

SOUTHERN GRAMPIANS SHIRE COUNCIL

Council Meeting Minutes
Wednesday 23 October 2024

Held virtually via Teams
at 5:30pm



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The Meeting opened at 5.30pm

1 Membership

Councillors

Cr David Robertson, Mayor
Cr Helen Henry, Deputy Mayor
Cr Mary-Ann Brown
Cr Albert Calvano
Cr Bruach Colliton
Cr Fran Malone
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
Lisa Grayland, Acting Governance Coordinator

2 Welcome and Acknowledgement of Country

The Mayor, Cr Robertson 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.”

3 Prayer

Cr Rainsford led 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

Nil

5 Declaration of Interest

None declared

6 Management Reports

6.1 Annual Report 2023-24

Directorate:	Chief Executive Office
Report Approver:	Tony Doyle (Chief Executive Officer)
Report Author:	Alison Quade, Manager Community Engagement Alison Quade, Manager Communications and Engagement
Attachment(s):	Nil

Executive Summary

In accordance with the *Local Government Act 2020* Council must prepare an annual report in respect of each financial year. For the purposes of section 18(1)(d), the Mayor must report on the implementation of the Council Plan by presenting the Annual Report at a Council meeting open to the public.

Council endorsement of our Financial and Performance Statements and Annual Report is a two-step process:

- a. Under section 99 Council must certify the Financial and Performance Statements by authorising two Councillors (normally the Mayor and a Councillor member from the Audit and Risk Committee) to sign the Financial and Performance Statements;
- b. The signed certified Financial and Performance Statements are included in the Annual Report and the report presented to Council in an open meeting no later than the day before the 2024 Local Government Elections (October 26, 2024).

We completed step one at our Ordinary Council Meeting on Wednesday October 9, 2024.

Discussion

Council is required to prepare an Annual Report in respect of each financial year containing a report on its operations, audited financial statements, performance statement and any other matters required by the regulations.

It must also contain a statement of progress on implementation of the Council Plan, a statement of progress in relation to major initiatives identified in the budget, prescribed indicators of service performance for services provided by the Council and funded in the budget during the financial year, the prescribed measures relating to those indicators and the results achieved in relation to those performance indicators and measures.

The Mayor must report on the implementation of the Council Plan by presenting the annual report at a Council meeting open to the public. This Council meeting must be held— (a) in the year of a general election, on a day not later than the day before election day; and (b) in any other year, within 4 months of the end of the financial year.

The Annual Report details the performance and achievements of Council and is intended as a point of reference for Council staff, residents and businesses of the Shire, community organisations and government departments.

The Annual Report reports on the five key strategic objectives outlined in the Council Plan 2021-2025 being:

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

The Annual Report provides a comprehensive overview of activities of Council for the period 1 July 2022 to 30 June 2023, including social, economic and environmental achievements in respect of a range of projects, services and assets managed. The Annual Report of Council is an important record of the activities of Council, including its financial performance over the year for which the Auditor-General has provided unqualified audit opinions on the Financial Statements and Performance Statement for the year ended 30 June 2023. The Financial Report includes General Purpose Financial Statements, Standard Statements and the Performance Statement.

Financial and Resource Implications

Annual Reports provide an overview of the Council's financial position.

The approximate cost for officers to collate, produce, design and print the Annual Report is \$15,000.

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

Council has a statutory responsibility under the *Local Government Act 2020* to prepare an Annual Report in respect of each financial year contain the following—

- (a) a report of operations of the Council;
- (b) an audited performance statement;
- (c) audited financial statements;
- (d) a copy of the auditor's report on the performance statement;
- (e) a copy of the auditor's report on the financial statements under Part 3 of the Audit Act 1994;
- (f) any other matters prescribed by the regulations.

For the purposes of section 18(1)(d), the Mayor must report on the implementation of the Council Plan by presenting the Annual Report at a Council meeting open to the public.

Additional requirements regarding the content of the Annual Report are set out in the *Local Government (Planning and Reporting) Regulations 2020*.

Gender Equality Act 2020

There are no direct implications to the *Gender Equality Act 2020* in preparing the Annual Report.

Risk Management

There are no direct implications to risk management in this report, however Council priors resources to ensure Council Strategic and Operational risks are met.

Climate Change, Environmental and Sustainability Considerations

Whilst there is no direct implication in this category associated with the report, it should be noted that Council are committed to producing documentation and data through systems that have the least impact in the environment. Agendas, reports and minutes are produced electronically and distributed via email.

Community Engagement, Communication and Consultation

The Annual Report will be made available on Council's website once it has been presented to Council.

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.

Ashlea Sealey, Senior Communications Coordinator
Lisa Grayland, Acting Governance Coordinator
Nick Templeton, Manager Finance

RECOMMENDATION

That Council:

1. Notes the Annual Report 2023-24 for the year ended 30 June 2024, including the progress on implementation of the Council Plan 2021-25; and
2. Authorises the Chief Executive Officer to make minor amendments to the report if required

The Mayor, Cr Robertson presented the Mayor's report outlining Council's achievements, acknowledged his fellow Councillors, the community and Council staff for their commitment and effort over the past 12 months (and four year term).

COUNCIL RESOLUTION

MOVED: Cr Robertson
SECONDED: Cr Henry

That Council:

1. **Notes the Annual Report 2023-24 for the year ended 30 June 2024, including the progress on implementation of the Council Plan 2021-25; and**
2. **Authorises the Chief Executive Officer to make minor amendments to the report if required**

CARRIED

6.2 Audit & Risk Committee Meeting Minutes - 1 October 2024

Directorate: People and Performance
Report Approver: Darren Barber, Director People and Performance
Report Author: Darren Barber, Director People and Performance
Attachment(s): 1. 01-10-2024 - ARC Minutes [6.2.1 - 8 pages]

Executive Summary

The Minutes from the 1 October 2024 meeting as endorsed by the Audit and Risk Committee (ARC) are presented to Council for adoption.

Discussion

Under Section 53 of the *Local Government Act 2020* the Council must establish an Audit and Risk Committee, as an Advisory Committee of the Council. This Committee fulfils both a statutory and consultative function. It provides feedback, advice and direction to Council on both Risk and Financial matters in accordance with the committee charter.

Financial and Resource Implications

Preparation of reports, agenda and minutes of the Audit and Risk Meeting utilises Council resources. Council Officers and Chief Executive Officer attend the Audit and Risk Committee meeting to present reports and provide information to the committee.

Independent members of the Audit and Risk Committee are paid a sitting fee as members of the Committee and internal auditors are engaged to conduct audits in accordance with the endorsed audit schedule throughout the year.

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.

Provide Strong Governance and Leadership

- 5.3 Committed and skilled staff
- 5.3.1 Encourage an organisation that values equality, diversity, workplace health, safety and wellbeing.

Legislation

The Audit and Risk Committee is established in accordance with the *Local Government Act 2020* (Section 53).

Gender Equality Act 2020

There are no *Gender Equality Act 2020* implications through the noting of the Audit and Risk Committee minutes.

Risk Management

The Audit and Risk Committee has clear function in review of Councils Risks as per the Committee Charter.

Climate Change, Environmental and Sustainability Considerations

Whilst there is no direct implication in this category associated with the report, it should be noted that Council and the committee are committed to producing documentation and data through systems that have the least impact in the environment. Agendas, reports and minutes are produced electronically and distributed via email. Presenters are encouraged to attend meetings virtually to reduce the need for travel.

Community Engagement, Communication and Consultation

Changes in membership will be communicated to the relevant stakeholders when a change in membership has occurred.

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.

Darren Barber, Director People and Performance

RECOMMENDATION

That Council note the Minutes for the Audit and Risk Committee Meeting held on 1 October 2024.

COUNCIL RESOLUTION

MOVED: Cr Brown
SECONDED: Cr Calvano

That Council note the Minutes for the Audit and Risk Committee Meeting held on 1 October 2024.

CARRIED

6.3 Restoration of Essential Public Assets (REPA) AGRN 1037

Directorate:	Infrastructure and Sustainability
Report Approver:	Bill Scott (Manager Project Management Office), Marg Scanlon
Report Author:	(Director Infrastructure and Sustainability) Lisa Grayland (Acting Governance Coordinator)
Attachment(s):	Nil

Executive Summary

At the 10 July 2024 Council Meeting, Council resolved to award Tender No 2023090 to DWB Engineering Pty Ltd. DWB submitted the tender documents on behalf of Ontrack Civil Earthworks Pty Ltd and is a nominated sub-contractor for the project. The principal contractor is Ontrack Civil Earthworks Pty Ltd., and the tender should have been awarded to Ontrack Civil Earthworks Pty Ltd.

This report seeks an amendment to the Council's resolution to correct the error made in the July 2024 Council Report. This tender award relates to the Restoration of Essential Public Assets (REPA) works to reinstate damaged assets back to their original condition before the October 2022 flood event.

Discussion

The Council Report received on 10 July 2024 recommended to Council to award Tender No 2023090 to DWB Engineering Pty Ltd. This company is in fact a nominated sub-contractor to Ontrack Civil Earthworks Pty Ltd. This company was employed to submit the tender documents on behalf of Ontrack Civil Earthworks Pty Ltd. DWB Engineering Pty Ltd is the sub-contractor to Ontrack Civil Earthworks Pty Ltd for this project.

Financial and Resource Implications

There are no Financial and Resource Implications to the Council. The contracted works are funded by the state government.

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.

Maintain and Renew Our Infrastructure

3.2 Safe and well-maintained transport routes and infrastructure for all modes of travel

3.2.1 Continue to advocate for improved transport services and connections through funding and partnerships with relevant agencies.

Legislation

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

This report does not impact the Election Period Policy 2024 as it is an amendment to the original Council resolution on July 10, 2024, and has no financial implications as the expenditure was committed prior to the election period.

Gender Equality Act 2020

There are no implications for the *Gender Equality Act 2020* in relation to this correction to the tender award.

Risk Management

The risks associated with the specific contract works have been assessed with a risk management plan established.

Climate Change, Environmental and Sustainability Considerations

The Climate Change, Environmental and Sustainability Considerations remain unchanged.

Community Engagement, Communication and Consultation

As this report relates to the correction of the awarded contractor no Community Engagement, Communication and Consultation is required.

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.
Marg Scanlon, Director Infrastructure and Sustainability.

RECOMMENDATION

That Council

1. Notes that the resolution made on 10 July 2024 in respect of Agenda Item 12.3 incorrectly identified DWB Engineering Pty Ltd as the preferred tenderer for Contract No 2023090 for Restoration of Essential Public Assets instead of Ontrack Civil Earthworks Pty Ltd.
2. Amends the resolution made on 10 July 2024 in respect of Agenda Item 12.3 to:
 - a. delete all references to DWB Engineering Pty Ltd; and
 - b. replace them with references to Ontrack Civil Earthworks Pty Ltd.

COUNCIL RESOLUTION

MOVED: Cr Calvano
SECONDED: Cr Malone

That Council

1. Notes that the resolution made on 10 July 2024 in respect of Agenda Item 12.3 incorrectly identified DWB Engineering Pty Ltd as the preferred tenderer for Contract No 2023090 for Restoration of Essential Public Assets instead of Ontrack Civil Earthworks Pty Ltd.
2. Amends the resolution made on 10 July 2024 in respect of Agenda Item 12.3 to:
 - a. delete all references to DWB Engineering Pty Ltd; and
 - b. replace them with references to Ontrack Civil Earthworks Pty Ltd.

CARRIED

7 Close of Meeting

This concludes the business of the meeting.

Meeting closed at 5:51 pm.

Confirmed by resolution 11 December 2024.

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Chairman