



Southern Grampians
SHIRE COUNCIL

Council Meeting Agenda

Ordinary Meeting

24 May 2017

To be held at 5.30pm in the Council
Chambers at 5 Market Place, Hamilton

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1. Membership

Councillors

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

Officers

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

2. Acknowledgement of Country

3. Prayer

4. Apologies

5. Confirmation of Minutes

RECOMMENDATION

That the Minutes of the Ordinary Meeting of Council held on 26 April 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.

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

9. Records of Assemblies of Councillors

An Assembly of Councillors is defined in section 3 of the *Local Government Act 1989* to include Advisory Committees of Council if at least one Councillor is present or, a planned or scheduled meeting attended by at least half of the Councillors and one Council Officer that considers matters intended or likely to be the subject of a Council decision.

Written records of Assemblies of Councillors must be kept and include the names of all Councillors and members of Council staff attending, the matters considered, any conflict of interest disclosures made by a Councillor attending, and whether a Councillor who has disclosed a conflict of interest leaves the assembly.

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.

An Assembly of Councillors record was kept for:

- Municipal Fire Management Planning Committee (MFMP) – 23 March 2017
- Municipal Emergency Management Planning Committee (MEMPC) – 23 March 2017
- Community Inclusion Advisory Committee Workshop – 27 April 2017
- Industry Visits – 10 May 2017
- Council Briefing Session – 10 May 2017
- Swimming Pools Engagement Session – Glenhompson – 18 May 2017

This agenda was prepared on 19 May 2017. Any Assemblies of Councillors between that date and the date of tonight's Meeting will appear in the agenda for the next Ordinary Meeting of Council.

RECOMMENDATION

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

ASSEMBLY OF COUNCILLORS



Southern Grampians
Shire Council

ASSEMBLY DETAILS	
Title:	Municipal Fire Management Planning Committee - MFMPC
Date:	23 March 2017
Location:	Martin J Hynes Auditorium
Councillors in Attendance:	Cr Greg McAdam
Council Staff in Attendance:	Chris Huggins Terri Horsten Aaron Kennett

The Assembly commenced at 10:30 am

MATTERS CONSIDERED		CONFLICTS OF INTEREST DECLARED
1	Welcome, introductions and apologies:	Nil
2	Confirmation of the previous MFMPC minutes 15 December 2016	Nil
3	Business arising from the minutes <ul style="list-style-type: none"> o Forest Owners Representative to be included as a committee member o VicRoads assistance with planned burns o Mt Rouse Emergency Management Plan o Schedule 13 "Permits to Burn" o DELWP land near Balmoral 	Nil
4	Correspondence	Nil
5	Konongwootong Fire Brigade MFMP	Nil
6	New Business <ul style="list-style-type: none"> o Possible FARRS applications o Fire breaks o Coleraine Bell 	Nil
7	Other Business <ul style="list-style-type: none"> o Nil 	Nil
8	Next 29 June 2017, Time 10:00am, Venue Martin J Hynes Auditorium	Nil

The Assembly concluded at 12:00 pm



Southern Grampians
Shire Council

ASSEMBLY OF COUNCILLORS

ASSEMBLY DETAILS	
Title:	Municipal Emergency Management Planning Committee MEMPC
Date:	23 March 2017
Location:	Martin J Hynes Auditorium
Councillors in Attendance:	Cr Greg McAdam
Council Staff in Attendance:	Chris Huggins Aaron Kennett

The Assembly commenced at 12:30 pm

MATTERS CONSIDERED		CONFLICTS OF INTEREST DECLARED
1	Welcome and Apologies	Nil
2	Previous Minutes	Nil
3	Sub-Committee Reports <ul style="list-style-type: none"> ◦ Municipal Fire Management Committee ◦ Municipal Flood Emergency Management Planning Committee: ◦ Municipal Relief and Recovery Committee: ◦ Community Resilience Committee: ◦ CERA Risk Assessment Sub Committee: 	Nil
4	Standing Agenda Items: <ul style="list-style-type: none"> ◦ MEMP Updates (Legislative Changes Etc): ◦ Revision of parts of the MEMP: ◦ Update MEMP Contact Directory: ◦ Desktop Exercise by CFA: ◦ Exercise by DHS&H: 	Nil
5	Actions Arising from Previous Minutes <ul style="list-style-type: none"> ◦ Multi-Agency Facility 	Nil

	<ul style="list-style-type: none"> ◦ EMV ◦ Meeting format ◦ Changes in Legislation 	
6	<p>Other Agenda Items:</p> <ul style="list-style-type: none"> ◦ Schedule 13 Stubble Burns ◦ Councils and Emergencies Direction Paper 	Nil
7	<p>Other Business:</p> <ul style="list-style-type: none"> ◦ Agency Updates 	Nil
8	<p>Next Meeting: Date: 29 June 2017 Time: 12:30 pm Venue: MJH Auditorium</p>	Nil

The Assembly concluded at 3 pm

ASSEMBLY OF COUNCILLORS



Southern Grampians
Shire Council

ASSEMBLY DETAILS	
Title:	Community Inclusion Advisory Committee Workshop
Date:	27 April 2017
Location:	Ted Kenna Room – Performing Arts Centre
Councillors in Attendance:	Cr Cathy Armstrong
Council Staff in Attendance:	Evelyn Arnold Jane Coshutt Carol Byrne

The Assembly commenced at 10.00am

MATTERS CONSIDERED		CONFLICTS OF INTEREST DECLARED
1	Disability Action Plan	Nil

The Assembly concluded at 12.45pm

ASSEMBLY OF COUNCILLORS



Southern Grampians
Shire Council

ASSEMBLY DETAILS	
Title:	Industry Visits
Date:	10 May 2017
Location:	Various, Hamilton
Councillors in Attendance:	Cr Mary-Ann Brown - Mayor Cr Chris Sharples - Deputy Mayor Cr Colin Dunkley Cr Greg McAdam Cr Cathy Armstrong Cr Katrina Rainsford
Council Staff in Attendance:	Mr Michael McCarthy – Director Shire Futures

The Assembly commenced at 10.30pm

MATTERS CONSIDERED		CONFLICTS OF INTEREST DECLARED
1.	Bandicoot Enclosure visit	
2.	Imagine Joinery visit	
3.	Donahue's Leisure visit	

The Assembly concluded at 12.30pm

ASSEMBLY OF COUNCILLORS



Southern Grampians
Shire Council

ASSEMBLY DETAILS	
Title:	Council Briefing Session
Date:	10 May 2017
Location:	Martin J Hynes Auditorium, Market Place Hamilton
Councillors in Attendance:	Cr Mary-Ann Brown - Mayor Cr Chris Sharples - Deputy Mayor Cr Colin Dunkley Cr Greg McAdam Cr Cathy Armstrong Cr Katrina Rainsford Cr Albert Calvano
Council Staff in Attendance:	Mr Michael Tudball, Chief Executive Officer Mr Michael McCarthy – Director Shire Futures Mr David Moloney – Director Shire Infrastructure Mrs Evelyn Arnold, Director Community Corporate Services

The Assembly commenced at 1.00pm

MATTERS CONSIDERED		CONFLICTS OF INTEREST DECLARED
1.	Budget (incl. State/Federal budget updates)	
2.	Grampians Peak Trail	
3.	Advocacy Priorities	
4.	Kurtze's Road	Cr Greg McAdam declared a conflict of interest and left the room for that item
5.	Cultural Precinct Signage	
6.	Strategic Planning Projects	

The Assembly concluded at 5.00pm



Southern Grampians
Shire Council

ASSEMBLY OF COUNCILLORS

ASSEMBLY DETAILS	
Title:	Swimming Pools Engagement Session – Glenthompson
Date:	18 May 2017
Location:	Glenthompson Community Hall
Councillors in Attendance:	Cr. Mary-Ann Brown – Mayor Cr. Chris Sharples – Deputy Mayor Cr. Albert Calvano Cr. Cathy Armstrong Cr. Colin Dunkley
Council Staff in Attendance:	Mr Michael Tudball, Chief Executive Officer Mrs Evelyn Arnold, Director Community Corporate Services Brett Holmes, Acting Manager Community & Leisure Lachy Patterson, Manager Community Relations Melanie Starr, Manager Recreation Julie Drechsler, Recreation Coordinator Jane Coshutt, Community Engagement Officer Alison Quade, Strategic Communications Coordinator

The Assembly commenced at 7.00pm

MATTERS CONSIDERED		CONFLICTS OF INTEREST DECLARED
1	Glenthompson Swimming Pools Engagement Presentation / Discussion	Nil

The Assembly concluded at 8.30pm

10. Management Reports

10.1 Financial Statements to 30 April 2017 – 16/17 Budget

Directorate: Evelyn Arnold, Director Community and Corporate Services
Author: Jason Cay, Finance Coordinator
Attachments: 1. Financial Statements

Executive Summary

The Financial Reports for the period 1 July 2016 to 30 April 2017 (copy attached) have been prepared to provide information regarding Council's current financial position.

The report includes an Income Statement, balance sheet and statement of cash flows. A narrative has also been prepared to explain variances between 2016/17 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 2016/17 Budget, the anticipated forecast and actual performance.

Income Statement (Operating Statement)

Council is forecasting an operating surplus for the 2016/17 financial year. A larger operating surplus was originally budgeted however the carryover of some operating projects into the 2016/17 year has slightly reduced the surplus.

Balance Sheet

The budgeted balance sheet is understated in net equity and Property, Plant & Equipment due to the late revaluation of infrastructure assets. This revaluation was completed prior to the end of 2015/16, however after the 2016/17 budget had been prepared. All other balance sheet items are forecast to be close to their original estimates.

Statement of Cash flows

Cash balances are strong with \$21.48m 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 \$15.58m of capital works. \$0.67m of 2015/16 Capital works were incomplete and have been forecast for the current year.

Actual expenditure to 30 April of \$6.926m has occurred (52% of the forecast amount).

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 99% 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 2016 to 30 April 2017 be received.

10.2 Preparation of 2017/18 Budget

Directorate: Evelyn Arnold, Director Community and Corporate Services
Author: Belinda Johnson, Manager Finance
Attachments: 2. Draft Strategic Resource Plan, 3. Draft Annual Budget & 4. Draft Council Services Pricing Register

Executive Summary

The Draft Budget for 2017/18 and Strategic Resource Plan 2017/18 to 2020/21 have generally been prepared in the form of the model budget template recommended as the best practice for reporting local government budgets in Victoria. The reports contain the statutory information required under the Local Government Act 1989 and the associated Regulations. The draft Annual Budget has been developed within the overall planning framework, which guides the Council in identifying community needs and aspirations over the medium to long term (Council Plan) and short term (Annual Budget) objectives, strategies, initiatives, activities and resource requirements.

Discussion

The Draft Budget for 2017/18 has been prepared under the provisions of the Local Government Act 1989 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 strategy
- Standard Income Statement, Balance Sheet, Cash Flow Statement, Capital Works Statement and a Summary of Rates and Charges

The Draft 2017/18 Budget presented in the report has been developed through a process of consultation and review with Council and Council officers.

The Draft 2017/18 Operating Budget forecasts an operating surplus of \$22.214 million and Council anticipates to hold \$11.339 million cash at 30 June 2018.

The Draft Budget provides for capital expenditure in 2016/17 of \$42.394 million which includes flood restoration works of \$20.547 million.

The Draft Budget proposes an increase in the general rate of 2.01% for the year. The rate cap has been set at 2% by the Minister for Local Government with the remaining 0.01% being the net impact of supplementary valuations.

The municipal charge will increase from \$189 to \$192.

General rates and municipal charges are levied in accordance with Council's Rating Strategy Policy.

The service charge will increase from \$230 to \$257 for all improved residential properties in the Hamilton, Balmoral, Byaduk, Byaduk North, Cavendish, Coleraine, Dunkeld, Glenthompson and Penshurst urban areas for the collection and disposal of refuse.

The previously elective refuse collection and disposal service in the areas immediately north and east of Hamilton as defined within the "refuse collection area" and for residential

properties within Tarrington and its immediate surrounds as defined within the “refuse collection area” will become compulsory. The service charge for these areas will be \$427 where the service has not previously been provided. Where the service was previously provided, the charge will be \$257.

An elective organic waste collection and disposal service is available for improved residential properties in the Hamilton urban area. The service charge for this service will increase from \$83 to \$93.

The garbage collection and disposal service will again only be provided to commercial and industrial properties within the Shire on request.

It is proposed to borrow \$2 million in funds in 2017/18 to undertake capital works.

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.

Financial and Resource Implications

Council is required to implement the principles of sound financial management detailed in Section 136 of the Local Government Act 1989.

Legislation, Council Plan and Policy Impacts

The 2017/18 Annual Budget includes the key activities and initiatives to be funded that will contribute to achieving the strategic objectives specified in the Draft Council Plan 2017-2021. The Strategic Resource Plan looks at financial assumptions over the medium to longer term required to implement the Draft Council Plan.

The Draft Council Plan establishes that we will:

- Support our Community
- Develop our Regional Economy and Businesses
- Plan for our Built Environment
- Provide Governance and Leadership

Risk Management

In developing the Draft Budget and Draft Strategic Resource Plan, 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

The Annual Budget provides the funding for the Council to undertake its social, economic and environmental initiatives outlined in the Draft Council Plan 2017-2021.

Community Consultation and Communication

The Draft Budget 2017/18 will be advertised for public inspection and comment on 27 May 2017 in the Hamilton Spectator Newspaper. The Draft Budget will be available for public inspection at Councils Customer Service Centre, 111 Brown Street Hamilton and at licensed

Post Offices (excluding Hamilton) within the Shire and Council's website www.sthgrampians.vic.gov.au. Copies will also be distributed to the local Development Associations. Submissions close on 26 June 2017 and will be considered at a Special Council Meeting on 3 July 2017. It is proposed that a Special Meeting will be held on 12 July 2017 to adopt the Budget for 2017/18, Strategic Resource Plan 2017-2021 and Pricing Register for 2017/18.

Disclosure of Interests

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

RECOMMENDATION

1. That the budget annexed to this resolution and initialed by the Mayor for identification, be the budget prepared by Council for the purposes of Section 127 of the Local Government Act 1989.

2. That the amounts proposed to be raised by rates and charges be as follows:

General Rates	\$15,923,344
Municipal Charge	\$ 1,787,520
Service Charges	\$ 1,716,773
Special Rate (YDA)	<u>\$ 4,278</u>
	\$19,339,928

3. That as provided in Council's Rating Policy, it is considered that application of differential rates will contribute to the equitable and efficient carrying out of Council's functions and recognise the following factors:
 - The different standard of municipal services provided to the residents and ratepayers in different areas of the Shire
 - The different range of municipal services available to the residents and ratepayers in different areas of the Shire
 - Differences in the accessibility to municipal services for the residents and ratepayers in different areas of the Shire.

4. That the general rates be raised by application of the following differential rates:
 - a differential general rate of 0.5385 per cent or 0.5385 cents of each dollar of the Capital Improved Value on all rateable land in the parishes of North Hamilton and South Hamilton, excluding farm land (as defined by Section 2 (1) of the Valuation of Land Act 1960) comprising all or part of a single farm enterprise (as defined in Section 159 (4) of the Local Government Act 1989) with an area of 40 hectares or more
 - a differential general rate of 0.4308 per cent or 0.4308 cents of each dollar of the Capital Improved Value on all rateable farm land (as defined by

Section 2 (1) of the Valuation of Land Act 1960) in the parishes of North Hamilton and South Hamilton comprising all or part of a single farm enterprise (as defined in Section 159 (4) of the Local Government Act 1989) with an area of 40 hectares or more

- a differential general rate of 0.4308 per cent or 0.4308 cents of each dollar of the Capital Improved Value on all other rateable land in the Shire.
5. That a municipal charge of \$192 be made on all rateable land for the purpose of covering some of the administrative costs of Council.
 6. That a service charge of \$257 be made on all improved properties within the Hamilton, Balmoral, Byaduk, Byaduk North, Cavendish, Coleraine, Dunkeld, Glenthompson, and Peshurst urban areas for the collection and disposal of refuse, excluding all commercial and industrial properties where such service is provided only upon request and for payment of the said charge.
 7. That a service charge of \$257 be made on improved properties in the areas immediately north and east of Hamilton as defined within the “refuse collection area” and within the Tarrington Urban area for the collection and disposal of refuse, (where the ratepayers for individual properties **have previously elected** to receive the service) excluding all commercial and industrial properties where such service is provided only upon request and for payment of the said charge.
 8. That a service charge of \$427 be made on improved properties in the areas immediately north and east of Hamilton as defined within the “refuse collection area” and within the Tarrington Urban area for the collection and disposal of refuse, (where the ratepayers for individual properties **have not previously elected** to receive the service) excluding all commercial and industrial properties where such service is provided only upon request and for payment of the said charge.
 9. That a service charge of \$427 be made on improved properties within Branhholme as defined within the “refuse collection area” for the collection and disposal of refuse, excluding all commercial and industrial properties where such service is provided only upon request and for payment of the said charge.
 10. That an organic waste collection service charge of \$93 be made on improved properties within the Hamilton urban area, (if the ratepayers for individual properties elect to receive the service).
 11. That a special rate of 0.0425 per cent or 0.0425 cents of each dollar of the Capital Improved Value be made on all rateable land within the Yatchaw Drainage Area.
 12. That the Chief Executive Officer be authorised to:
 - a) give public notice of the preparation of the budget in accordance with Section 129 (1) of the Local Government Act 1989
 - b) invite submissions in accordance with Section 129 (2) and Section 223 of the Local Government Act 1989 on any proposal contained in the budget
 - c) make available for public inspection copies of the budget and other information at Council's Business Centre, 111 Brown Street, Hamilton and at all licensed post offices within the Shire.

13. That Council consider any submissions on any proposal contained in the budget which have been made in accordance with Section 223 of the Local Government Act 1989 at the Special Meeting of Council to be held in the Council Chamber, 3 Market Place, Hamilton on Monday 3 July, 2017 commencing at 5.30pm.
14. That Council consider:
 - a) adoption of the 2017/18 budget;
 - b) declaration of rates and charges for 2017/18; and
 - c) adoption of the Strategic Resource Plan 2017-2021at a Special Meeting of Council to be held on Wednesday 12 July, 2017 commencing at 5.30pm.
15. That the Minister for Local Government be advised of Council's proposed rates and charges for 2017/18.

10.3 Audit Committee - Minutes

Directorate: Evelyn Arnold, Director Community and Corporate Services
Author: Evelyn Arnold, DCCS
Attachments: 5. Minutes 19/04/2017

Executive Summary

The Minutes from the April meeting as endorsed by the Audit and Risk Committee (ARC) are presented to Council for adoption.

Discussion

The Audit and Risk Committee (ARC), as an Advisory Committee of Council, fills both a statutory and consultative function. It provides feedback, advice and direction to Council. The intention is not to focus on financial risk which is adequately addressed by the external auditors, but rather to review internal processes in line with the culture of continuous improvement.

Legislation, Council Plan and Policy Impacts

The Local Government Act 1989 section 139.

Disclosure of Interests

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

RECOMMENDATION

That the Minutes for the Audit Committee meeting held 19/04/2017 be noted.

10.4 Tender 24 - 16 Supply & delivery of one new Backhoe

Directorate: David Moloney, Director Shire Infrastructure
Author: Paul Roy, Coordinator Fleet Management
Attachments: None

Executive Summary

Council's Works Department currently commission heavy earthmoving Plant to shift and load road making materials at various Council Depots, assist in roadside maintenance, upgrading culverts and various earthmoving works. Council Plant /64 Case 580SR Backhoe is due to be disposed of and renewed within the 2016/17 Plant Capital Works Program.

In conjunction to Council's ten (10) year Plant Replacement Program, Plant Management & Operations (PM&O) forecast the renewal of Plant /64, aligning with Councils asset management plan appendix 6, sub appendix 6.2 – 6.3.7.

The surplus Backhoe has exceeded industry life cycle, and will be disposed of by way of public auction.

Discussion

On Monday 6th February 2017 – Council posted Tender 24-16 for the supply & delivery of one new Backhoe. The tender was advertised on Councils website, the noticeboard in the Hamilton Spectator and electronically posted on Councils e-tendering portal for a period of 21 days. Council received four (4) submissions from experienced suppliers with five (5) units offered. All submissions were received within the tender timeframes; tenders were opened by Janelle Dahlenburg, Contracts & Procurements Officer on 27th February 2017.

Plant Management & Operations (PM&O) in collaboration with the Works Department consulted to discuss the current service levels being met with the existing Backhoe. It was reported that the existing Plant was returning high service interruptions, due to aging and worn componentry.

Aligning the consultation process and researching the heavy earthmoving market, it was identified that Council seek technologically advanced design concepts, to commission suitable Plant for the application and efficiently return uninterrupted service levels. Discussions surrounding technology, innovation and Council's application highlighted that the tender was to call for specific design requirements to meet all operational efficiencies.

The design concept is to commission a Backhoe suitable for Council's application; the Backhoe which is primarily based at the Dunkeld & Penshurst Depots is to have a minimum operating weight of 8,000 kilograms, with an engine power rating of not less than 90Hp with Euro Tier III (IT4) emissions. The capacity of the bucket must be a minimum level of 1.0m³; the hydraulic system is to have anti Hose Burst Valve protection and an extendible boom with power side shift movement.

Council's Coordinator Fleet Management and Plant operators were in attendance at scheduled field demonstrations to evaluate conforming machinery. The scoring of each demonstrative performance is reflective of the Backhoes operational efficiencies.

Weightings

Tendered Price:	30%
Demonstrated Performance:	40%
Warranty:	20%
Environmental:	10%

Submissions

Non-Conforming Submissions:

Council received one non-conforming submission:

Hitachi Construction – could not offer the Backhoe for demonstration.

Conforming Submissions:

GCM Agencies

\$140,800.00 Incl. GST

MST 642

The submission received from GCM Agencies for the supply on one new MST 642 Backhoe meets Council's mandatory design requirements. The Backhoe was offered for demonstration in Sydney NSW. GCM Agencies replied to Council's request to demonstrate the performance of the MST 642, offering to pay for air flights from Melbourne to Sydney return. This proposal was forwarded to the Infrastructure Directorate, with a decision not to attend due to complex travel arrangements, and therefore was not evaluated on demonstrated performance.

Hitachi Construction Equipment

\$177,980.00 Incl. GST

John Deere 315SL

The submission received from Hitachi Construction Equipment for the supply on one new John Deere 315SL Backhoe meets Council's mandatory design requirements. The Backhoe was not offered for demonstration, and therefore was considered non-conforming.

JCB

\$147,400.00 Incl. GST

3CX Classic – 92Hp EU Stage 3 emissions. 8,135kg Operating weight, with a 1.0m³ 4in1 Bucket capacity.

The submission received from JCB for the supply on one new 3CX Classic Backhoe meets Council's mandatory design requirements. The Backhoe was offered for demonstration at JCB Ballarat in a suitable operating environment.

JCB offer the Livelink on board system software that reports engine diagnostics, machinery alerts, fuel consumption reports and machinery usage history. The 3CX Classic is linked to a GPS location module reporting on live location at all times. This system is not an additional cost to Council.

JCB Ballarat is the authorised agent for all JCB earthmoving equipment, and is Council's local service agent providing prompt machinery service and support. The unit is offered with a five (5) year 5,000 hour commercial warranty.

JCB

\$163,900.00 Incl. GST

3CX Elite – 109Hp IT4 EU Stage 3 emissions. 8,135kg operating weight, with a 1.0m³ 4in1 Bucket capacity.

The submission received from JCB for the supply on one new 3CX Elite Backhoe meets Council's mandatory design requirements. The Backhoe was offered for demonstration at JCB Ballarat in a suitable operating environment.

JCB is improving fuel efficiency, productivity and boosting operator control through the use of automation on its Interim Tier4 powered units. The IT4 engine uses up to 9% less fuel than the EU Stage 3 engines.

The 3CX Elite backhoe loader is equipped with the latest Ecomax engine; this engine features auto idle, auto throttle and auto drive, providing variable engine power and output for hydraulics in all applications and use. It also gives the operator a consistent engine speed for specific excavator tasks, without having to continually reset the throttle position. The backhoe automatically returns to idle as the operator swaps from excavating to loader operation, returning to the pre-set rpm as they move back to excavator use from the front loader operation. This enables the operator to switch modes without the operator reaching from the cabin to remove locking pins on the hitch area.

The backhoe has an auto boom lock design to improve the ease of use and safety of the excavator mode, this locking system is a standard fitment. The boom lock unlocks whenever the servos are activated in either the excavating position or the driving position allowing the operator to reposition the excavator if needed. The boom lock has the ability to be unlocked when the excavator is in any position; it also increases machine safety with the boom being locked when not in use.

The 3CX Elite have a road speed of 50kph – a benefit for Council's Works Dept, as the backhoe will be moved frequently between the Dunkeld and Penshurst Depots for various works.

JCB offer the Livelink on board system software that reports engine diagnostics, machinery alerts, fuel consumption reports and machinery usage history. The 3CX Elite are linked to a GPS location module, to report on live location at all times. This system is not an additional cost to Council.

JCB Ballarat is the authorised agent for all JCB earthmoving equipment, and is Council's local service agent providing prompt machinery service and support. The unit is offered with a five (5) year 5,000 hour commercial warranty.

William Adams

\$164,890.00 Incl. GST

432F2 – 101Hp IT4 EU Stage 3 emissions. 8,973kg Operating weight, with a 1.0m³ 4in1 Bucket capacity.

The submission received from William Adams for the supply on one new 432F2 Backhoe meets Council's mandatory design requirements. The Backhoe was offered for demonstration at the CAT store in Horsham.

The 432F2 has high breakout forces, great load over height and reach, making it easier for operators when truck loading or shovelling. Parallel Lift Loader arms offer self-levelling as standard assists with safe lifting of any material loaded. Versatility is enhanced with the use of a multi-purpose bucket, and visibility is excellent, the lower hood line enabling a clear line of sight to the top of the bucket.

The 432F2 is equipped with a return-to-dig system. This system reduces loading cycle times by bringing the loader bucket back to the dig position automatically when lowering the arms. By the time the loader arms have been lowered to ground level, the bucket is in the correct position ready for the next load.

There's a ride control system designed to reduce machine pitching and bouncing giving operators a smooth ride in all applications, including load and carry, or simply moving around the job site. The system is engaged by a switch on the front console.

The 432F2 has load-sensing closed centre hydraulics, which actively matches hydraulic power and flow to meet the demand needed by the task being performed, keeping the operator in better control of the machinery.

William Adams provide a Level three (3) Advice package for Council, providing benefits for service back up and support, with an on-board product link system, reporting on hours, GPS location, engine and componentry health and fuel information, through a Product Link System. These reports can be forwarded to Council monthly, data also includes utilisation and productivity of the unit. This system is not an additional cost to Council.

William Adams of Horsham is the authorised agent for all Caterpillar earthmoving equipment, and is Councils local service agent providing prompt machinery service and support. The unit is offered with a one (1) year unlimited hour commercial warranty.

Weightings	Yes/No	30%	40%	20%	10%		Total
	Specification Conformance	Tendered Price	Demonstrated Performance	Warranty	Environmental		
Willian Adams 432F2	Yes	8.54					7.76
		\$164,890.00	6	9	10		
		2.56	2.40	1.80	1.00	0.00	
DISCUSSION	1 year unlimited						
JCB Construction 3CX classic	Yes	9.55					7.97
		\$147,400	5.25	10	10		
		2.87	2.10	2.00	1.00	0.00	
DISCUSSION	5 year/5000 hr Warranty						
JCB Construction 3CX elite	Yes	8.59					8.58
		\$163,900.00	7.5	10	10		
		2.58	3.00	2.00	1.00	0.00	
DISCUSSION	5 year/5000 hr Warranty						
Hitachi Contruction	No						0.00
DISCUSSION	Unit could not be made available to demonstrate						
GCM Agencies	Yes	10.00					5.60
		\$140,800.00	0	8	10		
		3.00	0.00	1.60	1.00	0.00	
DISCUSSION	Unit was made available for demonstration in Sydney only (at expenses paid) 3 years/3000 Warranty						

Environmental and Sustainability Considerations

Manufacturers were to offer any such Plant with emissions ratings no lower than Euro Tier III EU3. The Tier III EU3 rating currently meets Australian standards.

Financial and Resource Implications

Council resolved and adopted the 2016/17 Plant Replacement Program with an annual budget resource of \$1,705,000.

Legislation, Council Plan and Policy Impacts

Council's June 2011 Asset Management Plan, Appendix 6. Lifecycle Management Plan appendix 6.2 through to sub 6.3.7.

Section 186 of the Local Government Act 1989 and the tender process complies with Council's Procurement Policy.

Community Consultation and Communication

Public notice was given of the tender in accordance with section 186 of the Local Government Act 1989 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 held on 26th April 2017.

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 award the supplier JCB Ballarat the contract for the delivery of one new JCB Elite for the lump sum value of \$163,900.00 Incl. GST.

10.5 Tender 10 -17 Supply & Delivery of Two New Wheel Loaders

Directorate: David Moloney, Director Shire Infrastructure
Author: Paul Roy, Team Leader Fleet
Attachments: None

Executive Summary

Council's Works and Waste Management Departments currently commission heavy earthmoving Plant to shift load road making materials, shift waste at the Hamilton Landfill and assist with shifting various materials at Council Depots and job sites. Two of Council's heavy Plant is to be disposed of and renewed in accordance to the 2016/17 Capital Works Plant Replacement Program.

Council's ten (10) year Plant Replacement Program forecast the renewal of two Wheel Loaders, Plant /62 JCB 416HT & /156 Kawasaki 65ZV, aligning with Council's asset management plan appendix 6, sub 6.2 to 6.3.7.

The surplus Wheel Loaders have exceeded their industry life cycle, and will be disposed of by way of public auction.

Discussion

On Monday 6th February 2017 – Council posted Tender 10-17 for the supply & delivery of two new Wheel Loaders. The tender was advertised on Council's website, the noticeboard in the Hamilton Spectator and electronically posted on Council's e-tendering portal for a period of 21 days. Council received five (5) submissions from experienced suppliers with eight (8) units offered. All submissions were received within the tender timeframes; tenders were opened by Janelle Dahlenburg, Contracts & Procurements Officer on 27th February 2017.

Plant Management & Operations (PM&O) in collaboration with the Works and Waste Management Departments consulted to discuss the current service levels being met with the existing Wheel Loaders. It was reported that the existing Plant items at the Hamilton Landfill and Hamilton Depot were returning moderate service interruptions, due to aging and worn componentry.

Aligning the consultation process and researching the heavy earthmoving market, it was identified that Council seek technologically advanced design concepts, to commission suitable Plant for the application and efficiently return uninterrupted service levels. Discussions surrounding technology, innovation and Council's application highlighted that the tender was to call for specific design requirements to meet all operational efficiencies.

The design concept is to commission Wheel Loaders suitable for each application; Wheel Loader (1) primarily based at the Hamilton Depot must have a minimum operating weight of 9,400 kilograms, with an engine power rating of not less than 100Hp with Euro Tier IV (T4) emissions. The capacity of the bucket must be a minimum level of 1.5m³ and for the hydraulic system to have anti Hose Burst Valve protection.

Wheel Loader (2) primarily based at the Hamilton Landfill must have a minimum operating weight of 12,000 kilograms, with an engine power rating of not less than 135Hp with Euro Tier IV (T4) emissions. The capacity of the bucket must be a minimum level of 2.0m³ and for the hydraulic system to have anti Hose Burst Valve protection.

Council's Coordinator Fleet Management and Plant operators were in attendance at scheduled field demonstrations to evaluate conforming machinery. The scoring of each demonstrative performance is reflective of the Wheel Loaders operational efficiencies.

Weightings

Tendered Price:	30%
Demonstrated Performance:	40%
Warranty:	20%
Environmental:	10%

Submissions

Conforming Submissions:

William Adams

\$243,375.00 Incl. GST

918M – 115Hp T4 Final. 9,489kg Operating weight, with a 1.8m3 Bucket capacity.

The submission received from William Adams for the supply on one new 918M meets Council's mandatory design requirements. The Wheel Loader was offered for demonstration at the William Adams Cavpower store.

The 918M Wheel Loader sets the standard for productivity, fuel efficiency and operator comfort. The improved optimized Z-bar loader linkage delivers quick loading performance of a traditional Z-bar with the parallelism and load handling capability of a tool carrier. The high torque, lower speed Cat C4.4 ACERT engine works with an intelligent hy-stat power train to deliver fuel efficiency as standard. The 918M meets Tier 4 Final and Stage IV emission standards with a diesel oxidation catalyst design. The Cat C4.4 ACERT engine provides cleaner, quieter operation while delivering superior performance and durability through a high torque, lower speed design.

The 918M is equipped with a performance series bucket to deliver up to 10% higher fill factors and better material retention for significant productivity and fuel efficiency improvements. The bucket features a longer floor to take a bigger bite of the pile, an open throat to heap higher and curved side bars to help with material retention. The 918M is easy to set on the go for tilt and lift. This feature is ideal for applications where the work cycle is repeatable allowing you to quickly return to programmed set points.

Ground maintenance is accessible through three large service doors that can be opened and closed in any order to give full access to filters and service points. Extended service intervals on hydraulic and power train filters reduce service time and maximize uptime.

William Adams provide a Level three (3) Advice package for Council, providing benefits for service back up and support, with an on-board product link system, reporting on hours, GPS location, engine and componentry health and fuel information, through a Product Link System. These reports can be forwarded to Council monthly, data also includes utilisation and productivity of the unit. This system is not an additional cost to Council.

William Adams of Horsham is an authorised agent for all Caterpillar earthmoving equipment, and is Councils local service agent providing prompt machinery service and support. The unit is offered with a three (3) year 3,000 hour commercial warranty.

William Adams

\$281,875.00 Incl. GST

926M – 153Hp T4 Final. 13,050kg Operating weight, with a 2.1m3 Bucket capacity.

The submission received from William Adams for the supply on one new 926M meets Council's mandatory design requirements. The Wheel Loader was offered for demonstration at Pipecon Pty Ltd, a private company in Ballarat.

The 926M Wheel Loader sets the standard for productivity, fuel efficiency and operator comfort. The improved optimized Z-bar loader linkage delivers the quick loading performance of a traditional Z-bar with the parallelism and load handling capability of a tool carrier. A high torque, low speed C7.1 ACERT engine works with an intelligent hy-stat power train to deliver fuel efficiency as standard. The 926M meets Tier 4 Final/Stage IV emission standards with an environmentally friendly, clean emissions design.

Effective shifting of waste and road making material will benefit Council with the lock up and go function on the 926M, fully locking the front differential axles that engage full torque. In operational mode, the pull of a trigger on the seat mounted joystick, maximises traction with optional Limited Slip Differential on the rear axle to keep power to the ground. Independent service brakes on front and rear axles provide robust stopping performance while a push button electronic park brake allows the operator to safely secure the machine with ease.

The 926M is equipped with a performance series bucket to deliver up to 10% higher fill factors and better material retention for significant productivity and fuel efficiency improvements. The bucket features a longer floor to take a bigger bite of the pile, an open throat to heap higher and curved side bars to help with material retention.

William Adams provide a Level three (3) Advice package for Council, providing benefits for service back up and support, with an on-board product link system, reporting on hours, GPS location, engine and componentry health and fuel information, through a Product Link System. These reports can be forwarded to Council monthly, data also includes utilisation and productivity of the unit. This system is not an additional cost to Council.

William Adams of Horsham is an authorised agent for all Caterpillar earthmoving equipment, and is Council's local service agent providing prompt machinery service and support. The unit is offered with a three (3) year 4,000 hour commercial warranty.

JCB

\$196,900.00 Incl. GST

417HT – 125Hp T4 Final. 9,425kg Operating weight, with a 1.7m3 Bucket capacity.

The submission received from JCB for the supply on one new 417HT meets Council's mandatory design requirements. The Wheel Loader was offered for demonstration at JCB Ballarat.

The 417HT Wheel Loader meets industry standards whilst performing at a high level of productivity through the delivery of a high powered engine, mass torque and meeting Tier 4 final stage emissions. The 417HT has no DPF (Diesel Particulate Diffuser) meaning a reduction of unnecessary fuel piping, eliminating the potentially dangerous temperatures involved in exhaust regeneration.

Performance of the 417HT is coupled to an engine fan that automatically adjusts its speed depending on ambient temperature, optimising cooling, saving fuel and lowering noise. The 4-speed transmission gives the operator a range of gears to suit a wide range of applications. The operator can choose from manual or automatic gear shifting at a press of a button. The 417HT innovative variable displacement pump feeds a load-sensing valve block which only consumes power on demand, providing precise, efficient loader controls for shifting road making materials.

The operator has ease of use through all of the controls that are seat-mounted. The operator can also select the control system that's best for the application: choosing from single lever joystick or multi-lever configurations, all using electro-hydraulics for ultimate precision.

Maintenance on the 417HT is at ground level, gaining access to the engine bay and cooling pack easily via the compact single piece bonnet. Accessing diesel and DEF (Diesel Exhaust Fluid – Ad Blue) tanks is straightforward. Both filler points are separated to avoid accidental cross contamination when refilling.

The machinery offers a live CommandPlus help function, providing the operator with meaningful descriptions of the in cab switch functions. Using this system allows new or unfamiliar operators to quickly and easily understand machine functions without having to refer to the operator's manual.

JCB offer the Livelink on board system software that reports engine diagnostics, machinery alerts, fuel consumption reports and machinery usage history. The 417HT is linked to a GPS location module, to report on live location at all times. This system is not an additional cost to Council.

JCB of Ballarat is an authorised service and parts stockist for all JCB earthmoving equipment and is Council's local service agent. The unit is offered with a five (5) year 5,000 hour commercial warranty.

JCB

\$228,800.00 Incl. GST

427HT – 158Hp T4 Final. 14,989kg Operating weight, with a 2.1m³ Bucket capacity.

The submission received from JCB for the supply on one new 427HT meets Council's mandatory design requirements. The Wheel Loader was offered for demonstration at JCB Ballarat.

The 427HT Wheel Loader meets industry standards whilst performing at a high level of productivity through the delivery of a high powered engine, mass torque and meeting Tier 4 final stage emissions. The 427HT has no DPF (Diesel Particulate Diffuser) meaning a reduction of unnecessary fuel piping, eliminating the potentially dangerous temperatures involved in exhaust regeneration. The Cummins QSB 6.7-litre engine achieves maximum engine power (133kW in the 427) and peak torque (841Nm) at low revs for excellent response. A variable geometry turbocharger provides increased performance at low engine speed for improved cycle times and tractive effort.

Traction is complimented with a range of axle options; the operator can tailor performance to any application. Limited slip differentials are perfect for soft, muddy terrain with reduced traction, as seen in the waste materials at the Landfill. The open differential in the HT427 is equipped with an automatic locking front axle differential to provide excellent traction in varied ground conditions.

The 427HT 5-speed transmission with torque convertor lock-up provides closer ratios for better acceleration, hill climbing and road performance. The lock-up element eliminates losses from the torque converter for faster cycle times and improved efficiency.

The operator has ease of use through all of the controls that are seat-mounted. The operator can also select the control system that's best for the application: choosing from single lever joystick or multi-lever configurations, all using electro-hydraulics for ultimate precision.

Maintenance on the 427HT is at ground level, gaining access to the engine bay and cooling pack easily via the compact single piece bonnet. Accessing diesel and DEF (Diesel Exhaust Fluid – Ad Blue) tanks is straightforward. Both filler points are separated to avoid accidental cross contamination when refilling.

The machinery offers a live CommandPlus help function, providing the operator with meaningful descriptions of the in cab switch functions. Using this system allows new or unfamiliar operators to quickly and easily understand machine functions without having to refer to the operator's manual.

JCB offer the Livelink on board system software that reports engine diagnostics, machinery alerts, fuel consumption reports and machinery usage history. The 427HT is linked to a GPS location module, to report on live location at all times. This system is not an additional cost to Council.

JCB of Ballarat is an authorised service and parts stockist for all JCB earthmoving equipment and is Council's local service agent. The unit is offered with a five (5) year 5,000 hour commercial warranty.

Non-Conforming Submissions

Council received non-conforming submissions from;

Liebherr Australia Pty Ltd – no schedule of lump sum

Hitachi Construction Machinery Australia Pty Ltd – Emissions IT4, EUIII

Tutt Bryant Equipment – Emissions IT4, EUIII

William Adams – Used equipment, not new.

William Adams – Emissions IT4, EU III

Weightings	Yes/No	30%	40%	20%	10%	Total
		Specification Conformance	Tendered Price	Demonstrated Performance	Warranty	
William Adams 918M	Yes	8.09				8.83
		243,375.00	9.5	8	10	
		2.43	3.80	1.60	1.00	
DISCUSSION	3 year/3000hr Warranty					
William Adams 926M	Yes	6.99				8.60
		\$281,875	9.5	8.5	10	
		2.10	3.80	1.70	1.00	
DISCUSSION	3 year/4000hr Warranty					
William Adams 924K	No	#DIV/0!				#DIV/0!
		#DIV/0!	0.00	0.00	0.00	
DISCUSSION	Unit offered is not Tier 4					
Tutt Bryant Equipment	No	#DIV/0!				#DIV/0!
		#DIV/0!	0.00	0.00	0.00	
DISCUSSION	Units offered are <u>interim Tier 4</u> (IT4) EU III					
Leibherr_Australia	No	#DIV/0!				#DIV/0!
			0			
		#DIV/0!	0.00	0.00	0.00	
DISCUSSION	Submission did not include tender price.					
JCB Construction 417HT	Yes	10.00				8.30
		\$196,900	6.25	9	10	
		3.00	2.50	1.80	1.00	
DISCUSSION	3 year/4000hr Warranty					
JCB Construction 427HT	Yes	8.61				8.28
		228,800.00	7.25	9	10	
		2.58	2.90	1.80	1.00	
DISCUSSION	5 year/5000hr Warranty					
Hitachi Construction	No	#DIV/0!				#DIV/0!
		#DIV/0!	0.00	0.00	0.00	
DISCUSSION	Units offered are <u>interim Tier 4</u> (IT4) EU III					

Financial – Panel Discussion

Financial considerations were factored on the affordability of purchasing both units, as the funding required to purchase two units as tendered by William Adams would foresee an increase in budget requirements. Therefore the recommendation by the panel was to suspend the purchase of one of the Wheel Loaders.

A review concluded that the life cycle and usage of Plant /62, JCB 416HT Wheel Loader currently commissioned at the Hamilton Depot could be commissioned for further use.

Environmental and Sustainability Considerations

Manufacturers were to offer any such Plant with emissions ratings Euro Tier IV (4). The Tier IV rating currently exceeds Australian standards; however the Tier IV (4) FINAL emissions rating will be a minimum standard in Australia from 2019. Tenders that offered Interim Tier IV (IT4), with a European rating of EU III (T3) will not be evaluated as the emissions rating will not meet Australian standards post 2019. Tender submissions with IT4 do not meet Councils requirements and therefore will not be evaluated.

Financial and Resource Implications

Council resolved and adopted the 2016/17 Plant Replacement Program with an annual budget resource of \$1,705,000.

Legislation, Council Plan and Policy Impacts

Council's June 2011 Asset Management Plan, Appendix 6. Lifecycle Management Plan appendix 6.2 through to sub 6.3.7.

Section 186 of the Local Government Act 1989 and the tender process complies with Council's Procurement Policy.

Community Consultation and Communication

Public notice was given of the tender in accordance with section 186 of the Local Government Act 1989 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 held on 26th April 2017.

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 award the supplier William Adams the contract for the delivery of one new 926M for the lump sum value of \$281,875 Incl. GST.

10.6 Special Charge Scheme – Upgrade of Kurtzes Road, Hamilton

Directorate: Infrastructure

Author: Aten Kumar, Manager Engineering & Projects

Attachments: None.

Executive Summary

Council resolved in June 2016, for officers to investigate and report back to Council on the options for the upgrade including sealing works for Kurtzes Road between Hamilton-Chatsworth Road and W Schultz Road. The request was raised as part of the 2015-2016 and 2016-2017 budget consultation process by a resident on Kurtzes Road. A report was provided to Council at the September 2016 Ordinary of Meeting of Council with options on the upgrade of Kurtzes Road.

Council resolved at the ordinary meeting of Council held on 14 September 2016 as follows:

- Under Section 163 Special Rate and Special Charge scheme of the Local Government Act 1989, initiate an upgrade of Kurtzes Road from a gravel road to a 4 metre wide sealed road (excluding drainage upgrade):
- If the Section 163 Special Rate and Special Charge Scheme of the Local Government Act 1989 charges are agreed to with the affected property owners, that Council fully fund the drainage upgrade of Kurtzes Road;
- If the Section 163 Special Rate and Special Charge Scheme of the Local Government Act 1989 charges are agreed to with the affected property owners, that Council's proportion of funding be sourced by cancelling an existing 2016-2017 roads capital project and replacing it with Kurtzes Road;
- If the Section 163 Special Rate and Special Charge Scheme, of the Local Government Act 1989, are not agreed to with the affected property owners, that Council do not proceed with the upgrade of Kurtzes Road.

Council officers wrote to all affected residents on Kurtzes Road in March 2017 advising that Council had finalised its preliminary investigation of the proposal. This letter was to gauge the level of support for the proposal. It was also stated that a report will be submitted to the next scheduled Council Meeting based on the outcome of the responses from property owners affected by the scheme.

Submissions closed on Friday 7 April 2017. A total of four submissions out of five were received as follows:

Three residents objected to the proposed special charge scheme while one supported the scheme, provided Council contributes 50% of the costs compared to 40% as per the original proposal.

Based on the survey results indicating that the majority of residents are not supportive of the upgrade in accordance with the Council resolution, that under the Section 163 Special Rate and Special Charge Scheme of the Local Government Act 1989, are not agreed to with the affected property owners that Council do not proceed with the upgrade of Kurtzes Road.

Discussion

Council resolved at its 14 September 2016 meeting that a Special Charge Scheme (SCS) be initiated for the upgrade of Kurtzes Road Hamilton. Council resolved the following at the September 2016 meeting:

- Under Section 163 Special Rate and Special Charge scheme of the Local Government Act 1989, initiate an upgrade of Kurtzes Road from a gravel road to a 4 metre wide sealed road (excluding drainage upgrade):
- If the Section 163 Special Rate and Special Charge Scheme of the Local Government Act 1989 charges are agreed to with the affected property owners, that Council fully fund the drainage upgrade of Kurtzes Road;
- If the Section 163 Special Rate and Special Charge Scheme of the Local Government Act 1989 charges are agreed to with the affected property owners, that Council's proportion of funding be sourced by cancelling an existing 2016-2017 roads capital project and replacing it with Kurtzes Road;
- If the Section 163 Special Rate and Special Charge Scheme, of the Local Government Act 1989, are not agreed to with the affected property owners, that Council do not proceed with the upgrade of Kurtzes Road.

Between October 2016 and March 2017, Council's Asset Department has worked on developing plans and estimates for the proposed SCS involving Kurtzes Road. Kurtzes Road is within a mix of rural living zone and farming zone land use. It is classified as a rural access road and currently a gravel road with a small sealed flood way near the Chatsworth Road end of the road. In the September 2015 condition assessments, Kurtzes Road was rated as condition 4 with Council's asset management system setting the intervention level at condition 8. As a gravel road, Kurtzes road is in satisfactory condition.

The proposed upgrade was to construct a four metre wide sealed road between W Shultz and Hamilton-Chatsworth Road. Council will also upgrade the existing floodway to improve drainage and match the road pavement in this area. This portion of work would be fully funded by Council, should the SCS proceed.

The total cost of the project was estimated at \$199,144, being \$48,510 for drainage works which was to be fully funded by Council and \$150,634 for the seal works. Officers undertook an analysis of the split in contributions between Residents and Council in accordance with the Section 163 of the Local Government Act, 1989. It was determined that the direct benefit to residents (property owners on Kurtzes Road) was 60% and 40% to the community. This benefit ratio was then used to determine the proportion of cost allocation for the upgrade i.e. Residents (60%) and Council (40%). This calculation was based on the number of lots and benefits to these lots from the SCS. Council calculated proposed apportionment of each resident's contribution by averaging the following apportionment of cost calculations:

1. Frontage of residents property and;
2. Lot area (m²)

Payment through instalments would be available for participants in the scheme with interest charged yearly on the outstanding balance. The interest rate would be based on the borrowing rate available to Southern Grampians Shire Council. Owners may opt to pay upfront after Council has completed the works if desired saving on interest costs.

In March 2017 a letter was sent to those affected to advise property owners that council has finalised its preliminary investigation of the proposal and to gauge the level of support for the proposal.

Council provided the following information:

1. Information on the SCS
2. Details of the proposed upgrade
3. Process required to enable a SCS to be declared
4. Advice on the residents rights
5. Advice that this was not a declaration but to assess interest in a SCS
6. Proposed cost to the resident of the SCS
7. A survey indicating support for a SCS and payment terms

Residents were provided with a reply paid envelope to ensure the return of the surveys. Council Officers have collated all responses.

Five residents were sent surveys with a total of four submissions out of the five returned to Council. Of the surveys received three residents objected to the proposed special charge scheme, while one supported the scheme provided Council contributes 50% of the costs instead of 40% as per the original proposal. The survey indicates that the majority of the Kurtzes Road property owners do not support the proposed Special Charge Scheme.

The three of the residents who objected the Special Charge Scheme stated that they did not support a special charge scheme for the sealing of Kurtzes Road. Comments from these residents indicated that they believed that it should be sealed and that it be funded solely by Council.

Therefore as per Council resolution under the Section 163 Special Rate and Special Charge Scheme of the Local Government Act 1989, as the affected property owners do not agree with the proposed SCS, in accordance with the resolution of Council the upgrade of Kurtzes Road will not go ahead under a Section 163 Special Rate and Charge Scheme it is recommended that Council do not proceed with the upgrade of Kurtzes Road and that the flood way works will also not proceed.

Financial and Resource Implications

The total cost for upgrading Kurtzes Road from gravel to a 4 metre wide seal would be approximately \$150,634. Installation of 2 cells of 1200 x 1200 culverts and raising the road level approximately one metre to provide an all-weather road, would be additional \$48,510 including 15% contingency.

These works would be undertaken by Council works department. If funded under Section 163 Special rates and charges of the Local Government Act (1989), Council would provide reasonable opportunity for payment. Quarterly instalments can be set by Council but not exceeding 10 years.

If the project is funded by cancelling an existing project in the 2016-2017 Capital Program

Legislation, Council Plan and Policy Impacts

The following strategies apply as per Council's Plan

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

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

Strategy 3.1.2 Ensuring community infrastructure and service meet access and equity standards.

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

Strategy 2.1.9 Facilitate and encourage business capacity and development.

The following legislation applies:

- *Local Government Act (1989)*
- *Roads Act (2004)*
- *Victorian Planning Scheme*

Relevant Council Policies that apply:

- *Weed Hygiene Plan*
- *Asset Management Plan*
- *Road Asset Management Plan*

Risk Management

The upgrade of gravel road to 4m wide seal with installation of 2 cells of 1200 x 1200 culverts, raising the road level approximately a metre will provide an all-weather road with better level of service to local residents and the community.

Sealing of the road will still require Council to undertake ongoing regular maintenance and may reduce customer complaints.

An upgrade of the drainage will reduce the localised flooding of the road and therefore increasing the level of service provided by the road.

Environmental and Sustainability Considerations

Detailed design has been undertaken to refine the options and also balance the cut and fill material from the existing site.

The planning scheme has identified the area as a Weed hygiene zone with the area identified as at high risk for the spread of Serrated Tussock and Chilean needle grass. This will require additional costs to construct the road to reduce the potential for the spread of the weed. Without the added precautions there is a risk that the two weeds mentioned could be spread further within the Shire.

Community Consultation and Communication

This project was brought to Councils attention during the budget consultation process as it was raised by a resident on Kurtzes Road. Council informed the residents in writing of the decision made by Council in regards to this road.

Council wrote to the affected property owners of Kurtzes Road formally advising of the options with an estimation of costs;

- 1) Council has resolved on the upgrade option via Special Rates and Charge Scheme.

- 2) Owners had been notified in writing via a survey indicating their potential contribution with payment options.
- 3) Depending on the results of the survey from the owners, Council has determined on how it will proceed i.e. if majority of support from property owners is not received the road will not be upgraded
- 4) If the decision is not to proceed, the road will be left to its gravel state and the option to do nothing is instigated
- 5) If the decision is to proceed with the upgrade, a detailed design will be carried out in the current financial year with construction in the 2017/18 financial year.
- 6) All owners will be notified of the outcome

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 does not proceed with the upgrade of Kurtzes Road.

Plan of Proposed Works



11. Notices of Motion

11.1 Notice of Motion # 1/17

Mayor Cr. Brown

I hereby give notice of my intention to move the following motion at the Ordinary Council Meeting to be held on 24 May 2017

MOTION

That Southern Grampians Shire Council write to all local Members of Parliament in Government (Upper and Lower House) along with the Premier Hon. Daniel Andrews, Treasurer Hon. Tim Pallas and Minister for Local Government Hon. Natalie Hutchins seeking clarification on the intent of annual revaluations and in addition write to Shadow Treasurer Hon. Michael O'Brien, Shadow Minister for Local Government Hon. David Davis, Leader of Liberal Party Hon. Matthew Guy, Leader of the Nationals Hon. Peter Walsh, and Leader of Victorian Greens Greg Barber and other local Members of Parliament, outlining the impacts on Councils including increased costs to administer locally, payment to the Valuer General in undertaking valuations annually and expected impact on ratepayers with valuation variations each year."

Preamble

Southern Grampians Shire Council is very concerned about the proposal to introduce annual property valuations as announced in the State Budget on Tuesday 2 May 2017. We understand that the Government is planning on introducing this change in 2019 through the State Taxation Acts Amendment Bill 2017 (see link below).

The change to annual property valuations will have a significant impact for no benefit to local government. If annual valuations are undertaken in the same manner as the current arrangements, there will be a direct impact of approximately \$50k on SGSC. We would also have to review resourcing in our rates department, as we currently only have one rates officer. We estimate that additional resourcing would cost approximately \$50k. Also, revaluations create uncertainty and complaint and this will be doubled. Rural Councils Victoria (RCV), through the MAV, have been advocating for revaluations to occur once every four years to reduce costs incurred by ratepayers.

We understand that this change is very attractive to the State Government as it will significantly increase their land tax take, but councils will get no increase in rates. There may be opportunities to work with the Government to ensure that the impacts of these changes are minimised, but given the manner in which the legislation has been introduced we are not confident that there is any intention to have meaningful dialogue.

We have been advised through the MAV and RCV that State Government entities such as Local Government Victoria was unaware of this proposed change until such time as the budget was released and therefore no consideration of, or consultation with the sector has occurred.

[http://www.legislation.vic.gov.au/domino/Web_Notes/LDMS/PubPDocs.nsf/ee665e366dcb6cb0ca256da400837f6b/444D40B3758ADE25CA2581130075383A/\\$FILE/581337exi1.pdf](http://www.legislation.vic.gov.au/domino/Web_Notes/LDMS/PubPDocs.nsf/ee665e366dcb6cb0ca256da400837f6b/444D40B3758ADE25CA2581130075383A/$FILE/581337exi1.pdf)

Officers Comments

The State Budget handed down on Tuesday 2 May 2017 included a paragraph that the Government planned on introducing a change effective 2019 through the State Taxation Acts Amendment Bill 2017 that annual land valuations would occur and that the Valuer General would take responsibility from Local Government for the current biannual valuations with Councils being charged to access the valuation data through a 50% contribution to the costs.

Council currently facilitates the contract management ourselves not the Valuer General, however we use the Valuation Best Practice Guidelines distributed by the Valuer General as the contract specification.

The base cost of the 2016 Valuation excluding non-rateables, supplementary valuations and objections was \$112,760 GST exclusive with a 50% reimbursement agreement from the State Revenue Office (SRO) of \$56,380.

Opteon Property Group were appointed in December 2014 to carry out the 2016 Valuation with options for the 2018 and 2020 rounds.

Prices for Objections, Supplementaries, VCAT applications, Non-rateables, insurance and asset valuations were all price locked at the signing of the 2016 contract. These are approximately \$40,000 per two year cycle with 50% reimbursement from the SRO.

In June 2016 the "Contract Extension Evaluation Report" was completed as per Council's Procurement Policy and a letter of offer was issued in August 2016 to Opteon to exercise the 2018 contract option. This option was accepted by Opteon on 19 August 2016.

In essence on the face of the proposed changes to State Legislation Council costs would double under annual valuations to approximately \$100,000 per year where currently is \$100,000 every two years..

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

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

14.1 Purchase and Installation of 240 litre recycling bins for Hamilton and Tarrington

15. Close of Meeting

This concludes the business of the meeting.