure.

One explanation for this is that the lower value projects have been started instead of the higher cost projects. One such example is the road rehabilitation program started later than planned because of wet weather in the November and December months.

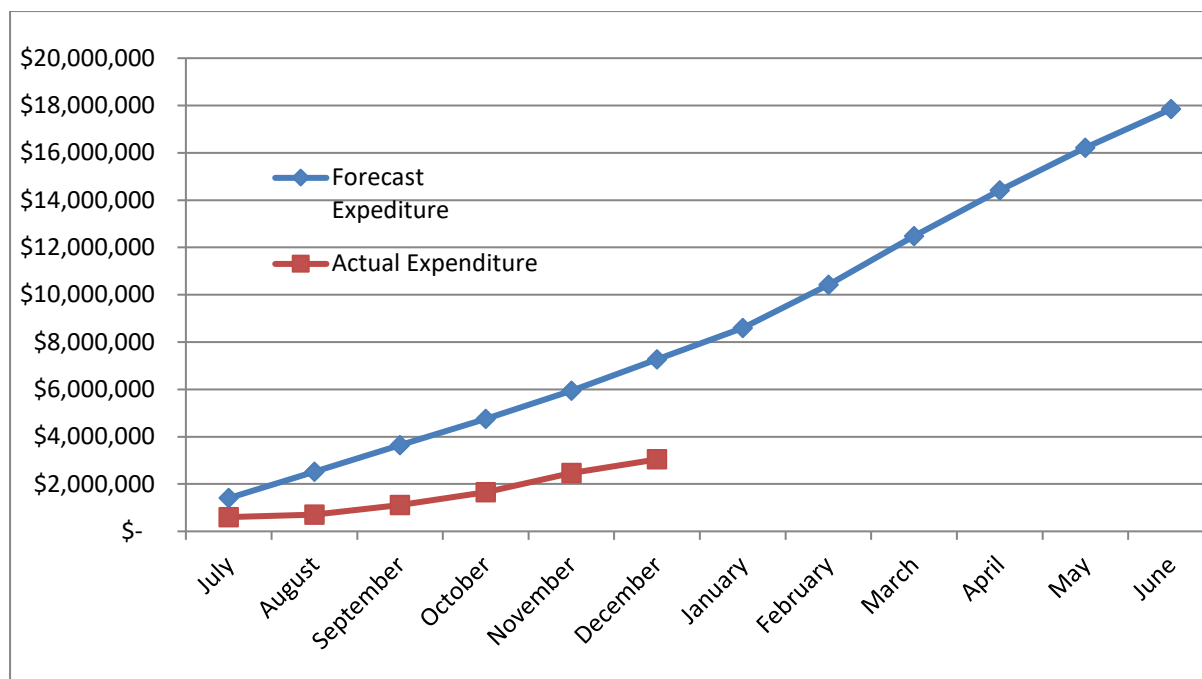


Figure 4 Forecast Expenditure vs Actual Expenditure

Legislation, Council Plan and Policy Impacts

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

This report also relates to the:

- Southern Grampians Shire Council – 2017-2021 Council Plan and;
- 2017-2018 Southern Grampians Shire Council Budget.

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 review of the progress of the 2017-2018 Capital Program is received by Southern Grampians Shire Council.

10.6 Penshurst Windfarm

Directorate: Michael McCarthy, Director Shire Futures
Author: Michael McCarthy, Director Shire Futures
Attachments: None

Executive Summary

This report discusses the establishment and history of the Penshurst Wind Farm Community Engagement Committee and the decision by the proponent to discontinue the project as advised in October 2017. The report recommends dissolving the Committee and writing to the community members thanking them for their valued contribution.

Discussion

The Penshurst Wind Farm Proposal Community Engagement Committee (CEC) was established in 2013 as an Advisory Committee to the Moyne Shire Council and Southern Grampians Shire Councils.

The purpose of the CEC was:

1. To provide advice on strategies to ensure an effective flow of information to the community regarding the Penshurst Wind Farm proposal.
2. To act as a conduit for information flow between councils, the project proponent, the community, and other relevant stakeholders regarding the progress of the Penshurst Wind Farm proposal.
3. To seek information from community representatives about local issues relevant to the project which require consideration.
4. The Committee was not established as a decision making group

This Committee met five times between June 2013 and July 2014. Further meetings did not occur because the Company (RES) decided to reconsider the proposal as a result of changes to the planning regulations regarding wind farms.

The Charter for the Committee states that the Committee would be in place for the "Term of the proposal".

In October 2017, RES informed members of the Committee in writing of its decision to discontinue any further development work on the proposed Penshurst Wind Farm. This advice was also provided to Moyne Shire Council, Southern Grampians Shire Council and the Victorian Department of Environment, Land, Water and Planning.

Based on this advice there is no longer the need for this Committee and the recommendation in this report is that the Committee be formally disbanded.

At its meeting of 23 January 2018, Moyne Shire Council resolved to dissolve the community engagement committee and write to the Committee's community members thanking them for the valued participation

Financial and Resource Implications

There are no financial implications.

Legislation, Council Plan and Policy Impacts

This Committee was established to achieve Council's community engagement principles.

Risk Management

There are no risks considered relevant to the recommendations.

Environmental and Sustainability Considerations

The recommendation has no environmental or sustainability considerations.

Community Consultation and Communication

The recommendation is for Council to write to the community members thanking them for their valued contribution. They have already been informed of RES'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 Council:

1. Agrees to dissolve the Penshurst Community Engagement Committee
2. Writes to the community members of the Committee thanking them of their valued contribution.

10.7 Proposed Sale of Land - Cameron Street, Coleraine

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

Executive Summary

Rigby Bros Pty Ltd (Rigby Bros) approached Council to enquire with regards to purchasing a section of Cameron Street in Coleraine to allow for expansion of the Coleraine Quarry.

At its meeting in May 2016 Council resolved to deviate and discontinue the road. The Minister gave permission for the road to be deviated in August 2017.

A valuation was obtained from Opteon (Victoria) Pty Ltd for the discontinued road and for the deviated road. Negotiations have taken place for the sale of this land to the quarry owners.

At its meeting on 13 December 2017, Council resolved to give public notice under section 223 of the Local Government Act 1989 to inform the community about Council's intention to sell the land to the Rigby Bros and invite public submissions for a period of 28 days.

At the close of the public submission period on Monday 22 January 2018, there were no submissions received.

It is recommended that Council proceeds with the sale of land to the Rigby Bros Pty Ltd and authorise the Chief Executive officer to execute all the documentation necessary for the sale and transfer of land.

Discussion

Rigby Bros has approached Council to purchase a portion of an unformed section of the road reserve off Cameron Street to enable expansion of their existing quarry in Coleraine.

Council resolved at the March 2016 meeting to give public notice of its intention to deviate Cameron Street in two parts and to discontinue the East West section of Cameron Street. A public notice of Council's intent for the road deviation and discontinuance was made through a notice placed in The Spectator on 12 August 2017 and through Council's website for a minimum of 28 days. No submissions were received from the public.

The Minister for Energy, Environment and Climate Change under Clause 2(2) of Schedule 10 of the Local Government Act 1989 gave consent for the deviation of sections of Cameron Road in Coleraine. On gazettal of the deviation, the old road alignment will cease to be road and become unencumbered Council freehold according to Section 207B (2A) of the Local Government Act 1989.

Council resolved at its December 2017 meeting to give public notice of its intention to sell the land to the Rigby Bros. A public notice of Council's intent to sell the land to the Rigby Bros was made through a notice placed in The Spectator on 16 December 2017 and through Council's website for a minimum of 28 days. No submissions were received from the public.

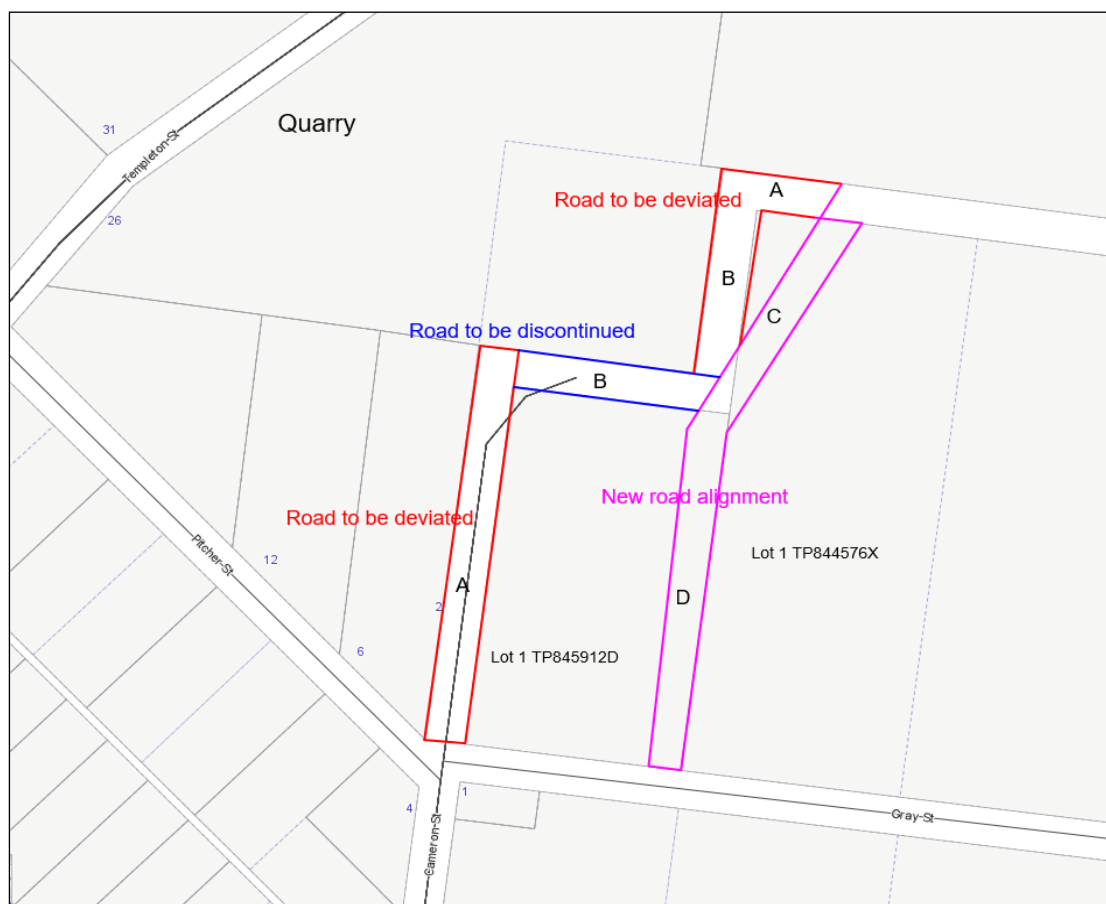
The Rigby Bros' Coleraine quarry is an established company which has been in operation since 1969. The quarry is a supplier to local companies and provides a valuable source of materials to the local economy. This proposal has a social and economic impact on the local

community. The Rigby Bros currently employs twelve local residents of Coleraine and with the expansion this number is likely to increase.

The quarry is also a supplier of high quality construction grade aggregates for uses including but not limited to road construction and repair, concrete aggregate, rock beaching, rock for erosion prevention and environmental works.

The process to complete the sale of land from the road deviations and road discontinuance is as follows:

- The road deviations and road discontinuance will be published in the Victorian Government Gazette.
- The sale of land by private treaty to the Rigby Brothers.
- The completion of the appropriate transfer of land paperwork and lodgement with the Titles office.
- The consolidation and rezoning of the land is to be applied for via a separate application to the planning department of the Southern Grampians Shire Council.



Financial and Resource Implications

The costs associated with deviating, discontinuing and selling the land will predominately be incurred by the owners of the quarry. The land to be discontinued was surveyed at the cost of the Rigby Bros and Council obtained a valuation to establish the market value of the land before selling it to the Rigby Bros. All costs of deviating and reinstating the road to the east and north/west will be borne by the quarry owners.

Legislation, Council Plan and Policy Impacts

Under Section 189 and 223 of the Local Government Act 1989, Council advertised and gave public notice of its intention to sell the land that forms the unused section of Cameron Street, Coleraine to the abutting landowner the Rigby Bros for a minimum of 28 days by a Notice published in the Hamilton Spectator on 16 December 2017. No submissions were received from the public.

Risk Management

The benefits of this to the community is that the quarry already provides employment to the locals. The proposed expansion is likely to increase the local employment and would still maintain a continuous road network that Council could develop in the future therefore, the community will not be disadvantaged from this proposed road discontinuance and road deviation.

The sale of the land from the deviations and discontinuance of the road reserve will ensure that any land is prevented from being landlocked as the surrounding land belongs to the quarry owners.

Environmental and Sustainability Considerations

The sale of the land is the first step in the expansion of the quarry. The quarry will need to undertake additional works via permits etc. which will need to be assessed in their own right and meet any requirements of each of these separate legislations.

Community Consultation and Communication

Council officers will write to Stan Rigby of the Rigby Bros and inform him 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 Council:

1. Proceeds with the sale of land to the Rigby Bros Pty Ltd; and
2. Authorise the Chief Executive officer to execute all the documentation required necessary for the sale and transfer of land.

10.8 Tender No 49-17 Hamilton Indoor Leisure and Aquatic Centre Roof Remediation

This report has been distributed to Councillors. The full report will be available to the public in the Council Meeting Minutes.

10.9 Financial Statements to 31 January 2018 – 2017/18 Budget

Directorate: Evelyn Arnold, Director Community and Corporate Services
Author: Jason Cay, Finance Coordinator
Attachments: 4. Financial Statements – December 2017, 5. Financial Statements – January 2018

Executive Summary

The Financial Reports for the period 1 July 2017 to 31 December 2017 and 1 July 2017 to 31 January 2018 (copies attached) have been prepared to provide information regarding Council's current financial position.

The reports include an Income Statement, Balance Sheet Statement of Cash Flows and Statement of Capital Works. 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 2017/18 Budget and actual performance.

Income Statement (Operating Statement)

Council is forecasting an operating surplus for the 2017/18 financial year. Actual Income and Expenditure YTD is a net surplus at the end of January of \$7.36m which is on track to achieve Councils budgeted result of a \$21.85m operating surplus.

Balance Sheet

The budgeted balance sheet is understated in net equity and Property, Plant & Equipment due to the impairment of infrastructure assets which were not able to be estimated accurately at the time of setting the Budget. The impairment was due to the September 2016 Floods. All other balance sheet items are expected to be in-line to their original budgeted figures.

Statement of Cash flows

Cash balances are strong in January with \$28.36m of cash and investments held at the end of the month. 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.

Statement of Capital Works

Council budgeted \$42.39m of capital works. This is a large increase on previous years to the amount of Capital works budgeted for Flood Recovery projects.

Actual expenditure to 31 January of \$4.719m has occurred (11% of the forecast amount). It is recognised that there may be variations in the level of expenditure for flood recovery activities between the 2017/18 and 2018/19 financial years.

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 54% of the forecast at the end of the month.

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 financial reports for the period 1 July 2017 to 31 December 2017 and 1 July 2017 to 31 January 2018 be received.

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

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| RECOMMENDATION |
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That the following item be considered in Closed Council as it deals with Contractual Matters specified in Section 89 (2) (d) of the Local Government Act 1989.

14.1 Cessation of Development Agreement – Lakes Edge Residential Development, Hamilton.

15 Close of Meeting

This concludes the business of the meeting.