



**Southern Grampians**  
SHIRE COUNCIL

# Council Meeting Minutes

Ordinary Meeting  
13 December 2017

Held at 5.30pm in the Council  
Chambers at 5 Market Place, Hamilton

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**The Meeting opened at 5.30pm**

## 1 Present

**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

The Mayor, Cr Brown, read the acknowledgement of country –

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

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

## 3 Prayer

The Deputy Mayor, Cr Sharples led the meeting in a prayer.

## 4 Apologies

Nil.

## 5 Confirmation of Minutes

### RECOMMENDATION

That the Minutes of the Ordinary Meetings of Council held on 25 October 2017 and 22 November 2017 be confirmed as a correct record of business transacted.

### COUNCIL RESOLUTION

**MOVED:** Cr Rainsford  
**SECONDED:** Cr Sharples

**That the Minutes of the Ordinary Meetings of Council held on 25 October 2017 and 22 November 2017 be confirmed as a correct record of business transacted.**

**CARRIED**

## 6 Declaration of Interest

The Deputy Mayor, Cr Sharples declared an indirect conflict of interest in Item 10.7 - Telstra TPAMS Agreement.

## 7 Questions on Notice

### 1. Mr Dennis Dawson

#### Question 1

**“The Contract accepted for Gym Services at HILAC, Item 10.3, Agenda 22 November 2017, provides those services to the community at a cost of \$36221.00 per month. Hamilton has two similar sized privately operated facilities in addition to a number of individual providers of health and fitness services. Could Council please explain why it is necessary to provide similar community funded facilities at HILAC?”**

The cost of the provision of health & fitness services to HILAC varies across the term of the contract with the cost being \$35,750 per month for the first 16mths and \$36,850 per month for the second term of the contract, with the option to extend a further 2 years after the contract term.

We continue to provide the Community with choice with respect to health & leisure services by providing a facility that offers 24/7 gym with 6am – 9pm staff, aquatic, group fitness (including Les Mills classes), social activity as well as occasional child care to support participation.

We continue to partner with allied health specialists to provide wellness and rehabilitation services for all community members regardless of age, socio-economic background, culture or ability.

Southern Grampians Shire recognises our responsibility to provide passive, unstructured and structured support to the Community to promote health and wellbeing and see any contribution of community money into improving health and connectedness of our community as a valuable investment. It should be noted that membership subscriptions make a significant positive contribution to the overall cost of the health & fitness service.

#### Question 2

**“The published summary report to Councillors on the letting of the contract reports:**

- i. “Council wanting to create a facility and service that provides a point of difference in the current health/fitness environment available at the centre and throughout the municipality”**
- ii. The selected tenderer’s “marketing and business plan did not demonstrate the ability to meet the contract KPI’s or develop growth”**

**What are the Key Performance Indicators applicable to the Contract and how is it intended those indicators be met?”**

With respect to the incoming contract the key performance measures include:-

- Asset management
- Customer service and customer retention
- Finance
- Health and safety
- Human resources

- Marketing and research
- Programing scheduling and innovation
- Environmental Suitability

These measures will be reported on monthly in written and contractual meetings between the Council Officers and provider. The final form and agreement will be concluded as part of the negotiations now that Council has approved the Contractor and tender price.

## 8 Public Deputations

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

## 9 Records of Assemblies of Councillors

Written records of Assemblies of Councillors must be kept and include the names all Councillors and members of Council staff attending the meeting, the matters considered, any conflicts of interest declared and when the person/s with a conflict left and returned to the meeting.

Pursuant to section 80A (2) of the Act, these records must be, as soon as practicable, reported at an ordinary meeting of the Council and incorporated in the minutes of that meeting.

Section 3 of the Local Government Act 1989 defines as Assembly of Councillors as:

1. A meeting of an advisory committee of the Council, if at least one Councillor is present; or
2. A planned or scheduled meeting of at least half of the Councillors and one member of Council staff;

which considers matters that are intended or likely to be:

- a) The subject of a decision of the Council; or
- b) Subject to the exercise of a function, duty or power of the Council that has been delegated to a person or committee.

As there are some meetings which may or may not be classed as an Assembly of Councillors depending on who is present and the topics that are discussed Southern Grampians Shire Council records these meetings as an Assembly of Councillors to ensure that transparency in relation to these meetings is publicised.

An Assembly of Councillors record was kept for:

- Briefing Session – 22 November 2017
- Community Inclusion Advisory Committee – 6 December 2017

*This agenda was prepared on 6 December 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.

**COUNCIL RESOLUTION**

**MOVED:** Cr Armstrong  
**SECONDED:** Cr Rainsford

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

**CARRIED**

## ASSEMBLY OF COUNCILLORS



Southern Grampians  
Shire Council

ASSEMBLY DETAILS	
<b>Title:</b>	Briefing Session
<b>Date:</b>	22 November 2017
<b>Location:</b>	MJ Hynes Auditorium
<b>Councillors in Attendance:</b>	Cr Mary-Ann Brown, Mayor Cr Chris Sharples, Deputy Mayor Cr Colin Dunkley Cr Albert Calvano – arrived at 1:35pm Cr Katrina Rainsford Cr Greg McAdam
<b>Council Staff in Attendance:</b>	Michael Tudball, CEO David Moloney, Director Shire Infrastructure Vickie Williams, Acting Director Community and Corporate Services Michael McCarthy, Director Shire Futures Aten Kumar, Manager Engineering and Projects Rodney Van De Hoef, Team Leader Ventures Russell Bennett, Manager Business Systems

The Assembly commenced at 1:00pm

MATTERS CONSIDERED		CONFLICTS OF INTEREST DECLARED
1	Infrastructure Design Manual	Nil
2	Livestock Exchange Sheep EID	Nil
3	Authorisation for Mayor and CEO to Sign Tender for EID	Nil
4	Telstra Contract	Chris Sharples - direct relative employed by Telstra: Left at 2:30pm, returned at 2:43pm
5	Appointment of Council Representatives	Nil
6	Coleraine Quarry	Nil

The Assembly concluded at 5:00pm

## ASSEMBLY OF COUNCILLORS



Southern Grampians  
Shire Council

ASSEMBLY DETAILS	
<b>Title:</b>	Community Inclusion Advisory Committee
<b>Date:</b>	6 December 2017
<b>Location:</b>	Ted Kenna Room, Performing Arts Centre
<b>Councillors in Attendance:</b>	Cr Cathy Armstrong
<b>Council Staff in Attendance:</b>	Evelyn Arnold, Director Community & Corporate Services Lachy Patterson, Manager Community Relations Jane Coshutt, Community Development Officer/Rural Access Michael McCarthy, Director Shire Futures David Basil, Manager Works Nadine Rhook, Executive Assistant to Director Community & Corporate Services

The Assembly commenced at 12.00pm

MATTERS CONSIDERED		CONFLICTS OF INTEREST DECLARED
1	Welcome	Nil
2	Apologies	Nil
3	Confirmation of Previous Minutes	Nil
4	Guest Speakers: Michael McCarthy – Penshurst Botanical Gardens Masterplan & David Moloney – Taxi Ranks	Nil
5	SGSC Disability Action Plan	Nil
6	Rural Access Update	Nil
7	General Business	Nil
8	Next Meeting	Nil

The Assembly concluded at 1.35pm.

## 10 Management Reports

### 10.1 Appointment of Council Representatives

**Directorate:** Michael Tudball, Chief Executive Office  
**Author:** Megan Kruger, Governance Coordinator  
**Attachments:** 1. Précis of Committees

#### Executive Summary

Each year the Southern Grampians Shire Council is represented on a range of committees by its Councillors.

A review of the list of committees which require a Councillor to act as a formal representative of Council has been reviewed. This Report recommends that Councillors be appointed as representatives of Council to 12 committees.

#### Discussion

It is recommended that Councillor/s be appointed as representative/s of Council to the following committees:

- Audit and Risk Committee
- Municipal Emergency Management Planning Committee
- Planning Committee
- Community Inclusion Advisory Committee
- Hamilton Regional Livestock Exchange
- MAV Delegate
- Great South Coast Group
- Barwon South West Waste Forum
- Green Triangle Action Group
- Alliance of Council for Rail Freight Development

For detailed information about the recommendation, purpose and membership of all the committees please see the attached Précis of Committees.

It is recommended that no Councillors be appointed as representatives of Council to the following committees in 2017/18:

- Environmental Reserves Advisory Committee
- South West Timber Industry Roads Evaluation Study (TIRES) Committee

An internal review of the Environmental Reserves Committee will be undertaken to determine Council's role in this space. Once Council's role is determined the reestablishment of a committee can be considered by Council.

The SWTIRES Committee is currently under external review. Once the review is complete the Committee will discuss the model going forward with the relevant Councils.

#### Legislation, Council Plan and Policy Impacts

Council Plan Objective 5.1 – Provide transparent and responsible governance.  
Council Plan Objective 5.2 – Effective advocacy

Section 139 of the Local Government Act 1989 which requires Council to establish an audit committee.

### 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 following Councillors be appointed as representatives of Council to the below committees:

<b>Committees Required by Legislation</b>	
Audit and Risk Committee	<b>Mayor and Cr Dunkley</b>
Municipal Emergency Management Planning Committee (MEMPC)	<b>Cr McAdam</b>
<b>Section 86 Committees</b>	
Planning Committee	<b>Cr Dunkley and Cr Rainsford</b>
<b>Advisory Committees Established by Council</b>	
Community Inclusion Advisory Committee	<b>Cr Armstrong</b>
Hamilton Regional Livestock Exchange Advisory Committee	<b>Deputy Mayor and Cr McAdam</b>
<b>Committees Established by Other Bodies</b>	
MAV Delegate	<b>Mayor Deputy Mayor (proxy)</b>
Great South Coast Group	<b>Mayor</b>
Barwon South West Local Government Waste Forum	<b>Cr Rainsford</b>
Green Triangle Action Group	<b>Cr Rainsford Cr McAdam (proxy)</b>
Alliance of Council's for Rail Freight Development	<b>Cr Calvano Cr Rainsford (proxy)</b>

2. That the Environmental Reserves Committee be dissolved.
3. That no Councillor be appointed as a representative to the South West Timber Industry Roads Evaluation Study Committee.

**COUNCIL RESOLUTION**

**MOVED:** Cr Sharples  
**SECONDED:** Cr Calvano

1. That the following Councillors be appointed as representatives of Council to the below committees:

<b>Committees Required by Legislation</b>	
Audit and Risk Committee	<b>Mayor and Cr Dunkley</b>
Municipal Emergency Management Planning Committee (MEMPC)	<b>Cr McAdam</b>
<b>Section 86 Committees</b>	
Planning Committee	<b>Cr Dunkley and Cr Rainsford</b>
<b>Advisory Committees Established by Council</b>	
Community Inclusion Advisory Committee	<b>Cr Armstrong</b>
Hamilton Regional Livestock Exchange Advisory Committee	<b>Deputy Mayor and Cr McAdam</b>
<b>Committees Established by Other Bodies</b>	
MAV Delegate	<b>Mayor Deputy Mayor (proxy)</b>
Great South Coast Group	<b>Mayor</b>
Barwon South West Local Government Waste Forum	<b>Cr Rainsford</b>
Green Triangle Action Group	<b>Cr Rainsford Cr McAdam (proxy)</b>
Alliance of Council's for Rail Freight Development	<b>Cr Calvano Cr Rainsford (proxy)</b>

2. That the Environmental Reserves Committee be dissolved.
3. That no Councillor be appointed as a representative to the South West Timber Industry Roads Evaluation Study Committee.

**CARRIED**

## 10.2 Infrastructure Design Manual (IDM) Adoption

**Directorate:** David Moloney, Director Shire Infrastructure  
**Author:** Aten Kumar, Manager Assets  
**Attachments:** 2. IDM Standard

### Executive Summary

The purpose of this report is for Council to consider adoption of the Infrastructure Design Manual (IDM), for providing consistent requirements and standards for the design and development of infrastructure within the Shire.

The IDM is a manual developed by 44 rural councils across Victoria under a members group called the Local Government Design Association to standardise the design and development infrastructure requirements. The technical documents are kept up to date by a technical committee to ensure all designs are to the relevant and up to date standard on which Council may put a representative.

It is recommended that Council gives public notice under section 223 of the Local Government Act 1989 of its intention to adopt the Infrastructure Design Manual and invite submissions for a period of 28 days and that a further report be represented to Council after the notice period has expired.

### Discussion

Council has been a paid member of the Local Government Infrastructure Design Association since year 2011 and the design standards and the guidelines from the Infrastructure Design Manual (IDM) have been used since then.

In September of 2004 the Campaspe Shire, Greater Shepparton City Council and Greater Bendigo City Council agreed to work together to develop a common engineering manual documenting infrastructure standards across the three municipalities. The outcome of this work is the Infrastructure Design Manual (IDM). The IDM is a joint initiative of Victorian rural and regional Councils working together to formulate and maintain a set of consistent requirements and standards for the design and development of infrastructure.

It was designed to clearly document and standardise Council requirements for the design and development of municipal infrastructure. It aims to also expedite Council engineering approvals and ensure that minimum design criteria are met in regard to the design and construction of municipal infrastructure regardless of whether it is constructed by Council or a developer. This will also assist developers, surveyors, consulting engineers, planners and Council staff in the preparation, submission and review of plans of subdivision and engineering documentation to facilitate subdivisional development in the municipality. The document, when adopted, will be published on Council's website as a reference document for all users.

The manual has been adopted by approximately 44 Regional Councils across Victoria and has become the regional standard for infrastructure design and development in Regional Victoria. A longer term aim of the Victorian government is for a standardised Infrastructure Design Manual to be used across the State of Victoria under the guidance of the Infrastructure Design Standards Board. The Infrastructure Design Manual is expected to provide greater clarity and consistency for consultants, developers and contractors who need to know more about the rules, regulations and standards for new infrastructure when developing land. It also assists Council staff to have a consistent approach to infrastructure maintenance and operations across its work force.

The primary objectives of the manual include:

- **Accountability**-Provide a better defence at the Victorian Civil Appeals Tribunal (VCAT) when the design requirements have been developed and adopted by a number of municipalities.
- **Collaboration**-Share financial and human resources to produce an Infrastructure Design Manual which will satisfy the requirements of each of the participating municipalities.
- **Consistency**-Develop more consistency amongst design requirements for Consultants and Developers working in the participating municipalities.
- **Quality**-Sharing of ideas and practices among the municipalities to adopt the best practice.
- **Documentation** To clearly document participating Council's requirements for the design and development of infrastructure

The adoption of IDM has many advantage to Council. However to give the IDM statutory weight, Council is advised to make reference to the IDM in its Municipal Strategic Statement. This will ensure, in the event of a challenge of any aspect of the IDM at VCAT, that Council has “ownership of the standards and objectives” included in the manual. In an appeal, it is VCAT’s role to interpret the contents of the Planning Scheme and a reference to the IDM will lend support to Council’s adopted standards.

### **Financial and Resource Implications**

The annual cost of developing and maintaining the IDM through the Infrastructure Design Standards Board is \$3,000.

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

Local Government Act 1989  
Planning and Environment Act 1987  
Subdivision Act 1988  
Southern Grampians Planning Scheme

### **Risk Management**

There is no anticipated physical or environmental risk associated with the adoption of the IDM. It would not impact construction practices and methodology currently undertaken.

The adoption of IDM will assist developers, surveyors, consulting engineers, planners and Council staff in the preparation, submission and review of plans of subdivision and engineering documentation to facilitate subdivisional development in the municipality.

### **Environmental and Sustainability Considerations**

The use of the Infrastructure Design Manual will provide clarity to Council, Council staff, developers and planning permit applicants of the minimum infrastructure requirements for design and development within the Shire. This would also assist with faster responses to planning and subdivision referrals and have a consistent approach and standards to infrastructure development across the Shire.



## Community Consultation and Communication

Over the last year Council has engaged with developers, planners etc. around the IDM and its requirements and the process going forward.

Upon the acceptance of this report, Council advertise its intent to adopt the IDM under section 223 of the Local Government Act 1989, to invite written submissions from the community for a period of 28 days.

This will occur through public notice in the local newspaper and through a media release. Copies of the proposed IDM will be made available on Council's website, at Market Place and Brown Street Customer Services Centres.

## Disclosure of Interests

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

### RECOMMENDATION

That:

1. Council gives public notice under section 223 of the Local Government Act 1989 of its intention to adopt the Infrastructure Design Manual and invite submissions for a period of 28 days.
2. A further report be represented to Council after the notice period has expired.

### COUNCIL RESOLUTION

**MOVED:** Cr Calvano  
**SECONDED:** Cr Sharples

That:

1. Council gives public notice under section 223 of the Local Government Act 1989 of its intention to adopt the Infrastructure Design Manual and invite submissions for a period of 28 days.
2. A further report be represented to Council after the notice period has expired.

**CARRIED**

### 10.3 Road Management Plan 2017 - 21

**Directorate:** David Moloney, Director Shire Infrastructure  
**Author:** Aten Kumar, Manager Assets  
**Attachments:** 3. Draft Road Management Plan

#### Executive Summary

Council's Road Management Plan (RMP) is reviewed every four years in accordance with the Road Management (General) Regulations 2016.

The RMP is a document which describes how Council will manage the road assets on Council's Road Register. The document sets standards for inspection intervals and response times as well as stating management systems which this Council will implement to ensure that its responsibilities within the Road Management Act 2004 (the Act) are met. Particular attention is given to managing the demand for asset maintenance with the proposed level of resources made available through the Council budget.

Council officers have completed a review of the RMP and presented the draft Road Management Plan 2017 - 21 to Council at its August Meeting. At that meeting Council resolved to advertise its intent to adopt the draft RMP and called for public submissions.

The public consultation phase has now been completed with one submission being received. It is, therefore, recommended that Council adopts the Road Management Plan 2017 – 21 as attached.

#### Discussion

An internal working group was set up to review the current RMP which included the Director Shire Infrastructure, Manager Assets, Manager Works, Sector Supervisors, the Health & Safety Officer and Asset Inspectors. Additional information has been added in the new draft RMP which clarifies Council and property owner responsibilities.

At the August Council Meeting, a Report was presented which advised Council that a review of the RMP had been undertaken. The review procedure requires Council to call for submissions from the public. Public submissions were managed in line with section 54 of the Act which requires a period of 28 days for comments to be received from the general public on the RMP.

Public submissions were called for with one submission received where the resident had requested for improved maintenance on a particular section of a gravel road which will be actioned by the flood recovery contractors and depot's maintenance crew.

The tables below show proposed changes to road inspection timeframes, intervention threshold and repair response times as follows:

<b>Road Inspection Timeframes</b>					
<b>Inspection Type</b>	<b>Link</b>	<b>Collector</b>	<b>Access</b>	<b>Limited Access</b>	<b>Fire Access</b>
Routine					
Asset Protection - Routine	3 months	6 months	1 year	1 year	1 Year
Bridges (Level 1)	12 months	12 months	1 year	2 years	N/A
Bridges (Level 2)	3 years	3 years	3 years	3 years	N/A
Night	1 year	1 year	3 years	N/A	N/A

<b>Pathway Inspection Timeframes</b>			
<b>Inspection Type</b>	<b>Commercial</b>	<b>Thoroughfare</b>	<b>Residential</b>
Routine			
Sealed - Routine	6 months	12 months	1 year
Unsealed - Routine	6 months	12 months	12 months

<b>Hazard Description &amp; Intervention Threshold</b>	<b>Repair Response Time</b>			
	<b>Link</b>	<b>Collector</b>	<b>Access</b>	<b>Limited Access</b>
<b>Urban Areas</b>				
<b>1. Sealed Pavement</b>				
1.3 Deformation greater 100mm under a 3 metre long straightedge	1 month	3 months	6 months	1 year
1.4 Low skid resistance involving observed slick surfaces over a full lane width and over a length of 50 m or greater, on the approach to, departure from or on a curve, where there is limited or no crossfall, or where the slick surface represents a danger to the travelling public.	1 month	1 month	2 months	3 months
<b>3. Obstruction &amp; Substances in Traffic Lane</b>				
3.3 Materials fallen from vehicles, dead animals, wet clay and other slippery substances, hazardous materials.	2 days	2 days	1 week	2 weeks

<b>Hazard Description &amp; Intervention Threshold</b>	<b>Repair Response Time</b>		
	<b>Commercial</b>	<b>Thoroughfare</b>	<b>Residential</b>
<b>4. Vegetation</b>			
4.1 Vegetation which presents a physical hazard to the public intruding into a clearance envelope between edges of pathway & a 2.5 metre height clearance over pathway.	6 months (general)	1 year	1 year

## **Financial and Resource Implications**

Compliance with the RMP and undertaking regular planned inspections and meeting defect response times means that Council can reduce any potential public liability claims. Changes highlighted in the revised RMP will not have any impact on the budget. The resources required to meet inspection schedule and response times are assessed at each budget cycle.

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

Council adopted the current RMP on 26 June 2013 which establishes a system for the road management functions of the Council. It also identifies the relevant standards or policy decisions in relation to the discharge of duties including inspection, maintenance and repair of public roads for which Council has listed on its road register.

Council, as a Road Authority, has a range of functions, powers and duties conferred or imposed on it through a range of legislation that includes:

- i. The Road Management Act 2004;
- ii. The Road Safety Act 1986 ;
- iii. The Local Government Act 1989; and
- iv. The Transport (Compliance and Miscellaneous) Act 1983.

The following sections from the above legislation are particularly relevant to the RMP:

- Section 40 of the Road Management Act 2004 places a statutory duty on Council to inspect, maintain and repair public roads for which it is responsible.
- Section 205 of the Local Government Act 1989, requires that Council has the care and management of municipal roads within its responsibility.

This RMP is a legislative requirement and an integral part of the road management system to be implemented by Council in the performance of road management functions.

## **Risk Management**

The RMP details the management system that the Council proposes to implement in the discharge of its duty to inspect, maintain and repair public roads for which the Council has on its road register.

For Council to achieve liability protection through the Act there is a legal obligation to develop and adopt an RMP. Failure to comply with the RMP, Council would be liable for full costs to the public due to injury.

## **Environmental and Sustainability Considerations**

Inspection intervals and response times to repair road defects directly impacts on Council's ability to manage resources and can heavily impact on expenditure levels. This type of infrastructure represents a significant investment by the community and is vital to its health and wellbeing.

## **Community Consultation and Communication**

Council advertised the RMP which had been reviewed and invited submissions on the revised RMP for a period of 28 days. This has occurred through the Government Gazette and through a media release. Copies of the revised draft RMP were made available on the website, at the

Market Place and Brown Street Customer Services Centre, Post Offices in outlying townships and the Library.

Following adoption of a RMP notice of the making of the RMP and the place where copies may be inspection or obtained must be published in the Government Gazette and in a local newspaper.

### **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. Adopt the Road Management Plan 2017-2021 as attached; and
2. Give Notice of the adoption of the Road Management Plan 2017-2021 in the Government Gazette and The Hamilton Spectator.

### **COUNCIL RESOLUTION**

**MOVED:** Cr Calvano  
**SECONDED:** Cr McAdam

That Council:

1. **Adopt the Road Management Plan 2017-2021 as attached; and**
2. **Give Notice of the adoption of the Road Management Plan 2017-2021 in the Government Gazette and The Hamilton Spectator.**

**CARRIED**

## 10.4 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 in 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 are currently taking place for the sale of this land to the quarry owners.

It is recommended that Council gives public notice under section 223 of the Local Government Act 1989 to inform the community about Council's intention to sell the land to Rigby Bros and invite public submissions for a period of 28 days. Following the public notice period a further report to be presented to Council at the end of the public submission period.

### 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 by a notice placed in The Spectator on 12 August 2017 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.

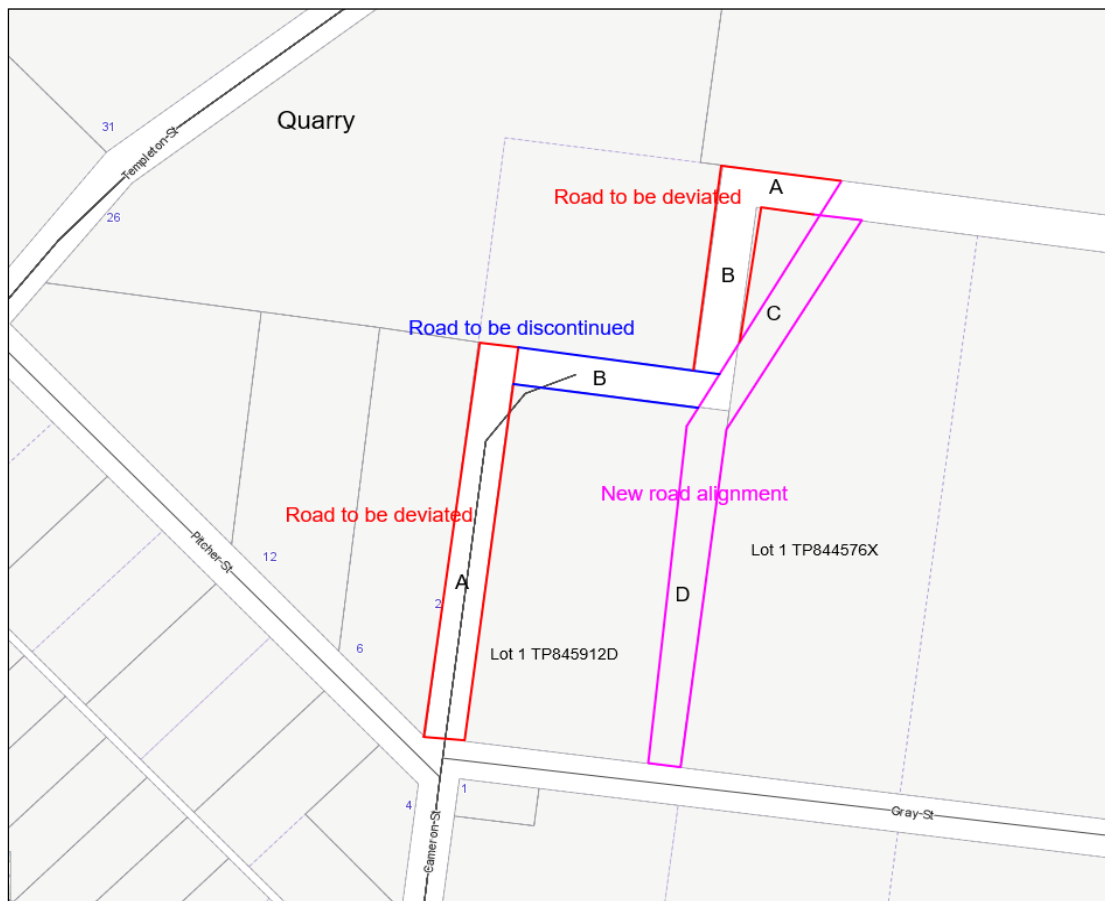
The Rigby Bros' Coleraine quarry is an established company which has been in operation since 1969. The quarry is a supplier to local companies and provides a valuable source of materials to the local economy. This proposal has a social and economic impact on the local community. The Rigby Bros currently 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 223 of the Local Government Act 1989, Council advertised and gave public notice of the proposed road deviations and proposed road discontinuance for a minimum of 28 days by a Notice published in the Hamilton Spectator on 12 August 2017. No submissions were received from the public.

Under Schedule 10 Clause 2 of the Local Government Act 1989, the Minister gave consent for the deviation and discontinuance of Cameron Street.

Under Section 189(2)(b) of the Local Government Act 1989, Council obtained a valuation of the land from Opteon (Victoria) Pty Ltd.

### **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**

A public notice under section 223 of the Local Government Act 1989 will be published to inform the community of its intention to sell the land and invite public submissions for a period of 28 days.

### **Disclosure of Interests**

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



**RECOMMENDATION**

That:

1. Council gives public notice under section 223 of the Local Government Act 1989 to inform the community about Council's intention to sell the land to Rigby Bros and invite public submissions for a period of 28 days.
2. A further report to be presented to Council at the end of the public submission period.

**COUNCIL RESOLUTION**

**MOVED:** Cr Dunkley  
**SECONDED:** Cr Calvano

That:

1. **Council gives public notice under section 223 of the Local Government Act 1989 to inform the community about Council's intention to sell the land to Rigby Bros and invite public submissions for a period of 28 days.**
2. **A further report to be presented to Council at the end of the public submission period.**

**CARRIED**

## 10.5 Contract No 6/18 – Hamilton Regional Livestock Exchange – RFID readers

**Directorate:** David Moloney, Director Shire Infrastructure  
**Author:** Rodney Van de Hoef, Team Leader Ventures  
**Attachments:** None.

### Executive Summary

Council has submitted a funding application and has been offered funding of up to a \$460,080 (GST exclusive) for implementation of the Electronic NLIS (Sheep & Goats) transition package Saleyards – phase 2 program for the Hamilton Regional Livestock Exchange (HRLE).

Trials were conducted at HRLE for phase 1 of the project, and whilst the specific equipment required for the HRLE is identified, meeting the implementation deadline of March 30<sup>th</sup> 2018 could prove challenging.

To ensure a timely procurement process without delays to allow project success between the awarding of the Grant Funding and the completion deadline, it is recommended that Council delegate the procurement and awarding of works associated with Contract 6/18 for the RFID readers at HRLE to the Mayor and the CEO and that a report be presented to the next Ordinary Council Meeting on 14 February 2017 for endorsement.

### Discussion

On 24 of August 2016 Minister for Agriculture, Jaala Pulford, announced the introduction of an electronic identification system (EIS) for sheep and goats. All sheep and goats born in Victoria on or after 1 January 2017 will require an electronic identification tag before being dispatched to a saleyard, abattoir, knackery or another property. The electronic tags will be linked to National Livestock Identification System (NLIS).

As part of the support made available, Council applied for funding under the phase 1 transition package and were successful in obtaining up to \$40,000 of funding for the Phase 1 planning and design of required infrastructure.

Trials were commenced in mid 2017 at the HRLE of various equipment and software options to enable the implementation of the NLIS for Sheep. Council also engaged a consultant to review the options provided, consult relevant stakeholders and provide a recommendation for the preferred design.

The trials at the HRLE were successful and identified a feasible solution which can be implemented.

Following the Phase 1 trials, Council applied for the Phase 2 funding required for the purchase and installation of NLIS equipment at the Hamilton Regional Livestock Exchange, based upon the trials.

The main aspects of the preferred design include 7 of drafting gate readers and further associated readers and equipment.

Council have recently been advised that funding will be offered of up to a maximum of \$460,080 (GST exclusive) for implementation, under the Electronic NLIS (Sheep & Goats)

transition package Saleyards – phase 2 program, for the Hamilton Regional Livestock Exchange (HRLE).

Agriculture Victoria require the NLIS to be implemented by 31 March 2018. There will be a limited time for procurement of the infrastructure to meet this implementation timeframe.

The procurement of this specialist RFID (Radio Frequency Identification) reading equipment will need to be prioritised, as the equipment is often built to order with limited stock held at hand.

To meet this delivery window it is essential that the relevant Contracts be awarded as soon as possible.

There are two options in awarding tenders for this project:

1. Council resolve to delegate the awarding of contract 6/18 HRLE-RFID readers to the Mayor and the CEO, with a report being presented at the next Ordinary Council Meeting on the 14 February 2018 for endorsement; or
2. Council resolve to hold a special meeting in December 2017 or January 2018 to consider the awarding of the tender.

Due to the time of year and the need to let the tender as soon as practicable it is recommended that Council delegate authority to the Mayor and the CEO to consider the evaluation report and award the Contract, with a report being presented to the next Ordinary Council Meeting on 14 February 2018 for endorsement.

### **Financial and Resource Implications**

To meet legislative requirements the HRLE are required to implement the NLIS for sheep by 31 March 2018. External funding under phase 2 is available to fund the project.

### **Risk Management**

To utilise the limited optimum time available for procurement and construction it is essential that the contract be awarded with minimal delay.

### **Environmental and Sustainability Considerations**

Implementing the NLIS for Sheep and Goats will assist in the management of Biosecurity risks.

### **Community Consultation and Communication**

Consultation has occurred in Phase 1 of the project. Community consultation and communication will be in accordance with Council's procurement guidelines following the award of the Contract.

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

#### Legislation:

Biosecurity Act 2015 (Cth)

Council Plan:

The following key elements of the 2017 – 2021 Council Plan are relevant to the Project.

Objective 1.1 An empowered and resilient community

Strategy 1.1.3 Support the community and other agencies to build resilience and preparedness in planning for emergencies.

Objective 1.4 A safe community

Strategy 1.4.1 Support and provide urban design and digital infrastructure that improved the safety of our community.

Strategy 1.4.4 Collaborate with law enforcement authorities and other agencies to support community safety programmes, crime prevention and other initiatives.

Objective 2.1 Attract, support and encourage industries that will drive economic growth throughout the Shire

Strategy 2.1.2 Support opportunities for intensification, diversification and value adding within the agricultural and primary industries sector.

Objective 3.1 Plan and provide for sustainable assets and infrastructure

Strategy 3.1.3 Collaborate with the State Government and Regional agencies to ensure coordinated provision of regional infrastructure.

Objective 5.4 Deliver efficient and customer focused services

Strategy 5.4.1 Maximise utilisation of digital solutions in service delivery.

**Disclosure of Interests**

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

**RECOMMENDATION**

That:

1. Council delegate the awarding of Contract 6/18 HRLE-RFID readers to the Mayor and the CEO;
2. A report be provided to all Councillors to enable feedback be given on the tender for consideration by the Mayor and CEO prior to awarding the tender;
3. A report be presented on Contract 6/18 for HRLE-RFID readers to the next Ordinary Council Meeting on the 14 February 2018 for the endorsement of this Contract.

**COUNCIL RESOLUTION**

**MOVED:** Cr McAdam  
**SECONDED:** Cr Rainsford

That:

1. **Council delegate the awarding of Contract 6/18 HRLE-RFID readers to the Mayor and the CEO;**
2. **A report be provided to all Councillors to enable feedback be given on the tender for consideration by the Mayor and CEO prior to awarding the tender;**
3. **A report be presented on Contract 6/18 for HRLE-RFID readers to the next Ordinary Council Meeting on the 14 February 2018 for the endorsement of this Contract.**

**CARRIED**

## 10.6 Sale of vacant land between McPhee Street and Elizabeth Street, Hamilton

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

### Executive Summary

As part of a review into open space land owned by Council to identify land that was surplus to Council requirements one piece of land which was identified for possible sale was the land between McPhee Street and Elizabeth Street, Hamilton.

Council gave public notice of its intention to sell the land between McPhee Street and Elizabeth Street in two (2) lots. A submission opposing the sale was received from the neighbouring landowners collectively. This identified access issues for the current residents. Council Officers met with the Elizabeth Street/McPhee Street landowners, to discuss options for the sale and their submission. They advised that if the land was not sold they were willing to keep maintaining this vacant piece of land between their residential blocks.

After considering all the information provided by Council Officers and the submission by the residents it is recommended that Council does not proceed with the proposed sale of land between McPhee Street and Elizabeth Street and that Council enter into a formal agreement with the neighbouring landowners in relation to the maintenance of the open space.

### Discussion

In 2015 a review was undertaken of various open space land within Hamilton to determine if any of the sites which were surplus to Council requirements could be sold to the public as residential building lots.

As part of the overall review, consultation was held with relevant Council departments directly responsible for maintaining these sites to ascertain the cost to Council and to take into consideration the potential needs of the community.

There is currently 145.07 hectares of open space land available in the Southern Grampians Shire with 87.89 hectares in Hamilton. Although the land could be developed as Open Space land it is not necessary to do so.

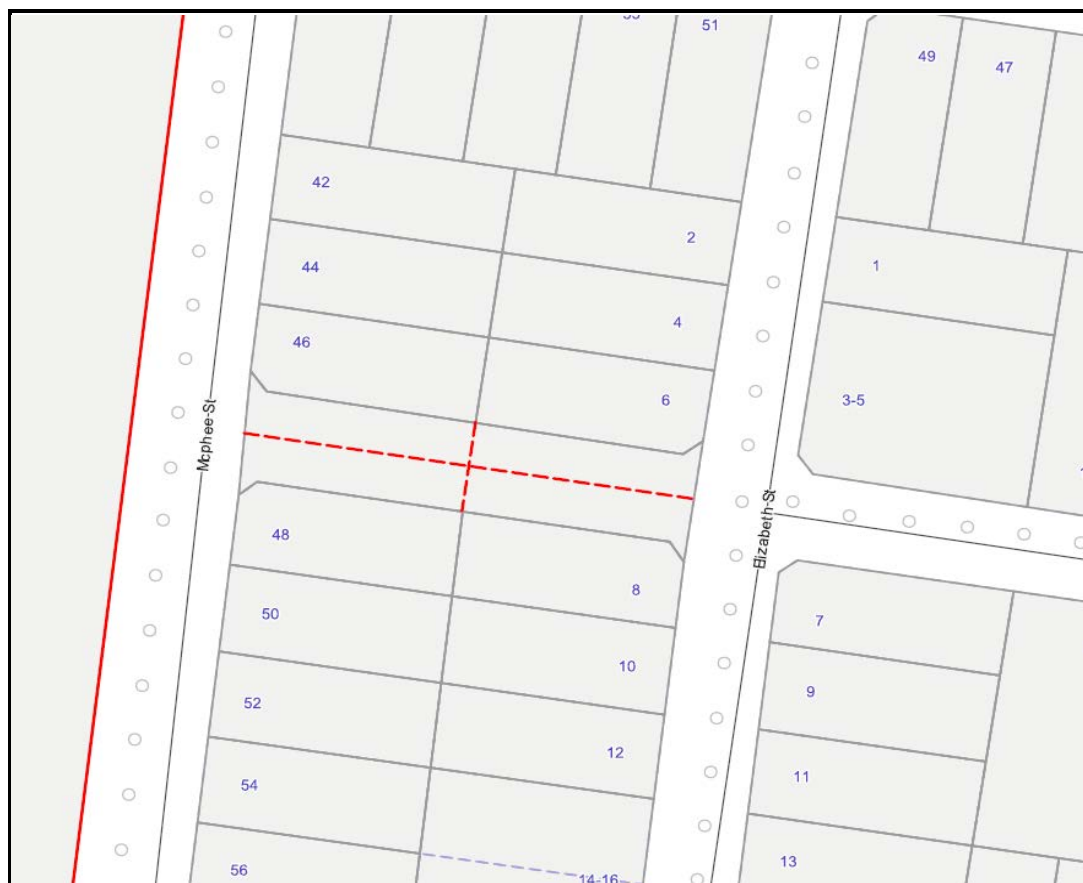
Land that runs between McPhee Street and Elizabeth Street, Hamilton was identified as surplus land which could be sold. The land is vacant and not currently being utilised by the Council and is located near other recreational facilities and transport offering excellent infrastructure. This land is currently zoned General Residential, in the General Residential 1 Zone.

It was recommended that the land be subdivided and sold as four (4) lots to each of the neighbouring landowners as they had opposed the first proposal to sell the land as two (2) lots. The landowners could then either expand their current property or leave the land vacant. A valuation was obtained for the land and a proposed sale figure was presented to each of the four (4) neighbouring landowners.

The land is highlighted on the map below and is approximately 1375 sqm, being approximately 17 metres wide and 88 metres long. There are no strategic land use planning issues to prevent the development of this parcel of land.

Selling the land would be beneficial to Council by relieving it of the current maintenance obligations of the land. The land is periodically maintained by Parks and Gardens. All departments within Council have confirmed that they are in support of the recommendation to sell the land and have no interest in the land being retained for Council purposes.

Following a meeting between Council officers and the neighbouring landowners of land between McPhee Street and Elizabeth Street, it is recommended that Council does not proceed with the proposed sale of land between McPhee Street and Elizabeth Street and that Council enter into a formal agreement with the neighbouring landowners in relation to the maintenance of the open space.



### Financial and Resource Implications

The financial implications for the Council and community are nil as no financial benefit will be derived from the non-sale of the land. If a formal agreement is entered into between Council and the neighbouring landowners then the costs associated with maintaining the open space would be borne by the adjacent neighbours.

A licensed valuer was engaged by Council to carry out a market valuation of this land.

### Legislation, Council Plan and Policy Impacts

Under section 189(2) of the Local Government Act 1989, Council obtained a valuation of the land.

## Risk Management

Council's risk and benefit remains the same as this report is recommending not to proceed with the sale of the open space land. The neighbouring landowners will continue to enjoy the use of the open space between their properties.

## Environmental and Sustainability Considerations

This proposal does not invoke environmental or sustainability considerations.

## Community Consultation and Communication

Neighbouring landowners were consulted on the proposal to divide the open space into four lots then sell each lot to the adjoining owner.

Following this consultation, a meeting was also held between Council officers and the adjoining landowners.

The neighbouring landowners will be notified of Council's decision regarding the proposed sale of land between McPhee Street and Elizabeth Street after the Council meeting.

## 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. Does not proceed with the proposed sale of land between McPhee Street and Elizabeth Street, Hamilton; and
2. Enters into a formal agreement with the neighbouring landowners in relation to the maintenance of the open space.

### MOTION

**MOVED:** Cr Sharples

**SECONDED:** Cr McAdam

That Council:

1. **Does not proceed with the proposed sale of land between McPhee Street and Elizabeth Street, Hamilton; and**
2. **Enters into a formal agreement with the neighbouring landowners in relation to the maintenance of the open space.**



**AMENDMENT**

**MOVED:** Cr Calvano  
**SECONDED:** Cr Dunkley

**That Council:**

1. Does not proceed with the proposed sale of land between McPhee Street and Elizabeth Street, Hamilton; and
2. Enters into a formal agreement with the neighbouring landowners in relation to the maintenance of the open space for a trial period of 24 months.

**LOST**

**COUNCIL RESOLUTION**

**MOVED:** Cr Sharples  
**SECONDED:** Cr McAdam

**That Council:**

1. Does not proceed with the proposed sale of land between McPhee Street and Elizabeth Street, Hamilton; and
2. Enters into a formal agreement with the neighbouring landowners in relation to the maintenance of the open space.

**CARRIED**

The Deputy Mayor, Cr Chris Sharples, left the Chambers at 6:13pm due to a conflict of interest in Item 10.7.

## 10.7 Telstra TPAMS Agreement

**Directorate:** Evelyn Arnold, Director Community and Corporate Services  
**Author:** Russell Bennett – Manager Business Systems  
**Attachments:** None.

### Executive Summary

The Victorian Government, through the Department of Premier and Cabinet, has recently completed a procurement process to establish the Telecommunications Purchasing and Management Strategy (TPAMS) contract.

The new TPAMS agreement provides savings for Council and can be accessed via two methods:

- 1) via the state government
- 2) via Municipal Association of Victoria (MAV)

Pricing is the same no matter which method Council accesses the TPAMS contract, additionally both now offer the same amount of included infrastructure works (\$500,000). The MAV agreement however does come with a few extra software licensing incentives above what is offered through the State agreement.

It is recommended that Council agree to access the Telstra TPAMS agreement via the MAV agreement.

### Discussion

The Victorian Government, through the Department of Premier and Cabinet, has recently completed a procurement process to establish five new telecommunication state purchase contracts.

The five 'Service Towers' covered by the new contracts are:

- Data Services (replacing the previous TCS Data Services contract);
- Voice Services (replacing the previous TCS Voice Services contract);
- Mobile Services (replacing the previous TCS Mobile Services contract);
- Internet Service (replacing the previous Whole of Victorian Government Internet Services contract); and
- Unified Communications Services (this is a new category)

Southern Grampians Shire Council are currently accessing the Data, Voice and Mobile service towers.

The five service towers are brought together via the TPAMS contract and will provide savings for Council compared to the current Telecommunications Carriage Services (TCS) contact through MAV.

There are two ways that Council can access the TPAMS contract:

- Via a MAV negotiated TPAMS contract
- Directly via the State negotiated TPAMS contact

Pricing is exactly the same via either method, MAV have also been recently been able to negotiate for the same amount of included infrastructure works (\$500,000) as the State agreement over the life of the contract. The only difference is that the MAV agreement

includes discounts with a number of software solutions; a 10% discount on DocuSign is one which Council has a current interest in.

The term of the TPAMS agreement either through MAV or the State Government is for three years, which will take the total contract cost to an estimated \$375,000.

Council is not required to go out to tender to access the TPAMS agreement as both the State and MAV have completed the procurement due diligence on behalf of those that wish to access the contract.

### Financial and Resource Implications

The total cost of the TPAMS agreement over the minimum three year term is estimated to be \$375,000, this is compared our current TCS agreement which is estimated at \$449,000 over the same three year period. The costs are indicative as actual costs are based on usage, not a fixed price.

Estimated monthly costs of both the TCS and TPAMS agreement are shown on the below table.

Note:

- Figures in the below table are **monthly** costs/savings
- Data and Mobile costs have been compared using Council's June 2017 Telstra bill
- Voice costs have been determined by using the total cost over a 12 month period and then creating a monthly average

Service Towers	TSC	TPAMS	Est. Monthly Savings
Data	\$4,281.00	\$3,365.00	\$916.00
Mobile	\$4,712.32	\$4,473.90	\$238.42
Voice	\$3,493.50	\$2,578.57	\$914.93
<b>Est. Monthly Total</b>	<b>\$12,486.82</b>	<b>\$10,417.47</b>	<b>\$2,069.35</b>

### Legislation, Council Plan and Policy Impacts

Section 3.6 of the Victorian Local Government Best Practice Procurement Guidelines 2013 acknowledges the use of third parties or agents for procurement. The key principle is that Council must determine that the tender represents 'value for money' to the community through undertaking our own analysis of the benefits of the contract offer.

As per Section 2.4.2 of the Southern Grampians Shire Council procurement policy it states that Council can access third party contracts.

The TPAMS contract links into the following Council Plan objectives:

3.4.2 – Lead the implementation of the Smart Connected Community Framework and Strategic Roadmap

The savings achieved by accessing the new TPAMS agreement will go towards funding the NBN connections required throughout Council to enable public WiFi which has been identified in our Smart Community Roadmap.

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

5.4.2 – Ongoing Review of service delivery to maximise efficiency and improve outcomes.

Moving to the new TPAMS agreement will enable Business Systems to provide the same level of service for connectivity of Council staff at less cost.

### **Risk Management**

Benefits to the community:

- Savings will be reinvested back into the community by way of funding a number of NBN connections in Hamilton and each surrounding township to facilitate the roll out of Public WiFi.

I can't see any risks associated with moving across to the TPAMS agreement.

### **Environmental and Sustainability Considerations**

Not applicable to this decision.

### **Community Consultation and Communication**

Council has been communicating at each Community Engagement Session held this year that Public WiFi is coming; the decision to move to TPAMS will enable this to happen.

In regards to moving to the new Telstra TPAMS agreement this is more an operational decision and hasn't required any community consultation.

### **Disclosure of Interests**

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

**RECOMMENDATION**

1. That Council approve engagement of the new TPAMS agreement from Telstra on a term of 3 years.
2. That Council approve access the TPAMS agreement via MAV
3. That the Contract documents be signed and sealed when prepared.

**COUNCIL RESOLUTION**

**MOVED: Cr Rainsford**  
**SECONDED: Cr McAdam**

1. That Council approve engagement of the new TPAMS agreement from Telstra on a term of 3 years.
2. That Council approve access the TPAMS agreement via MAV
3. That the Contract documents be signed and sealed when prepared.

**CARRIED**

**The Deputy Mayor, Cr Sharples returned to the Chambers at 6:19pm.**

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

**Directorate:** Evelyn Arnold, Director Community and Corporate Services  
**Author:** Susannah Milne, Manager Community & Leisure Services  
**Attachments:** None

### Executive Summary

Tender No. 49-17 has recently been advertised seeking tender submissions to be made to undertake remediation works to the Hamilton Indoor Leisure and Aquatic Centre (HILAC) roof. The project requires the Contractor to complete works to repair and replace sections of the roof as detailed in with the SMEC Engineering report and in accordance with the Council resolution on the 22 March 2017 to:

1. Complete major capital improvement works to HILAC's roof as identified and outlined by SMEC engineering at an estimated cost of \$421,000 over a 2 year period (\$191,000 in 17/18 financial year and \$230,000 for the 18/19 financial year).
2. Complete a maintenance program over a 10 year period once the capital improvement works have been completed at an estimated of \$81, 500.'

The tender process will close on Friday 15 December 2017 and as such the evaluation panel have not had the opportunity to review the tender submissions received. As a result the final evaluation has not been completed in time for Council to resolve on and award the tender within the 2017 calendar year.

In order for the project to commence early in the New Year and to minimise disruption to HILAC User Groups, it is recommended that Council delegate the awarding of the Contract 48/17 HILAC Roof Remediation to the Mayor and the CEO and that a report be presented to the next Ordinary Council Meeting on the 14 February 2018 for endorsement.

### Discussion

The HILAC roof has had ongoing leak issues over a number of years that have resulted in water infiltration into the centre causing user disruption on a consistent basis. In June 2016 Council resolved to complete preventative maintenance, which has reduce water infiltration events with the exception of when the intensity of rain is high over a short timeframe.

Council also resolved at this time to undertaken an options analysis of HILAC's roof to determine the longer term requirements to resolve the infiltration issues. SMEC Engineering was engaged to undertake option analysis on behalf of Council. The report was completed late January 2017 and presented to Council.

The SMEC report found that the roof on the older buildings varied in quality and type and were found to be in a poor state and recommended that they be removed and replaced in areas and significant remedial works in the remainder. The roof in the newer areas (2005 construction) of HILAC were in a sound to fair state and with remedial work would prevent further deterioration.

In consideration of the SMEC report and the officer's recommendation Council resolved at its Meeting on the 22 March 2017 to:-

1. Complete major capital improvement works to HILAC's roof as identified and outlined by SMEC engineering at an estimated cost of \$421,000 over a 2 year period (\$191,000 in 17/18 financial year and \$230,000 for the 18/19 financial year).
2. Complete a maintenance program over a 10 year period once the capital improvement works have been completed at an estimated of \$81,500).

In resolving to undertake this work Council would ensure that the renewed roof would have a 25 year life incorporating an ongoing management and maintenance program.

The project was advertised previously in July 2017 but the tender process failed to attract a complying tender which met with the previous Council resolution. As a result the tender specifications were reviewed by staff in consultation with SMEC Engineering prior to the tender being readvertised as No. 49-17.

During this review an oversight was found in the estimate provided by SMEC Engineering an additional \$79,000 has been added to the overall estimate (total revised budget estimate \$500,000) to allow for the installation movement controlled ventilation fans. These fans are required to ensure user comfort and reduce the potential of condensation within the court areas.

The revised tender specification and contract No. 49-17 has been advertised and closed on 15 December 2017 and the evaluation panel have not had the opportunity to review the tender submissions received. As a result the final evaluation has not been completed in time for Council to resolve on and award the tender within the 2017 calendar year. This means that the tender would have to wait for the next Ordinary Council Meeting on the 14 February 2018 resulting in a delay of awarding the tender and commencement of the project.

The evaluation will be based on the following criteria tender price, methodology, demonstrated experience on similar projects, occupational health and safety and environmental sustainability consideration.

There are two options in awarding this tender:

1. Council resolves to delegate the awarding of contract 49-17 for Hamilton Indoor Leisure and Aquatic Centre Roof Remediation to the Mayor and the CEO, with a report being presented at the next Ordinary meeting on the 17 February 2018 for endorsement; or
2. Council resolves to hold a special meeting in January 2018 to consider awarding the tender.

Due to the time of the year, the need to award the contract as soon as possible and the need to complete the evaluation process in the coming weeks, it is recommended that Council delegate the authority to the Mayor and the CEO to consider the evaluation report and award the Contract. This report would then be presented to the next Ordinary Council Meeting on 14 February 2018 for endorsement.

### **Financial and Resource Implications**

Upon review of the SMEC Engineering report and specifications have indicated that the revised budget estimate should be \$500,000; which is \$79,000 more than originally advised to Council in the officer's report on 22 March 2017. This revision is required due to a calculation oversight in the Consultant's report.

It is noted that this is an estimate and final costs will be clear once tender submissions have been received that take into consideration the current industry prices, project management and a contingency

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

Section 186 of Local Government Act 1989 gives Council the power to enter into contracts which are linked to Council's adopted Procurement Policy and guidelines.

Council Plan 2017-2021

#### **1.2 A healthy and vibrant community**

- 1.2.1 Provide appropriate, accessible and equitable Council services, facilities and activities.
- 1.2.2 Support and encourage participation in quality arts and cultural, education, leisure, recreation and sporting opportunities.
- 1.2.3 Partner with services and agencies to increase the health and wellbeing of our community.
- 1.2.4 Provide, promote and support appropriate and accessible services, facilities and activities for young people.

### **Risk Management**

For the project to commence in a timely manner and ensure the minimal disruption to User Groups and planned seasonal competition and championship tournaments it is essential that the contract be awarded with minimal delay and the project commence early 2018.

### **Environmental and Sustainability Considerations**

All works associated with this project will be subject to environmental sustainable considerations and has been included as a part of the evaluation criteria.

### **Community Consultation and Communication**

Community consultation and communication will be in accordance with Council's procurement guidelines following the award of the contract.

A requirement of the project is for the successful tenderer to meet regularly with staff and user group representatives throughout the project to ensure consultation and communication.

### **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.

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

- David Moloney, Director Shire Infrastructure
- Aten Kumar, Manager Assets
- Susannah Milne, Manager Community and Leisure Services
- Durga Shuhu, Project Engineer



**RECOMMENDATION**

That:

1. Council delegate the awarding of the Contract 49-17 for Hamilton Indoor Leisure and Aquatic Centre Roof Remediation to the Mayor and the CEO;
2. A report be provided to all Councillors to enable feedback to be given on the tender evaluation for consideration by the Mayor and CEO prior to awarding the tender; and
3. A report being presented at the next Ordinary meeting on the 14 February 2018 for endorsement.

**COUNCIL RESOLUTION**

**MOVED: Cr Dunkley**  
**SECONDED: Cr Sharples**

That:

1. **Council delegate the awarding of the Contract 49-17 for Hamilton Indoor Leisure and Aquatic Centre Roof Remediation to the Mayor and the CEO;**
2. **A report be provided to all Councillors to enable feedback to be given on the tender evaluation for consideration by the Mayor and CEO prior to awarding the tender; and**
3. **A report being presented at the next Ordinary meeting on the 14 February 2018 for endorsement.**

**CARRIED**

## 10.9 Audit & Risk Committee – Minutes, Annual Report, Charter & Re-Appointment of External Members

**Directorate:** Evelyn Arnold, Director Community and Corporate Services  
**Author:** Belinda Johnson, Manager Finance  
**Attachments:** 4. Minutes 15 November 2017, 5. Audit and Risk Committee Annual Report, 6. Audit and Risk Committee Charter

### Executive Summary

The Minutes and Annual Report are presented for Council information.

The Audit & Risk Committee have reviewed and Charter, recommended some amendment and following this, Re-appointments of Audit and Risk Committee (ARC) members and Chairperson.

### Discussion

Council's Audit and Risk Committee was established in accordance with section 139 of the Local Government Act 1989.

The Audit and Risk Committee (ARC), as an Advisory Committee of Council, fulfils both a statutory and consultative function. It provides feedback, advice and direction to Council.

The Minutes and Annual Report (attached) are presented to Council as part of this process for consideration and adoption

The Audit and Risk Committee Charter is to clearly set out the Committee's purpose and responsibilities, composition of the Committee, conduct of meetings and reporting to Council.

The main areas of change include:

- All references to Audit Committee are now Audit & Risk Committee.
- Included "Performance" reports as well as financial reports
- Composition of the Committee is now two Councillors instead of one appointed by Council at Statutory Meeting.
- Independent members are appointed for a three year term and no more than two consecutive terms. An additional paragraph has been added that where both positions become vacant at the same time, one will be appointed for two years.
- Changes to the appointment of the Chair.
- The quorum has been changed to be three now instead of two.
- Minutes to be approved by Chair and presented to next practicable Council meeting and then formalised at next ARC meeting.

After a review it is recommended that Council extend Mr Brian Densem's membership of the Committee to expire on 9 March 2020 and Mr Michael Murphy to the position of Chairperson of this Committee to expire on 9 March 2019.

### Financial and Resource Implications

No Financial implications of this item.

### Legislation, Council Plan and Policy Impacts

The Local Government Act 1989 section 139.

**Risk Management**

The Audit Committee Charter provides that the Committee has an overview role on the financial risk, organisational risk and compliance elements of Council's operations.

**Environmental and Sustainability Considerations**

The primary objective of the Audit Committee is to assist Council in the effective conduct of its responsibilities for financial reporting, management of risk, maintaining a reliable system of internal controls and compliance and facilitating the organisation's governance development.

In achieving its primary objective, the Committee in turn ensures that Council achieves its social, economic and environmental objectives in a fair, transparent and open manner.

**Community Consultation and Communication**

The attachments form part of the Council meeting minutes and are available to the public.

**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. Note the Minutes of the Audit & Risk Committee meeting for 15 November 2017 (as attached)
2. Note and accept the Audit and Risk Committee Annual Report for 2016/17.
3. Note and accept the Audit and Risk Committee Charter including amendments.
4. Extend Mr Brian Densem's appointment to the Committee to expire on 9 March 2020; and
5. Appoint and extend Mr Michael Murphy's position of Chairperson and appointment of term to expire on 9 March 2019.

**COUNCIL RESOLUTION**

**MOVED:** Cr Dunkley  
**SECONDED:** Cr Rainsford

That Council:

1. **Note the Minutes of the Audit & Risk Committee meeting for 15 November 2017 (as attached)**
2. **Note and accept the Audit and Risk Committee Annual Report for 2016/17.**
3. **Note and accept the Audit and Risk Committee Charter including amendments.**
4. **Extend Mr Brian Densem's appointment to the Committee to expire on 9 March 2020; and**
5. **Appoint and extend Mr Michael Murphy's position of Chairperson and appointment of term to expire on 9 March 2019.**

**CARRIED**

## 11 Notices of Motion

There were 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.

### 12.1 ALLIANCE OF COUNCILS FOR RAIL FREIGHT DEVELOPMENT

Cr Calvano reported on his attendance at the Rail Freight Alliance Committee meeting on 1 December 2017.

### 12.2 COMMUNITY INCLUSION ADVISORY COMMITTEE

Cr Armstrong reported on her attendance at the Community Inclusion Advisory Committee on 6 December 2017.

### 12.3 MUNICIPAL EMERGENCY MANAGEMENT PLANNING COMMITTEE

Cr McAdam reported on her attendance at the Municipal Emergency Management Planning Committee.

### 12.4 HAMILTON REGIONAL LIVESTOCK EXCHANGE ADVISORY COMMITTEE

Cr McAdam reported that the Committee had been successful in gaining State Government funding for the implementation of the EID scheme.

## 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.

Cr Sharples reported on his attendance at the:

- Coleraine Development Association meeting
- MAV Rural South West Regional meeting
- Coleraine Meals on Wheels Volunteers Presentation Day
- Hamilton Walkers 25 year Celebration Lunch
- GenR8 Walkshop in the Botanic Gardens

Cr Armstrong reported on her attendance at the:

- Hamilton Walkers 25 Celebration Lunch
- Yulecart Community Show
- LGBTI Roadshow
- Party with The Ponies

Cr Rainsford reported on her attendance at the:

- White Ribbon Day Launch Lunch at Alexandra House
- Party with Ponies on the 27 November 2017
- MAV Rural South West Regional Meeting
- Standing Tall and L2P Christmas Party on the 30 November 2017
- HRBA Connect forum
- Byaduk Community Engagement Meeting on 6 December
- Cavendish Community Barbeque
- GenR8 Walkshop in the Botanic Gardens on 8 December 2017
- Coleraine Street Party
- Council Strategic Planning Day

Cr Calvano reported on his attendance at the:

- MAV Rural South West Regional Meeting on the 29 November 2017
- MAV Multicultural Committee Meeting on 1 December 2017
- Alexandra House played for Probus ladies
- LGBTI Roadshow at the Frances Hewitt Community Centre
- Byaduk Community Engagement Meeting
- Council Strategic Planning Day

Cr McAdam reported on his attendance at the:

- National Volunteer and Australian Government Sports Achievement Awards on 23 November 2017
- MAV Rural South West Regional Meeting on the 29 November 2017
- Draft Victorian Rural Drainage Strategy Community Meeting
- Cavendish Community Christmas Barbeque on the 6 December 2017

- The Hamilton and Alexandra College ELC School Nativity Play on the 9 December 2017
- Municipal Emergency Management Planning Committee
- The Hamilton and Alexandra College Junior School Speech Day on 11 December 2017
- Ansett Museum Christmas BBQ

Cr Dunkley reported on his attendance at the:

- Hamilton Art Gallery AGM
- MAV Rural South West Regional Meeting
- Byaduk Community Engagement Meeting
- Council Strategic Planning Day
- Pedrina Park Hockey/Soccer Pavilion Working Group Meeting

Cr Brown reported:

- On her attendance at the Hamilton Meals on Wheels Volunteer Awards on 13 December 2017
- That the launch of telecommunication tower at Nareen which is part of the federal government's Black Spot program is scheduled on the 14 December 2017
- That two of the families involved in the Economic Migration Program have secured jobs, enrolled children in local schools and have found accommodation.



## 14 Confidential Matters

There were no Confidential Matters listed on tonight's agenda.

## 15 Close of Meeting

This concludes the business of the meeting.

Meeting closed at 6:46 pm.

Confirmed by resolution 14 February 2018.

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Chairman