

SOUTHERN GRAMPIANS SHIRE COUNCIL

**Council Meeting Agenda
Wednesday 11 December 2024**

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



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1 Membership

Councillors

Cr Dennis Heslin, Mayor
Cr Afton Barber
Cr Albert Calvano
Cr Adam Campbell
Cr Helen Henry
Cr Jayne Manning
Cr Katrina Rainsford

Officers

Mr Tony Doyle, Chief Executive Officer
Mr Darren Barber, Director People and Performance
Mr Rory Neeson, Director Wellbeing, Planning and Regulation
Ms Marg Scanlon, Director Infrastructure and Sustainability
Mrs Lisa Grayland, Acting Governance Coordinator

2 Welcome and Acknowledgement of Country

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

“Our meeting is being held on the traditional lands of the Gunditjmarra, Djab Wurrung, Jardwadjali and Buandig people.

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

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

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

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

3 Prayer

Cr Calvano will lead the meeting in a prayer.

“Almighty God grant to this Council, wisdom, understanding and sincerity of purpose for the good governance of this Shire.”

4 Apologies

5 Confirmation of Minutes

RECOMMENDATION

That the Minutes of the:

- Council Meeting held on 9 October 2024
- Unscheduled Council Meeting held on 23 October 2024
- Statutory Meeting held on 20 November 2024

be confirmed as a correct record of business transacted.

6 Declaration of Interest

7 Leave of Absence

There are no requests for a leave of absence on tonight's agenda.

8 Questions on Notice

Questions from the public must be submitted prior to the commencement of Council Meetings.

All questions must be submitted through completion of the Public Question Time form and be forwarded to the Chief Executive Officer at 111 Brown Street, Hamilton. All questions must be received by no later than 5pm on the Monday before the Council Meeting.

Questions must:

1. Not pre-empt debate on any matter listed on the agenda of the Council Meeting at which the question is asked.
2. Not refer to matters designated as confidential under the *Local Government Act 2020*.
3. Be clear and unambiguous and not contain argument on the subject.
4. Not be derogatory, defamatory or embarrassing to any Councillor, member of staff, ratepayer or member of the public, nor relate to a matter beyond the power of Council.

If the member of the public is in attendance at the Council Meeting the Mayor will read the question aloud and provide a response. If a question cannot be answered at the meeting, a written response will be prepared and forwarded to the person raising the question.

Residents do not need to attend the meeting for a question to be answered. If they do not attend the meeting a written response will be provided.

There are no Questions on Notice listed on the agenda.

9 Public Deputations

Requests to make a Public Deputation to Council must be submitted prior to the commencement of the Council Meeting.

Anyone wishing to make a deputation to Council must complete the Request to Make a Deputation form and forward it to the Chief Executive Officer at 111 Brown Street, Hamilton by no later than 5pm on the Monday before the Council Meeting.

Speaking time is limited to 3 minutes per person. Organisations may be represented at the deputation to Council by not more than 4 representatives. The names of the representatives to attend must be advised in writing to the Chief Executive Officer and 1 of the representatives to attend must be nominated as the principal spokesperson for the deputation.

Deputations wishing to make a written submission to the Council must provide a copy either electronically or hard copy of the submission to the Chief Executive Officer prior to the Council Meeting. One copy will be made available to the local media representative, if requested.

All members of the public addressing the Council must extend due courtesy and respect to the Council and the processes under which it operates. If a member of the public fails to do this the Chairperson can remove them from the Meeting. All members of the public must also comply with Council's Governance Rules in relation to meeting procedures and public participation at meetings.

10 Petitions

There are no Petitions listed on tonight's agenda.

11 Informal Meetings of Councillors

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

If there is a meeting of Councillors that:

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

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

An Informal Meeting of Councillors record was kept for:

- Briefing Session – 27 November 2024

This agenda was prepared on 6 December 2024. Any Informal Meeting of Councillors between that date and the date of tonight's Meeting will appear in the agenda for the next Council Meeting.

Informal Meeting of Councillors

ASSEMBLY DETAILS	
Title:	Briefing Session - 27 November 2024
Date:	27 November 2024
Location:	MJ Hynes Auditorium
Councillors in Attendance:	Cr Barber Cr Calvano Cr Campbell Cr Henry Cr Heslin Cr Manning Cr Rainsford
Council Staff in Attendance:	Tony Doyle, Chief Executive Officer Darren Barber, Director People and Performance Marg Scanlon, Director Infrastructure and Sustainability Rory Neeson, Director Wellbeing, Planning and Regulation Susannah Milne, Manager Community Wellbeing Juan Donis, Sustainable Community Lead Stephen Collins, Flood Recovery Project Coordinator Bill Scott, Manager Project Management Office

The Informal Meeting commenced at 2:00pm.

MATTERS CONSIDERED		CONFLICTS OF INTEREST DECLARED
1	Award Contract 2024237 – Pedrina Park Cricket Net Renewal	Nil
2	School Competition Update	Nil
3	Adoption of Sustainability Strategy	Nil
4	Nigretta Stairs and Platform and Glenthompson Footbridge Replacement	Nil
5	Award Contract: Kent Manor – Drainage Renewal & Upgrade	Nil
6	Award Contract: Lonsdale Street – Building Demolition and Site Remediation	Nil
7	Award Contract: Hamilton Botanic Gardens – Changing Places Toilet	Nil
8	Award Contract: Glenthompson Public Toilet Renewal	Nil

The Informal Meeting concluded at 5:00pm.

12 Management Reports

12.1 Adoption of the Sustainability Strategy 2024 - 2041

Directorate: Infrastructure and Sustainability
Report Approver: Marg Scanlon (Director Infrastructure and Sustainability)
Report Author: Melanie Russell, Circular Economy Community Facilitator

Attachment(s):

1. SGSC Sustainability Strategy D 3 D p X Guf 2 M 0 g Eens Mx Argn Eaw [12.1.1 - 20 pages]
2. Sustainability Strategy Community Feedback 1_78 Y G 87 j Mo U Kar Qk Er N Ucaw [12.1.2 - 5 pages]

Executive Summary

The draft Sustainability Strategy 2024-2041 (the Strategy) was released for 30 days for public exhibition in August – September 2024, inviting community members to provide feedback via the online survey, or directly by email. This second round of community consultation has now concluded. Community submissions have been considered, and the final updates have been made to the draft Sustainability Strategy 2024-2041 (Refer to Attachment 2).

This Strategy highlights a set of actions and commitments from the Council which aligns with State and Federal Government targets and policies. Council will aim to be a carbon neutral organisation by 2035 and the Shire by 2041. The Sustainability Strategy 2024-2041 will supersede the Sustainability Strategy 2010 – 2020, and Climate Adaptation Plan 2017 – 2027. Council will undertake a review of the Strategy every four years to ascertain progress, areas for improvements, and to ensure the Strategy is still relevant to the needs and requirements of the community.

A separate five-year action plan document will be developed that will include actions, measures, timeline, budget and monitoring to achieve the strategic objectives. This action plan will be periodically updated and provided to Council and the community.

Discussion

The first phase of community consultation undertaken in February – May 2024 gained valuable information and insight into the needs and priorities of the wider community. One hundred and thirty community members were engaged from a wide range of organisations, community groups and schools using a variety of engagement tools and methods. The consultation recorded 245 comments across six focus areas - Net Zero, Infrastructure, Waste, Water, Land Use and Biodiversity and Community. The draft Strategy was developed in direct response to this collected community feedback.

The second phase of consultation undertaken in August – September 2024 released the draft Strategy via Council's Have Your Say webpage to enable the community to provide direct comment on the document. All community submissions have been considered, and appropriate updates made to the document.

Refer to attachment 1: Sustainability Strategy 2024 – 41 Community Submissions Table for a full summary of community submissions from the second round of consultation.

In summary, the strategy identifies key themes and key strategic actions which have been developed following analysis and consideration of the community and stakeholder

engagement, state and federal government targets and policies together with Councils objectives. The themes and strategic actions as defined in the strategy include.

THEME	KEY STRATEGIC ACTIONS
Towards Net Zero	Transition to renewable energy Energy efficiency measures
Built environment	Sustainable transport solutions Tree planting and urban planting Environmentally sustainable design
Circular Economy	Circular Economy and sustainable consumption Waste management
Land use and biodiversity	Sustainable agricultural practices Natural resource conservation
Integrated water management	Water conservation and sustainable water management. Carbon off-setting Sequestration
Community engagement	Climate resilience and adaptation Community engagement and education

Each of these themes and key strategic actions are linked to the strategy goals and targets and are supported with details of how these actions will be undertaken.

Financial and Resource Implications

An internal carbon neutrality roadmap has been created to inform the transition towards a carbon neutral future. There is a level of assumption built into the roadmap as it is difficult to predict how the market and technology, particularly fleet, will evolve over the next 10 to 15 years.

No additional capital investment is identified between 2024 and 2030, however from 2030 to 2035 an additional \$850,000 over five years is proposed to support the transition of heavy fleet to more sustainable options and the proposed upgrade of the existing gas boiler at the Hamilton Indoor Leisure and Aquatic Centre.

Council Plan, Community Vision, Strategies and Policies

Protect Our Natural Environment

- 4.1 Protect and enhance biodiversity including the health of waterways, wetlands, soil and air
- 4.1.4 Liaise with stakeholders to support and promote sustainable agricultural and land management practices.

Protect Our Natural Environment

- 4.4 Mitigate against and adapt to climate change
- 4.4.3 Plan for climate resilience in Council and community infrastructure.

Legislation

Circular Economy Act 2020
Local Government Act 2020
Climate Change Act 2017

Gender Equality Act 2020

The Strategy has been developed and informed through input received from the community, local businesses, students and others. Council acknowledges the commitment made by residents to provide input to this important Strategy.

Risk Management

The Strategy will create provisions for Council and the community to prepare for the potential impacts of climate change. Furthermore, the Strategy, once adopted, will link to other strategies, plans and frameworks to deliver climate resilience across the organisation and within the community more broadly.

The Strategy will be reviewed every four years to ensure it remains valid with potential change in legislation and government priorities with regular reporting on the progress and implementation of the respective actions.

Climate Change, Environmental and Sustainability Considerations

The Strategy provides a framework to connect key priorities and outcomes centered around climate change, environmental and sustainability considerations. The Strategy will define and embed these considerations across a broad range of activities and processes within the organisation.

Community Engagement, Communication and Consultation

Community engagement activities have been conducted to develop the Strategy. Two rounds of engagement were conducted over an 8-month period using a variety of engagement tools and methods to ensure we have a fair representation of our community providing feedback for the Strategy. Officers conducted workshops, discussion groups, met with businesses, school students and community groups to source input and feedback to the Strategy.

Following Council's endorsement of the Sustainability Strategy 2024-2041, the strategy will be promoted via Council's webpage, social media and through continued community engagement and promotion. Furthermore, the strategy will be promoted across the organisation to enable additional actions that contribute to the strategic objectives and targets.

Disclosure of Interests

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

Melanie Russell, Circular Economy Community Facilitator
Juan Donis, Sustainable Community Lead
Marg Scanlon, Director Infrastructure and Sustainability

RECOMMENDATION

That Council adopt the Sustainability Strategy 2024 – 2041 with a four-year review period.

12.2 Award of Contract 2024237 - Pedrina Park Cricket Net Renewal

Directorate: Wellbeing, Planning and Regulation
Report Approver: Susannah Milne (Manager Community Wellbeing), Rory Neeson (Director Wellbeing, Planning and Regulation)
Report Author: Roger Rook, Coordinator Recreation Services
Attachment(s): 1. CONFIDENTIAL - 2024237 Tender Evaluation Report [12.2.1 - 7 pages]

Executive Summary

Pedrina Park in Hamilton has been developed as the primary multi-purpose sporting precinct within the Southern Grampians Shire Council. Providing a regional community hub as much as a high level sports facility, the reserve hosts regional level soccer and hockey, alongside local netball and football, and three cricket ovals which are utilised for local finals and representative cricket. In 2019 Council adopted the Southern Grampians Recreation and Leisure Strategy which included a Master Plan for the Pedrina Park site.

Recreation and Leisure Strategic Plan Links:
Volume 1 Strategic Plan and Recommendations
Volume 2 Research and Consultation
Volume 3 Masterplans
Volume 4 Strategies by Priority

Once the Pedrina Park Master Plan was adopted, the user groups identified the priorities for development at the site. These priorities included the renewal of the netball courts, the new change facility beside the hockey pitch, irrigation on ovals 1 and 2, lighting on oval 1 and new drainage and car parking at the soccer pitch. The next priority for Pedrina Park as identified by the users is the renewal of the cricket nets.

The tender for this project was advertised in October and contained options to install a three or four lane facility with the capacity to withdraw the dividing netting to create a single open space.

Four tenders were received with evaluation details contained in this report.

Discussion

The Southern Grampians Shire Council Recreation and Leisure Strategy identifies the requirement to renew the cricket netting with the following elements to be considered.

- Design of multi-use facility with retractable nets which can be opened for field training/practice and other sports like soccer and hockey.
- Minimum of three synthetic, however given three ovals additional may be required (up to six total). One or more nets may need to be locked. Consider the need for provision of turf practice wickets.

The tender for 2024237 Pedrina Park Cricket Net Renewal received four conforming submissions and was evaluated in accordance with the Council Procurement Policy.

Tenderer	Price	Conforming
Tenderer 1	\$423,856	Yes
Tenderer 2	\$333,107	Yes
SJ & CE Van Kalken	\$162,230	Yes
Tenderer 4	\$526,875	Yes

While there is substantial differential in pricing, Council officers sought information regarding similar projects that have been undertaken recently. The Linton Recreation Reserve had a redevelopment of a new three lane facility at a value of \$172,000, while a four lane practice facility was constructed in Williamstown for \$137,000 in 2022. An original quote was sourced in November 2023 from an additional supplier, and priced the demolition of the existing infrastructure and construction of a new three lane facility at \$143,400.

The conforming tenders were evaluated against the following pre-set evaluation criteria:

- Price - 30 %
- Demonstrated performance in provision of similar services - 30%
- Works Methodology and Design - 40%
- Occupational Health & Safety - Pass/Fail

The tender evaluation results are shown in the table below:

Company Name	Qualitative Score (%)	Tender Price (4 lanes)	Quantative Score (%)	Total Score
Tenderer 1	39.33%	\$423,856	11.48%	50.81%
Tenderer 2	61.00%	\$333,107	14.61%	75.61%
SJ & CE Van Kalken	47.66	\$162,230	30.00%	77.66%
Tenderer 4	53.67	\$526,875	9.24%	62.91%

Based on the tender evaluation, SJ & CE Van Kalken is identified as the preferred tender.

Financial and Resource Implications

Following a budget submission by the St Andrews Cricket Club, and a business case submitted by Council officers, Council allocated \$168,551 in the 2024-2025 budget for the renewal of the cricket nets. Council was also successful in securing an additional \$40,000 grant from Cricket Australia under the Cricket Australia Infrastructure Fund to support the works, along with a \$20,000 contribution from the St Andrews Cricket Club who are the cricket tenants at Pedrina Park.

The securing of the additional Cricket Australia funding and St Andrews Cricket Club contribution provides the additional funding to enable suitable contingencies (10%) and project management (7.5%) to ensure that the project is delivered successfully. With these allowances, these funding sources will provide approximately \$38,000 net savings for Council.

Total Budget	\$228,551
Contactator	\$162,230
Contingency	\$16,223
Project Management	\$12,167
Total Costs	\$190,620

Council Plan, Community Vision, Strategies and Policies

Support Our Community

1.2 Support and promote a healthy community

1.2.2 Support and encourage participation in arts and culture, education, leisure, recreation and sporting opportunities.

Maintain and Renew Our Infrastructure

3.1 Plan and maintain sustainable assets and infrastructure

3.1.2 Maintain infrastructure to the agreed standard and ensure the principles of sustainability and universal design are considered in the planning and development of infrastructure to support community access and connection meeting the needs of the communities.

Legislation

This report assists Council in meeting its obligations under the *Local Government Act 2020*.

This report is also consistent with the Southern Grampians Shire Procurement Policy 2021-2025.

Gender Equality Act 2020

There is not considered to be any negative gender impacts from this project however the installation of additional training nets at Pedrina Park will have a positive impact of allowing dedicated training at peak times to more user groups.

Risk Management

It is essential that the contractor has the capability to construct to a high standard and follow stringent quality controls. The contractor will be responsible for detailed design, hence minimising SGSC's risk of variations due to design flaws during construction.

These have all been demonstrated as part of the tender responses for the project.

The contractor is responsible for the provision of suitable material that will satisfy the Australian standards.

Climate Change, Environmental and Sustainability Considerations

The project is considered as low impact on environmental parameters, with the new infrastructure being constructed in the same location as the existing nets. All available materials removed during the demolition of the existing nets will be recycled.

Community Engagement, Communication and Consultation

Communication has occurred with the existing users of Pedrina Park since the adoption of the Pedrina Park Master Plan, working through the priorities of the site as determined by the user groups. The renewal of the cricket nets is agreed by the users as the next development for the site. Once the tender has been awarded further consultation will be completed with users to minimise disruption at the facility while works are undertaken.

Disclosure of Interests

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

Rory Neeson, Director Wellbeing, Planning and Regulation
Roger Rook, Coordinator Recreation Services
Sarah Cassidy, Recreation Services Officer
Rejoice De Vera, Senior Project Manager
Lily Wilson, Procurement Officer

RECOMMENDATION

That Council:

1. Award Contract 2024237: Pedrina Park Cricket Net Renewal to SJ & CE Van Kalken for the GST exclusive lump sum of \$162,230.
2. Authorise the Chief Executive Officer to execute Contract No. 2024237 and any other documents required by or to give effect to the terms of the contract on behalf of Council.
3. Approve the allocation of the required contingency (10%) and approve its use up to the value \$16,223 (excl. GST).

12.3 Finance Report to 30 September 2024

Directorate:	People and Performance
Report Approver:	Darren Barber, Director People and Performance
Report Author:	Nick Templeton, Head of Finance
Attachment(s):	1. Finance Report as at 30 September 2024 [12.3.1 - 14 pages] 2. 2023-2024 Carry forwards - detailed list [12.3.2 - 3 pages]

Executive Summary

The Finance Report for the quarter ending 30 September 2024 for the information of Council.

The performance of Council for the first three months is aligned to the forecast, with the operating result anticipated at 30 September being \$21.7m surplus compared to an actual result of \$21.8m surplus, which is a variance of less than 1%.

Discussion

The September 2024 Finance Reports set out actual results compared to Budget for the first three months of the 2024/2025 financial year and contains the Standard Statements namely:

- Comprehensive Income Statement,
- Balance Sheet,
- Statement of Cash Flows, and
- Statement of Capital Works.

Further detail is provided where there is a material variance between the actual YTD performance compared to the forecast YTD performance. The Report also includes additional information, graphical representations and tables on cash balances, current borrowing ratios, rates debtor balances and sundry debtor balances.

Included in the September 2024 quarterly report is a summary of the key components of the Finance Report with key information available for readers of the report. Applicable narratives also accompany each of the statements.

Income Statement

The Comprehensive Income Statement result for the three months to 30 September is a surplus of \$21.776m and the forecasted result for the same period was a surplus of \$21.718m. The actual and forecasted result for the period is very positive and is due to the rates for the full year being raised in the first quarter, which means that 99% of the annual forecasted rates revenue is recognised in this period.

The main variances within the report are identified with an explanation provided for what has transpired, which includes:

REVENUE

- User fees for the livestock exchange exceeded expected revenue by \$116k;
- Gain on sale of assets was below forecast due to timing of the forecast, with sales expected after 30 September;
- Interest income from investments is recognised upon maturity of the term deposit and due to timing of these maturities, along with reduced amounts invested the interest received is below forecasted amounts.

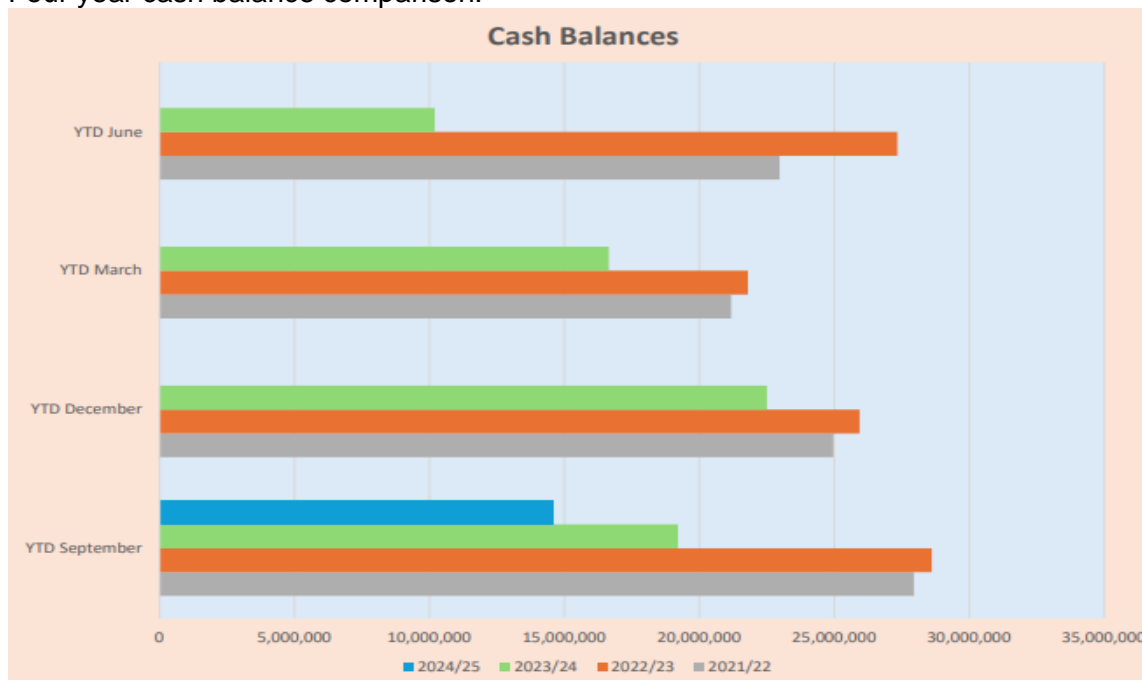
EXPENDITURE

- External contract work below forecast by \$240k which includes rural road maintenance works;
- Insurance exceeds budget due to the cost being incurred at the beginning of the year however the forecast expenditure was spread across the year evenly;
- Plant and fleet operations is the net cost and includes internal hire (allocation) of Council owned fleet usage to projects. Plant usage increases during the November to April period and is expected to improve this position throughout this period;
- Waste disposal costs is below expected expenditure due to contract works being lower than anticipated for the first quarter;
- Contributions to community groups was lower than forecasted for the first quarter with the full year budget expected to be expended by year end.

Statement of Cash Flows and Balance Sheet

Council is holding \$14.6m in cash and investment at 30 September 2024. The forecast at 30 September was for cash and investments of \$15.8m and the actual is slightly below this due to the opening balance being lower than anticipated due mainly to the timing of asset sales with revenue received being below forecast amounts. The year end cash balance is forecast to be \$7.2m which has not changed.

Four year cash balance comparison.



Statement of Capital Works

Detailed reports on the financial progress of the capital works and major projects are also provided for information. Capital works YTD at 30 September \$3.609m completed with a YTD forecast of \$6.349m. During the three months there was \$1.453m spent on building projects with \$1.090m of this relating to the Melville Oval Project.

The full year forecast expenditure is for \$31.625m which includes carry forward projects incomplete from the 2023/2024 budget. The adopted Budget capital works program was \$20.625m

2023/2024 Carry Forwards

A summary of the 2023/24 Capital Works program comprised;

- Adopted Budget: \$33.778m.
- Final revised budget is \$38.808m (including new items and items carried-forward from 2022/2023).
- Actual expenditure achieved is \$18.143m

The capital delivery for 2023/24 is the largest Southern Grampians has achieved Is \$5m above the average for the previous four years.

The capital works projects to carry forward budget into 2024/2025 is \$11.001m (net of reductions) with the major financial contributors to this sum being:

1. Melville Oval
2. Waste Options Implementation
3. Cox Street Redevelopment
4. CBD Streetscape design

The impact of carry forwards can be summarised as:

- Increase to operational expenses - \$841k
- Increase to operational revenue \$7.876m
- Increase to capital works expenditure - \$11.001m.

The detailed listing of carry forward items is included as an attachment.

Financial and Resource Implications

The report communicates our financial sustainability and compliance with our annual budget.

Council Plan, Community Vision, Strategies and Policies

Provide Strong Governance and Leadership

5.1 Transparent and accountable governance

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

5.1.2 Ensure flexible and transparent decision making through open and accountable governance.

Legislation

Section 97 of the Local Government Act 2020 requires that after the end of each quarter, the Chief Executive Officer (CEO) must ensure that a quarterly budget report is presented to the Council. The report must include a comparison of the actual and budgeted results to date and an explanation of material variations, and any other matters prescribed by the regulations.

In addition, the second quarterly report of a financial year must include a statement by the CEO as to whether a revised budget is, or may be, required. The June report is indicative only with the final report being Council's official financial report which is audited and then included as part of Council's Annual Report.

Council is also required to implement the financial management principles detailed in Section 101 of the Local Government Act 2020 which states:

- (1) The following are the financial management principles:
 - (a) Revenue, expenses, assets, liabilities, investments and financial transactions must be managed in accordance with a Council's financial policies and strategic plans;
 - (b) Financial risks must be monitored and managed prudently having regard to economic circumstances;
 - (c) Financial policies and strategic plans, including the Revenue and Rating Plan, must seek to provide stability and predictability in the financial impact on the municipal community;
 - (d) Accounts and records that explain the financial operations and financial position of the Council must be kept.
- (2) For the purposes of the financial management principles, financial risk includes any risk relating to the following:
 - (a) The financial viability of the Council;
 - (b) The management of current and future liabilities of the Council;
 - (c) The beneficial enterprises of the Council

Gender Equality Act 2020

There are no direct implications to the *Gender Equality Act 2020* in preparing the Financial Report, however, Council casts a strong gender lens across all of its operations, programs and projects throughout the year and the budget allows for provisions that support gender equality initiatives.

Risk Management

The report measures financial risk and compliance with our annual budget.

Climate Change, Environmental and Sustainability Considerations

The report measures financial sustainability and compliance with our annual budget.

Community Engagement, Communication and Consultation

The report communicates our financial sustainability and compliance with our annual budget.

Disclosure of Interests

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

Nick Templeton, Head of Finance

RECOMMENDATION

That Council:

1. Receive the Finance Report for the quarter ended 30 September 2024.
2. Adopt the carry forward schedule to be included in the forecast details for 2024/2025 comprising:
 - a. Capital carry forwards of \$11.001m net of reductions,
 - b. Operating carry forwards of \$0.841m, and
 - c. Operating revenue carry forwards of \$7.876m.

12.4 Award of Contract 2024169 - Kent Manor Drainage Upgrade

Directorate: Infrastructure and Sustainability
Report Approver: Bill Scott – Manager Project Management Office
Marg Scanlon – Director Infrastructure & Sustainability
Report Author: Kunal Ponanna – Strategic Infrastructure Engineer
Attachment(s): 1. 2024169 Tender Evaluation Report 2024-signed [12.4.1 - 13 pages]

Executive Summary

In October 2022, the private properties located at 16 and 17 Kent Manor, Hamilton were inundated following a storm event. Council engaged Venant Solutions to undertake a flood assessment to inform concept design options to mitigate future flooding. The assessment indicates that the current capacity of the system is 20% Annual Exceedance Probability (AEP) meaning on average, an event like a flood or a major storm is expected to occur once every 20 years. As per the Water Act (1989) Council, along with all other property owners, are responsible for preventing water flows from discharging into and causing damage to adjacent properties.

In modern developments overland flow paths are required to deal with events the underground drainage cannot contain, unfortunately this was not considered in the original designs for Kent Manor as when the underground drainage reaches capacity the water goes through the adjacent property, 220 North Boundary Road Hamilton.

Following the issue of Request for Tender (RFT) for Contract No 2024169, two responses were received and evaluated. This report seeks to award Tender No 2023169 to Aviyanta Engineering for the tendered lump sum price of \$271,460.60 (ex GST).

Discussion

Two design options were identified to address the identified stormwater management issues detailed as follows.

Option 1 includes installation of 450mm pipes from Kent Manor to North Boundary Road and 525mm pipes from North Boundary Road north to the creek located within the private property 2778 North Boundary Road. This option was not preferred as the pricing for this option came back to be more expensive than the open channel option. But upon consultation with the resident of 2778 North Boundary Rd this option was preferred and hence the drainage will be built according to option 1.

Option 2 includes upgrading the existing drainage network to increase the capacity, which includes installation of a V-grate, installation of 450mm pipes from Kent Manor to North Boundary Road and 525mm pipes from North Boundary Road to the entrance of the private property 2778 North Boundary Road and construction of an open channel within this property paddock.

By upgrading the drainage network, the drainage capacity will be increased to cater for a 1% AEP.

Tenders were invited to submit for both options.

This project will require road closures for a few days, and the preferred tenderer has confirmed works would be completed within 52 days of award with works expected to commence in January 2024.

Two tenders were received ranging in price from \$237,865.30 to \$279,838.30 (ex GST).

The summary of the tenders received is as follows:

Option 1- Underground drainage in the private property

Company	Price (ex GST)	Conforming
Aviyanta Engineering	\$271,460.60	Yes
Tenderer 2	\$321,854.29	Yes

Option 2- Open channel in the private property

Company	Price (ex GST)	Conforming
Aviyanta Engineering	\$237,865.30	Yes
Tenderer 2	\$279,838.30	Yes

Following the initial tender review of the two options, the evaluation panel determined that Option 1 is the recommended method which resulted in the following summary evaluation results;

Company Name	Qualitative Score (%)	Price (ex GST)	Quantitative Score (%)	Total Score
Tender 2	49.51%	\$321,854.59	25.50%	75.01%
Aviyanta Engineering Consulting Group Pty Ltd.	48.34%	\$271,460.60	30.00%	78.34%

The evaluation criteria comprised:

- Price - 30 %
- Demonstrated performance in provision of similar services - 30%
- Methodology - 30%
- Sustainable Procurement - 10%
- Occupational Health & Safety - Pass/Fail

A detailed confidential procurement report is attached to support this recommendation. In summary, both tenders met the specification however the final determination was made on price with Aviyanta being the cheaper of the two.

Financial and Resource Implications

Expenditure details	Budget	Expense	Remaining Budget
Design and investigation	\$250,000	\$36,206	\$213,794.00
Project management		\$15,000	\$198,794

Construction		\$271,460.6	-\$72,666.6
Total	\$250,000	\$322,666.6	-\$72,666.6
10% Contingency for potential unknowns - \$27,146.06			
Recommend drawing from Drainage budget	\$400,000	\$100,000.00	\$300,000.00

The contingency is intended to cover small unknowns which can be encountered in the delivery of this specific project, which have been identified as:

- rock in the trenching process which requires more expense to dig through and/or remove
- unsuitable material in the trenching which must be replaced with imported Class 2 crushed rock.
- contaminated soils which are legally not allowed to be placed back into the ground.

Council Plan, Community Vision, Strategies and Policies

Maintain and Renew Our Infrastructure

3.1 Plan and maintain sustainable assets and infrastructure

3.1.1 Review and adopt asset management plans to align with future service levels, environmental and financial sustainability.

3.1.2 Maintain infrastructure to the agreed standard and ensure the principles of sustainability and universal design are considered in the planning and development of infrastructure to support community access and connection meeting the needs of the communities.

3.1.4 Strategically plan a sustainable long-term capital program with identification of funding and partnership opportunities.

Provide Strong Governance and Leadership

5.4 Customer-focused services

5.4.1 Use digital solutions in service delivery to maximise efficiency of outcomes.

Legislation

This report assists the Council in meeting its obligations under the *Local Government Act 2020* and the *Environmental Protection Act (2017)*

Gender Equality Act 2020

The nature of this project impacts genders equally as it relates to localised flooding due to inadequate infrastructure, there are no specific implications for the *Gender Equality Act 2020*.

Risk Management

The physical risks associated with these works will be minimal. Access to the impacted areas within the residential properties will be restricted to ensure defined safe works zones. North Boundary Road will be closed, and deviations will be in place until the crossing is installed.

Community Engagement, Communication and Consultation

Impacted residents will be notified via a three-stage approach:

1. A letter drop will be provided directly to the properties involved in the project advising of the design layout, works, timelines and impacts to the respective private properties.
2. A meeting with the directly impacted property owners will be arranged prior to the commencement of works.
3. Ongoing communication during the works period.

General project information will be promoted through Councils media streams particularly in relation to temporary traffic arrangements on North Boundary Road to enable the required works.

Disclosure of Interests

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

Kunal Ponanna, Strategic Infrastructure Engineer.
Bill Scott, Manager Project Management Office.
Marg Scanlon, Director Infrastructure and Sustainability.

RECOMMENDATION

That Council:

1. Award Option 1 for Contract 2024169 to Aviyanta Engineering for the Kent Manor Drainage Upgrade for \$271,460.6 (exGST).
2. Authorise the allocation of the proposed \$100,000.00 (ex GST) of drainage budget to provide the funds necessary to successfully complete the works as detailed in the financial section of this report, and
3. Authorise the Chief Executive Officer to execute Contract No. 2023169 and any other documents required by or to give effect the terms of the contract, on behalf of Council and
4. Approve the allocation of the 10% contingency and approve this expenditure up to the value of \$27,146.06 (ex GST).

12.5 Award of Contract 2024244 - Lonsdale Street Building Demolition

Directorate: Infrastructure and Sustainability
Report Approver: Bill Scott, Manager Project Management Office, Marg Scanlon, Director Infrastructure and sustainability.
Report Author: Rishabh Sharma, Project Manager.
Attachment(s): 1. Tender report [12.5.1 - 10 pages]

Executive Summary

The proposed demolition and site remediation of 90 and 92 Lonsdale Street, includes the demolition of the existing buildings in preparation of the Hamilton Community and Government Hub and remediation of the site to make safe. Options for short-term uses and activation of this site are being developed for Councils consideration.

The project prioritises safety and environmental compliance while minimising disruption to neighbouring properties. Careful handling of shared walls with adjoining properties is essential to prevent damage and lengthy service interruptions. Notifications will be provided to the neighbouring property owners regarding any necessary disruptions. This structural demolition also includes waste management and disposal processes to ensure safe and compliant management of asbestos and associated materials. As a part of the contracted works and following demolition, the site will be cleared to make the area safe, free of any remnant materials or spoils.

Following the issuing of Requests for Tenders (RFT) for Contract No 2024244, two responses have been received. This report recommends to award Tender No 2024244 to Murrihy Demolitions Pty Ltd for the tendered price of \$ 234,600 (ex GST) along with a recommendation that Council authorise the Chief Executive Officer to execute Contract 2024244 to give effect to the terms of the contract on behalf of Council and for Council to authorise the Chief Executive Officer to approve expenditure above the contract award up to 10% (\$23,460) (Excl GST) of the contract value.

Discussion

The project scope includes the demolition the existing building and prepare the site for a future development. Key activities include site preparation, utility disconnection, asbestos removal, structural demolition, and waste management with legal disposal certification.

Two tender submissions were received:

Tenderer	Price	Conforming
Murrihy Demolitions Pty Ltd	\$ 234,600	Yes
TENDER 2	\$ 310,280	Yes

These conforming tenders were evaluated against the following pre-set evaluation criteria:

- Price 30%
- Economic Substantiable Procurement 10%
- Methodology 30%
- Sustainable Procurement 30%
- Occupational Health & Safety Pass/Fail

Tenderer	Qualitative Score%	Price	Quantitative Score %	Total Score
Murrihy Demolitions Pty Ltd	42%	\$ 234,600	30%	72%
TENDER 2	41.35%	\$310,280	22.68%	64.03%

A detailed procurement report is attached however in summary, both tenders were conforming and addressed the specifications of the tender. Murrihy Demolitions were selected on price together with their conforming tender that demonstrates their capacity and capability to meet the tender requirements.

Financial and Resource Implications

In summary, the project budget and costs are as follows.

	Budget	Costs (ex GST)	Variance (ex GST)
Budget	\$ 40,000		
Contract award		\$234,600	
Provisional items included in contract award		\$0	
Total	\$40,000	\$234,600	-\$194,600
Additional Budget Proposed Source			
Proposed funds to be drawn from retained earnings.	\$ 194,600		

The allocated budget for the demolition of 90 and 92 Lonsdale Street is \$40,000 and the current works proposed in this report for the award will cost \$234,600 ex GST.

The \$40,000 budget was set without effectively considering the complexity of the adjacent building with shared walls and their need to continue operating throughout the demolition, in addition the asbestos audit of the buildings had not been completed. It is recommended to draw funds from retained earnings of up to \$194,600.

Council Plan, Community Vision, Strategies and Policies

1.2 Support and promote a healthy community

1.2.2 Support and encourage participation in arts and culture, education, leisure, recreation and sporting opportunities.

Maintain and Renew Our Infrastructure.

3.1 Plan and maintain sustainable assets and infrastructure

3.1.1 Review and adopt asset management plans to align with future service levels, environmental and financial sustainability.

3.1.2 Maintain infrastructure to the agreed standard and ensure the principles of sustainability and universal design are considered in the planning and development of infrastructure to support community access and connection meeting the needs of the communities.

Legislation

This project This report assists the Council in meeting its obligations under the Local Government Act 2020.

A demolition permit is required before these works can commence and securing this permit is a requirement for the contractor.

Risk Management

Key risks associated with this project and the proposed controls are as follows:

- Asbestos exposure, which will be addressed by engaging a licensed asbestos removalist and following strict safety protocols, including air monitoring and obtaining clearance certificates.
- Damage to adjoining buildings, to prevent damage to adjoining structures, particularly shared walls, manual demolition will be used, and temporary bracing will be applied immediately after each floor is demolished. A structural engineer will supervise this work to ensure stability.
- Utility disconnections pose another risk, which will be managed by coordinating with authorities to safely disconnect and cap electricity, gas, water, sewerage, and telecommunications services.
- Environmental risks, such as dust, noise, and vibration, will be controlled through suppression measures, and waste will be sorted for recycling and legally disposed of at certified facilities.
- Worker and public safety will be ensured by providing personal protective equipment (PPE) to all workers and securing the site with fencing and signage. Additionally, exposed surfaces like party walls will be weatherproofed to prevent water infiltration. This comprehensive risk management approach aims to minimize hazards, ensuring a safe and efficient demolition process while complying with all regulatory requirements

Climate Change, Environmental and Sustainability Considerations:

A waste management plan is a requirement of the project specifically recycling and salvaging of materials such as concrete, wood, and metals to reduce landfill waste and conserve resources.

Proper handling of hazardous materials, such as asbestos or lead-based paint, will also be an element of this project in accordance with the Environmental Protection Act 2017 requirements.

Community Engagement, Communication and Consultation

Regular updates on project progress and any changes to the schedule will ensure adjacent property owners and the community are informed. While the actual works period is expected to be three weeks, there is a need to disconnect services and subsequently there will be direct engagement with the adjacent property owners to ensure minimal disruption.

Disclosure of Interests

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

Marg Scanlon, Director Infrastructure and Sustainability
Bill Scott, Manager Project Management Office (PMO).
Rishabh Sharma, Project Manager (PMO)

RECOMMENDATION

That Council:

1. Award Contract 2024244 to Murrhly Demolitions Pty Ltd for the 90-92 Lonsdale Street Demolition for the tendered price of \$ 234,600 (Excl GST)
2. Authorises the Chief Executive Officer to execute Contract 2024244 to give effect to the terms of the contract on behalf of Council.
3. Approve the allocation of 10% contingency, up to the value of \$23,460 (ex GST).

12.6 Award Contract 2024239 Nigretta Stairs & Platform, Glenthompson Footbridge Replacement

Directorate: Infrastructure and Sustainability
Report Approver: Bill Scott (Manager Project Management Office), Marg Scanlon (Director Infrastructure and Sustainability)
Report Author: Stephen Collins, Flood Recovery Project Coordinator
Attachment(s): 1. 2024239 Tender Evaluation Report 2024-10-24 16 41 03-signed-202411221003 [12.6.1 - 16 pages]

Executive Summary

The replacement of the Nigretta Falls Reserve Stairs and Viewing Platform and the Footbridge in Glenthompson are included within the 2024/2025 Capital Works Program. After issuing a Request for Tender (RFT) for Contract No 2024239 Nigretta Falls Stairs and Platform, and Glenthompson Footbridge Replacement, five tenders were received and evaluated. A detailed procurement report is attached which provides details of the tenders received and the evaluation.

The report recommends that Council award Contract No. 2024239 to D&M Composites Pty. Ltd. for the tendered lump sum price of \$691,597.25 ex GST, authorise the Chief Executive Officer to execute the contract documents and allocate \$18,402.75 as contingency for this project.

Discussion

Nigretta Falls is a popular destination for visitors and residents due to its spectacular volcanic-based waterfall fed by the Wannon River and surrounding views. It is estimated Nigretta Falls attracts in excess of 10,000 visitors annually. The Nigretta Falls Reserve includes a stair access and a viewing platform both accessible from the reserve car park, providing panoramic views across the valley and the waterfalls.

As a result of the severe storms across Southern Grampians Shire in October 2022, the timber Nigretta Falls Stairs were damaged, and in June 2023 a condition assessment was undertaken which deemed the stairs to be unsafe and subsequently they were closed for use.

A funding request was submitted to the State Government Council Flood Support Fund (CFSF) seeking funding of \$230,000.00 as a co-contribution to the replacement of the Nigretta Falls stairs and viewing platform. This funding was approved with the works to be completed by 31 March 2025.

The footbridge over Yuppeckiar Creek, Glenthompson provides a pedestrian and cyclist connection between Station and McLeod Streets. This timber 2-span footbridge is approximately 10 meters long and shows clear evidence of rot and decay in most of the timber structure. The handrails and platform are also in very poor condition.

The footbridge was identified by the Glenthompson community, during a consultation session with Council in late 2023, as a key priority for the community. Council undertook an assessment and established a business case seeking Council budget support through the 2024/2025 budget process, noting the importance of the key creek crossing.

A risk assessment was undertaken in October 2024 which deemed the footbridge at high risk and subsequently the footbridge was closed to the public due to the safety of the structure and the potential harm to users.

The three structures, being the Nigretta Falls stairs and viewing platform and the Glenthompson Footbridge, were combined into one tender and following the procurement process five tenders were received and evaluated.

The project specification invited contractors to price one of two options; design and supply or design, supply and construction for both locations. Cost effective solutions, empathetic to the project site environments were also sought.

Fiber Reinforced Polymers (FRP) is the nominated material by D&M Composites being the recommended contractor for the three project elements. FRP is a lightweight material with the strength of steel which is a cost-effective alternative to stainless or powder coated galvanized steel. D&M Composites also provided the cost to replace the FRP handrails with powder coated galvanized steel which is \$24,062.57 plus GST.



Image 1: Example of FRP material

By adhering to the outlined specifications, the project aims too efficiently and effectively replace the existing structures with a compliant and sustainable replacement that will last for approximately 75 years with minimal maintenance required in the first 25 years.

FRP production generates fewer greenhouse gases than steel or concrete, subsequently reducing climate impact.

In summary the tender evaluation confirmed the following;

Nigretta Falls Reserve

Tenderer	Price	Conforming
D&M Composites Pty Ltd	\$615,651.43	Yes
Tenderer 2	Did not submit a price.	No
Tenderer 3	Priced design and supply only	No
Tenderer 4	\$715,617.50	Yes
Tenderer 5	\$850,704.33	Yes

Tenderer	Qualitative Score (%)	Price	Quantitative Score (%)	Total Score
D&M Composites Pty. Ltd.	41.81	\$615,651.43	40.00	81.81
Tenderer 4	36.56	\$715,617.50	34.41	70.97
Tenderer 5	39.00	\$850,704.33	28.95	67.95

Glenthompson Footbridge

Tenderer	Price	Conforming
D&M Composites Pty Ltd	\$75,945.82	Yes
Tenderer 2	Did not submit a price	No
Tenderer 3	Priced design and supply only	No
Tenderer 4	\$287,537.50	Yes
Tenderer 5	\$219,739.78	Yes

Tenderer	Qualitative Score (%)	Price	Quantitative Score (%)	Total Score
D&M Composites Pty. Ltd.	41.81	\$75,945.82	40.00	81.81
Tenderer 4	36.56	\$287,537.50	15.43	51.99
Tenderer 5	39.00	\$219,739.78	20.20	59.20

The conforming tenders were evaluated against the following pre-set evaluation criteria:

Price	40%
Demonstrated Performance including available resources	15%
Methodology	15%
Quality Assurance	15%
Occupational Health and Safety	Pass/Fail
Sustainable Environmental	15%

In summary, two tenders were non-conforming, one tender did not include a price, and one tender did not provide required methodology and occupational health and safety details. Two tenders exceeded the budget significantly and the remaining tender did not include installation, which would have resulted in additional costs outside of the budget. The recommended tender meets the specification and timeline requirements and is within budget.

Financial and Resource Implications

The contractor will be responsible for carrying out the works under specified conditions in technical and general specification of the contract documents and has priced the project accordingly.

FUNDING SOURCE	AMOUNT
Southern Grampians Shire Council (Nigretta Falls)	\$400,000.00
Southern Grampians Shire Council (Glenthompson Footbridge)	\$80,000.00
Council Flood Support Fund (Nigretta Falls Only)	\$230,000.00
<u>TOTAL FUNDING</u>	\$710,000.00

Budget	Budget (ex GST) Amount	Tender Price Amount
Nigretta Falls Stairs and Platform	\$630,00.00	\$615,651.43
Glenthompson Footbridge	\$80,00.00	\$75,945.82
Total Cost	\$710,000.00	\$691,597.25
Remaining budget		\$18,402.75

Typically, 10% contingency should be included within the budget however it is proposed that the remaining \$18,402.75 within budget is approved to be retained as contingency. The topography at the Nigretta Falls stairs may cause some challenges requiring extra construction materials.

Council Plan, Community Vision, Strategies and Policies

Grow Our Regional Economy

2.2 Increase our regional profile

2.2.2 Invest in and advocate to the responsible agencies for the improvement and maintenance of the Shire's natural and cultural attractions to improve the visitor experience.

Legislation

This report assists the Council in meeting its obligations under the *Local Government Act 2020* and the *Road Management Act 2004*.

Gender Equality Act 2020

There are no implications for the Council under the *Gender Equality Act 2020*, the three structures provide facilities enabling access at both Nigretta Falls and Glenthompson.

Risk Management

Risk management has been a strong consideration for this project noting the age of the respective three structures, the volume of use and their purpose to enable access.

The contract was for Design, Supply and Construct based around AS 5100.1-2004 Bridge Design – Scope and general principles.

Climate Change, Environmental and Sustainability Considerations

The project works are considered to have a low impact on environmental parameters. The awarded contractor is required to develop an environmental management plan which will be submitted to Council for approval prior to the works commencing on site.

A flora and fauna assessment has been undertaken at both locations. Council has also received confirmation that a Cultural Heritage Management Plan is not required under the current legislation for the two project sites.

Community Engagement, Communication and Consultation

Prior to commencing work, a program of works and a draft design will be submitted to Council for approval. The respective key stakeholders being the Glenthompson Progress Association, Glenthompson community, the Hamilton Field Naturalists and the Wannon/Nigretta Community Group and community will be consulted with the design before approval.

The project will also be promoted with regular updates in Councils media streams and through the Wannon community and Glenthompson Progress Association.

Disclosure of Interests

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

Stephen Collins, Flood Recovery Coordinator
Bill Scott, Manager Project Management Office.
Martin Chin, Natural Resource Management Field Officer
Marg Scanlon, Director Infrastructure and Sustainability.

RECOMMENDATION

That Council:

1. Award Contract No. 2024239 Nigretta Stairs and Viewing Platform and the Glenthompson Footbridge replacement to D&M Composites Pty Ltd for the tendered lump sum price of \$691,597.25 excluding GST;
2. Authorise the Chief Executive Officer to execute Contract No. 2024239 and any other documents required by or to give effect the terms of the contract, on behalf of Council; and
3. Approve the allocation of \$18,402.75 excluding GST being the budget remaining funds as project contingency to be expended as required.

12.7 Award of Contract 2024267 - Hamilton Botanic Gardens - Changing Places Toilet

Directorate: Infrastructure and Sustainability
Report Approver: Bill Scott, Manager Project Management Office, Marg Scanlon, Director
Report Author: Infrastructure and sustainability
Rishabh Sharma, Project Manager.

Attachment(s):

Executive Summary

In 2022, the Council secured \$180,000 funding from the Victorian State Government Department of Families, Fairness, and Housing to establish a Changing Places Facility within the Hamilton Botanic Gardens. This project aims to provide an accessible facility that adheres to the Changing Places 2020 Design Specifications.

The proposed location for the new facility is north of the existing public toilets, accessible via the Kennedy Street Hamilton entrance. This placement requires the removal of a workshop shed, which will be managed separately from this tender. The exact location will be determined by the awarded contractor after a thorough site assessment.

Following a Request for Tender (RFT) process for Contract 2024267, three responses were received. Following the tender evaluation, the panel recommends V&C Contractors Pty Ltd. as the preferred tender for a lump sum price of \$171,688.00 (ex GST), as well as Council authorising the Chief Executive Officer to execute Contract No 2024267 for Hamilton Botanical Garden Changing Places to give effect to the terms of the contract on behalf of Council and approve the allocation of \$8,312.00 (excl GST) as the pre-approved contingency which can be expended if required against this project.

This recommendation is based on the assessment of submissions, considering cost-effectiveness, service quality, and adherence to project specifications, timelines and cost.

Discussion

The Hamilton Changing Places project seeks to provide an accessible facility at the Hamilton Botanic Gardens by implementing a facility designed for residents and visitors with complex care requirements.

The contractor must demonstrate technical expertise in developing the detailed design drawings that comply with Australian Standard AS1428.1 for Access and Mobility, ensuring the facility meets the benchmarks of functional design and inclusive infrastructure.

The project's scope includes design development, construction, material procurement, equipment transportation, and installation. Critical hold points throughout the six-stage design and construction process will provide opportunities for stakeholder and Council review and approval, ensuring quality control and alignment with the project objectives.

Maintenance and serviceability have been taken into consideration in the development of the project specification and will be further defined through the design development phase.

These tenders were evaluated against the following pre-set evaluation criteria:

- Price - 30 %

- Demonstrated performance in provision of similar services - 20%
- Methodology - 30%
- Sustainable Procurement - 20%
- Occupational Health & Safety - Pass/Fail

Tenderer	Qualitative score (%)	Price (ex Gst)	Quantitative Score%	Total Score
Tender 1	40 %	\$ 219,467.52	22.31%	62.31%
Tender 2	50%	\$ 268,725.38	18.22%	68.22%
V&C Contractors Pty Ltd.	45%	\$ 171,688.00	30.00%	75.00%

Financial and Resource Implications

	Budget (Excl GST)	Tender and other (Excl GST)	Variance (Excl GST)
Budget	\$ 180,000		
Contract award		\$171,688	\$8,312
Total	\$ 180,000	\$171,688	
Contingency of \$8,312			

This project is funded via a state government grant. Following the tender assessment, it is recommended that the \$8,312 remaining funds within the budget are allocated as project contingency. While service detection has been undertaken, this site particularly due to its age and history may present undetected underground infrastructure to be addressed.

The contractor will be responsible for carrying out the works under specified conditions in technical and general specification of the contract document and has priced the project accordingly.

The proposed scope for the Hamilton Botanic Gardens Changing Places Project encompasses the design, budget, costs, and variance based on the recommended contract award.

Council Plan, Community Vision, Strategies and Policies

Maintain and Renew Our Infrastructure

3.1 Plan and maintain sustainable assets and infrastructure

3.1.2 Maintain infrastructure to the agreed standard and ensure the principles of sustainability and universal design are considered in the planning and development of infrastructure to support community access and connection meeting the needs of the communities.

Legislation

This report assists the Council in meeting its obligations under the *Local Government Act 2020* and the *Environmental Protection Act (2017)*

Gender Equality Act 2020

This project directly responds to the *Gender Equality Act 2020* through the provision of dedicated facilities for persons with high support needs.

Risk Management

The project risk management plan will include site safety management, risks and hazards control, safety of personnel and the public, emergency procedures, and signage. It will also include the required Safe Work Method Statement (SWMS) and any other required documentation to support safely completing the required tasks.

Climate Change, Environmental and Sustainability Considerations

The awarded contractor is required to develop an environmental management plan which will be submitted to the Council for approval prior to the works commencing on site.

Community Engagement, Communication and Consultation

The existing public toilets in the Hamilton Botanic Gardens are insufficient for the demands. The need for quality accessible public facilities with a changing area and baby change table has been identified by the community and acknowledged by Council. The funding sourced through the State Government has enabled the project to be undertaken. Engagement has been made via the council recreation team regarding the new location and a project reference group will be established to keep them informed as the project progresses.

Disclosure of Interests

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

Rishabh Sharma, Project Manager.
Andrew Povey, Business Partner Works Coordinator.
Bill Scott, Manager Project Management Office.
Marg Scanlon, Director Infrastructure and Sustainability.

RECOMMENDATION

That Council:

1. Award Contract No. 2024267 to V&C Contractors Pty Ltd for the Hamilton Botanic Gardens Changing Places for the tendered lump sum price of \$ 171,688.00 (excl GST).
2. Authorises the Chief Executive Officer to execute Contract No 2024267 for Hamilton Botanical Garden Changing Places to give effect to the terms of the contract on behalf of Council.
3. Approve the allocation of \$8,312.00 (ex GST) as contingency for this project to be expended if required.

12.8 Award of Contract 2023106 - Glenthompson Public Toilet Renewal

Directorate: Infrastructure and Sustainability
Report Approver: Bill Scott (Manager Project Management Office), Marg Scanlon (Director Infrastructure and Sustainability)
Report Author: Rishabh Sharma, Project Manager
Attachment(s): 1. 2023106 Tender Evaluation Report 2024-11-20 15 50 07 [12.8.1 - 11 pages]

Executive Summary

Southern Grampians Shire Council is embarking on a project to replace the existing public toilet facility in Lions Park, Glenthompson, with a new, modern, and accessible structure. This initiative aims to enhance public amenities and improve the overall user experience within Lions Park Glenthompson. The project includes demolition of the existing toilet facility and the design and construction of a new facility. The new facility will include four cubicles comprising three ambulant and one accessible unisex, essential utilities and fixtures and an external shelter area with a basin for general use.

Following a Request for Tender (RFT) process for Contract No. 2023106, seven responses were received. Following the evaluation the panel recommends awarding the tender to Envirodomes Pty Ltd. and Construct for a lump sum price of \$ 212,000.00 (Excl GST) while also authorising the Chief Executive Officer to execute Contract No 2023106 for the Glenthompson Public Toilets to give effect to the terms of the contract on behalf of Council and finally recommends that approve of up to 10% of the contract award value, \$21,200 (ex GST) as contingency.

This recommendation is based on the assessment of all submissions, considering cost-effectiveness, service quality, adherence to project specifications, timelines and budget.

Discussion

This project aims to improve community amenities by replacing the existing outdated toilet facility with a modern, accessible structure. The scope includes the demolition of the current building and the construction of a new facility featuring four cubicles: three accessible unisex cubicles and one ambulant cubicle, all designed to comply with AS1428.1 standards. During the construction phase, portable toilets will be provided on-site to ensure continued access for the community.

These tenders were evaluated against the following pre-set evaluation criteria:

- Price - 30 %
- Demonstrated performance in provision of similar services - 20%
- Methodology - 20%
- Sustainable Procurement - 20%
- Occupational Health & Safety - Pass/Fail
- Quality Assurance: 10%

Tenderer	Qualitative score (%)	Price (ex Gst)	Quantitative Score%	Total Score
TENDER 1	38.02%	\$ 412,821.83	15.41%	53.43%
TENDER 2	52%	\$ 281,454.59	22.60%	74.60%
TENDER 3	48.67%	\$ 213,446.00	23.35%	70.02%
TENDER 4	40.66%	\$ 272,430.00	29.80%	72.02%
TENDER 5	47.33%	\$ 342,039.10	18.59%	65.92%
TENDER 6	39.99%	\$ 245,638.11	25.89%	65.88%
Envirodomes Pty Ltd	41.33%	\$ 212,000.00	30.00%	71.33%

Financial and Resource Implications

	Budget (Excl GST)	Tender and other (Excl GST)	Variance (Excl GST)
Budget	\$ 250,000		
Works complete last financial year (Demolition of old toilet)		\$13,634	\$236,366
Contract award	\$236,366	\$212,000	\$24,366
Contingency of 10% \$21,200			

A detailed procurement report is attached however in summary this procurement process resulted in seven tenders nominating various styles of facilities ranging from prefabricated to modular units to be constructed on site. All tenders were conforming. There was a significant difference in price ranging from \$212,000 to \$ 412,821.83 (ex GST). The panel determined that Envirodomes Pty Ltd addressed the specifications of the tender, demonstrated Demonstrated Performance Including available resources: Envirodome Pty Ltd had provided a good list of similar projects of various scales, as a result they were not marked highly but were a strong middle range contender demonstrating enough experience to confirm they can complete the project successfully.

- Works Methodology: Methodology provided showed an understanding of the project requirements.
- OH&S: Provided suitable example documentation to demonstrate a good understanding of the requirements.
- Sustainable procurement: The company submitted a generic environmental policy with site-specific details and commitment to sustainability practices.

Overall Envirodomes Pty Ltd was not the highest scored qualitatively however they were able to take the overall lead due to the very competitive pricing and being able to demonstrate

Council Plan, Community Vision, Strategies and Policies

Maintain and Renew Our Infrastructure

3.1 Plan and maintain sustainable assets and infrastructure

3.1.1 Review and adopt asset management plans to align with future service levels, environmental and financial sustainability.

3.1.2 Maintain infrastructure to the agreed standard and ensure the principles of sustainability and universal design are considered in the planning and development of infrastructure to support community access and connection meeting the needs of the communities.

Legislation

This report assists the Council in meeting its obligations under the *Local Government Act 2020* and the *Environmental Protection Act (2017)*

Gender Equality Act 2020

This project directly responds to the *Gender Equality Act 2020* through the provision of dedicated gender-neutral cubicles as well as family friendly facilities for changing tables.

Risk Management

A detailed risk management plan will be developed upon awarding of the tender. This plan will consider all site, public and work safety factors. The works area within the Glenthompson Lions Park will be defined to ensure safety for all.

Climate Change, Environmental and Sustainability Considerations

The awarded contractor is required to develop an environmental management plan which will be submitted to the Council for approval prior to the works commencing on site.

Community Engagement, Communication and Consultation

Regular updates on project progress and any changes to the schedule will keep the community informed and the works program submitted as a requirement of the tender consideration has been given. While the actual working period is expected to be finished by March 2025, there is a need to disconnect services. Officers will continue to engage with the Glenthompson community as the project timelines are confirmed to ensure minimal disruption.

Disclosure of Interests

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

Rishabh Sharma, Project Manager.

Andrew Povey, Business Partner Works Coordinator.

Bill Scott, Manager Project Management Office.

Marg Scanlon, Director Infrastructure and Sustainability.

RECOMENDATION

That Council:

1. Award Contract 2023106 to Envirodomes Pty Ltd for the Glenthompson Public Toilets for the tendered lump sum price of \$ 212000.00 (ex GST).
2. Authorises the Chief Executive Officer to execute Contract No 2023106 for the Glenthompson Public Toilets to give effect to the terms of the contract on behalf of Council.
3. Approves the allocation of up to \$21,200 (ex GST) as contingency for this project to be expended as required.

12.9 S5 Instrument of Delegation

Directorate:	Chief Executive Office
Report Approver:	Tony Doyle (Chief Executive Officer)
Report Author:	Lisa Grayland, Acting Governance Coordinator
Presenter(s):	Tony Doyle, Chief Executive Officer
Attachment(s):	1. S5 Instrument of Delegation from Council to CEO Council meeting 11 December [12.9.1 - 4 pages]

Executive Summary

Section 11 of the *Local Government Act 2020* (the Act) empowers Council to delegate various duties, functions and powers to the Chief Executive Officer (CEO).

The s5 Instrument of Delegation was amended on 11 September 2024 to ensure business continuity for operations of Council could continue during the 2024 Election Period, also known as Caretaker Period.

It was resolved by Council that this delegation be referred back to Council following the Election Period at the next practicable council meeting outlining any variations approved under this instrument of delegation.

It is recommended that the s5 Instrument of Delegation be amended and the CEO's delegation be increased from \$150,000 to \$350,000.

Discussion

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

The Instrument of Delegation from Council to the Chief Executive Officer was made in March 2023. Through this delegation, Council delegates all of its powers to the CEO with a few exceptions which are detailed in the attached Instrument. During the Election period, it was essential that business continuity was maintained and continued with certain restrictions.

During caretaker the Instrument was amended and complied with section 69 (2)(b) of the Act which prohibits any Council decision that commits Council to expenditure exceeding one per cent of the Council's revenue from rates and charges levied in the preceding financial year.

The Instrument was updated and provided to Council for review and consideration and Council resolved that the CEO financial delegation for awarding a contract or variations increase from \$150,000 to \$230,000. for the duration of the Election Period with the Instrument to be reviewed at the next practicable Council Meeting following the election. Under the Act during caretaker period Council cannot enter into a contract the total value exceeding the greater of 1 per cent of the Council's revenue from rates and charges levied in the preceding financial year.

There were a number of contracts that needed to be monitored during this period for works and services. Delays in approving the variations to these contracts would have resulted in additional cost to Council and delays to works and services for the community.

Benchmarking has occurred with surrounding Councils which showed that Councils financial delegation was very low compared to other Councils which averaged between \$300,000-\$500,000 based on Medium sized Councils.

Medium Rural Councils	
Southern Grampians	\$150,000
Colac	\$300,000
Moyne	\$300,000
Moira	\$350,000
Golden Plains	\$450,000
Corangamite	\$500,000
Glenelg	\$500,000
Swan Hill	\$1,000,000
Mt Alexander	\$1,000,000
Average:	\$500,000

Increasing the financial delegation has the potential of enabling significant efficiencies through decreased officer time for report writing

The table below shows the amount of Council decisions required with the financial delegation limit of \$150,000

Financial Year	Greater than \$150,000, less than \$300,000	Greater than \$300,000, less than \$500,000	Greater than \$500,000
2022-23	15	4	10
2023-24	3	3	3
2024-25	6	3	5
Total Number of Contracts	24	10	18
Greater than \$150,000 less than \$500,000	34		

The above table only shows the total of whole contracts, this does not reflect any contract variations/ amendments to contracts which all require additional reports to Council.

Council is briefed on the progress of the Capital Works program quarterly, which provides Councillors with complete transparency over the entire program.

It is recommended that the s5 Instrument of Delegation be amended to reflect the CEO financial delegation increase from \$150,000 to \$350,000.

Financial and Resource Implications

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

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

Council Plan, Community Vision, Strategies and Policies

Provide Strong Governance and Leadership

5.1 Transparent and accountable governance

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

5.1.2 Ensure flexible and transparent decision making through open and accountable governance.

Legislation

Section 11(1)(b) of the Act sets out the context in which Council and the Chief Executive Officer can, by Instrument of Delegation, delegate to members of Council staff any power, duty or function under the Act, other than certain specified powers. These delegations allow the relevant Council staff to undertake specific functions and duties in line with their positions

Gender Equality Act 2020

The adoption of this Instrument does not have any direct gender implications.

Risk Management

The approval of a revised Instrument of Delegation to the Chief Executive Officer ensures that the core operational functions of the Council are not impeded.

It is essential that in this unprecedented time, a variation to the Instrument is endorsed to ensure Council operations are maintained and continue during the caretaker.

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

Climate Change, Environmental and Sustainability Considerations

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

Community Engagement, Communication and Consultation

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

The Instrument is available for viewing on Council's website and is also available for public inspection.

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

Disclosure of Interests

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

Lisa Grayland, Acting Governance Coordinator
Tony Doyle, Chief Executive Officer

RECOMMENDATION

In the exercise of the powers conferred by the legislation referred to in the attached instrument, Council resolves that:

- a) They be delegated to the person holding the position, acting in or performing the duties of Chief Executive Officer the powers, duties and functions set out in the attached *s5 Instrument of Delegation to the Chief Executive Officer* subject to the conditions and limitations specified in that Instrument.
- b) The instrument comes into force immediately the common seal of Council is affixed to the instrument.
- c) On the coming into force of the instrument all previous delegations to the Chief Executive Officer under previous s5 Instruments are revoked.
- d) The duties and functions set out in the instrument must be performed, and the powers set out in the instruments must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.
- e) It is noted that the instrument includes a power of delegation to members of Council staff in accordance with section 98(3) of the Act.

13 Notices of Motion

13.1 Notice of Motion #6/24 - Cr Rainsford - Glenthompson Swimming Pool

Councillor: Cr Rainsford

Attachment(s): Nil

I hereby give notice of my intention to move the following motion at the Council Meeting to be held on 11 December 2024.

MOTION

That Southern Grampians Shire Council:

1. Officers present a report at the February 2025 Scheduled Council Meeting which considers financial implications and options to reopen the Glenthompson Memorial Swimming Pool.
2. Invite Glenthompson & District Community Association and community to set up a Council Community working group to review the Glenthompson Community Plan.
3. Council does not demolish the Glenthompson Swimming Pool until there is a plan supported by the Glenthompson community for alternative use of this land.

14 Urgent Business

There is no Urgent Business listed on tonight's agenda.

15 Mayor, Councillors and Delegate 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 and delegates committees, advocacy on behalf of constituents and other topics of significance.

16 Confidential Reports

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

17 Close of Meeting

This concludes the business of the meeting.