



Southern Grampians
SHIRE COUNCIL

Council Meeting Agenda

Council Meeting
10 May 2023

To be held in MJ Hynes Auditorium,
5 Market Place, Hamilton
at 5:30pm.

TABLE OF CONTENTS

1. Membership	3
2. Welcome and Acknowledgement of Country	3
3. Prayer	3
4. Declaration of Interest	3
5. Apologies	4
6. Confirmation of Minutes	4
7. Questions on Notice	5
8. Public Deputations	6
9. Informal Meetings of Councillors	7
10. Management Reports	13
10.1 Preparation of 2023/24 Budget and Long-Term Financial Plan 2023-2033	13
10.2 Rural Land Use Strategy	17
10.3 Annual Plan Quarterly Report	25
10.4 Finance Report	27
10.5 Change of Date – June Council Meeting 2023	29
10.6 Lakes Edge Real Estate	31
10.7 S65 Community Asset Committee – Minutes	35
11. Notices of Motion	37
11.1 Notice of Motion #1/23	37
12. Delegated Reports	38
13. Mayors and Councillors Reports	39
14. Confidential Matters	40
15. Close of Meeting	41

1. Membership

Councillors

Cr David Robertson, Mayor
Cr Helen Henry, Deputy Mayor
Cr Mary-Ann Brown
Cr Albert Calvano
Cr Bruach Colliton
Cr Katrina Rainsford

Officers

Mr Tony Doyle, Chief Executive Officer
Mr Darren Barber, Director People and Performance
Ms Marg Scanlon, Director Infrastructure and Sustainability
Mr Rory Neeson, Director Wellbeing, Planning and Regulation
Mrs Tania Quinn, Council Support Officer

2. Welcome and Acknowledgement of Country

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

"Our meeting is being held on the traditional lands of the Gunditjmarra, Tjap Wurrung and Buandig people.

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

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 Brown will lead the meeting in a prayer.

" Almighty god, we humbly beseech thee to vouchsafe thy blessing upon this council.

Direct and prosper its deliberations to the advancement of thy glory and the true welfare of the people of the Southern Grampians shire."

4. Declaration of Interest

5. Apologies

RECOMMENDATION

That Council:

1. Rescind the resolution of 10 May 2023 Council Meeting, to grant a leave of absence to Councillor Albert Calvano from 4 June 2023 to 20 September 2023 inclusive; and
2. In accordance with section 35(4) of the *Local Government Act 2020*, grant a leave of absence to Councillor Albert Calvano for all meetings held from 30 April 2024 to 22 August 2024 inclusive.

6. Confirmation of Minutes

RECOMMENDATION

That the Minutes of the Council Meeting held on 12 April 2023 be confirmed as a correct record of business transacted.

7. Questions on Notice

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

All questions must be submitted through completion of the Public Question Time form and be forwarded to the Chief Executive Officer at 111 Brown Street, Hamilton. All questions must be received by no later than 5pm on the Monday before the 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 attends the Council Meeting the Mayor will read the question aloud and provide a response. If a question cannot be answered at the meeting, a written response will be prepared and forwarded to the person raising the question.

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

There are no Questions on Notice listed on tonight's agenda.

8. Public Deputations

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

Anyone wishing to make a deputation to Council must complete the Request to Make a Deputation form and forward it to the Chief Executive Officer at 111 Brown Street, Hamilton 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 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 Chambers. All members of the public must also comply with Council's Council Meetings policy in relation to meeting procedures and public participation at meetings.

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

9. 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 – 5 April 2023
- Briefing Session – 12 April 2023
- Briefing Session – 19 April 2023
- Briefing Session – 26 April 2023

This agenda was prepared on 3 May 2023. Any Informal Meeting of Councillors between that date and the date of tonight's Meeting will appear in the agenda for the next Ordinary Meeting of Council.

Southern Grampians Shire Council

Informal Meeting of Councillors

ASSEMBLY DETAILS	
Title:	Briefing Session
Date:	5 April 2023
Location:	MJ Hynes Auditorium
Councillors in Attendance:	Cr David Robertson, Mayor Cr Helen Henry, Deputy Mayor Cr Albert Calvano Cr Bruach Colliton Cr Katrina 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 Alison Quade, Manager Communications and Engagement Joshua White, Artistic Director Hamilton Gallery
External Presenters:	John Watson Michael Ulbrick Marg Allan Colin Morrison Phil Shanahan

The Informal Meeting commenced at 12:00pm.

MATTERS CONSIDERED		CONFLICTS OF INTEREST DECLARED
1	Victorian Local Government Grants Commission Meeting	Nil
2	CEO Performance Review	Nil
3	Community Budget Survey	Nil
4	Councillor Nominated Projects	Nil

5	Hamilton CBD Major Projects	Nil
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The Informal Meeting concluded at 5:00pm.

Southern Grampians Shire Council
 Informal Meeting of Councillors

ASSEMBLY DETAILS	
Title:	Briefing Session
Date:	12 April 2023
Location:	MJ Hynes Auditorium
Councillors in Attendance:	Cr David Robertson, Mayor Cr Helen Henry, Deputy Mayor Cr Albert Calvano Cr Bruach Colliton Cr Katrina Rainsford
Council Staff in Attendance:	Tony Doyle, Chief Executive Officer Marg Scanlon, Director Infrastructure and Sustainability Rory Neeson, Director Wellbeing, Planning and Regulation Belinda Johnson, Manager Finance Jason Cay, Acting Sustainable Finance Coordinator

The Informal Meeting commenced at 2:00pm.

MATTERS CONSIDERED		CONFLICTS OF INTEREST DECLARED
1	Councillor Only Meeting	Nil
2	Matters Raised by Councillors	Nil
3	S11A Instrument of Appointment	Nil
4	Capital Program	Nil

The Informal Meeting concluded at 5:00pm.

Southern Grampians Shire Council

Informal Meeting of Councillors

ASSEMBLY DETAILS	
Title:	Briefing Session
Date:	19 April 2023
Location:	MJ Hynes Auditorium
Councillors in Attendance:	Cr David Robertson, Mayor Cr Helen Henry, Deputy Mayor Cr Albert Calvano Cr Bruach Colliton Cr Katrina 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 Belinda Johnson, Manager Finance

The Informal Meeting commenced at 2:00pm

MATTERS CONSIDERED		CONFLICTS OF INTEREST DECLARED
1	Long Term Financial Plan Review	Nil

The Informal Meeting concluded at 5:00pm.

Southern Grampians Shire Council

Informal Meeting of Councillors

ASSEMBLY DETAILS	
Title:	Briefing Session
Date:	26 April 2023
Location:	MJ Hynes Auditorium
Councillors in Attendance:	Cr David Robertson, Mayor Cr Mary-Ann Brown Cr Albert Calvano Cr Katrina 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 Bill Scott, Manager Project Management Office Anja Johnson, Acting Manager Strategy and Regulation Parvesh Siroha, Senior Statutory Planner Karly Saunders, Governance Coordinator Tania Quinn, Acting Governance Coordinator
External Presenters:	Joe McCracken

The Informal Meeting commenced at 11:00am.

MATTERS CONSIDERED		CONFLICTS OF INTEREST DECLARED
1	Meeting with Joe McCracken	Nil
2	Matters Raised by Councillors	Nil
3	Monthly Capital Works Report	Nil
4	Rural Land Use Strategy	Nil
5	Governance Rules	Nil
6	Annual Plan Quarterly Report	Nil
7	Hamilton Revitalisation Project	Nil

The Informal Meeting concluded at 3:30pm.

10. Management Reports

10.1 Preparation of 2023/24 Budget and Long-Term Financial Plan 2023-2033

Directorate: Darren Barber, Director People and Performance
Author: Belinda Johnson, Manager Finance
Attachments: 1. Draft Budget 2023/24-2026/27
2. Draft Long-Term Financial Plan 2023-2033
3. Draft Pricing Register

Executive Summary

The Draft Budget for 2023/24, Long-Term Financial Plan 2023-2033 and Pricing Register have been prepared in the form of the model templates recommended as the best practice for reporting in local government in Victoria. The reports contain the statutory information required under the Local Government Act 2020 and the associated Regulations.

These documents have been developed within the overall Integrated Strategic Planning and Reporting Framework, which guides Council in identifying community needs and aspirations over the medium to long term (Long Term Financial Plan and Asset Plan) and short term (Annual Budget) objectives, strategies, initiatives, activities, and resource requirements.

Discussion

Draft Budget 2023/24

The Draft Budget for 2023/24 has been prepared under the provisions of the *Local Government Act 2020*, Section 94(1)(a) and in accordance with the associated Regulations and the relevant International and Australian Accounting Standards. The budget document contains:

- Overview and Budget Highlights
- Analysis of operating and capital budgets, cash position, budget financial position and rating structure
- Standard Income Statement, Balance Sheet, Cash Flow Statement, Capital Works Statement and a Summary of Rates and Charges

The Draft 2023/24 Budget presented has been developed through a process of consultation and review with Council and Council officers.

The Draft 2023/24 Operating Budget forecasts an operating surplus of \$6.951 million and Council anticipates holding \$4.554 million cash on 30 June 2024.

The Draft Budget provides for capital expenditure in 2023/24 of \$40.342 million.

The Draft Budget proposes that the revenue generated from general rates and municipal charges be increased by 3.5% for the year. The rate cap has been set at 3.5% by the Minister for Local Government.

The municipal charge will increase from \$209 to \$216 (this is a 3.35% increase bringing the total collected to 10% of rate revenue)

General rates and municipal charges are levied in accordance with Council's Revenue and Rating Plan 2023/24-2026/27 – adopted by Council on 8 December 2023.

The service charge will increase from \$360 to \$385 for all improved residential properties in the Hamilton, Balmoral, Branxholme, Byaduk, Byaduk North, Cavendish, Coleraine, Dunkeld, Glenthompson, Penshurst, and Tarrington urban areas and as defined in the "refuse collection areas" for the collection and disposal of refuse, recycling, and organic waste.

The refuse, recycling & FOGO collection and disposal service will be provided to non-residential (commercial, industrial, and not-for-profit organisation) properties within the Shire on request and will be a fee for service as provided in Council's Pricing Register and within the collection's contractors most efficient routes. To provide more flexibility to businesses, these properties can request either individual services, multiples of individual services or the standard 3 bin service.

Residential properties already in receipt of the three-bin collection service can also request additional individual service components which will be a fee for service as provided in Council's Pricing Register.

It is proposed to borrow \$8 million in 2023/24 year.

It is proposed to continue to offer as an incentive for prompt payment, a discount of two per cent in accordance with Section 168 of the *Local Government Act 1989* where all four instalments of rates and charges declared for the current year (less the discount) are paid on or before 30 September, excluding any arrears of rates and charges outstanding from previous years.

Long Term Financial Plan 2023-2033

The role of the LTFP is to articulate the medium to long term financial aspirations and underlying assumptions made to deliver on the Council Vision 2041, Council Plan 2021-2025, Municipal Public Health and Wellbeing Plan 2021-2025 and other strategic guidance documents.

This Plan is updated annually in line with the preparation of the Budget to ensure consistency between the short-, medium- and long-term financial aspirations and funding solutions.

Pricing Register 2023/24

The Pricing Register has been prepared in the context of supporting the delivery of the 2023/24 Draft Budget and in accordance with Council's adopted Revenue and Rating Plan 2021/22-2024/25.

Financial and Resource Implications

In accordance with Section 96 of the Local Government Act 2020, Council is required to develop the budget in accordance with the financial management principles.

Legislation, Council Plan and Policy Impacts

The 2023/24 Budget includes the key activities and initiatives to be funded that will contribute to achieving the strategic objectives specified in the Council Plan 2021-2025.

The Council Plan identifies that we will:

- Support our Community.
- Grow our Regional Economy
- Maintain and renew our Infrastructure.
- Protect our Natural Environment
- Provide strong Governance and Leadership

Risk Management

In developing the suite of documents, Council considers relevant financial risks to ensure it can achieve its Council Plan objectives within a longer term prudent financial framework. The Asset Plan further articulates what spending is desired to keep assets at the optimal service potential levels. The trade-off between the desired level of expenditure and the actual funded level of expenditure is known as the renewal gap.

Environmental and Sustainability Considerations

Whilst the documents do not have specific sections on environmental and sustainability matters, the implication of utilising those plans as guiding principles is implied.

As key strategies are reviewed and/or developed by Council, these will be linked in a reciprocal arrangement by balancing the objectives of the strategy with the cost/benefits on the financial framework.

The Draft Budget provides the funding for Council to undertake its social, economic, and environmental initiatives outlined in the strategic plans.

Community Consultation and Communication

The documents will be advertised for public inspection and feedback on Friday, 12 May 2023 in the Hamilton Spectator Newspaper.

They will also be available for public inspection on the "Have your say" page of Council's website www.sthgrampians.vic.gov.au.

Copies will be distributed to the local Development Associations. Any person wishing to obtain a copy may do so by contacting Council's customer services on (03) 5573 0444.

Council will also embark on a community engagement program via social media to complement the existing traditional methods of obtaining feedback. This will include approximately 3 posts providing various information and graphics and directing people to a survey monkey on the "Have Your Say" page of the Council website.

All forms of feedback will close on Monday, 29 May 2023 following which a summary report will be prepared for Councillors. Anyone wishing to present their feedback to Councillors will be invited to do so on Wednesday, 7 June 2023.

It is proposed that adoption of the Budget 2023/24 and Long-Term Financial Plan 2023-2033 will be considered at a Meeting of Council to be held on Wednesday, 21 June 2023.

Disclosure of Interests

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

RECOMMENDATION

That Council:

1. Endorse the Draft Budget 2023/24 and Long-Term Financial Plan 2023-2033 and:
2. In accordance with the Local Government Act 2020 and the Council's Community Engagement Policy make the documents available for feedback, and
3. Advertise the availability of the documents and options to provide feedback until the close of business on Monday, 29 May 2023.

10.2 Rural Land Use Strategy

Directorate: Rory Neeson, Director Wellbeing, Planning and Regulation
Author: Parvesh Siroha, Senior Strategic Planner
Attachments: 4. Southern Grampians Rural Land Use Strategy

Executive Summary

The purpose of this report is to seek Council adoption of the Southern Grampians Rural Land Strategy (the RLUS). This RLUS document has progressed through extensive stakeholder and public consultation with the matters raised satisfactorily addressed. The RLUS document has been modified where necessary because of consultation and is now suitable for adoption by Council.

Following adoption of the RLUS document, the next phase of the process will include the preparation of a planning scheme amendment to make changes to the Southern Grampians Planning Scheme in accordance with the Implementation Plan of the RLUS. Submitters, community members, and stakeholders will have further opportunity to make comment on the proposed planning scheme changes as part of the exhibition period.

Recommendation

That Council:

1. Adopt the Southern Grampians Rural Land Use Strategy.
2. In accordance with Section 8A of the *Planning and Environment Act 1987*, seek authorisation from the Minister for Planning to prepare an Amendment to make changes to the Southern Grampians Planning Scheme in accordance with the Implementation Plan of the Southern Grampians Rural Land Use Strategy.
3. Subject to the Minister's authorisation, in accordance with Section 19 of the *Planning and Environment Act 1987*, prepare and exhibit the Amendment to the Southern Grampians Planning Scheme.

Discussion

Council has prepared the RLUS, and its completion meets Council's commitment to the community as a key strategic outcome of the Council Plan 2021-2025.

The RLUS is the first of its kind for Southern Grampians Shire. It has been prepared with a 20-year planning horizon and establishes a planning vision and strategies that seek to support established rural industries such as agriculture and forestry, promote emerging opportunities in rural tourism and recognise and protect important environmental and landscape values.

In particular, the RLUS aims to:

- Retain sustainable food and fibre production and value add industries as the priority rural land use.
- Encourage diversification of rural land use, including tourism, renewable energy, and sustainable development of natural resources.
- Retain residential growth and rural living within established townships to create a network of integrated and prosperous settlements.
- Protect and enhance the environmental and landscape qualities of the land.

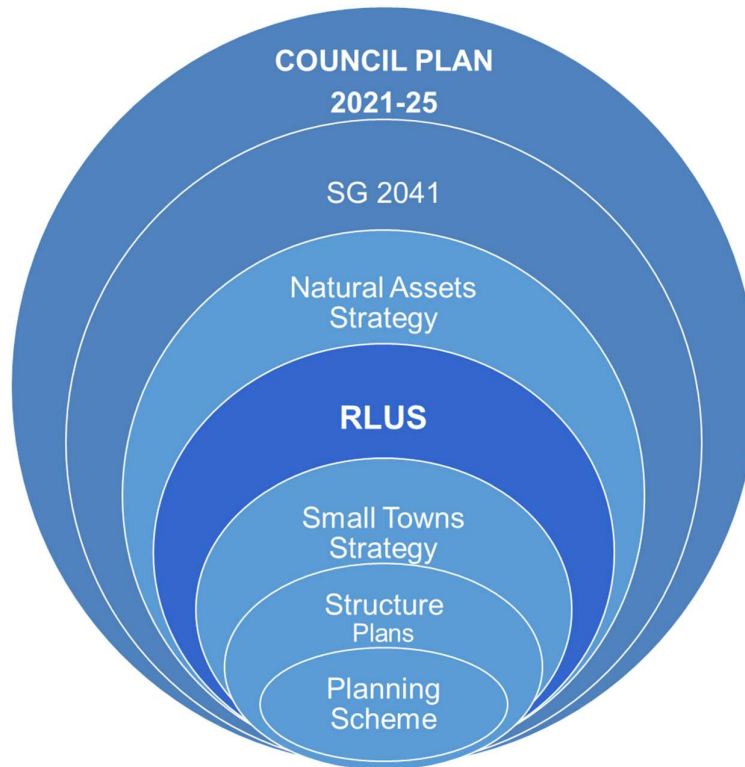
The project milestones to date include:

- 2012 – A business case was prepared to support funding a Rural Land Use Strategy.
- In 2017 – A tender was issued and RMCG was appointed to prepare the RLUS.
- April 2019 – Target group consultations commenced with stakeholders, farm businesses and tourism operators.
- October 2019 – First draft RLUS was prepared.
- January 2020 – Peer Review conducted.
- May 2020 – Second draft RLUS prepared with changes suggested under peer review.
- March 2021 – Council resolved to launch the draft RLUS on Council's website.
- August 2021 – Council was briefed on submissions and Council resolved to formally exhibit the RLUS.
- October 2021 – Community engagement sessions conducted in five towns (Dunkeld, Peshurst, Coleraine, Balmoral, and Cavendish) and a virtual session was conducted in Dec 2021.
- February 2022 – Council briefed on submissions received during formal exhibition.
- April 2022 – RMCG provided with opportunity to address submissions received in formal exhibition phase.
- March-June 2022 – Farm case studies undertaken across the Shire.
- July 2022 – RMCG updated the RLUS addressing issues identified in Feb 2022. A last version of the RLUS completed.
- September 2022 – The RLUS was formally re-exhibited.
- April 2023 – A briefing was held with Councillors to update on the project before adopting the RLUS.

The key components of the RLUS are:

- A **Strategic Framework** comprising a vision, principles, framework plan and strategic objectives for rural land.
- An **Implementation** plan including recommendations for changes to the Southern Grampians Planning Scheme and further strategic work.

Southern Grampians Strategy Hierarchy Framework



Council Plan 2021-25. Strategic ambition to grow regional economy. Southern Grampians will be recognised as a well-connected, dynamic Regional Centre, supporting a vibrant, healthy, and inclusive community.

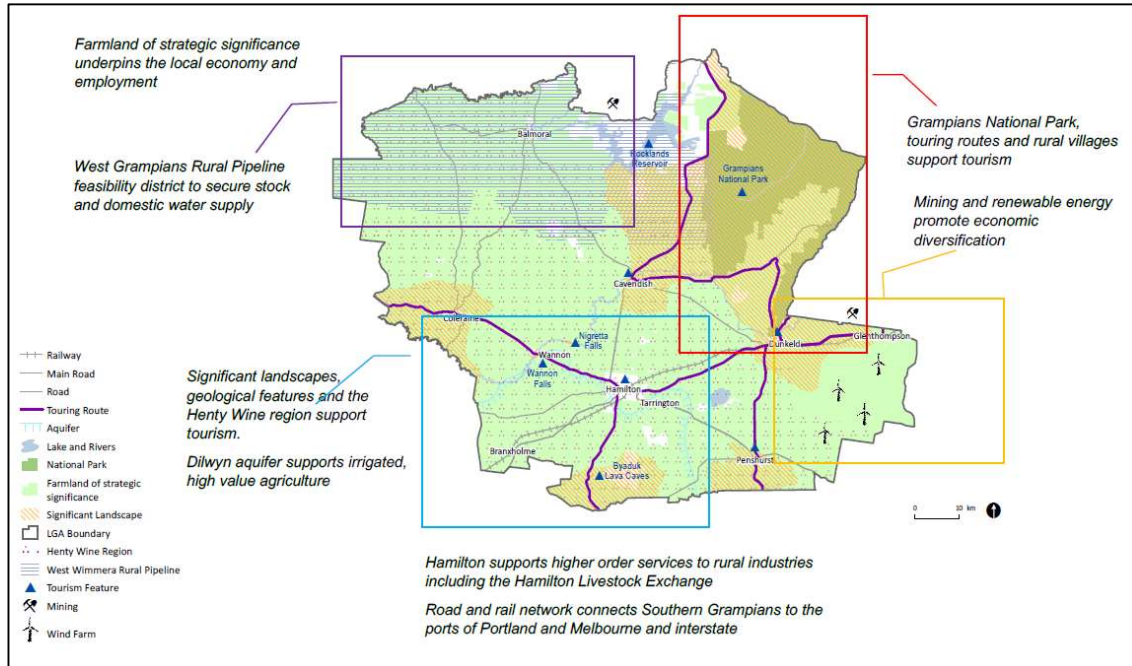
SG 2041. Priorities, advocacy, and partnership. Southern Grampians is a growing, inclusive, and connected community that fosters sustainability, diversity, and innovation.

Natural Assets Strategy. This piece of strategic work focuses on environmental assets and how Council manages them. It will ultimately drive a renewed focus on roadside reserves, wetlands, river redgums, volcanic plains and how Council works with its community to protect and manage these values.

Small Towns Strategy. This project review vision statements on all small towns, examine infrastructure needs and deliver a rural living component focus adjoining towns, where justified by the evidence collected (which in turn supports proponent led amendments).

Rural Land Use Strategy - Rural Framework Plan

The RLUS establishes the following directions for rural land across Southern Grampians, to be implemented by the Rural Framework Plan which identifies the key actions to implement these directions.



Strategic Objectives of the Strategy:

The RLUS establishes the following directions for rural land across Southern Grampians, to be implemented by the Rural Framework Plan.

1. Those relating to food and fibre.
2. Rural Tourism
3. Rural Industries
4. Environment and Landscape

Food and Fibre

The RLUS outlines provisions for the local policy for decision making for development on rural lands; streamlines and simplifies the decision making when there is a clear agricultural benefit i.e., how should dwellings be regulated in the Farming Zone; what planning approach should be taken with old Crown township subdivisions and related matters; Farm Management Plan Template prepared by Council to assist planning permit application determination.

Rural Tourism

Rural tourism is the second focus area of the RLUS. Policy guidance will assist in assessing permit applications for discretionary tourism uses that are ancillary or in conjunction with an agricultural use such as bed and breakfast, host farms and group accommodation. The provisions for rural tourism will make it clear as what type of tourism is encouraged to simplify and streamline the rural tourism in the shire, e.g., Glamping, Host Farm, Agri-tourism, or Winery/Cellar Door. These uses will be provided for through the rezoning of land to Rural Activity Zone.

There are two approaches to rezoning land to Rural Activity Zone. Firstly, identification and rezoning land to Rural Activity Zone through a Council-led planning scheme amendment. The main advantages of this approach are that the cost of rezoning is borne by Council, not the proponent and Council clearly identifies where large-scale tourism development will be entertained. The main disadvantage of this approach is that the rezoned land may not meet the needs of the industry, which can change over time. Widespread application of the Rural

Activity Zone as an aspirational measure to attract tourism, is also unlikely to receive State Government support. The second, and preferred, option is for a proponent-led planning scheme amendment, subject to meeting local policy requirements. While the cost of the rezoning will be borne by the proponent, they are able to choose a site that is most suited to the proposed development and the tourism market they are seeking to attract.

The RLUS recommend policy guidance and requirements for assessment of large scale “one-off” tourism developments within the rural areas as part of a strategic rezoning proposal. For places such as Dunkeld, Penshurst, Cavendish, Balmoral with a high prospect of attracting a wide range of tourism opportunities, clearer policy support in the Scheme for such projects has merit. More explicit policy support for tourism uses that don’t require the Rural Activity Zone would also provide greater certainty to investors.

Rural Industries

Rural Industries are the third focus area of the RLUS. Mining, quarrying, and extractive industry deliver road base and materials required by the wider community. These uses can and do however generate impacts in local areas. So too does forestry and renewables. Notwithstanding there is a balance between economic opportunity and protecting landscapes, whether these be those identified in the recent Volcanic Assets project (in preparation) or the SW Landscape Assessment Study (DELWP) 2014.

Given the earlier comments on the importance of tourism, prioritising key landscapes for protection, balanced against the need for rural industries to have access to raw materials warrants further discussion with the community.

In summary, the RLUS will clarify policy guidance on rural land, agriculture, forestry, mining, and extractive industry.

Environment and Landscape

Environment and landscape are the final focus area. The RLUS notes that there are significant waterways and wetlands in Southern Grampians, yet there has been very limited application of planning controls to ensure their protection and enhancement.

The 2018 Planning Scheme Review noted with regard native vegetation that a Biodiversity Mapping Scheme project was undertaken for the Southwest by the former Department of Sustainability and Environment in early 2000’s. However, it was at a scale that is difficult to justify the application of controls and given the time that has lapsed, the data needs to be reviewed.

More detailed vegetation assessment may also have benefits for agriculture and other rural industries. Changes to the Native Vegetation Framework in 2017 now require applicants seeking to remove vegetation of high ecological value, including for agricultural development, to provide “*compelling justification if avoidance and/or minimisation cannot be demonstrated.*” Mapping of vegetation of high ecological significance will assist landholders to identify areas of the farm with high ecological values where intensive agricultural development such as cropping may be less suitable. The mapping may also identify areas suitable as native vegetation offsets.

The RLUS supports the recommendation to undertake further strategic work to map and document the environmental values of Southern Grampians with a view to introducing planning controls to the Southern Grampians Planning Scheme. The optimal mechanism for this work is through a proposed Natural Assets Strategy.

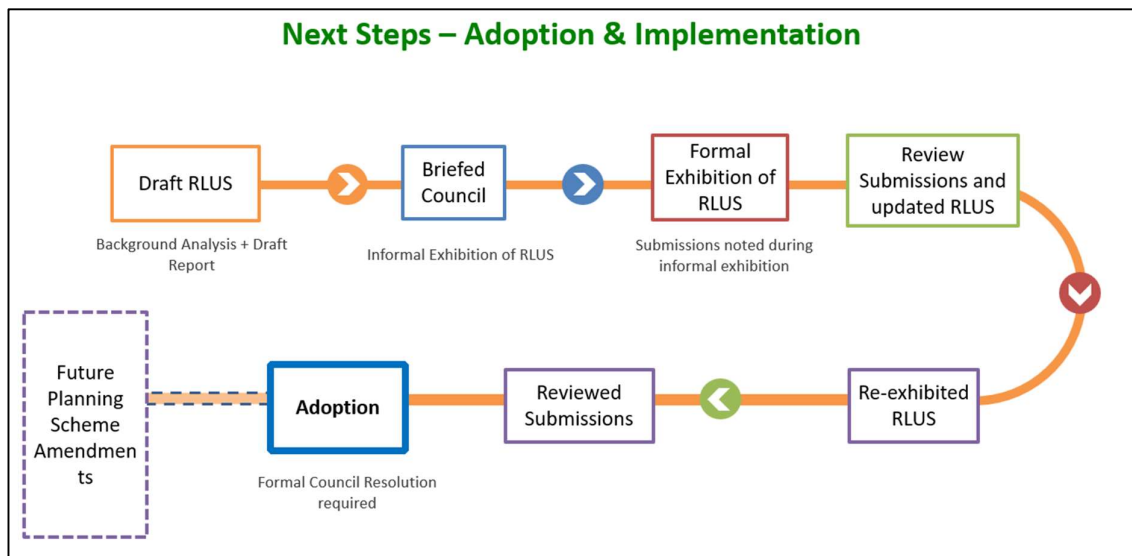
Consultation and communication processes

The RLUS was re-exhibited from 19 September 2022 for four weeks. The Council advertised RLUS through different mediums including notice in Hamilton Spectator and letters to residents who made submissions previously. Receiving only one (1) submission during the public advertising period. The submission raised concerns that the RLUS is responding to development pressures and issues not observed in Southern Grampians.

Response: The RLUS seeks to be relevant for the next 20 years and responds to State policy regarding Farmland of Strategic Significance; The Strategy positions Council ahead of issues and seeks to maintain competitive strengths; the RLUS is responding to policy gaps - rural tourism, rural industries and legacy issues – crown allotments; Local policy and Farm Management Plan Template will assist Council officers to assess planning permits for dwellings and assist landholders to compile appropriate information and avoid delays.

Next Steps

Following Council adoption of the final Rural Land Use Strategy, planning scheme amendment documentation will be prepared to introduce the recommended policy into the Southern Grampians Planning Scheme and include the RLUS as a Background Document. Submitters, community members, and key stakeholders will have a further opportunity to make comment on the proposed planning scheme changes as part of the exhibition period.



Financial and Resource Implications

- Council begun the RLUS project in the 2017/18 financial year with a budget allocation of \$93,730.
- Council is responsible for the costs of proceeding with a planning scheme amendment and any fees associated with the amendment would be met from the Strategic Planning unit’s operating budget.

Legislation, Council Plan and Policy Impacts

Southern Grampians Council Plan 2021-25 sets out the following vision:

- Southern Grampians will be recognised as a well-connected, dynamic Regional Centre, supporting a vibrant, healthy, and inclusive community.

Actions that Council will undertake to implement this vision relevant to this study include:

- Promote the Region's natural advantages of soil, water, topography, and climate.
- Support opportunities for intensification, diversification and value adding within the agricultural and primary industries sector.
- Attract, support, and encourage social and economic development in all our settlements.
- Leverage the Shire's strategic advantages in health, education, leisure, and cultural activities to stimulate economic and population growth.
- Continue to develop and implement land use planning strategies to support new investments.
- Promote and support natural resource management and community-based initiatives.
- Ensure land use planning balances growth with appropriate levels of environmental stewardship.

Risk Management

There are no risks associated with adopting the RLUS. The RLUS identifies priorities and outcomes for our rural lands and provides a robust Shire wide framework for future implementation. This reduces risk by clearly identifying actions pursued and ensure alignment across Council.

Should the RLUS not be adopted and finalised, this may compromise the Council's ability to meet commitments made to the community.

Environmental and Sustainability Considerations

Sustainable management of the Shire's agricultural sector is one of the highest priorities as set out in the Shire's Economic Development Strategy and Council Plan.

Community Consultation and Communication

The purpose of this report is to brief Council on community engagement undertaken has been discussed earlier. Further consultation would be completed as part of the amendment to the planning scheme.

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.

Conclusion

This Rural Land Use Strategy acknowledges the importance of agriculture to the Southern Grampians economy, along with the social and cultural values associated with the rural landscape. There is currently insufficient local policy guidance in terms of rural areas of Southern Grampians despite clear State Planning Policy directions on rural land management.

The RLUS supports farmers to maintain viability of their enterprises; continue to ensure that agriculture is an enabler for other industries in Southern Grampians region; continue to contribute to the economic value of agriculture in the region and the State; along with

significantly contributing to the resilience of food production through the protection of productive agricultural landscapes.

They will assist Council in managing land use and development in its rural areas and ensures ongoing protection of Southern Grampians core farming areas, which include some of the most productive agricultural land in Victoria. The RLUS will be implemented through policy and zoning controls within the Southern Grampians Planning Scheme. The RLUS will also be presented for Council consideration at various stages of the Planning Scheme Amendment process.

Council exhibited the RLUS three times and updated it incorporating community feedback; considering appropriate action through consultation with the RLUS now ready for Council consideration and adoption.

After adoption, Council Officers will seek to undertake further strategic work to prepare a framework to prioritise and implement the RLUS into the Southern Grampians Planning Scheme.

Importantly, please note, should Council resolve to adopt the RLUS, the community will have further opportunity to partake in any future Planning Scheme Amendment process.

It is recommended that the RLUS be adopted and that authorisation from the Minister for Planning to prepare a planning scheme amendment be sought. The amendment will then be placed on formal public exhibition to seek community and agencies comments.

RECOMMENDATION

That Council:

1. Adopt the Southern Grampians Rural Land Use Strategy.
2. In accordance with Section 8A of the *Planning and Environment Act 1987*, seek authorisation from the Minister for Planning to prepare an Amendment to make changes to the Southern Grampians Planning Scheme in accordance with the Implementation Plan of the Southern Grampians Rural Land Use Strategy.
3. Subject to the Minister's authorisation, in accordance with Section 19 of the *Planning and Environment Act 1987*, prepare and exhibit the Amendment to the Southern Grampians Planning Scheme.

10.3 Annual Plan Quarterly Report

Directorate: Tony Doyle, Chief Executive Office
Author: Karly Saunders, Governance Coordinator
Attachments: 5. Action and Task Progress Report 1 January 2023 – 31 March 2023

Executive Summary

The Action and Task Progress Report for the period 1 January 2023 to 31 March 2023 has been prepared to provide information regarding the performance of the organisation against the Annual Plan.

Discussion

The Annual Plan is developed each year to assist in the delivery of the Council Plan objectives and to demonstrate to the community the key projects to be delivered that year.

The Annual Plan sets out the specific actions and includes a detailed list of Council's activities and initiatives for the upcoming financial year. These initiatives are projects that are undertaken over and above normal service delivery and are intended to attain important outcomes for Council and the community.

Reports on the progress of the Annual Plan are reported to Council quarterly. This allows Council to receive timely, relevant, and measurable information about how the organisation is performing. This in turn allows Council an opportunity to raise concerns about performance in a timely manner. The Annual Plan reporting will also help formulate the Annual Report and support the reporting against the Council Plan each year.

There are currently 51 actions reported on from the Annual Plan and Council Plan. Of these 51 actions:

- 44 actions (86%) are on track - at least 90% of the target achieved.
- 4 actions (8%) require monitoring –between 70% and 90% of the target achieved.
- 3 actions (6%) are off track – less than 70% of target achieved; and
- 0 actions (0%) have no target set.

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

Legislation, Council Plan and Policy Impacts

Council is required to adopt a Council Plan in accordance with section 90 of the *Local Government Act 2020* and subsequently determine whether any adjustments are required.

This Plan is supported by the development of an Annual Plan which details the actions that will be undertaken to achieve the strategic objectives in the Council Plan.

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

Disclosure of Interests

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

RECOMMENDATION

That Council receive the Action and Task Progress Report for 1 January 2023 – 31 March 2023.

10.4 Finance Report

Directorate: Darren Barber, Director People and Performance
Author: Belinda Johnson, Finance Manager
Attachments: 6. Finance Report to 30 March 2023

Executive Summary

The Quarterly Finance Report for the Year to 31 March 2023 is presented for information.

Discussion

The Finance Report contains the Standard Statements namely:

- Comprehensive Income Statement,
- Balance Sheet,
- Statement of Cash Flows,
- Statement of Capital Work and
- Statement of Human Resources.

The Report also includes information on cash balances, current borrowing ratios and debtor balances.

Detailed narratives accompany each of the statements.

Legislation, Council Plan and Policy Impacts

Council Plan

The finance report provides interim information on the financial progress of the achievement of the Annual Budget. Financial sustainability and compliance with our annual budget are specifically identified as strategies within the Council Plan.

Legislation

Section 97 of the Local Government Act 2020 requires that after the end of each quarter, the 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 Councils official financial report which is audited and then included as part of Council's Annual Report.

Council is also required to implement the principles financial management 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 managed in accordance with the 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

Disclosure of Interests

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

RECOMMENDATION

That the Quarterly Finance Report to the 31 March 2023, be received.

10.5 Change of Date – June Council Meeting 2023

Directorate: Tony Doyle, Chief Executive Officer
Author: Tony Doyle, Chief Executive Officer
Attachments: None

Executive Summary

The June Council Meeting calendared for Wednesday, 14 June 2023 be changed to Wednesday, 21 June 2023 due to scheduling conflicts.

Discussion

Council Meeting dates were set for the following year at the Statutory Meeting held on 26 October 2022 with all Council Meetings scheduled for the second Wednesday of each month.

Recently Council has become aware of scheduling conflicts due to the Australian Local Government Association (ALGA) Conference on 13-15 June 2023 in Canberra. At least three Councillors and the CEO will be attending this conference thus, the recommendation to reschedule the meeting.

ALGA is an important Local Government event which focuses on sector best practice and lobbying. At this conference, motions passed set the association and sector direction for the next year.

Importantly, for Southern Grampians, the Mayor has sought meetings with Ministers and their staff whilst in Canberra to advocate for Southern Grampians Shire Council's projects.

Council's Governance Rules provide that Council by resolution, may change the date, time and place of any meeting which has scheduled and supply notice of the change to the public.

In line with Council's Governance Rules, Officers recommend rescheduling the June Council Meeting from Wednesday, 14 June 2023 to Wednesday, 21 June 2023 at 5:30pm to be held in MJ Hynes Auditorium.

Financial and Resource Implications

There are no financial or resource implications which will result from the adoption of this recommendation.

Legislation, Council Plan and Policy Impacts

Section 61(4) of the *Local Government Act 2020*.

Sub-rule 3.3.1 (b) of the Governance Rules allows for a meeting date, time, and place change by resolution of Council.

Risk Management

There are no risks associated with changing the date of the Statutory Meeting date.

Environmental and Sustainability Considerations

There are no environmental or sustainability considerations associated with this report.

Community Consultation and Communication

Once adopted, Council's website, social media pages and the Hamilton Spectator will advertise the rescheduled meeting details.

Community members can attend the meeting in person or view the meeting which will be livestreamed to Council's Facebook page.

Disclosure of Interests

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

RECOMMENDATION

That:

1. Council approves the rescheduling of Council Meeting from Wednesday, 14 June 2023 to Wednesday, 21 June 2023 in MJ Hynes Auditorium at 5:30pm.
2. The public be advised of the change of date via print and social media.

10.6 Lakes Edge Real Estate

Directorate: Marg Scanlon, Director Shire Infrastructure
Author: Matthew Worsnop, Acting Manager Assets
Attachments: None

Executive Summary

An Expression of Interest (EOI) process for the property sales agent services to manage the sale of the Lakes Edge Hamilton property has been undertaken in March 2023. A total of five submissions were received including their respective marketing and advertising strategies, proven successful sales history in similar campaigns, lead generation techniques, customer engagement practices, sales team personnel skills, training, and performance metrics.

Based on the evaluation of the submissions received, it is recommended that Council endorses the engagement of Biggin and Scott to act on behalf of Council as the property sales agent. Council will receive a further report at the end of the marketing period detailing the responses received from property developers, their proposed site development plans, and the officer recommendations to appoint.

Discussion

More than twenty property sale agents were invited to submit an expression of interest for the Lakes Edge property with five submissions received. The proposed marketing strategy for the Lakes Edge project by Biggin and Scott references other similar development sites across regional Victoria including the Ross Road Gisborne (266ha of rural conservation and general residential development), Ballan (15ha residential development) Gillespie's Lane Shepparton (16ha residential development) and Wodonga (25ha residential development).

By considering the vendor's requirements, site details and planning implications, Biggin and Scott has taken a best value approach to their marketing strategy. Biggin and Scott's previous experience also includes property sales for government and corporate entities such as the state government land sale of Hackett Road Werribee. Biggin and Scott have demonstrated their adherence to privacy and probity requirements.

Biggin and Scott recommend a publicly advertised EOI sales campaign which will enable a fair and competitive process. The proposal recommends offering flexible settlement terms (including the Section 173) and deposit payments to attract potential buyers and elevate the final sale price.

The successful sales process for the Lakes Edge project will involve three stages as defined by Council, with Biggin & Scott completing this in a total duration of approximately eight weeks. Biggin and Scott propose the following program.

- Stage 1 will involve preparing all marketing collateral, assembling due diligence material, launching the EOI campaign, and leading the EOI process (estimated period 2 weeks)
- Stage 2 involves assembling all second-round bids, providing advice, and commencing negotiations with shortlisted parties while reporting to Council (estimated 4 weeks minimum)
- Finally, Stage 3 involves executing the sales documents, finalising Section 173 negotiation and completing all final reports on the EOI process prior to the end of the agency agreement (estimated 2 weeks).

Regular reports will be provided to Council during the campaign to monitor market interest and initial proposal indications.

Biggin and Scott suggested that the campaign be delayed until Spring 2023, however Officers recommend that Council proceed, noting that the campaign can be monitored and extended in response to the market interest. Smaller local developers, builders and trades could be identified and sourced for sections of development which would further contribute to the local economy.

Biggin and Scott propose to launch the campaign through internet portals and print publications, creating a database of developers for short-listing. This will allow Council to effectively manage and determine the best and most appropriate party to purchase the land.

The EOI campaign seeks detailed masterplans from developers, indicative timelines, submission of price and determining the desired parcel size and layout of services in accordance with all other proposed sub-divided parcels.

In comparison, the remaining submitters are less experienced in similar sized consignments and quality assurance of canvassing and reporting were not as mature.

Financial and Resource Implications

The Biggin and Scott proposal includes a fee of \$20,659 for the marketing campaign and 2% of the land sale for the sales agent services. Comparatively, the scale of the remaining submitters was between \$2,580 - \$20,659 and 1.3 -2.75% of the land sale for the sales agent services. It should be noted that the lowest cost submitted for the marketing campaign was accompanied by the highest sales commission percentage.

Initial planning, legal and surveyor costs met by Council have been included in the current operational budget. Site development costs associated with design and site assessments would be the responsibility of the successful developer/s.

An operational budget is included in the 2022/2023 budget for the engagement of the property sales agent. As a part of the development proposals received from developers, the financial model will be further considered by Council. No Council budget allocation has been included for the future site development.

Legislation, Council Plan, Community Vision, Strategies and Policies

The Lakes Edge development is a key strategic priority for Council with the objective to provide residential development sites. The Community Vision 2041 outlines a vision for the Shire to be *"a place of choice to live, work and invest in"* with a focus on sustainable development and infrastructure. The Community Investment plan also highlights the need for affordable housing and advocates for investment in infrastructure to support new housing developments, with a focus on increasing the supply of affordable housing for keyworkers.

The Local Government Act 2020 (LGA 2020) provides guidance for the sale of Council-owned land. Section 223 of the Act requires Council to give notice of its intention to sell the land, which includes the reasons for the sale and any restrictions or conditions that will be placed on the sale. Council must also provide an opportunity for public submissions on the proposed sale.

In addition to the LGA 2020, other Acts and Regulations may also provide power or guidance for the sale of this land. Include the Planning and Environment Act 1987, which requires Council to consider the planning objectives and policies when making decisions on land use. The land is zoned as General Residential use.

The Land Acquisition and Compensation Act 1986 does not apply in this circumstance as Council purchased this land rather than acquisition.

Gender Equality Act 2020

It is important to note that under the Gender Equality Act 2020, there is an obligation for Council to consider and promote gender equality in all their functions and activities. This includes the procurement of services. Gender was not required as part of tender submissions, nor was it considered a factor for the successful applicant.

Council implemented gender-neutral criteria and promoted equal opportunities for all potential bidders, as well as ensuring that the procurement process was conducted fairly and transparently.

Risk Management and Legal Considerations

Legal advice was sought from Russell Kennedy, who advised Council to adopt the REIV sales authority, which is a standard form contract used in the real estate industry and make further amendments to it to suit the specific requirements of the sale of the Lakes Edge site.

Industry participants are familiar with this form, and it contains many of the concepts and legislative requirements that the RFQ requires, making it more cost and time effective to make specific amendments rather than prepare an entirely new document.

Council-specific amendments can be included in the REIV form, such as specific requirements around confidentiality and data sensitivity, and any requirement for agents to provide evaluation services as part of any tender assessment.

Climate Change, Environmental and Sustainability Considerations

Climate Change, Environmental, and Sustainability factors have been considered in the development of the draft site master plan. Council has undertaken soil and ground water tests, flora and fauna investigation and cultural heritage site assessment.

Community Engagement and Communication

Under Section 114 of the Local Government Act 2020, Council will give public notice of its intention to sell the vacant block at for a minimum of 28 days by a Notice published on Council's website and in the Hamilton Spectator.

Disclosure of Interests

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

RECOMMENDATION

That Council endorse the procurement of Biggin and Scott to act on behalf of Council as the Lakes Edge Property Sales Agent, costing \$20,659 for the marketing campaign and 2% of the land sale for sales services.

10.7 S65 Community Asset Committee – Minutes

Directorate: Tony Doyle, Chief Executive Office
Author: Karly Saunders, Governance Coordinator
Attachments: 7. Cavendish Memorial Hall Committee, Annual General Meeting Minutes, 4 April 2023

Executive Summary

In accordance with Council's Governance Rules and section 47(4)(b) of the Act, approved minutes of Community Asset Committees are to be reported to Council Meetings to ensure governance requirements and appropriate standards of probity are being met.

Discussion

The following minutes of the Community Asset Committee meetings are attached to this report:

- Cavendish Memorial Hamill Committee, Annual General Meeting, 4 April 2023

The minutes have been confirmed at each preceding meeting and forwarded through to Council's Governance Coordinator for reporting to the next available Council Meeting.

Financial and Resource Implications

Not applicable.

Legislation, Council Plan and Policy Impacts

Community Asset Committees are established under Section 65 of the *Local Government Act 2020* and operate under a s47 Delegation issued by the Chief Executive Officer and are bound by Council's Governance Rules and the Committee Terms of Reference.

Risk Management

Regular reporting of the Committee Meeting Minutes ensure governance requirements and appropriate standards of probity are being met.

Environmental and Sustainability Considerations

There are no environmental or sustainability considerations in relation to this report.

Community Engagement and Communication

Not applicable.

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.

RECOMMENDATION

That Council note the Minutes from the Cavendish Memorial Hall Community Asset Committee Annual General Meeting held on 4 April 2023.

11. Notices of Motion

11.1 Notice of Motion #1/23

Cr Robertson

I hereby give notice of my intention to move the following motion at the Council Meeting to be held on 10 May 2023

MOTION

That Southern Grampians Shire Council:

1. Formally recognise the outstanding contribution of Bill Sharp to the Sir Reginald Ansett Transport Museum which included over 20 years on the committee made up of stints as both President/Chairman and Treasurer.
2. The Mayor writes to Bill Sharp to formally recognise this service to both the Museum and the community.

Background

Below is a timeline of Bill Sharp's and his involvement with the Sir Reginald Ansett Transport Museum Incorporated which is why the above motion is included in tonight's agenda.

2001 AGM November 2001 Bill was originally elected a Committee Member
 2002 AGM November 2002 again elected a Committee Member
 2003 AGM November 2003 again elected a Committee Member
 2004 AGM November 2004 again elected a Committee Member. At this meeting – November 2004 - Treasurer Neil McLaren declined the position of Treasurer as he was departing Hamilton.
 2005 AGM November 2005 Bill was elected Treasurer.
 2006 AGM November 2006 Bill was nominated for the Chairman position – which he declined, and he was once again Appointed – Treasurer.
 2007 AGM November Bill was once again elected Treasurer.
 2008 AGM – elected Treasurer
 2009 AGM – elected Treasurer
 2010 AGM – elected Treasurer and Public Officer
 2011 AGM – elected Treasurer and Public Officer
 2012 AGM - elected Treasurer (Public Officer was the Secretary)
 2013 AGM - elected Treasurer
 2014 AGM – Bill resigned as Treasurer but remained a Committee Member
 2015 AGM – Bill is elected a Committee Member
 2016 AGM – Bill elected a Committee Member (circa December 2016 departed Hamilton)
 2017 AGM – Bill elected a Committee Member
 2018 AGM – Bill elected a Committee Member
 2019 AGM November 2019 – Bill elected PRESIDENT / CHAIRMAN
 2020 AGM – held 12/01/2021 – Bill re-elected PRESIDENT / CHAIRMAN
 2021 AGM November 2021 – Bill re-elected PRESIDENT / CHAIRMAN
 2022 AGM December 2022 – Bill re-elected PRESIDENT for three months.
 2023 APRIL – At this time Bill is wishing to resign as acting President and continue his involvement with the Sir Reginald Ansett Transport Museum in an ex-officio capacity.

12. Delegated Reports

Reports on external Committees and Representative Bodies for which Councillors have been appointed as a representative by Council.

13. Mayors and Councillors Reports

Address from the Mayor and Councillors in relation to matters of civic leadership and community representation, including acknowledgement of community groups and individuals, information arising from internal Committees, advocacy on behalf of constituents and other topics of significance.

14. Confidential Matters

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